

Women

Women,

the construction of policy problems

Policy and Politics

Carol Lee Bacchi

WOMEN, POLICY AND POLITICS

The Construction of Policy Problems

Carol Lee Bacchi



SAGE Publications
Los Angeles • London • New Delhi • Singapore

ISBN-10: 0-7619-5674-3 (hbk); ISBN-13: 978-0-7619-5674-7 (hbk)

ISBN-10: 0-7619-5675-1 (pbk); ISBN-13: 978-0-7619-5675-4 (pbk)

© Carol Lee Bacchi 1999

First published 1999

Reprinted 2003, 2005, 2006, 2007, 2008

Apart from any fair dealing for the purposes of research or private study, or criticism or review, as permitted under the Copyright, Designs and Patents Act, 1988, this publication may be reproduced, stored or transmitted in any form, or by any means, only with the prior permission in writing of the publishers, or in the case of reprographic reproduction, in accordance with the terms of licences issued by the Copyright Licensing Agency. Inquiries concerning reproduction outside those terms should be sent to the publishers.



SAGE Publications Ltd

1 Oliver's Yard

55 City Road

London EC1Y 1SP

SAGE Publications Inc

2455 Teller Road

Thousand Oaks

California 91320

SAGE Publications India Pvt Ltd

B 1/1 Mohan Cooperative Industrial Area

Mathura Road,

New Delhi 110 044

SAGE Publications Asia-Pacific Pte Ltd

33 Pekin Street #02-01

Far East Square

Singapore 048763

British Library Cataloguing in Publication data

A catalogue record for this book is available from the British Library

WOMEN, POLICY AND POLITICS

to Stephen

ACKNOWLEDGEMENTS

The approach to policy developed in this book – a What's the Problem? approach – was fine-honed over several years of teaching undergraduate Policy courses in the Politics Department, University of Adelaide. The students' enthusiasm for the approach and the critical insights it generated convinced me to put it into print. My colleagues in the Department, in particular Doug McEachern, Chris Beasley, Carol Johnson, Greg McCarthy, Clem Macintyre, Marion Maddox and Peter Mayer, offered valuable insights and enthusiastic encouragement. The Office of the Status of Women, South Australia, headed by Carmel O'Loughlin, and the South Australian Health Commission, through Cara Ellickson, provided the opportunity to test the usefulness of the approach amongst those involved in policy making.

I was based at the McGill Centre for Research and Teaching on Women, in Montreal, between March and June 1997. The congenial atmosphere generated by Shree Mulay, Blossom Shaffer and Monica Hotter enabled me to conduct important research. A Faculty Research Award from the Canadian High Commission made this stay feasible. While in Canada I had the opportunity to test out my ideas on a number of people. I received important critical feedback from Susan Phillips, Pat Armstrong, Rianne Mahon and Marion Palley from the University of Delaware. Back in Australia, Trish Harris from Murdoch University read and commented upon Part One of the book. Her very positive evaluation gave me a much needed boost at a difficult time in the writing. As I mention in Chapter 5, Wendy Bastalich deserves acknowledgement for her insights into the regulatory effects of skills discourse. Two University of Adelaide Research Grants provided some much-needed time for research and writing up.

I would also like to thank Kate Leeson for her always prompt and efficient research assistance, Jayne Taylor for her unsolicited role as purveyor of key documents, my nieces Kristina and Michelle for help with research and child minding, and Chris McElhinney and Tina Esca for assistance with the final preparation of the manuscript.

The editorial staff at Sage, especially Karen Phillips, have been most helpful during the production of this volume. The readers provided by Sage, notably Jeanne Gregory, offered encouragement and useful critical insights. Any remaining lapses are, of course, my own.

And to my dear son, Stephen, eternal gratitude for enriching my life and sharpening my conviction that who we are is not solely a matter of what we get paid to do.

By clarifying that which we oppose, we set the groundwork for creating a vision of that for which we long.

Marcia Westkott (1983) 'Women's Studies as a Strategy for Change: Between Criticism and Vision' in G. Bowles and R. D. Klein (eds)

Theories of Women's Studies.

London: Routledge and Kegan Paul. p. 212

With the loss of simple answers the questions too have become infinitely more difficult.

André Brink (1991) *An Act of Terror.*

London: Martin Secker & Warburg. p. 612

CONTENTS

<i>Acknowledgements</i>	ix
Introduction: Taking Problems Apart	1
Part One: What's the Problem? An Approach to Policy	15
Preamble	15
1 Policy Studies: Traditional Approaches	17
2 Rethinking Policy Studies	32
3 Rethinking 'Social Problems'	50
Part Two: The Problem of Women's Inequality	65
Preamble	65
4 Pay Equity: On Whose Terms?	72
5 Discrimination: Who Is Responsible?	93
6 Education Policy: Access or Transformation?	112
7 Child Care Policy: Who Gains?	130
8 Abortion: Whose Right?	148
9 Domestic Violence: Battered Women or Violent Men?	164
10 Sexual Harassment: What is Sexual About It?	181
Conclusion: The Politics of Policy Studies	199
Bibliography	208
Index	237

TAKING PROBLEMS APART

Have you ever read a newspaper article about a controversial topic and thought that you would have approached the issue from a completely different angle? Have you ever compared the two perspectives, yours and that of the columnist or reported speaker, and noted that the contrast in views had all sorts of consequences, including how to deal with the issue? If so, you have already been applying the approach which I will outline in this book, an approach I call 'What's the Problem?' – a shorthand for 'what's the problem represented to be?' At its most basic, the insight is commonsensical – how we perceive or think about something will affect what we think ought to be done about it. In the words of the psychologists Don Bannister and Fay Fransella (1977: 57), '[T]he way we look at things determines what we do about measuring or changing those things; be it the problem child at school, racial prejudice, disturbed behaviour in the individual . . .'. The flip-side of this, and the guiding premise of a What's the Problem? approach, is that every policy proposal contains within it an explicit or implicit diagnosis of the 'problem', which I call its problem representation. A necessary part of policy analysis hence includes identification and assessment of problem representations, the ways in which 'problems' get represented in policy proposals.

While this might appear commonsensical, it is not the way we are taught or encouraged to think about political issues. These are often talked about or written about as if there were only one possible interpretation of the issue at stake. I do not mean that we are not offered competing opinions on particular issues; this of course is the stuff of party political banter. But we are not encouraged to reflect upon the ways in which issues take shape within these discussions. This is illustrated most clearly in policy studies, where students are often asked to study the policy process *as if* policies were attempts, more or less successful, to 'deal with' a range of issues or 'problems'. Even when students are warned that indeed those affecting and initiating policy have assumptions and values, the investigation seldom reaches into the effects these will have on the way the people concerned describe or *give shape* to a particular political issue.

In contrast, the approach developed in this book takes as its starting point that it makes no sense to consider the 'objects' or targets of policy as existing independently of the way they are spoken about or represented, either in political debate or in policy proposals. Any description of an issue or a 'problem' is an interpretation, and interpretations involve judgement and choices. Crucially, we also need to realize that interpretations are interventions since they have

programmatic outcomes; that is, the interpretation offered will line up with particular policy recommendations (see Fraser, 1989: 166–75). More directly, policy proposals of necessity contain interpretations and hence representations of ‘problems’. Therefore, we need to shift our analysis from policies as attempted ‘solutions’ to ‘problems’, to policies as constituting competing interpretations or representations of political issues.

I use the phrase ‘What’s the Problem?’ as a way of achieving this refocusing. The phrase is intended to provoke an analysis which begins with asking of any particular policy proposal or policy the questions what is the ‘problem’ represented to be; what presuppositions are implied or taken for granted in the problem representation which is offered; and what effects are connected to this representation of the ‘problem’? Important follow-up questions would probe what is left unproblematic in particular representations, and how ‘responses’ would differ if the ‘problem’ were represented differently. The focus on interpretations or representations means a focus on discourse, defined here as the language, concepts and categories employed to frame an issue. In Ness Goodwin’s (1996: 67) words, the approach ‘frames policy not as a response to existing conditions and problems, but more as a discourse in which both problems and solutions are created’. This means that the objects of study are no longer ‘problems’ but problematizations – ‘all those discursive practices that introduce something into the play of true and false and constitute it as an object for moral reflection, scientific knowledge or political analysis’ (Foucault, 1984: 257, 265, cited in Reekie, 1994: 464). The focus on effects means that in this analysis discourse refers not just to ideas or to ways of talking, but to practices with material consequences. This understanding of discourse will be elaborated in Chapter 2.

This book applies a What’s the Problem? approach to a number of issues directly affecting the lives of many women, issues frequently taken as the focus in courses on women and policy. In doing this, I am not endorsing the common reference to ‘women’s issues’, a notion I intend to challenge. *Every* issue affects the lives of women and a What’s the Problem? approach could be applied to any policy area. In addition, a What’s the Problem? approach offers a way to think beyond single issues, and questions the kind of separation implied by a listing of discrete policy areas. In contrast to many studies of policy, a What’s the Problem? approach encourages us to think about the interconnections between policy areas, and to reflect upon which issues remain unaddressed or undiscussed because of the ways certain ‘problems’ are represented.

One of the main limitations of current approaches to policy studies is the way in which they take as given the ‘material’ for analysis.

This becomes the pieces of legislation, or the directives, or the laws which have been passed. Policy in some accounts equals 'what governments do'. Other policy analysts (see Pal, 1992, cited in Burt, 1995; Theodoulou and Cahn, 1995: 2) have been willing to accede that it is also important to examine what governments refuse to do, that inaction can be as important as action. But in these accounts we are still encouraged to reflect upon only that which is addressed in political debate. In other words, it has to be *deliberate* refusal to act which we consider. A What's the Problem? approach encourages deeper reflection on the contours of a particular policy discussion, the shape assigned a particular 'problem'. In many cases, it is not a matter of deliberately refusing to act but of talking about a 'problem' as if 'acting' is simply inappropriate or not an issue. Frances Olsen (1985) has noted the ways in which labelling items on a political agenda 'public' or 'private' serves to achieve this effect. So, the 'private' domestic sphere or 'private' enterprise are by this labelling located outside of 'public' accountability (see also Plumwood, 1995). Olsen also emphasizes that decisions by governments affect the circumstances which provide the background to decisions we make about how we live our lives; hence, governments are 'intervening' all the time, even when they are not 'acting' in the traditional sense – not providing publicly funded child care or free-standing abortion clinics, for example. Importantly, for the point being made here, these issues might never come up for discussion, and hence it would be impossible to identify and talk about *deliberate* inaction. In this way, a What's the Problem? approach is markedly different from analyses that ask why and how some issues *make it* to the political agenda, while others do not (see, for example, Bachrach and Baratz, 1963; Cobb and Elder, 1983; Kingdom, 1995). Its starting point is a close analysis of items that *do* make the political agenda to see how the construction or representation of those issues limits what is talked about as possible or desirable, or as impossible or undesirable.

Rob Watts (1993/4: 116) elaborates how a conventional view of policy assumes a model of state intervention which needs to be contested. In this model, we are encouraged to believe that 'there was/is a discovery process which uncovers/ed "real" social problems as a prelude to state policy interventions'. It is this model in his view and in the view of some others (see, for example, Rose and Miller, 1992) which allows neoliberal governments to present themselves as deregulationists, as cutting back on 'interventions'. Watts, in contrast, emphasizes that governments affect people's lives and control populations through a range of 'indirect' measures and through the activities of other 'expert' groups, such as psychologists and social workers. It follows that there is a need to analyse a wide range of social institutions that encourage people to internalize their difficulties, or to act

in ways that make more direct supervision unnecessary. This indirect exercise of control, labelled in some accounts 'governmentality', directs attention to the processes whereby subjects are constituted in policy in ways that make them self-regulating.

It seems appropriate at this point to offer an example to illustrate the different kind of thinking a What's the Problem? approach entails. If we were thinking about political discussions of pornography, we would ask not what is the problem with pornography, but rather, what kind of a problem is pornography represented to be within different policy recommendations? This question opens up a space for reflecting upon the competing understandings of pornography offered by moral conservatives, defenders of free speech, feminists who find themselves in sympathy at some level with one of these interpretations, and feminists who wish to contrast their analyses with each of the other approaches. Representations of a 'problem' can encompass two interrelated levels of analysis and judgement. There can be different impressions offered of what is a concern. There can also be different impressions offered of the causes of a 'problem'. So, with pornography, the concern may be expressed as moral degradation, or as an abuse of women, while the 'cause' could be described as a lack of moral restraint, or as men's desire to control women. This example indicates that a great deal is at stake in competing representations of 'problems'. As Deborah Stone (1988: 162) forcefully states, '[S]truggles over causal definitions of problems, then, are contests over basic structures of social organization.'

A little elaboration is required at this point. It might have occurred to some readers that, for defenders of free speech, pornography is *not* a 'problem'. As Merton (1966: 786) noted some years ago, 'the same social condition will be defined by some as a social problem and by others as an agreeable and fitting state of affairs.' However, those who call pornography a 'problem' provoke a response from those who dispute its problem status. A What's the Problem? approach insists that it is crucial to reflect upon the representations offered both by those who describe something as a problem and by those who deny an issue problem status. Its purpose is to create a space to consider *competing constructions of issues addressed in the policy process, and the ways in which these constructions leave other issues untouched*. The approach can be applied to debates surrounding policy issues in public venues such as parliaments or the media, to policy documents such as committee reports, and to policy proposals in the shape of legislative or judicial decrees. For committee-produced documents, it is important to note that several problem representations may lodge within a single document, causing tensions and contradictions (see Maddox, 1997: 3). Still, the key insight of a What's the Problem? approach remains – the need to

uncover problem representations and to see where they, and by implication, where they do not, lead.

I suggest thinking about problem representations as nested one within the other, necessitating repetition of the question 'What's the problem represented to be?' at each level of analysis (see Fraser, 1989: 163). Thinking of pay equity, for example, the *concern* is often represented to be either the undervaluing of women's work or the low wages some women receive. However, the undervaluing of women's work is also often offered as a *cause* of the low wages some women receive. Causes of the undervaluing are commonly represented to be either discrimination or gender segregation of the labour force. Gender segregation itself can be represented to be a problem of discrimination or a matter of women's 'choices'. Discrimination is also represented to be different kinds of problems in different literatures. This example highlights the need to reflect upon the implications of different problem representations in successive layers of analysis. Examples of problem nesting will be highlighted where they appear in Part Two of the book.

A What's the Problem? approach looks to competing constructions of *issues*. This is because, as I have already hinted, talking about something as a 'problem' or as a 'social problem' has a whole range of implications which need to be thought about. At the most obvious level, calling something a 'problem' gives it a separate existence, separate that is from judgement. 'Problems' become something 'out there', something politicians or social workers or psychologists will 'fix up'. It is of course this whole effect which a What's the Problem? approach is meant to challenge.

Michael Shapiro (1992: 99) reflects upon the framing of the 'problem' of 'traffic congestion' as a way of illustrating the effects of 'the typical passive grammar of decision makers "faced with problems", rather than, for example, a more politically astute version that would inquire into the way public policy thinking tends to remain within certain narrow modes of problematization'. He describes 'traffic congestion' as a middle-class problem, which already accepts the 'segregation, housing, and shaping of the labor force that has arisen from the structures of real estate speculation, work-force creation, city planning, and so on'. This example illustrates that more is at stake here than offering yet another approach to the study of policy. I am suggesting that approaches to policy studies are inherently political and need to be treated as such. With Deborah Stone (1988: 194), I insist that '[P]ortraying a problem as a decision is a way of controlling its boundaries.'

There is some sensitivity in some policy analysis to the political implications of different approaches to studying policy. For example, Tony Dalton et al. (1996: xii) recently emphasized the negative effects

accompanying the 'up there' or 'top down' view of policy, which has a depoliticizing effect by making people feel incapacitated or unable to affect decisions which come from 'on high'. The goal of these authors is undisguisedly to encourage activism and this, in my view, is a good thing. But in a perverse way their goal can be undermined by their characterization of 'policy contests' as the 'very stuff of creative life in a democratic society' (1996: xv). Here, as in Armand Mauss (1975: x), the fact that we debate and deal with 'social problems' is interpreted as a sign of the health of our democracy: '[W]e maintain that it is one of the attributes of a society characterized by relatively high levels of education, leisure, and civil liberties to generate a variety of social problems continuously. If this is true, our history suggests that we are a fortunate people indeed.' In contrast, it is possible to suggest that it is the very nature of the piece-meal approach to change encouraged by 'social problems' thinking which keeps change within limits and manageable.

Joseph Gusfield (1989: 431) reminds us that '[T]he idea of "social problems" is unique to modern societies.' Murray Edelman (1988: 13-14) elaborates this insight by pointing out that certain conditions - '[S]egregated restaurants, hotels, schools and toilets in the South [of the United States]' - existed for many years without being constituted 'social problems'. He pointedly states: 'it is evident that conditions that hurt people need not become problems'. On the other side, Edelman draws attention to a range of 'problems' - crime, poverty, unemployment and discrimination against disadvantaged groups - which have existed for long periods of time, and speculates that this may be due to the fact that '[A] problem to some is a benefit to others'.

At one level labelling something 'social' implies that we think there is a public responsibility to address it. Joseph Gusfield (1989: 431) describes the concept of 'social problems' as 'a category of thought, a way of seeing certain conditions as providing a claim to change through public actions'. But this tells us little about the kinds of public actions such labelling would involve. Moreover, in much public debate, calling something a 'social problem' carries a tone of moral condemnation. Think for example of the ways in which prostitution or homosexuality or single motherhood are at times referred to as 'social problems'. Gusfield (1989: 435), summarizing Edelman (1977), notes that '[T]o use the language of "social problems" is to portray its subjects as "sick" or as "troublesome"'. Hence, the language of 'social problems' tends to individualize causal agents, precluding an understanding of 'social problems' as systemic.

For these reasons, a What's the Problem? approach insists upon a close scrutiny of the ways in which 'social problems' are represented and what follows from these representations. It challenges the

common presumption that achieving social problem status for one's cause is in itself a sign of success, a commitment to important change. Rather, it depends upon the way in which the problem is represented. For example, describing racism as the product of individual prejudice provides little leverage to challenge structural discrimination. Similarly, seeing sexual harassment as the unruly behaviour of a few predatory men deters an analysis of the role played in sexual harassment by the greater social prestige attached to the status 'male'. While not wanting to discount the challenges and resistances posed by groups of people who mobilize to press for change, we need, in my view, to consider more closely the shape of the challenges they pose, the ways in which they perceive and represent 'problems', and the reasons for this. Here we need to reflect upon why certain reform responses get taken up, why others get dismissed, and what happens to reform proposals in the process of being 'taken up'. The recognition of 'social problems' is not in my view necessarily a sign of a healthy democracy nor of a 'fortunate people'.

Context is highly important in a What's the Problem? analysis. This is because 'problems' are often constituted differently due to location-specific, institution-specific and history-specific factors. Attention to these specifics will provide insights into why some versions of a 'problem' appear in one place and other versions appear elsewhere, and/or why an issue problematized in one setting remains unproblematized in another. Gabrielle Bammer and Brian Martin (1992) offer interesting insights, for example, into what we can learn from studying how repetition strain injury (RSI) became a 'problem' in Australia, but not overseas. From this observation we can proceed to investigate the factors which facilitated the emergence of RSI as a 'problem' in Australia, and the factors which inhibited its emergence overseas. Why, Bammer and Martin ask, did the pain and disability associated with repetitive work documented in many countries not surface as a protest in the way it did in Australia? In Christopher Bosso's (1994: 200) words, 'we need to ask more questions about the "dog that did not bark" posed by Sherlock Holmes in the "Mystery of Silver Blaze" [sic].' To assist in this project in Part Two I will draw upon my wide background and research into women and policy in several countries, including Australia, the United States, Britain, Canada, the Netherlands, Sweden and Norway, though the majority of my examples will be American, Canadian and Australian.

The shape of Part Two of the book requires some comment. Given my criticism of the tendency to present policy areas as separate and discrete, I wanted to force myself and readers to address the inter-relationship of a range of issues. Hence, I decided upon the unifying theme of 'The Problem of "Women's Inequality"'. This was for several reasons. In my teaching over the past few years, I was struck by how

little thought had gone into discussing explicitly the ways in which 'women's inequality' was being thought about, or represented. There seemed to be an assumption that 'women's inequality' was on the agenda and that this had to be a good thing. There was some disquiet at the lack of change in a range of indicators, such as segregation of the labour force or wage rates, but there was a hesitancy to interrogate the meanings offered of 'women's inequality'.

This is somewhat of an overstatement. There are certainly many studies which ask questions about the meaning of the 'equality' women are being offered; I have written one such study myself (Bacchi, 1990). But there seemed to be the need to bring these analyses to a head-on confrontation with the kinds of policy recommendations which characterize a number of Western democracies. The way I have chosen to do this is to examine debates in a number of policy areas through the lens of a structuring question: what is the 'problem' of 'women's inequality' represented to be? I have also selected policy areas commonly represented as central to addressing that inequality – pay equity policy, antidiscrimination and affirmative action policy, education policy, child care policy, policy addressed to abortion, domestic violence and sexual harassment. It needs to be emphasized that by asking the question, what has the 'problem' of 'women's inequality' been represented to be? I am suggesting neither that 'women's inequality' has assumed a place of importance in policy making (see Bacchi, 1996), nor that legislation has been designed to reduce that inequality. Rather, the point is to examine the ways in which policy proposals produce 'women's inequality' as a particular kind of problem. That is, policy 'responses' need to be understood as part of a discursive construction of the 'problem'.

The topics selected for Part Two were chosen in part because of the existence of useful feminist research in the area, research which indicates, without so identifying, a What's the Problem? sensitivity. A good deal of feminist theorizing highlights the ways in which pre-suppositions about women and their roles influence policy. Feminists have been more attentive than most to the effects of the frameworks structuring policy debates. In a sense, then, a focus on women allows an exploration of the genesis of a What's the Problem? approach, while reflecting on its usefulness for policy analysis and for feminist theorizing as well.

In the quote above, Rob Watts (1993/4: 116) put inverted commas around the word 'real' in the phrase "'real" social problems'. The use of inverted commas here and elsewhere where they appear is meant to 'denaturalize the terms, to designate these signs as sites of political debate' (Butler, 1992: 19). With Watts, I challenge the existence of 'real' social problems but, for reasons I explore in Chapter 3, it has become crucial to explain precisely what one means when making