Thomas Stephen Rogerson is the author of the thesis entitled:

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FOUCAULDIAN ANALYSIS AND 'THE BEST INTERESTS OF THE CHILD'

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AUGUST 2001
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18/01/02

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ACKNOWLEDGEMENTS

There are a number of people and places to whom I am forever indebted for their encouragement, support and confidence.

My supervisors Jan Fook and Anna McGarvey for their considerable insights and confidence in this project

My colleagues, Paul Levett and Katrina Mackenzie

My loving family, especially my wife and inspiration Helen Jessup

Red Ochre beach

Corsenside
# TABLE OF CONTENTS

List of Figures\hspace{10em} v  
List of Tables\hspace{10em} v  

**ABSTRACT**\hspace{10em} vi  

**Chapter 1: Introduction**\hspace{10em} 1  
Social Work, Child Protection and Risk\hspace{10em} 1  
The Contribution this Thesis Makes\hspace{10em} 7  
Review Of Chapters\hspace{10em} 7  

**Chapter 2: Using Foucault**\hspace{10em} 12  
Foucault and Postmodernism\hspace{10em} 12  
Two Concepts of Social Power\hspace{10em} 14  
'The Best Interests of the Child' and Social Power\hspace{10em} 25  
Foucault's Interpretive Critical Analysis\hspace{10em} 25  
Key Concepts\hspace{10em} 32  
Summary: Parrhesia as Practice\hspace{10em} 42  

**Chapter 3: Social Work and Power**\hspace{10em} 44  
Poststructuralism and Social Work\hspace{10em} 45  
Opposition\hspace{10em} 48  
Assimilation\hspace{10em} 52  
Poststructural Foundationalism\hspace{10em} 55  
Appropriation\hspace{10em} 59  
Specific Practices\hspace{10em} 61  
Summary: The Search for Theory\hspace{10em} 63  

_
Chapter 4: Child Protection and Power  66

A Foundation for Meaning and Practice  68
Assimilation  74
Appropriation  78
Objects of Knowledge  82
Creating Subjects  84
Summary: The Search for Practice  85

Chapter 5: Methodology  87

Discourse Analysis  89
Foucault’s Discourse Analysis  92
Reading Power as ‘the Best Interests of the Child  96
The Research Question  98
Three Stages of Research  102
The Text  105
Presentation and Authorship  106

Chapter 6: Archaeology  108

Place  109
History  111
Research  115
The Divine Institution  123
Child Development  126
Privacy  129
Whole of Government  132
Summary: The Order of Things  135

Chapter 7: Genealogy  139

Whole Of Government  140

The Children, Young Persons and Their Families Act 1997  141
Looking After Children: Good Parenting, Good Outcomes  148
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normalisation</td>
<td>151</td>
</tr>
<tr>
<td>Surveillance</td>
<td>153</td>
</tr>
<tr>
<td>Summary: Carceral Knowledge</td>
<td>155</td>
</tr>
<tr>
<td><strong>Chapter 8: Ethics</strong></td>
<td></td>
</tr>
<tr>
<td>The Language of Whole of Government</td>
<td>161</td>
</tr>
<tr>
<td>Whole of Government Practices</td>
<td>162</td>
</tr>
<tr>
<td>Identity as Surveillance</td>
<td>165</td>
</tr>
<tr>
<td>Summary: The Construction of Subjects</td>
<td>168</td>
</tr>
<tr>
<td><strong>Chapter 9: Practice</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Part 1:</strong> ‘The Best Interests of the Child’ as Social Government</td>
<td>171</td>
</tr>
<tr>
<td>Archaeology</td>
<td>172</td>
</tr>
<tr>
<td>Genealogy</td>
<td>174</td>
</tr>
<tr>
<td>Ethics</td>
<td>175</td>
</tr>
<tr>
<td>The Panopticon</td>
<td>177</td>
</tr>
<tr>
<td><strong>Part 2:</strong> Parrhesia</td>
<td></td>
</tr>
<tr>
<td>Keeping the Subject: ‘the Best Interests of the Child’</td>
<td>178</td>
</tr>
<tr>
<td>Discursive Empathy</td>
<td>179</td>
</tr>
<tr>
<td>Applying Parrhesia</td>
<td>181</td>
</tr>
<tr>
<td>Using Foucault: Future Directions for Social Work</td>
<td>184</td>
</tr>
<tr>
<td><strong>Summary: The Fetter and the Silken Cloth</strong></td>
<td>199</td>
</tr>
<tr>
<td><strong>References</strong></td>
<td>204</td>
</tr>
</tbody>
</table>
List of Figures

Figure 1: The Panopticon  21
Figure 2: Place as Oppositional Force  110
Figure 3: Place as 'The Best Interests of the Child'  111
Figure 4: History as 'The Best Interests of the Child'  115
Figure 5: European Rationality and 'The Best Interests of the Child'  122
Figure 6 Privacy and 'The Best Interests of the Child'  129
Figure 7: Totalising Individuality and 'The Best Interests of the Child'  167
Figure 8: Risk as a Frontier of Knowledge  172

Tables

Table 1: Types of Discursive Empathy  181
ABSTRACT

Foucauldian Analysis and ‘the Best Interests of the Child’

In this thesis I have developed a theoretical framework using Michel Foucault’s metaphor of the panopticon and applied the resulting discursive methodology to prominent risk assessment texts in Tasmanian Government child protection services. From this analysis I have developed an innovative poststructural practice of discursive empathy for use in child protection social work.

Previous research has examined discourses such as madness, mothering, the family and masculinity using Foucault’s ideas and argued that each is a performance of social government. However my interest is in ‘the best interests of the child’ as governmentality; risk as the apparatus through which it is conducted and child abuse its social effect. In applying a discursive analysis, practices of risk assessment are therefore understood to actually produce intellectual and material conditions favourable to child abuse, rather than protect children from maltreatment.

The theoretical framework produced in this thesis incorporates three distinct components of Foucault’s interpretive analytics of power: archaeology, genealogy and ethics. These components provide a structure for discourse analysis that is also a coherent methodical practice of Foucault’s notion of ‘parrhesia’. The practice of parrhesia involves social workers recognising that social power is subjectively dispersed yet also hierarchical. Using this notion I have analysed ‘the best interests of the child’ as a panopticon and argued that child abuse is a consequence.

This thesis therefore demonstrates how child protection social workers can expose the political purpose involved in the discourse ‘the best interests of the child’, and in doing so challenge the hostile intellectual and material conditions that exist for children in our community. In concluding, I identify how discursive empathy is a readily accessible skill that social workers can use to practice parrhesia in a creative way.
CHAPTER 1

INTRODUCTION

In this research I examine risk assessment in child protection social work by applying the poststructural interpretive analytics developed by Michel Foucault. To do this I develop a specific Foucauldian theoretical framework for researching the language of risk assessment texts in relation to poststructural principles of knowledge, power and ethics. I then explore how significant theory and practice is produced from research in this field of social work.

There are two prominent reasons for this inquiry. The first surfaces from my experience of a crisis of purpose in social work generally given the intensity of social change and the challenge of postmodern thought. The second reason emerges from my dissatisfaction with the increasing reliance on techniques of risk assessment that define ‘the best interests of the child’ and determine how my social work practice can protect children from maltreatment.

Social Work, Child Protection and Risk

The social work profession seems in agreement that its concern with social problems is encountering major dilemmas in the new 21st century. Social workers are implicated in the politics of uncertainty amid the continuing intensity of global capitalism, the ethos of individualism and consequent call for revised theories of social power that can construct relevant policy and practice. This crisis is represented in the recent demands placed on social work’s identity by postmodernism. It is recognised that if social work is a ‘child of modernity’ (Howe 1994: 513) then 'late' or 'post' modernity poses difficulties, yet also opportunities, for social workers. Within postmodern thought the social theory of Foucault has required a specific response.

At the same time social workers in child protection services are confronting the
emergence of risk assessment as the major response to child abuse and means of defining 'the best interests of the child'. The idea that the measurement of risk should be decisive in allocating resources, determining social policy and deciding social work practice, has been an integral part of the recent political and economic upheaval and change demanded of social workers. It is a shift that is central to social work's overall uncertainty. Such a transformation within child protection stipulates that 20th century modernist certainties, including the welfare state, central government planning and social collectivity, should be replaced with the ethos of individual responsibility for social hazards and State responsibility for compliance to procedures of risk assessment. Child protection social workers, in their traditional role as protector of 'the best interests of the child', have a major role in the renegotiation of values and purpose which confronts the profession. Ife recently reminds us:

The real test of progressive social work is whether it can be located in the more hostile and authoritarian environments within which social workers are currently required to work (1997: 147)

I have practised as a child protection social worker for 25 years and have seen a concentrated movement to regulate the social world using risk assessment, with similar enthusiasm to its application in the natural and financial environment. Policies and procedures that deal with social problems on the basis of risk increasingly establish the very purpose of human service agencies such as child protection. Increasingly, exact policies dictate specific practices in documents of risk assessment. The fear for many social workers is that familiar therapeutic and socio-structural paradigms are replaced with the technical skill of measuring hazard and danger, using scientific tools of competency assessment, that comprise influential State Government Departmental texts. I shall examine how the social work literature responds critically to this situation, yet finds it difficult to articulate alternative practices.

The Postmodern 'Turn'
There is agreement in the social work profession that postmodernism is important and that the emancipatory project, which has fuelled social work practice, is rendered
problematic by postmodern thinking. Universal belief in reason, truth and history has been disrupted by the postmodern emphasis on diversity, difference, subjectivity and relativity. While I have said that social work and modernity are indivisible, risk and modernity are also associated with one another (Beck 1992: 21). This research thus extends the current search for responses to the postmodern 'turn' (Seidman 1994) by locating risk as the focal point of interest and child protection as the social work practice that is encountering a major predicament.

At first glance postmodern thinking appears to confirm the demise of the social work profession as a medium for social change. I shall propose that this is a consequence of social workers generally retaining the core principle of modernist sovereign power as a template for practice. A coherent 'postmodern' position has therefore been difficult to articulate, compared to other social sciences or the arts. Indeed such a position is often presented as a paradox in the social work literature. This research argues that in postmodern social work practice the concept of social power itself requires reshaping.

Theorising social power is crucial in this research. I will emphasise that a comparison of two concepts of social power, sovereign power and panoptic power, is useful in understanding the response of the social work profession to postmodern thought, Foucault and risk assessment practices in child protection. I will argue that social workers are restrained from developing postmodern theory and practice by maintaining the view that social power is sovereign, governing people and shaping their lives through various hierarchical structures.

Conversely poststructural practice is characterised by a commitment to theorising power as a 'panopticon'. Using this notion this is a government of people that is 'social'. Social power is understood as diffuse, subjective and dispersed, operating through ideas and beliefs, language, habits and customs producing the social opportunities that individuals can access, or are excluded from. Yet, following Foucault's ideas, I stress that panopticism also includes the operation of sovereign hierarchical power. This nexus determines Foucault's work as poststructural not anti-structural. Once equipped with this appreciation of power as social government,
the postmodern 'turn' can offer social workers possibilities for practice rather than
trepidation and constraint.

Opposition, Assimilation and Appropriation
Different perceptions exist about the consequences of postmodern thought for social
work and just how social work should respond to postmodernism. I have identified
three prominent responses, distinguished by their particular conceptualisation of
social power: opposition, assimilation and appropriation.

First, some writers argue that postmodernism threatens the very survival of social
work. It is argued that postmodernism replaces foundational thought and practice
with endless deconstruction and nihilism: a useful philosophical ally for the cult of
individual political capital. Postmodern thinking is found deficient in values, such as
coherence, logic and moral agency that are seen as the exclusive property of
modernism. Social work writers who promtct this position argue that modernism
and therefore social work needs more favourable socio-structural conditions before
fulfilling its promise. I have called this an 'oppositional' approach to postmodernism
and Foucault.

Second, some social work writers who are sceptical modernists seek a more strategic
approach to postmodernism. They acknowledge that modernism has largely been
oppressive, despite some important humanitarian gains. I have called this an
'assimilative' conversion of postmodernism, because this narration selectively uses
the principles of postmodernism, particularly Foucault, in order to produce more
favourable conditions for modernist foundationalism. I find this to be the dominant
position taken in relation to the possibilities of postmodern social work today. This
assimilation is characterised by a particular notion of 'deconstruction' and I will cite
valuable practices of postmodern discourse analysis in social work that illustrate this
position. Using poststructural ideas these writers have understood social exclusion to
be the result of discourses that construct individuals as 'problems'. However this is
largely limited to 'post' theorising rather than determining actual practice skills.
Moreover this approach operates within current theoretical frameworks such as
existing risk assessment logic. In this way such writers propose alternative solutions to problems such as child abuse.

I shall emphasise that both oppositional and assimilative approaches to postmodernism retain sovereignty as their culture of power. On the other hand a third response to postmodernism claims a practice, which appears to be more consistent with Foucauldian philosophy, and a culture of power as panopticism. This narration also involves a critique of modernism's received ideas, but is followed by a distinctive poststructural method and practice that involves an agency of resistance rather than the proposal of alternative solutions. These writers 'appropriate' Foucault's ideas to create methods of practice from poststructural philosophy.

**Foucault**

I have found that all three social work critiques of postmodernism focus on the ideas of Foucault in preference to writers such as Derrida, Barthes and Lyotard. Foucault is seen to offer a distinct valuable theory of social power for social work. It is Foucault's work on the relationship between knowledge and power, in the formation of social relations that is given particular value by the literature. While I shall acknowledge objections to this, Foucault's work is nevertheless a compelling addition to social theory and one that provides possibilities for practice. Foucauldian discourse analysis has began to equip social workers with strategies to reinvigorate social and individual change. His work is offering an agency of transgression and resistance, through two particular approaches to understanding social phenomena: archealogy and genealogy. There are two related processes required for this practice: discourse and 'difference' and social workers are beginning to employ these critical tools. Yet there remain major limitations to the use of Foucault by social workers.

Further research into developing a theoretical framework that can provide a coherent practice is an ongoing requirement. Despite extending the use of Foucault, the existing literature is largely subsumed within dominant modernist tenets and loses important critical impact. In this way research emerging from the postmodern turn in the social work profession largely deconstructs knowledges, which underpin existing
theory and practice. Whether it be oral or textual communication Foucault is used to uncover hidden and oppressed meanings. The liberation of these meanings is taken to represent a more effective solution to social problems. We shall how this assimilation represents the employment of Foucault's notion of the archaeology of meaning, with occasional use of genealogical critique in relation to the production of social relations.

I find that limiting analysis in this way does not give sufficient emphasis to important Foucauldian critical principles including historical locality and ethics. Specifically, social workers do not utilise the Foucauldian concept of 'parrhesia'. I shall argue that parrhesia provides a productive activity for social workers that can extend theoretical analysis to a distinct poststructural practice of social change. Parrhesia provides a distinct poststructural skill base for converting analysis into a method of individual and social intervention. Parrhesia therefore provides the bridge between assimilative theory and practice and theory, and practice that appropriates Foucault's ideas. It doing so an appreciation of parrhesia can replace the fear of postmodern nihilism with a specific ethical and purposeful poststructural mandate. In developing this critical position I will be required to undertake a familiar activity whenever social workers modify the paradigms that inform their profession. It will be necessary therefore to step outside specific social work writing and examine the wider critical literature concerning postmodernism.

A final comment here is that this thesis overcomes a further limitation to the use of Foucault's work. Valuable Foucauldian discursive research and practice does not place 'the best interests of the child' as the central subject of poststructural investigation. Such analysis asks how ideas and practices that represent social notions such as 'family', 'mothering' or 'masculinity' constitute forms of social government. They expose how these particular discourses are political mechanisms of social exclusion. Yet they do not locate 'the best interests of the child' as a discourse and then ask the same questions of that notion. In this way child abuse is represented as a by-product of these other discourses. In this thesis I extend this poststructural understanding of child abuse by examining it as a specific discursive effect of 'the best interests of the child'.
The contribution this thesis makes

This thesis uses Foucault’s theory of power/knowledge and ethics as a distinct method of research and in doing so offers a coherent framework that can apply poststructural principles of critical analysis to social problems. This significantly extends the appropriation of Foucault’s ideas and the social work profession’s critical engagement with postmodernism. Furthermore, the research positions ‘the best interests of the child’ as the central subject of examination and thus contributes to the overall poststructural understanding of child abuse as a social problem.

This research also develops practice possibilities for child protection social work that expands familiar skills and values using this Foucauldian approach. I specifically incorporate the often-overlooked ethical dimension of Foucault’s critical analytics, into a framework for poststructural social work practice. I conclude the research with an example of this practice of parrhesia: ‘discursive empathy’. I illustrate how discursive empathy is an innovative practice that retains the social worker’s concern for child protection and ‘the best interests of the child’.

Review of Chapters

In Chapter 2 I use Foucault’s ideas to establish a theoretical framework for analysing ‘the best interests of the child’. To do this I distinguish between two broad concepts of social power: sovereignty and panopticism. I position the principles of sovereign power within the history of modernist thought and demonstrate how this produces specific practices characterised by oppositional force, including risk assessment. I then outline the characteristics of Foucault’s notion of panopticism and social governmentality. I identify the analytical tools of discourse analysis and the critical principles that comprise this Foucauldian method of deconstruction.

Chapter 3 examines how social power is a useful concept in understanding the disagreement in the social work profession concerning postmodernism and the constraints to using Foucault. I distinguish two broad responses from social work, opposition and assimilation, that problematise postmodern thought. This problematic
critical position is understood as a result of the social work profession’s commitment to sovereign power. Once the wider critical literature is considered, it becomes apparent that a specific concept of foundationalism is required for this approach to be maintained.

On the other hand a third response is possible. Postmodern ideas are also utilised in social work to provide significant alternative practices when the notion of panoptic power and poststructural foundationalism is used. I suggest that this constitutes an appropriation of Foucault’s work and confirms the value of this thesis in extending poststructural social work practice.

In Chapter 4 I find, once again, that it is the concept of sovereign power that establishes the dominant theoretical framework for child protection social work. Furthermore, risk assessment constitutes the prevailing means of practising this sovereign approach and assures the validity of modernism in this field of social work. Using the classifications developed in the previous chapter I argue that the dominant critical position that emerges from the child protection literature, which does consider poststructural thought, is one that assimilates postmodern ideas. Thus valuable poststructural theorising is largely confined to the pursuit of a solution to child abuse by defeating an oppression that is now discursive.

There are other limitations to the use of Foucault in child protection social work. Where poststructural critiques in child protection do appropriate Foucault’s ideas the discourse of ‘the best interests of the child’ does not feature as the central subject in such writing. Furthermore my review of the literature does not locate a methodical theoretical framework for the use of Foucault that articulates a coherent practice base for child protection social work.

In Chapter 5 I specify how I will employ Foucault’s critical tools of analysis that constitute the theoretical framework for this research. I construct a specific research question and methodological design to discursively analyse prominent risk assessment texts. I therefore explain how knowledge, power and ethics represent the mechanics of this research and locate this particular pragmatics within the overall
context of discourse analysis as a research method. I then present a review of the specific texts to be examined and comment on the presentation of the research.

Chapter 6 presents the first segment of discursive data resulting from the analysis of the texts and provides some initial evidence of ‘the best interests of the child’ as panopticism. Here I carry out an archaeology of the texts that examines ‘the best interests of the child’ as a discursive formation. I identify several generative knowledges embedded within the historical construction of the idea and practice of risk assessment in Tasmania. I employ the metaphor of ‘frontier’, between the SAFE and UNSAFE child, for the poststructural purpose of illustrating how ‘the best interests of the child’ is a product of dominant knowledge and therefore knowledge that is excluded. This strategy disrupts many of the claims made by the texts and it becomes possible to understand ‘the best interests of the child’ as a means of social governance rather than merely a goal of emancipation. In particular the idea of ‘whole of government’ is identified as the principle contemporary apparatus in risk-assessment that now promulgates this particular discourse.

This analysis of ‘the best interests of the child’ is extended further in Chapter 7 where a genealogy of the texts is undertaken. This continues the previous investigation of knowledges that comprise the archaeological ‘order of things’, but here focuses on detailed practices. Certain sections of the text Looking After Children (Department of Health, 1996) and current legislation The Children Young Persons and their Families Act 1997, are examined in this way to determine how an increasingly detailed meaning of normality for ‘the best interests of the child’ is produced.

I argue that these practices operate in this way by continually developing a binarist, oppositional tension between the idea of the SAFE child and UNSAFE child. These texts do pursue a meaning for the SAFE ‘normal’ child. However at the same time they locate further meaning for the UNSAFE child. The effect is to produce more rarefied ideas of normality that allow increasingly invasive social government through the apparatus of risk assessment.
Moreover this process of governmentality involves the construction of a political identity, not of poststructural subjects such as ‘madness’ or ‘sexuality’, but from compliance to the discourse of ‘the best interests of the child’. Just as social inclusion and exclusion occurs through the idea and practice of the opposition MAD/SANE, I suggest that we are constituted by similar subjects of the knowledge SAFE/UNSAFE child. A concluding theme emerging from this chapter is that, rather than merely protecting children from maltreatment, the practices of these texts create hostile intellectual and material conditions for ‘the best interests of the child’.

Ethics is the third component of this Foucauldian research method and is applied in Chapter 8, where I find that the risk assessment text manufactures a quite specific form of social government. This is a particular ethical apparatus of ‘totalising individuality’, which has an extensive lineage in modernist thought and practice. I argue that the language and practice of ‘whole of government’ constructs a totalised expectation of ‘the best interests of the child’ at the individual level. This constitutes compliance to a certain universal understanding of subjective agency and represents a further genealogical layer to the panopticon ‘the best interests of the child’. Again, this dynamic creates intellectual and material restraint to the promise of risk assessment.

Chapter 9 is divided into two sections. In Part 1 I discuss a way of knowing ‘the best interests of the child’ that emerges from this research. This way of knowing positions ‘the best interests of the child’ as a discursive nexus of knowledge, power and ethics that creates hostile conditions for the SAFE child. This approach does not offer a discursive solution to child abuse and no safe space is constructed for children. The intention is to problematise the claims of risk-assessment. However I argue that employing a Foucauldian notion of power as panopticism can supply child protection social workers with creative practice theory. Understanding ‘the best interests of the child’ as a form of social government is to disclose a discourse that can then be resisted. I subject the knowledges I found in the earlier archaeology to this process.

The second part of this chapter specifically looks towards a practice of parrhesia and concludes the thesis. This practice requires that social workers develop a notion of
power as panopticism and innovative skills derived from a poststructural politics of resistance. Practice becomes a constant political critique of the relationship between meaning and social arrangements that determine 'the best interests of the child'. I emphasise the relevance of familiar social work methods and apply an example of this Foucauldian practice of parrhesia - discursive empathy - for use in child protection.
CHAPTER 2

USING FOUCAULT

Introduction

In this chapter I have used Foucault's theorisation of social power to establish a theoretical framework for analysing a specific discourse. In Chapters 6, 7, and 8, I will use this framework to analyse how practices of risk assessment operate in child protection through a discourse I call 'the best interests of the child'. I have taken Foucault's metaphor of the panopticon to represent the operation of 'the best interests of the child' as discursive social government. From Foucault's own work, I identify three analytical processes that are necessary to investigate such a panopticon: archaeology, genealogy and ethics. I have separated them to reflect their chronological development by Foucault through his working life. I review key principles of discourse, biopower, history, place and language that activate these tools of analysis and finally examine Foucault's agency of parrhesia.

Foucault and Postmodernism

It is useful at this point to locate Foucault's own poststructural position within the broader postmodern movement. The similarities and differences between postmodernism and poststructuralism are widely debated. I comment on them here to emphasise the specific value that Foucault's work has for social theory; subsequent importance for this research and possibilities for social work practice.

Writers generally propose that postmodernism is concerned with the cultural study of the postmodern era. On the other hand, poststructuralism is said to be specifically involved with social theory (Fook 1996: 196) and can be understood as 'the social political theory aspect of the broader postmodern movement' (Fook and Healy 1994: 46). Poststructuralism has been called 'the working out of cultural theory within the
postmodern context’ (Lather 1987: 4). Calinesu (1987) argues that poststructuralism can harness the critical potential for change within the postmodernist world and Lonsdale adds:

Poststructuralism can be understood as that theoretical 'stream' [sic] within the broader umbrella of postmodernism which radically subverts and problematises taken for granted assumptions about language (1991: 11)

Much of the literature I will review here explores whether Foucault’s work has an agency. By this I mean whether his ideas can constitute an active practice for social workers. In this sense poststructuralism is said to be concerned with the fluid construction of meaning in social, political and historical contexts (Sands and Nuccio 1992: 491). Howe looks forward to poststructuralism’s contribution to further theory for social work (1992: 168). Foucault's poststructuralism is useful for social work since it has a political 'line of resistance' retaining the operation of power 'at its heart' (Walby 1992: 35). Postmodern writers do view his work as particularly useful for both social critique and poststructural social work practice. It is Foucault’s ideas that generally underpin poststructural theory, practice, research and education. Foucauldian notions of discourse, biopower, history, difference and the decentered self have been increasingly used by social workers to extend an epistemological critique of the role played by social power in the production of social relations and to develop innovative practice methods from that appreciation.

Yet Foucault remains a poststructuralist within the postmodern tradition and uses the ideas of distinctively postmodern writers including Derrida, Lyotard and Lacan. One important postmodern critical principle is the notion of oppositional force. This concerns the construction of a binarism whose two components operate against one another and is said by postmodernists to be an integral part of the development of Western modernist philosophy. The challenge to this notion characterises postmodern thought, including Foucault. Schrift describes the importance of this for Derrida's deconstructive 'double writing':

Derrida realised that in overturning a metaphysical hierarchy, one must avoid reappropriating the hierarchical structure (1995: 17)

This is an important intellectual direction that I will maintain in using Foucault. It
is critical that any discursive deconstruction of a binarism, in my case SAFE/UNSAFE, does not involve privileging one element of that binarism over its partner. Rather the analysis investigates how such a binarist notation has gained historical currency and what its effects are. It is to this process that many writers attribute a social theory and at the same time an agency, to Foucault. What is attractive about Foucault is his demonstration of how such a binary process constitutes social power as subjective meaning, but also the materiality of social relations.

This focus on social power gives Foucault's work greater relevance for social work than writers such as Derrida. Agger (1991) emphasises that Foucault's discourse analysis constitutes a social control sociology. Although Solas (1994) uses a Derridean approach to (DE)construct (sic) social work education texts, he calls Foucault's discourse analysis a 'worldly' poststructuralism. Solas explains that for Derrida 'there is nothing outside of the text' (Derrida [trans.] in Solas 1976: 158). Derrida's textuality is absolute and concerned with language in a manner that makes it impossible to escape text and broaden the focus to include the world outside (ibid.: 48).

In contrast Foucault's critical approach allows for a material 'social body'. This is a 'bio-politics' where the 'dispositif' of social power is specifically identified. Foucault's notion of dispositif can be defined as the apparatus through which social power operates (Foucault 1980: 194). This is a much broader reading of text that specifically determines the unstated subtexts of organizations, procedures, assumptions, laws and regulations that comprise 'techniques of living' (Hunter 1991: 1). Foucault's poststructuralism is therefore a branch of postmodernism that concentrates on how social relations are governed and the social effects of that governance.

Two Concepts of Social Power

The theoretical framework I use in this research emerges from the distinction between two concepts of power: sovereign and panopticism. I will first review the
concept of social power as sovereign and therefore hierarchical and structural. This notion of power characterises modernism and is actively challenged by Foucault within the postmodern tradition, when it is given unilateral status. Foucault responded with a critical theory of dispersed panoptic power, which he used to examine social relations such as madness and sexuality. He applied the metaphor of a panopticon to denote the resulting effect of social imprisonment and governmentality.

**Sovereign Power: the ‘Kings Head’**

Foucault represented the classical form of power that dominated until the 17th century as the ‘kings head’ (1980: 121). A brief review of the ideas and assumptions on which the notion of sovereign power is based, helps to understand Foucault's criticism of it and his reasons for developing a theory of power as panopticism. It also explains how such an analysis of power is relevant for this research.

Foucault pointed to important characteristics of this understanding and application of power: initially visible as exile, physical marking of the body such as amputation, reparation, confinement, tortures and death (Foucault 1977a: 2). These activities denoted the exercise of sovereign power as an open, exposed demonstration of government and punishment for crimes. Foucault recounts how this culture of power was then transformed into other hierarchical methods, which saw the demise of the public spectacle of torture and death, yet retained the core principles of sovereignty. In particular Foucault was interested in how scientific ideas came to be practised as government in this way.

Foucault's historical studies therefore concerned the development of systems of thought and their use as punitive social instrument. This specifically focused on the transformation of punitive power in modern society and how such power produces the social world. In particular his early work investigated how the public exhibition of physical punishment and executions depicted in *Discipline and Punish* (1977a), translated into governance as a social contract of hierarchical laws, rules and precepts facilitated by a central authority.
Foucault saw sovereignty to be a philosophy of power that represents the modern intellectual landscape of Hobbes, Locke, Mills and other formative Western thinkers. For Foucault, Western social relations are the effect of a hierarchical operation of power that claims to be visible, accountable and 'undivided' in the sense that there can be no legitimate dispute of its validity. Modern practices of sovereign power were an outcome of the struggle for legitimate political authority that characterised the Enlightenment and the idea that 'Man' was a social being. Other commentators including Laski report the historical antecedents of this particular operation of power within modernist and humanist philosophy:

By 1600 we may say definitely that men are living and working in a new moral world. There is a new social discipline that it sanctions independently of the religious ideal. There is a self sufficient state... It is expansive, utilitarian, self confident. It sets before itself the ideal of power over nature for the sake of the ease and comfort this power will confer. In its essence, it is the outlook of a new class, which, given authority, is convinced that it can remould more adequately then in the past, the destinies of man (1936: 57-58)

Hence the developing modern state involved a theorisation of the legitimate nature of power. For example Hobbes stated that the rule of the law should be held by the State and individuals should surrender their rights to the State. In this way the State can protect the collective social body with a charter of absolute and universal laws and the safety of citizens can be ensured. This 'covenant' or agreement removes the fear of war and social anarchy. At the same time the citizens of the State become subjects in a particular sense:

That men who choose their Sovereign, do it for fear of one another, and not of him who they Institute: But in (the other) case, they subject themselves to him they are afraid of (Hobbes 1651 [1968]: 252)

On the other hand Rousseau believed this agreement should be more democratic and less fearful. Power should operate through the citizenry and the community should determine law. This notion of power 'through' the citizenry is an important conceptual shift since the claim can now be made that certain processes exist for decisions to be made by all citizens, for all citizens. Rousseau thus began to disperse the king's head throughout society.
However specific unilateral sovereign concepts are retained. The concept of collective good is maintained, together with the belief that common laws could and should exist in the modern State. Furthermore, the rights of citizens to such a universal law brought with it certain obligations. These obligations began to extend to how individuals conducted themselves and opened up the space for the provision of expert advice so that rights could be fulfilled. The work of John Stuart Mill, Locke, Marx and others offer different procedures but all maintain these basic principles of sovereign power, Enlightenment and modernity. However there is one overarching principle - the notion that both the natural and social world will conform to laws determined through science and rationality: truth.

**Truth**

Foucault emphasised that sovereign power, whether the gallows or science is concerned with a belief in truth. He said that the ideas of the Enlightenment and their practice through sovereignty continue to dominate contemporary thinking in relation to power and government. Despite the removal of the public spectacle of torture and death there remains a fundamental belief in truth. The Enlightenment merely pronounced that science would ratify truth rather than God or Deity. In this way this Enlightenment represented humanity as a universal social entity, rational, and capable of controlling nature and the social world. The philosophy of the Enlightenment provided man with a science of reason and rationality to construct progress and social order. No longer would man be reliant on the Deity, Church or Monarch for absolution and providence.

Foucault stressed that in this modern period of social history the scientific method was accredited with the power to lead humanity to freedom from the dark ages of pestilence, disease and social conflict. Yet for this to happen this freedom must be ‘real’ and can only happen if the circumstances of this realism are the same for all. The social sciences have emerged to design knowledge that will create both political systems and social structures for the practice and governance of this truth. Without this knowledge the project of modernity has no method to achieve its goals.
This is social engineering on a grand scale. The consequences of this knowledge of truth is that 'defective behaviour' is self-evident and is a product of nefarious and identifiable causes such as poor environment, social conditioning and/or internal psychological forces. Such behaviour and its material difficulty is no longer merely the product of natural disaster or the supernatural. The Enlightenment and modernist thought explains social problems using positivist rationalism and applies a uniform yet individual solution to the problem. These solutions require expert knowledge and expertise; a 'guiding hand' that is no longer merely spiritual, but also technical and professional. In this philosophical space, counter activity to truth is conceptualised as collective revolution or as individual repression.

Certain social practices result from this theoretical formula. Foucault emphasised that sovereignty determines that decision-making practices concerning social life rest in the hands of a higher authority. Such an authority, whether contracted or not by the many in society, then has the right to exercise power over individuals on their behalf for the collective good. This power acts on the individual and establishes legitimacy and illegitimacy through juridical processes which are adversarial and which establish whether rights have been transgressed. Foucault's studies rigorously challenged this system of thought and identified the many exclusionary effects of these practices.

For Foucault, this notion of power has been pre-eminent in the modern period. It has provided status to social scientists, politician and philosophers because it offers a means of easily identifying who has power and who has not (Hindess 1996: 27). Yet as I point out below, Foucault emphasised that the claim that power operates unilaterally in this way is a spurious one. He argued that such a belief serves the purpose of rendering certain practices of social domination invisible.

**Dispersed power: the 'Panopticon'**

Foucault's comprehension of dispersed power partly emerged from his frustration with Left-wing politics in France during the 1960's. This is worthy of comment since it further exemplifies his criticism of sovereignty. Foucault saw that the Left viewed power as emanating from a State apparatus upholding capitalist class domination.
Conversely the Right viewed socialist power as Stalinist and a footpath to the Gulag. Foucault saw both sides viewing the other as totalitarian and blaming each other in a 'polemical and global manner' (Foucault 1979: 34). Both factions thus understood the operation of power in strict sovereign terms. Foucault’s initial challenge to this, with work such as the ‘politics of psychiatry and psychiatry as politics’ (Foucault 1979:30), was not deemed credible by the intelligentsia at the time.

For Foucault such sovereign ideas were of limited use. They did not explain how power was exercised in terms of daily tactics, strategies, belief systems and behaviours. He says:

So long as the posing of the question of power was kept subordinate to the economic instance and the system of interests of which it served, the problem of the mechanics of power are of small importance (1979: 116)

In this way Foucault argued that the processes through which disciplinary power operate are masked by the idea of unilateral sovereign power. In *Discipline and Punish* (1977a) Foucault pointed out how disciplinary scientific professions exercised the power of surveillance and punishment. Speaking of new ‘reforms’ categories of deviance were constructed against standards of normality. Foucault documents the increasing control of minute daily behaviours and beliefs through this apparatus and material lived experiences that are an effect of this control.

Foucault said that this apparatus represented the birth of the modern social ‘prison’. He used further metaphors to extend the meaning of language so he could describe the ideas he was proposing. Foucault therefore proposed that this ‘carceral’ dispersed social ‘net’ of confinement is concealed by the idea that it is the concrete prison and juridical power that inflict punishment and social control in the pursuit of truth. In this way the whole of society becomes subject to surveillance and punishment not merely those who appear before judge and jury.

Foucault further argued that the notion of unilateral sovereign power could not explain how individuals comply with power that is often not in their interests. It could not explain the management of populations through ideas, beliefs, morals and
knowledge rather than through purely physical, concrete means or the appeal to God or King. He described the birth of this modern punitive society as:

The frontiers between confinement, judicial punishment and institutions of disciplines which were already blurred in the classical age, tended to disappear and to constitute a great carceral continuum that diffused penitentiary techniques into the most innocent disciplines, transmitting disciplinary norms into the very heart of the penal system and placing over the slightest illegality, the smallest irregularity, deviation or abnormality, the threat of delinquency. A subtle, graduated carceral net, with compact institutions, but also separate and diffused methods, assumed responsibility for the arbitrary, widespread, badly integrated confinement of the classical age (Foucault 1977a: 297)

Thus Foucault traced the historical development of power itself as a system of thought and practice. This panoptic form of power could meet a number of needs of the modern industrial state which sovereign power alone could not fulfil. The principal need was for the development and regulation of economic labour (Foucault 1984: 278) at a time of significant industrial change. This continued to require hierarchical social stratification and punishment. However this power was conducted via new types of surveillance, control and prohibition; necessary to discipline increasing numbers of people, who were beginning to operate and own the means of production. These techniques of power ensured that revolution and rebellion were deterred without resort to the spectacle of the gallows. For Foucault this government took the form of discourses of reform, treatment and rehabilitative imprisonment, while positioned within the philosophical principles of the Enlightenment I reviewed above. These discourses thus constructed both the notion of truth and deviancy and the process of governing that deviancy. Again it is important to note that Foucault emphasised that this led to the material reality of social exclusion. Once designated ‘mad’ the ‘reformative’ process merely reinforced the social exclusion of madness. In other words the label created the conditions under which those individuals lived as excluded citizens.

Foucault used a specific metaphor to characterise the apparatus of dispersed power, pronouncing that ‘the nineteenth century founded the age of panopticism’ (1994a: 32).
Figure 1: The Panopticon

The panopticon was a 19th century architectural prison design proposed originally by Jeremy Bentham in England. Individuals would be kept isolated in rings of individual cells, all of which could be watched from a central observation tower. The overall purpose was to instil social discipline within the prisoners, who believed they were always under surveillance and yet could not see their watchers. Assuming they were being observed, the prisoners disciplined themselves to comply with the rules of the institution. An Australian example of such an experiment in model imprisonment exists in Tasmania at Port Arthur.

Foucault used this metaphor to describe how people internalise social discipline. He said that a whole range of social practices, including madness and sexuality, were subject to scientific rigour and normalised in asylums, factories and schools. Such an apparatus is based on isolation, individuation and regulation, and acts on the individual body in a manner that demands conformity to a suggested 'normal' standard of behaviour.

Ultimately people police themselves, having fabricated their meanings of the world around certain norms. Acting ‘properly’ is therefore the means to prevent punishment. For Foucault the unseen 'gaze' of normalisation is the principle technology of carceral knowledge and modern social policing. The metaphor of the panopticon therefore represents a particular conceptualisation of social power in the production of social relations. Foucault argued that it increasingly characterised the modern world, gradually eroding the use of unilateral sovereign power.
In this way Foucault saw the technologies, which Bentham created for his model prison, being transferred outwards to society as a whole. Rather than the prisoner being subject to concrete physical incarceration, their imprisonment became subjective, ideational yet nevertheless material in its effect:

The public execution was the logical culmination of a procedure governed by the Inquisition. The practice of placing individuals under 'observation' [sic] is a natural extension of a justice imbued with disciplinary methods and examination procedures. Is it surprising that the cellular prison, with its regular chronologies, forced labour, its authorities of surveillance and registration, its experts in normality, who continue and multiply the functions of the judge, should have become the modern instruments of penalty? Is it surprising that prisons resemble factories, schools, barracks, hospitals? (1977a: 228)

The most economical form of such discipline entailed a process where individuals policing themselves; replacing the sovereign power of their captors. At the same time these individuals were not able to identify how they exerted this power over themselves. Bentham built this principle into the architecture of his prison and Foucault extended the notion. In this way ‘prisoners’ believe that they are subject to others rather than subject to others and themselves. Foucault investigated how forms of knowledge, medicinc, criminology and psychiatry, produce illegality that people measure themselves and others against. Hence he used the term ‘knowledge/power’ to encapsulate panopticism. He explored how this apparatus of knowledge/power created categories, such as madness, sexual perversion and criminality that functioned as social control mechanisms, producing the lived experience of social relations.

**Sovereign and dispersed power: a dualism**

I have separated the notion of sovereign and dispersed power so that I can comment on how Foucault understood the historical transformation of these practices of power. The relationship between the two was a major concern for Foucault when he examined the historical development of power as panopticism. It may appear that Foucault has constructed a binarism here also. However, he did not say that sovereign power was somehow replaced by dispersed power in modern society but rather that dispersed power became more pervasive and therefore demanded greater
consideration. He found that sovereign power was still executed in various forms and was institutionalised through the techniques of panopticism. This dialectic is a major finding of his work. Foucault quotes Vattel here: ‘by means of a wise police, the sovereign accustoms the people to order and obedience’ (Vattel in Foucault 1977a: 215).

For Foucault the operation of social power is constituted from this interplay between sovereignty and dispersal. The construction of social government through normalisation involves both structural, hierarchical law and repression but also institutionalised systems of scientific thought that capture ideas, beliefs and behaviours. For example:

The supervision of a normality was firmly encased in a medicine or a psychiatry that provided it with a sort of ‘scientificticity’ [sic]; it was supported by a judicial process, which directly or indirectly, give it legal enforcement (Foucault 1984: 237)

I have said that Foucault’s concern was that political theory has been contained within the parameters of a unilateral concept of sovereign power: a residue of Classical philosophy. For Foucault understanding modern power relations involves removing this constraint.

Sovereign law and prohibition formed a system of representation of power which was extended during the subsequent era by the theories of right; political theories have never ceased to be obsessed with the person of the sovereign. Such theories continue today to busy themselves with the problem of sovereignty. What we need however is a political philosophy that isn’t erected around the problem of sovereignty, nor therefore around the problems of law and prohibition. We need to cut off the King’s head: in political theory that still has to be done (Foucault 1980: 121)

This call for severance of the king’s head, does not imply that sovereign power does not operate. It is a call for such a unilateral understanding to be curtailed. Such a premise excludes other notions of power, such as dispersal. It also represents these two forms of power as binarist and oppositional rather than dualistic. Foucault did not suppose that dispersed power was somehow the opposite of sovereign power (a statement of binary logic). Rather he extended his notion of power so that power can be conceptualised as both dispersed and sovereign (a statement of dualistic logic). In doing so he hoped to penetrate the camouflage that obscures the operation of modern
power where power is merely theorised as sovereign. As a Foucauldian analysis this research appropriates this stance.

Social Power and Risk
Risk is an important process in establishing panopticism. For Foucault the practice of risk, as the calculation of danger and uncertainty, is important in the operation of any panopticon that comprises both dispersed and sovereign power. In *About the Concept of the Dangerous Individual* (1994b: 176-200) he stressed that ‘none of the characteristic undertakings of modern society will be without risk’ (1994b: 197). In this thesis the relationship between panoptic social power and risk is an important one for the analysis of ‘the best interests of the child’ as a discourse.

For Foucault and other writers risk emerged as a social practice in the Western Middle Ages for assessing natural hazard and danger in marine insurance and so forth. Danger had been deemed to be a natural or spiritual phenomenon. However Lupton (1999: 5) points out that the meaning of risk shifted to include the notion of human fault and responsibility. With the onset of modernity, risk became the vehicle for attributing chaos and danger to human agency rather than to nature or evil. This allowed for the control of uncertainty in the social world that would activate the various principles of the Enlightenment I have mentioned including individualism, social engineering through scientific knowledge, identification of deviancy and the progress towards order and truth.

Risk-assessment became the assurance of truth and universal common good and as such an apparatus that activates both sovereign and dispersed power. With the emergence of the modern state, risk operated as a scientific measurement of uncertainty and danger against given social variables, rather than characteristics represented as natural or supernatural. The point, again, is that reformative, rehabilitative or therapeutic practices can only be so because of the supposition of truth aided by the practice of risk-assessment. As truth operates as a political process in disciplining the population by employing newly emerging discourses of medicine, psychiatry and criminology, it employs the accompanying language of risk, to describe deviant practices and individuals.
‘The Best Interests of The Child’ and Social Power

In appropriating the work of Foucault to construct my theoretical framework the notion of social panoptic power is integral to my research. I am interested in how the ‘the best interests of the child’ and the practice of risk are understood when such a critical analysis is applied. To suggest that ‘the best interests of the child’ is a panopticon of governmentality does not rule out sovereign power operating through processes of risk assessment. Indeed one of the texts I shall deconstruct, *The Children, Young Persons and their Families Act 1997*, appears to be an exercise in sovereign power given its legislative purpose. The other major text, *Looking After Children* (Department of Health 1996), can be said to illustrate a more dispersed process of power given its emphasis on ideas, beliefs and values. To constitute panopticism both forms of power will co-exist.

A review of the literature, however, will illustrate that the response of social workers to child abuse remains located in the culture of unilateral sovereign power that Foucault challenged. This reluctance to cut off the King’s head demonstrates the importance of ensuring the invisibility of panopticism and raises important questions for social workers. Should ‘the best interests of the child’ be a form of panopticism, comparable to madness or sexuality, then distinctive practice possibilities may follow for the social work profession. If the problem of child abuse has been understood in the Classical and unilateral sovereign sense, how is it understood once power is theorised as panopticism? How do we as social workers then respond to child abuse given the properties of this problematisation?

**Foucault’s interpretive critical analysis**

In reading Foucault’s work I have found three critical analytical tools for investigating panopticism: archaeology (knowledge), genealogy (power) and a genealogy of ethics. In this research these tools of analysis will form the structure of the discursive theoretical framework and methodology I will employ to research risk assessment and the status of ‘the best interests of the child’ as a panopticon.
Archaeology

In the *Archaeology of Knowledge* (1972) Foucault was able to present some conclusions to his earlier works, including *Madness and Civilisation* (1965), *The Order of Things* (1970) and *The Birth of the Clinic* (1973). At this time Foucault was concerned with the historical conditions through which ideas are both produced and executed: 'the tree of derivation of a discourse' (Foucault 1972: 147). His notion of the 'order of things' referred to the performance of these ideas as a discourse that produce certain social practices:

A discursive practice is a body of anonymous, historical rules, always determined in the time and space that have defined a given period, and for a given social, economic geographical, or linguistic area, the conditions of operation of the enunciative function (Foucault 1972: 117)

There are certain key principles in implementing an archaeological examination. For Foucault this analysis does not understand the reality of social relations and as a critical tool archaeology does not reveal the objective world. Archaeology actually excavates knowledges that represent reality. Such knowledges develop over time to become discursive formations such as madness. Foucault was interested in identifying the process through which these discursive formations come into operation. He therefore examined statements in relation to one another within institutions, professions and other social contexts. To continue with the example of madness, Foucault understood mental illness to be 'constituted by all that was said, in all the statements that named it, divided it up, described it, explained it' (Foucault 1972: 32).

Madness did not become known as such in relation to any true sense of 'sanity', nor from any social agreement (or Covenant to use Hobbes' term). Foucault here disrupts any modernist self-referential claim to truth. He understands madness to be lacking any essential nature, truth or reality. For Foucault madness cannot be known except with reference to the forms of institutional knowledge through which it is created. He coined the term 'object' of knowledge to denote madness as a product of evaluations, assessments, procedures of classification and the ordering of characteristics. He proposed that to know madness, the researcher must therefore access those sites of knowledge and declare what they say.
For Foucault such an object of knowledge is designed to manage the populace. It places bodies in certain physical, material conditions. It grants privilege to some and not others. At the same time an object of knowledge determines how a problem is analysed since it structures the specific intellectual properties of knowing the problem to be such. It is therefore both intellectually and materially exclusive. Yet this is social power that is productive not merely repressive. Such disciplinary management produces the individual human body as a ‘subject’, established by objects of knowledge and the process of biopower (which I explain below). This process involves the formation of normalised morality embedded in the languages and material practices of knowledge in institutional and individual contexts. These knowledge and their dominances and exclusions are not static but historically unstable. Foucault thus proposed a specific causal relationship between knowledge and social relations.

In *The History of Sexuality* (1976) Foucault investigated how the social practice of male masturbation emerged as a problem in Victorian England. Yet Foucault's argument was that discursive processes, in this case the problematisation (knowledge) of male masturbation against normal sexual practices (truth) - did not eradicate this behaviour. On the contrary, exclusion and punishment led to an increasing sexualisation of society and childhood. This in turn induced an increasing confinement of sexual practices to the domestic bedroom and the construction of propriety concerning the utility of sex. For Foucault this process of social power created the conditions for male masturbation to be known as deviance: a panopticon of sexuality that ensured the exclusion of sections of the populace. Foucault was not primarily concerned with whether there was more or less male masturbation. At this stage of his work his principle aim was to uncover how a condition of social infraction, and therefore social government is produced, and what the effects are.

Foucault warns that archaeology does not seek alternative solutions to social problems; it does not aim to dispel ‘false consciousness’. It is not an analytical tool to formulate truth:

The role...is not to dissipate oblivion, to rediscover, in the depths of things said, at the very place in which they are silent, the moment of
their birth...It does not set out be a recollection of the original or a memory of the truth (1972: 205)

Archaeology confines itself to a detached systematic historical study of discursive paradigms of language and knowledge and the effects of these paradigms on social practices and individuals. This is the distinct intellectual direction and purpose of the archaeological component of Foucault's critique of panopticism.

**Genealogy**

In works including *Discipline and Punish* (1977a) and *The History of Sexuality* (1976) Foucault expands his notion that discursive truth is significantly interdependent with knowledge and has the effect of producing normative conflict as social relations. Rather than merely investigating the ordered rules of a discursive system and the historical establishment of 'truth' through those rules, Foucault's genealogical study allowed him to identify how norms, as ethical propositions, become established. In doing so a genealogy is interested in the detailed struggle over truth-making.

Using this critical tool I am, again, not primarily interested in any specific truth. My interest is in the formation of truth, since it is this process that constitutes the apparatus of social power (Foucault 1980: 83). Hence the purpose of genealogy is to articulate specifically how such power relations operate as the production of disciplinary social government. This is a much more detailed study of the practices of knowledge/power than Foucault introduced in his archaeological work. Genealogy continues the critique of objects of knowledge and extends the understanding of how subjects are produced. In particular, a genealogy is an appraisal of panoptic power through which an individual is governed and governs himself or herself:

*There are two meanings of the word subject: subject to someone else by control and dependence, and tied to his own identity by a conscience or self knowledge. Both meanings suggest a form of power, which subjugates and makes subject to* (Foucault 1982: 208)

A genealogy examines how the subject is produced from the manner in which problems and issues come to be articulated as such. It is in this production that
political truths become constructed and social effects are created, including self-
identity.

In this way *The History of Sexuality* (1976) is an archaeological study but it also
exemplifies Foucault’s shift to this genealogical stage of analysis. He investigates, in
some detail, the process for the formation of a social government of
knowledge/power based around sexuality. Foucault was interested in how knowledge
about human sexuality was produced from researching the lives of the population.
This research classified, categorised and subjected information to other techniques of
rationalisation, before claiming the status of truthful knowledge. For example ‘they
went so far as to measure the brainpan, study the facial bone structure, and inspect
for possible signs of degenerescence the anatomy of this person’ (Foucault 1976:
31).

In this way Foucault conceived of the human body as a ‘political anatomy’ (1977a:
138). This body is both individual and social at the same time: a ‘political field’
(1982:112) of the discourse of sexuality. The subjective state of the individual body
is constituted as the sexual self and can be managed and disciplined by the process of
social government. Just how this discursive marking of the social and individual
body occurs and affects the lived conditions of existence is the principle interest of
the genealogical investigation of variations on the modern panopticon.

**Ethics**

This is Foucault’s third analytical tool of analysis in the research of panopticism. He
says that:

> Three domains of genealogy are possible...a historical ontology of
ourselves in relation to truth through which we constitute ourselves as
objects of knowledge; a historical ontology of ourselves in relation to
a field of power through which we constitute ourselves as subjects
acting on others; third a historical ontology in relation to ethics
through which we constitute ourselves as moral agents (Foucault
1994(a): 262)

In reviewing the literature I found that this domain of the panopticon is one that is
neglected by many writers including social workers. This may be because it is
unfinished work before Foucault's death, does not have the historical depth that his earlier research has or is generally scattered throughout discussion documents and interviews, such as *Ethics, Subjectivity and Truth* (1994a). It certainly is not accessible in a single work such as *Archaeology of Knowledge* (1972) or *Discipline and Punish* (1977a). Yet it is crucial to Foucault's overall assembly of the three-part panopticon.

This is variously called a "hermeneutics of the self" or "technology of the self", where Foucault was concerned with the 'way in which a human turns him or herself into a subject' (1982: 208). Foucault argued that 'ethics' (human moral agency) is given a particular meaning and practice, when one accepts the principles of sovereign power and the Enlightenment. How social moral action occurs is itself presented as a truth, contingent on the belief that individuals are free to enter into Hobbes' covenant:

> What I am afraid of about humanism is that it presents a certain form of ethics as a universal model for any kind of freedom. I think there are more secrets, more possible freedoms, and more inventions in our future than we can imagine in humanism as it is dogmatically represented on every side of the political rainbow (Foucault 1988a: 15)

As I have said, truth, objectivity, rationality, Enlightenment can only be so if they are universal concepts. This requires a belief and a practice in becoming the same; becoming part of knowing in a totalised way. The ethical aspect of panopticism does not invite critical reflection. It does not commence from the position of the individual being invited to explore diverse meanings. Rather, it is an activity that commands us towards truth. For Foucault this is a critical part of the domination that panopticism provides and one that has its own genealogy. He called this agency the 'will to truth' rather than a 'will to know' (Foucault 1981: 52).

This ethical component of research therefore investigates how human moral action is discursively positioned in the text as the 'will to truth'. How are subjects produced through this feature of knowledge/power? For my purposes I would ask whether 'the best interests of the child' is a discursive formation that imposes this ethic through the operation of risk assessment. To what extent are we invited to explore our meaning of 'the best interests of the child'? Or do the texts demand an ethic that is 'both global and individualizing' (1980: 146) in their establishment of truth.
It is with this ethics that Foucault hoped to create an alternative meaning and practice of human moral agency. The difference that characterises the 'will to know' is important. On the one hand Foucault debunked the idea that there is a fundamental human nature that operates as a core psychic entity in contact with the 'outside world'. At the same time he rejected the notion that individuals are somehow programmed by that world. For Foucault both are further examples of modernist truth-making constructed around several binarisms, including free-will and determinism. Foucault posited that a specific meaning and practice of ethics and freedom (as systems of thought) is only that. In other words, there are alternative meanings and practices.

This 'other' kind of ethical agency is a resistance to panopticism. It is the very activity of not permitting social government to go unquestioned, and becomes the meaning of 'freedom'. Foucault borrowed a concept from Greek philosophy to describe this activism: 'parrhesia'. Parrhesia is a form of 'free speech' where the speaker is in some danger from dominant modes of knowledge/power and resists that domination. Parrhesiastic practice hopes to 'show people that they are much freer than they feel; that people accept as truth as evidence, some themes which have been built up at a certain moment during history, and that this so-called evidence can be criticised and destroyed' (Foucault 1988b: 10).

I shall discuss later the intellectual argument concerning whether this amounts to the kind of foundational thought and practice that Foucault consistently appears keen to respond against. Indeed when Foucault was asked whether he is advocating a particular way of behaving in his work, he replied:

No. If you mean by ethics a code that will tell us how to act, then of course the History of Sexuality is not an ethics. But if by ethics you mean the relationship you have to yourself when you act then I would say that it intends to be an ethic (1994a: 131)

This kind of agency does not emerge from an archaeological or genealogical approach alone, but from this inquiry into ethical narratives. To reiterate, it is an agency that does not seek solutions since no space without power can exist:
Relations of power are not something bad in themselves, from which one must free one's self. I don't believe there can be a society without relations of power, if you understand them as a means by which individuals try to conduct themselves to determine the behaviour of others. The problem is not of trying to dissolve them in the utopia of a perfectly transparent communication, but to give one's self the rules of law, the techniques of management, and also the ethics, the ethos, the practice of self which allow these games of domination to be played with the minimum of domination (Foucault 1984: 112)

My research aims to develop a social work practice in child protection that considers the possibilities of such an ethics.

**Key Concepts**

In using these three tiers of critique, archaeology, genealogy and ethics, this research is a deconstruction of text and practice that appropriates several key concepts used by Foucault for implementing these tools of analysis. To create the Foucauldian theoretical framework used in this research, I will further review the major linguistic concepts and metaphors Foucault used to arrange his ideas.

**Discourse**

For Foucault discourses constitute meaning and social practices embodied in language and also systematically form the subjects of which they speak. Discourse does not describe subjects; it constitutes them and in the practice of doing so conceals its own intervention. In the methodology chapter I will position this approach to discourse in the wider context of discursive research methodologies. Here I want to focus on Foucault's general usage of the concept in his studies.

For Foucault discourse is a principal vehicle for dispersed power operating on and through individuals, via knowledge/power. Discourse can be said to be the bricks and mortar of the 'virtual' panopticon prison. Discourses are comprised of knowledges and the panoply of organisational procedures that represent those knowledges. In this research I have positioned 'the best interests of the child' as the discourse I will investigate.
Does 'the best interests of the child' have similar characteristics to a discourse such as madness? Foucault demonstrated that madness is not known without being produced as such through processes that are not merely social, but also poststructural and discursive. However at the same time madness does have concrete material consequences for individuals. In this way life is contingent on discourse as well as biology. Foucault repeatedly asserts that his concern is with economic and social conditions. Therefore this is not a social theory that ignores the importance of those conditions in the lives of people:

The problem is not about changing people's consciousness - or what's in their heads - but the political, institutional regime of the production of truth (Foucault 1980: 133)

For Foucault madness and other discourses constitute the operation of power; they do not represent that power. They also constitute the reality of daily lives. In this way madness is a form of social government not simply imposed by a state body enforcing meanings of madness, or by psychiatrists practising the methods in the manual Diagnostic and Statistical Manual of Mental Disorders DSM iii (1980). Such a panopticon operates through a whole network of popular meaning concerning both madness and its opposite, sanity. While there may be extremes of madness the panopticon pervades the daily lives of all in the public body, assembling our lives in relation to this particular normality. In this research I am investigating whether 'the best interests of the child' is such a discourse operating through the language and practice of risk assessment. I want to know whether there are similar properties and effects from the discursive binarism SAFE/UNSAFE child.

**Biopower**

Biopower is a key concept that Foucault employs in his genealogies to describe how discourses constitute social government. I am using this concept to examine the properties of 'the best interests of the child' in a similar manner:

Whereas the juridical systems define juridical subjects according to universal norms, the disciplines characterise, classify, specialise; they distribute along a scale, around a norm, hierarchise individuals in relation to one another and, if necessary, disqualify and invalidate (Foucault 1984: 212)
Biopower represents the detailed mechanics of just how social government is established. To reiterate, Foucault proposes that such power does not purely flow from a sovereign hierarchy. To say that mass populations, or those on the margins, are controlled by, or resist, superstructures such as class, ethnicity, gender is inadequate for Foucault. Neither do the rules of a text represent, control or determine social outcomes. Populations are not merely disciplined by others in the social world. Rather than power being negative and repressive in this way, imposed in a hegemonic monolithic fashion, Foucault's biopower is inseparable from knowledge and subjectivity and constitutes modern political technologies of discipline and punishment. For Foucault the very 'foundation of normal' is a political contrivance, since it outlaws certain ideas and activities. Foucault was interested in researching the process and effects of this exclusion: 'the normalisation of the power of normalisation' (Foucault 1977a: 304).

What is created, governed and disciplined is therefore a normality of knowing and being. In this sense biopower is the prison bars of the panopticon. It is a form of government not solely held by a central state apparatus but operating through the public social body, yet not differentiated from the individual body. Biopower is how discourse works. I shall use this notion to investigate 'the best interests of the child' administered through the apparatus of risk.

There is a Foucauldian precedent for this since he mentioned children and families in his work on biopower. He argued that children became an important site for governmentality and furthered the process of panopticism in modern industrial society: 'it is no longer just a matter of producing an optimum number of children, but one of the correct management of this stage of life' (Foucault 1984: 279). In this way children and the family were no longer conceptualised as merely a biological or social construct for the transmission of property and a part of wider kinship systems. Rather Foucault pointed to a poststructural explanation. The child's body became a vehicle for the transmission of norms and consequent social policing: a site for discursive activity. However, Foucault carried out his investigation of the social government of children and the family as part of a wider critique of discourses of health care and medicine (Foucault 1984: 283), rather than a specific analysis of
child abuse or ‘the best interests of the child’. Yet it is worth quoting Foucault to grasp the detail that an analysis of biopower provides:

A politico-medico hold on a population hedged in by a whole series of prescriptions relating not only to disease but to general forms of existence and behaviour (food and drink, sexuality and fecundity, clothing and the layout of living space) [sic] (Foucault 1984: 283)

The effect of this biopower is that the child and family have certain behavioural responsibilities and the belief that these social expectations should be fulfilled. Foucault suggested that, despite the ostensible ‘caring’ service provided, we understand this as social imprisonment. He specifically granted an important role to social workers, alongside doctors, psychiatrists, and teachers, as conduits for this panoptic biopower.

**Social Work as Biopower**

Foucault clearly understood social workers to be ‘experts in normality’ (1977a: 228) and integral to the development of 19th century human sciences. Social workers fabricate panopticism in the hospital, asylum, schools and family. They are ‘judges of normality’ and it is ‘it is on them that the universal reign of the normative is based’ (1977a: 304).

As a conduit for biopower the social work profession is therefore complicit in the creation of social relations. This does not occur merely because doctors, psychologists or social workers alone dictate how people’s daily lives are lived against a scale of ‘normality’. However, they promulgate the normality that pervades the public consciousness, determining beliefs and people’s lived experience. The very material experience of life and distribution of education and other resources, is fabricated from this operation of power. Foucault clearly endorses social workers to be a specific target for critical analysis.

I am interested in the social relation ‘the best interests of the child’ here. Social work is both involved in formulating knowledge that constitute this expression and in applying this knowledge through risk assessment. Again, the question surfaces: how
do we understand child abuse once ‘the best interests of the child’ is examined as a discourse and therefore as a medium of biopower that has emerged historically?

History

My aim is not to write a social history of a prohibition but the political history of the production of truth (Foucault 1988b: xviii)

The production of truth I am researching here is not sexuality, mental illness or homosexuality, but ‘the best interests of the child’ through the practice of risk assessment. A specific notion of history is an important aspect of this kind of analysis.

Foucault conceived history to be political narrative not fact. His history is interpretive not teleological. For my purposes it occupies a central position in the critical application of archaeology, genealogy and ethics to the texts I am investigating. I will propose that these texts represent a history of the idea ‘the best interests of the child’. I am interested in how the current text of risk assessment is a ‘history of the present’ in the production of the idea of ‘the best interests of the child’. Using Foucault events in the past are ‘read’ as junction points in the formation of discourse and this continues to challenge the notion that current meaning and practice is the outcome of progress and development.

For Foucault the very understanding that history is linear and progressive is part of the process of social government, a knowledge component of biopower. Such a reading of history is integral to a theorisation of power as exclusively sovereign and is central to processes of biopower: ‘traditional’ history is a form of truth-making. Foucault’s response was to use Nietzsche’s concept of ‘history’, (for example Nietzsche 1956). The past is made sense of as the ‘emergence’ of political ideas: how events shaped ideas (for example sexual perversion) and how ideas shape events. Such a history, retracing the social conditions and events that shape ideas, demands relativity. In this way other political possibilities emerge concerning the meaning of language such as ‘the best interests of the child’ that escape from the requirement that they are necessarily the outcome of progression and represent truth.
I am therefore using this notion of history not to discover the origin of 'the best interests of the child' or the practice of risk, but to trace how this practice constitutes 'the best interests of the child' as a political process. The historical material in this research is therefore included to explore the political purpose this practice continues to be used for. I want to examine this purpose as a component of archaeology, as biopower (genealogy) and as the ethics presented in the text.

Place

This research takes place in a specific historical, cultural and material context: Australia and Tasmania. I will give specific value in this thesis to local knowledge and experience, to incorporate the important Foucauldian principle of an 'ascending order' of analysis:

Starting that is from its infinitesimal mechanisms, which each have their own trajectory, their own techniques and tactics and then see how these mechanisms of power have been - and continue to be - invested, colonised, utilised, involuted, transformed, displaced, extended etc. by ever more general mechanisms and by forms of global domination (Foucault 1980: 99)

In this way 'one needs to investigate historically, and beginning from the lowest level, how mechanisms of power have been able to function' (ibid.: 100). Foucault's analyses are not trying to deduce fundamental global principles from which power emanates (such as the State, mode of production or universal consciousness) but are designed to pinpoint mechanisms and practices through which biopower operates alongside local historical events.

In looking for biopower it is crucial that we begin with the local context. To commence with global and macro-politics is to represent power as emanating from grand structures downwards rather than there being a dual flow of biopower; simultaneously ascending and descending. This is similar disruption of the core principles of the Enlightenment that Foucault imposes on history: 'the historical ontology of ourselves must turn away from all projects that claim to be global or radical' (Foucault 1984: 46).
In this way discursive knowledge can only be appraised within the context of its own culture. In this research it is important not to start with a global 'deductive' approach that may argue child abuse is the outcome of the capitalist or patriarchal superstructure, or indeed that child abuse is the result of a genetic disorder locatable through scientific DNA testing. In these examples a process is put into operation that imposes a particular problematisation of child abuse and understanding of risk assessment. For Foucault this did not explain how power could produce social relations at a local site and in a diffused, dispersed and differentiated manner. Such a notion merely reinforces unilateral sovereign power.

Furthermore a global approach does not account for argument over the meanings of discourse or the changing nature of that discourse. The totalism of an argument enforces a method of thinking and acting. For Foucault there was ample evidence that such reasoning did not allow ‘local’ knowledge to speak. In terms of this research a global approach may not allow local meanings for the ‘the best interests of the child’ and thus limit alternative identities and practices concerning child maltreatment.

A further reason for the importance of place concerns the promotion of local struggles for meaning and action against polemicism. Here again Foucault’s agency of parrhesia is articulated. Foucault believed that local analysis and action was vital as an agency of this resistance (1980: 99-100 and 1984: 47). He was interested in understanding global structures but starting from the point of view of local experience (1984: 47). This is a further attempt to challenge the 'subjugation' of local knowledges that any metanarrative represents. If biopower operates through knowledge and subjectivity, daily lives, experiences, behaviour and language, then it is here that change must take place. It is here that practice would be possible as a kind of ethic that cares for the self and for others. For example:

> I prefer the very specific transformations that have taken place in the last twenty years in a certain number of areas that concern our ways of being and thinking, relations to authority, relations between the sexes, the way in which we perceive insanity or illness (Foucault 1984: 46-47)
In writing this theoretical framework, I am locating history and place as mechanisms of biopower. In employing a three-pronged deconstruction (archaeology, genealogy and ethics), I shall not only consider how history is written in texts of risk assessment but also how place is narrated. I want to research how the meaning of place and history determines our understanding of 'the best interests of the child' and our political practices in relation to child abuse. In Tasmania this has particular resonance because social practices are often understood in relation to the idea that society is the legacy of European colonisation. Tasmania's particular place as a penal colony in this narrative is critical to knowing ourselves to be 'Australian'. The colonial extent of Western panoptic power was considered by Foucault (1984: 47) and is given importance in this thesis.

Language and the 'Other'
Foucault's use of the postmodern critique of language as a conduit for binary thinking takes the form of his analysis of the 'Other' (Foucault 1970: 339). He states for example that 'to find out what society means by sanity, perhaps we should be investigating what is happening in the field of insanity' (Foucault 1982: 211). The theoretical framework I have assembled here will use this approach to critique how the discourse 'the best interests of the child' is formulated around binary thinking in a similar fashion to Foucault's own discursive studies and postmodern thinking. I will propose that 'the best interests of the child' is comprised of both the SAFE and the UNSAFE child. As I have said risk has an important role in occupying the space between the two. As a vehicle for enforcing this discourse, risk determines how child abuse, UNSAFE, is a problem in any historical place. To understand social government it is important to examine how this problem is created.

Processes of biopower, examined through archaeology, genealogy and an ethics construct a panopticon that involves the fabrication of the space between Other and Same: SAFE/UNSAFE child. However it is important to say that the Other (capitalized) has a specific meaning here and represents that which is silenced by the binary process. For Foucault this silence is the effect of social government and he intended to reveal it. Using this approach a metanarrative is not merely constituted from one side of an opposition, but rather from the interplay between both. I will
return to this later when I design a specific research methodology for this theoretical framework. At this point I am saying that this dynamic is how disciplinary truth is promulgated in modern society. Panopticism rests on this dynamic, continually attempting to produce a polemic that excludes other ways of knowing through binarist thinking.

For example in *Madness and Civilisation* (1965) Foucault illustrates the process of classification and categorisation that enable us to distinguish between ‘reason’ and madness. For Foucault the disciplinary effect results from one system of thought intensifying towards totality, by excluding, subjugating and dominating an increasing range of Other thought and behaviour. This dynamic rests in the interplay between the two prevalent notations of what sanity and madness are.

Foucault therefore argued that language, as discourse, is not merely groups of linguistic signs, with self evident or predisposed meanings and rules that operate around oppositions. For Foucault this is a limit explanation for how individuals enter into their own discipline in the panopticon. Individuals are not merely subjected to oppositional discourses like so many docile bodies; they participate in the dynamic I have described above. For my purposes, should a panopticon exist as ‘the best interests of the child’ it will do so due to the effectiveness of risk as a technology of social power. This technology will be embedded within the language of the text and it will formulate truth from binarisms. A genealogy of this discourse will trace the production of both categories of social being: SAFE and UNSAFE child and examine this system of thought as oppositional thinking and therefore social government.

Responding against this binary logic is to substitute ‘both…and’ (a dualism) for the binary logic of ‘either…or’. In this way difference is not merely the other half of a binarism but rather whatever is excluded due to the particular operation of that binary logic. In terms of this research I continue to emphasise two points. First, Foucault did not carry out his study with the intention of producing any Other as an alternative truth. Similarly this research does not intend to determine any fundamental, universal SAFE space for children. To do so would be to shift from the critical method I have reviewed in this chapter, to principles of sovereignty and
modernism. Second this critique of oppositional thinking is integral to Foucault's notion of parrhesia: the final concept that I want to mention in this chapter.

**Parrhesia**

The operation of social government also presents a force of resistance for Foucault. If discourses exist on the basis of binary oppositional force then totalisation and normalisation necessarily includes this resistance:

> There are no relations of power without resistance; the latter are all the more real and effective because they are formed right at the point where relations of power are exercised: resistance to power...exists all the more by being in the same place as power (Foucault 1980: 142)

Foucault's later work on ethics is particularly important here and often overlooked in the commentary concerning his work. Foucault's ideas on the manufacture of subject positions through discourse allowed for a specific politics of identity. This identity is constructed from something quite different than the knowable, purposeful, singular and teleological reality proposed by modernism and criticised by Foucault. His criticism applied to both critical theory, which asserts that social change will bring about the true expression of humanity, and liberal theory where the rational and purposeful essential nature of humanity is released from constraint. The cause of oppression may be different but the notion of repressed freedom is common to both.

Foucault replied by arguing that the 'decentered' self, the subject of discourse, is both produced by and involves itself in the production of, those discourses. These discourses compete against one another endlessly, impacting on the social and individual body, fabricating biopower. Foucault thereby proposed a discursive social construction of the human body that is a site for political activity, separate from, yet intertwined with biological 'events' that also impact on the body. Foucault stressed that an important difference between this and modernist representations, concerns how human agency is conceptualised. The ethics of his political technology of self is not to produce an alternative universal moral space or political structure, it is to wage a continual intellectual critique of the dynamics of domination. This is parrhesia.
Summary: Parrhesia as Practice

A unilateral idea of sovereign power assumes a monolithic nature of power that requires a notion of change that is reactive to greater or less force. This force is largely positioned as structural; either 'out there' or psychological. Foucault's theoretical framework proposes that this assumption camouflages the operation of dispersed power. Once power is theorised as a dispersed panopticon, the possibilities of negotiating subjectivity emerge. For Foucault a discursive critique of power as social government holds the possibility of transgression:

Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it (1978: 100)

Foucault's work on parrhesia remained unfinished and largely took the form of a discussion. Nevertheless Foucault contended that his toolbox of archaeology, genealogy and an ethics itself composed parrhesia. In this way the notion of truth is recast; relative rather than global or universal. Parrhesia speaks against the truth-making that is revealed from Foucault's inquiry of panopticism. It represents the freedom of the citizen to speak against a dominant force even when life or well-being is risked. In a sense parrhesia is the speaker's own purposeful discursive discharge against social government.

In this thesis I am exploring how this kind of ethical practice can overturn accusations that postmodern ideas negate human agency and constructs individuals as merely 'docile bodies' programmed by multiple discourses. As with other Foucauldian arguments, the philosophical validity of parrhesia has been debated at length (Miller 1995, Ransom 1997, Flynn 1998), although it is largely an unexplored notion in specific social work literature. I have emphasised in this section how such a practice rests on a capacity to 'resist force', to explore possible existence that is hidden from us by current discourses of life. Such a critical challenge to the accepted meaning of philosophy, social science and structuralism was (and still is) held by many to be intellectually and morally corrupt, linguistic trickery, charlatanism or dangerous. Derrida suffered such accusations from many distinguished intellectuals at the University of Cambridge (Collins and Mayblin 1996) and Foucault likewise. Critical writers such as Flax (1990 and 1993) have experienced a similar rejoinder,
and we shall see how the response of social workers is also largely one of suspicion and cautious experiment.

Foucault's intellectual journey from the 1950's to his death has had a significant influence on a wide range of disciplines. In the following two chapters I shall demonstrate that social workers continue to consider the implications of his intellectual direction for their practice and largely accept archaeology and genealogy as critical theoretical concepts. However, the major challenge for social workers is to produce a specific methodical theory and method from Foucault's work, rather than discussion and theoretical posturing. In this research 'the best interests of the child' is investigated using the theoretical framework of archaeology, genealogy and ethics I have assembled here. This approach includes Foucault's practice of parrhesia as an effective social work skill: an active start in developing coherent practice possibilities for poststructural resistance and social change:

All my books are...little tool boxes...if people want to open them, to us this sentence or that idca as a screwdriver or spanner to short circuit, discredit or smash systems of power, including eventually those from which my books have emerged...so much the better! (Foucault cited in Patton 1979: 115)
CHAPTER 3

SOCIAL WORK AND POWER

Introduction

In the previous chapter I examined how archaeology, genealogy and a genealogy of ethics comprise Foucault's method of research into truth-making and involves conceptualising social power as panopticism rather than as merely sovereign. Foucault’s intention was to disclose the discursive organisation of knowledge that produces power relations and subjectivity as a normalising process. Notable postmodern writer Lyotard expressed this as an ‘incredulity towards metanarratives’ (1984: 27). Conducting such an analysis is to practice parrhesia.

I have mentioned before how Foucault included social work alongside professional knowledges such as medicine, education and psychiatry, as mechanisms for biopower and social government:

What is important is that social work is inscribed within a larger social function that has been taking on new dimensions for centuries, the function of surveillance-and-correction; to surveil individuals and to redress them, in the two meanings of the word, alternatively as punishment and pedagogy (Foucault 1999: 92)

In this research I am using Foucault's method to investigate whether ‘the best interests of the child’ constitutes a metanarrative comparable to madness or other forms of social government that writers have researched. In the following two chapters I want to evaluate how social work has used Foucault's method and establish how this can be extended through this research. In this chapter I shall consider social work literature in general; the following chapter will consider literature specifically relating to child protection.

In addition I will include critical literature that informs the debate. Whenever social workers wrestle with paradigmatic change they refer to broader critical writing and the challenge of postmodern thought also requires this. I have therefore cited the work of Butler, Woodon, Flax, Walkerdine and others, that contribute to
understanding the position social work writing has taken in relation to poststructuralism. This approach to the literature also highlights how theoretical possibilities for poststructural research and practice have been resisted by some social workers and yet acknowledged by others. However, despite notable exceptions, I conclude that the social work profession's response to postmodernism generally and Foucault specifically, can largely be understood as a reluctance to embrace Lyotard's definition of postmodern action.

I will argue that social workers generally find this incredulity towards metanarratives problematic, since the idea of 'social work' is embedded in practices that are contingent on the notion of sovereign social power. An engagement with the notion of dispersed power and Foucault's method has therefore been problematised by some writers and yet also embraced by others. This delivers three broad approaches to the possibilities offered by Foucault. First, there is an antagonist and oppositional approach to the ideas of postmodernism. Second, is an approach that assimilates many of Foucault's ideas yet remains modernist. Third, there is an approach that is a more comprehensive use of Foucault's method and represents a major shift in thought and practice: appropriation.

I will discuss these responses in relation to how power and 'foundationalism' is conceptualised. It is the response to these concepts that explains how social work's interest in poststructuralism has been frustrated by the search for practice. Clarifying this issue will further inform an appropriate methodology for this research into 'the best interests of the child'.

**Poststructuralism and social work**

Australian and overseas social work writers continue to address the question of a social work identity given the challenges of poststructuralism. These writers include Fook (1993a and 1996); Parton (including 1994a, 1994b and 1996); Solas (1994); Howe (1987 and 1994); Camilleri (1996); Ife (1997); Leonard (1997); Payne (1997) and more recently Healy (2000). The literature usually starts with a clear statement announcing that much has been written on postmodernism, poststructuralism,
Foucault and other formative writers including Derrida, Barthes, Lyotard and Rorty. Argument includes specific objections to the value of poststructuralism for social work practice, characterised by a caution that ‘foundationalism’ will be lost.

**Foundationalism**

There is agreement amongst social work writers that the principles of the Enlightenment included the idea that true foundational ‘reality’ could be attained. Specific economic and technological practices were developed to achieve such an ideal state of social being. At the same time a whole apparatus of social administration was assembled to manage this project of social engineering. It is not disputed that poststructuralism and Foucault represents a challenge to the validity of this project.

Social work writers ask common questions concerning postmodernism. They include: can we define postmodernism? How do we understand social work in a postmodernist way? Is there a social theory to Foucault’s work, following on from Weber, Durkheim, Marx and other social work ‘elders’, which can extend to a practice in social work? Will social work then have a normative belief system? Or, does social work have to undergo broader changes? Do practical operations derive from Foucault’s discrete philosophical critiques, or do these critiques remain philosophical, overly complex, contradictory and antithetical to the values of social work? Is there a possible formula that I can apply to cultural ‘artefacts’ including child abuse? I notice one predominant concern: what kind of theory and practice is produced if I adopt the principles of poststructural analysis?

This hesitancy can be located as an effect of the social work profession’s commitment to the principles of sovereignty and structuralism that I discussed in the last chapter. When poststructuralism challenges the existence of such stable essential structures, as the foundation of human behaviour and thought, then the profession’s core ideas and practices are also disputed. Foucault’s challenge is thus directed at several critical ideas upon which social work has been developed. Power is no longer located in a centralised point such as the nation state or a state of consciousness. Power does not merely operate from above, against and upon the individual or social
group. Social change is no longer the capacity to transform an oppressive economic, racist, patriarchal structure or 'false' consciousness through revolution or catharsis. Foucault's resistance is directed against these very discourses of knowledge and power, subjectivity constituted in language and social practices.

The social work profession's identity has already been vigorously critiqued (Woodroffe, 1974; Donzelot, 1979; Parton, 1991; Barber, 1991; O'Connor, 1998). Poststructural analysis has itself been applied to social work as an 'object' of knowledge (Camilleri, 1996). Camilleri emphasises how social work has not acknowledged the centrality of language in client/worker contact. To do so is to position social work as one discourse amongst many, rather than having any fixed professional knowledge with which the worker can exercise power (1996: 93). However we quickly find, in whatever theory and method is used in social work, this expressed right to exercise power on behalf of others for their benefit. This is the case whether the 'social problem' is situated in the psychic being or the superstructure. Take Fook's familiar definition of 'radical' social work:

Radical social work is firmly based on a structural analysis of personal situations, tracing problems to causes in the patriarchal socio-economic structure rather than 'blaming' individual 'victims' solely for personal problems (Fook 1993a: 2)

Social work has a long history of such critical radical feminist and Marxist practice. Equally we have a long history of the individual being charged with responsibility for social problems. These influences stem from Richmond's (1922) early work on social diagnosis, Perlman's (1957) problem solving approach, Smalley's (1967) and Hollis' (1981) psychosocial therapy. For Perlman the aim of the social worker is 'to involve the applicant in dealing with his “problem” [sic]’ (1986: 248).

Whether diagnosis, treatment, systemic approaches such as Pincus and Minahan (1973), or political emancipation through revolution, the underlying, taken for granted ideas, are modernist. They represent the social work profession's belief in foundationalism. An example of this is how the profession constructs a debate around the individual and society being essentially different, with the social worker as mediator. This typifies the very sort of oppositional binarism that characterises the operation of sovereign power. In this way social work has retained a meaning for
social progress that relies on the concept of social power as sovereign. Postmodernism seems to have relativised this by suggesting that the long-standing debate concerning the individual and social structure is merely an ‘oppositeness within an economy of the same’ (Lec 1992: 9). The notion of the ‘decentered self’ seems to collapse the individual and society into one another, robbing social workers of valid erudition and agency.

I distinguish three distinct responses to this challenge. Many of the individual writers reviewed here will be seen to shift in relation to the meaning and value they place on the general ‘post’ phenomena. Again I can make sense of this shift as a transformation from conceptualising power as sovereign to power as panopticism.

**Opposition**

The anti-postmodern position in social work writing argues that poststructuralism and postmodernism will endlessly relativise subjects such as poverty, class, gender and child abuse, demolishing social work’s raison d’être. Any emancipatory project claimed by social work will disappear into the relativistic nihilism of a social ‘text’ deconstructed towards infinity, without essential meaning and truth. Moreover the gap will be filled by the politics of oppression, because nothing happens to act against that oppression.

This profound scepticism represents postmodernism as a philosophical contradiction unsuitable for practice. Ife (1997) argues that the denial of any ‘good or better direction’, within postmodernism, contradicts the parallel view within postmodern thinking, that value-free knowledge is not possible (1997: 90). In this way postmodernism does not acknowledge its own particular values and foundation of its own. It is said that postmodernists remain submerged in modernism since they cannot avoid constructing their own metanarrative, which in their case is the ‘the history of modernity as domination’ (Leonard 1997: 14).

This approach also argues that postmodernism is merely a phase of modernism (Smart 1992, Giddens 1990 and 1994). Leonard (1997) cites neo-liberal writers,
including Hayek (1973), and Marxists including Geras (1987), who argue that modernism is a valid active project and that postmodernism is merely a stage in its fulfilment. Leonard mentions Jameson (1984) and Eagleton (1986) to support his early position that, while postmodernism has much to offer, what we are seeing is a postmodern late capitalism: a contemporary phase of modernity.

In any case, says Ife (1997: 85), a diverse postmodern world of multiple realities, rather than a single and common rationality, has significant implications for any theory of human understanding. Such a theory can have no claim to an understanding on its own terms, without reference to others that can be equally valid. For Ife there is danger in this:

By its rejection of metanarratives, postmodernism thereby rejects the importance of universal discourses of human rights and social justice...Postmodernism therefore has the potential to undermine the philosophical bases of some of the most progressive movements for change in contemporary society (1997: 91)

Without truth Ife (1997), Taylor-Gooby (1993), Mcbeath and Webb (1991), Young and Mathews (1992) and Payne (1994) warn that postmodernism can be inherently conservative in its operation. A metanarrative concept such as ‘society’ can be destroyed in favour of diversity and individualism, according to Mcbeath and Webb (1991). Social workers would be unable to ‘evaluate according to any absolute standard of progress’ (Parton 1994a: 110). This wholesale acceptance of the deconstruction and negation of humanism would be destructive for an emancipatory project such as social work (Ife 1997). It would deflect from structural issues and the very notion of social justice (Taylor-Gooby 1993). Taylor-Gooby argues that postmodernism is a ‘great leap backwards’, providing a ‘smokescreen’ by concealing modern inequalities in its call for diversity and pluralism (1993: 2). In this way social policy as we know it is obfuscated. Payne points out that postmodern theory may ‘offer a potentially useful critique for critical analysis but ignores the need to make structural analyses of people’s interaction with the world’ (1994: 228).

Fook's own early opinion was that ‘the major problem with poststructuralist perspectives...is that they ignore the structural and material dimensions of people's
experience' (1993b: 16). Wood's feminist perspective is more specific, so that postmodernism:

Can be seen as no more than a patriarchal attempt to subvert progressive movements by complex debates masked in questioning that is believed to be radical (1997: 27).

As a social worker in the Left wing 1970's school of criminology in Britain, reading texts such as The New Criminology For A Social Theory of Deviance (Taylor, Walton and Young 1973) and Probation Work: Critical Theory and Socialist Practice (Walker and Beaumont 1981). I find many of my former teachers retaining the realism, structuralism and language of modernist Marxism. For example, Young and Mathews seek a 'qualified reaffirmation of modernism' (1992: 10) arguing that 'rather than modernity having failed it has never been fully implemented' (ibid.: 13). It is unfinished business and postmodernism an improper substitute. Walton and Young recently revisited The New Criminology and preserved this modernist narrative. Postmodernism is thus located as 'relativism, defeatism and acquiescence' and 'the time calls for a realism that will take the project of modernity forward' (Walton and Young, 1998: 293).

Brotman and Pollack (1997) demonstrate a specific example of this approach to poststructuralism. They fear a 'loss of context for feminist social work' (1997: 1) and exemplify writers who view postmodernism as a threat to a feminist emancipatory project. They say postmodernism can become the new cause of sexism. In cautioning against the use of postmodernism their language and argument is particularly oppositional. In this way postmodernism's meaning becomes the binary opposite of modernist. Postmodernism is read as 'inherently' conservative. In other words it has an essentialism about it, which denies any other political claim postmodernists might wish to make. The authors thus position postmodernism in an oppositional way, arguing that it expounds diversity, localisation, multiplicity, difference and absence of theory, resulting in self-determination, individualisation, consumerism and depoliticisation.

For Brotman and Pollack a postmodern politics of 'difference' subverts the valuable politics of inequality, because they position notions of difference and inequality in opposition to one another. What Brotman and Pollack write for themselves with this
understanding is that postmodernism invites a ‘tapestry’ of feminism(s) rather than a cohesive unified position of sovereign political intent. The statement is soon made that ‘theory cannot remain at the level of difference’ (1997: 13) if it is to have any critical impact: different feminisms can only be tolerated to a degree, and cannot replace common core values and consequent practices.

The authors cite narrative therapy as an example of feminism’s ‘loss of context’ where social work becomes buried in postmodern concepts. In this way social relations are decontextualised and lose their foundation, removing ‘the individual’s narrative from the context of power’ (ibid.: 10). Social work skills are therefore nullified for the authors. For example, collective principles of advocacy are sacrificed to individual choice once they are subject to postmodern theory. The fear here is that all stories become valid, leading to a loss of action against oppression: ‘the question that postmodern theory has not yet successfully addressed is: how can diverse identities unite towards a common emancipatory goal?’ (ibid.:190). Finally Brotman and Pollack ask:

If social work is indeed to possess an agenda for social change, rather than social control, a structural analysis of power differentials, must be integral to our theoretical knowledge base. This requires an acceptance of universal concepts of dominance and oppression (ibid.: 15)

Postmodernism is problematic for oppositional writers including Brotman and Pollack because they characterise it in opposition to a structural modernist paradigm. Such a position states that there must be a universal truth that forms the basis of theory and practice. Measured against this epistemology, postmodernism can only be suspect; the narrative chosen tells us so quite convincingly.

From this reading a particular theoretical framework is constructed and specific research questions formulated. For example, using it I immediately ask the question: what is the universal meaning for ‘safety’ and ‘the best interests of the child”? What are these universal common standards that I can know as a child protection worker? How can I measure deviation as risk from these standards? What can I do to intervene and protect the child from this risk? This approach is a caution against forsaking a universal truth of oppression, discrimination, violence and social
inequality. Using this approach I identify a cause and apply a solution to engineer a more amenable social and/or psychological structure. I adhere to such conventions of rationality and objectivity - as they are constructed in language and practice. They are understandable concerns, yet do not allow alternative questions to be investigated and other research methods to be applied, using Foucault’s method.

**Assimilation**

Despite vigorous opposition to Foucault, writers often assimilate elements of his work to establish a co-existence between poststructuralism and modernism. It is an uneasy alliance yet one that characterises the response of critical postmodern writing on child protection. This second approach illustrates specific limitations to existing critical poststructural research and practice.

Since postmodern knowledge challenges the social work profession’s foundations, it is often assimilated into familiar theoretical frameworks. The literature carries out this assimilation by recognising some value in poststructural principles. Seidman (1994) argues that such a co-existence allows for a postmodern knowledge which ‘contests disciplinary boundaries, the separation of science, literature and ideology, and the division between knowledge and power’ (1994: 2), although oppositional caution persists. There is some acknowledgement by the same social work writers reviewed above that postmodern ideas can offer particular skills for social work practice. Yet a solid conceptual framework on which to build practice as well as theory is absent. In particular, the sympathy for poststructuralism finds it difficult to overcome the sense of lost agency that I have discussed above. It is here that I find a major restraint to extending the use of poststructural thought.

For social workers, agency has been provided by the notion of foundational knowledge; a key trait of modernism (Seidman 1994). To invalidate it is to disrupt many of social work’s principal tenets and practices and subvert the social work profession’s own discourse. Hence the major question is still posed: if standards of agreed truth and morality cannot be determined how does any social criticism, theory, research and practice justify itself (Seidman 1994: 12)? Without alternative
answers, writers incorporate postmodernism into the accepted concept of sovereign social power and the modernist venture continues.

For example, Leonard (1997) has reacted to his perception of a current capitalist monolith dominating welfare, arguing the possibility of a postmodern Marxism ‘within’ a modernism which emphasises solidarity as well as difference. He advocates the use of image, textual and discourse analysis to renew welfare as an ‘emancipatory project’. Leonard insists that these tools of poststructuralism can be utilised for an ‘ethics of reconstruction’ (1997: 164) which resists capitalist inequality and oppression and does not necessarily lead to conservatism.

In this way Young and Mathews (1992), Leonard (1997), and Walton & Young (1998) seek to develop an updated Marxist praxis. Leonard’s argument includes the familiar trepidation concerning postmodern rejection of essentialism: religion, the nation state and the welfare state. Yet he argues the rules, guarantees, promises and certainties of this latter social icon are no longer valid. Leonard thus engages in a reconstruction of ‘moral agency’ from modernism's ashes that nevertheless retains the language and principles of Enlightenment. He concludes:

Postmodern reflection enables us to understand more fully the contradictions of modernity and identify the sites of resistance and struggle available to us in the renewal of welfare as an emancipatory project (1997: 179).

Parton also exemplifies the path along which writers appear to travel towards an alternative conceptual framework. Parton has remained influential in theorising child abuse since his invaluable work on the politics of child abuse (Parton 1985) and I shall discuss his work in the following chapter. Similarly Ife's construction of an anarchic humanist paradigm integrates structural and poststructural approaches. He claims the latter cannot form the basis of practice without a politics of liberation; ‘if one adds a structural analysis, there is a potential for a powerful force for change’ (1997: 132-133). Influenced by Rosenau (1992) Ife claims that his creative practice advocates diversity, ambiguity, uncertainty and difference, as an 'affirmative' rather than a 'sceptical', postmodernism.
In briefly reviewing these two approaches in the literature, the oppositional approach to postmodernism either disputes postmodernism’s validity or emphasises a profound scepticism towards its suitability for social work. Writers therefore retrieve the ‘basic map’ of science and sociology known to them. Such literature attempts to push postmodernism back into the known and true: I can know poverty, inequality, child abuse, using my current cultural knowledge. I can develop my social work practice, carry out research and education with the progressive methodologies I hold as true. The proven binary categories, including men/women, black/white, east/west, gay/straight, rich/poor, night/day and SAFE/UNSAFE are fundamentally true and provide objective criteria to guide my theory and practice.

The assimilative approach retains this antipathy. However it is supplemented with Foucauldian tools of analysis. Social workers use these tools to unearth discursive, subjective knowledges that restrain the emancipatory project. Discursive capitalism or discursive patriarchy now cause the oppression of families, children and communities. The point is they are still oppressed. In this view I do not find adequate critical application of the principles of Foucault’s overall work. Discourse is merely positioned as a sovereign force that creates domineering power relations. The use of the concepts of discourse and biopower does not capture the purpose of Foucault’s work: incredulity towards metanarratives and does not adequately include Foucault’s later analysis of ethics as part of this truth-making. It cannot do so because power remains conceptualised as sovereign and therefore the available critical tools can only promote another truth.

Foucault is thus a useful ally to Marx, Freud and Darwin. Yet the loss of ‘foundationalism’, so feared by these two approaches, requires a response and the reply takes us to theory and practice that is distinct from those discussed so far: an appropriation of Foucault’s ideas. However, it is necessary to consider the broader critical literature informing the postmodern debate, for the impediment to poststructural theory and practice to be removed.
Poststructural Foundationalism

In contrast to writers such as Brotman and Pollack (1997), Flax (1992) and others offer a different encounter with poststructural ideas. First, Flax recalls her experience at a workshop where she met with vehement hostility towards postmodernism. This is how she describes the encounter:

'You cannot be a feminist and a postmodernist,' I was told. Postmodernists are a- or even anti-political. They are relativists; if we take them seriously any political stance will be impossible to maintain or justify. Feminists must generate and sustain a notion of truth so that we can adjudicate conflicts among competing ideas and legitimate the claims of (some) feminist theories and ideas (Flax: 1992: 446)

Flax provides her own detailed response to this defence of modernist foundational thought, concluding that:

At its best, postmodernism invites us to engage in a continual process of disillusionment with the grandiose fantasies that have brought us to the brink of annihilation (ibid.: 460)

Butler (1990, 1992 and 1997), Scott (1994), Lather (1991 and 1997), Weedon (1997 and 1999) andWalby (1992) also propose this very different narrative. Butler is important here for validating the use of Foucault's method in this research. Her philosophical argument (1994) is that modernism's need for foundation and an essential subject is itself a political act. In this way 'foundationalism' does not allow the existence of other political subjects; other ways of thinking about the social world:

The act which unilaterally establishes the domain of the political functions, then, as an authoritarian ruse by which political contest over the status of the subject is summarily silenced (Butler 1990: 154)

For Butler postmodern thought cannot be unified and rarefied; this would return 'it' to a modern and unilateral position. Yet this is what oppositional and assimilative postmodern writers do. Moreover Butler argues that to construct a dialogue over whether postmodernism is anti-foundational, or indeed to take a postmodern position that is anti-foundational, is merely to adopt different versions of 'foundationalism' itself. What does not change is the continuing belief in, and production of, a foundational metanarrative. Against this Butler argues for a 'border crossing' to
‘interrogate what the theoretical move that establishes foundations authorises, and
what precisely it excludes or forecloses’ (ibid.: 158).

The intellectual direction of this analysis significantly extends the use of Foucault for
my research. Butler proposes that poststructuralism offers a political critique of value
to a radical project such as feminism. She argues that the kind of poststructuralism
she talks of, does not want to remove the ‘subject’ and does not want to replace it
with another. Rather, this approach aims to identify how any subject, constructed as
a universal foundation, has the potential to silence and overwhelm difference.

The social work writers reviewed above assume that ‘dominance’ and ‘oppression’
have universal meaning and are imposed experiences, largely occupying a space of
no political contest. For Butler experience and history evinces that such a space does
not exist and, moreover, claims to such a space have the effect of oppression and
dominance. She asks what form of insidious cultural imperialism here legislates
itself under the sign of the universal (ibid.: 157). In this research I will use the term
‘hostile conditions’ to denote this process.

I am saying, therefore, that this dialectic can be applied to postmodernism itself. The
above writers frame the meaning of postmodernism oppositionally; thereby granting
it a foundation in some way in opposition to modernism. This silences many
potential features of poststructuralism that others may want to access, including
agency. As Butler says:

The epistemological model that offers us a pregiven subject or agency
is one that refuses to acknowledge that agency is always and only a
political prerogative (ibid.: 162).

This critique will be open to the allegation that it is itself a type of foundational
thought. Yet my interest here is in the creative opportunities that such thinking offers
this research into the subject ‘the best interests of the child’, rather than the
complexities of the philosophical debate. I certainly do not want child abuse to
become meaningless. Yet what Butler and others suggest is that ‘becoming
meaningless’ happens to subjects when a particular foundational stance is taken in
relation to postmodernism; in the sense that when a foundation is produced then
intellectual and material possibilities are excluded. Here again is the suggestion that
sovereign power and foundationalism create limitations and can fabricate specific conditions that confine our understanding of discourse such as 'best interests of the child' and therefore our response. 

A major constraint in the social work literature is the difficulty in conceptualising such a theoretical direction and practice, that is quite distinct from modernism. This constraint characterises social workers and other writers who assimilate, rather than appropriate Foucault's ideas. As Butler says:

> Once it is understood that subjects are formed through exclusionary operations, it becomes politically necessary to trace the operation of that construction and erasure (Butler, 1990: 164)

In this way Butler's contention that foundations are themselves 'contingent' suggests the possibility of a different meaning and practice of feminism to that of Brotman and Pollack. Many writers argue for such a postmodern feminism (Fraser and Nicholson 1994, Weedon 1987, Scott 1994, Smart and Neale 1999, Ashenden, 1997; Featherstone and Fawcett 1995 and Fawcett 1998). Despite the 'trading of criticisms' over the apparent loss of foundation, these writers continue to produce a Foucauldian identity to their work that embraces this direction and the resulting possibilities of practices. This poststructural practice, research and education is not concerned with removing the subject, but with conceptualising the subject in a very different way and thus producing different analyses and practices.

For this to occur the literature makes it clear that the very meaning of critique, sociology, research and analysis have to change. They too have to be subjected to the principles of genealogical postmodern inquiry. As Parton (1994a and b) says, new knowledge and politics are needed for a postmodern social work. Writers are ready to identify such a postmodern sociology and critique, (Cheal 1996, Seidman 1994 and Ransom 1997), but it is one where different concepts, knowledge and politics apply. For example, Ransom (1997) defines Foucault's distinct form of critical agency. This is a critique that identifies and resists disciplinary power. As a political activity, this critique is an end in itself rather than the creation of a new reality or truth. Such a critique is given various names including, parhessia, resistance and transgression. The most popular name has become 'difference'. 
Difference
This poststructural critical agency vigorously practises Foucault's 'art of not being governed so much'. Once a poststructural foundationalism becomes a theoretical possibility, rather than a contradiction, an agency becomes possible that can enact Foucault's notion of parhessia. Ransom argues that 'if it is possible for subjects of these disciplines to reverse and revalue the psychic states pursued by them, it is also possible to generate new styles of existence' (1997: 184). This kind of agency disputes many of the criticisms of postmodernism I mentioned above and allows for an 'incredulity towards metanarratives'. Lyotard himself argues that because metanarratives are de legitimated does not mean 'legitimacy' is not available. For Lyotard any claim to legitimacy is an effect of how power is conceptualised. Where the concept of power is sovereign then metanarratives are granted legitimacy. Legitimacy is therefore a relative outcome of a theory of power rather than constituted in any truth of the metanarrative:

The postmodern condition is as much a stranger to disenchantment as it is to the blind positivity of delegitimation...Legitimacy is found in postmodern knowledge - not the expert's homology, but the inventor's paralogy (Lyotard 1994: 28)

As Ransom stresses Foucault does not meet 'the demand for criteria', where that criteria is singular, normative and modernist. But when Foucault's redefinition of such criteria is considered, postmodern values do appear possible. This is a moral philosophy no longer sovereign, but a 'philosophy in activity'. It is 'a moral position of some kind that will provide Foucault's critical efforts with an anchor in a structure of values' (Ransom 1997: 177).

So far my review of the literature emphasizes that extending the practice of poststructuralism requires a 'border crossing', to again borrow Butler's phrase, to such an intellectual direction. This direction is firmly based in a set of ideas and explanations of social power that enables the social world to be understood utilising the critical principles I reviewed in the previous chapter. This is the apparatus that I am applying here in relation to 'the best interests of the child' and the wider critical literature has embraced this direction across a variety of disciplines.
For example, a Foucauldian construct of history is used as an important method of sociological inquiry (Weeks 1982, Dean 1994, Munsow 1997). The topic of research methodology itself is imbued with Foucauldian method (Game 1991, Silverman 1997, Cuff 1998, Kendall 1999) including textual analysis, (Atkinson and Coffey 1998, Prior 1998, Lal in Biber et. al. 1999, van Dijk 1997). Claims to modern foundationalism, in these works, are challenged using postmodern ideas. Concepts of the body, space, environment, culture, social relationships are constantly renegotiated. For example, Gunew and Rizvi (1992) dispute a particular colonial foundation to the meaning of 'art'. I note that they are not interested in removing the subject 'art' itself but rather the effect produced by its specific political meaning.

The following is one of many examples, this time from urban planning, which again offers an agency of difference, rather than an agency of metanarrative foundational truth:

What happens to studies of housing, suburbia, the inner city, ghettos, gentrification, social polarisation and urban social movements when framed not by a theory of 'the city' but by theories difference? The complex processes that produce the arrangements of privilege and marginalisation so evident in urban spaces come conceptualised by way of a located politics of difference (Fincher and Jacobs 1998: 2)

This approach is to cross from a deconstructive postmodernism to an agency for poststructuralism. The relevance for my research is how this illustrates the possibility of overcoming the major issue facing poststructural social work: the search for a theory and practice of postmodern ideas. Commentators have expressed this in a number of ways. However, the critical point is that such a 'liberated voice' (Hooks 1994: 197) does not necessarily dismiss modes of domination such as class, race or gender. Structural paradigms and their subjects are not lost with a postmodern 'turn', but are approached in a quite different way; as a 'politics of difference' (Woolcon, 1999).

**Appropriation**

Many social workers have recently appropriated the notion of agency that I have just discussed and in doing so extended the use of Foucault. However a coherent
theoretical framework that underpins practice is still required. Yet some social work writers insist that postmodern aims are more consistent with social work (Riley 1996, McBeath and Webb 1991). Weedon (1987), Solas (1994), MacNaughton (1994), Camilleri (1996), Fook (1996) and Fook and Pease (1999) have moved quickly into establishing what is useful about postmodernism and applied it. Again, with notable exceptions, including Solas' (1994) Derridean approach, it is Foucault who provides an agency for most writers and practitioners prepared to leave behind the apparatus of modernism.

My first engagement with the practice of postmodern principles in human studies was Henriques, Holloway, Urwin, Venn and Walkerdine's Changing the Subject: Psychology, Social Regulation and Subjectivity (1984). It remains an influential text in social work writing and is an example of purposeful poststructural research that does not oppose or assimilate Foucault's ideas. Their research further suggests what may be possible when a Foucauldian approach to 'the best interests of the child' is employed.

Walkerdine conducted a Foucauldian analysis of pedagogy, examining a number of texts, including nursery record cards and teacher training content, within the context of conventional developmental psychology, medicalisation and normalisation. The author demonstrated that there is not a 'preexistent real object' (1984: 188), in this case the developing child, which developmental psychology has 'distorted'. (Such a view would reflect conventional structural approaches.) Rather it is:

Developmental psychology itself which produces the particular form of naturalised capacities as its object...The practices of production can, therefore be understood as the production of subject-positions themselves (1984: 164)

Walkerdine traces how scientific classification produces and regulates individuals rather than liberating them as it claims. By developing concepts such as individual mental measurement, reading competency and theories of play, a norm is established against which all children are considered. In this way the nursery record card produces 'both what is to be observed and monitored and the techniques of that monitoring and observation' (ibid.: 188). The implications for children who rate low on such a card are considerable. With failure comes the denial of power, influence,
access, equity and freedom. Discourse analysis is used by Walkerdine to reveal how a metanarrative is produced and to observe its material effects.

Richards and Light (1984) and Harre et al (1994) have also rigorously applied Foucault's ideas in the field of human studies. However the last five years have seen social workers accepting these critical theoretical tools and making subsequent recommendations for practice. Weedon (1987 and 1999) emphasises the importance of language for discourse analysis and its subsequent effects. For Weedon poststructuralism answers many problematic questions for traditional feminism:

As a way of conceptualising the relationship between social institutions and individual consciousness which focuses on how power is exercised and on the possibilities of change (1987:19)

This analysis of social work's received ideas makes possible a 'subjectless social work' with 'permanent deconstructive criticism' (Rojek et. al. 1988: 45), with Foucauldian discourse analysis as the major analytical tool. Nuccio and Sands (1992) give an accessible description of poststructuralism featuring criticism of 'logocentrism', the nature of 'difference', deconstruction, multiple discourses and subjectivity. In 1997 Payne, extending his work on general principles and theory in social work, cautiously admitted poststructuralism's contribution, specifically deconstruction and discourse analysis. These two apparatuses are also highlighted by Camilleri's (re)construction of social work 'text' (1996) and by Solas (1994). Howe (1994) validates the impact of language and discourse in social work and the importance of Foucault's discourse analysis is emphasised by Hartman's article 'Words create Worlds' (1991) and reiterated by Pardeck et al. (1994). This theoretical work has been translated into specific practices.

**Specific Practices**

Reckie's work is formative in applying discourse analysis to the 'problem' family (1994) and single parents (1996). Here Foucault's discursive deconstruction is hailed as anything but apolitical and nihilistic. She makes a cogent argument that discourse reveals different local ways of knowing and speaking - rather than a monolithic one that determines a favourable 'truth'. Reckie argues that:
Discourse-centered approaches to the analysis of social problems do not necessarily have to replace or supersede materialist approaches: they can supplement them (1996: 337).

The modernist underpinnings of social work practice failed Riley (1996) in a case where a mother killed a child. The value of postmodernism for Riley lay in redesigning practice that allowed an identity for the client not bound up by traditional notions of 'mother'. Here the 'true', taken for granted, knowledge producing 'mother/child abuse' practices are deconstructed and 'reworked'. For Riley such discourse analysis removed her sense of betrayal (by the 'caring' yet somehow 'abusive' mother) and her own failure as a social worker.

It is metanarrative modernist knowledges (notions of nurturing and goodness) that Riley is saying produced a particular oppressive practice. When her initial belief in the mother's innocence is proved unfounded she responds with anger and angst. However, this grand narrative is replaced with a practice of diversity and locality (a consideration of this case rather than a universal theme). Riley emerges to view modernist notions as constructs rather than truths. She concludes 'postmodernism's aims are in some ways consistent with the aims that social work has set itself. It focuses on people in the margins' (1996: 41).

Crawford (1997) examines rural social work through 'the lens of postmodernism', arguing that postmodernism allows for a practice which legitimates discrete local sights and indigenous ways of knowing. This is an 'emic' practice (folk, indigenous and internal perspective) rather than purely 'etic' (professional, external perspective of researcher using preexisting systems of knowledge, Shorman and Reid 1994: 494).

Narratives including disability (Cocks and Allen 1996), health (Lupton 1993 and Cheek et. al. 1996), fathering (Lupton and Barclay 1997), anorexia (MacSween 1993 and Hepworth 1999), gerontology (Turner 1994) and early childhood play (MacNaughton 1994) as well as diverse social policies (Shore and Wright 1997) have been subject to the influence of Foucault's discourse analysis. This application has easily extended to diverse social practices such as eating (Covency 2000), the environment (Darier 1999), acupuncture (Seem 2000) and local government
(Stenson and Watt 1999). For example Cheek et. al. seek a ‘health giving social theory’ and claim:

The work of Michel Foucault, particularly his notion of discourse and the way in which discourses both are produced and in turn produce dominant understandings of health and health care, provide(d) us with a vehicle with which to explore the dynamic relationship that exists between power and knowledge in contemporary Australia (1996: 225)

Wood (1997), despite not being able to reconcile her accusation of postmodern relativism's antipathy with social work's goals of social justice, still finds Foucault and deconstruction useful for social work practice. Jessup and Rogerson (1999), recount how Foucault's discourse analysis provides the means of extending a structural analysis of personal problems in the interpersonal communication context for use as a social welfare educator.

Finally a selection of poststructural practice that is not restricted to theorising must include White (1988 and 1991) and White and Epston (1990). White has had a major impact on practice and acknowledges his debt to Foucault at some length. In his work he appropriates Foucauldian critical tools, including discourse, an ascending analysis of power (1990: 23) and the notion of problematisation, to develop a specific practice of narrative therapy; an approach now with its own critiques (Madigan, 1992). To this can be added the work of Saleeby (1992), Jenkins (1989), Weick (1992), and Gowdy (1994) as well as innovative training models for workers (McGregor and Styles 1993). Such influential contributions have to be seen as an ongoing attempt to use Foucault to secure practices that have a distinct difference from those embedded in conventional modernist theories of power.

Summary: The Search for Theory

The social work profession has three distinct responses to poststructuralism and Foucault. First, social work writers persevere in voicing an opposition to poststructuralism that has problematised Foucault as a postmodernist nihilist unsuitable for social work practice. The second use of Foucault I have presented assimilates many of Foucault's critical methods. There are strong claims here that
deconstruction and discourse analyses offer a cogent poststructural research method and practice for social work. These commentators seek a coherent Foucauldian theoretical framework that will retain the ‘truths’ that have given social work an agency to date. In doing so, principles of the Enlightenment, including the operation of sovereign power as foundationalism, are retained as a conceptual base. This lends itself to a discursive determinism revealed by genealogical inquiry that promulgates a solution to social problems.

The third response significantly extends the use of Foucault’s method. The inclusion of Butler and other critical writing here is vital in understanding the available release from the constraint of foundational philosophy. Postmodern social work writing largely does not call on this broader literature and struggles with accessing the cogent philosophical basis supplied by Butler and others. The examples of appropriation I have reviewed are therefore quite disparate and not argued as a consistent Foucauldian theoretical approach underpinned by a coherent challenge to modernist thought.

The practice examples I have reviewed can be seen as attempts to remove the subject of discursive inquiry from modernist metanarrative and determine this as an alternative method for poststructural social work. As Healy says; ‘for too long social workers have been the handmaidens of the grand narratives of social sciences and humanities’ (Healy 2000: 145). In doing so writers and practitioners develop processes of discursive resistance in a historical and local context that integrate a structural analysis of material social problems with the ‘subjective’ individual experience of those social structures. Subjects and social issues are not lost in this process, but are understood in a different way.

The shift from opposition, through assimilation to appropriation, illustrates the social work profession’s search for a clearly articulated theory of poststructural practice. Social work has found archaeology to be generally acceptable as a means of identifying rules and procedures through which truth is produced and a genealogical focus is used to analyse the operation of this truth as social government.
I have argued that the shift in social work from assimilation to appropriation has involved a reaction against sovereign power and this can be achieved using genealogy. Yet Foucault's work indicates the possibility of a more precise active practice of parrhesia, rather than a 'passive' deconstruction. However this requires the inclusion of the third ethical axis of Foucault's work as a coherent theory of panoptic power. I have said in this chapter that social workers can theorise the effects of universal and binarist forms of subjective agency. They can relativise this as a particular 'system of thought' and reflect on its effects. However this does not comprise a coherent alternative theoretical method. Practice against social government therefore continues to be difficult to conceptualise as an informed social work skill. An objective of this research is to extend this search for theory and method by applying a comprehensive theory of Foucauldian power: panopticism.
CHAPTER 4

CHILD PROTECTION AND POWER

Introduction

This review of the literature has focused on the social work profession's engagement with Foucault and has found three distinct responses: opposition, assimilation and appropriation. These classifications are powerful critical tools and I retain their use in this chapter, where I examine the extent to which the social work literature, specifically relating to child abuse, has emerged from a sovereign notion of social power. I then evaluate how the literature has responded to the ideas provided by postmodernism and Foucault including the concept of dispersed social power. I argue that child protection theory and practice is predominately modernist and dependent on the core concept of sovereignty. Particular techniques of risk assessment represent the prevailing means of practising this sovereign approach and assure the ascendancy of modernist foundational thought.

Where the literature concerning child protection does engage with poststructuralism, I have identified two critical positions using the classifications developed in the previous chapter. First this literature largely assimilates the ideas of Foucault, using poststructuralism to fabricate more effective solutions to the problem of child abuse. In a similar fashion to social work generally, this formative work uses components of Foucault's method within the modernist sovereign paradigm of power to extend our understanding of child protection. It does not take the distinct intellectual direction discussed in the previous chapter.

Second when the literature does appropriate Foucault's work, it does so by conceptualising the subject of discursive interrogation as the family, mothering or the idea of risk itself. This is a significant choice that emphasises the contribution of this research, since the literature does not afford the same critical rigour to the notion that 'the best interests of the child' itself may comprise social government. Research
into how ‘the best interests of the child’ produces a normative modern configuration of ‘panopticism’ has been discounted in favour of other forms of governmentality.

'The Best Interests of the Child' and Risk

At this point I would reiterate that it is ‘the best interests of the child’ and not risk that is the central discursive subject of this research. Risk is investigated here because it the prominent method of practice in child protection social work. I therefore continue my review of the literature by examining how risk operationalises current service delivery according to precepts of sovereignty:

What is it that distinguishes the thousands of years of history from what we think of as modern times? The answer goes way beyond the progress of science, technology, capitalism, and democracy. The revolutionary idea that defines the boundary between modern times and the past is the mastery of risk: the notion that the future is more than a whim of the gods and that men and women are not passive before nature (Bernstein 1996: 1)

Bernstein tells us that the modern era is characterised by risk. Risk is integral to operationalising the principles of Enlightenment. Risk assessment is a means of generating knowledge to measure social deviance and progress. It identifies danger in the pursuit of progressive change and social practices that require improvement. Risk involves producing knowledge from research to control uncertainty and to reinvigorate the politics of the Enlightenment. Risk thus substantiates the idea of truth, reality and foundationalism. Without these beliefs risk has no credibility as a science and social practice.

In the postmodern sense I can position risk in the space between the SAFE and UNSAFE child; measuring and classifying in the production of normality. In child protection these classifications take the form of psycho-social contours that include the normalisation of physical and mental health and ideas of family and mothering. The collection of research data envelops anatomical, neurological, intergenerational, ecological and cognitive affective variables, including parenting styles. Here I can locate the various claims to foundationalism, so that the literature largely confines
itself to the apparatus of the modernist paradigm. We shall see how familiar practices are therefore multiplied and poststructural possibilities overlooked.

A Foundation for Meaning and Practice

Any prominent practice text concerning child protection (Boss 1980, Oates 1996, Butler and Roberts 1997, Kids First 1998) contains knowledge and contingent methods of intervention that a sovereign notion of power will provide. The psychosocial contours of this knowledge may shift, yet the problematisation of child abuse remains firmly within a modernist paradigm. Kempe et al. (1962) and Bowlby (1969), amongst others, initially developed prominent knowledge. They determined a practice for child protection and therefore an idea of ‘the best interests of the child’, located alongside the emerging scientisation of child development psychology, including Erikson (1950) and Piaget (1952) and the political development of the welfare state in the 20th century. Psychoanalytic and sociological theories were firmly targeted at the intersection between social environment, the family and the individual. Such research began to establish a specific foundation for the meaning of ‘normal’ child development, ‘the best interests of the child’ and the responsibility of family and State.

The social contours of this knowledge was extended to broader socio-structural causation and political reformism by writers including Gil (1970), Oates (1996), Gelles (1974), Garbarino et al. (1980) and Dingwall et al. (1983). Social constructivist approaches complemented this with the work of Hall et al. (1975) and others. For example, Parton (1985) is one of the most influential commentators on the social and political construction of child abuse. He declared that the post-industrial concern for children reflects a fear of delinquency and the mob as much as a care for children. Parton argued that, following shifts in industrial and social organisation, new forms of state control had to emerge to maintain stable economic conditions necessary for capitalism:

This opened up for debate the relationship between the state and the family...While the family became a central political issue it was important for the emerging liberal state that it be detached from direct political control...the central dilemma was that if the state must
assume responsibility for children, how could it discharge those responsibilities while maintaining child rearing as essentially a private responsibility (Parton 1985: 25)

Such radical thought and ‘critical’ practice focused on the social construction of childhood and considered how child welfare was organised as part of wider systems of domination regarding gender, class and ethnicity. Yet sovereign principles remain common to these varied approaches, which can be seen as different technologies, but with similar aims, objectives and methods. In this way child abuse is a product of nefarious dysfunction in the psychosocial or structural system. This dysfunction can be racism, poverty, familial disadvantage, developmental maladaptivity, patriarchy, or a combination of such variables. The critical point is that child abuse is presented as a foundational construct to be discovered, remedied and prevented. Alongside this ‘the best interests of the child’ is construed as an associated truth, thwarted by a repressive power that must be removed for those interests to be maximised. Risk assessment has been established as the means to do this.

**Risk as Practice**

I have said that risk enjoys a privileged position in the modern world. Risk encapsulates the principles of the Enlightenment and now commands control of child protection services. Child protection professional texts, State government and non-government sector guidelines claim that risk assessment is the most effective way that ‘the best interests of the child’ can be met and child abuse prevented. A brief review here identifies how the knowledge of risk is a performance of foundationalism.

The literature investigates how risk assessment claims to be a ‘new approach to child protection’ (Hetherington 1998: 5). Risk and prevention are an essential part of this kind of social engineering and the child abuse literature summarises six major claims for the ‘new approach’ of risk assessment:

- The struggle to cope with ever-increasing numbers of notifications of child maltreatment;
- An economic climate of social service restraint;
The need to target 'true' abusive cases, rather than 'cast the net too wide' and intrude on problematic families rather than abusive cases;

Achieving a balance between children's needs and safety and the risk of harm;

A response to child-abuse inquiries that propose investigation itself can be intrusive, abusive and ineffective.

Maintaining the family as the principal and most effective carer;

(Parton, 1994a and b, and 1997).

Risk is generally defined in the following way in child protection:

The first, and in our mind proper, meaning is a process for assessing the likelihood that a given person (usually a parent) will harm a child in the future (Wald and Woolverton 1990: 486)

The practice of risk assessment is defined:

Risk models are concerned with predicting whether or not a child will be maltreated in the near future, 'absent intervention' and 'risk assessment' can be defined as the systematic collection of information to determine the degree to which a child is likely to be abused or neglected in the future (English and Pecora 1994: 452)

Risk assessment thus entails the following practices:

Using known information about a given person or situation to estimate the likelihood that a person will engage in a particular behaviour;

Validity depends on the correlation between identified factors and the chance that the person will engage in such conduct;

Such factors must therefore be measured accurately;

The goal of risk assessment is to prevent abuse while keeping families together;

(Wald and Woolverton 1990: 490).

Creating knowledge to satisfy these demands is a core requirement of risk assessment. In similar manner to its economic practice, risk assessment in child protection is disposed towards research as a primary validation for its core principle of measurement. There is a plethora of such research available, proposing and evaluating risk-assessment tools for use by social workers and organisations, English and Pecora (1994), Doucck, Bronson and Levine (1992), Hornby (1989), Lyons et al. (1996) and Wald and Woolverton (1990). However, critical evaluations agree that
risk assessment is a dynamic and problematic 'ritual'. Wald and Woolverton argue that:

Agencies throughout the country have put into operation risk-assessment systems before conducting the research necessary to validate the risk assessment instrument (1990: 486)

Scott and O'Neil say that:

The risk-assessment instruments which do exist have exceedingly high false positive rates. And even if it were legally and ethically possible to act on the basis of such 'actuarial' models of decision making in child welfare, a very large number of children would need to be removed, with all the psychological damage that entails, to protect one child from serious abuse (1996: 1067)

Yet this criticism goes on to propose further knowledge to render risk a more effective remedial instrument. In this way Wald and Woolverton (1990) advocate for clinical development practice to be incorporated with risk assessment instruments. Despite arguing that risk models are politically, economically and ethically problematic, the authors retain their own commitment to risk as best practice in child protection. There is increasing research of individuals affected by child protection agencies; evaluations of their local experience of intervention and their ideas on the meaning of child abuse, for example, Tsun (1999), Stringer and Clapp (1999) and Mudaly and Tucci (1999). Yet these shifts retain the purpose of solving the problem of child abuse. Their purpose is to ratify a foundational knowledge for risk and the dominant foundational construct has become the family.

The Family

The parameters of psychosocial foundationalism in risk assessment are now predominately familial. Family 'reunification' or 'preservation' monopolises the world of social work (Ainsworth and Maluccio, 1998). Some writers address wider conceptual difficulties concerning culture, ethnicity and socio-economic status in risk assessment. However, the concluding research priorities and recommendations return to familial criteria. In this way there is an ongoing attempt to achieve valid empirical methodologies and conceptual clarity of truth, to overcome the ongoing relativity surrounding dynamic risk assessment models.
English and Pecora for example, review the risk assessment literature and classify it according to ‘the demographic and case characteristics as predictors of higher levels of risk of child maltreatment’ (1994: 451) used by the various researchers. While these classifications include socio-economic status and ethnicity, the family is inevitably the focus of attention. Ensuing research priorities thus pursue increased empirical validity, within the existing risk apparatus, that focuses on the family as a site of social risk to ‘the best interests of the child’.

Occasionally writers step outside of these familial parameters, questioning the apparatus of risk assessment and arguing for broader inclusion. Farmer and Owen caution that the evidence from their United Kingdom evaluation:

Suggests that an intense focus on children’s protection sometimes leads to a neglect of the wider needs of children and other family members...There is a danger that the lessons learnt about child care in general are being lost in the drive towards child protection...In the interests of children’s future welfare it is important that we get the balance right (1995: 328)

David Thorpe has responded to the risk assessment model by questioning the very terms ‘abuse’ and ‘neglect’. He writes that:

The problem with the word ‘abuse’ as an abbreviated representation of the events dealt with by child protection programmes is that it serves to completely decontextualise those events...At best it appears to be a deeply flawed attempt to represent the complexity and variety, at worst it can so misrepresent those events and mislead both the public and professionals that very different types of problems and hence different potential solutions become lost in an atmosphere of panic (1994: 198)

Yet complex and inclusive critiques focusing on the scientification of risk assessment, either with respect to improving empirical instruments or in critiquing the evolution of risk, do so within sovereign and essentialist notions of power and knowledge transformations. Their intellectual direction is toward truth. For example, Parton critiques risk assessment’s ‘reflexive scientisation and risk profiling’ where ‘the way things are said is more important than the possession of truths’ (1994a: 106). Yet the thrust is still to define and develop an effective risk assessment apparatus to detect this truth, through a more enlightened service structure. This can then be applied to
the problem 'child abuse', which waits for a solution to be engineered by humanity. *Looking After Children* (Department of Health, 1996) exemplifies this.

*Looking After Children*

In my research I shall examine a selection of texts from the currently influential practice model; *Looking After Children* (LAC). Others have critiqued this model from a modernist perspective rather than a poststructural one. Knight and Caveney (1998) concluded that the process of identifying positive parenting attributes in LAC seeks to blame the individual rather than include structural factors. In this way LAC imposes white middle class standards on all children to disadvantage the marginal child and family.

Jackson's (1998) reply to Knight and Caveney's criticisms conceptualises the approach to 'the best interests of the child' in similar sovereign fashion. LAC is not examined outside of this paradigm. Rather it is again critiqued as a vehicle for establishing various claims to a valid foundation: a Covenant for 'the best interests of the child'. The Australian evaluation of LAC by Wise (1999) is similar. 'Difference' and local place is called for but the outcome is designed to produce an accurate program for Australian cultural conditions.

This specific literature concerning child abuse again illustrates the modernist propensity for 'technologies of difference within an economy of the same' (Lee 1992: 9). In applying theoretical principles drawn from modernist thought, these critiques seek to 'fix' the problem, by producing further knowledge. This knowledge now focuses on the family as a source of enlightenment and the measure of truth. In this way 'the best interests of the child' is both normalised and problematised. With this understanding 'the best interests of the child' can be positioned as a discourse, with risk assessment typifying the performance of sovereign intent that Foucault's method was designed to investigate. This clarifies how critical approaches to child abuse, including assimilative poststructural ones, remain sovereign yet can be extended toward a Foucauldian practice.
Assimilation

My position is that it is not up to us (intellectuals) to propose. As soon as one 'proposes' - one proposes a vocabulary, an ideology, which can only have effects of domination. What we have to present are instruments and tools that people might find useful. By forming groups specifically to make these analyses, to wage these struggles, by using these instruments or others: this is how, in the end, possibilities open up. But if the intellectual starts playing once again the role that he has played for a hundred and fifty years - that of prophet in relation to what 'must be' to what 'must take place' - these effects of domination will return and we shall have other ideologies, functioning in the same way (Foucault 1988b: 197)

In child protection Foucault's ideas are largely assimilated and do not escape from the intellectual proposal that Foucault describes above and that typifies modernism. In this way they do not cross Butler's 'border' of intellectual direction, that characterises rigorous Foucauldian work as an investigation of discipline rather than the production of solutions. The following writers exemplify this approach.

Ferguson (1996 and 1997) argues that risk-management is the opportunity for individuals and organisations to practice a new 'reflexivity' in the 'late' modern world:

Traditionally repressed problems like child sexual abuse have gained recognition in a context where abused women and children - like all late-modern citizens - are reflexively engaged in constructing their own biographies and using expertise in the planning of their life projects (1996: 221)

Ferguson uses particular themes of poststructuralism including discourse analysis, archaeology, biopower and the historicism of ideas to design his response to child abuse.

What has been presented ...is an archaeology of the very idea that is central to the entire discourse of modern child welfare and protection: that through social intervention children can and should be protected in time (1996: 214) (my emphasis).

Thus 'we live at a time of endings', but also new beginnings. What is new is the 'radical uncertainty of the time' for children and workers. For Ferguson risk has emerged from the ashes of two decades of child protection inquires, which have drawn our attention to the failure of previous policies and the consequent death of
children. Previous methods of child abuse prevention and child rescue have been largely discredited and we must seek new well-researched tools to manage child abuse, within increasing financial constraints.

Ferguson calls for an agency of reflexivity, given his understanding that people are constituted as discursive subjects. Yet the aim is to progress towards a further solution to the problem of child abuse. Child abuse is cast as an independent actor on a stage where ideas and events take place around that actor: shaping it, hiding it, repressing it, and revealing it. It is a critique where power remains sovereign, albeit that such power is now discursive. Child abuse is still there to be discovered, once effective tools, now borrowed from Foucault, are researched and applied. This approach is predominately involved with designing a non-abusive world in response to the vagaries of current oppressive political discourse. In this sense a further social and intellectual contour becomes problematised and presented as the cause of child abuse.

Parton's (1994a and b) construction of postmodern political practice concerning children, welfare and the State is a further example of a commitment to, yet assimilation, of poststructuralism. Parton readily uses concepts of discourse and governmentality, but they remain at a genealogical level. Foucault again becomes useful for identifying a new governance of the family - legalism and managerialism - and the challenge that this poses for social work.

Parton insists that postmodern social work can be either liberating or 'disabling and nihilistic'. For Parton the latter will eventuate when postmodernism's position that moral questions are meaningless and irrelevant in the face of the deconstructive 'gaze' is accepted (1994a: 108-109). In this way he therefore demands a foundation for postmodernism itself and, as reasoned in the previous chapter, thus establishes the intellectual boundary that will prevent crucial aspects of Foucault's work from being used. Parton's recent writing is included in Reading Foucault for Social Work (1999) with a valuable section entitled Reconfiguring Child Welfare Practice:

Not only can risk be seen to characterise contemporary child welfare policies and practices but that, following Foucault, it provides a small
but significant instance of the important changes in the government of freedom and of advancing liberal rule (Parton, 1999:124-125).

Parton calls for new ways of working with new ways of regulation and this is the poststructural value of his work. Yet his argument cannot escape a repressive, sovereign theory of power, particularly when he advocates a practice. This is a practice that responds to an oppression that ‘dissolves the notion of a subject or concrete individual and put in its place a concern with a number of risk factors’ (ibid.: 102). In this way Parton’s own foundation is lost since the ‘essential focus of policy and practice no longer takes the form of direct face-to-face relationship between the social worker and the client’ (ibid., 1999: 102 my emphasis).

This argument is a regeneration of modernist reasoning and conventional social work practice, because its underlying assumption is that an attainable utopia does exist and that social work has an ‘essential’ role in achieving it. For Parton social work should be ‘confirmed in a crucial mediating role’. Social workers’ ‘professional judgements’ become central in determining the nature of ‘normal family relations’ and can therefore liberate the family from discursive oppression. The aim of social work is thus to command a new discourse and the practices and knowledge of social work, ‘now, more than ever, moves centre stage’ (1997: 212). While this is a reconfiguring it remains and of course continues to produce, the modernist paradigm within social work as it is. The argument sets a purpose for social work that is contrary to many of Foucault’s principles of practice, including the constant denial of any intellectual proposal for a solution.

Thorpe concluded his evaluation of ‘at risk’ management with;

Child protection has become a ‘Panoptical device’, a means by which the private lives of those who struggle to bring up children in difficult conditions are made public and what is made public is more often than not a misrepresentation of what is required. That which does not conform to standard middle-class patriarchal child-rearing norms is represented as ‘at risk’ of abuse or neglect (Thorpe, 1994: 202)

Thorpe is again concerned here with how the current form of risk assessment restrains the emancipatory project that he maintains as the purpose of social work. Components of Foucault’s method are applied to reveal how the risk assessment
process and normalising child rearing practices govern working class and culturally dispossessed families. Yet the mention of a 'Panoptical device' on the last page of his work is absorbed into Thorpe's major sovereign concern: to reveal the 'material and social conditions' and 'contexts of poverty' which he maintains as causal properties of child abuse. He pays valuable attention to how the language of meaning and practice is now a global (1994: 202) contrivance for domination and oppression. Yet his argument is strictly located in a paradigm of class conflict and social constructivism that is now discursive. The panopticon is conceptualised as discursive repression and is a useful introduction to Foucault's concept yet, I argue, a far step from the intention of his method. Thorpe's direction, as with Ferguson and Parton, is towards removing this discursive form of oppression. Hence Thorpe, Parton and Wattam support a shift:

From notions of state control to the concepts of 'normalising' and regulation, not by the state but through locally situated interchanges
(Thorpe, Parton and Wattam 1997: 75)

Such a method aims to reveal competing definitions of child protection by 'those who are culturally sanctioned to judge' (ibid.:76) and who can therefore be overthrown. As such critical claims lose poststructural precision because the vision offered by the concept of dispersed power is persistently obscured by unilateral sovereignty.

This assimilative writing seeks a solution to discursive repression just as others have sought a solution to other forms of domination that are said to cause child abuse. I mentioned earlier how Foucault identified discourses of family and children as governmental sites in the emerging modern state. He was interested in the forms of discourse for which the family acted a conduit: the 'gentle way of punishment'. Literature that uses Foucault's ideas develop this theme of the family as the major site of discursive activity. However what is discounted is that Foucault's method is principally a critique of disciplinary social government. It is a critique of the process of establishing a foundational truth. I would argue that Foucault's principal interest was not primarily the family, sexuality or madness. His primary interest was social government itself. He did not intend that any particular form of discipline could then be replaced with a less oppressive form of power. Yet the articulation of a new force of oppression that can be overturned is a common theme in assimilative writing.
Such 'intellectual proposals' clearly limit the use of Foucault's critical thought in child protection.

**Appropriation**

A major difference between the above approaches and those that rigorously appropriate Foucault's ideas is that the latter focus on the practice of discipline itself. This takes us beyond the myriad of contingencies that mark the ongoing history of knowledge about child abuse. These contingencies affix the meaning of child abuse to specific psychosocial or discursive truths and create corrective practices. Appropriation resists the demands of this practice framework. Donzelot and Castel extend Foucault's ideas and have been formative in establishing this difference in the approach to child protection.

**Family as Social Government**

Donzelot devoted time to critiquing the emergence of professional social work as a tool involved in the 'transition from government of families, to a government through the family' (1979:92) [authors emphasis]. The 'preservation' of children is integral to this transformation. Donzelot quotes Foucault liberally, emphasising the notion of policing through bio-politics, where regulation occurs through linguistic and organisational claims such as strengthening and improving 'social freedoms'. Yet Donzelot's poststructural aim is primarily to analyse a predominant form of governmentality that constitutes the idea of the 'social'. He is then able to understand transformations in the construction of family as relations of discursive 'social' discipline. Rather like an engraving, he identifies intersections of ideas, events and organisations that formulate the emerging 'social' as a set of reshaping practice technologies.

Donzelot's purpose is to identify how prominent discursive shifts in the meaning of 'social' have involved transformations in the construction of problematics. For example, a technology such as the 'protection' of freedoms will determine the meaning of 'normal' poverty and other social lifestyles. For Donzelot 'protection' is
both how that meaning is determined and a consequent vehicle for social regulation. Donzelot details the emergence and mechanics of the social work profession's role in such a supervised freedom that impacted on the child's body though detailed assessments, that included clothes and education. He further argues that physical liberation and moral protection were designed to determine normalisation; institutionalised through child welfare laws and associated policy. In this way the family was transformed into an instrument of social control, rather than merely understood under the banner of 'preservation'. Moreover social work became central to the disciplining of social worlds through the technology of protection. In describing 'delinquency' Donzelot comprehensively applies Foucault's notion of panopticism:

An infrastructure of prevention will be erected around him, and an educative machinery will be set into motion, a timely action capable of stopping him short of a criminal violation...Not only will he be an object of intervention, but by the same token, he will in turn become an object of knowledge...The family climate, the social context that causes the child to become a 'risk', will be thoroughly studied (ibid.: 97)

Whether discussing delinquency, abandonment or other effects on the child's body, this is part of a process overseen by the psychoanalyst and social worker towards the construction of the family for normalisation practices (ibid.:168). What is valuable, and distinctly Foucauldian, about Donzelot is his genealogical account of how this social government occurs. His emphasis is not 'family' so much as the policing mechanisms of prevention and protection that comprise the discourse of social government. Since his subjects are those objects of knowledge, Donzelot does not look for a safer child, better family or more effective social work service. He can do this because his theory of power is not sovereign but panoptic. His interest is primarily in unveiling the process of policing. Yet for the purposes of this research I can note that Donzelot does choose the family as the central vehicle of social government and does not afford the same critical emphasis to 'the best interests of the child', but situates this notion as a consequence of his own subject of inquiry.

Risk as Social Government

Castel similarly appropriates Foucault's ideas in his investigation of child welfare practices. He explores the shift in the discursive technology of discipline in child
welfare practice from ‘danger’ to ‘risk’ and ‘performance’. The prevention of danger and risk in child welfare takes the form of measuring performance against quantifiable individual qualities. For Castel this transition from therapeutic practice to managerialism represents a specific form of disciplinary social administration and panopticism:

The modern ideologies of prevention are overarched by a grandiose technocratic rationalising dream of absolute control of the accidental, understood as the irruption of the unpredictable. In the name of this myth of absolute eradication of risk, they construct a mass of new risks, which constitute so many new targets for preventative intervention (Castel 1991: 289)

Here we have the ‘total subordination of technicians to administration’ (ibid.: 291). Diagnosis and treatment still exist, but rather than espousing ‘caring’, they operate as an expertise and provide the quantifiable schemata against which normal is measured and made possible. It is now the manager who makes decisions according to these particular principles, procedures and resources:

Finally one can wonder whether these trends do not inaugurate a set of new management strategies of the kind specific to ‘neo-liberal’ societies: representing new forms of control which work neither through repression nor through the welfare interventionism that we know (ibid.: 291)

Castel is clear that a space of enlightenment, as the absolute eradication of risk, is not possible. Like Donzelot he does not seek a solution to social problems but is again interested in critiquing mechanisms of social government; in this case the apparatus of prevention and risk. However, again, Castel does not place ‘the best interests of the child’ as his central focus.

This specific focus on the deconstruction of the technology of risk has been taken up elsewhere. Peterson and Lupton (1996) view risk as a specific practice of self-regulation and discipline. Risk establishes certain social practices such as the individual as ‘enterprise’. In contrast to Ferguson and Parton, their focus is not on how risk may be a ‘new’ technology and therefore new government, but rather how it is merely the current dominant design of ongoing governmentality. Peterson and Lupton emphasise that risk is grounded in specific values of science, rationality and the assumptions of modernism practised through epidemiology. Using Foucault this
challenges any claim that such risk-management can promote better health for the individual and society. Instead Peterson argues that its effect is to introduce increasingly intrusive and discriminatory practices.

The critical point in relation to this research is the persistent focus that such appropriations of Foucault's ideas have on processes of governance. In this way Peterson and Lupton examined risk to investigate public health as a 'body of knowledge and domain of practico' (1996: 3):

The new public health can be seen as but the most recent of a series of regimes of power and knowledge that are orientated to the regulation and surveillance of individual bodies and the social body as a whole. This is not to say that it is simply a controlling or oppressive influence, and that there is no scope for autonomous action (in fact we argue the contrary); rather it is to caution against the dominant view that the new public health is unproblematically a liberating 'movement' (1996: 54)

The components of Foucault's method stand out here. This is a more deliberate exposition of risk as a technology of modern social government. Indeed the authors include claims to 'originality' as integral to the 'emerging knowledge of the personal and social factors of risk' (ibid.: 2). The authors include participation and a technology of the self in their writing. In particular they emphasise the continuing importance of place and community as a site of resistance despite its capture by dominant discourses of public health. Also, while mentioning 'the development of an alternative discourse' (1996: 173) the authors say 'we have not sought to prescribe alternatives for the new public health, to construct ways of developing a 'newer' (and by implication 'better') public health' (ibid.:180).

For my purposes this continues to emphasise the distinctiveness of approaches to risk that appropriate the method developed by Foucault and do not reinforce foundational meaning and practice. In this research the poststructural examination of risk as a social work practice will also target how it is a mechanism for policing the population. However, I have placed 'the best interests of the child' as the particular discourse - the object of knowledge - through which this occurs. A further consideration of poststructural child protection literature highlights that it is other
discourses that are examined as sites of social government, rather than 'the best interests of the child'.

**Objects of Knowledge**

Featherstone and Fawcett (1994 and 1995) challenge modernist feminist approaches to child abuse that have informed conventional theory, policy and practice. For my purposes they reiterate how child abuse is understood with a sovereign conceptualisation of social power; what practices result from that understanding and what alternatives are possible.

For Featherstone and Fawcett conventional theory often relies on generalisations about abusive men, peaceful women and powerless children that are universal and insufficiently self-critical. Child abuse is often polarised between structural and individual accounts, with either explanation excluding others. For the authors, prominence is traditionally given to grand theories of patriarchy that do not reflect the diversity of the lived experience of women and men. Resulting practice depends on absolute notions of top down power exerted by men and/or the State. The authors argue that child abuse discourse rests on oppositional categories (men/women; individual/structural) and essentialist monolithic notions of men. Such essentialism is limited to notions of fixed gender identities and automatic roles and behaviours for men and women.

While acknowledging familiar criticisms of Foucault and others from within feminism that reflect the anxiety of 'non-foundationalism', the authors persist in claiming a useful poststructural contribution to the area of child abuse and echo many of the points made previously in this review:

- A shift from consciousness and subjectivity being dependent upon material factors to an equal emphasis on language and meaning;
- The subject is no longer rational and unitary, but 'conflictual and precarious';
- Political action centres on specific experience of oppression rather than grand theoretical 'causes';
Foucault is useful in exploring the ‘how’ of power rather than ‘why’. The latter question subjugates possibilities for change and resistance;

Foucault's discourse analysis questions the authenticity of many research claims, where different experiences and categories are subsequently constructed, since the ‘author’ cannot merely describe what is there but contributes to the production of knowledge and subjectivity - this needs clear inclusion in any analysis;

Poststructural theory and policy does not abandon macro-analysis, but emphasises local, contextual experience through meaning. This also involves moving away from binary productions and simplistic notions of victim/oppressor;


Hollway and Featherstone's collection of writings concerning ‘mothering and ambivalence’ (1997) offer a poststructural analysis of the construction of subject positions, which align relationships between mothers, children and fathers and thereby construct social policy. Here again the influence of Foucault is clear, even though he is, at times, criticised by Holloway and Featherstone for gender blindness and maintenance of patriarchal power (1997: 169).

Hollway and Featherstone identify the production of normal ideas concerning mothering, fathers and children, constructed through the work of Kempe et al. (1962) and others in the child abuse and neglect discourse. Their book emerges from the frustration of endlessly arguing the modernist chant: who is right? Who is wrong? Whose rights and needs are most important? Instead, they and their contributors explore the possibilities of meaning, politics and policy through an ‘intersubjective’ lens, where the constructed binarisms including men/women, social structure/individual, conscious/unconscious are disrupted. To date, argue Holloway and Featherstone, the child abuse discourse has produced, and is produced by, notions of familial care, particularly ‘mothering’. This is so whether the debate is radical or functionalist: mothering is constructed as the problem to be scrutinised and governed. This, stress the editors, is one effect of the two dominant authors in the child abuse archaeology: Bowlby (1969) stressing ‘correct’ parenting and Kempe et al. (1962) stressing ‘correct’ re-parenting. Whether a natural phenomenon or a social
one, or a diagnosed recipe of both, mothering ‘correctly’ has long held the key to policy and practice in the area of child abuse and neglect.

Swift (1995) explores discourses of social reproduction, research methodology, gender, class, race and bureaucracy which construct knowledge and produce particular forms of legal, administrative and welfare practice for social workers. Such perceptions and practices reproduce conditions of violence, poverty and marginalisation with which many families live. The lived experience of mothers and children literally disappears as the ‘good parent’ model not only imposes itself on families but also produces a knowledge base which families themselves internalise. Again, Foucault’s work is significant in understanding how meanings such as this are transmitted:

His work attempts a study of the full range of hidden mechanisms through which a society conveys its knowledge and ensures its survival under the mask of knowledge (Swift 1995: 26)

Further influential contributions to this approach include the work of Bell (1993), Featherstone and Trinder (1997), Swain (1995), Fitzroy (1999) and D’Cruz (2000). These writers again focus on governmentality yet their chosen objects of knowledge are not ‘the best interests of the child’.

Creating Subjects

The literature reviewed here that appropriates Foucault in critiquing the problem of child abuse, is also characterised by the notion that objects of knowledge as metanarratives create subjects. This is central to a Foucauldian analysis. Holloway and Featherstone therefore contend that the knowledge they speak of can produce its own truth. In this way the skills of parenthood, gender social roles and so forth are normalising practices that produce the problem as such. Subjects, for example those judged to be ‘OK’ mothers, families and children and those judged to be not ‘OK’ are produced within the discursive practices themselves. In this way the problem is the fabrication of the problem. This determinism is echoed in the deconstructive sociology of Gamc (1991 and 1996), Lupton (1999) and others who finds that risk creates social experience. They point out that risk is framed in modernist opposites:
between subject and social, the individual and society and agency and structure. Beliefs, norms and social practices will therefore result from the operation of these binary oppositions.

**Summary: The Search for Practice**

In the previous chapter I argued that the social work profession is historically grounded in an understanding that social power is sovereign. This creates specific theory that problematises Foucault. I therefore described social work's response to Foucault as opposition, assimilation or appropriation.

Child protection social work demonstrates these themes. Risk is now the dominant operation of sovereignty in child protection and the social worker its agency. Yet assimilative approaches produce a similar role for the social worker. This is the proposal that a situation unencumbered by oppressive discourse can be attained. The role of the social worker is to pursue a truth not unlike other emancipatory projects. In this way Foucault becomes a useful companion to Freud, Marx or Darwin. It is when social work authors attempt to develop practice from theory that the use of Foucault is most restrained to a concept of sovereign power, rather than social government.

I have compared this to an extended use that appropriates Foucault. I have therefore maintained that writers such as Donzelot and Castel focus on the process of discipline rather than proposing an intellectual solution. Specific critical writing concerning child protection carries this further. Yet there are several points to note here in relation to the proposed methodology of this research.

First, the literature does confirm the value of Foucault's concepts of discourse, language and the Other, biopower, history and locality as important analytical components. Second, the approaches I have reviewed in this chapter all establish a meaning for 'the best interests of the child'. Modernist and assimilative approaches identify certain psycho-social or indeed discursive conditions and contingent professional practices that ensure those interests are met. In doing so they also define
the adverse conditions that give meaning to child abuse. Risk assessment is the current dominant vehicle for this.

Second, poststructural critiques of risk, mothering, the family, also determine a meaning for ‘best interests of the child’. Yet the notion of ‘the best interests of the child’ is not subjected to the same scrutiny as other discursive objects of knowledge. My specific interest is not how child abuse is an effect of discourses of mothering, parenting, the family or indeed risk. These discourses may be examples of panopticism in themselves; they may be metanarratives that call for Lyotard’s incredulity and invite Foucault’s parrhesia. However my interest is in ‘the best interests of the child’ as governmentality, risk as the apparatus through which it is conducted and child abuse its social effect. This research therefore investigates how child abuse is a discrete historical construction of social governmentality on its own terms.

My third point is that the literature is largely confined to the same degree of theorising that I found in the previous chapter regarding general poststructural social work writing. The social work profession is effective in usurping metanarrative at an intellectual level. It can articulate how discourse can produce certain social relations. Yet social work’s productive relationship with Foucault finds practice skills at an impasse. When it comes to practice social workers generally return to a sovereign notion of power, in search of truth, rather than panopticism. In this way social work involved with the problem of child abuse extends Foucault to a comprehensive genealogy. Yet in my view, social workers do not integrate all three components of panopticism to provide an analytical methodology that is at the same time a skilled practice-based parrhesia. This requires a clear exposition of the use of Foucault’s genealogy of ethics. I contend that it is this comprehensive commitment to panopticism that has to be applied for these possibilities to emerge.
CHAPTER 5

METHODOLOGY

Introduction

In the previous literature review I identified three major conceptual approaches to the relationship between social work, postmodern theory and Foucault. The first is an oppositional approach to postmodernism that hesitates to apply Foucault's work to the practice of social work. The second is an assimilation of Foucault's methods for the purpose of rekindling the uncertainty of the emancipatory project that has given the social work profession identity and purpose. The third approach represents a postmodern appropriation of Foucault's social theory and method. I have understood these differences to be a consequence of conceptualising social power as either sovereign or as panopticism.

There are several broad features that distinguish this research project from existing critical theory, research and practice.

- The methodology of this research is positioned within the third approach to Foucault reviewed here. This entails the specific use of the panopticon as a theoretical framework. I will use this framework to design a research method that will investigate the ‘the best interests of the child’ as a discourse that operates through risk assessment practices in child protection.

- This research applies Foucault's archaeological and genealogical critique of social power. However I also include the often-overlooked ethical component of his work. In doing so the research intends to explore an agency of parhessia in social work practice. It will therefore not merely assimilate the results of an archaeological critique to determine an alternative solution to the problem of child abuse, but will explore a distinct poststructural practice of an ‘incredulity’ towards metanarrative social government.

- I am positioning ‘the best interests of the child’ as the central disciplinary discourse of social government under investigation. Risk is construed as the practice of this governmentality. Other valuable poststructural critiques of child
abuse and risk disclose other sites of social government such as mothering, the family, child welfare. In this research the principles of Foucault's method are applied primarily to 'the best interests of the child' and are not secondary to other objects of knowledge and subjects of investigation.

- While there are valuable discussions of the importance of local context - and several applications that consider local context in social work - this research specifically applies Foucault's notion of 'ascending order' to the discourse 'the best interests of the child' and apparatus of risk. I do not detract from the possibility of global context but employ Foucault's proposal that starting with the local context is critical to both the research process and practice of parhessia.

- This research proposes a radical change in the way we understand child abuse as a social event and therefore how we respond as social work practitioners in policy and practice. Poststructural practices do provide a difficult challenge to modernist assumptions that social workers largely take for granted. The reader may find this to be controversial, or even dangerous. On the other hand the reader may find that the concept of social power as a panopticon appears to offer strategies worth consideration. I emphasise that I have not accepted Foucault's work uncritically. I recognise its complexity and ambiguity and I have mentioned criticisms of Foucault within critical theory and social work writing. However, just as major writers are dissatisfied with modernist sovereign accounts of domestic violence against women, so I am frustrated with similar dominant social work theory and practice concerning violence against children. I am satisfied of the validity of this project. I want to see what is possible.

- My final point here is that this research examines specific texts in current child protection practice within a particular place and historical culture. It accesses meaning and action through these texts and in doing so implements a particular methodology of discourse analysis.

In this chapter I intend to formulate a specific research design from the theoretical framework of panopticism I presented in Chapter 2. I will also identify the textual material chosen for discourse analysis. First, I will locate this particular research design as a distinct method of discourse analysis.
Discourse Analysis

In this research I have designed a specific format of discourse analysis that comprises three data categories: archaeology, genealogy and ethics. Each requires specific questions to be asked in generating discursive data and I will pose them later in this chapter. This discourse analysis has similarities and differences with other forms of textual research methods that seek to explain language, yet it involves a particular poststructural procedure.

The concept of ‘discourse’ is not conclusively defined (Shore and Wright 1997, Mills 1997, van Dijk 1997). However there is agreement that discourse analysis is concerned with examining the organisation of language for a variety of social purposes. Again there is disagreement on what kind of communication can be construed as discourse (Mulkay 1985, van Dijk 1987, Mills 1997). However there is ample agreement to include documentary text alongside conversation, case studies, art and other visual medium, as forms of discourse that can be analysed (Henriques et al. 1984, Grosz 1994). This also applies to how the interests of social workers are communicated (Rojek et al., 1988, Camilleri 1996, Healy and Mulholland 1998 and Healy, 2000).

Mills (1997), Fairclough (1992, 1995 and 1996), Lupton and Barclay (1997), Kellcrhear (1993), Manning and Cullum-Swan (1994) are amongst many who identify the distinctive features of poststructural discourse analysis. This involves an initial discussion of structural linguistics and semiotics as qualitative social research. Saussure is readily cited as a major influence on a poststructural explanation of language.

An Explanation of Language: Structural Linguistics

Structural linguistics and semiotics are not static methods of analysis but they generally do have several stable assumptions concerning the relationship between language and the social world. Saussure's work established two major principles that underpin discourse analysis, including the Foucauldian theoretical framework that I have developed in this research.
First, the structure of language is regarded as analogous to social relations. Thus human communication can be ‘read’ as a ‘sign’ or doorway to social life. Saussure’s insistence that ‘the linguistic sign is arbitrary’ (1966: 67) is an important component of postmodern thought, including poststructural text analysis. For Saussure things do not come before words. This premise allows for a myriad of analytical approaches concerning just how the content of language acquires meaning.

A second principle is that ‘the entire mechanism of language…is based on oppositions…and on the phonic and conceptual differences that they imply’ (Saussure 1966: 121). The premise that the logic of language is comprised of difference and oppositional force is crucial to postmodern deconstruction and I have positioned it as a central method in this Foucauldian research.

Yet Saussurian linguistics is confined to analysing the structure of language. After identifying the phonetic and grammatical composition of language, as verb, subject, object, noun and so forth, the relationship between these variables is investigated to disclose how meaning is communicated and the association that this has to human action. In this way patterns or themes are sought in relation to the context in which they operate. Such a semiotic analysis can therefore appear as a structured relational composition of code, field, signs and paradigms (Manning and Cullum-Swan, 1994: 466) that describe things that comprise culture.

In the 1960's Claude Levi-Strauss (1963) and others extended this understanding of the content and meaning of language. ‘Structure’ came to include specified social processes such as education and law that determine the content of language. With this approach text is now interpreted as an expression of culture embodied in these systems. The person or document ‘speaking’ is determined by these cultural institutions. This extended theorisation of language as interactive with specific cultural context and therefore a vessel for social power, takes us to a poststructural ‘discourse’ of discourse analysis.
An Explanation of Language: Postmodern Deconstruction

Many of the features of structural linguistics remain active in poststructural discourse analysis. However, one distinctive characteristic is the insistence that language neither reflects reality nor constructs reality. Thus we can go further than saying that language establishes the meaning of the social world and practices within it. ‘Reality’ itself is determined as an outcome of the linguistic apparatus at any given time. ‘Reading’ a document or text is therefore an exercise in accessing disparate, multiple, conflictual social reality(s) in which the reader - and author - play an active part. The purpose of the analysis is to investigate this as a process of power, (van Dijk 1987 and 1997, Fairclough 1995, Coulthard 1994).

A discourse analysis of text therefore investigates the hermeneutics of text. That is discourse analysis will examine how the text has a role interpreting and producing the social world. This approach does not merely describe how the social world (singular) is represented by language. It is concerned with portraying how events, ideas, actions, people and things are both interpreted from the text and formulate social world(s). In this way language and text is a mediator of culture and has a political function since it decides the specific value given to content.

Reading Power

At this point I am close to Foucault's own method of discursive research that I have developed for this research. The text is now understood as a performance of ideas and the purpose of deconstruction is to question the hierarchical oppositions that comprise it: to read power (Hodge and Kress 1993: 153).

Discourse analysis examines the practical interaction between language and the social world in which it operates. In this way text does not operate outside of its cultural political context. Words are symbolic. Words are ‘mobilising metaphors’ (Wright 1993: 23). Mills (1997) emphasises that verbs are therefore interpreted as nouns and metaphors. They not only convey message and meaning but direct action. Discourse is a productive mechanism for political direction and social relations. A recent example of this in social work would be the shift from ‘victim’ to ‘survivor’ in language usage in domestic violence services. In this way discourse is a cultural
‘agent’. It is a vehicle for ‘language in use’ (Nunan 1993: 7). Discourse analysis interprets language as cultural and political social power.

I mentioned earlier how Walkerdine examined nursery record cards and classroom configuration to investigate child centered pedagogy as a discourse (1984: 151). Other influential examples are Said's formative study of the 'discipline of the Orient' (1978) and Thompson's innovative 'The Making of the English Working Class' (1963). Many of the applications of poststructural theory I reviewed earlier position their objects of knowledge, including disability, health, sexuality, and masculinity, as mediums for cultural and political process. These knowledges are construed as vessels by which social power creates subjects.

Kellehear offers a precise review of the distinctive nature of poststructural research (1993:28) where the researcher 'uncovers' the 'operation of the dominant and powerful codes and practices of the day' (1993: 44). This is a material semiotics (Game and Metcalfe 1996) that retains many of the technical features of structural linguistics but applies them to understand how power operates in society in the postmodern sense. It is a method not merely concerned with meaning but with the 'significance' of meaning (Silverman 1997: 75). Using Foucault's method of discourse analysis is to research a specific significance of language and social action: how text operates as a vessel for social power. In particular Foucault's method examines how the text is a medium of disciplinary truth and creator of social relations.

**Foucault's Discourse Analysis**

Instead of gradually reducing the rather fluctuating meaning of the word 'discourse' I believe I have in fact added to its meanings; treating it sometimes as the general domain of all statements. Sometimes as an individualizable group of statements and sometimes as a regulated practice that accounts for a number of statements (Foucault 1972: 80)

In Chapter 2 I constructed a theoretical framework from Foucault's key analytical concepts and in Chapters 3 and 4 I argued that an appropriation of his ideas requires
a specific intellectual direction. In this section I am positioning the resulting procedure of my research within the overall discipline of discourse analysis. In doing so I am attempting a specific explanation of language that searches for the polemics of truth-making through oppositional force, since it is here that a panopticon of knowledge, power and ethics is produced. As Foucault put it:

The polemict...proceeds encased in privileges that he possesses in advance and will never agree to question...On principle he possesses rights authorising him to wage war and making that struggle a just undertaking; the person he confronts is not a person in the search for the truth, but an adversary, an enemy who is wrong, who is harmful and whose very existence constitutes a threat...For him, then, the game does not consist of recognising this person as a subject having the right to speak, but of abolishing him, as interlocutor, from any possible dialogue; and his final objective will be, not to come as close as possible to a difficult truth, but to bring about the triumph of the just cause that he has been manifestly upholding from the beginning...The polemict relies on a legitimacy that his adversary is by definition denied (Foucault 1984: 382)

Does this polemics occur as 'the best interests of the child'? Does this particular discourse illustrate Foucault's process of truth-making, with its resulting social conditions of exclusion? The method of this research directly addresses these questions.

**Language as Normalisation**

For Foucault the aim of discourse analysis is the examination of how social power operates in the production of truth. To do this the linguistic content of a text is analysed as social context. In this way discourse is a social technology (Fairclough 1995) and can only be understood in relation to the history of social institutions, workplaces and the gamut of human political processes. Foucault's own genealogies therefore contain descriptions of historical events and institutions, such as the public execution of Damiens and the administration of the Mettray in *Discipline and Punish* (1977). In this way Foucault hopes to persuade his audience that he is tracing the history of an idea such as madness. In my research I refer to institutions such as Wybalenna on Flinders Island and the Female Factory in Hobart for the same analytical purpose in respect of 'the best interests of the child'.
Yet this is not an analysis that investigates how discourses are ways of thinking (ideas and beliefs) from which ideologies are formulated. To do this would be a modernist exercise that retained truth as a reality benchmark, since the meaning of ‘ideology’ relies on a measurement against that truth. Using Foucault's discourse analysis is to propose that there is no singular reality. Any notion we hold of reality is a discursive construct and it is this very construction that Foucault investigates, since it is this construction that produces the polemic of panopticism.

Furthermore it is ‘regulated’ practices that comprise the pragmatics of social government; textually conveyed, yet nevertheless material in effect. Foucault is interested in how hierarchical rules are established in textual language as regulatory norms. I will also want to know how these norms comprise the structure of language (Mills, 1997:6). These rules constitute discursive formations such as madness or sexual perversion. Foucault’s discourse analysis is interested in these ‘discursive domains’ as mechanisms of normalisation that direct social action in both a sovereign and dispersed sense.

**Discourse as Agency: Parrhesia**

The meaning of discourse is always bound up with human action and as such is an ethical transaction. Kendall and Wickham (1999) emphasise that Foucault's method does not rest on the assumption that individuals exist a-priori and are programmed by discourse because this would accept that discourse and individuals are independent. Rather Foucault's method is designed to examine how discourse constitutes human subjectivity. In this sense discourse is a cultural medium within which human subjectivity is organised.

The concept of panopticism therefore overcomes the limitations of sovereign accounts of social power and structural qualitative research. This includes the discursive sovereignty utilised by assimilative approaches to Foucault. As Raschke says, Foucault's discourse analysis is a ‘a penal semiotics’ that regards the body as a living map of political authority and social constraint (1996: 42). Text thus prescribes the knowledges required to create human subjectivity, social processes
and the material world. Moreover, analysing the text in the way I have described here represents a specific practice.

I have emphasised that the theoretical framework used for the method of this research comprises three critical components: archaeology, genealogy and ethics. This methodological triad provides a coherent framework to examine texts that may constitute social practices. In this way the oppositional force and polemic represented in the text become evident.

Practising this method is to debunk such polemics. The aim is to expose how polemics occurs and resist this process of binary construction. I have mentioned that I have found that this methodology of resistance as parrhesia is best understood with reference to the Derridean notion of difference. Difference has a specific meaning here. It does not refer to whatever may be constituted as the other of the binarism, such as black/white or night/day. Rather difference refers to the very operation of binarism. As Silverman notes in summarising Derrida's formative work: 'Difference [sic] is in effect the difference that...divergence makes' (Silverman 1997: 21).

Using this notion in the method of my research is to contest the claim that the other of a binarism is all that is possible against its opposite. The Other (capitalized) has a specific meaning here and represents that which is silenced by the binary process. For Foucault this silence is the effect of social government and he intended to reveal it. Using this approach a metanarrative is not merely constituted from one side of an opposition, but rather from the interplay between both.

This is why Foucault's method does not advocate for any solution to problems. The very moment a solution is proffered another binarism is created and another process of polemics initiated, that interrupts the ongoing criticism of oppositional force. Assimilative uses of Foucault do just this. It is therefore critical that difference is an essential aspect of this method of inquiry, since it characterises parrhesia:

The path one takes, either this or that, is not what counts, for to take one route is not to take the other, to imply one is to imply the other, to incorporate one is to incorporate the other, to limit in terms of one is to limit in terms of the other, to make one present is to make the other
absent, and so one. What counts is the difference that is made between them (Silverman 1994: 21)

**Reading Power as ‘the Best Interests of the Child’**

I am specifically interested in the social construct ‘the best interests of the child’ and how it is represented in the text. Yet I do not read the text to understand how the meaning of that construct is determined in the structure of language. I do not collect words from the text and analyse syntax as a grammatical expression of child abuse. Rather I am interested in how meaning(s) are established in the text as a social document and how risk is itself an apparatus for establishing those meanings. Rather than Saussurian codes and linguistic fields I have focused on context, culture and politics as thematic fields of inquiry.

The texts analysed here are best seen as a body - both personal and social - rather than a document somehow separate from those social contexts. In this way the text has no sovereign agency that is somehow distinctive from its place within the focus of study. Rather its place is integral to the social government of panopticism and will itself be part of the research. What is outside the text is critical here. This includes myself as the researcher and two analytical tools I have already discussed: history and ascending order. As Bruner comments, qualitative researchers including ethnographers are ‘historically positioned and locally situated’ and ‘all too human observers of the human condition’ (1993: 1).

Using the method I have developed here from Foucault’s ideas I can position ‘the best interests of the child’ around two paths that constitute the binarism SAFE/UNSAFE. When I apply the pragmatics of this discourse analysis to the notion of ‘the best interests of the child’ I am examining how this opposition operates. I am interested in the language of the texts and how they regulate action from binary logic as a subjective structure of conflict.

The method of this research is not intended to liberate one side of SAFE/UNSAFE from the other. I do not aim to ‘deconstruct’ the text of risk assessment to determine a SAFE space for children by declaring that any particular ‘other’ cultural, social,
economic or psychological circumstance is preferable to those silenced by the dominant forces within the text. This is the intent of a sovereign assimilation of postmodernism. I am not using Foucault as a device to identify SAFE and proclaim it as a truth, which can usurp a dominant power that has previously made a spurious claim to that position. This is not a revolt against a discourse of harm; it is better expressed as a resistance against oppositional thinking that can create the metanarrative 'the best interests of the child'. I have said that the reader may find this challenging since such a philosophical base is not generally familiar to social work research and practice. This research is Foucauldian precisely because it will not offer a final solution to the problem we give the name 'child abuse'.

**Constructing the enemy**

The theoretical framework and research method here is designed to investigate how the oppositional technology of risk determines the status of 'the best interests of the child' as social government. This is not an inquiry into the 'medical gaze' and its particular regime of government. Neither is it concerned with a 'psychiatric gaze' that produces knowledges of madness, sanity and the social conditions for this form of deviance. They may be related to the social phenomena child abuse but they are not the central concern.

The panoptic prison this research examines does involve a gaze - an 'eye of power' - that can be expressed as 'best interests of the child'. Though the subject is different, is the effect similar to madness? Are certain cultural conditions actually constructed for the social world, including the material conditions that people experience, that we could call child abuse? Walkerdine et al. (1984) concluded that pedagogical practices constructed the very problems they purported to react to. Can I say that the texts examined here are similar in effect? Are these texts games of truth 'an ensemble of rules...procedures which lead to a certain result' (Foucault 1988c: 16) and is that result the problem they claim to solve?

This deconstruction examines how discourse is exclusive and how it forecloses on other possible ways of thinking. It asks how other possible meanings are marginalised. This Foucauldian research asks how speaking in the way provided in
this text restrains our knowledge and our practice as social workers: how it limits the ‘sayable’ (Barsky 1994: 98). I will consider how the triad of knowledge, power and ethics creates intellectual and material power relations that construct the enemy, while at the same time containing the space for resisting polemics and hostile conditions for ‘the best interests of the child’.

Deconstruction as Parrhesia

I have emphasised how the critical literature largely does not include the ethical component of Foucault’s work. The search for theory and practice does not involve the notion that engaging with the text is an act of agency itself. However, in this research when I disclose certain binary oppositions then I am altering the signification of the language I am examining and the practices it exhorts. Using this Foucauldian stance I do not need to offer solutions to act on the world. Agency is the parrhesiastic act of deconstruction itself that is possible after power is theorised as panopticism. In this research the completion of an examination of archaeology, genealogy and ethics within the texts is followed by an analysis that includes the possibilities of practice. These possibilities follow from certain procedures followed in the main research sections. In this way the research is itself a process of Othering, difference and parrhesia.

The Research Question

In designing the following research question I have incorporated the procedures that I have said characterise the specific method of discourse analysis used here. I follow this by identifying the specific data that will be generated using this question in relation to the triad of knowledge, power and ethos required to critique a panopticon of social government.

_How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?_
How

I have said that Foucault is concerned with how subjects are constructed through mechanisms of power across three primary discursive domains, episteme (knowledge), politics (power) and ethics. A Foucauldian analysis is primarily concerned with how social power operates:

If, for the time being, I grant a certain privileged position to the question of ‘how’, it is not because I would wish to eliminate the question of ‘what’ and ‘why’. Rather it is that I wish to present these questions in a different way (Foucault 1982: 217)

The difference Foucault refers to here acknowledges that the questions we ask have a great deal to do with what is produced. To concentrate on the ‘what’ and ‘why’ of power and the construction of subjects is to reify them and to establish power as sovereign. To give priority to ‘how’ is to resist this objectification of power and therefore to be in a better position to understand its operation as panopticism. ‘How,’ not in the sense of ‘How does it manifest itself?’ but ‘by what means is it exercised?’ and ‘What happens when individuals exert (as they say) power over others?’ (Foucault 1982: 217)

Foucault’s concept of the mechanism of power indicates that genealogical research must inquire into the operation of power at a point of contention rather than at a central and legitimate location. The research question is about discovering how power dominates and subjugates rather than how it is accepted. An object (knowledge) must be contentious. I would certainly claim that ‘the best interests of the child’ and child welfare practices are one of the most contentious and complex practice contexts for social workers today. Furthermore the literature review demonstrates that risk assessment is the central mechanism that gives meaning given to child abuse within child protection. As an object of knowledge ‘the best interests of the child’, and its locus of risk -SAFE/UNSAFE - is a credible investigation of how subjects are produced.

_How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?_

**Problematisation**

The second circumstance informing this question is the notion of problematisation. I am not analysing a ‘social issue’ (such as child abuse) and its institutional practice
(child protection) in a manner that assumes that a pre-existent problem has an essential reality that we could know. I am interested in the poststructural method of revealing how three discursive domains – epistemological, political and ethical – produce the issue as a problem. In this Foucauldian research we can come to know child abuse as a result of the meaning of 'the best interests of the child', that is expressed as SAFE/UNSAFE. It is this discourse that is therefore the focus of analysis. The research question embodies this process in its meaning. It is an invitation to investigate discourse rather than the problem of child abuse:

It is a question of movement of critical analysis in which one tries to see how the different solutions to a problem have been constructed; but also how these different solutions result from a specific form of problematisation (Foucault 1984: 389)

*How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?*

**Opposition**

A third circumstance in this research is the tactic of opposition: I have said that opposition is the dominant analytic Foucault uses in his genealogical research into particular histories of ideas and resultant social practices. I am returning here to my statement that Foucault’s agency and method is significantly informed by the unveiling of this process:

Let us take a series of oppositions which have developed over the last few years: opposition to the power of men over women, of parents over children, of psychiatry over the mentally ill, of medicine over the population, of administration over the way people live (Foucault 1982: 211)

In the literature review I indicated how risk assessment is the central modernist formulation of current discourses of ‘the best interests of the child’. This Foucauldian analysis seeks to usurp the oppositional force that risk represents. My research question therefore includes the specific opposition SAFE/UNSAFE as the subject of discursive critique.

*How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?*
Constitute
A fourth circumstance, which provides a poststructural method to this research question, is the idea of dispositif, or operation. A Foucauldian inquiry into the production of polemics and subjugatory social practices in both institutional and ideational form may result in a naming of totality or metanarrative. I am concerned here with asking how ‘the best interests of the child’ constitutes such a grand narrative. Researching this involves identifying how this discourse continues to operate. Foucault specifies elements of this apparatus to be targeted using this research method:

What I am trying to pick out is a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions (Foucault 1980: 194)

The contents of the dispositif I research will be similar to Foucault’s own determination of the apparatus of sexuality. They will be historical, local and purposeful in constituting SAFE/UNSAFE as a technique of social government.

How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?

Discourse
The final circumstance of my research question is ‘discourse’. Discourse is the platform from which the inquiry takes place and in this research I have explored different meanings and applications of discourse theory and constructed a Foucauldian theoretical framework. Discourse is the vehicle for the processes of biopower I discussed earlier. I am undertaking a discourse analysis of ‘the best interests of the child’ to trace the narrative lineage of the social practice of child abuse within particular dominant texts and local context. This research identifies:

The production of effective instruments for the formation and accumulation of knowledge - methods of observation, techniques of registration, procedures for investigation and research, apparatuses of control (Foucault 1980: 102)
Three stages of research

This research into social government is applied in three stages; knowledge, power and ethics. The following design is constructed from the Foucauldian theoretical framework and specific pragmatics of discourse analysis developed in this research. It aims to extend the work of Foucault beyond current usage. The design identifies specific questions to be researched in each of these three discursive domains, knowledge, power and ethics. The first domain employs an archaeology, the second a genealogy and the third a genealogy of ethics. Chapters 6, 7 and 8 relate to each of these components of panopticism in turn. In chapter 9 I will assemble all three to answer the general research question: How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?

Archaeology

We must try to return in history to that zero point in the course of madness at which madness is an undifferentiated experience, a not yet divided experience of division itself. We must describe, from the start of its trajectory, that ‘other form’ which relegates Reason and Madness to one side or the other of its action as things henceforth external, deaf to all exchange, and as though dead to one another (Foucault 1965: xi.)

In this chapter the research focuses on knowledge, often as objectified meanings or ‘games’ of truth, which claim the status of science. In doing so I am asking how these specific knowledges constitute a meaning for SAFE/UNSAFE. I am asking how these knowledges represent ‘the best interests of the child’ as the production of ‘truth’ and the order of things. This chapter:

- Identifies objects of knowledge - subtexts - constructed in the texts;
- Analyses how the text constructs a specific knowledge of the relationship between the local and global context;
- Analyses how the text establishes a meaning for ‘history’. How is ‘history’ determined as a rationale for this text, including the ‘history’ of events and ideas which give currency to a view of SAFE/UNSAFE in the text?
- Analyses how discursive knowledge acquires scientific status and the value of these as claims to truth;
Analyses how the language and suggested practices of the text carry within themselves oppositional thinking and how dominant social concepts are given meaning in these texts, through the use of the binary opposition SAFE/UNSAFE;

Analyses how knowledges embody ‘taken for granted’ universal ideas in the population and how might they therefore constitute a metanarrative as the discourse ‘best interests of the child’?

**Genealogy**

If we were to characterise it in two terms, then ‘archaeology’ would be the appropriate methodology of this analysis of local discursivities, and ‘genealogy’ would be the tactics whereby, on the basis of the descriptions of these local discursivities, the subjected knowledges which were thus released would be brought into play (Foucault 1980: 85).

In this chapter the research continues to deconstruct risk assessment texts. This domain extends the analysis of ‘the best interests of the child’ as a political reading of power. It identifies the ‘tactics’ whereby knowledges identified in the archaeology can constitute a theoretical, singular and scientific polemic. This genealogy identifies how these tactics operate through risk assessment as the administration of child protection. It continues as a historical investigation of this particular expression of social power, but focuses on the effects of that discourse in the present. It is a detailed examination of the text that identifies SAFE/UNSAFE as a form of oppositional biopower as a dividing practice. This genealogy probes how this divisive subjectivity is constituted as a site of surveillance; how the meaning of ‘the best interests of the child’ is a mechanism for policing the population. This chapter:

- Analyses the tactics of governance in the text;
- Analyses instruments for the formation and accumulation of knowledge embedded in the text, including; methods of observation, techniques of registration and procedures for investigation and research;
- Analyses the subject as a narrative in the text. How is the subject a decentered self, whose signature is ‘the best interests of the child’;
- Continues to determine how SAFE/UNSAFE is a dividing practice and examines the metanarrative of ‘the best interests of the child’ that is constituted as this opposition, through the practice of risk assessment.
Ethics

Three domains of genealogy are possible...First, a historical ontology of ourselves in relation to truth through which we constitute ourselves as objects of knowledge; a historical ontology of ourselves in relation to a field of power through which we constitute ourselves as subjects acting on others; third a historical ontology in relation to ethics through which we constitute ourselves as moral agents. (Foucault 1994a: 262)

In this section the inquiry is concerned with ‘forms of relation to oneself and others’ - specifically how people become the decentered moral subject SAFE/UNSAFE. It therefore extends on the notion of the text as a technology of self. For the ‘the best interests of the child’ to constitute a form of social government it must command a polemic of ethical agency. This is the aspect of Foucauldian analysis that examines a quite specific form of panoptic power: totalising individuality. Here a distinctive oppositional force operates to fabricate identity and action. The knowledges, processes and effects in the previous two chapters are augmented with a normalisation that directs us to think and act in relation to ‘the best intercosts of the child’ as individuals but in a universal manner. This chapter:

- Analyses how principles and norms of moral activity are a specific narrative in the text;
- Analyses how the text manufactures these dominant values concerning SAFE/UNSAFE as universal and yet individual;
- Analyses how the text therefore presents a certain form of ethics as social government.

In the final chapter of this thesis I evaluate the data from these three domains and propose social work practice as parrhesia.

Practice

The point...is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of possible transgression (Foucault 1982: 45)
There are two parts to this chapter. In Part One ‘the best interests of the child’ is evaluated as social government. The archaeological, genealogical and ethical components of this discourse are combined to assess how this notion is a political process that continues to present us with the problem of child abuse. In Part 2 a practice of parrhesia is explored for child protection social work. I ask how can social work practice a process of parrhesia to resist the dominant metanarratives in this text and practices that are informed by it? Discursive empathy is conceptualised as a parrhesiastic practice skill to constantly challenge the intellectual and material conditions favourable for child abuse.

The Text

There are three dominant texts that aim to establish child protection practice and policy in Tasmania:

- *The Children, Young Persons and their Families Act 1997*;
- *Looking After Children*, HMSO, UK, 1995;
- *Service Delivery Directions for Child, Youth and Family Support Services*, Department of Community and Health Services 1997.

There are several policy and training documents referred to in this research that are associated with practices directed and recommended in the above texts, including:

- *Child Protection Fieldwork Practice Manual 1995*;

Supporting Texts

The following documents are referred to in the above texts, as support for the advocated practices.

In establishing a local and historical context for the research, I have also referred to writers that comment on the major texts used here as well as writers whose subject is Tasmanian and Australian history. Since this context is distinctively Tasmanian I have referred to several prominent texts regarding Aboriginal and European experience in Tasmania since 1800.

Presentation and Authorship

The process of writing and presenting that writing, in a postmodern way, has been the subject of critical debate (Alasuutari 1995). These conventions determine that presentation is critical in disrupting the taken-for-granted status of ideas within text. Various visual formats are often adopted including pastiche and juxtaposition. For example, in ‘Troubling the Angels’ (Lather and Smithies 1995) the authors present different layers of information visually on the page which ‘trouble the easily understood and taken for granted’ (ibid.: xvi). In this way ideas are construed as ‘voices’ and in the following chapters I invite the reader to play a significant role in questioning many of these taken for granted ideas which any ‘voice’ may exhort in its journey to dominance. Each layer of information is designed to imbue the reader with a sense of the complexity of, in this case, how SAFE/UNSAFE constitutes the discourse ‘the best interests of the child’.

To present research in this manner is to overturn many conventions of traditional western writing. I seek to present this research in a manner that retains some of these features yet is accessible to the audience for which it is written, including social work academics and practitioners. This is not research that specifically examines poststructural format but it does respect the principles of such formatting. I am researching a specific textual discourse here within history, place and cultural context. I aim to format the writing in a manner that is not complicit in truth-making but conversely disrupts that process. For example, I will therefore present ‘themes’ that emerge from each chapter, rather than ‘findings’.

I want the research to be accessible and not obscure. I want the major components of this discourse – knowledge, power and ethics – to be clearly stated in relation to how
they could comprise a form of social government. The successive researching of these components in the following chapters is presented as a linear unfolding of the textual discourse as the reader turns the pages of the thesis. To highlight the actual text being analysed I have placed a referenced quote in an indented text box in single-spaced Tahoma point 10 font. For example:

The Structured Decision-Making (SDM) system was developed in the US during the 1980's and is currently being used in 11 US states. (Tasmania Government 1997: 15)

Other quotes including historical material used in the analysis are indented as Times New Roman in single space format, for example:

Tasmania 1830’s

Neglect of babies, however is not confined to necessitous workers, it prevails amongst all classes of society; and mothers are to be found, even in the highest ranks, who deny their infants their natural food because nursing them interferes with the claims of 'society' and with the pursuit of pleasure (Gorst 1906: 21).

Oppositional force is illustrated in the following way, and appears in the List of Figures in the contents page of this thesis:

LOCAL / GLOBAL

Figure 2: Place as Oppositional Force

Finally this research is my own performance of ideas and I have used the first person and active voice throughout. As Alasuutari (1995:99) comments in conventional postmodern style: I aim to be persuasive rather than truthful.
CHAPTER 6

ARCHAEOLOGY

Introduction

Sharing the responsibility for the care and protection of children between all responsible adults and across all artificial boundaries of service separation, we can work together to create a society based on acceptance, respect and love where children can receive all the nurturing, encouragement and understanding they need to grow into mature, healthy and emotionally balanced adults. They, in turn, can pass these qualities onto their own children, thus breaking the cycle of abuse and neglect forever. (Tasmania Government 1999: 2)

In this chapter I am concerned with unearthing knowledges that comprise the discourse 'the best interests of the child' as text and practice and begin to answer the research question: How does the opposition SAFE/UNSAFE constitute the discourse 'the best interests of the child'?

I have identified six incisive knowledges represented in the text. Collectively these knowledges constitute the archaeology of 'best interests of the child'. They are:

- Place
- History
- The Divine Institution
- Child Development
- Privacy
- Whole of Government

Each of these knowledges (subtexts) is comprised of a binarism that establishes the practice of risk as SAFE/UNSAFE and therefore the meaning of 'the best interests of the child'. In locating this binary knowledge I am responding to the text in a Foucauldian manner that problematises the oppositional force that constitutes the production of truth. In this way I begin my journey to understand 'the best interests of the child' as a technology of modern biopower. This is a power that imposes discursive rules through ways of understanding, that develop as the only way to understand 'the best interests of the child'.
In tracing the trajectory of these knowledges within my local context of Tasmania I have positioned a zero point as the arrival of Europeans in Tasmania. I start my inquiry with the current text yet position it within a history of thought in Tasmania from this point in time. This history of thought here is the history of ‘best interests of the child’ and I am interested in the political use made of that concept for the purpose of social government. I will emphasise that the above knowledges organise the over-arching binarism SAFE/UNSAFE in this text. It is a binarism that is dynamic, rather than static, in its composition of ‘the best interests of the child’. In this chapter I have also determined two scientific processes through which the text operates as a history of thought: research and classification.

‘Place’

The Structured Decision Making (SDM) system was developed in the US during the 1980's and is currently being used in 11 US states. (Tasmania Government 1997: 15)

The Looking After Children (LAC) system was developed by the University of Leicester in conjunction with the British Department of Health and Darlington Social Research Unit...The current model is the result of 23 years research including extensive trials in 1991-1995. The system is adopted by most local councils in Britain (Tasmania Government 1997: 16)

Such protective measures should as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement (Article 19: The United Nations Convention On The Rights of the Child)

The idea performed in these ‘service directions’ is a specific notion of Place itself. This text organises the meaning of Place in a specific way. It declares a universalism, with some cultural difference, in relation to issues and consequent practice of risk assessment. In the above examples the claim is made that the practice of child protection, the knowledge of SAFE/UNSAFE and ‘the best interests of the child’ is transferable across national borders, as a ‘world-wide model’.
The introduction into Tasmania of risk assessment is the introduction of practices from elsewhere including *Structured Decision Making* and *Looking After Children.* 

It is an importation of knowledge into a different context; of one Place over another.

- All professionals sharing the care of children operate from the same ideological and systematic base;
- Tools used throughout the world have consistency - truly a world-wide model for accountable case management of children in care and data collation

*(Tasmania Government 1997: 16)*

I shall position the text as a representation of past experience of social policy and colonial government. At this initial stage of the research it appears doubtful that the text can justify the claim to be a ‘World’s Best Practice Loop’ *(Tasmania Government 1997: 15).* The route appears one way. Practice informs Australia/Tasmania, yet there seems no return journey for knowledge or research. This first discursive knowledge is crucial to the meaning and practice created by the text and I am thus introduced to the first binarism through which this discourse constructs intellectual and material conditions. This can be visually illustrated as:

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    LOCAL    /    GLOBAL
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*Figure 2: Place as Oppositional Force*

The claim to ‘universal’ establishes a problematic that represents a tension between two ways of seeing and saying. This text is thus interpreted as an import of ideas and practices that construct the Place that they colonise: they construct the Other. For example, in his first dispatches to England, the first lieutenant governor of Van Damien’s land, David Collins, created an identity for the indigenous inhabitants of Australia in similar fashion, when he said ‘nothing could appear more terrible than a black and dismal face with a large white circle drawn round each eye’ *(Currey 2000: 82).*

Indeed it is relevant to note the connection between Collins, Bentham’s panopticon and Tasmania. In England Collins discussed with Bentham ‘building a prison, and
moreover of building it on the central inspection principal’ (ibid.: 181) He was converted ‘to the cause of Bentham's penitentiary' and considered 'the construction of the panopticon at Port Phillip (ibid.: 181) and elsewhere in the Colony.

It is doubtful whether Collins took those plans to Tasmania on this occasion, although there is clear evidence at Port Arthur, Tasmania, and other ‘settlements’, that such prisons were eventually built. Neither Collins nor Bentham may have had in mind the structure of carceral containment, as social government, that Foucault described and I am analysing in this research. Nevertheless I find it a reminder of the historical significance of panopticism in Tasmania.

Even at this early stage of this research the text can be interpreted as a conduit for political knowledge. In this way the text establishes 'the best interests of the child' as a means of government.

\[ \text{SAFE PLACE} \quad / \quad \text{UNSAFE PLACE} \]

Figure 3: Place as ‘The Best Interests of the Child’

A second discursive element in this text, 'History', refines this oppositional politics.

'History'

'Archaeological' history studies discourse rather than the objects or events to which discourses refer to or represent. This is not a 'history of the referent' (Foucault 1972: 47), which in this case is child abuse. My interest here is in how the practice of risk - SAFE/UNSAFE - is represented and organised in the discourse ‘the best interests of the child’. Using a Foucauldian analysis it is here that the meaning of child abuse is to be found. The way that history is written is an element of this discourse.

This text tells a particular story about history - a modernist story. It claims a 'new' and progressive practice, which builds on previous experience and research towards
social order and stability. The text claims the practice of risk assessment to be
universal, new, progressive, objective, research-based and transparent. The text
writes the 'order of things' as such. This knowledge constitutes the practice of
SAFE/UNSAFE. However these ideas are swiftly disputed when the text is
juxtaposed with historical documents. I will illustrate this by first examining
contemporary texts and then comparing them with historical material.

Tasmania 2001

The difficulties of having to deal with a large number of reports, and
the recognition that many of the families in unsubstantiated
maltreatment cases require support in order to deal with other social
and financial problems, has led some Australian State and Territory
governments to consider the adoption of a new model of child
protection (Tomison 1996: 1).

☐ A model based on best practice that supports the new legislation;
☐ A research based framework in which to operate;
☐ A complete move from a regional to a statewide service delivery
structure;
☐ Support mechanisms for staff;
☐ Improved processes and outcomes for clients;
☐ Consistency in practice and working standards;
☐ Clear leadership and direction;
☐ Improved communication at all levels.
(Tasmania Government 1997: 13)

Q. What impact will the Structured Decision Making have on how we do our
job?
A. The introduction of the Structured Decision Making process is intended to
build on the positive work that has already taken place. Through the use of
a comprehensive, objective checklist with safety and risk factors identified
and weighted...the professional judgement of workers will be
complemented by an objective yardstick to assist with making transparent
decisions about the most appropriate response to concerns about children
(Tasmania Government 1997: 43)

Here the meaning of 'the best interests of the child' is produced from a modernist
representation of history and place: universalism, totality and teleology. Yet this
historical knowing is contextual to both current social practice and a representation
of past events and knowledges. Once the text is considered as discontinuous, rather
than continuous, what it omits, ignores, leaves out and silences in the presentation of
a particular truth, becomes evident rather than subjugated.
A reflection on how history is represented in Tasmania traces the antecedents of the claims made by the text, which are now laid before us as ‘given’ ideas. I am saying here that these ‘given’ ideas in the text — such as ‘new’ — contribute to a specific history of thought through which we know the protection of children. This thought is a sovereign history of the progressive linear development of ‘the best interests of the child’. Yet in relativising this, other ways of knowing ‘the best interests of the child’ may be possible.

Subject to the current polemic ‘new’ is credible and that which is not new is archaic. SAFE/UNSAFE is contingent now on both place and history as knowledge and ‘the best interests of the child’ continues to emerge from the text as a mechanism for social government.

**Tasmania 1826**

In 1826 the influx of convict labour into Tasmania, including children continued. Those who oversaw the colony in Hobart, such as Lieutenant Governor George Arthur took advice from Archdeacon Scott and others concerning relief monies for the poor and the management of children who were destitute and in need of care. The following is one of the first examples of written notices producing appropriate subjects for care in Tasmania:

- Children entirely destitute;
- Those living in danger of vice from the example of their parents;
- Those requiring aid from distress or from being of large families and their parents unable to support them

(Colonial Secretaries Correspondence in Brown 1972: 22)

**Tasmania 1834**

In reporting to the ‘Home Government’ Arthur said: ‘You are aware that by the last two or three vessels a most unusual number of boys were sent out: it is utterly impossible to imagine a more corrupt fraternity of depraved little felons - some, it appears, had been trained to a vicious course from having been thrown upon the world totally destitute, other have become so from the tutorage of dissolute Parents - and others have become the agents of old thieves about London - but all are objects of compassion:- to assign them is impossible, and I therefore caused about one hundred to be removed to Tasman's peninsular but to be there kept apart and quite distinct from the convicts under sentence - To have formed altogether another Establishment would have been attended with additional expense, and
I hope therefore the Secretary of State will be disposed to approve of
the measure (Governors Inward and Outward Dispatches 1834 ibid.: 24).

From this history of 18th century Tasmania it would appear that risk is not a new
practice at all. Furthermore the notion of ‘the best interests of the child’ is clearly
represented as a requirement for political change. The administration used this
concept for this purpose. Using Foucault here is to represent Tasmania within the
development of contemporary political thought and practice emerging in Europe
since the end of the 18th century. In this case it is ‘the best interests of the child’
rather than madness that constitutes modern social government.

As a performance of ideas Tasmania remains imbued with a construction of history,
which refuses to be confined to any dustbin. Current examples include payment of an
additional $20,000 dollars for a house built of convict stone and the return of
Wybalenna to the Tasmanian Aboriginal Community on March 26, 1999. Yet there
are two prevalent and opposing histories - two narratives - of Tasmania today that
imbue language with political meaning. The first is history as invasion and genocide;
the second is a story of settlement and passive acceptance. The first story declares
that indigenous Tasmanians exist now, the second denies this. The oppositional force
between these two forms of knowledge is pertinent here.

The first narrative can allege history to be discontinuous. Aboriginal writers in
particular accuse Europeans of continually rewriting history to suit their own
interests. They say that the history presented as ‘real’ is a mere construction; in
Foucault’s terms a monument to political interests. There is no momentum through
time towards an essential civilisation that can claim singular reality. Other realities
have been possible. Yet these other ‘civilisations’ are now discounted or obliterated.
Instead of considering them we continue to understand society as the benefactor of
progressive culture. On the other hand the second story alleges history to be
continuous. In Australia we do not say ‘sorry’ today for injustice committed by
others in the past - we are not responsible. What has been ‘stolen’ or ‘removed’ was
done so then not now.
The relevance for this analysis of ‘the best interests of the child’ is how the idea of ‘new’ and ‘different’ illustrates the capacity of discourse as text to establish itself as holistic truth while subjugating other knowledges; other histories. A second operational binarism is thus presented as SAFE/UNSAFE:

SAFE/CONTINUOUS / UNSAFE/DISCONTINUOUS

Figure 4: History as ‘The Best Interests of the Child’

So far I have identified the knowledge claims made by the specific risk assessment text, in the text boxes, as ‘Place’ and ‘History’. What follows is a further deconstruction of the layers of ideas, which the text openly states are new, innovative and progressive. To do this I have retained Place and History as primary motifs. This critique of the textual knowledges of SAFE/UNSAFE will now introduce science as a prominent theme. The scientific method is represented here as crucial in organising the order of discourse. The text claims that we now have concrete, objective, structured, instruments of best practice, research based.

Research

The following are two examples from structured decision making instruments that influence Tasmanian risk assessment practice:

A better assessment tool will use empirical data to buttress social worker judgment - resulting in a more effective use of resources and better protection for kids (Children’s Research Centre 1999: 1).

What distinguishes this effort from past or current efforts is the evolution toward research-based risk assessment as a means of assisting workers to classify child protection cases according to the likelihood of future maltreatment...research-based risk assessment is developed by testing each factor to determine whether it is statistically related to subsequent child maltreatment. Only those factors that prove to be associated with subsequent maltreatment are then to be included in the model (Children’s Research Centre 1999: 1).

Service delivery directions require:
The Foundation of Client Focus: Structured Decision Making, Key features including research based objective, risk assessment and reassessment: The risk assessment framework requires a systematic consideration of all safety and risk factors which ensure that response and future case planning will be based on a thorough assessment of child and family needs and strengths (Tasmania Government 1997: 5).

The notion of knowledgeable research is a crucial component of this text and exemplifies a key proposition that risk assessment can provide an innocent practice. In this way the text seeks to establish SAFE/UNSAFE as fact and truth, so that predictability and objectivity can assure this innocence. Risk assessment thus insists on a politically neutral structure of meaning. Yet this scientisation of SAFE/UNSAFE does not commence now. Rather it is traced to earlier social processes and events, as the following examples indicate.

Tasmania, Hobart 1830’s

The Female Factory, Cascades:
Concern was already being expressed about the number of deaths among the children...The worst years were 1833, when 40 died out of 108 children who passed through that year and in 1834 when 38 died out of 90...The best year was 1839 when a mere 21 out of 90 died...The deaths were attributed to bad feeding, bad nursing and confinement to one spot. If the children lasted long enough they were transferred to the Orphan’s school at the age of 3 years after which their chances of living were greatly improved, away from the damp, depressing Cascades building and the dubious care of the convict nurses (Brown: 1972:23).

Demographic data was important to the early colonial administration in Tasmania. The change in social and occupational status - including convict to free person - was essential in planning a successful colonial enterprise. To overcome opposition and difference theories were formed and solutions sought. Problems were constructed as such by carrying out research, collecting data and interpretation, for example:
Tasmania 1830's

Neglect of babies, however is not confined to necessitous workers, it prevails amongst all classes of society; and mothers are to be found, even in the highest ranks, who deny their infants their natural food because nursing them interferes with the claims of 'society' and with the pursuit of pleasure (Gorst 1906: 21).

The practices spoken of here by Brown and Gorst problematised children and families. Thus 'bad feeding, bad nursing and confinement to one spot' constituted the meaning of risk and produced a locus of control for Colonial authority. This authority produced a panoply of establishments of various kinds including the Female Factory in Cascades Hobart. In doing so it theorised how and why children were deemed to be 'at risk' in the factory.

Over the years, it is recorded that little was done about the physical conditions at the Hobart Cascades Female Factory (Daniels 1988). However risk to children was spoken of by the benevolent societies to validate alternative establishments and to develop the idea that children, were a problem to be managed - that they should be identified apart from adults, should be afforded rights and privileges of their own and should be protected. In this way various inquiries into the convict system commented on the dangerous position that children were living in and argued for change. In 1852 Dr. Hall estimated the death rate amongst children was 50%, while Dr. Benson argued it was 31.95%, which he said was less than the same age group amongst the 'free' population.

Such research established a powerful method for producing categories around certain ideas and formed a significant element of knowledge and practice. In early 19th century Hobart 'danger' and 'risk' were thus being constituted in social practices concerning children, families and the colonial administration. This theme of political discourse positions the SAFE/UNSAFE child as a mechanism for the success of the colonial enterprise and 'the best interests of the child' appears as an archaeology of political management.
Wybalenna
The scientific techniques of this process are evident at Wybalenna, where such practices were part of a process of population management and racial domination. At Wybalenna these techniques constituted a detailed 'micro-physics' of biopower through the political construction of the body. The expressed purpose of this was to protect Aboriginal culture from well-armed and vengeful free convicts, settlers and imported disease. The intention was to produce the Colony through the creation of adequate social circumstances and economic labour. Again the division of children into SAFE/UNSAFE was an integral part of this colonialism. How this happens typifies the operation of panoptic power.

At Wybalenna on Flinders Island, Tasmania, George Augustus Robinson, established a 'model' settlement for the expressed protection and 'civilisation' of Tasmanian Aboriginals, (Plomley 1971). Robinson had been employed as conciliator by the Colonial administration and believed that the future for Aboriginal people could only be as a Christian people. He constructed plans for 'Aboriginal villages' including one at Bruny island in the south of Tasmania. In these villages he steadfastly attempted to replace the cultural identity of indigenous people with European culture. To do this the villages were planned so that every minute of the day was regulated and every footstep the inhabitants took was watched.

I cannot do anything other than bring Bentham's panopticon to mind when I read accounts of this. In the following sections of this archaeology it becomes clear how social power was transformed from a unilateral sovereign process to panopticism at Wybalenna, but also amongst the general population in Tasmania. As the process of 'civilisation' developed, further knowledges became necessary for the endeavour to overcome further oppositional force. In this way Wybalenna appears a local example of social government, with all its detail of surveillance extending into the wider social body.

Tasmania 1829
Plomley recounts how Robinson explained the physical layout of the village to Lieutenant Governor George Arthur in 1829:
The site...should include fertility of soil, proximity to fresh water...The establishment to form three sides of a quadrangle, opening to the beach, the mission house to be situated at the upper end so as to command a view of the whole establishment, the married persons to occupy one side, the single persons the other side...Each family to have a log hut covered with bark, the aborigines to assist in the erection of the same...Each allotment to be fenced...A school to be erected and covered with bark, the building to answer (in the first instance) as a church for the performance of divine worship...A garden to be laid out for the general purposes of the institution...The means: to assist the aborigines to erect his hut...to assist them in preparing a few rods of land as a potato ground...to prevail on them to cook their food after the manner of the Europeans, to catch fish to eat with their potatoes; the children if practicable to eat at one table; as opportunity may occur to teach the children trades...To instruct them in the principles of Christianity...1st by public worship, 2nd by public school...The school to open and conclude with prayer...The children to be taught the English language (Plomley 1971: 56)

Ryan describes the daily minutiae in the social regulation of village children.

**Tasmania March 1836**

The fourteen children, aged between six and fifteen, were the most regimented of all...Most were orphaned or parted from their parents, and the girls lived at the storekeeper's house and the boys with the catechist Robert Clark. They rose at half past six, washed and said their prayers, and at seven o'clock assembled with the catechist and his family to read the Bible...At half-past seven they had breakfast with Robinson...They then went to school until noon, when they had lunch and returned to school at two o'clock, where they remained until tea at half-past three...At six o'clock they helped the adults at the evening school until eight, when they returned to the catechist's house for family worship, and at nine o'clock they went to bed (Ryan 1996: 184)

Here we see processes of classification developed to manage a population different from the colonial power and indeed named, not as particular tribal identities, but oppositionally: 'Aboriginal'.

**A New Reality**

Attwood cites original 1868 correspondence from Friedrich Hagenenauer who said these places were 'effective total environments for the reconstruction of a new
reality' (Attwood 1989: 18). Children were trained in the habits of 'cleanliness', and 'gentility'. Occupational 'apprenticeships' were set up to promote 'industriousness'. This was initially imposed by hierarchical white colonial administrators and missionaries, with an ever-present threat of force. However, this 'project', as it was called, quickly became an act on the minds and bodies of Aboriginal children by regulating their daily living conditions and constructing them as particular individual subjects.

Missionaries hoped Aborigines would change voluntarily from within, and so come to regulate themselves: they considered that this was better than their having to impose order on them (ibid.: 19)

Attwood describes the physical conditions in various missionary boarding houses where children were segregated from one another with a strict regime of regular daily events. Thus a specific cultural space and time were imbued in the children. Furthermore:

The missionaries sought to make an integrated centre of consciousness, distinct from the natural world and other Aborigines....the individual was to replace the group as the crucial moral or ethical unit, a strong sense of sin and responsibility for their own salvation replacing notions of shame (ibid.: 19)

Risk and the SAFE/UNSAFE child is now not only constituted from physical danger and neglect, but also from moral turpitude. I represent this as a significant move towards subjective biopower acting on the very body of children. This included a systematic normative control of sexual behaviour and 'other physical functions as well; spitting, bathing, urination and defecation' (ibid.: 21).

An essential part of the social body of Tasmania's history and place - 'Aboriginality' - became a leading recipient of this process of domination through practices of knowledge. These knowledges created normality and were designed to suppress difference, restrain other possible forms of social life and create the new reality. I am arguing here that the colonial enterprise was involved in enacting the containment that Foucault critiqued. Just as a decree separated the reasonable from the unreasonable in the construction of 'madness' so a similar separation and containment occurred in the social practice under study here. There were those children who were deemed to be in danger and at risk and therefore subject to
processes of exclusion and division. These children represented the other against which the Colonial venture described itself. Using this analysis ‘the best interests of the child’ can be taken as instrumental in a benevolent disciplinary division.

Reasoned authority inextricably developed social practices, which validated themselves as social science, civilising and helping. The differential classification of need and risk was most visible in the case of Aboriginal Tasmanians. In current Government child protection texts it remains a ‘special category’ and principle of practice. Given the analysis here it is difficult not to question the ongoing benevolence of this principle:

| The court must have regard to the general principle that an Aboriginal child should remain within the Aboriginal community (The Children, Young Persons and their Families Act 1997 s.9.1) |

The Frontier as Social Government

In this research I have found that ‘frontier’ is a useful Foucauldian image to illustrate the formation of foundational knowledge and I have used this to present the themes emerging from this archaeology. It is worth returning to Foucault briefly to place this archaeology within the history of discourse as social government:

The frontiers between confinement, judicial punishment and institutions of discipline, which were already blurred in the classical age, tended to disappear and to constitute a great carceral continuum that diffused penitentiary techniques into the most innocent disciplines, transmitting disciplinary norms into the very heart of the penal system and placing over the slightest illegality, the smallest irregularity, deviation or anomaly, the threat of delinquency...A subtle, graduated carceral net, with compact institutions, but also separate and diffuse methods, assumed responsibility for the arbitrary, widespread, badly integrated confinement of the classical age (1977: 297).

The knowledge of research and Aboriginality contributed further layers to a frontier of history and place. Now the frontier can be illustrated as:
Figure 5: European Rationality and 'The Best Interests of the Child'

In deconstructing this text, the discourse 'the best interests of the child' is understood as a boundary of meaning. SAFE/UNSAFE is a 'carceral archipelago' establishing the dominant practice of risk assessment. Yet I remind myself and the reader that such a border frontier is concerned with difference; with intellectual and material possibilities that the text restrains through its oppositional force. It is not merely either side of this frontier that is possible but what lies outside the parameters it sets for itself.

In Tasmania the sovereign and concrete practice of 'frontier border' is well documented concerning Aboriginal and European interaction (for example the 'Black Line' [Plomley 1987: 15] on the Tasman Peninsular designed to entrap the local inhabitants) and it can serve as a metaphor for the border established by carceral knowledge. In the above examples we can see that when dispersal throughout the social body replaces those physical classical institutional frontiers the consequence appears to be that the concrete sovereign frontier is replaced by - or is at least supplemented by - power as panopticism. At the same time this archaeology is also an introduction to the resistance that accompanies binary force.

Tasmania 1978

A film released in 1978, 'The Last Tasmanian', refused to acknowledge that the present-day Aboriginal community had any continuity with the past Tasmanian Aborigines. Reaction to the film showed that many Tasmanian Europeans had very little sympathy with or understanding of the significance of the identity issue to Tasmanian Aborigines. An article in the Mercury expressed a common viewpoint when it said that by 'trying to be different' Aborigines are likely to cause trouble, 'and why stir up trouble when there is no need'. It is still much easier for white Tasmanians to regard Tasmanian Aborigines as a dead people rather than confront the problems of an existing community of Aborigines who are victims of a conscious policy of genocide (Ryan 1996: 255)
This contemporary ‘border’ is represented through such ideational genocide: a voice
which talks of the ‘last Tasmanian’ (Trugannini) and can base that story on certain
constructed knowledges of place, history and processes of classification. However, it
has not been a successful operation of power. The story of Wybalenna, Aboriginal
villages and the Female Factory are replete with resistance to the attempt at colonial
administration (for example Daniels 1998: 147).

So far I have charted several elements which determine a frontier between
UNSAFE/SAFE for children in early colonial Hobart and in the contemporary text.
This is an attempt to establish an accepted knowledge of place and history, through
processes of classification. That there was ‘risk assessment’ in 1834 in Hobart seems
clear now: risk to the European Colonial venture that found a practice as risk to
children.

The discursive elements I chart here represent historical power relations that create
subjects of that knowledge. They operate as oppositional force constructed around
the binary idea of SAFE/UNSAFE. Yet those relations are also resisted and in the
remainder of this chapter I want to explore further knowledge that continues to
produce this process of panopticim. In the Foucauldian sense this both produces
resistance yet at the same time responds to resistance. This systematic growth of
discursive knowledge is characteristic of discourses that comprise modern social
government and for SAFE/UNSAFE to be dispersed through biopower other events
had to occur and other knowledges developed to fabricate truth.

The ‘Divine Institution’

Tasmania 1891

There can be no question in the minds of our committee that for the
most part those children are more suitably placed in the homes of
working people than they would be in Orphan or Industrial Schools.
The care of a motherly woman, the discipline of a father’s presence,
the contact with boys and girls, in fact the whole circumstance of
natural family life - which is the Divine institution, are much more
helpful to most children, especially the more degraded ones than the
best school is (Tasmania, House of Assembly Papers, 25, 1891 in Brown, 1972: 166)

The best interests of the child must be the paramount consideration children should, where possible, remain within their own family, culture and community setting (The Children, Young Persons and their Families Act 1997: s.8.2)

Contemporary discipline is characterised by the practice of technologies whereby forms of discipline and government become decentered and dispersed. Rather than the physical holding of individuals or groups through the use of sovereign imperial power in the penitentiary, codes of conduct are regulated out into the community. Foucault illustrated this process by describing the Mettray (1977a: 293-308).

For Foucault the Mettray, at once ‘oloister, prison, school and regiment’, illustrates the shift towards dispersal. The aim was to ‘produce bodies both docile and capable’ (1977a: 293). The Mettray chiefs were ‘technicians of behaviour; engineers of conduct, orthopaedists of individuality’ using the new science of psychology to complement medicine, general education and religious instruction. In this way the Mettray can become a colony, which becomes ever inclusive, moving towards homogenised knowledge and punitive procedures therein. In this chapter I have identified Wybalenna mission station on Flinders Island, Tasmania and other Aboriginal villages as local examples of this. The idea of the ‘divine institution’ - as a particular ‘family’ - becomes crucial to this process in Tasmania and is significant in shaping the discourse ‘the best interests of the child’.

**Tasmania 1838**

In conclusion - the great principles of native treatment are thus - their exaltation, intermixture with ourselves, beneficial employment, religious conversion, instruction in our language and thereby the progressive development of their minds and understanding. (Alexander Maconochie to the Editor, Murray's Review, 16 January, 1838 in Plomley 1971: 1007)

Augustus Robinson has been lauded for his shift from murder and imprisonment to an attempt to educate aboriginal children in European ways. This Classical to Carceral shift involved first integrating Aboriginal people with European culture by creating knowledge that represented both of those cultural signifiers. The process
involved separating aboriginal children from the immediate vicinity of their parents, removing their language and customs, educating them in European religion and literacy and preparing them for industrial or domestic duties. Thus Robinson strove to produce ‘Black Englishmen’. This was based on an explicitly stated theory and experiment advocated by Colonial Management at the time, including Captain Maconochie, the private secretary to the Governor, Sir John Franklin (Plomley 1987: 1003-1008).

At the same time Robinson's narrative of civilisation had within it a resistance that needed to be overcome. He noted the attachment between Aboriginal adults and their children and sought to retain that attachment without interference with his civilising venture.

Tasmania 1835

In a letter to the Reverend P. Palmer, rural dean, dated 2 September 1835, Robinson urged the propriety of returning the native children at the Orphan School to their parents at Flinders Island:

I do not wish to consider the aboriginal inhabitants as captives; they are entitled to all the rights of free persons and ought certainly to be treated as such...I have no wish that the children should go back again to savage life, neither do I apprehend that this will be the case, since a school master is on the settlement (ibid.: 74)

Robinson developed a program of training and discipline where he intended that human conduct would be corrected. He believed that separation from family and culture was necessary and yet he also thought it was dangerous. Yet the formation and practice of a knowledge - the 'divine institution' - which promised the coloniser the opportunity to integrate the Aboriginal population across the frontier into a total and only way of knowing and behaving - the civilised white way - was resisted. At this point a further layer of knowledge needed to be established which would validate the 'civilising' venture and overcome the limits of the discourse at this point.
These limits included the requirement for the notion of care to reign over the idea of control. For Robinson the political transformation could not be a gallows-like operation of crude sovereign power where children were forced repeatedly from their families. A further layer of knowledge would attempt to resolve the conflicting experience between family and culture, which seemed to speak against the European training given to children. At the same time the family, aboriginal or otherwise, had to be seen as a private institution, making its own decisions with minimum State interference.

It is here that a further science was construed as an enveloping practice that would provide the mechanics to further normalise family and SAFE/UNSAFE. Robinson thus can be said to begin to import practices of child development into the colony with the purpose of achieving political results. The target remained a place of enlightened innocence free of ‘savage life’ neglect, harm and abuse: a total and only way of being that would be voluntarily accepted. Yet controlling this – masked covertly and silently within the language of ‘protection’ and ‘prevention’ - were the political demands of Europeanisation. As Robinson said:

A knowledge of, and taste for European manners and civilisation, would be thus extensively, yet silently implanted, (ibid.:1004, my emphasis)

Here is an example of Foucault's idea that further 'objects' of knowledge are created to assist the move to social government in modern society and are practised with minimum visibility, as they move towards becoming a panopticon.

‘Child Development’

_Tasmania 1830’s_

The following examples delineate the historical formation of this subtext in the discourse, starting with Alexander Maconochie’s ‘philanthropic theory’, which involved:

Dealing with human children of all ages and states of society, much virtue will always be found in a distinguishing dress. It operates both as an incentive and preservative, and habits of order, cleanliness,
concert, union are all reinforced by it. It cultivates also amour propre, self respect, a useful, sometimes irritable, but otherwise seldom steady principle among savages (ibid.: 1006)

Tasmania 1906

It is between birth and the age of sixteen or seventeen that the physical character is fixed for life, and it is mainly during this period that this book will discuss the condition of the rising generation of the nation’s children and will inquire what has been done, what can be done and what ought to be done, to promote their growth into healthy intelligent men and women (Gorst, 1906: 2)

Tasmania 1907

There was a time when Mr. Grimwig’s famous classification of all boys under the two great heads of ‘beef-faced boys’ and ‘mealy-boys’ had its counterpart in what then passed for Educational Science... One of the most striking evidences of the soundness and common sense of the so-called New Education is the disappearance of the ‘average child’, the ‘dull child’ from well managed schools... The ‘average child’ survived for a long while - in fact until it was relentlessly pointed out that he must of mathematical necessity be the rarest kind of child... With him there passed away that convenient young person the model child or Child-as-he-should-be, now happily extinct in all schools where a sound educational method is employed... The discovery of the child-as-he-is has rendered it necessary for teachers to educate children in place of teaching subjects to classes, and this has resulted in the discovery the Child-as-he-is: the Individual Child (ibid.: 4)

Tasmania 1999

- Structured Decision Making provides a case management system based on risks and needs assessment;
- The Looking After Children system sets out explicitly and simply what ‘good parental care’ means in practice;
- The Children, Young Persons and their Families Act 1997 The Act gives a succinct definition of abuse or neglect, including: the injured, abused or neglected person’s physical or psychological development is in jeopardy (Tasmania Government 1997)

The above continue to illustrate the historical shift to carceral knowledge. The emphasis on dress is so because it develops decorum. This is complemented by child as a national asset to be engineered through education and family - as an individual. Finally those processes are protected by the state. In terms of SAFE/UNSAFE I can
locate normal child development as a further dispersion of the knowledges already critiqued here. This time it is a knowledge that creates the ‘Individual Child’ and defines their appropriate development within the divine institution. The frontier continues its formation of constant ‘new realities’ as ‘the best interests of the child’.

The primary responsibility for a child’s care and protection lies with the child’s family (The Children, Young Persons and their Families Act s. 8[1])

The Individual Child within the family is not ‘discovered’ in this poststructural archaeology. There is no essential true and proper knowing of child to be concluded from this analysis. This is a political construction and in the poststructural sense I interpret this construction as the creation of particular economic and social conditions, that constitutes further disciplinary practice.

What I see happening in this archaeology is the continual proclamation and reshaping of a discursive position in relation to a care of children as the idea of SAFE/UNSAFE. The subtexts here continue to involve practices which establish a frontier between savage and civilized; or as we perhaps now say ‘good and bad development’ and therefore ‘good’ and ‘bad’ children and families. Here we see these ideas of risk escalating into ever more complex practices. Further knowledges are created and aid the process when resistance is met to the prevalent oppositional apparatus of the discourse. In this way I represent the contemporary text as an assembly of these historical knowledges.

At the time of Wybalenna, the available knowledges did not produce the containment and ‘better’ life that Robinson hoped for. The ‘whole imitative faculties of the race’ were not devoted to good’ (in Plomley 1971: 1005). Robinson was not able to determine the correct training and social conditions to:

Prove to the world that these people are not that degraded race as they have been represented, that they have as much intellect as their opponents, their white neighbours (ibid.: 347)

A further shift occurred in the discourse of ‘the best interests of the child’ to establish current textual child protection practices. The production of the Individual Child allowed a much broader pattern of total management and technologies of surveillance as biopower to emerge. Although I have positioned these knowledges in
In a linear fashion, the development of the opposition public/private can be detected early in the physical construction of Aboriginal villages and is heard in the documents I have reviewed above. For example, the regulation of bodily functions created the social conditions for private ownership of the body and yet also public regulation. We have seen also how missionaries aimed to construct a private consciousness in their public policy. In this way individualism, personal responsibility and privacy become principles of political correction alongside their opposites.

Here I am emphasising how a further binarism is produced, amplified, detailed and practised as a major constituent of SAFE/UNSAFE. This shift involved the creation of private space and consciousness and public collectivity as objects of knowledge.

\[
\text{SAFE/PRIVATE} \quad \bigg/ \quad \text{UNSAFE/PUBLIC}
\]

Figure 6 Privacy and 'The Best Interests of the Child'

'Privacy'

The maintenance of Nation and Civilisation came to include the provision of public utilities. At first this was matter of sovereign legal processes maintaining the physical environment. However, as we shall see there quickly developed an apparatus of state protection for identifying individuals in danger, including children, which at the same time insisted on the family being a private institution.

Dr. Elkington is an influential figure in Tasmania at the end of the 19th century. He imported into the colony public policy and legislation concerning refuse collection, ventilation, meat production and disposal, establishing professional courses for Public Health Inspectors concerning the principles and methods of effective private and public utilities. Here again the knowledge of Place, History and techniques of research are apparent. Sanitary disposal is an example of the meticulousness of the evolving science:
Tasmania 1906

The trenches should be laid out with a line and should be spaced 12 inches or so apart. A special spade 9 inches by 12 inches long in the blade and kept sharp will be found most useful...pans should be hot tarred or treated with hot crude creosote at regular intervals to preserve them......The following will illustrate (liberally) the approximate cost of installing and operating a double service system for a town averaging 200 pans weekly, working 5 days a week (leaving one day per week for extra trenches, repairs, &c)

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pans to be dealt with per day</td>
<td>40</td>
</tr>
<tr>
<td>Total pans in district</td>
<td>200</td>
</tr>
<tr>
<td>Extra pans in reserve</td>
<td>25</td>
</tr>
<tr>
<td>Total pans required</td>
<td>265</td>
</tr>
<tr>
<td>Covers for one sub district</td>
<td>40</td>
</tr>
<tr>
<td>Extra covers as reserve</td>
<td>25</td>
</tr>
<tr>
<td>Total covers required</td>
<td>65</td>
</tr>
</tbody>
</table>

(Elkington 1908: 151)

Based on research and practice, again imported from Britain, this science was expounded in Hobart and practice and compliance was eventually legislated with the 1903 Public Health Act. Designed initially to control disease such as diphtheria and tuberculosis, a major shift occurred when these practices were applied to reduce infant mortality. This was seen as crucial for "permanency of nationhood", national progress (including increasing the population), 'racial efficiency' and the general understanding that infant life was a national asset.

Importing Place from Huddersfield in Northern England it was concluded that public health policy was inadequate to counteract infant mortality rates. A frustrated Dr. Elkington this time notes that:

It is from a modification of this Huddersfield system, adapted to our local conditions and to our local finances that we in Tasmania must expect to gain the best results...We have tried distributing printed matter through registrars to all persons registering a birth...We have tried public lectures for mothers...We have tried improving the general sanitation of the cities, without producing much definite impact on infant health...We have tried an Infant's home...We have also tried innumerable charitable and philanthropic societies...Having thus run the customary gamut of ineffectual measures all animated with the very best intentions, it is time for us to initiate a real and effective undertaking, whereby the present disastrous wastes of life and health may be stopped in some degree at least...How may this be done? (Elkington 1909: 13)
I am getting close here to the ideal vision of contemporary risk assessment practices in child protection. For Elkington's own ideal vision to be enacted he proposed early notification requiring special legislation (ibid.: 14), and:

One whole-time trained visitor at least would be required for each city. She would deal with life and death and health under circumstances requiring very special technical knowledge and very special personal qualities of tactfulness and knowledge of people...She must also be able to work under an accurate system...These qualities demand a good salary if the proper kind of person is to be attracted. (ibid.:15)

Here ideas and practices are developing that formulate modern child protection systems, including professionalism, accountability organisational systems, special knowledge and training and legislation. Again they have a historical trajectory:

Tasmania 1890

The committee having considered the case in every possible way, and examined the Books and Acts and made such calculations and allowances as the most charitable inclinations would admit are decidedly of the opinion that the children, at all events, have been deprived of their proper quantity of provisions and that an attempt has been made to defraud the Government [sic], and that under the domestic management of persons wanting common Honesty so much as the present Master and Matron appear to do, there is no safety either for the government [sic] or the children and that neither a ladies committee of Management can effectually protect the one or the other (ibid.: 15.)

Tasmania 1928

There are many instances recorded of the employment and dismissal of professionals to manage and administrate the establishments and process developed in the colony. For example, after the dismissal of a Mr Giblin for assaulting a boy, in August 1928:

He was superceded within 24 hours of the Beadle's visit, by a temporary appointee Mr. Stone. The Committee would have been content to accept Mr. Stone as a permanent appointment but Arthur thought him inadequately qualified and considered that a person of 'superior attainments' was required for such a responsible position (in Brown 1972: 30)
Tasmania 1999

Introduction of Structured Decision Making process; for assessing safety, risk and family needs and determining objective rationale for response and future case management (Tasmania Government 1997: 4)

Infrastructure supports for client-focused process-based Service Delivery, including:
- A consistent, statewide supervision and professional support structure;
- Workload management tools;
- Orientation, induction, performance measurement and training for staff.
(Tasmania Government 1997: 4)

Innocent Knowledge

During this archaeology I have disclosed certain events and knowledges, which further promulgate the practice of political management. These knowledges - as binarisms - have sites of resistance that can be seen as cracks that appear in the building of a panopticon. In this way, for each of the discursive elements and processes I have read from this text what is also written is something other than the dominant meaning that shouts ‘truth’ and ‘innocence’. This constitutes a systematic process of producing further knowledge and oppositional force to renew a claim that ‘the best interests of the child’ is an innocent idea. Yet I want to conclude this section of the research with knowledge in the contemporary text that represents the most recent attempt to establish a position of innocence and polemic for ‘the best interests of the child’. It again establishes a mechanism for inducing further practices of SAFE/UNSAFE into the social body of the community.

‘Whole of Government’

The New Direction for a genuinely client-focused Service Delivery model builds on:
The Premier’s Direction Statement emphasising a ‘whole of government’ approach
(Tasmania Government 1997: 3)

This approach is interpreted here as an attempt to resolve much of the oppositional resistance established previously. The Purpose Statement of the Child, Youth and Family Services through which this text operates is:
Working in partnership to:
- enhance the well being, independence and self-sufficiency of children and their families, and
- provide for the safety and support of individuals, children and young people who are at risk of abuse and neglect, through the provision of information, referral, support and intervention services.

(Tasmania Government 1997: 1)

The text (The Children, Young person and their Families Act 1997, 1998a and 1998b and 1998) repeats the following phrases:

- Working Together
- Shared acceptance of responsibility
- Partnership approach
- Client focused
- Transparency of practice
- Principles of openness
- Child-centered family focused practice
- Collaboration
- Remove intrusive intervention through effective targeting of at risk children
- Collaborative community response
- Clear and accountable
- Clear understanding
- Independence and self-sufficiency of children and their families

This text erupts from many of the difficulties of past child protection systems and is historically located in the archaeology in this chapter. It attempts to overcome a number of oppositions. Again:

The Child Protection Board endorses the notion of a whole-of-government approach towards the prevention of maltreatment (Tasmania Government 1995a: 3)

These oppositions have been the problematics in constructions of SAFE/UNSAFE:

- Universal / Local
- Progressive / Obsolete
- Care / Control
- Consensus / Conflict
- Family / State
- Private / Public
- Social / Economic

What is suggested is a notion of citizenship and contract politics between the individual and the state: working together towards mutually agreed outcomes. It is
claimed that this will resolve conflicting interests. The attempt here is to render place, history, the divine institution, child development and the relationship between public and private space problem-free. As in the 19th century the text claims that research will provide this ideal state of practice:

- Best practice from national and international research;
- Thoroughly researched contemporary national and international best practice models;
- Sound theoretical framework;
- Congruence between practices and processes;
- Consistent, effective and accountable responses;
- Objective rationale for response and future case management;
- National competency standards (Tasmania Government 1999a: 3-4)

These are the operations that will transgress previous political conflict. An example of this is the problematic oppositional relationship between parent and state (dovetailed with economic cost) voiced in 1906 and ever since in child protection.

**Tasmania 1906**

Following the introduction of 'free feeding' as part of family intervention policy. The cost ought not to stand in the way of the adoption of a plan of this kind...But there are other graver objections...It would certainly undermine parental responsibility and would take the children still more than now out of the hands of their parents and would make them more than now children of the State (Gorst 1906: 10)

**Tasmania 1999**

The best interests of the child must be the paramount consideration children should, where possible, remain within their own family, culture and community setting
(The Children, Young Persons and their Families Act 1997 s.8.2)

The administration of policy and legislation is therefore founded on the following key principles:
- The primary responsibility for a child’s care and protection lies with the child’s family.
- A high priority is given to supporting and assisting the family to carry out that primary responsibility in preference to commencing legal proceedings.
(The Children, Young Persons and their Families Act 1997 s.8)
Whole of government appears to offer a technology for child protection social work to declare a newly found and refashioned vision of utopia: the ideal vision with which I started this chapter:

Sharing the responsibility for the care and protection of children between all responsible adults and across all artificial boundaries of service separation, we can work together to create a society based on acceptance, respect and love, where children can receive all the nurturing, encouragement and understanding they need to grow into mature, healthy and emotionally balanced adults...They, in turn, can pass these qualities onto their own children, thus breaking the cycle of abuse and neglect forever
(Tasmania Government 1999: 2)

From the textual examples above I can read how this telling of social work produces a particular domain of practice amongst the human sciences. This Division of the Department of Health and Human Services, as a social work service, is cast as a skilled arbitrator, mediator, social engineer, between two opposing societal entities: the individual and the collective, State, governing body.

With a whole of government approach I find the latest claim to a successful resolution of the very disputes that has given social work a raison d'être. The claim is that at long last an innocent knowledge, a practice, a language has been found to integrate, rather than argue, over those social work disputes concerning structural difference, care and control, casework and social reform; the individual and society. Whole of government now appears as a dominant narrative in this text: the latest attempt at a complete dispersal of knowledge and practice concerning 'the best interests of the child' that has a lineage of 200 years.

**Summary: The Order of Things**

This chapter has been an archaeological exploration of 'the best interests of the child' through which I have began to answer the research question: How does the opposition SAFE/UNSAFE constitute the discourse 'the best interests of the child'? There are specific themes that emerge from this archaeology that demonstrate poststructural principles at work.
Theme 1: Truth

Using this Foucauldian analysis ‘the best interests of the child’ can be represented as a package of knowledges: place, history, family, child development, privacy and whole of government. This discourse has been assembled at each stage through processes of research. The contemporary text constitutes this ‘order of things’ and signifies the current meaning of the SAFE/UNSAFE child as truth. This challenges the assumption that we can understand risk assessment in the manner that the contemporary text expects. The text claims this to be a new development, based on innovative international research, applicable to the local context and yet a global template for emancipation from child abuse. It claims that whole of government as knowledge and practice is now ‘the correct conditions’ for emancipation from a problem that has defied solution.

The analysis in this chapter destabilises such a foundation of truth: puts a line through it. Using Foucault I have presented a different interpretation of ‘the best interests of the child’ that contradicts the proposition that an essential and universal truth to ‘the best interests of the child’ exists and that social liberation from child abuse can be achieved through universal positivism.

Theme 2: Process

The practice of this knowledge involves oppositional force. The order of things here is an example of binarist material semiotics: language and the Other. As one binarism is established to give meaning to ‘the best interests of the child’ (such as Place) so it is constituted by a resistance. A further binarism is then established (History) and so on. From this it would appear that discourse could never achieve the truth that it seeks. The possible polemic can not exist without declaring the other side of the frontier and any Other outside of this frontier. This tension creates a systematic construction of increasing means of regulation. I have read Tasmania Colonial history as an example of this process.
Theme 3: Governmentality

In juxtaposing the text against its historical background I have positioned the idea of the SAFE/UNSAFE child as a political process. Wybalonna, the Female factory and other institutions in the continuing European venture were made possible by employing the notion of ‘the best interests of the child’. In pursuit of political management more complex and totalising knowledge and practices were produced. In this way ‘the best interests of the child’ is concerned with furthering particular economic and social interests. Its purpose may ostensibly be to prevent, protect and save the UNSAFE child. Yet using this analysis it is integral to the design of specific political circumstances and material lived experience. For the Aboriginal people of Tasmania this governmentality had the effect of creating the conditions for their destruction. ‘The best interests of the child’ was one means used to systematically exclude this group and the wider populace from determining their own social life.

Theme 4: Biopower

How did this happen? I have said that the subtexts of this discourse operate oppositionally and this archaeology therefore illustrates the procedure of biopower. Robinson’s own comment that he required a transformation from ‘fetter’ to ‘silken cloth’ (in Plomley 1971:1004) warns of the approaching panopticon. Robinson and others sought to ‘influence’ as well as ‘control’ (ibid.: 1006) and one silken cloth they chose was ‘the best interests of the child’. Their intention may have been benevolent but it was also to ‘silently’ mould the consciousness and materiality of the population. The apparatus of discursive biopower extended to non-indigenous as well as Aboriginal people. These knowledges promoted normalisation and conformity enforced with the science of child development and procedures of classification. The power to do this was not merely sovereign but panoptic.

The archaeological structure of the Panopticon

From this chapter I can conclude that ‘the best interests of the child’, as contemporary text, can be located as a medium for the ongoing historical transformation of political practice. Risk has continued to be the means of
perpetuating this dynamic political frontier between SAFE/UNSAFE. In this way the care of children is not about 'safety' without also being a process of disciplinary social government.
CHAPTER 7

GENEALOGY

Introduction

I find that the above visual image of a woman and children is one often presented as the conventional representation of 'the best interests of the child'. I have deliberately 'distorted' this image to open this chapter. I want this apparent distortion to express the themes of the previous archaeology and the current extent of this discourse analysis. In this sense I cannot locate a meaning for the SAFE/UNSAFE child without considering how such a 'sign' is a contemporary writing of political discursive history. When I read this image it thus has no essential meaning. It is not a
fact. This is what the distortion represents. If ‘the best interests of the child’ are to be found in this image they are present as a cultural and political text, not as a truth.

In the previous chapter I applied Foucault's critical analytical tool of archaeology to the text and identified the order of things that comprise ‘the best interests of the child’. I positioned place, history, the divine institution, child development, privacy and whole of government as discursive elements shaped through practices of research as risk assessment. The themes of truth, process, governmentality and biopower that emerged from that archaeology will be extended here. The previous chapter has been my first indication that when I practice risk assessment I am practising discourse and formulating cultural and political identity. In this chapter I continue to answer the major research question - How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’? - but in a genealogical sense.

This involves an elaboration of the oppositional binarist force that comprises social power. Rather than describing knowledges, this genealogy extends the investigation into how discursive action is comprised of both ‘fetter’ and ‘silken cloth’. So far I have demonstrated that both are purposeful in determining the meaning of ‘the best interests of the child’. In doing so objects of knowledge, such as family and child development, produce particular disciplinary political conditions and construct subjective identity. The purpose of this genealogy is therefore a detailed examination of how ‘surveillance, analysis, intervention, modification’ (Foucault 1984: 278) occur in relation to ‘the best interests of the child’ as an idea and consequently child abuse as a social problem. Specifically this genealogy traces the tactics used in two major instruments that direct the practice of risk assessment: The Children, Young Persons and their Families Act 1997 and Looking After Children (LAC).

**Whole of Government**

I have said that whole of government is a knowledge and practice that represents the most recent attempt at producing a grand narrative. I have emphasised how this knowledge bids to remove previous resistance. It shifts ‘the best interests of the child’ towards a polemic where each individual will only know one meaning for that
social concept. It is an attempt to produce ‘a regime of truth’. Whole of government is the most recent expression of this discourse and one that includes the other subtexts. In continuing this deconstruction I will therefore concentrate on how whole of government is a performance of those subtexts.

The Purpose Statement of the Division: Working together to support and strengthen children, individuals, families and communities in meeting their needs and responsibilities for safety and well-being (Tasmania Government 1997: 2)

In similar fashion to other constructs subjected to the Foucauldian gaze, I have read SAFE/UNSAFE child as a binarist border or frontier idea and event. I am here examining the frontier between SAFE/UNSAFE: how the practice of risk determines the enemy we call ‘child abuse’. This practice involves instruments, methods and techniques for the observation of social life and the consequent classification of these observations. These are the particulars of the text as actions that construct a dividing practice, resistance and further oppositional force. These specific instruments are how social government operates. I want to know how they are panoptic and thus integrate sovereign and dispersed power.

**The Children, Young Persons and their Families Act 1997**

This legislation is an integral part of the current text. It is a hierarchical decree enacted to direct social action. It claims to tell me how I am supposed to perform; as a social worker, parent, and child, since it claims to tell me how I will know what ‘child at risk’ is.

The object and key principles of the Act claim a significant change in practice from a ‘child rescue model’ to a ‘child centered; family and community focused approach’.

In line with international trends, practice in the area of Child and Family Services in Tasmania is moving away from a ‘child rescue model’ of intervention, towards a more family-focused approach which perceives the client as the child within the family within the community (Tasmania Government 1998b: 6)

The administration of *The Children, Young Persons and their Families Act 1997* is therefore founded on the following fundamental ideas:
Child rescue / Child centered, family focused practice

The text claims that child centered family focused practice has developed to overcome the disadvantages of the child rescue model. These disadvantages are said to include inconsistent decision making, inappropriate substitute care for children and insufficient family involvement in the decision making and review process. At the same time this ‘new’ approach retains some features of the child rescue model, including discretionary legal protection and professional expertise and proactive response before a crisis occurs. Practice is directed towards primary prevention, community education, training and support. Families, other individuals and the child, where age allows, are required to be actively involved in the assessment process regarding individual children.

This shift from child rescue to child centered family focused risk assessment can be seen as a contemporary attempt to resolve the historically fabricated oppositions that I found in the previous chapter. It is an instrument of whole of government in its claim to be the dominant and SAFE outcome of this oppositional force:

Universal / Local
Progressive / Obsolete
Care / Control
Consensus / Conflict
State / Family
Private / Public
Social / Economic
It is an example of the discursive practice through which social government of 'the best interests of the child' is established. The Act advocates a detailed examination of the social situation using knowledge that continues to be normalised. The Act can be condensed into two major objectives that together establish truth for SAFE/UNSAFE and, again, comprise a binary process:

- **Protecting a child from maltreatment**
- **Supporting family autonomy and privacy**

The status of this legislation and this truth relies on the claim that a method to protect children from child abuse (the text uses the term 'maltreatment') has been found. The text says that both these objectives can be achieved. Yet because it is deeply embedded in a Western theoretical framework of modernism and sovereignty, it must have a meaning for the subject of whom it speaks and must define what it is - as truth. We shall see how the language of the text and practices perpetually attempt to do this. In this particular textual example the transformation is a shift embodied in the meaning and practice of 'rescue', to one embodied in the meaning and practice of 'child centered, family focused' as whole of government. This represents an ongoing move from unilateral sovereign power to panopticism with the contingent oppositional force that we saw in the previous archaeology. What now happens is that the text and practices requires further delineation.

**Maltreatment**

I find that the text cannot tell me what maltreatment *is*, and cannot define it. For example the legal definition of maltreatment is extremely fluid. The only concrete, essential, material indicators seem to be when the child has been killed or does not attend school:
Section 4 of the Act also attempts a definition of abuse and neglect:

(a) sexual abuse; or
(b) physical or emotional injury or other abuse, or neglect, to the extent that
   (i) the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person's wellbeing; or
   (ii) the injured, abused or neglected person's physical or psychological development is in jeopardy.

The critical literature concerning child abuse is littered with argument over the fluid cultural and legal meaning of abuse. This legislation itself has no agreed fixed meaning regarding 'child at risk'. The language of the above definition is not self-evident. Practice experience informs me that most of the above is contentious and the source of conflicting argument. It is a border policed with anxiety and a modernist battleground of frustrated rationality. The legal text therefore relies on the subtexts of 'child development' and 'family' to attempt a transparent self-evident definition of maltreatment. The discursive purpose of this instrument of practice is therefore to
produce a meaning for ‘the best interests of the child’ that is transparent and factual.
I can return to the overarching legal principle:

| The best interests of the child must be the paramount consideration; children should, where possible, remain within their own family, culture and community setting (ibid. s.8 2) |

_The Children, Young Persons and their Families Act 1997_ thus reinforces the historicism of the discourse. It specifies the requirement for practices that are claimed as an innovative landmark in child protection practice. The Act seeks to establish procedures and practices, which identify and involve the rights and responsibilities of parents and other caregivers, when children and young people may be at risk of abuse and neglect, or have been harmed.

**Rights and responsibilities**

A further critical instrument of this text is the emphasis on rights and responsibilities. Here the text extends the notion of maltreatment further. Yet it is the rights and responsibilities of parents and other caregivers through which the rules of this text largely operate as the knowledge of ‘place’ and ‘divine institution’. The text says that the rights of parents and families are inherent in the United Nations Declaration of Human Rights and the Convention on the Rights of the Child, which are ratified by Australia, including the State of Tasmania. At first this appears a demonstration of sovereign power and includes the following proclamations (Tasmania Government 1997, 1998a and 1999):

- Parents (and other caregivers) have the right to exercise appropriate direction and guidance over their children without interference, so long as they fulfil their responsibilities to maintain, educate and protect their children.
- Parents (and other caregivers) have the right to be involved in decisions which affect their lives.
- Parents (and other caregivers) have the right to be treated with dignity and respect, with non-discriminatory regard for them as individuals regardless of socio-economic background, gender, race, ethnicity, age or disability.
- Subject to the safety of the child and the confidentiality and restraint requirements of the Act, parents (and other caregivers), have the right to access information relating to intervention which affects their families.
- Parents (and other caregivers) have the right to be consulted and to be permitted access to their children by authorised workers, in circumstances where it is considered the gaining of such consent will not jeopardise the safety of the child.
My point is that this attempt to remove any doubt concerning ‘maltreatment’ only problematises the meaning of the term further. The language of the above extract still signifies no definitive meaning. This attempt at unilateral sovereign power merely emphasises that ‘rights’ and ‘responsibilities’ can only enable children to be protected from ‘maltreatment’ when that term is normalised. One is still left with questions such as ‘the right to do what’ and ‘the responsibility for what’? For maltreatment to be factual there can only be one way of knowing its meaning. Without the proverbial gallows sovereign power is not able to provide this.

In using Foucault in this research I want to further deconstruct the ‘new’ knowledge of whole of government that constitutes the contemporary attempt at normalising ‘the best interests of the child’. It is this subtext of biopower that removes the limitations of the unilateral sovereign power of legislation and helps to understand how the meaning and the surveillance of ‘the best interests of the child’ are extended.

New directions’ have been established to enact the legislation and construct a common theoretical and practice framework for all staff in the Division of Child, Youth and Family Support statewide.

These new directions are based on national and international best practice to:

- Promote the care and protection of children in our community through the adoption of a comprehensive assessment of risk factors in families who come to the attention of the Department;
- Respect more carefully the needs of children in care through the gradual incorporation of the internationally recognised 'Looking After Children' model of collaborative case management;
- Establish a range of projects to promote professional practice and staff support, including improved orientation and induction, training, supervision and competency assessment;
- Enact a comprehensive communication strategy that ensures relevant information is exchanged between all teams, all geographical areas and all levels within the Division and wider Department of Health and Community Services;
- Expand the Division's funding of services to competent non-government agencies, involved with the care and protection of children and young people. (Tasmania Government 1998b and 1999)

This text, now comprising the Act and purposes of the DHHS government department determines a number of further instruments to define the meaning for child abuse and ‘the best interests of the child’. The most apparent of these is the list of ‘risk assessment variables’ to guide practice:
Risk Indicators
- Age of Child;
- Severity of injury;
- Recency of harm;
- Location of child/ren;
- Functioning of child/ren;
- Location of injury;
- Likelihood of reoccurrence of injury;
- Intent of alleged perpetrator;
- Access of alleged perpetrator;
- Previous incidents;
- Precipitating events;
- Protection of caregiver;
- Chronicity;
- Information from other agencies;
- Protective behaviour of caller;  
(Tasmania Government 1995: 19)

As with death or non-attendance at school it can be said that some of these variables are objective. However, this risk assessment tool still does not provide universal meaning. It does not fulfil the criteria for ‘the best interests of the child’ to be an effective mechanism of biopower: at once both individual and total. Most variables here are open to debate despite the application of further instruments including:

<table>
<thead>
<tr>
<th>The age of the child is bracketed in three ranges: 0-5 years; 6-12 years and 12-16 years and risk is measured as ‘high’, ‘moderate’ or ‘low’ according to a combination of age and the other indicators.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response is delivered according to risk:</td>
</tr>
<tr>
<td>High  - same day;</td>
</tr>
<tr>
<td>Medium - within 5 days;</td>
</tr>
<tr>
<td>Low    - within 10 days of notification.</td>
</tr>
</tbody>
</table>

(Tasmania Government 1995: 19)

I can represent these risk indicators as a further contribution to the frontier that establishes a meaning for ‘the best interests of the child’. Yet so far claims of distinctiveness, transparency, consistency, objectivity, universalism and rationality (whole of government), are not proven. SAFE/UNSAFE is not established as a fact in this text and thus neither is ‘the best interests of the child’ What is established is a process of truth-making rather than a truth. The text continues to determine the opposition SAFE/UNSAFE and does not succeed in resolving past disagreements over truth – it simply reinforces them. For example, the text claims a ‘shared responsibility’ born by community, the State and family. Yet the text repeatedly
confers that responsibility for ensuring proper child-care to parents or guardians: the ‘divine institution’.

To determine truth and fulfil its modernist agenda, the text therefore sets itself the task of determining a ‘normal’ family as practices within it. So far in this chapter we have seen how the Act, model of practice, rights and responsibilities and risk variables are instruments complicit in the production of normality for maltreatment and ‘the best interests of the child’. I can establish here that these are tactics of social power which establish a micro-politics as well as macro-interests. This operates as part of the process I identified in the last chapter where the individual body is both produced as ‘individual’ and then is further ‘scribbled’ on. It seems reasonable to suggest at this point, that the instruments I have looked at so far establish a pattern for an increasingly rigorous determination of meaning requiring ever-more invasive practices. *Looking After Children* (LAC) further contributes to this discursive dynamic.

**Looking After Children: Good Parenting, Good Outcomes**

Every child deserves a safe caring and permanent home. For many children in the Department’s custody, the plan is for them to return home after their families have learnt to care for them in a safe way. Some, however, must wait while it is determined whether their parents can make the necessary changes to ensure their safety (Jackson et al in LAC 1995: 5)

While LAC claims to be specifically about corporate parenting - looking after children in the care of the Department - to constitute truth it also has to claim it is designed according to generic, good, normal, parenting principles relevant for all children and their parents. While children in-care may have specific needs the text insists on a universal meaning for good family child-care. In this way it seeks to establish more measurable assessable criteria for SAFE/UNSAFE child:

Looking After Children is a framework within which statutory authorities and other agencies can carry out responsibilities for assessment, planning and review when children are looked after away from home. All that is normally carried in a parent’s head, corporate parents needs to write down. Looking After Children sets out explicitly what good parental care means in practice (Tasmania Government 1997: 6)
The Looking After Children Model aims to improve parenting experiences and outcomes for children looked after by government services by bringing to the attention of those responsible for their upbringing the probable consequences of different actions. Looking After Children aims to import normal parenting experiences and standards into the role of State parent (Tasmania Government 1997: 14-15)

This instrument tries to answer key questions, including; what is parenting, who are good parents and what is a safe and caring home?

In doing so this text both defines ‘the best interests of the child’ and its opposite, and continues to operationalise those discursive elements that comprise the archaeology of ‘the best interests of the child’. Here SAFE/UNSAFE is again absorbed into an attempted web of universal meaning in relation to family, child development and the ideals that characterise whole of government. I have presented a sample of this text for reading at length before commenting.

'Key Concepts In Looking after Children':
- Parenting;
- Partnership;
- Outcomes;
(Jackson et al in LAC 1996: 5)

This chapter introduces three important aspects of the approach adopted in Looking after Children...The first is parenting, an idea that goes beyond ‘care’ to the active promotion of children’s welfare...Secondly ‘partnership’, with families and between professionals, lies at the centre of the whole project. The notion of outcomes is its driving force...Only by assessing the outcomes of interventions for the child can we know if our efforts have done any good (Ibid. 5)

'Effective Parenting':
There is consistent research evidence on styles of parenting which appear to lead to good outcomes for children, although much less up-to-date information about the everyday behaviour of parents and children...The research undertaken as part of the Looking after Children project helps to fill that gap.

Research on parenting often focuses on parents of young people in particular family types, which some have suggested, carry a risk of poor development. Examples are divorced parents. Lone mothers or step-families, and so on. Findings from these studies indicate that styles of parenting are more important than particular family structures in influencing the way that children develop...This knowledge about styles of parenting has been incorporated into the Assessment & Action Records, for instance to reinforce ways of caring that build self-esteem, to emphasise the need to show physical affection towards children, to find things to praise however difficult the child’s behaviour, to help the child or young person identify and recognise what he or she can do well (Ibid).
'Parenting Your Own Child':
- Parenting acts as a computer... To remember, compare and contrast, know how to access relevant people with information to predict on basis of past information;
- Family acts as a feedback mechanism to child;
- Family / child acts as a feedback mechanism to other systems;
- Parents and family act over time as history keepers;
- Family system acts as hope for the future;
- Family system builds the child's self esteem;
(ibid.: 6-7)

Dimensions covered by the Assessment and Action records: Health
- Education
- Identity
- Family and social relationships
- Social presentation
- Emotional and behavioural development
- Self-care skills
(Management and Implementation Guide in LAC 1995: 10)

Assessment and Action records: Age Groups
- Under 1
- 1 and 2 years
- 3 and 4 years
- 5 and 9 years
- 10 and 14 years
- 15 years and over
(Management and Implementation Guide in LAC 1995: 11)

Assessment and Action records: Format for each Dimension
- Statement of Aims
- Lead and support questions
- Further actions
- Reasons for No Action
- Summary of Outcomes
AND FINALLY
- List of Actions to be undertaken... When?
- By Whom?
(ibid.: 10)

I intend to examine one particular aspect of this – social presentation - to obtain a snapshot of how biopower operates as a process of normalisation.
Normalisation

Social presentation is one of the Assessment and Action subject areas. The following statement from the text claims a well-researched validity within the science of child development:

Social presentation can be viewed as a combination of self-presentation and social skills, which are learnt throughout childhood. In the early years parents are responsible for the child's social presentation, and the outcome of their care reflects strongly on them as well as on the child. In middle childhood and adolescence, children and young people develop their own personality and increasingly learn to take responsibility for their own presentation, but to some extent this will be built on the foundation and standards established by their parents at an early age.

This process begins at an early age, when children are taught to say please and thank you, or that it is all right to laugh in some situations but definitely not in others, or that different behaviour is expected at home and at school...Using the Assessment and Action Records opens up (my emphasis) areas for exploration and discussion which are sometimes seen as too routine and basic to merit attention, but where looked after children whose previous family experience has been chaotic or neglectful, need a good deal of help.

(Kilroy, 1995:47).

The process of 'opening up' areas for discussion and exploration contributes to the assessment. Even though 'routine and basic' they present further social space for the social worker to be concerned with and give contingency to 'the best interests of the child'. They now do 'merit' attention and the text goes on to construct social presentation as an assessable social practice:

Looking After Children: the Assessment and Action Record: One and Two years
SOCIAL PRESENTATION

The questions in the section are designed to make sure the child is well cared for:
(Appropriate clothes are those, which are suitable for the time of year, the child's surroundings and his or her age. Some children will need to wear clothes appropriate to a particular religion or culture).

Children's skin is delicate and damages very easily: appropriate care would include the use of sunblocking creams in hot weather for example...It is important take this precaution for all children including those with black skin, which may also burn in strong sunlight...Specific help and guidance may need to be given about caring for the skin and hair of black children.

(Demonstration Documents in LAC 1995: 83)

Specific questions are asked and the answers recorded, including:
Do the carer(s) make sure that the child is:
Promptly change when wet or dirty?
Regularly bathed?
Appropriately dressed?
Are the child's skin and hair cared for appropriately?
Each of these questions requires the social worker to tick the box:
- Always;
- Sometimes;
- Rarely;
- Don't know.

Please record plans for further action and target dates in the summary at the back of this record.

Further questions are asked about who will take further appropriate action if required.
An assessment of objective is then recorded by the social worker:

The following question should be completed by the social worker in consultation with all those people who are responsible for the child's care. There is a space at the end to record disagreements. After this has been done, look at the previous Assessment and Action Record to see how the child has changed. How far has the following objective been met?
Objective: The child gives every appearance of being well cared for, (tick the following appropriate box.
- Appears excellently care for
- Appears sufficiently cared for
- Appears well cared for
- Appears neglected
- Don't know.

('Demonstration Documents' in LAC 1995:84)

The same process is undertaken for other age ranges. For 10 to 14 year olds the questions include:

Looking After Children: the Assessment and Action Record: One and Two years
SOCIAL PRESENTATION

The questions in this section are designed to make sure that you are being helped to understand what sort of impression you make on other people and how you need to adapt to different situations.
- Do both you and your carer(s) think you look as though you take care of yourself properly?
- Do you want more help and advice with looking after your skin and hair?
- Do you have a say in what you wear at:
School?
Home?
On special occasions?
When you are out with your friends?

Furthermore:
A tick box format is used throughout together with specific questions about who will take further action if needed. A space is given for additional comment.

For this Record, within this age-group, the social worker is given the following instructions in completing the assessment of objectives. The tick box and additional comment format is continued:

The following section should be filled on by your social worker after s/he has talked about the answers with you, your carer(s), and anybody else who is important to you. There is a space at the end where you can say if anyone disagrees with you and what s/he has said. In answering the questions, look at your previous Assessment and Action Record to see how you have changed.

How far have the following objectives been met?

- The young persons appearance is acceptable to young people and adults;
- The young persons behaviour is acceptable to young people and adults;
- The young person can communicate easily with others.

It is proposed that the LAC model will operate together with legislation and risk assessment variables. These combined instruments appear as a powerful mechanism for identifying objective maltreatment in child protection risk assessment. Together they manufacture normality and therefore constitute a technology of surveillance.

The models are compatible in terms of providing both a front end response to the risk assessment of clients and families and a model for ongoing care and support of children and their families. In a process driven model of service delivery, there will be an overlap of principles and practice to compliment consistent, transparent and professional approach to clients (Tasmania Government 1997: 7)

Surveillance

Looking After Children is bustling with coloured forms, flow charts and other constructs towards systematic assessment, recording and analysis:
The assessment and action records help practitioners to:
- Set an agenda for work with children and young people;
- Strengthen partnerships between children and young people, parents, carers, social workers and others;
- Direct care's attention to the everyday goal of parenting;
- Raise sensitive issues;
- Identify where improvements can be made in the quality of care that children receive

(Management and Implementation Guide in LAC 1995: 30)

In managing the system supervisors will find the LAC material useful in:

- Establishing a system for information gathering
- Monitoring and development of plans
- Providing objective information about children's needs and how they are being met
- Identifying training needs

(ibid.:30)

Objectivity and 'essential information' are perpetual subtexts in the analysis of data, placement and care planning and review arrangements. Moreover LAC comes with a computer software which contains the following practices:

- A record for children who are looked after, based on the Essential Information Record;
- An identical record for other children, such as those previously looked after or in need;
- An address book;
- A facility to compile the 903 Return for the Department of Health

(ibid.:35)

The 903 Return refers to communication with the Government. The computer system can be utilised for identifying individual characteristics, correlation across categories and the whole gamut of statistical analysis; to produce the quantification of individual characteristics. LAC claims that this particular instrument can thus provide a:

richer source of material about the progress of individual children...than statistical snapshot...for government to monitor trends, measure effective intervention and formulate policy and accountability to Parliament

(ibid.:39)
The LAC instrument says that 'significant variables' can be identified and collated from the Assessment and Action Records including the following:

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NUMCARE1:</td>
<td>Variable name for question 1 from Family and Social Relationships all ages.</td>
</tr>
<tr>
<td>SCHLATT1:</td>
<td>Variable name for question 1 from Education 5 years and over.</td>
</tr>
<tr>
<td>ROLEMOD1:</td>
<td>Variable name for question 5(0-1 years); 7 (1-2 years); 9 (3-4 years) and 10 (5-9 years) from identity</td>
</tr>
</tbody>
</table>

This statistical attempt at normalising not only promises a total culture of meaning, but also the regulatory machinery that will institute the social and individual body as SAFE/UNSAFE. However even this text finds its border construction obscure, relying on adjectives such as significant, effective, critical and sufficient. For my purposes this continues to illustrate the composition of detailed disciplinary procedure; now in relation to wider textual arrangements concerning child, parent and state.

**Summary: Carceral Knowledge**

This genealogical analysis of 'the best interests of the child' has used Foucauldian ideas to identify specific instruments through which normalisation and surveillance operate. It extends the previous archaeology in presenting a specific tactic that applies the discursive knowledge, I have identified, to the individual and social body. In continuing to answer the question; how does the opposition SAFE/UNSAFE constitute the discourse 'the best interests of the child' I have said that sovereign power alone, is insufficient to establish a meaning for 'the best interests of the child'. A theory of power as panopticism is required to understand the continuing regulation of this idea and its effects. From this chapter the following themes emerge that further demonstrate the value of using poststructural principles.

**Theme 1: Tactics**

The problem lies...in the steep rise in the use of these mechanisms of normalisation and the wide ranging powers they bring with them (Foucault 1977: 306)

The detail in this chapter illustrates how the specific instruments of the text operate and their effect as surveillance. At this second level of deconstruction I have found how the text is a mechanism for both sovereign power and dispersed power. There is
hierarchical power operating here through legislation and in the specificity of risk variables. However, apart from the occasional non-discursive instance, such as death or age, the meaning of ‘the best interests of the child’ is elusive.

This power becomes carceral through the procedure of establishing increasingly detailed norms that can then be policed. What I have written from these texts is an invitation to consider how the search for a truth to ‘the best interests of the child’, has the effect of entering the daily lives of children and families. These tactics are an increasingly detailed observation of the micro-body-politic. Just as defecation, urination and copulation were produced as sites of surveillance in 18th century Tasmania, so LAC continues as an instrument of similar consequence through social presentation. LAC has within it powerful subtexts determining normalising and totalising meanings and practices. It also has specific instruments to police those meanings. LAC is the most exacting attempt yet to manufacture an essential truth about risk and safety by practising the knowledge whole of government.

**Theme 2: The subject**

The body is constituted as part of a multi-segmentary machine (Foucault 1977a: 164)

Reading the text in a discursive way reveals a definition of social and professional conduct: what I should do to be legitimate as a parent, as a child and as a worker. This is a process of universality that attempts a singular factual understanding of ‘the best interests of the child’. As a mechanism of biopower this understanding - this polemic - has progressed from sovereign status to dispersal. It is not a decree, in the sovereign sense, but an increasingly accepted subjective state of being in the world. It relies on carceral status, as a broad net of culture, ideas, beliefs, practices and judgements that comprise the individual self and social body. In this research it is ‘the best interests of the child’ that constitutes this carceral archipelago.

The previous chapter contained some initial evidence of the production of the decentralised-self that is characteristic of panopticism - the silken cloth and the fetter – a discursive, rather than logocentric, representation. The object of knowledge considered here thus manufactures a specific subject as SAFE/UNSAFE. The
practices required by *Looking after Children* appear as a contemporary continuum of modern social power. Panopticism may have been in its infancy at Wybalenna, the Female Factory and Hobart's sanitation process, but it is the continued exposure of the mechanics of such a process of power that concerns me here. Knowing 'the best interests of the child' is to know the self and that will require more and more refined normalised social contexts. This notion of power as social practice whereby people turn themselves into subjects - where the self is regulated and regulates itself around the production of moral constructs - emerges in this chapter and will be further examined in the next.

**Theme 3: the Other**

| To allocate resources more effectively by directing collaborative preventative interventions where children are in danger and at greatest risk (Tasmania Government 1997: 5) |

This Foucauldian analysis demonstrates surveillance as an effect of this discourse. For example, I am saying that not combing a child's hair is positioned as a social location for surveillance and punishment supported by sovereign force. The signifier maltreatment is thus a vessel for establishing frontier after frontier of regulatory practice. Risk assessment has this discursive purpose. Maltreatment thus extends its definition throughout social living: this is how carceral knowledge 'works'. 'The best interests of the child' is therefore an active means of controlling the population and silencing other ways of living.

I have repeatedly presented the 'the best interests of the child' in this deconstruction as a frontier that represents compliance to ideas and ways of living that become increasingly visible for all to define as SAFE/UNSAFE. In this chapter I have argued that social presentation is a form of panoptic physical marking, identification and regulation. As carceral knowledge, 'the best interests of the child' requires cultural and political conformity. An effect of this is to subjugate whatever intellectual and material social possibilities there are beyond the frontier of knowing whole of government.

This carceral dynamic judges, punishes, and regulates those social institutions and practices that are not the norm. It also produces an increasingly refined unilateral
way of knowing ‘the best interests of the child’ and therefore the enemy we call UNSAFE child or child abuse. Will other ways of determining a meaning for child abuse disappear in this process of creating a truth to ‘the best interests of the child’? For example, the procedural subtext child development establishes a frontier of knowing. It determines the intellectual and material practices and social conditions for that knowing. In this way we ‘know’ the SAFE and UNSAFE child through the norm of child development as it is practised by numerous instruments - one of which is social presentation. In doing so the subtext subjugates the Other outside the binary frontier SAFE/UNSAFE that it puts in place. I am arguing that the discursive knowledges that I have identified and their oppositional configuration do just this. This panoptic regime includes Robinson at Wybhelena, the Female Factory, Elkington’s plan for ‘free feeding’, Collin’s remark on the ‘black and dismal face’, the variety of instruments in LAC and the sovereign enforcement of the current legislation.

Other ways of understanding ‘the best interests of the child’, (these ways comprise the Other), become unknown, submerged beneath the parameters of the current binary frontier. Yet, again, a point to emphasise here is that I am not a disputing that there is a SAFE/UNSAFE frontier. I am not disputing that child abuse exists. I am examining how such singular truth is created. Using Foucault is to understand that to outlaw material and intellectual difference can be dangerous. Indeed this prohibition can prevent the very question - how does this procedure of truth-making construct the conditions for child abuse - from being asked.

In the next chapter my enquiry into this process focuses on ethics, where I continue to focus on the construction of a ‘normal’ moral total world and the text as an apparatus of ethical control. I examine how the order of things and carceral knowledge is complemented by the active participation of the decentered-self. I examine how ‘the best interests of the child’ constitutes identity - the third component of panopticism.
CHAPTER 8

ETHICS

Never, I think, in the history of human societies - even in the old Chinese societies - has there been such a combination in the same political structures of individualization techniques and totalisation procedures (Foucault 1984: 213)

Introduction

In this research I am analysing how 'the best interests of the child' is constituted as three domains of power relations distinguished by Foucault: knowledge, power and subjectivity. In the archaeology section, Chapter 6, I identified specific domains of knowledge including place, history, the divine institution and child development that are historical ideas and practices. I determined that processes of research produce such knowledge as political practice. In Chapter 7 I addressed Foucault's second 'instance' of power relations. This genealogy focused on the 'rules' through which social power exerts itself. At this point I understood how 'the best interests of the child' is institutionalised by a disciplinary dynamic, involving various instruments and procedures for observing, classifying and regulating.

This disciplinary dynamic expands the amount of visible social material to be regulated. In its pursuit of universal truth it operates as dispersed biopower rather than sovereign power alone. I have said that an effect of this it to truncate ways of understanding 'the best interests of the child'. I have therefore suggested that this pursuit of truth has intellectual and material consequences, since it is a process whose concern is the regulation of society and therefore one that monopolises the meaning of child abuse for that purpose.

Yet for 'the best interests of the child' to constitute a form of panopticism requires knowledge, discipline and subjectivity. All three 'moments' of power must operate through the apparatus of risk assessment. This chapter therefore has a specific
purpose in answering the question ‘how does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’? It is here that I explore how the text is an ethical narrative.

**Subjectivity as agency**

In this chapter I want to find out how this oppositional activity is ethical. For ‘the best interests of the child’ to be a performance of dispersed power the subject SAFE/UNSAFE Child is not just ‘out there’ and imposed on society and individuals by the State or other social structures in sovereign fashion. For ‘the best interests of the child’ to be a technology of decentered-self it must permeate our consciousness. Our consciousness will be comprised of this particular subject. We may be a range of diverse discursive social subjects - father, mother, teacher or social worker - but in this research the subject I speak of is the SAFE/UNSAFE child.

We have seen how the texts I have examined in this research, are an example of Enlightenment politics. They set out to establish universal concepts. We are required to hold beliefs and practice them as total knowing, while at the same time believing ourselves to be free individuals. If this text is a panopticism, its job is to command human agency to be this and not other than this. It will not, for example, require the audience to critically reflect on the meaning of ‘the best interests of the child’. It will not celebrate difference but rather it will identify that difference and totalise it. The binary frontier here is that the individual is constituted as personal rights and unique characteristics, but then required to conform to an identity that is common with others for the purposes of social regulation. This is the mechanism for the third ‘ethical’ domain of Foucault’s power relations and is a political rationality in its own right.

In the previous two chapters I have intimated how whole of government is the discursive technique for this ethical polemic. The examples I examine below are chosen not merely as further illustrations of knowledge (archaeology) or the disciplinary dynamic (genealogy) that I have analysed so far. They are illustrations of how the text executes a certain practice that individualises and then totalises moral standards of conduct concerning ‘the best interests of the child’. I choose them to
enquire into how whole of government is a singular ethical control in this text, that silences other options for human agency. This is an examination of ethics itself as a frontier of knowing.

**The Language of Whole of Government**

The Child Protection Board endorses the notion of whole-of-government approach towards the prevention of child abuse (Tasmania Government 1995: 5)

The New Direction for a genuinely client-focused Service Delivery model builds on the Premier’s Direction Statement emphasising a whole of government approach (Tasmania Government 1997: 3)

The language of the text declares a range of conditions that need to be met for the procedure of whole of government to be practised. They are:

- Working Together;
- Shared acceptance of responsibility;
- Partnership approach;
- Client focused;
- Transparency of practice;
- Principles of openness;
- Child centered family focused practice;
- Collaboration;
- Remove intrusive intervention through effective targeting of at risk children;
- Collaborative community response;
- Clear and accountable;
- Clear understanding;
- Independence and self-sufficiency of children and their families.

There is only a possibility of realising these ideas if an essential, true, hegemonic meaning for these signifiers of SAFE/UNSAFE child can be agreed. For that to occur there can be no dispute over the subtexts identified earlier. However, whereas modernism may insist that such an innocent space of undisputed truth does exist, I have argued that the attempt constitutes social discipline. Such knowledge/power
constitutes an ethic of self that is contingent on elusive agreement. A prominent theme has been that this text, as a historical document, insists on agreement over language such as ‘maintain’, ‘abuse’, ‘neglect’ and ‘optimum development’. Yet these conditions of whole of government are not merely related to an opposition such as parent/state, they also fabricate a specific ethical field of activity. As with other oppositions this one is also constructed as a problematic that allows further processes for establishing truth. To make visible this ethical apparatus of knowledge/power I return to several specific practices of whole of government in the text.

Whole of Government Practices

The Divine Institution
The subtext divine institution exemplifies this ethical process at work. We have seen how the family is one site for manufacturing the grand narrative ‘the best interests of the child’. This is an attempt to resolve oppositional conflict such as family/state. But at the same time it exemplifies a binary ethic. The text is littered with examples of ‘the best interests of the child’ being synonymous with ‘good parental care’. Furthermore the text produces a moral expectation of good parental care, if I again consider the key principles of The Children, Young Persons and their Families Act 1997:

☐ The primary responsibility for a child’s care and protection lies with the child’s family;

☐ A high priority is given to supporting and assisting the family to carry out that primary responsibility in preference to commencing legal proceedings

Furthermore, ‘at risk’ is deemed to be where the guardians of the child are:

☐ Unable to maintain the child;
☐ Unable to exercise adequate supervision and control over the child;
☐ Unwilling to maintain the child.

(The Children, Young Persons and their Families Act 1997 s.8)

Donzelot has readily identified this as government through the modern family (1979). Here my inquiry is concerned with extending this knowledge to understand how the attempt at a ‘wholeness’, in this text, sets in play a process of increasing
disciplinary normalisation as a kind of ethical strategy. What has become clear is that at every attempt to set out explicitly what ‘good parental care’ means, so that it constitutes ‘the best interests of the child’, the text relies on the imposition of further detailed practices. It is these detailed practices that both construct the self as individual and simultaneously hegemonise ‘the best interests of the child’ so that we can ‘work together’, be ‘open’, ‘seamless’, ‘transparent’ and ‘sharing’. If I dig deeper into the subtext I can point to this process.

Parenting

In affixing ‘the best interests of the child’ to parenting, the text then has to establish a meaning for such concepts as ‘the essential characteristics’ of parenting:

- It is concerned with responsibilities not rights;
- As the word indicates it is not specific to gender;
- Parenting is not confined to adults with a biological relationship to the child;
- Good parenting includes the active promotion of the children’s welfare, both in the present and with a view to their longer term well-being in adult life;
- Parenting involves mediating between the child and the outside world, acting as advocate for the child when necessary (Jackson et al, in LAC 1996: 6)

This further constitutes the moral subject SAFE/UNSAFE child. Yet it is because I may be unclear or ‘different’ about the meaning of these terms that the text will continue to detail them and thus multiply the identification of the SAFE/UNSAFE child. Immediately following the above LAC goes on to say that effective parenting is:

Absence of conflict, even when parents are divorced or separated, reliably providing physical care and comfort, consistently demonstrating love and affection, the ability of parents to see the child’s point of view, setting clear limits but paying more attention to good behaviour than bad and much praise with little criticism are all likely to prove beneficial to the child (Ibid.: 6)

LAC also offers a mirror image of good parenting: lack of rules and clear boundaries, inconsistent discipline, empty threats, conveying dislike for the child, ignoring good behaviour but punishing bad, lack of enjoyable shared experiences and so on. Finally:

Knowledge about styles of parenting has been incorporated into the Assessment and Action Records (Iibs.: 6)
In practice this constitutes a risk measurement of the principle of unwillingness or inability to care for, or maintain a child, established in *The Children, Young Persons and their Families Act 1997*. Such behavioural indicators therefore constitute the SAFE/UNSAFE child for the social worker and determine practice. I argued earlier that as these knowledges multiply in search of the truth, they proclaim themselves as objective and rational. The practice of risk thus maintains its archaeology of scientific child development and is an intrinsic part of the claim to be consensual. Let us examine the following further multiplication of meaning and consequent surveillance of child and family through whole of government.

**Literacy**

Literacy is a core requirement in LAC’s creation of effective childcare and development:

> Reading is the foundation of educational achievement. Children who become fluent readers at an early age have a flying start at school

*(Jackson & Meegan in LAC 1996: 28)*

Literacy, promises the text, will assist the attainment of unproblematic school education and employment - ‘an oasis of stability’. Literacy becomes the key to other successful LAC criteria including social presentation. Literacy is further social material for measuring risk: the panoply of assessment criteria and forms exist for this variable as they do for social presentation and others. Literacy is produced as a further indicator of the SAFE/UNSAFE child in our consciousness. It enters the framework of power relations to promise individual salvation. For my purposes it produces ‘individuality’ itself and I can argue that this subtext says:

- It is not acceptable to be illiterate;
- Being literate is to be part of a community;
- To be an individual is to be this - literate and communal;
- This is the truth of modern individualism;
- This is whole of government;
- This is ‘the best interests of the child’;
- This is a regulated frontier of knowledge and ethics.
This multiplication of social material involves the constant discovery of detailed knowledge that, in turn, requires social 'sites' for care and protection. Any of the linguistic signs in the text can be ‘opened up’ (to use a LAC phrase) in this way. They include 'working together', 'support', 'strengthen', 'needs and responsibilities', 'safety and well being' and 'capacity' of families to reduce the risk to their children. Indeed for these signs to have meaning they require those social sites and their surveillance as both universal truths and individual characteristics.

This is particular ethics of moral meaning. It is an ethic of Individual/Wholeness that is a specific disciplinary tactic, with its own genealogical structure. Yet it is one whose effect is always a further determination of knowledge and surveillance with its own history as political practice. Again it is an ethic that subjugates Other possible ways of knowing:

The missionaries sought to make an integrated centre of consciousness, distinct from the natural world and other Aborigine...the individual was to replace the group as the crucial moral or ethical unit, a strong sense of sin and responsibility for their own salvation replacing notions of shame (Atwood: 19)

**Identity as surveillance**

What is happening here then is a particular process of fabricating the identity of individualism; part of the polemic of the claim to a transparent community. To return to the text:

*Identity can be briefly defined as the individual's beliefs about who or what they are. The term seems to have particular resonance for late twentieth century westerners, perhaps because of the declining force of religion, traditional morality and other values outside the self, (my emphasis) (Tizzard in LA 1996: 35)*

This is vital cement in establishing the idea of freedom of individual identity. The text at large is littered with the notion that individual characteristics and rights can somehow be separate from any collective, external process:

*Children have the right to be treated with dignity and respect and with regard for them as individuals regardless of gender, race, ethnicity, age or disability (Tasmania Government 1995a:8)*

At the same time families too have their individual status:
Parents (and other caregivers) have the right to be treated with dignity and respect and with regard for them (sic) as individuals regardless of gender, race, ethnicity, age or disability
(ibid.: 6)

Returning to LAC’s claims on identity I can determine how the requisite problematic emerges from this specific oppositional force:

Identity is fluid, dynamic, ridden with contradictions, and constructed from diverse experiences. Looked after children and young people should be put in touch with a range of cultural experiences relevant to their family background and peer group so that they can construct identities that they feel comfortable with, bearing in mind that these may change in the course of development
(Tizard in LAC 1996: 39)

This section continues to illustrate the binary thinking that the ethic of the text is constructed from. The text recognises that personal ‘narratives’ are not ‘truth’ (Tizard in LAC 1996: 39). Indeed they are ‘fluid’ and ‘ridden with contradiction’. What the text does is problematise identity by positioning it as differentially individual and collective. This further fabricates a further space within the text whose purpose is to create a code of true normality against which to measure SAFE/UNSAFE, for while it purports to support individual identity, it also requires the condition of communality for that identity,

The suggested critical relativism of ‘other values outside the self’, necessarily contradicts the ‘outcomes’ required in looking after children and is therefore dispatched. The apparent ‘contradiction’ is thus a tactic in producing particular subjects, for whom importance lies in claiming diversity and freedom, yet also totalising individuality. The text tells me that an individual somehow shapes their own sense of morality - in a climate of diminishing structural influence - yet is also subject to external forces which may or may not exhort the subject away from a true sense of knowing SAFE/UNSAFE.

The language and practices of the text is peppered with such surveillance, for example positioned within the space between other binary oppositional knowledge such as ‘black/white’ in the LAC section concerning trans-racial child placement. The text acknowledges that:
Yet the text cannot escape the oppositional history surrounding this issue, which has erupted from discourses of polarisation. For the text 'black' will be 'black' and 'white' is 'white', alongside the acknowledgment that lived experience demonstrates that this is far too simple a division. The text therefore continues to exhort that:

Children's welfare depends on how they are valued and supported by those around them and the opportunities they have to reach their full potential. Children from black and minority groups have the same basic needs as all children, but these needs are less likely to be met without careful attention to the ways in which racism and eurocentrism may shape carers' attitudes and children's experiences and perceptions. This is now recognised by the legal duty in the Children Act 1989 to give due consideration to the child's religious persuasion, racial origin and cultural and linguistic background (Boushel and Sharma in LAC 1996: 67).

Various caveats are then added. The text says that 'no systematic study has been undertaken of the views of black and minority children' (ibid.: 67), 'the current research findings on trans-racial placements present a varied picture' (ibid.: 68), 'clearly there remains disagreement on this issue' (ibid.: 68).

I find that ethics in this text retains the dominant discursive nomenclature: whole of government. Just as other fields of knowledge/power have specific disciplinary tactics so does this one. The practices I have just mentioned produce a moral identity (the SAFE/UNSAFE child) as individual and collective. The effect of this specific social examination is the social government of totalising individuality:

TOTAL / INDIVIDUAL

Figure 7: Totalising Individuality and 'The Best Interests of the Child'
Summary: The Construction of Subjects

We readily believe that the least we can expect of experiences, actions and strategies is that they take into account the 'whole of society'. This seems absolutely essential for their existence... But I believe that this is asking a great deal, that it means imposing impossible conditions on our actions because this notion functions in a manner that prohibits the actualisation, success and perpetuation of these projects... 'The whole of society' is precisely that which should not be considered except as something to be destroyed... And then we can only hope that it will never exist again. (Foucault 1977b: 233)

In this chapter I have identified how practices of whole of government, that are concerned with the SAFE/UNSAFE child, are an ethical technology of the self and thus a dividing practice. This third section of the research is not specifically an inquiry into what are the norms of SAFE/UNSAFE. While I can say that the dominant norm is one of family responsibility, I am far more concerned with how this normalisation occurs and what its effects are. In this sense 'ethics' itself becomes relativised and subject to a genealogical inquiry. Ethics becomes a discourse in itself - a norm in itself - and as such a foundational construct. There are specific themes here that are a further account of my poststructural interpretation of this text.

Theme 1: Totalising individuality

I have narrated a modernist approach to ethics from this text, where the relationship of the subject to the other is dependent on the idea that the subject and the other are the same or should be. This emerges from the idea of 'either/or', rather than 'both/and'. I know the SAFE/UNSAFE child on the basis that knowing is the same for you as it is for me - or it ought to be. Within this 'ought to be' are the forces of domination, which further constitute the apparatus of risk and the discourse 'the best interests of the child'.

Risk assessment in this text can be represented as a conduit for this production of totalising individuality. The tactics that were a theme of the previous chapter apply here too. For example, if I say that a normal family is 'this' family, closer scrutiny will reveal social characteristics that can be declared aberrant within such a family,
such as literacy or ethnicity. I can represent these as ‘individual’. The text will then reproduce the binary logic of exclusion to generate a more refined normal family. A further binarism will appear and so on. In this way general principles entail increasingly detailed practices. The effect is the extinction of culture beyond an increasingly rarefied frontier that permits a narrowing band of social behaviour to be known as SAFE/UNSAFE child.

Theme 2: Agency

In a sense, the power of normalisation imposes homogeneity; but it individualises by making it possible to measure the gaps, to determine levels, to fix specialities and to render the differences useful by fitting them one to another. It is easy to understand how the power of the norm operates in a system of formal equality, since within a homogeneity that is the rule, the norm introduces, as a useful imperative and as a result of measurement, all the shading of individual differences (Foucault 1977b: 184).

Measuring the gaps, fixing specialities to render the differences useful are the techniques and practices of modern biopower and feature persuasively in this text. It is within such ethical discourses and processes of truth-making that we know ourselves as particular moral beings and promote the examination of that moral position for others and for ourselves. ‘We’ are an individual ‘universal moral citizen’.

This is frontier ethics and what I have done here is locate a particular kind of dominant ethic at work in this text. This knowledge of whole of government, that is the contemporary attempt to secure truth for ‘the best interests of the child’, commands agency. This kind of human agency says that my individual action in the world must be created from meanings that are also total. This is a particular production of human agency and individual selfhood that claims foundational status as truth and commands that I be directed towards a polemic for the subtexts that have reverberated throughout this analysis, including place, history and the divine institution. It is thus a direction to truth rather than a freedom to question those knowledges.
Theme 3: the Other

Foucault explained Rousseau's modernist dream of a total social consensus and harmony to be:

A transparent society, visible and legible in each of its parts. It was the dream that each individual, whatever position he occupied, might be able to see the whole of society, that men's hearts should communicate, their vision be unobstructed by obstacles, and the opinion of all reign over each other (Foucault 1980: 152)

The similarities between this vision and the performance of the texts I have examined are striking. Yet Foucault was scathing in relation to the effects of this rationality. For him such a 'whole of society' did not create 'possible conditions' for humanism because it compelled truth rather than critical knowledge. From this chapter I can again say that the possibility that we create the conditions for child abuse is not explored: this is not the agency of the text.

Rather our ethical agency is directed towards a will to truth for 'the best interests of the child'. It is this intellectual direction that is the hallmark of the Panopticon and restrains the Other that is comprised of ethics, agency and freedom beyond the textual frontier of totalising individuality. If ethics are fluid I can ask what Other possible ethics lie beyond the dominant frontier of knowing? What Other possible method of human agency is there to practice against whole of government in this text? This intellectual direction begins a practice of resistance and parrhesia and I develop this in the following chapter.
CHAPTER 9

PRACTICE

Introduction

How does the opposition SAFE/UNSAFE constitute the discourse ‘the best interests of the child’?

To answer this research question I have applied Foucauldian principles of deconstruction within three distinct domains - knowledge (archaeology), power (genealogy) and ethics. In Part 1 of this chapter I want to review the themes of this research, before discussing the implications for child protection. In Part 2 I shall argue that a model of practice, embracing the technique of parrhesia, emerges that can extend social work theory and practice.

PART 1

‘The Best Interests of the Child’ as Social Government

Using Foucault’s concept of the panopticon I have interpreted ‘the best interests of the child’ as an example of discursive social government. This appropriation of Foucault’s work represents the text of risk-assessment as the vehicle for the operation of this discourse. In this way the text represents a social body constituted by specific relations of knowledge/power: the SAFE/UNSAFE child. I have thus read this text as a vessel of social power. The metanarrative ‘the best interests of the child’ has similar properties to other forms of panopticism previously researched by Foucault including madness and sexuality. I have located these properties within three dimensions: archaeology, genealogy and ethics. ‘The best interests of the child’
operates through a governmentality of power that has become increasingly dispersed yet retains a sovereign component. It is the practice of risk that has emerged as the effective apparatus for stamping this discourse on the population, to the extent that the population increasingly polices itself. I now want to reassemble this trio of social government and review how the walls and guards of Bentham's physical prison continue to be removed so that 'the best interests of the child' becomes a dispersed administration of self-government.

Archaeology

In this research the discourse 'the best interests of the child' is composed of certain discursive knowledges that produce particular beliefs and practices: an order of things. These knowledges are place, history, child development, the divine institution, privacy and whole of government. Specific processes of research systematise this knowledge and fabricate a frontier of meaning for the SAFE/UNSAFE child that can be understood as risk-assessment. Themes of truth, process, governmentality and biopower emerged from this section and positioned this text as poststructural discourse.

Risk assessment operates as a dispositif in these texts. A dispositif is a Foucauldian concept meaning a group of historical relations and techniques for living. The dispositif of risk produces oppositional categories for normalisation; categories of safety and other than safety. It performs the discursive function of producing oppositional force around the idea of the SAFE/UNSAFE child. I visualised this as a frontier of meaning and political exclusion.

\[
\begin{align*}
\text{SAFE} & \quad \text{UNSAFE} \\
\end{align*}
\]

Figure 8: Risk as a Frontier of Knowledge

This political practice is historically embedded in the exercise of risk assessment. 'The best interests of the child' that risk measures classifies and categorises, is thus an example of surveillance for political and cultural change. This research has
tracked the political emergence of this form of social government in Tasmania – a colonial venture partly enabled by the use of the fetter, but complemented by carceral power. The past is therefore represented in contemporary practice, as the normalisation of ‘the best interests of the child’ has continued from the ‘civilising’ science of Robinson and Maconochie through to the practices of *Looking After Children*. What is historically examined in this archacology is the development of this discourse as a disciplinary tool.

**Whole of government**

Whole of government is a critical subtext in this deconstruction. The idea of this subtext contributes to the production of ‘the best interests of the child’ as a grand narrative. It seeks to present knowledge such as child development as innocent. It attempts to remove any critique of child abuse that has circulated around different oppositions such as State/Family. In this way whole of government is a polemic that will attempt to silence other cultures, way of living and meanings for the subject of this particular discourse: the SAFE/UNSAFE child. It is the prominent contemporary apparatus of modern humanist sovereign social philosophy.

**Hostile conditions**

In this text familial childcare is one example of the struggle over the meaning and practice of ‘the best interests of the child’. It creates hostile conditions for the Other. In this way the particular knowledges represented in language constitute a specific practice of risk and therefore meaning for this discourse. The shift from fetter to silken cloth is both the legitimisation of a specific narrative of history in Tasmania, and the production of deleterious material conditions. This dual execution gives me some indication at this stage of the research of the effect of this discourse in creating conditions conducive for child abuse. Each subtext is an object of truth-making through biopower that disallows the Other in its frontier building. Hence at Wybalenna Robinson found the very ‘savagery’ he feared because he constantly produced the social conditions from which he could evince its meaning.
Genealogy

In this section I continued to examine the text as a historical transmission of both sovereign and dispersed panoptic power, through which ‘the best interests of the child’ is a form of ‘discipline and punishment’. The themes that emerged concerned the tactics through which this power operates as social government in the production of truth, subject and subjugation of the Other. I said that sovereign power is operating through the text of risk assessment - the ‘king’s head’ has not been cut off. For example, the State does exert power through the Act and the dictates of LAC. However, the continuing critical value of the research is the representation of power as panoptic dualism. To theorise power in this way is to extend our understanding of how social conditions are created from discourse such as ‘the best interests of the child’ and to broaden the possibilities of theory and practice in child protection social work.

In this genealogy I focused on several examples of the tactics of social government instituted by Robinson in 19th century Tasmanian and carried through to current practices of whole of government. My probe into this operation of power identified a disciplinary dynamic, informed by the knowledges unpackaged in the archaeology. This dynamic is a process of exclusion along a fluid frontier of understanding and is made possible through certain binary operations. These opposites act as productive positivities that establish a claim for truth. In the research I identified certain dominant modalities of this oppositional force:

- The State (child rescue practice)/The family (child centered family focused practice);
- Rights/Responsibilities;
- The techniques of risk in Looking After Children, including 'social presentation'.

Once power is conceptualised as a duality of sovereignty and dispersal then it is possible to detect how these oppositions organise our thinking in relation to ‘the best interests of the child’. This is the technique of panopticism.

Hostile conditions

As a form of discipline and punishment ‘the best interests of the child’ creates specific social conditions and proscribes the Other as a result of its surveillance. I
have identified how discipline and exclusion extends further into the culture of the social body - seeking truth through refined risk assessment. An increasingly detailed micro-political observance of social life is constructed and then assessed towards the creation of 'the best interests of the child'. For example, the text continually refines the meaning of how the family is to meet 'the best interests of the child'. In this way social presentation and literacy in LAC are examples of the consequent policing and purification of carceral knowledge. This knowledge commands certain conditions of existence that can never be fixed. The process works towards an absolute notion of 'the best interests of the child' but can never attain it.

I have said that the tactics of biopower found in this genealogy is a constriction of intellectual knowledge and material practice. This text instructs that we do not know child abuse apart from a disciplinary process that commands us to focus on increasingly detailed observance of normality including family and childcare. In this case any Other intellectual and material properties of child development disappear. The intellectual direction of knowing child abuse is thereby focused on sovereign knowledge and in this way theory and practice is directed towards establishing a foundation for the 'the best interests of the child'. It is not asked how this very direction can create the conditions for child abuse.

**Ethics**

A Foucauldian theme interpreted from this text is that 'the best interests of the child' is a form of disciplinary management that produces the individual human body as a subject, established by objects of knowledge and the process of biopower. The third part of this research concerned the construction of the moral self in risk assessment and the part this plays within the disciplinary process of panopticism. This is a form of knowledge in itself and integral to the idea of whole of government.

This aspect of 'total uninterrupted supervision' (Foucault 1994: 59) involves a kind of ethic that claims to be absolute and foundational -- the polemic of totalising individuality. This ethic also states how the meaning of 'the best interests of the
child’ will be decided and again oppositional force commands its design. Robinson’s Wybalenna and *Looking After Children* are examples of this specific modernist project: ‘both global and individualizing’ (Foucault 1980: 146). The truth exhorited in both practices emerges from the oppositional binarism individual/sameness. Robinson’s practice of whole of government is continued 200 years later with LAC since both practices illustrate the grand modern project of creating a recognisable knowledge (‘the best interests of the child’) as truth. To do so they must account for every possible characteristic. These characteristics are individualised so they can be totalised through processes of classification. While claiming the individual right to difference the text nevertheless seeks to collect those cultural, economic and social differences as abnormalities.

I have argued that the effect of this process of normalisation is to remove difference. Each time ‘individual’ or ‘different’ is located it is assimilated into a regime of moral truth. For example, ‘aboriginality’ is respected for its cultural difference. Yet posed within the practice of risk, the effect is merely to police that difference. And, (in saying this I return to the sovereign component of biopower), the Act therefore specifies that it is the Secretary who decides what is in ‘the best interests of the child’, albeit with due consultation with Aboriginal people. Yes, there is the claim to sharing, partnership, collaboration and so forth. However, the subtext of whole of government and ethic of individualising totality, requires conformity and normalisation. In this way Aboriginality will be validated - so far as it conforms to the normal ‘best interests of the child’. The same dynamic is in place for parenting, literacy and other social activity.

**Hostile conditions**

Kant says ‘I must recognise myself as a universal subject, that is, I must constitute myself as a universal subject by conforming to universal rules’ (Foucault 1994a 280)

This creation of a centered-self occupies a major space in this panopticon. I have said that in this research the universal subject is constituted by those knowledges which comprise ‘the best interests of the child’ and ethics is a critical episterme in this aspect of discipline and punishment. I have found that ‘the best interests of the child’
is promulgated through the interplay of sovereign and dispersed power in the texts of risk assessment. Yet this is a technology of self because human subjects administer their own surveillance. From analysing these texts I can say that ideas including child development, family and place may initially be imposed on people, however they have quickly become dispersed popular expression rather than merely sovereign science or law.

These practices do not invite reflexive thought outside the requirement to find truth as ‘the best interests of the child’. As such, practising these texts creates impossible conditions for achieving any enduring meaning or material conditions for the SAFE/UNSAFE child. Such an essential space cannot be achieved from this practice. In this way the text establishes what I know to be ‘the best interests of the child’ as a kind of ethical agency. The sense is one of constriction - this time in the realm of my own subjective communication with the social world.

The Panopticon

![Panopticon Diagram]

To integrate the three components of analysis, archaeology, genealogy and ethics, is to acknowledge that what is available in my recognition of ‘the best interests of the child’ and in my capacity to respond, is constrained by an increasing polemic across these three domains. It is this constraint that comprises panopticism and yet also offers a practice of parrhesia.
PART 2

Parrhesia

Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it (Foucault 1999: 272).

Earlier I reviewed how the issue of totalism dominates debate concerning poststructuralism. A major theme in this research is that these texts are not an invitation to difference - to the Other - but to ‘oppositeness within an economy of the same’ (Lee 1992: 9). For example, in this text a binarism of individual/sameness is constructed as oppositional to exclude other ways of understanding the relationship between these terms. In this sense the SAFE/UNSAFE child is a result of complex organised social regimes of oppositional force. These are dividing practices that manufacture a particular material world such as that at Wybalenna, the Female factory and now contemporary western society in Tasmania.

What begins to unfold, as I continue to use Foucault, is a kind of reversal of discourse or politics of difference that many poststructural writers have applied to other foundational objects of knowledge, such as woman or man, and a range of social practices such as health and masculinity. To resist the discourse of social government that I have exposed, is to express a profound discomfort with the knowledge of the text and the process through which that knowledge is taken for granted. It is to dispute the frontiers that I have described in this research and to reconstruct knowledge, power and ethics. In this reconstruction ‘Other’ would be an invitation to other possible narratives of SAFE/UNSAFE child and its constituent knowledges including parenting and child development.

The Same and Risk

The UNSAFE child is not a social category to be understood on the margins of society - to be identified as different, unique, endowed with characteristics which set it in opposition to a SAFE child. Sovereign theory collapses here, for the SAFE/UNSAFE child does not comply with various psychosocial contours such as
poverty, racism or unfulfilled rights. This collapse occurs with the common
declaration that, 'there is no consensus in the present child protection system, neither
in Australia nor internationally about defining what child abuse is' (Read 1999: 43).

In this research I have located risk-assessment as a technology that produces and
polices meaning through language that has no concrete meaning, but is a doorway to
political practice. Risk is thus the practice of oppositional argument over truth. Risk
is the technology for establishing the Same for 'the best interests of the child'. This
takes us further towards a practice of parrhesia that commands difference.
Poststructural social work involved in child protection would be directly involved in
this struggle for the meaning of 'the best interests of the child'. It would resist the
conventions of risk-assessment found here and in doing so would place language as
the primary focus for intervention.

The Other and Risk
A critical Foucauldian poststructural principle I have used is that language is the
gateway to a panopticon of knowledge, power and ethics. Using the method of this
research I have determined how language is a vessel for social power. If there is an
agency to such discourse analysis then it is to confront meaning and practice in this
way. Such an agency is therefore an attack at the sovereign use of language. I am
arguing that poststructural practice in child protection social work will not primarily
be concerned with removing or replacing discourse through capturing language. To
do this would be a return to a modernist practice. Poststructural practice in child
protection social work requires a critique of the meaning of language - its practice
and its effects. In this research I have deconstructed the language of 'risk' and found
it to be a procedure for establishing a metanarrative of 'the best interests of the
child'. In contrast parrhesia will require that we consider the Other.

Keeping the Subject: 'the Best Interests of the Child'
The principal concern held by many writers concerning postmodernism is the
anxiety of losing the subject: that child abuse will disappear in a haze of
deconstructive nihilism. Yet the foundationalism of this text could equally be
accused of such disappearance. I have argued that despite its benevolence, this foundationalism works towards a singular truth and thus creates hostile conditions for ‘the best interests of the child’ and the subject SAFE/UNSAFE child.

In assembling a practice from the use of Foucault, I have deconstructed the panopticon of knowledge, power and ethics that supplies the SAFE/UNSAFE child with meaning. Resisting meaning and action therefore focuses on ‘the best interests of the child’. In practice this ‘category’ does not disappear in a haze of nihilistic deferred meaning; rather it is subject to a process of analysing meaning and effect. This method is not concerned with establishing any foundational thinking, including any thinking that says no meaning is possible. Norms do not disappear here; they are critiqued. What follows retains ‘the best interests of the child’ as a core concept for the social work profession. I invite a process of evaluating how those interests are determined. I argue that such a deconstructive tool provides a practice without reinstating an alternative disciplinary grand narrative.

The starting point to this resistance must be language as it is used in various forms, including textual and interpersonal practices. I want to suggest in the following section that this constitutes a practice that is familiar to social work once a poststructural methodology is applied. I will illustrate how the existing skills and processes used by social workers can operate on a poststructural landscape once removed from the familiar grand narrative of sovereign power. Foucault for once agreed when he was asked whether a new kind of ethics was ‘a question of playing with as little domination as possible’:

I believe that this is, in fact, the hinge point of ethical concerns and the political struggle for respect of rights, of critical thought against abusive techniques of government and research in ethics that seeks to ground individual freedom (Foucault 1994a: 299)

I shall argue in this closing section of the research that social workers can benefit from the possibilities on offer here once we adopt this intellectual direction of ‘playing with as little domination as possible’. To do this I want to focus on one established skill used by social workers that has transformed in meaning and practice according to specific constructions of knowledge. The transformation I present here is a therefore a further extension of the familiar skill of empathy.
Discursive Empathy

A standard definition of empathy in social work would be:

The perceiving of the internal frame of reference of another with accuracy, and with the emotional components which pertain thereto, as if one were the other person, but without ever losing the 'as if' condition (Rogers 1965: 409)

Empathy has been fundamental to social work knowledge and practice. It enables core claims, including listening, genuineness and congruence in the formation of a helping relationship. Yet empathy has realigned its boundaries over the past 50 years according to what is ‘listened to’: according to the theoretical persuasion of the social worker (Jessup and Rogerson 1999). Fook (1993b), for example, has extended the practice of empathy to embrace a specific social context, where the superstructure, including race, class and gender, are taken into account when understanding the client. I can identify four distinct types of empathy once poststructural principles are included:

<table>
<thead>
<tr>
<th><strong>Emotional empathy</strong></th>
<th>The expression of another person's feeling in relation to their personal situation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Social empathy</strong></td>
<td>The relationship between feelings and thinking; their social context and material impact</td>
</tr>
<tr>
<td><strong>Structural empathy</strong></td>
<td>The disclosure of another's situation in relation to socio-structural normalisation processes, such as race, class or gender.</td>
</tr>
<tr>
<td><strong>Discursive empathy</strong></td>
<td>Clarification of the discourses through which another constructs their meanings and behaviours as social processes.</td>
</tr>
</tbody>
</table>

Table 1: Types of Discursive Empathy
I offer a summarised practical example to compare these responses, before developing the notion of discursive empathy from the themes of this research.

**A case study**

‘B’ is now separated from her partner following a violent relationship. They have 2 children aged 3 and 5 years, who are in State care and have suffered physical abuse, although it is not clear whether the perpetrator is ‘B’ or her former partner. Both children were 6-8 weeks premature, consistent with abuse of alcohol and prescription drugs. There is no information that says ‘B’ was herself raised in a violent family background. In addition there is currently a parental dispute over access to the children. One child has been returned to the care of the mother, who has moved into a shelter and is undergoing counselling from a feminist support group.

The following demonstrates contrasting questions, which can produce different analytical discourses for the social worker and ‘B’, in understanding the meaning of ‘the best interests of the child’. They are categorised here as the four distinct types of empathic questioning.

**Emotional empathy**

‘Can you tell me what happened and how you feel about this?’

‘How has the problem got worse?’

‘Can we explore your feelings about your relationship, separation from the children?’

‘How you can put your life back together for their return?’

**Social empathy**

‘Let’s talk about what supports are available to you, for example, family, community, friends’

‘Can you describe your relationship with these supports and how you feel about them?’

‘What work is available to you and what is your opinion about working?’

‘How can you manage financially on your own?’

‘How do you think that alcohol and drugs are damaging for you?’
'What can you do about this damage... what support systems are there?'

**Structural empathy**

'How have men had control had over your life?'
'Can you tell me what rights you believe you have as a mother, wife and individual?'
'Can we explore how this violence started?'
'What sort of control do you believe social security and the 'welfare' have over you?'
'What resources do you need to get your children back?'

To this point the notion of power operating here is unilaterally sovereign. 'B' is cast as victim, survivor or perhaps perpetrator.

**Discursive empathy**

'Tell me what you think the role of mother and partner should be?'
'Where do these expectations come from? 'How do you differ from these?'
'If we accept that men have it better, nevertheless...what control do you have in your situation?'
'How do you think this kind of control could keep you in this situation?'
'How can you think in a different way about your children and partner so that your control is not damaging for you and others?'
'How do you exercise power and violence in your life?'
'What do you do which you think maintains the violence in your relationship with your children and others?'
'We have talked about your rights. Can we agree that they include safety, love, adequate finances...can you tell me what responsibilities you think you have towards others with regards to these?'

Discursive empathy is therefore the practice of discourse analysis in the interpersonal context produced through critical questioning. The objective with a discursive approach in questioning, is to help the interviewee elucidate what it is about their own ideas and behaviours that enables them to participate in a situation, which is
destructive for them. In this sense they are not only ‘surviving’, but themselves reproducing a political structure which both disciplines them and punishes; which constructs their own prison.

This shift in knowledge is contingent on the form of panoptic power upon which I have built the theoretical framework in this research. This does not deny the material personal and political suffering of ‘B’, nor the role played by others in the social situation. What it promises is liberation from ideas that make ‘B’ victim or survivor. Such empathy invites an understanding that this sovereign oppression may mask a far more extensive panoptic domination. It unmasksthe monopoly of sovereignty, using Foucault’s ideas as practice.

In this thesis I am naming discursive empathy as a methodical practice of parrhesia that directly challenges the domination of the subtexts identified in this thesis and which constitute the discourse ‘the best interests of the child’.

**Applying Parrhesia**

From this research several key features emerge that characterise this parrhesiatic practice:

- The client is the discourse itself: ‘the best interests of the child’;
- The client is understood as decentered rather than logocentric;
- The social worker deconstructs the meaning of ‘the best interests of the child’;
- This deconstruction has three components: archaeology, genealogy and ethics;
- This deconstruction locates and critiques oppositional force: it is reflexive;
- Discursive empathy invites critical reflection and change in intellectual and material social conditions for ‘the best interests of the child’.

I have said that risk assessment is comprised of knowledges, subtexts or ‘discursive elements’, which include the following:
I have identified the particular ideas (archaeology) which each of these is built upon, before identifying the power relations, which are located in the text (genealogy). I have then located this discourse as an ethical construction of identity. In this section I will integrate all three components to transform knowledge, power relations, identity and the composite meaning and practice of ‘the best interests of the child’. In doing so intellectual and material conditions - are also reassigned. I now want to suggest how several of these discursive elements can be subject to this parrhésia, which resists the panopticon.

**Place**

I chose place to begin this research so that I could apply Foucault’s emphasis on local knowledges buried in the disciplinary process of claims to universality. The purpose of discursive empathy is to construct a way of thinking that questions the operation of the opposition local/global: that listens to difference in relation to ‘the best interests of the child’.

In this text place is narrated as global. Local is not ignored but it is secondary - defined by global It is this narration that constitutes the power relations to be resisted here. Place is a material semiotics in that colonialism is a concrete process accompanied by certain legitimised ideas embodied in language and practice. Risk assessment is dominated by such ideas; the frontier is set at a certain position in relation to them. LAC and the legislation illustrate this ‘control’ of the practice of risk and the meaning of ‘the best interests of the child’.

Poststructural child protection has to examine the authenticity of claims to universalism in opposition to the local context. This critical questioning retains the
concept of ‘safety’ and ‘abuse’ and ‘the best interests of the child’ in relation to this binarism, but aims to minimise an a-priori definition of what it is. It invites discussion and in doing so resists power/knowledge, including the kind of ethics imposed in this text.

This process is not concerned with establishing local knowledge in opposition to global. Rather it asks; what is safe for children in this local place?

Here knowledge of local is requested in relation to ‘the best interests of the child’. Local may refer to particular social and economic conditions existing in Tasmania that affect the safety of children. Local may involve differences that exist between professional groups concerning the meaning of the safety of children. Local may include differences that exist culturally in Tasmania concerning the meaning of safety. This inquiry invites a consideration of what is particular to Tasmania, which makes this a SAFE place for children and an UNSAFE place.

This is not an inquiry into what is unique about local conditions but rather is intended to penetrate claims to universalism. For example it asks; to what extent is the local experience represented in claims to universalism? This invitation reformulates the structure of whole of government and the other contents of language in this text, such as ‘sharing’ and ‘artificial boundaries’. It is therefore an attempt to give voice to whatever is local and has been silenced. Yet it does not set this in opposition to universalism because it also asks the local voice what it contends should be universal. This practice therefore gives particular voice to a local/universal meaning of safety and abuse.

The discursive elements I identified earlier are inter-connected and the meaning of ‘the best interests of the child’ in these questions can be defined in a more particular sense as they become integrated in a dialogue with a 'client'. For example, discursive definition and meaning refers to responsibility for parenting. In this way practice can target ‘local’ experiences in the area of parental responsibility by asking; what is safe parenting for children in this local place?
The intent here is to disrupt the ‘world’s best practice loop’ claimed by the text. It thereby disputes such colonialism but - importantly - is careful not to maintain an imposition of a local/universal divide.

Ways of resistance
The current texts allow this practice to happen. Indeed the text must allow this to happen since the drive towards a polemic depends on the other side of the frontier and the problematisation itself offers ways of resistance. For example, one of the principles of the ‘new’ policy allows for local knowledge:

| Preserving and enhancing the child’s sense of ethnic, religious or cultural identity, and making decisions and orders that are consistent with ethnic traditions or religious or cultural values (Boushel and Sharma in LAC 1996: 65) |

Social work has to be involved in allowing these local meanings to penetrate the discipline of knowledges imposed from outside.

This is not to say universal knowledge of ‘safety’ does not exist. I do not say that universal standards (such as United Nations standards) are not possible. However, this practice is concerned with establishing that their meaning is negotiated. This is to minimise how they are imposed in the sovereign and dispersed sense. This practice aims for ownership of such standards. In direct child protection work this translates into inquiring about the ideas and beliefs held around client’s local experiences of both child abuse and child protection. What does the client understand by ‘the best interests of the child’ when asked about their local context in relation to the world as a whole? What collective experiences are there with regard to these experiences? This search for local meaning is a practical application of Foucault’s notion of ‘ascending order’.

If I return to the text, I can further provide such a discursive agency for social workers enacting the LAC program since it has within it such points of resistance. For example, the ‘essential characteristics of parenting’ include:

| Parenting involves mediating between the child and the outside world, acting as advocate for the child when necessary (Jackson et al in LAC 1996: 6) |
The intention is to involve those who inhabit such an ‘outside world’ (subtext – Place) in the very definition of that concept with minimal domination. In this way parenting and its connection with safety is decentered. Language is invested with an alternative knowledge and effect (power) and other ethical identities are invited.

**History**

In this text the disciplinary way of understanding history is one of the teleological attainment of safe space through reason, rationale and progression. History involves a separation from the past, narrated by some and dispersed socially to produce a particular understanding of ‘the best interests of the child’. This is the imposition of a specific narration of history and is a particular domain of knowledge/power. I mentioned in the earlier chapters how some writers refute this idea of history. In doing so they position the ‘realities’ of history as a political contrivance, such as ‘terra nullus’. In child protection the poststructural social worker is interested in this. Other idea of history and its connection to the meaning and practice of ‘the best interests of the child’.

There are again familiar methods available here. The social worker has particular skills in taking a social history. However, with poststructural practice and discursive empathy a specific process is engaged. As a historian the social worker does not record facts, but rather the experience of history in the lives of their clients. In particular this is presented as a history of ‘the best interests of the child’. In this way a further discursive component of SAFE/UNSAFE child is deconstructed with the client.

What I am saying here is that social work clients may fabricate their own histories but within an imposed meaning of what ‘history’ is. The social worker is interested in inviting a resistance to how individuals become the subject of particular knowledges, including history itself. It is possible individual and collective histories have become subjugated and the social worker wants to hear them. The social worker is interested in knowing history neither as new nor old, but rather as that
experienced by the client in relation to ‘the best interests of the child’. It is not claims to newness and progression that are disputed here. What is given voice is the capacity to redraw history by posing questions that minimise the imposition of history-making. Questions are again asked in relation to ‘the best interests of the child’, that question the credentials of the dominant binarism of history while not retaining the oppositional force within it. This gives a different and poststructural meaning to LAC’s aim of ‘opening up space’:

- What events have occurred in your life to make your children less safe?
- When were your children safer than they are now? What has changed for the worse?
- What are the similarities between now and the past?
- What are the differences?
- When were things safer for children than they are now?
- What has changed?

Similar questions can be addressed to the child protection service itself and other organisations:

- How does the child protection service now provide a better and an inferior service for children?
- How does the current response to unemployment and other social security benefits make a safer place for children?
- How were child protection agencies more protective of their clients than now?

With poststructural practice, the social worker hears about the impact of economic, political and cultural conditions on children and families from the ‘client’. The social worker acts as a discursive prompt where those conditions occur on both the poststructural and structural level. Rather than ‘happening to the client’ the client is invited to take control over them; in this case take greater control over their historical meaning.

For example, I have said that producing child abuse in 18th century Tasmania, was part of the colonial enterprise and the role afforded to children within that. For white and black population a parrhesiastic inquiry of history formulates specific questions which identify that material process. Without such social work practices subjects will
continue to be constructed by a history written to a disciplinary effect, for example, at the time of writing this thesis the Federal Australian Government is engaged in rewriting history to dismiss validity of the 'stolen generation'. This seems a comparable example of Augustus Robinson still in action today continuing to produce the conditions for child abuse.

Research

The claims of research are a crucial technology in this text. They validate both place and history in the production of meaning. They also fabricate specific practices of child development as legitimate and manufacture the broader normalisation of 'the best interests of the child'. Research has its own particular oppositional force. Claims to rationality, objectivity, universal application and rigour promote 'best practice' and whole of government.

Resistance to these particular claims in these texts is familiar in social work. The value of poststructural 'subjective, interpretive and non-linear processes' (Fook 1996: 4); of semiotics, deconstruction and narratology, continue to be acclaimed and practised (Healy 2000). One underlying principle here is that social work theory should be developed in a collaborative manner through due reflection on the lived experience in the local context. The discursive responses to Place and History outlined above contribute to this. In this way parrhesiatic method is concerned with giving voice to the local and historical experience of child abuse and child protection.

This invites a shift from research that continues to be dominated by positivist and deficit orientated paradigms of knowledge collection. Yet the recent 1999 Australian Conference on Child Abuse and Neglect continues a celebration of strictly modernist notions of problem solving: early identification and intervention, preventative practice, prediction and risk, (for example Tsun, 1999; Stringer and Clapp, 1999, Mudaly and Tucci, 1999).
Again it is not how argument and practices, which stem from dominant research, are ideologically suspect that is my main focus. To suggest this is to position a truth of some kind and renew a sovereign intellectual direction. It is how they are produced that is the focus. In this method I want to retain the concept of child abuse prevention, early intervention - but I want to achieve such practices with participatory knowledges. It is with participation and reflexivity that ‘playing with as little domination as possible’ occurs. This means asking clients, professionals and organisations:

- What has been your involvement in producing these ‘facts’, meanings and practices?
- What is your response to the claims made in this text about risk? Do you agree?
- What else should constitute ‘risk assessment’?

In this way ‘fact’ and ‘objectivity’ are not replaced with the opposition ‘relativity’ and ‘subjectivity’. This is not about replacing a ‘wrong’ method of research with a ‘right’ one. Existing research is reshaped by what may be heard. The SAFE/UNSAFE child as a disciplinary subject does not vanish because I carry out subjective, interpretive research, rather than objective, quantitative ‘data analysis’. It shifts because I carry out research that resists claims to objectivity on its own terms. Take the following point of resistance in LAC. This one allows the requirement for future research and also provides the evidence to dispute the overall discourse of individual and family responsibility:

Those who are considered attractive have many advantages in life. This is true for children as it is for adults. Teachers for example are strongly influenced by physical appearance and tend to put attractive children in higher streams. Interviewers often form opinions about job candidates based on personal qualities such as education and job experience. The Health questions in the Assessment and Action Records highlights the importance of the correction of crooked teeth or other remedial characteristics, which affect children’s appearance (Kilroe in LAC 1996: 49)

This suggests some responsibility for ensuring safety through obviating crooked teeth and so forth - that appearance is a major risk factor. It can declare, should such a voice be heard, that shifting the social discourse of ‘appearance’ is a worthwhile subject of research.

The point is that in centering the subject the text also offers sites of resistance, which potentially decenters that subject. Thus ‘wider social networks’ (LAC Reader 1996:
73), 'the outside world' (ibid.: 6), 'gender issues': (ibid.: 80) and so on, offer a language which is the gateway to poststructural change. The text itself provides the opportunity for decentering and the requirement for further research to investigate these subjugated discourses.

Child Development

Key indicators of this specific subtext in risk assessment are the 'individual child', 'family stability' and private vs. public responsibility. These are constructed as oppositional knowledges. The role of the social worker continues to be an inquiry into how 'normal' child development has been constructed in this way and its relationship to the SAFE/UNSAFE child. However, this resistance now integrates four components of discourse: place, history, child development and the technology of research itself. It is targeted at claims concerning the individual child, family stability and private and public responsibility. The intent is to explore the knowledges and practices, which constitute this language. Yet this continues to be done with the language (and therefore the subject) ‘the best interests of the child’ retained. The resistance continues with questions concerning how ‘normal’ childcare (viz. current power/knowledge through language) may well be UNSAFE as well as SAFE.

To connect this with the previous discursive elements discussed so far in this section, child development is positioned in people's lived experience and writing of history. I am interested here in a number of questions regarding whether possible social conditions exist for families to be responsible for the safety of their children. Therefore this practice aims to give a right of reply to the primary discursive message which shapes the identity of risk assessment in the text and how it is practised:

- 'The best interests of the child' = Proper familial care
- Risk = The inability to provide proper familial care.
The object of the Act is to provide for the care and protection of children in a manner that maximises a child's opportunity to grow up in a safe and stable environment and to reach his or her full potential (The Children Young Persons and Their Families Act: s.7.1)

The primary responsibility for a child's care and protection lies with the child's family (ibid.: 8.1[a])

Again it is crucial that points of resistance be identified in the text, such as:

The powers wherever practicable and reasonable, must be exercised in a manner that takes into account the views of all persons concerned with the welfare of the child. (ibid.: 8.2[c])

Child protection social work becomes involved in inviting clients to give their views on the connection between these demands. Take the following specific oppositional practice that contains the subtexts investigated, including privacy:

If a family is not able to meet its responsibilities to the child and the child is at risk, the secretary may accept those responsibilities (ibid.: 8.1[C])

I have said that the binarisms here (private/public, State/Family and child rescue/child and family centered) are a crucial element of power/knowledge and domination. They produce anxiety for clients and difficulties for practice. They are paradoxical in that they allow no Other for practice but at the same time determine that difference is possible. However, this difference serves the purpose of exerting the discipline I examined in the genealogy section.

Such binarisms are both a demonstration of sovereign power and dispersed power in terms of the construction of subjectivity. Poststructural practice here aims to reverse these ideas by including the voice of families in critiquing these claims. In the current 'will to truth' these are questions that are largely not asked in the discourse of 'the best interests of the child':

- What do you think are your responsibilities to your child?
- How do you wish your child to develop?
- What do you think is 'normal' development?
- How does the Government support your role as parent?
- How does the Government place your child 'at risk'?
- What other child-care arrangements should exist?
Whole of Government

Throughout this research I have situated whole of government, as a domain of knowledge, power and ethics, critical to the fabric of panopticism. Resisting this practice involves establishing greater space for the right to speak. The practices I have just suggested do this. However, this disciplinary ethic has a specific purpose that requires reversal: totalising individuality. Since this dynamic works to individuate specific characteristics for their totalisation, to reverse this is to introduce the care for the self that Foucault's work terminated with. The above discursive questions do just this. They ask that we question how ‘reality’ is constructed and is therefore a practice that invites ‘as little domination as possible’.

To do this, discursive empathy involves enquiry into what extent individuals have been listened to and involved in classifications that determine ‘the best interests of the child’. In the texts we have seen how individuals are created and then destroyed in the program of polemics. Practice is therefore concerned with inviting a decentered individuality that creates a dualism rather than a binarism from the frontier of individual/sameness. In exploring the knowledges of place, history and so forth in the way I have described, the above practice attempts the kind of ethics Foucault described as ‘the relationship you have to yourself when you act’ (1994a: 131) – the ‘will to know’.

Using Foucault: Future Directions for Social Work

There are two important inferences that emerge from this overall attempt at discursive empathy and poststructural practice:

- The text, as a whole, (knowledge/ power/ethics) necessarily has sites of resistance within it;
- Social work has familiar established skills to carry out parrhesia.

Using this practice of parrhesia different knowledges begin to appear against accepted subtexts. Resistance research produces alternative political knowledge and social work practice. Familiar social work skills including empathy, community
work, political activism, social assessment, negotiation and mediation can be applied here in the discursive sense.

A conclusion of this research is that new directions can become possible for social workers. The practice that eventuates from this model captures the familiarity of social work language, skills and strategies. It is one aimed at resistance and not the substitution of one solution for another. This is perhaps the major challenge of the approach. I have declined to call this a 'negativity', since this reinforces foundational claims that can disallow the distinct poststructural appropriation of Foucault's work. As Flax says:

Foucault's work does have an ethical or 'positive' intention – one bound up with freedom...Foucault hopes at least to facilitate better outcomes in the ongoing if submerged struggles between heterogenous and localised 'subjected knowledge/practice' and the forces of biopower (1990: 209)

This research was partly derived from a dissatisfaction with social work's apparent 'crisis' and yet also a belief that social work can resuscitate itself. In researching 'the best interests of the child' a certain critique has emerged of what the social work profession does. For example, in the literature review I discussed how social work activity is firmly grounded in modernist notions of sovereign power. Consequently the meaning of that activity - agency and practice - is derived from those notions. This includes oppositional and assimilative approaches to Foucault.

I can offer a critical reply to this point at this stage of the thesis. If 'social work' is to be practised using poststructural theory, then new skills need to be derived from critiquing power as panopticism. In this sense social work itself can be understood using the critical principles I have applied to 'the best interests of the child'. Indeed throughout this thesis this has happened, since I have not rarefied 'social work', but have referred to the 'social work profession', 'social workers' and similar descriptors. If 'social work' has no essential meaning then 'it' can be represented as a site of discursive struggle over meaning. In doing so social workers travel a similar path to other knowledges and practices and have the capacity, both for their own grand narrative and resistance. In considering the possibilities of discursive practice it is beneficial to return briefly to social work activity in this more general sense.
Resisting social work's grand narrative

I have illustrated how resistance is a dispute over foundationalism. It is a practice that requires me to be cautious when I attribute meaning to dominant language in social work without researching its archaeology, genealogy and ethics. In this sense it may not be necessary to change the language but rather its composite meaning. Meaning is created through specific ways of organizing social power relations and therefore to shift meaning is to resist particular social relations that constitute forms of domination. Interrogating language in this way involves asking, as discursive empathy in this research does, how dilemmas and practices achieve a 'taken for granted' status, which then become the grand narrative of social work.

I have to consider that the modernist tactic of disciplinary 'material semiotics' may also apply to the following familiar terms, which I experience as the dominant current vocabulary of the social work profession:

- Crisis
- Social Justice
- Managerialism
- Case Management
- Individualism.

I will elaborate on one of these ideas only.

Crisis

In the past I have begun to take crisis and the assumptions on which it is based for granted. Yet here I am suggesting that we need to inquire into what the particular use of this word produces for social workers. If I apply the method of critique proposed here (archaeology, genealogy and ethics) to crisis, I can confidently say that there are certain knowledges that would represent the social work profession to be in crisis. In doing so they may well produce the very experience of which they talk - they problematise social work.
For example, it can appear that social work’s conventional radical strategies are under threat with the apparent globalisation of capitalism and emergence of individualism. Yet a brief examination of the assumptions informing that assertion would reveal a specific composition of knowledge/power and ethics at work here. To transform that knowledge, power and ethics is to transform the problematisation of social work into a different and more effective agency, including one that may remain radical in a similar political sense but with a poststructural agency. The brief case study of different modes of empathy above illustrates this. While we are increasingly familiar and accepting of such discourse analysis in the form of ‘client’-focused ‘narrative therapy’ (White and Epston, 1990), I am proposing in this section that a much broader spectrum of activity is possible for discursive practice where the ‘client’ includes the discourse of professional social work itself. This is significant for this research, because specific poststructural practices, in areas including child protection, would be supported by a correspondingly extended notion of social work activity.

Panopticism
The social work profession has largely continued to respond to the power of domination by understanding power as structural, sovereign and repressive. Its knowledges, language and consequent theories of social change and practice - critical or conservative - are grounded in this theory of power. Many influential social work writers, including Le (1997), seem rooted in the remaining modernist legacy of earlier radical structural debates in social work. Others grapple with formulating different practices from a poststructural understanding of power (Fook and Pease 1999; Healy 2000).

I would argue that in part the social work profession’s crisis is a crisis because it is built on a repressive theory of power. If I return to the vocabulary of social work terms listed above I would argue that the dominant meaning of those terms is constituted by this notion of power. This repressive and structural way of understanding those terms, constructs an enemy who exerts power on social work to do something other than its ‘true’ vocation. However, to transform how power is
theorised is to open up new possibilities for social work and new mechanisms of resistance.

I have given an example in this research of how the existence of child protection social work practice is not lost with the poststructural transformations I have developed here. As a site of action ‘the best interests of the child’ does not disappear. On the contrary this research suggests that it is when we maintain a fixed totalised immutable view that existence is increasingly constricted if not lost. Similarly, a crisis can be produced for social work’s ‘essential’ role, since it is the very naming of that essential role that takes social work to a place of truth and confinement, thereby silencing what other roles may be possible. In this sense ‘crisis’ takes on similar hostile conditions to ‘the best interests of the child’.

For example, at the most basic level, what happened to the social work profession’s ‘essential’ role of community development, policy analysis and design and team leader management? Is ‘management’ and ‘social administration’ (which, at one time, was the actual title of so many social work training courses) to be given up so easily? Is child protection so ‘specific’ a task that we cannot talk of these other practices as being relevant? Does management and administration have to have a specific meaning that cannot be a social work activity? Does social work believe so readily in its own repression that it cannot produce other meanings, knowledges and practices? In a sense perhaps ‘social work’ is becoming totalised itself, with the effect of losing a diversity of professional knowledge and practice. However, at the same time the Other is still not too distant in our imagination and in any case, perhaps we cannot ignore it, given the prerequisite resistance that accompanies polemics. As Foucault neatly put it: ‘social workers cannot but transgress the function they are required to fill’ (1999: 93).
SUMMARY

THE FETTER AND THE SILKEN CLOTH

In this thesis I have examined Foucault’s ideas within postmodern thought and the response to them by social work writing and other influential literature. To do this it has been necessary to differentiate between two forms of power and their relationship to one another as a process of biopower. I used Foucault’s metaphor to give this form of power the name ‘panopticon’. In doing so I have developed a Foucauldian theoretical framework and method of discourse analysis that has explored whether ‘the best interests of the child’ has similar properties to other forms of panopticism. This research therefore intends to be an appropriation of Foucault’s work that transcends current limits. The method of discourse analysis constructed in this research and the specific conceptualisation of social power, establishes a critical framework with which social workers can respond to the challenges of poststructuralism in a practical way. Furthermore, placing ‘the best interests of the child’ as the central subject of investigation brings a more precise application of postmodern thought to child protection practice.

There have been tensions to navigate in appropriating, rather than opposing or assimilating Foucault. This has specifically involved the philosophical gymnastics concerning issues of foundationalism. Yet my aim has been to produce ideas and strategies for practice rather than a bombproof intellectual rationale for validating Foucault. My commitment has been to retain a social work practice that I have in common with many others: persistently looking for methods that respond to social disadvantage. I can conclude from this research that Foucault’s social theory can contribute valuable skills to meet this objective.

From this research I can say that to understand ‘the best interests of the child’ only in the modernist sense, poses limits that have dangerous effects. Responses to child
abuse are characterised by conflict, so that when I knock on someone’s door with the news of a notification of maltreatment, give evidence in court, prepare research, or teach, different voices proclaim the truth to what ‘child abuse’ is. In most instances there is little consensus. The texts I have examined here are a further demonstration that ‘the best interests of the child’ has no transparent meaning. Neither *The Children, Young Person and their Families Act 1997, Looking After Children* nor *Structured Decision Making* can provide such a meaning.

To understand ‘the best interests of the child’ in a unilateral sovereign sense is to respond in a sovereign sense. With only the fetter as guiding principle, panoptic power - both fetter and silken cloth - goes unnoticed and maintains its characteristic invisibility. The danger is that social workers will find it difficult to resist the operation of such power. Should social workers continue to ally themselves with the fetter alone then risk assessment processes such as LAC criteria including social presentation, will constantly be redefined to totalise more specific individual characteristics for surveillance.

This research therefore illustrates the value of viewing power as a dualism – as both fetter and silken cloth. To theorise power as a dualism is to give visibility to the kinds of strategies that are implemented as governance through the particular category of deviance researched here: SAFE/UNSAFE child. The shift from child rescue to child centered and family focused practice is an explicit textual example of this. I have therefore understood the texts I have examined as evidence of social power being exercised in terms of daily tactics, strategies, beliefs and behaviours. This supports the value of examining the lived experience of social relations rather than the grand narratives that can so readily be accepted as applicable to all, by all, and policed accordingly as a panopticon.

**Hostile conditions**

It is my view that this approach contributes to an understanding that discourses create those lived experiences including material disadvantage and intellectual constraint. These texts are policy and practice in the sovereign sense of law. In the broader panoptic sense these texts also direct how I know ‘the best interests of the
child' to be what it is and how I practice in relation to child abuse. These texts thus command intellectual power. They determine how I critique child abuse. The reader may have readily agreed with the social effects of this when I examined Aboriginal/European interaction in Tasmania to the present day. Can we agree this process is intra-cultural as well as trans-cultural? While I have emphasised in this research how this is a process of social government, may I also suggest that this is a process of discursive systems abuse?

The frontier of the 'the best interests of the child', wherever it is at in a moment of history, clearly commands the provision of resources including social work. In this text those resources are increasingly implemented to identify and then govern families that are deviant. It is not madness, sexual perversion and criminality that are the subjects to be identified here but child abuse. And while this research supports other literature that argues that familial responsibility is the prominent standard of normality that measures deviance, in this research I have given a specific textual example of this process and articulated possibilities of practice as a response. In particular I have applied an ethics of difference and designed a practice of parrhesia.

**Parrhesia**

In this research I have included the domain of ethics that I argued has been overlooked in the bulk of the social work literature concerning poststructuralism. Ethics here is fabricated as difference: a response against truth. This again extends existing social work theory and practice that largely engages in an archaeology and genealogy of knowledge, but does not include Foucault's genealogy of ethics. Without this third domain of inquiry and practice 'the best interests of the child' would be understood as discursive knowledge and as governmentality. However converting that understanding to practice would be problematic. I would merely risk assimilating Foucault's ideas and establishing my own discursive truth. What happens using the theoretical framework here is that the Other appears possible. A conclusion of this research is that this can generate an innovative agency for social workers.
In Chapters 3 and 4, I characterised social work’s engagement with postmodernism as the search for theory and practice. It is my opinion that this research presents parrhesiastic possibilities for social work practice that should be further researched and practised. Furthermore this practice offers the opportunity for ‘radical’ social work to retain its focus on social power but without the restraints of structuralism.

The initial hypothesis, which I developed into this study, was that Western modern culture generates the conditions for the production of child abuse and that structural, modernist theory constitutes this culture as the current practice of risk. I have argued that social workers do not need to be complicit in this. The social worker can explore poststructural practice possibilities using the social theory offered by Foucault. However, further questions remain concerning the implications for the current apparatus of child protection practice.

Social workers reading this thesis may continue to debate whether these practices are themselves polemical - whether all I do is replace one foundation with another. However following this research I remain convinced by the arguments of Butler (1992 and 1997) and others than such an oppositional position. I would say that it is possible that the practices I describe here could be polemical. However, the insertion of ethics suggests that a constant reflection on my practice can caution against this. In this way any foundationalism is challenged, including any Foucauldian one.

My reason for focusing on Foucault, rather than Derrida, Barthes or other postmodern writers, was to evaluate Foucault’s distinct worth as a social theorist. I have argued that Foucault can escape from much intellectual criticism levelled at ‘hard’ postmodern writers. I have claimed that Foucault’s work does not need to be a doorway to an abyss of relativism and his critiques do offer a positive argument and practice. This research exemplifies this attitude and practice and advocates for an agency that does not sacrifice the removal of child abuse. Foucault himself loathed the social ‘evils’ in his own studies. In this research I too have kept ‘the best interests of the child’ as a measure of social success or failure.

Does this adequately constitute the role of a social worker? I have argued that familiar skills can be used in this practice. I have claimed that the use of these skills
to constantly, and discursively, critique social governmentality, is grounded in a positive action concerning the 'the best interests of the child'. Social workers will find it difficult to avoid the challenge that motivated this research: how to practice in the world of risk and postmodern thought. I conclude that the practice of discursive empathy produced by this research may very well generate further questions. However, I claim that to ignore its contribution to the vexatious arena of child protection practice is more problematic.

What we have to present are instruments and tools that people find useful. By forming groups specifically to make these analyses, to wage these struggles, by using these instruments or others; this is how, in the end possibilities open up (Foucault:1994a: 301)
REFERENCES


Brown, J. C. 1972, 'Poverty is not a crime: the development of social services in Tasmania, 1803-1900, Tasmanian Historical Research Association, Hobart.


Butler, J. P. 1990, Gender Trouble: Feminism and the subversion of identity, Routledge, New York


Western Australia. The Centre for Disability Research and Development, Faculty of Health and Human Sciences, Edith Cowen University.


D’Cruz, H. 1999, Constructing Meanings and Identities in Practice: Child Protection in Western Australia, Department of Applied Social Science, Lancaster University, Lancaster, UK, Unpublished PhD thesis.

Daniels, K. 1988, Convict Women, Allen and Unwin, St. Leonards.


Elkington, 1909a, Infant Mortality and its Prevention (An address delivered before the Australian Natives' Association), John Vail Govt. Printer, Hobart, Tasmania.


Fook, J. 1993a, 'Towards an Australian radical social work today', *Australian Social Work*, vol. 46, pp.2


Game, A. 1991, Undoing the social: towards a deconstructive sociology, University of Toronto Press, Toronto.


Gorst, J.E. 1906, The Children of the Nation: how their health and vigour should be promoted by the state, Methuen, London.


Jameson, F. ‘Postmodernism or the Cultural Logic of Late Capitalism’ *New Left Review* vol. 5, pp. 53-92.


Kids First 1998, Agenda for change: solutions to problems in Australian child protection systems, Australians Against Child Abuse Family Violence Unit, Monash University, Melbourne.


Tasmania Government 1998b, *Our Children, Our Future: Protecting Children from Abuse and Neglect: a cooperative venture. Tasmania Family Day Care Scheme Policy for reporting concerns about the care and protection of children to the Department of Community and Health Services*, Department of Community and Health Services, Hobart, Tasmania.


Thompson, E. P. 1963, *The making of the English working class* Pantheon Books New York,


Weeks, W. 1994, Women working together: lessons from feminist women’s services, Longman, Melbourne


White, M. 1988, 'The externalising of the problem and the re-authoring of lives and relationships', Dulwich Centre Newsletter, Summer, pp. 3-21.


