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Deconstructing Domestic Violence Policy

by

Peter Edward Branney

Submitted in accordance with the requirements for the degree of

Doctor of Philosophy

University of Leeds

Institute of Psychological Sciences

September, 2006

The candidate confirms that the work submitted is his own and that appropriate credit has been given where reference has been made to the work of others.

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ACKNOWLEDGEMENTS

In the acknowledgements to *Freudian Repression*, Billig (1999) writes:

“When academics get together these days, you can frequently hear them complaining – about colleagues, their departments, their ‘line managers’. I feel smugly out of things... I am privileged to work among talented, generous colleagues”

Doctoral students (and academics) equally complain about their supervisors and the joke among my peers that having a desk next to me dooms a postgraduate student to failure is not based on myth; two of three students in adjoining desks have already dropped out. Yet I feel guiltily (and, I admit, smugly) out of things. I am privileged to have talented, generous supervisors. Brendan Gough and Anna Madill have been readily available without being suffocating, have uncomplainingly read numerous drafts of the same piece of work and always provided detailed and useful feedback, and have constantly surprised me by their breadth of knowledge. During one supervision session, Brendan and Anna suggested they could, as my supervisors, be parental figures, but I dismissed this (joking that they could be grandparents instead) – partly because they seem too young to be my parents. However, now that I have come to submit my thesis I cannot help but feel like one of their children, anxious to make them proud.

If Brendan and Anna are to be my parental figures, then Mandy Morgan is the distant grandparent that I see for holidays. Mandy was my host-supervisor when I spent three months of my doctoral research in Palmerston North, Aotearoa/New Zealand, at Massey University and has continued to provide support over email.

Despite being deputy-head (and, more recently, head) of department, Mandy has ensured that I have had plenty of her time to discuss my work.

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year, suffered my many quirks, and fed my addiction for tea while giving me plenty of peace and quiet to write and rewrite.

ABSTRACT

The primary objectives of this thesis are to, circularly, deconstruct contemporary domestic violence policy while developing and evaluating methods for deconstructing policy. Policy is theorised as a discursive practice, which allows a variety of policies to be compared and critiqued by how they position the people they affect. These are known as subject positions, or subjectivities, and throughout this thesis I attempt to critique policy by examining the (re)construction of subjectivity. In addition, because policy is not theorised as functioning through direct causal relations there is an opening for psychoanalytic subjectivities where the subject positioning occurs at the level of the unconscious. Consequently, I have chosen to draw upon Parker's critical transformative psychoanalytic discourse analysis (CTPDA) as a psycho-discursive method where discourse analysis and psychoanalysis are combined in such a way that psychoanalysis is understood to be a culturally produced theory of self. Three separate analyses of two key, contemporary domestic violence policies demonstrate the utility of CTPDA by developing it as a method alongside the topic under consideration; the use of 'family' to name concern of policy is considered in *Te Rito* from Aotearoa/New Zealand (A/NZ), who are world leaders in the domain of domestic violence, and 'consultation' where decisions have already been made and gender through the gender-neutral term 'domestic violence' are considered in *Safety and Justice (S&J)* from the UK, where much of this thesis was undertaken. In the final chapter, I argue that critique needs to be able to imagine its own policies and ways of realising them and highlight that psychoanalysis has the potential to offer an effective approach.

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PREFACE

In the midst of putting the final touches to my thesis, I had a brief conversation with Sue Dominey, a counsellor with the Bradford Reducing Anger & Violent Emotions (BRAVE¹) programme. Dominey has had considerable experience as a practitioner in the domain of domestic violence in the UK and recently travelled to Australia and Aotearoa/New Zealand to look at violence prevention work with men and young boys (Dominey, 2006), which has led to the conference *Educating Young Men & Boys: Transforming Anger & Violence into 'Soft Power' and Emotional Intelligence* (Leeds Metropolitan University, November, 2006). During our conversation, we talked about the UK's key domestic violence policy published four years ago and Dominey described the effect it is having on antiviolence work as like a Tsunami: a huge wave travelling with such speed and force as to flood the concerns and change the practices of all working in the field of domestic violence. It is because government policy has the potential to realise manifold change across its constituency that I think it invites critical consideration in a thesis like this.

However, the critical attention that policy invites can be contrasted with the roles policy has in directing and funding research and scholarship in the academe. I do not mean to suggest that I am going to undertake to explicate these roles. Here, I think it is enough to say that, in the UK at least, a large amount of academic research is only undertaken if it receives funding from a government research council and there is an assumption in academia that funding applications that delineate the relevance of the proposed research for government policy will be more successful than those that do

not. I do not consider the research proposals of Ph.D. applicants to be immune from the influences of policy, even if Ph.D. applications are very different from, for example, large grant applications. While I suspect that the majority of Ph.D. students are funded by their host institution, there is a certain kudos to obtaining a scholarship, termed studentship, from a research council. As such, looking back to my successful studentship application to the government funded Economic and Social Science Research Council (ESRC), my interest in policy seems less critical than selfish. That is, focusing on policy was a shrewd way to ensure the application was well received. Indeed, in this thesis I take the concern with government policy to its logical extreme and solely focus, almost obsessively, on the documents in which policies are presented.

I am wary of presenting myself as a researcher that unemotionally explores an issue because it will receive funding. This is what I would call the enlightenment-objective-scientist turned neo-liberal: that is, seeking funding rather than truth. When I started this Ph.D., I had (and still do have) a personal interest in the work of government that was much akin to the early Che Guevara (rather than the militant Che Guevara; see, Anderson, 1997); keeping up-to-date with current affairs, travelling, reading political works, such as Marx, talking and disagreeing about political issues with friends and acquaintances, but never quite deciding on a position or taking political action. Consequently, the research I have undertaken during this Ph.D. seemed to be a happy marriage between my own interests in government policy and institutional pressures to conduct research that will, *vis-à-vis* policy, receive funding.

¹ See <http://www.brave-project.org/>.

In particular, given that feminist activism has sought to get domestic violence recognised as a serious issue, current government policy that explicitly does so, such as in Aotearoa/New Zealand and the UK, would seem to have internalised a feminist approach to understanding violence within the domestic unit. As such, a thesis on domestic violence policy seemed to potentially offer me a positive appraisal of government (and a way to define my own political position). I was also aware that the adoption of a feminist position by government could be one way of neutralising criticisms by feminists without presenting a serious challenge to the structural (cultural, historical, patriarchal) supports for domestic violence. Therefore, the domain of domestic violence was a policy area that I thought particularly invited critical consideration. Consequently, my motivation to write a thesis on domestic violence could be summarised as personal-interest-in-the-political (while recognising that the 'personal' is tied up with institutional pressure for researchers to be interested in the political).

It is worthwhile pointing out that I do not assume there is necessarily any direct link between the policy of a government and the change the policy realises (although, I do assume policy will lead to some change). For example, a mandatory arrest policy in a police force requires its officers attending a domestic violence incident to arrest the accused to demonstrate that such violence constitutes a crime worthy of their attention. While I would agree that the institution of such a policy will lead to changes, the increased use of arrest at domestic violence incidents is not a change I would presume. The arrest policy would most likely be written in a formal document, disseminated throughout the police force, and become part of the training of new recruits. Officers may even have to answer personally for those domestic violence incidents where they

did not use arrest, which they may respond to by re-categorising domestic violence incidents (where they do not use arrest) as something that does not require arrest. It is through such practices, as dissemination, training, and bureaucratic accounting procedures, that I understand change to be evidenced. As such, I do not theorise policy to be a means of effecting change in a causal relation but as a discursive practice in which, for example, domestic violence, the responses to it, and the people affected are (re)constructed. It is for this reason that I have chosen to draw upon discursive methods.

The benefit of theorising policy as a discursive practice is that it provides a concept through which a variety of policies can be compared and critiqued. Discursive practices (re)construct, and limit, the positions (such as perpetrators, victims, policy-makers) which are available for people to take. These are known as subject positions, or subjectivities, and throughout my thesis I attempt to critique policy by examining the (re)construction of subjectivity. In particular, because policy is not theorised as functioning through direct causal relations there is an opening for psychoanalytic subjectivities where the subject positioning occurs at the level of the unconscious. Consequently, I have chosen to draw upon discursive methods, psychoanalytic theory, and the concept of subjectivity to ‘deconstruct’ (broadly defined) domestic violence policy in this thesis.

The word ‘deconstructing’ was used in the title of the thesis to suggest both the act of deconstructing policy as well as reflecting on *how* to deconstruct. I shall explain this further by reference to two extensive, theoretical papers, in which Hook (2001; 2005) has considered how “to enable the project of political criticism” (2005, p. 4) or, more specifically, how research can be a “*mode of critique*” (ibid.). In the first paper,

Hook (2001) argues that, from a Foucauldian perspective, two current trends in discourse analysis (Parker, 1992; Potter & Wetherell, 1987) utilise discourse in such a way that it will have “limited political relevance, restricted generalisability and stunted critical penetration” (2001, p. 543). The second paper can consequently be understood as Hook’s (2005) attempt to outline a method – genealogy – which will allow effective critique. However, the relevance of mentioning Hook’s work here is neither to describe what he sees as the failings of discourse analysis nor is it to consider the method he outlines. Rather, there is a paradox in Hook’s work because he did not use the genealogical method to critique discourse analysis. That is, Hook provides a critique of discourse analysis and then explains how critique can be done through the genealogical method but the critique of discourse analysis did not use the genealogical method. I do not mean to suggest that Hook should have provided a genealogical critique of discourse analysis. It may be that he thinks there are more important topics for such work. Nevertheless, this paradox provides the impetus for my thesis, which, in a circular fashion, is to develop critique at the same time as asking how critique can be done.

Elsewhere (Branney, 2006a; 2006b), a similar approach has been to use a particular method to critique itself. I (2006a) have reviewed Hollway and Jefferson’s Free-Association Narrative Interview method (FANI; 2000), which theorises a Kleinian defended subject (Klein, 1952a), by reading for the construction of Kleinian psychoanalytic constructs in FANI. In the text, the rational, unitary subject traditionally assumed by social and psychological scholarship is bad, “a depleted product of a depleted method” (Hollway & Jefferson, 2000, p. 155) whereas the defended subject is good, offering “an enriched, more complex, nuanced and,

arguably, more humane and ethical view” (ibid.). In my view, this perspective (re)constructs the Kleinian paranoid-schizoid position where rational subjectivity is demonised and split off, open to the critical gaze of the researcher, while Kleinian defended subjectivity is idealised and free to be introjected as a new hegemony in research. In addition, I (2006b) have also reviewed Potter’s Showcasing Qualitative Methods seminar, *Methods and practices: Some New Dilemmas* (March 10th 2006) where he outlines four interview issues – flooding, footing, stake and interest, and psychology in practice (described in Potter & Hepburn, 2005)– by using these four issues to analyse his argument that interviews are unnecessarily central in qualitative research. Potter and Hepburn (ibid.), where much of Potter’s seminar is available, develop this argument by reviewing two qualitative methods textbooks (Camic, Rhodes, & Yardley, 2003b; Smith & Klein, 2003a) to suggest that of the six qualitative perspectives covered (‘ethnography’, ‘phenomenology’, ‘psychoanalysis’, ‘narrative psychology’, ‘grounded theory’, and ‘discourse analysis and discursive psychology’) all but one (‘discourse analysis and discursive psychology’) include interviews as their sole technique for generating data. My review considers Potter’s footing as the disinterested observer reviewing the textbooks while pointing out that his own stake and interest (as author of the chapter on the method that does not rely on interviews) makes such a position untenable.

The point of turning FANI’s Kleinian approach and Potter’s interview issues in on themselves is to highlight the dual potential of research to develop a critique of, and to consider how to critique, domestic violence policy. Consequently, the two aims of my thesis are to, first, deconstruct contemporary domestic violence policy and, second,

develop and evaluate methods for deconstructing policy. I want to outline how I achieve these aims and mention the notable absence of gender.

Chapter 1 reviews the literature to consider to what extent research can add to considerations about how to critique domestic violence policy. To select research, the chapter draws upon the UK's contemporary domestic violence policy, *Safety & Justice* (S&J; Home Office, 2003a), which is representative of a general approach repeated across the world. S&J outlines three primary interventions – protection orders, mandatory arrest, and psychotherapy – and Chapter 1 considers the research for each intervention. It is argued that the research on each intervention seems to require further, in-depth work to examine the processes of implementing, as policy, and enacting, as intervention, protection orders, arrest, and psychotherapy. Nevertheless, this chapter concludes that such in-depth, situation-specific research will do little to critique policy, which aims to achieve change regardless of context, and argues that there is a need to deconstruct the policy document itself.

The next three chapters provide analyses of parts of policy ('family', 'consultation', and 'domestic violence' respectively) in key texts of domestic violence. As one of the aims is to develop and evaluate methodology, methodological considerations are situated in each analysis rather than in a separate chapter on methodology.

Aotearoa/New Zealand (A/NZ) is considered to be a world leader in domestic violence policy. For example, A/NZ was the first country to have legislation specific to domestic violence (the Domestic Violence Act, 1995) and A/NZ is, like the UK, signed up to the UN Convention for the Elimination of All Discrimination Against Women (CEDAW). It is not surprising that Dominey (2006), the counsellor I

introduced at the start of this Preface, travelled to A/NZ to look at best practice in anti-violence work with men and boys. At the end of the first year of my Ph.D., I spent three months as a visiting doctoral student in the Psychology Department at Massey University, Palmerston North, A/NZ working with Mandy Morgan and colleagues in the *Domestic Violence Interventions & Services Research Programme* (Morgan, 2005). Consequently, it is A/NZ's contemporary domestic violence policy, *Te Rito* (NZ Ministry of Social Development, 2002), that I turn to first.

Unlike UK domestic violence policy, *Te Rito* explicitly concerns itself with families and ensuring they are free of violence. Sociologists have, for a long time now, critiqued the roles 'family' plays in society (see, Fahey, 1995). More specifically, sociological thought on the 'private' and 'public' highlights the importance of the way in which 'family' is constructed and the subjectivities such constructions produce. For example, the use of the terms 'domestic' and 'family' to name violences suggests they occur in a private domain that should remain free from state intervention. Consequently, Chapter 2 deconstructs 'family' in *Te Rito* by developing a method that reads for the construction of discourses of psychoanalytic subjectivity. More specifically, this paper develops a psycho-discursive analysis in which psychoanalysis is considered as a culturally produced theory of self. As such, psychoanalysis is utilised as a theoretical framework through which a project of critique of domestic violence can be undertaken. Consistent with research drawing upon psychoanalytic theory for psycho-discursive approaches (Hollway et al., 2001) and in domestic violence research more specifically (e.g. Gadd, 2000b), this chapter utilises the Kleinian psychoanalytic perspective.

The analysis in Chapter 2 questions *Te Rito* as a domestic violence policy that presents as being developed in a consultation process with harmonious violence-free relations. *Te Rito* attempted to use consultation in a collaborative decision making process. However, even though ‘consultation’ is a common aim of policy, collaboration on the decisions of policy is rarely realised in practice. Consequently, Chapter 3 deconstructs ‘consultation’ in *S&J*, the UK’s key domestic violence policy, where views are sought after decisions have already been made and implemented. Chapter 3 draws upon a distinction between content and form, which can be explained with reference to Kleinian psychoanalysis where defence against anxiety is central. Content would be whatever is anxiety causing whereas form is the need to defend against anxiety. As Kleinian analysis assumes the need to defend against anxiety, form is not questioned. Focusing on the content of ‘consultation’ risks adding little more than that the attempt to consult was trite. For example, the analysis in Chapter 2 interprets the consultation in *Te Rito* as enacting violence to Māori (the content of consultation) but does not question the need to consult in the first place (the form of consultation). Consequently, Chapter 3 develops a Lacanian psycho-discursive analysis (Parker, 2005a) as a method that can radically question the form of consultation. I draw upon Lacanian concepts to interpret consultation in *S&J* as a practice that forces those consulted to recognise the deficiencies of government and identify with their alienated position in the decision making processes of policy development.

The combination of discursive methods and psychoanalytic theory used throughout these last two analytic chapters (Chapters 2 and 3) is termed psycho-discursive (Wetherell & Edley, 1999), which has been the subject of lively debate for

some time now. *Changing the Subject* (Henriques, Hollway, Urwin, Venn, & Walkerdine, 1984) and *Subjectivity and Method in Psychology: Gender, Meaning, and Science* (Hollway, 1989) are two classic texts, which have been followed up with, for example, the development of FANI and a number of articles in the *British Journal of Social Psychology* (e.g. Hollway & Jefferson, 2005; Spears, 2005; Wetherell, 2005) when Margaret Wetherell was one of the editors. After utilising psycho-discursive methods in the last two chapters, I use Chapter 4 to acknowledge and address this debate. I argue that psychoanalysis has been used in a way that recovers and privileges the psychological dimension, which in domestic violence policy risks resulting in theorising an abuser who is largely responsible for their actions and immune to change through public policy. To avoid this problem, I develop a Lacanian analysis that considers the discursive practices (Billig, 1999) in a text so as to build up an account of how psychoanalysis acts as a discursive resource (Parker, 1997b). Specifically, I develop a stepwise analysis that first interprets the (re)construction of a discursive concept, then a psychoanalytic-discursive concept before moving onto to argue that these construct a psychoanalytic concept. In the final chapter of my thesis, I discuss other psycho-discursive work more generally.

Throughout my thesis, I consistently and painstakingly refer to domestic violence without considering gender; the thesis title uses the gender-neutral term 'domestic violence'; the introduction reviews research regardless of the gender of the victim or perpetrator studied; Chapter 2 deconstructs 'family' and Chapter 3 deconstructs 'consultation' without mentioning gender; and the subjects of domestic violence policy are named with legalistic gender-neutral terms, such as perpetrator and victim. I am aware that such gender neutrality obscures how violence is gendered. *S&J* explicitly

sets out the UK “governments proposals on domestic violence” (Home Office, 2003a, title) and Chapter 4 subsequently deconstructs ‘domestic violence’ in *S&J*. Consequently, I have deliberately sought to mimic the (gender neutralising) policies examined in this thesis so as to leave gender until the final analysis. Like other research on domestic violence (e.g. Batsleer et al., 2002; Morgan, 2005), I argue that *S&J* constructs complex relations between gender and violence while sustaining a patriarchal heterocentricism.

Domestic violence now constitutes a vast enterprise of activism, scholarship, and policy initiatives at the international, national, and local level of government. For example, books devoted to domestic violence now take up more than a couple of shelves in University libraries. Gadd describes it well in his introduction to a paper on UK domestic violence policy:

“During the course of the last 30 years, work to tackle the problem of men’s violence to female intimate partners has gained a high profile in the UK. In the 1970s and 1980s feminist activists campaigned hard to establish refuge provision for women fleeing abusive relationships. It is as a result of this campaigning that today virtually every region of the UK has some form of domestic abuse partnership, working group, or forum. Through these forums a range of practitioners from within criminal justice agencies, social and welfare organizations, independent sector and campaigning groups come together in order to raise awareness about the problem of domestic abuse and coordinate and develop service provision for women experiencing it” (2004, p. 174)

While I would argue that it is because domestic violence policy is such a large enterprise that it invites critical consideration, a thesis such as this will have to limit

the scope of the critique it develops. The main theme of my thesis is to ask how domestic violence policy can be deconstructed with psycho-discursive analyses and to do so through analyses of 'family', 'consultation', and 'domestic violence' in key policy documents. As such, my thesis does not develop a single comprehensive critique of domestic violence policy but in each analytic chapter I suggest how the critiques – of 'family', 'consultation', and 'domestic violence' – can be furthered. In addition, the psychoanalytic concepts I draw upon can seem obscure and difficult to understand so I have attempted to keep these brief and I ask the reader to persevere.

CHAPTER 1 RESEARCHING DOMESTIC VIOLENCE POLICY¹

This chapter reviews current research on domestic violence in order to explore how to critique domestic violence policy. This review examines research on the three interventions for domestic violence – protection orders (POs), mandatory arrest, and psychotherapy - currently outlined as government policy in England and Wales. Effectiveness emerges as a theme of the research for all three interventions, along with differential effects of POs and arrest, and the effect of individuals (police officers, the aggrieved (victim), and the accused (perpetrator)). It is argued that the research on each intervention requires further, in-depth work to examine the processes of implementing, as policy, and enacting, as intervention, POs, arrest, and psychotherapy. Nevertheless, this chapter concludes that such in-depth research will do little to critique policy itself, which generally aims to achieve change regardless of context, and argues that there is a need to deconstruct the policy text.

1.1.Introduction

Textually, policy represents (in a ‘policy’ document or legislation), the course of action, or actions, that government has decided to use to influence or regulate its citizens and institutions. Simply put, policy is the plan a government has laid out to achieve a particular aim and, as such, provides a useful focus to consider all those activities linked to that aim. For example, a number of police forces across the western world now have a mandatory arrest policy that requires a police officer

¹ I would like to thank Prof. Sasha Roseneil for feedback on an earlier draft of this chapter, when she was examiner for the upgrade viva of my doctoral research.

attending a domestic violence incident to arrest the accused/offender². Criminal-justice systems are unwieldy, complicated institutions and arrest policies may lead to changes in, for example, officer training, legislation (to allow the arrest), specialist police domestic violence units to support officers, and information systems that officers draw upon, such as databases holding information on past incidents. The mandatory arrest policy will be the text that ties these activities together and possible questions that may be asked of mandatory arrest policies including how the policy treats domestic violence as a serious violation of criminal law or how the policy criminalises individuals.

As an instrument with the potential to control and change peoples lives, it is particularly important to critique policy in the sphere of domestic violence. In her now classic paper, McIntosh (1981) demonstrates that feminists have engaged with a broad range of social policy – for example, economics, welfare, and childcare – that marginalises women, often making them reliant on a husband, and therefore a heterosexual relationship, for financial support. Indeed, feminist work has been invaluable for setting an agenda of critique of, and engagement with, social policy. Perhaps women’s suffrage (the right to vote) is the most well known example but domestic violence has been a common theme. Writing in *Surviving Sexual Violence*, Kelly (1988) argued that sexual violence can be understood along a continuum that would include rape with those more insidious and recurrent activities, such as jokes. The concept of a continuum of violence assimilates overt physical aggression with

² Consistent with the terminology of government policy, this chapter utilises legal terms that lack gender specificity. I acknowledge that gender-neutral terms mask how domestic violence is gendered and provide my own response to this in Chapter 4 where ‘domestic violence’ is deconstructed.

broader issues of power and its abuse. An interesting point here is that policy itself is not excluded as a potential violence. For example, the Indian Protection from Domestic Violence Act (2002), by allowing a husband to occasionally beat his wife (see; Ahmed-Ghosh, 2004), condones domestic violence and marginalises women's, and privileges men's, roles in marriage.

Nevertheless, domestic violence policy (globally) may not be as clearly abusive as the recent Indian legislation and it is therefore important to consider *how* critique is done. This thesis is concerned with domestic violence policy – specifically, the key, contemporary policies of Aotearoa/New Zealand (A/NZ) and England and Wales, which will be introduced in greater detail in the following chapters – and, before embarking on developing a critique of policy (which is done in Chapters 2, 3, and 4), it would be prudent to examine research relevant for such policy to consider to what extent it can add to considerations about how to critique domestic violence policy.

To decide how to select research for this review, the domestic violence policy, *Safety and Justice* (S&J; Home Office, 2003a), for England and Wales, provides a useful starting point. First, S&J operationalises an international human rights instrument, the UN Convention for the Elimination of All Discrimination Against Women (CEDWA³) and, therefore, the general approach of S&J is repeated across the world. Second, S&J and this thesis have developed alongside each other. S&J was published in June 2003 and the work for this thesis started September of the same year. In addition, S&J is a policy for England and Wales and the work for this thesis was largely undertaken in England where I grew up.

³ Full text available at <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>.

Within the Home Office proposals are three core interventions – protection orders, pro-arrest, and psychotherapy (which will be explained in more detail below) – and it these that shall provide the focus for the review of in this chapter. The first two interventions are enshrined within the Domestic Violence, Crime, & Victims Act (DVCA; 2004), which was a direct result of *S&J*. First, non-molestation and occupation (protection) orders (POs) are amended by the DVCA (2004) to include couples not cohabiting and same-sex couples, as well as to make breaching these orders an arrestable offence. Previously, if such an order was breached the police could only intervene once the victim had applied for an arrest warrant (see the Family Law Act (1996)). While the power to arrest could be attached to an order this would be only to specific parts and would not be recorded centrally, leaving the police unclear as to whether they could use arrest. Second, and pushing along a pro-arrest policy already introduced across all police forces in England and Wales (Home Office Circular 60/1990⁴), common assault is made an arrestable offence. As with the protection orders, actually implementing a pro-arrest policy was complicated and it was not clear if the power of arrest could be used. When the victim was not visibly harmed, unwilling to proceed, and the offender had left the scene it was not clear if the current law justified the use of arrest (see section 25 of the Police and Criminal Evidence Act 1984). Common assault is being made an offence that does not require an arrest warrant and therefore simplifies the application of a pro-arrest policy. Last, under the title of preventing ‘offenders re-offending’ (Home Office, 2003, p. 23) are

⁴ For Home Office Circulars, the four digit number after the forward slash (/) refers to the year it relates to and the number before is the circular number. In this case, the circular was the 60th in 1990 (some sources refer to it as 60/90). Copies of this circular are available on request from the Home Office.

programmes designed to change the behaviour of the perpetrator. These are being developed by the Prison Service and the National Probation Service (which are being combined as the National Offender Management Service or NOMS; Carter, 2003; Home Office, 2004) and if they prove successful are going to be used across the country. Consequently, this chapter will consider how to critique domestic violence policy by reviewing research relating to the use of protection orders, mandatory arrest, and psychotherapy to treat domestic violence. The research for each intervention has been organised into aspects that are most common among them, which are termed themes.

1.2. Protection Orders

POs come under various guises and are multifarious in what they specifically 'order' but, nonetheless, they are homogeneous in their aims. They are civil, rather than criminal, so that it is not the state but the individual citizen that may make use of them. However, it is still the state that sanctions and manages them and their use may, depending on the specifics of POs that a state has laid down, have implications for criminal law. Consequently, they are a form of state-endorsed-and-directed individual intervention. Various terms occupation, protection, protective, and restraining orders, they authorise courts to prohibit (restrain) a citizen or citizens from partaking in some specified activity or activities. For simplicity, this chapter will discuss only POs that involve two citizens, one applying for the PO (the plaintiff, also known as the applicant, claimant, or petitioner) and the other that will be subject to it. For example, a victim of domestic violence may ask the court to prohibit their abuser from occupying their home and place of work. The overall aim, regardless of the specifics of what is ordered, is to restrain the abuser and protect the victim. Prohibiting

occupation, as in the previous example, is just an indirect means of achieving this. Violating a PO becomes a criminal offence, so that if the subject of the order does enter the plaintiff's home and assaults them, at least two offences have been committed; assault and violation of a PO.

The court must be persuaded that the activities to be prohibited would, if allowed to continue, result in harm (Finn & Colson, 1990). As harming someone is a crime, I understand this to mean that POs are empowering an individual to prevent a crime occurring whereas the state will only intervene once a crime has occurred. This highlights a complicated contradiction in the existence of POs because if they are used to prevent a crime, which by its nature is illegal, then POs are already redundant i.e. POs do not make abusing someone any more illegal than it already is. Although, there is an important distinction as civil law requires that the court is only persuaded that this is likely to occur on the balance of probabilities when criminal law requires proof beyond a reasonable doubt, which may justify using POs. Regardless of how these terms are interpreted, it does at least mean that when justice is played out between state and citizen, the citizen is given the benefit of doubt, but between citizens the relationship is, or should be, more equal. Also, both parties usually have to agree to a PO and they are therefore not obtained swiftly. On the other hand, emergency protection orders (EPOs) last for just a limited period, such as 24 hours or 10 days, and do not require the agreement of the subject of the order (although they must still be notified of the order). EPOs are referred to as temporary POs whereas normally POs may be termed permanent even though they are limited to, for example, a year. Where there is agreement between the plaintiff and the subject of the order on the terms of the PO it is termed mutual but where there is not it is non-mutual. Two themes emerge in

PO research, which are the effectiveness of bringing about change in the individual and the differential effects of POs on the subject of the order.

1.2.1. Effectiveness of Protective Orders

The purpose of a PO is ultimately to protect and a large number of US researchers have asked if POs are effective at changing the behaviour of the subject of the order, or perpetrator. Typically, research into POs comes from a scientific-positivist-experimental paradigm and would (in a quasi-experiment) take the subjects of PO cases (which may or may not have issued a PO) found in court records and then follow them up for a set period (such as two to four months) in court and police records to see if there were offences subsequent to the initial PO case. Over the last two decades the overwhelming message has been that POs are effective at deterring further incidents of domestic violence. From 15 studies, nine found them to be effective and two showed mixed effects whereas only four found no deterrent effect (see Table 1.1). However, as study length increases effectiveness decreases; from six months to two years Harrell and Smith (1996), Horton, Simonidis, and Simonidis (1987), and Klein (1996) found that 40 to 60% of women reported no further abuse. Over two and four months, Chadhuri and Daly (1990) and Grau, Fagan, and Wexler (1984) found it to be 60 to 76%. The message is still certainly optimistic for POs but there may be other ways to achieve the same deterrence of abuse.

Table 1.1: Outcomes for studies of the effectiveness of Protection Orders

Authors	Findings
Berk, Berk,	No deterrent effect
Loseke, & Rauma	

(1983)	
Fiedler, Briar, & Pierce (1984)	Mixed
Grau, Fagan, & Wexler (1984)	Effective
Horton, Simondis, & Simondis (1987)	Effective
Harrell, Smith, & Newmark (1993); Harrel & Smith (1996)	Mixed
Chadhuri & Daly (1990)	Effective
Finn & Colson (1990)	Effective
Committee on Criminal Courts (1993)	Effective
Kaci (1992; 1994)	Mixed
Klein (1996)	No deterrent effect
Keilitz, Hannaford, &	Effective

Efkeman (1997)

Baker (1997)

Effective

Meloy, Cowett,

Effective

Parker, Hofland,

& Friedland

(1997)

Carlson, Harris,

Effective

& Holden (1999)

Unfortunately, these studies predominately turn to court and police records as an outcome, which relies on any subsequent abuse being reported. Effectiveness of POs is not simply the absence of further reports of abuse to the criminal-justice system.

Nevertheless, focusing on effectiveness as an outcome of POs will only ever provide a limited consideration of POs as an intervention of domestic violence policy. These outcome studies mentioned above do not comment on the processes through which POs are implemented as a policy by a government or enacted as a legal instrument by a civil- and criminal-justice system.

1.2.2. Explaining Differential Effects of Protection Orders

In trying to understand the ability of a PO to bring about change in the subject of the order, researchers have looked at differences among plaintiffs, their relationship to the subject of the order, and prior abuse. Looking at the plaintiff, Carlson, Harris, and Holden (1999) found black women and women with lower socioeconomic status (SES) to be more at risk. An alternative interpretation is that these groups are more likely to report the violation of a PO whereas other groups, such as those with a higher

SES, may not. Those in longer relationships also reported less continued abuse but only in the higher SES groups: for lower SES plaintiffs the relationship length made no difference. Those with shared biological children also reported more abuse (Carlson, Harris, & Holden, 1999; Harrell & Smith, 1996). If arrest occurred at the incident that led to the PO, Harrell & Smith (1996) found less abuse after applying for the PO but Klein (1996) did not. Harrell and Smith (1996) investigated prior abuse and found that the duration of that abuse had no effect on PO outcomes but severity did. Unsurprisingly, if the subject of the order used severe violence before, they also did so after a PO.

These studies largely rely upon information that is recorded, or can be concluded from (in the case of SES) in court and police records (such as sex, ethnicity, SES, relationship status and length, and employment status and income) to attempt to explain the differential effects of POs. Such an approach fails to expand on the processes through which POs are implemented or enacted. POs, criminalising that which is already criminal, certainly invite critical discussion. The information from the studies into POs could be enhanced and contextualised by endeavouring to provide greater detail of the experiences of the various individuals who come into contact with POs. Nevertheless, context-specific research from a scientific-positivist-experimental perspective risks being irrelevant for policy, which usually intends to implement change regardless of context or across multiple, unpredictable contexts. For example, even if plaintiffs are at greater risk if their relationship with the subject of the PO has been for a few months (rather than a number of years), the court concerns itself with the evidence of abuse presented in each case and it is unlikely to include relationship length as part of this evidence.

1.3.Mandatory Arrest

The very terms *domestic violence*, *domestic assault*, *domestic incident* summon up a violence that is in some way different from other forms of violence, not because it is any worse but because it occurs within the confines of the house (*domus*) or home. One implication, perhaps, is that the police should not intrude into the home or meddle with family affairs (Ferraro, 1989a). Hence, domestic violence would not have been something that would have warranted arrest and mandatory arrest policies are pushing for it to become the routine response (*ibid.*). While this treats domestic violence as a serious, rather than a trivial (see Stanko, 1985), violation of criminal law, mandatory arrest would seem to individualise violence, focusing on the act of an agent and ignoring the effect of society. As with POs, a theme of effectiveness in bringing about individual changes emerges from the research, as does explaining differential effects. However, the effect of individuals, the police officer, the aggrieved (victim), and the accused (perpetrator), on the arrest decision also emerges.

1.3.1. The Decision to Use Arrest

The majority of research into arrest and pro-arrest for domestic violence was undertaken in the 1980s and early 90s and it looks at what factors are likely to lead to the decision to use or not to use arrest. Most officers choose not to arrest (Brown, 1984; Buzawa & Austin, 1993; Dolon, Hendricks, & Meagher, 1986; Ferraro, 1989b; Oppenlander, 1982; Zoomer, 1989). Although, the frequency with which arrest is used may be no different to other offences (Klinger, 1995). Police officers responses to surveys asking about their professional concern for domestic violence or how they would react to an imagined situation shows responses can be affected by the police officers' gender (Homant & Kennedy, 1985) and ethnicity (Belknap, 1995). When the

aggrieved is black and female there seem to be more arrests regardless of police officer's gender and ethnicity (Bachman & Coker, 1995). Indeed, this is a common finding (see also, Buzawa et al., 1993; Ferraro, 1989a; Smith & Klein, 1984) and may be part of bigger problem of ethnicity in the actions of the police forces. For example, after two prolonged police investigations into the murder of Stephen Lawrence there are still no satisfactory convictions, which a public inquiry (MacPherson, 1999) has explained by highlighting that racism is deeply ingrained in the police force. From a scientific-positivist-experimental perspective, these studies predominately use survey methodology – obtaining respondent's demographics and asking which of a number of responses (such as arrest) they would use for an imagined situation – or examine criminal records to find offenders and then follow them up to look for subsequent offences. Consequently, these studies fail to explore the processes of implementing arrest as a policy (such as through officer training) or enacting arrest as a criminal intervention (such as the categorisation of 'incident' and reporting of the response taken by the attending officer) for domestic violence. While O'Connor (2002) and Perna (1996) have used a number of qualitative methods to explore the experiences of individuals affected by arrest, they are yet to be published and do not appear to consider gender, ethnicity, or class.

Power also seems important, with early arrest research by Ford (1983) and Pepinsky (1976) finding that if victims were rational and deferential then arrest was more likely. This is instead of being quarrelsome or demanding and suggests a power struggle between the aggrieved and police officer, with the officer using arrest only if the aggrieved is cooperative. However, Buzawa and Austin (1993) did find that aggrieved's preferences for what they wanted to happen affected the arrest decision.

The difficulty with pro-arrest policies is that they may disempower the aggrieved, meaning that arrest is used even if that is not their preference. Nonetheless, it would seem the police will use arrest if the victim prefers it, but only if the aggrieved is rational and deferential. In addition, power may be linked with class, gender, and ethnicity but the research on the arrest decision fails to comment on this.

1.3.2. Effectiveness of Mandatory Arrest

The US Police Foundation funded what was to become the first of a pioneering series of studies into the effectiveness of arrest. Sherman and Berk (1984a; 1984b) worked with the Minneapolis Police Department to follow up suspects of domestic assault incidents where the police had been called. They sought to ask whether arrest was an effective intervention to end partner abuse. The Minneapolis study led the US National Institute of Justice (NIJ) to fund a further six replications across the US. I refer to these as the NIJ studies, which are part of the same scientific-positivist-experimental perspective used in the PO research above. More specifically, however, the NIJ studies pioneered an instrumental-positivist approach that uses experimental methodology to ‘discover’ if a particular intervention is effective—ask if it works, not, for example, is it right. However, focusing on arrest ignores what happens afterwards as it is possible the arrested person may be released within a few hours whereas others may be prosecuted and imprisoned. Research has continued the theme of effectiveness into court dispositions post-arrest.

1.3.2.1.NIJ Studies

The NIJ studies were randomised-controlled field trials, where on-scene officers were told which of at least three randomly selected interventions to use. The interventions applied to over 1,000 incidents in each site were, (1) arrest, (2) threat of

arrest (have them leave), or (3) no arrest (restore order). Within a few days of the incident, researchers interviewed the victim and gained information on the suspect from police records. Then, at least six months later, the researchers re-interviewed the victim, asking about any violence subsequent to the incident, as well as searching criminal records for any repeat offences by the suspect.

Table 1.2: NIJ series of RCTs assessing the effectiveness of arrest

Site	Author	Finding
Minneapolis, Minnesota	Sherman & Berk (1984a; 1984b)	Arrest most effective
Charlotte, North Carolina	Hirschel, Hutchinson, Dean, & Kelly (1990)	No differences
Colorado Springs, Colorado	Berk, Campbell, Klap, & Western (1992)	Arrest most effective
Dade County, Florida	Pate, Hamilton, & Anan (1991); Pate &	Arrest most effective

	Hamilton (1992)	
Milwaukee, Wisconsin	Sherman, Smith, Schmidt, & Rogan (1992)	No differences
Omaha, Nebraska	Dunford, Huizinga, & Elliott (1989; 1990)	No differences

The Minneapolis study found arrest to be the most effective and the US Attorney General's Task Force on Family Violence recommended pro-arrest as a response to domestic assault incidents that should be favoured (1984) with many police forces making this their policy (Cohn & Sherman, 1987; Sherman & Cohn, 1989) and by 1991 appropriate laws had been passed in 15 states (Zora, 1992)⁵, which may explain why there is little research into mandatory arrest after the early 1990s. Indeed, as noted earlier mandatory arrest is a policy that is being taken by the UK Government in *S&J*. However, the replications initiated by the NIJ are not so supportive, with two of the five studies (Colorado Springs & Dade County) finding arrest to have a deterrent effect. Charlotte, Milwaukee, and Omaha each found no differences between the interventions, suggesting that arresting suspects in incidences of domestic violence

⁵ This is not to say that the NIJ studies were the only influence in developing pro-arrest policies (see Buzawa & Buzawa, 1996, for a discussion of influences).

does not affect their abusive behaviour⁶ (See Table 1.2). Berk et al. (1992) even combined four sites in their analysis and still found no overall differences. They used two sites that found arrest to be effective (Dade County and Colorado Springs) and two that reported null findings (Milwaukee and Omaha). Like the research on the effectiveness of POs, these studies do little to explore the process of implementing arrest as a policy or enacting arrest as a criminal intervention for domestic violence.

1.3.2.2. Court dispositions post arrest

If arrest is not followed by prosecution then it is questionable as to whether it can really be distinguished from no arrest (Hirschel, Hutchinson, Dean, Kelley, & Pesackis, 1990). Indeed, it may be worse, leading suspects to believe that this is all the police will do. Two studies (Davis, Smith, & Nickles, 1998; Wooldredge & Thistlewaite, 2002) (see Table 2) have looked at what they term 're-arrest as a function of court dispositions' but they add little to understanding of the effectiveness of pro-arrest policies. Both Davis et al. (1998) and Wooldredge and Thistlewaite (2002) limited themselves to criminal records as an assessment of abuse after involvement with the judicial system and, therefore, their notion of effectiveness is restricted to a lack of reported criminal activity. Davis et al (1998) did not distinguish between offence types, which means that, for example, arrest for burglary would be considered a failure for pro-arrest and prosecution. Wooldredge and Thistlethwaite (2002) used an analysis that did not inform of the differences between outcomes for the various

⁶One replication, in Atlanta, Georgia, is not reported here as the author could not find any publications of its results (and the NIJ reports are not available to the author). Both Pate & Hamilton (1992) and Berk et al (1992) refer to six replications but do not provide references for the Atlanta study. Yet Davis, Smith, & Nickles (1998).

court responses (no-charge, offender program, and prison and probation with, or without, an offender programme). Yet, neither looked for comparisons with no-arrest. While they admirably aim to provide more information on what happens after arrest they fail to make the comparison with the people who are never arrested in the first place. A question yet to be answered empirically is whether no-arrest brings any different outcomes to arrest but no-charge. Nevertheless, these two studies add little to understandings of the process of implementing and enacting arrest as an intervention for domestic violence (see Table 3).

Table 1.3: Studies of court dispositions post-arrest

Author	Interventions	Finding
Davis, Smith, & Nickles (1998)	Dismiss Decline Probation & treat Prison	No differences
Wooldredge & Thistlewaite (2002)	No charge Offender program Prison & probation with offender program Prison & probation	Increase in re- arrests related to no charge. No other differences

talk of only five replications. Nevertheless, one more finding would add little to the discussion here.

without offender
program

1.3.3. Differential Effects of Mandatory Arrest

“Even before the [NIJ]’s replications were available, Sherman [and Berk] (1984b, p. 270) hypothesized that ‘more socially bonded people are more deterable’ and, therefore employed persons and married persons would be more likely to be deterred by arrest” (Pate & Hamilton, 1992, p. 692)

The NIJ and court dispositions studies (above), perhaps recognising that they were “woefully lacking in informative value about the problem under investigation” (Dobash & Dobash, 2000a, p. 254), used regression analyses (Berk, Campbell, Klap, & Western, 1992) to examine what would affect a good outcome. Berk et al. (1992) looked at which, if any, of the details they collected (demographics, etc) would predict re-assault, or would mediate the results of the formal sanction (or lack thereof) from the police. In an analysis combining four sites (Dade County, Colorado Springs, Milwaukee, and Omaha), Berk et al. (ibid.) found some suggestion that marriage and ethnicity affects the outcome but the overwhelming finding is that arrest has a deterrent effect for the employed (which included people seeking employment).

Labelling theory suggests that the married and employed are deterred from continuing their abusive behaviour for fear of being labelled a ‘criminal’ or ‘batterer’ (see Sherman, Smith, Schmidt, & Rogan, 1992). Consequently, marital and

employment status were combined into a measure of *stake in conformity* (ibid.), with the married and employed having the highest stake in conforming. These researchers appear to be unwittingly espousing an ideology that values marriage and employment over the alternatives (such people are *more socially bonded*). As Berk et al. (1992) note, marriage and employment are not indicators of the strength of social attachments. Indeed the unemployed who continue to abuse may have a stake in conforming to other social values.

Arrest decision research serves to show that laws and policies are not applied in a social vacuum with ethnicity, class, and gender deserving further exploration. A jurisprudential perspective of the criminal-judicial system sees it as constructed of rules, rules that are “applied and administered equally to all individuals” (Jasinski, 2003). Regardless of the erratic nature of the effect different factors had on the arrest decision and on the differential effects of arrest, these were all extralegal factors having an effect on the policies of the institutions of the police and courts. Effectiveness research espoused an instrumental-positivist slant to policy development but could provide no clear answer as to whether arrest would prevent domestic violence. Arrest research failed to account for the processes of implementing or enacting arrest. Attention to the context, focusing more on an individual’s path through the systems of the police and courts, seems to be necessary to help build upon this research. Nevertheless, focusing on context may do little to critique policy that generally aims to achieve change regardless of context.

⁷ Square brackets are used to show that I have edited a quote. In this case, the brackets add clarity by naming the replications referred to.

1.4. Psychotherapy for domestic violence

Psychotherapy for perpetrators is manifold and has received an almost overwhelmingly large amount of attention from research. Having been studied as early as 1981 (Purdy & Nickle, 1981) its manifestations are numerous – termed variously AMPs, BPs, BIPs, DAIPs, GTPBs, MBTGs (anger management programs, batterer programs, batterer interventions programmes, domestic abuse intervention projects, group treatments partner abuse, men’s batterer treatment groups) – in either individual, couple, individual-couple, group, and even couple-group formats from feminist and cognitive-behavioural perspectives. The Duluth model⁸ (Pence & Paymar, 1993) originally attempted to develop a co-ordinated community response to domestic violence from the services involved (the police forces, criminal and civil courts, and any other services available, such as women’s refuges) but is frequently only known for its feminist-cognitive psychotherapy element, which theorises psychological and sexual violence as a means to maintain power and control. Indeed, the (psychotherapy element of the) Duluth model was used as a pathfinder programme by the National Probation Service in Cheshire (see Skyner & Water, 1999) and Leeds before being accredited for use across England and Wales (The Correctional Services Accreditation Panel, 2004). Psychotherapy for domestic violence engages with the perpetrators of violence to prevent further abuse occurring and, therefore, is a welcome addition to refuges and services for victims. However, the provision, by a government body (in the case of *S&J*, the Probation and Prison Services), of the resources needed for psychotherapy seems, while refuges struggle to gain funds, to suggest that the abuser is

⁸ Now a non-profit agency: see, <http://www.duluth-model.org/>

more important than the victim. Providing psychotherapy for abusers seems to be an extension of what Stanko (1985) pointed out as the judicial system's greater concern with protecting the rights of the rapist over and above than the rights of the victim.

Nevertheless, the aim of this intervention is to use psychotherapy to treat the abuser and, as with POs and arrest research, the main theme emerging from research is the effectiveness of bringing about change in the individual abuser.

1.4.1. Effectiveness of Psychotherapy for domestic violence

Competing messages emerge from reviews, concluding that research is inconclusive, or showing psychotherapy to be effective. The early picture of systemic orientated couples treatment (conjoint and in groups) was particularly optimistic (Eisikovits & Edleson, 1989). Later, Rosenfeld (1992) conducted one of the most rigorous reviews to date, with Tolman and Edleson (1995) updating it, looking at the "*court-ordered treatment of spouse abuse*" (ibid., title). The slant towards court-ordered populations in the title misleads as the reviews include self-referrers. Both Rosenfeld's (1992) and Tolman and Edleson's (1995) reviews conclude that the methodological flaws leave the studies on effectiveness inconclusive.

The desire for instrumental-positivism is endemic with all three reviews (Eisikovits et al., 1989; Rosenfeld, 1992; Tolman & Edleson, 1995) noting a lack of random assignment and control groups, with follow-ups spread out over many months but combined as one time point, and inconsistent definitions of 'success' or 'effectiveness'. Nevertheless, in the most recent review to date, Branney (2003) found only two (Harris, Savage, Jones, & Brooke, 1988; Feder & Dugan, 2002) of 42 studies meet the requirements of a randomised-control trial.

These are two very different studies, with Harris et al. (1988) finding psychotherapy to be effective but with a number of flaws in the study. First, Harris et al. (ibid.) argue that the choice of partners of the clients, the victims of the client's abuse, to end the relationship because of continued abuse, was a success for psychotherapy. I would argue that such a choice, while demonstrating that the victims were able to take an active role in the relationship, clearly demonstrated that for the eight men involved treatment had not been effective at reducing their abusive behaviour. Psychotherapy is also a dubious means by which to end a relationship as research (Feazel, Mayers, & Deschner, 1984; Deschner & McNeil, 1986; Gondolf, 1987) indicates that the most influential predictor of an abused person returning to the relationship with the abuser is the abuser's undertaking of treatment. There may have, however, been a statistically significant reduction in violence but, second, Harris et al. (1988) made no comparisons between time points, therefore lacking any measure of change. Third, while there is a wait-list control group, Harris et al. (ibid.) make no use of this in comparison for levels of violence.

Feder and Dugan (2002) find no differences in abuse before and after psychotherapy. However, the revised Conflicts Tactics Scale (CTS2; Straus, Hamby, Boney-McCoy, & Sugarman, 1996), which they used, showed very low incidences of abuse at adjudication (pre-treatment) and it would have been difficult for the study to detect any change.

The effectiveness research on psychotherapy mimics that for POs and mandatory arrest and fails to explore the processes of implementing psychotherapy as a policy or enacting it as a domestic violence intervention. There seems to be a need for research methodologies that explore the context of psychotherapy for domestic violence.

Indeed, Dobash and Dobash (2000a) have attempted to do just that in an evaluation of two psychotherapeutic interventions, CHANGE and the Lothian Domestic Violence Probation Project (Dobash, Dobash, Cavanagh, & Lewis, 2000b), in Scotland. Termed the 'Violent Men Study', Dobash and Dobash developed a nuanced approach to combine interview and questionnaire methodologies. For example, some of the questionnaires asked about specific violent acts. Completing these questionnaires in interviews, the violent acts were written on a card and verbal questions would refer to these cards, such as 'did you do A?' rather than 'did you kick your partner in the face?'. Dobash and Dobash found perpetrators to reveal more about their violences when substituting an alphabetical letter for the abuse than in response to open ended questions, such as, 'Could you please tell me about the event that brought you to court?'. Consequently, Dobash and Dobash's research provides more detail on the context of abuse and the lives the clients and their partners, which can build upon the effectiveness research mentioned above. Nevertheless, the focus on context (and Scotland has a legal and political system that is unique, which is why *S&J* is only relevant for England and Wales) risks making the research even less relevant for policy, which generally intends to bring about change regardless of the differences between individuals. It could be suggested that the reason the Duluth model (which Dobash and Dobash (*ibid.*) also used) has become known as a psychotherapy for domestic violence, rather than a comprehensive and co-ordinated community response, is because psychotherapy can be recommended regardless of context (which is not to say it should be). A co-ordinated community response would require knowledge of the specific context, such as overlap of legal systems (police forces and courts) and other services, such as women's refuges, to define the community geographically. In addition, even if psychotherapy is an effective intervention, such research does not

enable consideration of the difficulties of funding services for the perpetrator by a government, which seems to suggest the perpetrator is more important than the victim.

1.5. Conclusions

This chapter has looked at research relating to three interventions, POs, mandatory arrest, and psychotherapy, which currently feature in government policy (Home Office, 2003a) for tackling domestic violence in England and Wales. The aim of looking at this research was to consider how it helps critique domestic violence policy. Examining the research for each intervention by themes, effectiveness emerged as a dominant theme for all three interventions. Other themes were the differential effects of POs and arrest, and the effect of individuals, police officers, the aggrieved (victims), and the accused (perpetrators), on the arrest decision. For each intervention, the research failed to provide any detail on the processes of implementing the intervention as a policy or of enacting POs, arrest, or psychotherapy as an intervention for domestic violence. The dominant message emerging from the research is a call to focus in more detail on these processes.

However, a move to more detailed research is not one I think will help develop critique of domestic violence policy. All three interventions are complicated because it is not entirely clear if they should be used to prevent domestic violence. POs draw upon civil law to criminalise what is already criminal. Mandatory arrest takes domestic violence seriously as a criminal violation but places the responsibility of violence within the realm of the individual, ignoring society. Psychotherapy engages with abusers but risks treating them as more important than the victims. Further in-depth research will not recognise or untangle (if this is possible) the challenges posed by domestic violence policy. I would argue that there is a gap between the detailed

exploration of policy in action, such as by Dobash and Dobash (2000b), and policy itself. Further, I would add that this gap can be filled by taking a step back and treating policy as a text to be examined. That is, the critique of domestic violence policy can be done by deconstructing the actual text of the policy.

CHAPTER 2 DECONSTRUCTING 'FAMILY' IN DOMESTIC VIOLENCE POLICY: A KLEINIAN PSYCHO-DISCURSIVE ANALYSIS OF *TE RITO*¹

This chapter provides an analysis of the way in which 'family' is constructed in *Te Rito*, a policy that operationalises a pivotal international human rights initiative, the UN Convention for the Elimination of Discrimination Against all Women, in the domestic violence domain. In addition, this chapter considers the utility of a psycho-discursive analysis in which psychoanalysis is considered as a culturally produced theory of self. My analysis of *Te Rito* suggests that, through the Kleinian concept of the Paranoid-Schizoid position, family is split into 'family/whānau' and 'violent family' and that whānau is presented as an idealised other and then taken as a way of doing policy. This means that Māori are idealised, barred from having voice, and that discussion of violences done to Māori through colonialism and acts of the A/NZ government are actively avoided. *Te Rito* can also be questioned as a domestic violence policy that presents as being developed in a process with harmonious relations where violence is hidden. The Kleinian perspective utilised suggests a

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therapeutic resolution, which would mean working with a more complex, but perhaps more realistic, concept of family and relating as both bad and good.

2.1.Introduction

Interrogating the construction of 'family' within *Te Rito*, Aotearoa/New Zealand's (A/NZ) key domestic violence policy (NZ Ministry of Social Development, 2002), is important in the domain of domestic violence research and policy because *Te Rito* operationalises a pivotal international civil rights initiative and comes from a country with a recent history of model domestic violence legislation. In addition, *Te Rito* explicitly concerns itself with 'family' and the sociological literature has been key in highlighting and critiquing the role(s) 'family' takes in society (see, Fahey, 1995). In this chapter, the importance of *Te Rito* is further clarified before outlining how sociological thought on the 'private' and 'public' highlights the importance of the way in which 'family' is constructed and the subjectivities such constructions produce. This chapter then, in the method section, considers two approaches – discursive and Kleinian psycho-discursive – to questioning government policy before outlining and then using critical transformative psychoanalytic discourse analysis (CTPDA; Parker, 1997a) to deconstruct 'family' in *Te Rito*.

A/NZ, along with 60 other countries, has ratified (Office of the High Commissioner for Human Rights, 2004) the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and, like, for example, England, India, and the USA (except Louisiana), has a system of common law. In such a system, parliament makes law and the judiciary interpret it. Should a judge find a law to contravene, for example, CEDAW, they may ignore that law and make their findings in light of CEDAW. Having ratified CEDAW, A/NZ is required to report, at

least every four years, to the committee on the elimination of discrimination against women (CEDAW) on the measures adopted to effect CEDAW. In their fifth periodic report (considered at the 29th session of CEDAW, 2003), the A/NZ Minister for Women's Affairs presented *Te Rito* as a landmark strategy to implement CEDAW. A/NZ is also a world leader in domestic violence work. A/NZ were the first to develop domestic violence specific legislation, the Domestic Violence Act (DVA: 1995), which makes provision for the protection of victims² (through civil protection orders) and attempts to treat perpetrators (through court orders to attend anti-violence programmes). Indeed, the UK's recent domestic violence legislation, the Domestic Violence, Crime and Victims Act (DVCA; 2004), mimics the DVAs use of protection orders and anti-violence programmes while deliberately opposing the creation of a piece of legislation specific to domestic violence. The Bradford Reducing Anger and Violent Emotions (BRAVE) project is apposite as a small, local, anti-violence programme in the north of England, which is informed by A/NZ violence prevention work with boys and young men (Dominey, 2006). Consequently, *Te Rito* is a policy that many other countries will be looking to as a possible model of effective implementation of CEDAW.

Te Rito deals explicitly with family and violence. The full title of the policy is '*Te Rito: New Zealand Family Violence Prevention Strategy*' and the overarching vision is to ensure families are free from violence. As such, *Te Rito* names the violence(s) it concerns itself with 'family violence'. The importance of family has been recognised in a recent debate in UK sociology on how to theorise the 'private'.

² See note 2, Chapter 1, p. 14.

Fahey (1995) and Bailey (2000) argue that sociology has relied upon a distinction between public and private that remains relatively untheorised. As such, Fahey (1995), McCulloch (1997), Bailey (2000), Ribbens McCarthy and Edwards (2001), and Butt and Langdrige (2003) provide various examples of what could be considered private, public, or both. Indeed, Fahey (1995) offers examples that demonstrate the importance of the public/private distinction for public policy. For example, across the western world criminal justice systems tend to focus on stranger violence even though a majority of violence would seem to be between people known to each other (Mirlees-Black, 1998). In addition, where violence between people known to each other does enter the police and court systems, the effects of such violences are minimalised and trivialised, making prosecution extremely difficult (Stanko, 1985).

The way in which family is constructed as public or private has implications for government policy. Fahey (1995) theorises public and private and their dichotomy as cultural resources with multiple meanings, which are tied to the contexts where they are (re)constructed. The concept of family could be understood as similarly multiple, and when family is (re)constructed as private it would seem to be something that requires protection from government intrusion. For example, the saying 'an Englishman's home is his castle' is one of the basic concepts of English common law (Morris & Morris, 1988) and evident in the US Constitutions Bill of Rights where citizens have a right to be secure in their homes from unreasonable interference from the government. In this example, the home is 'private', the jurisdiction of government is the 'public', and family violence, except for the most severe cases, is not the concern of government policy.

Subjectivities can be understood as constituted by, and residing within, both the public and private (Ribbens McCarthy & Edwards, 2001). For example, research (Pond, 2003; Pond & Morgan, 2005) has shown that family law favours a particular subjectivity. Interviewing A/NZ family lawyers and their clients, in cases related to domestic violence, Pond's research suggests that the criminal-justice system calls upon a rational subjectivity that can unemotionally report the facts of abuse. This marginalises a relational subjectivity that is emotional in the context of abuse. In this example, the practice of family law is a 'public' institution, which can be successfully negotiated by the use of reason, whereas displays of emotion are to remain 'private', as they will only act as stumbling blocks to the work of reason and family law.

The point, in this chapter, of considering how family is constructed as public or private and the subjectivities such constructions produce is that *Te Rito* uses 'family violence' to name the violence(s) it concerns itself with. As such, and as a policy that will be looked to as a model domestic violence policy, *Te Rito* certainly invites critical consideration. In the next section, on method, this chapter considers how to deconstruct 'family' in *Te Rito*.

2.2. Methodology

In what seems to be an attempt to outline a clear conceptual framework for research into the public/private distinction, Bailey (2000) outlines three aspects of the sociological private; intimate relations, the self, and the unconscious. Bailey's framework could prove useful for interrogating the construction of family and violence in *Te Rito*. This sociological private, particularly the unconscious aspect, seems to call upon psychoanalytic concepts, and this chapter demonstrates the utility of a method

that combines psychoanalysis and discourse analysis (Parker, 1997a); what Wetherell and Edley (1999) call psycho-discursive.

Psychoanalysis has largely been criticised, for example by Fahey (1995) and Butt and Langdrige (2003), for theorising subjectivity as residing within the individual, beyond the reach of sociology. For domestic violence policy, this could lead to fatalism where, for example, the subjectivity of an abuser is considered unreachable and unchangeable. Psychoanalysis can be understood as a double-edged sword where political action is sought through some kind of exploration or deconstruction of self but where focusing on the self risks undermining political action (Rustin, 1982, considers this in relation to Kleinian psychoanalysis and, in the next chapter, I consider Lacanian psychoanalysis). Nevertheless, concerning themselves with the risk of individualism by psychoanalysis, Butt and Langdrige (2003) have offered a phenomenological approach to show how the self and the unconscious can be social as well as individual, or what Frosh (2003) calls psychosocial. Alongside Butt and Langdrige's search for an alternative to psychoanalysis is a body of work that continues to explore and debate the utility of psychoanalytic theory for theorising psychosocial subjectivity (Billig, 2002a; 2002b; Frosh, 2002; Frosh & Emerson, 2005; Frosh, Phoenix, & Pattman, 2003; Gough, 2004; Hollway, 1989; Hollway & Jefferson, 2005a; 2005b; Henriques, Hollway, Urwin, Venn, & Walkerdine, 1998; Spears, 2005; Wetherell, 2003; 2005). Two contrasting approaches to domestic violence research – discursive (O'Neill & Morgan, 2001) and Kleinian psycho-discursive (Gadd, 2004) – recognise the importance of questioning government policy and have relevance for theorising subjectivity and the public/private distinction in ways that connect with the

debate over using psycho-discursive methods. This chapter considers these two approaches before outlining its own method for deconstructing 'family' within *Te Rito*.

2.2.1. Discourse Analysis & Domestic Violence Policy

Morgan (2005) takes a discursive approach in a research programme on domestic violence services and interventions that usefully allows the questioning of government policy. One aspect of this research focused on a 'stopping violence' programme in Manawatu A/NZ run by the New Zealand Men for Non-Violence Network (NZ-MFNV). While the NZ-MFNV was established in 1991 (O'Neill et al., 2001), programme requirements are now set out, pursuant to the A/NZ DVA (1995) mentioned above, in the Domestic Violence (Programmes) Regulations (1996). Meeting these requirements is the only way such a programme can be approved, and subsequently government funded, to provide services for the courts. Given that A/NZ policy for these programmes meant that they would be rolled out nationally and could become the dominant form of therapeutic intervention, the research into the Manawatu programme by O'Neill and Morgan (2001; Morgan & O'Neill, 2001) has relevance for questioning domestic violence policy more generally.

O'Neill and Morgan aimed to identify the discourses at work in the Manawatu stopping violence programme. For example, 'tension rating' is one of the practices of the anti-violence programme. The tension rating task requires conceptualisation of aggression as something clients – predominately abusive men court ordered to attend - experience in degrees and which can therefore be recognised and rated. Nausea (rated 1), tight chest (2), and trembling (3) are taken as physiological signs of the clients aggressive tensions. Rating then moves to behaviours; yelling (4), insults (5), and throwing (6), then cognitions; confusion (7), and visualising attack (8), before

screaming (9), and physical assault (10). Consequently, rating requires clients to understand themselves as irrationally controlled by a violent inner impulse (the client's subject position) and can be understood as constructing a discourse of expressive tension itself (O'Neill, 1998). O'Neill and Morgan's (2001; Morgan et al., 2001) discursive approach allows the questioning of policy, as, in the example of expressive tension, the DVA is implicated, by funding programmes that (re)construct this discourse, in allowing perpetrators to avoid responsibility for their violences.

Nevertheless, there is a difficulty with the modes of subjectivity assumed by discourse analysis itself (Parker, 1997a; 2002; see also, Madill & Doherty, 1994). This is because subjectivity is understood as constituted by discourses but there is no theory about how these discourses come to inhabit a particular individual, or, more to the point, that there is a particular individual which the discourses can inhabit. That is, where the subject is constructed by discourses and there is a refusal to say what the subject is prior to any discursive inscription, subjectivity is blank. The discourse user is socially determined, lacking any investment in the discourses that lock them into position. This is a theoretical point with particular relevance for the critique of domestic violence policy offered by O'Neill and Morgan because the blank subject can be so easily filled by the discourse of expressive tension. While the A/NZ DVA (1995) constructs a perpetrator that is victim of their aggressive tensions, discourse analysis applied to domestic violence would appear to construct a subject (perpetrator) that is a victim of discourse. In this paper, we suggest psychoanalysis can provide the theory of subjectivity that discourse analysis lacks and which will be useful for deconstructing policy.

2.2.2. Psycho-Discourse Analysis & Domestic Violence Policy

Combining discourse analysis with Kleinian psychoanalytic theory (Hollway & Jefferson, 2000; 2001), Gadd (2004) has questioned UK domestic violence policy through a focus on investment in discourse. In Keele, England, a counselling service (Gadd, 2000b) runs group sessions similar to those that would be funded under A/NZs DVA (1995). Clients attend voluntarily, although *Safety and Justice (S&J; Home Office, 2003a* - the UK Government's key contemporary domestic violence policy) suggests that attendance could become mandatory. In a case study (2004), Gadd assumes that 'Paul', a perpetrator voluntarily attending the Keele antiviolence programme, has a multifaceted psychosocial subjectivity. Utilising the Kleinian strand of psychoanalysis (Klein, 1988a; 1988b; see also, Hollway & Jefferson, 2000), this is a subjectivity where consciousness is theorised as multiply layered and driven by the avoidance of anxiety. Paul was, like most men Gadd interviewed (2000a), not in denial about his violence, saying, for example, that 'Karen', his partner, was "not there to be punched and battered" (Gadd, 2004, p. 186). However, Gadd suggests that Paul's violence itself was an act of denial. That is, violence was used to obliterate anxiety before it could become conscious (Hinshelwood, 1991). In one incident of violence:

"Paul was unable to support himself financially, let alone provide for his family. His liver was failing, he had been denied medical treatment, he owed money to a loan shark, and lived in a flat with no furnishings, heating or cooking facilities" (Gadd, 2004, p. 186).

Gadd argues that Paul was motivated to suppress his failure to meet social expectations of hegemonic masculinity to provide for his family and, hence, that Paul's

violence requires an understanding of the society of which he is a part as well as understanding of his individuality. The point for domestic violence policy is that denial is not open to conscious awareness and cannot be simply undone by getting to perpetrators to talk about their emotions. Getting perpetrators to recognise that they are violent – as antiviolence programmes, such as those approved by the A/NZ DVA (1995) and the UK *S&J* policy (Home Office, 2003a), do – fails to deal with how perpetrators may be emotionally but unconsciously invested in particular socio-cultural discourses.

However, in Gadd's psycho-discursive analysis, psychoanalytic theory is used in such a way that, while the content of psychoanalytic concepts is considered socially constructed, their form is something we must assume (Georgaca, 2005). This distinction between *content* and *form* is important. Content is whatever is socially constructed to be anxiety causing, such as the failure to meet expectations of hegemonic masculinity, whereas form is the very need to defend against anxiety. The psychoanalytic form is an assumption about human nature that can be filled with different contents. For example, if Paul does, even unconsciously, feel that he should provide for Karen, this does not mean that the social expectation for him to provide is in any way natural. Nevertheless, that Paul needs to defend against such anxiety is an assumption. While this may be acceptable to some researchers, the difficulty in domestic violence policy research is the similarity with the discourse of expressive tension. Here, the perpetrator is not so much a victim of their aggressive tension, but a victim of their psychic need to defend against anxiety. However, the Kleinian psycho-discursive approach utilised by Gadd (2004) is not the only way in which discourse

analysis and psychoanalytic theory can be combined. This chapter now outlines an alternative approach.

2.2.3. Critical Transformative Psychoanalytic Discourse Analysis

Parker offers a psycho-discursive method, which he terms critical transformative psychoanalytic discourse analysis (CTPDA; Parker, 1997a), that attempts to locate psychoanalytic theory culturally and historically (i.e. Parker, 1997b) and which I shall use to analyse *Te Rito*. In line with Foucauldian discourse analysis, CTPDA is concerned with the connections between language, knowledge, and power (Foucault, 1972). Discourses specifying subjectivities can be understood as linguistic resources that are united because they provide a common set of rules that govern the construction of admissible ways of being. When discourses are taken up they constitute a particular network of power relations among subjectivities. As such, they manifest as regimes of truth and imply power effects, where alternative discourses of subjectivity can be silenced, ridiculed, and denied truth value. For example, the discourse of hegemonic masculinity that Gadd (2004) called in the example of Paul given above defines a man as someone who can financially support their family. This implies that everyone who does provide for their family financially is masculine and, alternatively, that anyone who cannot is non-masculine, or feminine. Consequently, psychoanalysis is taken as a discourse and CTPDA reads for its many manifestations: that is, for psychoanalytic (re)constructions of subjectivity.

Psychoanalytic theory has a relatively long history and psycho-discursive analysis and CTPDA are not necessarily aligned to any particular school. At least, regardless of the type of psychoanalytic concept utilised – such as Bion's object relations (Parker, 1997b) or Lacan's phallus (Chapter 4) – CTPDA should be able to treat the concept as

socially constructed. In the analysis of *Te Rito*, I draw upon Kleinian psychoanalytic theory. This affords continuity of argument, moving on from Gadd (2004) and Hollway and Jefferson (2000), as the aim in this paper is to consider the utility of CTPDA for offering an analysis of policy that does not essentialise psychoanalytic theory. I am not directly concerned with the differences between schools of psychoanalysis (although, I do consider the implications of using Kleinian theory in the Conclusion).

More specifically, CTPDA can add to the theorisation of the public/private distinction by showing how psychoanalytic subjectivities are formed in both the public and private spheres and that these two spheres cannot be separated. In the remainder of this paper, we want to develop this argument by means of an analysis of *Te Rito* (NZ Ministry of Social Development, 2002). Like other research into the family (see, Fahey, 1995), I argue that the family is constructed as an ideal where the violence present is hidden. However, I add that the way of doing public policy presented in *Te Rito* constructs this notion of family through the paranoid schizoid position. The link between 'doing public policy' and 'family' is something I elaborate in the analysis.

2.2.4. Materials

The aim of *Te Rito* is to outline planned and current areas of action in the prevention of family violence. Under a Labour majority, *Te Rito* was put together by the Family Violence Focus Group (FVFG), a collection of government and non-governmental organisations (NGOs) brought together by the Ministry of Social Development (MSD) in A/NZ. In the printed document, *Te Rito* starts by setting out the context for the strategy and for family violence in A/NZ. Then, the vision is presented with nine guiding principles. This is followed by five goals, each with their

own objectives to achieve them. The majority of the document is subsequently taken up with areas of action (18 in total).

Principle 1 writes, in a similar fashion to human rights apparatus of the UN, that “[a]ll people have a fundamental right to be safe and to live free from violence” (p. 12). The first goal is to “encourage intolerance to violence” (p. 14) and one objective for achieving this is to “promote... non-violent concepts of masculinity” (1.vi p. 14). The 13th area of action, public education/awareness, has ‘action details’, ‘preliminary targets’ and ‘measures’ that may help lead to the accomplishment of this goal. Other actions include legal practice changes, culturally specific focuses (for Māori and Pacific communities), screening to identify those at risk, calls for evaluation research, and changes to services for family violences. The importance of family in *Te Rito* is made clear in the Foreword by the Minister for Social Services and Employment and in the closing message from the MSD Chief Executive. Both assert that the policy vision is for families to live free from violence. However, *Te Rito* also recognises that ‘family’ is the site of frequent violations of the right to live free from violence. It is this – the importance and danger of family – that is the focus of the CTPDA presented in this chapter.

There is a history of discourse analysis and CTPDA of modest amounts of material (see respectively; Parker, 1994; 1996) and the Kleinian analysis of family in *Te Rito* presented in this paper draws on only a few extracts from the policy text. They have been selected as the instances where *Te Rito* explicitly writes about ‘family’ and ‘family violence’. While these extracts may be brief and infrequent, I shall argue that they are important for the framing of family throughout the policy document and for the way *Te Rito* presents itself as doing policy. These extracts, I argue, (re)construct

the Kleinian paranoid-schizoid position, which will be articulated in three successive steps. In terms of method, each step shows the construction of a discrete, but overlapping, psychoanalytic concept: splitting, idealisation, and projection. In terms of content, steps one and two interpret how *Te Rito* understands family and violence. These first two steps build up to the final step, which reads the document as presenting the process of creating policy as a family whose violences are hidden.

Te Rito explains on its back cover page that its name stands for the core of the harakeke, or flaxplant. The flaxplant is commonly used in the west to make linseed oil and linen but the harakeke is quite distinct from this. I understand the 'flaxplant' on the back page of *Te Rito* to be a translation of the Māori 'harakeke' to (New Zealand) English. I do not mean to discuss the differences in translation or horticulture between Māori and English but to signal the context for domestic violence policy generally, and *Te Rito* more specifically, in A/NZ, which I shall explicate in the analysis and return to in the conclusion.

2.2.5. Research Process

What will not be so evident from the analysis is the process by which it was developed. My upgrade viva was instrumental in leading to the approach utilised in this chapter. Up until the upgrade viva, both of the doctoral supervisors for this thesis had been keen to supervise research utilising Hollway and Jefferson's Free Association Narrative Interview method (FANI; Hollway & Jefferson, 2000). Gadd's work (e.g. 2000), above (section 2.2.2.), is an example of FANI where an individual is interviewed twice and the analysis combines discourse analysis with Kleinian psychoanalytic theory. In the upgrade report, I proposed conducting interviews with the FANI method alongside an analysis of policy. In the viva, the examiner

highlighted that developing a psychoanalytically informed discourse analysis of interviews and policy documents would be extremely time consuming and was doubtful that they could both be completed within the time-limits of a Ph.D. For the examiner, analysing either interviews or policy alone was sufficient for a doctoral thesis. In addition, the examiner pointed out that the upgrade report had little on how the policy documents would be analysed. Subsequent to the upgrade viva, I went in search of psychoanalytic work on policy documents and found Parker's analysis (2002) of a document of the British Psychological Society. As I continued to develop my analysis of policy documents, the need to conduct interviews dwindled.

The main point of talking about the upgrade viva is that when I started developing my theoretical approach to analysing policy documents, I had already been immersed in psychoanalytically informed discourse analysis that utilised Kleinian psychoanalytically theory. That is, I was primed in Kleinian theory. Within a few weeks of the upgrade viva, I joined the School of Psychology at Massey University, Aotearoa/New Zealand, as a visiting doctoral student. Mandy Morgan was my host supervisor and has an interest in psychoanalysis and discourse analysis while critical of FANI. *Te Rito* was the most recent domestic violence policy in Aotearoa/New Zealand at the time and I started reading it alongside feminist psychoanalytic work (e.g. Minsky, 1996).

As I read *Te Rito*, I was increasingly annoyed that it was a 'family violence' policy, which I verbalised as an annoyance with the way this word prioritises family while masking how violence is gendered within the family. To explore my annoyance further, I free associated around 'family violence' and other words and phrases from *Te Rito*. I found myself returning to 'family violence' and noticing two different ways in

which it was used in the policy (outlined in the analysis, below). Initially, this suggested the Kleinian concept of splitting, which I discussed in supervision with Mandy (and via email with my supervisors in Leeds). Alongside this analysis, I had been reading the DVA (1995), watching with interest the clash of Liberal New Zealanders and Christian-Maori groups³ over the development of a civil union bill, and interviewing key protagonists of the development of *Te Rito*. These all served to reinforce my Kleinian analysis of *Te Rito*, which I now present. However, it should be noted that the analysis includes no detail from this research process. In presentations of my analysis (NZ, Paris), I found that including my own involvement in the analysis resulted in responses that focused on me, allowing, for example, a senior A/NZ judge to paper over the implications for his own work. In addition, I have avoided discussion of evaluating the quality of this analysis, or qualitative research more generally. While recent debates around quality are important (e.g. Antaki, Billig, Edwards, & Potter, 2003; Burman, 2004), it is difficult to integrate them into my dual and circular concerns with developing critique at the same time as asking how critique can be done without 'quality' becoming too constraining.

2.3. Analysis

To contextualise the following analysis, I will first explain the paranoid-schizoid position (Klein, 1952b). Klein suggested that the paranoid-schizoid position occurs within the first four months after birth, but it is also a position which can be returned to throughout life (Laplanche & Pontalis, 1983). To take a paranoid-schizoid position

³ Specifically the evangelical Destiny Church (<http://www.destinychurch.org.nz/>). Although some Christians, such as the Student Christian Movement, did support the civil union bill.

is to be dominated by a particular type of anxiety and defences to deal with it. Schizoid is taken to mean the combination of mutually inconsistent elements within an 'object'. Paranoia is the fear of persecution or, more specifically to this context, the fear that the object will be destroyed by the schizoid inconsistencies within it. For a Kleinian example, it is in forming an ego that the infant must cope with the schizoid combination of life and death. As soon as it recognises itself - forms some kind of identity as separate from the (m)other - it immediately comes to the possibility of its own fragility and the paranoid "*fear of dissolution of the ego, or disintegrating or ceasing to be*" (Emanuel, 2000, p. 14).

2.3.1. Step 1: Splitting

In the following extract, taken from the introduction, family is constructed as both victim and perpetrator of violence:

Extract 1: "Family violence in Aotearoa/New Zealand is a **significant social issue**. It directly affects the well-being of families/whānau and the extent to which they can participate in society. It creates high personal costs for those affected and significant social and economic costs to society as a whole [includes reference to footnote given in Extract 2]"
(p. 6; emphasis in original)

The importance of family violence is clearly asserted as a social, and therefore not simply private, problem (first sentence, Extract 1). The presentation of this statement as an unquestioned given acts as a counter to the ideological separation of public (social) and private (personal) space. The next sentence in Extract 1 adds to this by noting that it is the families' well-being that is damaged. The later part of the sentence then suggests that a family with well-being is one that can participate in

society. Each successive line of text serves to clarify that which came before and the policy asserts that the good in a family lies with its societal participation. What exactly these participative functions are is shown as the text turns to describe what is so bad about family. In the third sentence, family violence is presented as something that creates costs; personal, social, and economic. However, as with participation, costs are never specified. Their specification is developed through the opposition of costs and participation. Hence, the understanding of each is created in a circle of meaning; costs are losses in participation, be that personal, social, or economic, and participation is the lack of costs. Yet, the term, costs, favours an economic interpretation. That is, cost is an active giving or surrendering of something for something else. It is the price paid to acquire something, or have it produced or maintained. Participation is therefore constructed as a finite means of exchange. Violence is paid for with participation. However, violence is bad because it costs, because it uses up this means of exchange. Consequently, the absence of violence means that participation can continue and accumulate: wealth can be created. Family is good when its participation leads to the continued creation of wealth but bad when it frustrates that.

Te Rito refers explicitly to money and the following is a footnote to Extract 1, above, presented as an aside to the main text.

Extract 2: “[footnote to Extract 1] For example, Suzanne Snively’s 1994 study[,]⁴ *New Zealand Economic Cost of Family Violence*[.]”

⁴ The square brackets are used to show that I am editing the quote. In this case, I am adding punctuation to make the quote easier to read.

conservatively estimated the potential economic cost of family violence at [NZ]\$1.2 billion a year” (p. 7)

The 1.2 billion was indeed Snively's most conservative estimate with an upper limit of over 10 billion. This is compared to the 1 and 2.5 billion made in wool and forestry exports respectively. However, in *Te Rito* there is no attempt to make the 1.2 billion reported understandable to the reader. It is presented as an unimaginably large amount and the point is clear: Family Violence costs *a lot!* of money. The emphasis of the good family moves from the absence of violence to the accumulation of wealth.

However, the textual presence of good and bad family alone does not mean *Te Rito* is using splitting as a defence mechanism, but there is a subtle difference in wording that allows me to argue this. This is the use of the word 'whānau' and its presence or absence alongside the word 'family'. 'Family/whānau' is a combination used in *Te Rito* that is part of a practice of combining, in a gesture of biculturalism, Māori and New Zealand English languages to signify difference, e.g. 'Aotearoa/New Zealand'. In the case of 'family/whānau', both terms name the smallest unit of kinship relationship recognised by the respective cultures. Nevertheless, Te Puni Kōkiri, a government body concerned with Māori affairs, argues (2004) that the mere citation of family and whānau together does not evoke difference and the two words in *Te Rito* can be “viewed as the same constructs with different languages used to describe them” (ibid., p. 12). The implication is that whānau is Māori for family. However, in *Te Rito* it is not used as if the interchange between the two is complete. In fact, where *Te Rito* names violence, whānau is omitted. In the title of *Te Rito* (New Zealand Family Violence Prevention Strategy), as well as in the following extracts, Family Violence is named without recourse to the term whānau:

Extract 3: "Family violence is a major issue affecting the lives of far too many New Zealanders" (p. 3)

Extract 4: "[T]he effects of family violence on individuals, families/whānau, communities and society as a whole are **wide ranging and multidimensional**" (p. 9; emphasis in original)

In both extracts, 'family violence' is used as a name for certain violences and relations. Where family and whānau are combined, violence is left out as something separate. In the following extract, violence is internal to family/whānau – it is 'in' and 'within' – but it is still something other.

Extract 5: "[V]iolence in families/whānau further contributes to the continuation of violence within families/whānau and in society in general" (p. 9)

This extract could have written that family/whānau violence further contributes to the continuation of family/whānau violence and in society in general. Instead, violence is in and within family/whānau and, textually, conscious awareness of family/whānau violence is absent.

There is one place where whānau is not separated from violence. In the 'Area of action 5', the 'plan of action for preventing violences in Māori communities', whānau is used to name violence (p. 26). *Te Rito* refers to a report by Te Puni Kōkiri entitled Whānau Violence (2004). Hence, whānau and violence are only combined as a noun when the focus is Māori. Family is left out and whānau used as a concept peculiar to Māori. Had family and whānau been combined it would have continued to construct them as bilingual synonyms, as names, from different languages, for the same construct. However, family is absent and whānau is left open to meanings outside of

this text. That is, Whānau Violence is the domain of Māori and whānau may mean something different to family. Yet in family/whānau, whānau is family.

I would suggest that it is possible to read the use of family/whānau as a form of cultural domination that assumes a fundamental similarity in the reference point of the two signifiers, family and whānau, but privileges the first. In addition, through splitting, *Te Rito* is avoiding conscious awareness of the implication that if whānau is to mean family, then it must also mean family violence. From a Kleinian perspective, the splitting suggests that *Te Rito* is anxious about the possibility that, by suggesting that Māori are, or can be, violent, they will be denigrating Māori. That is, that *Te Rito* wants to avoid appearing racist or colonialist rather than avoiding actually being so. Domestic violence is recognised to be an issue for Māori in a number of places and this is frequently done by also considering the violence British colonisation of A/NZ has done to Māori, for example in a report from Te Puni Kōkiri (e.g. 2004) and in Māori theological writing (Shirres, 1994). However, *Te Rito* appears deliberately to avoid discussing British colonialism or Māori violence and we consider this in the next step of the analysis.

2.3.2. Step 2: Idealisation

Family/whānau divides the people that *Te Rito* concerns itself with into two separate cultures, and idealisation occurs through the representation of Māori. Each word calls forth its own language: family is English and echoes Aotearoa/New Zealand's colonial roots in Europe. New Zealand English is a language of European descent and its people may be called Pākehā. Wetherell and Potter (1992) define Pākehā as white New Zealanders, and Shouksmith (2005) calls Pākehā non-indigenous New Zealanders. Although, 'Pākehā' is a contested term that many white New

Zealanders would reject if it were used to name them. The word Pākehā mixes in skin colour, historical origins, belonging (to New Zealand), and responsibility for a colonial past, present, and future (for a fuller exploration see Ranford, 2003). The implication with both uses is that Pākehā is a Māori name for a group of people and a name that Others them. However, the practices utilised in developing *Te Rito* – focus groups, prevention strategy, report writing and publication – culminate in a New Zealand English language document. That is, *Te Rito* is Pākehā and its use of the word whānau calls forth Māori as a language and a people that is Other.

The forward slash between family and whānau further separates, showing Pākehā and Māori to be different, divided. It is a dualistic practice that constructs two cultures as distinct and yet offers the possibility of merging – or recognising that they were one and the same in the first place. Yet this is contested, with Te Puni Kōkiri arguing that “using these terms synonymously in social policy indicates that they are... not well understood” (2004, p. 12). Whānau is (re)presented as a Māori language word, for which Te Puni Kōkiri claim ownership and the power to define. At the same time, they disown the use of whānau in *Te Rito*. Recognising that whānau, like any other word, may have multiple meanings is important. Rather than trying to seek a correct interpretation from Māori to English the point is to consider how its meaning is constructed in *Te Rito*. In *Te Rito*, whānau is a signifier for two signifieds; (a) Māori, a culture split from Pākehā by the binary Othering processes of the English language and, (b) family, a Pākehā concept. Whānau summons up Māori but is collapsed back into Pākehā, to signify *family*.

It is difficult to understand Klein's concept of splitting without also drawing upon idealisation. When an object is split, the good part, lacking anything bad, is

easily idealised. For example, the mother that only gratifies would seem to offer unlimited love and nourishment. The use of whānau in *Te Rito* ties family in with Māori where whānau, split from the violent family, is the violence free family that *Te Rito*, as policy, is aiming for. The point is that, as whānau collapses back into Pākehā, to signify *family*, it retains a link to Māori as a culture where there is violence-free family. Māori in *Te Rito* can be read as having families that live free from violence. That is, Māori are idealised.

2.3.3. Step 3: Introjection

In *Te Rito*, whānau represents the idealised violence free family and this is introjected into the strategy as a way of doing public policy. Introjection is similar to identification, in which an object – the characteristics of another person in identification – is taken within the self. However, introjection is also, for Klein, a defence mechanism to deal with a hostile internal world (Hinshelwood, 1991). For example, Klein theorises that the infant experiences the drinking of breast milk, in a process of introjection, as the replacement of the hunger (the bad internal object) with the good mother (the external good object). Consequently, by suggesting that *Te Rito* is introjecting the ideal family, this analysis also adds that the internal policy world of *Te Rito* is indicative of the bad violent family; an interpretation which I now substantiate.

The development of *Te Rito* was one that used a collaborative approach and *Te Rito* writes about this process as if it reproduced an extended family/whānau. A Family Violence Focus Group (FVFG) was established from organisations within and outside of government in order to produce the document:

Extract 6: “The strategy has been developed by government and non-government agencies working together in partnership. There has also been significant input from a wide range of individuals and different sectors in the communities[...] Continuing and building on these relationships are integral to achieving the strategy’s vision, goals and objectives” (p. 3)

The lead body and publisher of *Te Rito* is the Ministry of Social Development (MSD), but many more government ministries and departments were involved. These included those for criminal-justice, education, health, women, pacific islanders, Māori, and children, youth and family, as well as internal affairs, which, in this case, were the treasury, ethnic affairs and accident compensation. Non-governmental organisations (NGOs) included charities and collectives providing refuges, rape crisis, relationship counselling, support for children and elder adults, and services to help perpetrators change. In addition, interviews and community workshops were conducted to feed into the policy development. The FVFG’s aim was to establish strategy for government and to do so by involving all that may, in the end, help implement that strategy. *Te Rito* presents the relations between the organisations as harmonious and egalitarian:

Extract 7: “The strategy is a product of the positive, collaborative working relationship between government and non-government organisations”
(p. 54)

The idealised descriptions of the relations lack any account of conflict, strife, disagreement, or violence. However, Te Puni Kōkiri was part of the FVFG that put *Te Rito* together, yet they still denounced the use of whānau in this document (Te Puni

Kōkiri, 2004). This, or indeed any conflict, is absent from the written document. In these relations whānau – the co-operative, violence-free family – is implied. A Kleinian perspective allows the interpretation of this as evidence of an internalisation of whānau as an integral part of *Te Rito*. In Extracts 6 and 7 this is shown as a part of the development of the policy. The following extract, like the last sentence in Extract 6, shows this to be essential to the continued and successful formation of *Te Rito*.

Extract 8: “Principle 6: Approaches to family violence prevention must be integrated, co-ordinated and collaborative: Cross-sectoral co-ordination, collaboration and communication are essential to providing an integrated and comprehensive approach to family violence prevention” (p. 13, emphasis in original, which is used for the title of all nine principles)

Extract 8 affirms the positive relations in the FVFG as if the approach to developing the policy document is to use and develop relations free from violence. However, Te Puni Kōkiri's disagreement about the use of whānau in *Te Rito* suggests the policy making group is not free from violent relations. Rather, it would appear that the policy-making of *Te Rito* is like the policy's object (family) which is both good (violence free) and bad (violent). Indeed, *Te Rito* is like a family who keeps its violences hidden (see, Fahey, 1995).

Equating such disagreement with violence is deliberate. Domestic violence is more than physical assault and the concept of a continuum of violence (Kelly, 1988) usefully includes the more insidious and often repeated actions, such as jokes, which may be just as powerful as actual bodily harm in perpetrating abuse. *Te Rito's* use of whānau as if it is synonymous with family - while presenting the policy process as

harmonious – can therefore be interpreted as an act of violence. At the very least, it does suggest that *Te Rito's* presentation of the relations between the organisations as harmonious is untenable. In addition, it may be that the discussion of the meanings of whānau was not deemed significant or relevant enough to be included in *Te Rito*. Nevertheless, for Te Puni Kōkiri (2004), it was important enough to disagree with *Te Rito's* use of whānau in their framework for whānau violence. In psychoanalytic terms, the absence of conflict in *Te Rito* could be understood as repression (a concept I draw upon in Chapter 4) but I do not think explicating this in these terms would add to the analysis here. The domination over the meaning of whānau in *Te Rito* would seem to be a symbolic violence in which Māori are idealised, barred from having voice, and where discussion of violences done to Māori through colonialism and acts of the A/NZ government are actively avoided.

2.4. Conclusions

The main point of this analysis is to deconstruct *Te Rito's* use of the concept of family. Through Klein's concept of the paranoid-schizoid position, separated into defensive processes of splitting, idealisation, and introjection, the analysis in this chapter interprets the family as split into 'family/whānau' and 'violent family'. The meaning of the Māori word whānau is dominated by a Pākehā interpretation where Māori are idealised as having violence free families. Whānau is then taken in as a way of managing in *Te Rito*. Consequently, I am suggesting that as public policy in A/NZ linked to civil rights initiatives across the globe, *Te Rito* can be questioned for how it intends to prevent male violence against women when it instantiates a policy group that is violent. Indeed, it is ironic that, in aiming for violence-free families, *Te Rito*

presents itself as being produced by seemingly harmonious relations, but with hidden violence.

The theoretical point of presenting this analysis was to consider the utility of a psycho-discursive approach (CTPDA; Parker, 1997a) for theorising psychosocial subjectivity. The difficulty with psychoanalytic concepts, such as anxiety and defence, is they can too easily be taken as an essential and immutable part of human nature. In the debate on the public/private, psychoanalytic concepts have in the past been used in ways that found subjectivity residing within the individual and, therefore, beyond the reach of sociology (e.g. Bailey, 2000). In turning to Parker's CTPDA (1997a), we have attempted to show how the paranoid-schizoid position of Kleinian psychoanalysis is constructed in the text of *Te Rito*, not as a natural part of human nature, but as a way of managing public policy. Consequently, both content (what is anxiety causing, such as the domination of Maori in *Te Rito*) and form (the need to defend against anxiety, or to avoid being seen as colonialist or racist) are understood as discursively constructed. In addition, the paranoid-schizoid position is understood as a psychosocial subjectivity. That is, it is a way of being for the policy actors as they take up their collaborative approach, although the paranoid-schizoid position does not inhere in any one individual. Indeed, a further study could explore the construction of subjectivity in the talk of key players in A/NZ domestic violence policy talk to see if, and how, they take up, or reject, the paranoid-schizoid position. If, for example, a similar position were taken up in relation to managing the processes of CEDAW, there is a risk that violences against ethnic minority groups could hide behind the legitimacy of international human rights.

While I started the analysis presented here by suggesting the psycho-discursive approaches are not necessarily aligned to any particular school of psychoanalytic theory, Kleinian theory seems to suggest a therapeutic resolution to the anxiety around family. That is, if we question *Te Rito* for hiding the conflict in the process of its development, the response we seem to request from policy is greater openness about the struggles of policy development. Indeed, for Klein (1950), being able to deal with anxiety in such a way would suggest a progression from the paranoid-schizoid to the depressive position. This position is depressive because the good, idealised object is recognised to also be the bad object, i.e. that objects contain both good and bad features. In the case of *Te Rito*, this would be working with a more complex, but perhaps more realistic, concept of family and of relating (see e.g. Barrett & McIntosh, 1982) and, more specifically, a more complex view of family/whānau that, despite colonial oppression and consequent oppressed state, can recognise violence. Indeed, the collaboration conducted in the process of developing *Te Rito* was a serious attempt to consult relevant organisations and individuals to develop policy – in contrast to the more trite, and perhaps more common, process of consulting after policy is developed (Maynard & Wood, 2002). Unfortunately, the depressive position risks apathy, as it implies that families are inherently both good and bad and that the attempt to eradicate violence is futile. Yet the strength of the Kleinian depressive position is its realism. For domestic violence policy generally, particularly where connected to international human rights initiatives, such as the UN Convention for the Elimination of All Discrimination Against Women, this is an important point. It means that policies can engage with cultural contexts, such as ethnicity or colonialism. For example, in A/NZ this could mean that colonialism is included in all domestic violence policy rather than being limited to Māori only policy.

Consequently, it is particularly important that I reflect on the role of this chapter in terms of colonialism. Massey University, A/NZ has a code of conduct for research on human participants⁵ that is representative of an approach to research and Māori that is becoming the norm across A/NZ. The code requires that research involving Māori participants, or that is relevant – without defining 'relevance' – to Māori, includes Māori as partners in the “design, governance, management, implementation, and analysis of results” (Section 2, #3.a.) and that in the process of the research Māori culture is respected – without defining 'respect'. Where it is not entirely clear if the research involves or is relevant to Māori it seems necessary to have a clear statement about the position of the research towards Māori and to have a Māori provide a reading of any publications and to comment on any bicultural aspects (which they would define).

My analysis of *Te Rito* is a critique of A/NZ Government policy. Both the institution of Government and the practice of writing policy documents would be understood as Pākehā practices. In addition, the specific analysis of the domination and silencing of Māori in *Te Rito* is a critique of Pākehā discourse. My analysis is also more acceptable to Māori because it was conducted and supervised by Tau Iwi, which I understand to mean foreigner. While Mandy Morgan, my host supervisor, does live and work in A/NZ, she is an Australian immigrant and considered Tau Iwi. Mandy Morgan did have someone provide a reading of bicultural comments aspects of this chapter, which I have taken into account. The identity of the person(s) providing the reading, how they did the 'reading', how what they saw as the 'bicultural aspects' are

⁵ Available from <http://humanethics.massey.ac.nz/code.htm>.

all unknown to me. Yet to demand that I am informed of these would be for me to dominate the process with my own cultural expectations.

Nevertheless, I am aware that in critiquing *Te Rito* for silencing Māori this chapter provides a critique that does not belong to Māori. That is, in my analysis Māori lack agency, rendering them as the subaltern on which the critique relies for authority. I do not want to argue that I have attempted to offer Māori voice but I do draw upon Spivak (1985) to suggest that my critique helps to clear a space where they can speak. For example, where it is legitimate for the violence done through colonialism to be part of domestic violence policy in A/NZ. Nevertheless, this is still another colonialist move – giving space, rather than giving voice – but I do not let this disable me from providing this critique. The term 'enabling violation' (Spivak, 2004, p. 524) usefully highlights the Kleinian depressive position of my critique.

Indeed, as a white middle class English male it is easy to suggest that I am all too similar to the original colonial settlers, gazing upon, and Othering, the inhabitants (which, in this case, would be both Pākehā and Māori) of A/NZ. As such, it is important to move the critique in this chapter on to consider its relevance in my own context. That is, to turn the gaze around and within. More specifically, the critique presented here suggests that the collaboration presented in *Te Rito* is violent to Māori. This is despite a determined effort (see, Maynard & Wood, 2002) to develop the policy of *Te Rito* in consultation with relevant government and non-government bodies. Consultation is common policy practice in the West and a critique of consultation in *Te Rito* from a Western perspective needs to consider this, which is what I propose to do in the next chapter.

In my thesis, this chapter adds to my dual and circular objectives of developing critique while considering how to do critique by outlining CTPDA. While I have demonstrated the utility of CTPDA for one policy document (*Te Rito*) and, indeed, by presenting only a modest amount of that document to justify my critique, what remains is for me to consider how CTPDA can be used to critique other domestic violence policies. In addition, CTPDA has been developed in this chapter as a method of critique that uses psychoanalysis but which is not dedicated to any particular school of psychoanalysis. I have shown that the (Kleinian) psychoanalytic approach used provides a complex critique of *Te Rito* and that it also suggests a particular resolution – the depressive position – to the critique. I want to turn to a different psychoanalytic perspective and in the next chapter I turn to one that is particularly relevant for considering consultation as a common policy practice.

CHAPTER 3 DECONSTRUCTING 'CONSULTATION' IN DOMESTIC VIOLENCE POLICY: A LACANIAN PSYCHO- DISCURSIVE ANALYSIS OF *SAFETY & JUSTICE*¹

This chapter provides a Lacanian psycho-discursive analysis of consultation in *Safety and Justice (S&J)*, the key, contemporary domestic violence policy for England and Wales. The analysis in the last chapter demonstrated that a serious attempt to consult in policy development enacted a symbolic violence and this chapter considers the more common government policy consultation, which seems to occur after decisions have been made. However, an analysis of one such policy, *S&J*, would at first seem to add little more than a confirmation of the tokenism of consultation. To provide a radical reappraisal of consultation, this chapter draws upon Lacanian psychoanalytic theory as a perspective that offers a focus on the form of the relations constructed by consultation. In addition, this chapter continues the work of the last chapter, where Kleinian psychoanalysis was used, in considering the utility of critical transformative psychoanalytic discourse analysis (CTPDA; Parker, 1997a) with a different domestic violence policy text and Lacanian psychoanalysis. My analysis of *S&J* interprets consultation in *S&J* as constructing the Discourse of the Analyst, which is a chain of four concepts. There is some unknown *Knowledge* in the position of truth, which motivates the government (*objet petit a* in the position of agent) to address the public, professionals, and victims² (*barred subjects* in the position of Other) to seek the specific anchor of the *master signifier* (in the place of

¹ A version of this chapter has been submitted to the journal *Theory & Psychology*.

² See note 2, Chapter 1, p. 14.

product), which highlights that Government is not motivated to consult by the knowledge it would receive (the motivation is the unknown *Knowledge*). For Lacan, the Discourse of the Analyst is the most effective means of achieving social change because it forces the consultees (barred subjects) to recognise the deficiencies of government and identify with their alienated position in decision making processes of policy development. This analysis invites more detailed consideration of Lacan's forms of signification for domestic violence policy more generally as well as a questioning of the attempts of domestic violence policy to achieve change.

3.1.Introduction

This chapter provides an analysis of the form consultation in *Safety & Justice* (*S&J*; Home Office, 2003a), a key, contemporary domestic violence policy in England and Wales. It is important to deconstruct the consultation because it is a common procedure of domestic violence policy but it rarely achieves consultation in practice (see e.g. Cook, 2002). As a consultation document in which much of the policy has been decided and implemented, *S&J* appears a trite attempt to consult and is, therefore, useful site for deconstructing consultation. In addition, this chapter will demonstrate the utility of a Lacanian psycho-discursive analysis (Parker, 2005a), which allows a radical focus on the relations constructed in the particular construction of consultation in *S&J*.

Consultation would seem to be rarely consultative. Government consultation can be criticised for often being manipulative (Flowerdew, 2004), by attempting to persuade the consultees of the appropriate response, or tokenistic (Cook, 2002), by aiming to do little more than 'tick-boxes' or 'cascade-down' information about what government intends to do, i.e. government policy. For example, Renn (1999) has

explored political consultation through scientific advisory committees in Germany to argue that they do not achieve effective consultation, and Yeung (1998) has looked at meetings in Hong Kong banks to show how managers use consultations with subordinates to open themselves up to influence while maintaining control of the decision-making process. For Baudrillard (2005), such attempts are the reverse of the democratic direction, "from the authorities down, by means of a booby-trapped consultation and the circular game of questions and answers, where the question only ever answers Yes to itself" (p. 24). In failing to be consultative while still calling itself consultation, the use of consultation in government policy development would appear to be an attempt to mask the reversal in the democratic direction. However, these only ever seem to be feeble attempts because, as Flowerdew suggests (2004), the consultees are more than likely to be aware that they are not really being consulted. As something that is pervasive (see e.g. Cook, 2002) and yet rarely ever achieved, consultation certainly invites critical consideration.

Indeed, writing about the government and non-governmental collaboration in the development of *Te Rito* (A/NZ Ministry of Social Development, 2002), Aotearoa/New Zealand's (A/NZ) key domestic violence policy, Maynard and Wood (2002) point out that in the domain of domestic violence there "has been a long history of limited consultation, feeling unheard, limited resources and strategies that have not been implemented" (p.90). As such, *Te Rito* is a "test case" (ibid.) that aimed to be truly consultative by using consultation in the process of developing the policy, which I shall refer to as 'collaborative consultation'. I understand 'test case' to mean that Maynard and Wood (ibid.) considered *Te Rito* to be the first case of collaborative consultation, which would add to understandings about how to go

about doing such consultation. Consequently, *Te Rito* is a policy that can be used to question consultation.

The analysis of *Te Rito* in the last chapter can be understood as deconstructing this particular collaborative consultation. *Te Rito* was read as subtly splitting 'family' into the good (violence-free) and bad (violent) family, and using the Māori word 'whānau' to represent the ideal, violent free family. In addition, the representation of whānau, the good family, was interpreted as being introjected into the policy development, which is presented as occurring with idealised, harmonious relations between the various government and non-government organisations involved. However, Te Puni Kokiri (2004) – the Ministry concerned with Māori affairs in A/NZ – disagree with the use of whānau in *Te Rito*, suggesting that the representation of the policy process as purely harmonious is untenable. The domination over the meaning of whānau in *Te Rito* would seem to be a symbolic violence in which Māori are idealised, barred from having voice, and where discussion of violences done to Māori through colonialism and acts of the A/NZ government are actively avoided.

In the domain of domestic violence, this is particularly important because it means that democratic attempts at developing policy can instantiate their own violences. The analysis of *Te Rito* highlights the importance and utility of interrogating the construction of public policy 'consultation' but *Te Rito* was a test case in collaborative consultation. Alongside this, there would seem to be a need to also question the more typical policies where consultation seems tokenistic.

S&J (Home Office, 2003a), the UK's key, contemporary domestic violence policy, is one such policy that appears to be consultative, explicitly asking for views

and detailing how people and organisations can respond. Nevertheless, the detail of the 45 questions on which consultation is invited suggests that the policy has largely been decided. For example, question 1 asks “[h]ow should the Government best measure the incidence of domestic violence and the success of its strategy to reduce it” (p. 50). Hence, the decision to measure domestic violence and to have some process for assessing the strategy has already been decided. The question appears to cascade-down information about the policy (Cook, 2002) while only seeking help with the finer details. Consequently, this chapter will deconstruct consultation in *S&J*. However, as consultation is rarely consultative, an analysis of *S&J* risks telling us little more than that the way consultation was done did not achieve real consultation. The analysis of *Te Rito* provides some insight that suggests turning to a particular school of psychoanalysis.

The psycho-discursive (Wetherell & Edley, 1999) method utilised in the last chapter, critical transformative psychoanalytic discourse analysis (CTPDA; Parker, 1997a), combines Foucauldian discourse analysis with psychoanalysis. Discourse analysis was used to read for regularities in linguistic resources that would provide the rules that govern the construction of admissible ways of being. Psychoanalysis was understood as a cultural resource (Parker, 1997b) and psychoanalytic discourse analysis was used to read for those discourses of subjectivity that are psychoanalytic.

While CTPDA is not aligned to any particular psychoanalytic perspective, attempting to read all psychoanalytic concepts as socially constructed, there are important differences between the schools of psychoanalysis. Kleinian theory, which was used in the analysis of *Te Rito*, allows the analysis to focus on what is said rather than how it is said. Georgaca (2005) calls this content (what is said/done)

over form (how it is said/done). To use *Te Rito* as an example, the policy document is interpreted as utilising three psychoanalytic defences – splitting, idealisation, and introjection – that suggest a Kleinian paranoid-schizoid anxiety (Klein, 1952a) around Māori. The use of splitting suggests that *Te Rito* is anxious about appearing to be racist/colonialist towards Māori. From a Kleinian perspective, anxiety is a central concept. Indeed, anxiety is theorised as the very reason that defensive processes are mobilised. Interpreting a fear of being seen to denigrate Māori in *Te Rito* is consequently the content of anxiety whereas the form is the paranoid-schizoid splitting, idealisation, and introjection. The Kleinian approach allowed the questioning of the way consultation was done in *Te Rito* but it does not delve into why this anxiety was defended against in this way or why the anxiety needed to be defended against. To reiterate, as consultation is seldom consultative another analysis focusing on content risks telling us little more than that the way consultation was done did not achieve real consultation. I would argue that tokenistic consultation calls for an analysis that allows for a radical reappraisal of the form of consultation.

Lacanian psychoanalysis (Parker, 2003; 2005a; 2005b) focuses on exploring the forms of language and a Lacanian psycho-discursive analysis might prove fruitful for considering the form of consultation. For example, Georgaca (2001b) provides a case study of long-term psychotherapy, which looks at how the clients construct relations with the therapist (the form of the therapeutic relationship) rather than what the client says about the therapist (the content of the relationship). While Parker (2002) has used Freudian psychoanalytic theory to analyse what could be understood as a policy document of the British Psychological Society (BPS; 1988), I

know of no work, other than the analysis of *Te Rito*, that has used psychoanalytic theory to examine a document of government policy. Lacanian psychoanalysis has been used to examine the production of girls' desire in comics (Walkerdine, 1987), heterosexual subjectivity in interviews and a journal (Hollway, 1989), views of the self in long-term psychotherapy (Georgaca, 2001b; 2003), and psychosis in Lacanian psychotherapy (Georgaca, 2001a). Laclau (1989) does point out that the Slovenian Lacanian School (e.g. Žižek, 1989) has extensively used Lacanian psychoanalytic theory to examine the political and ideological field, but I do not know of any work that used Lacanian psychoanalytic theory to examine a policy document. Nevertheless, this needs to be contrasted with the arrogance and incomprehensibility that some, particularly Billig (1999), associate with Lacan's work, which could result in an overcomplicated analysis. Indeed, Parker (2005a; see also; 2001; 2003; 2005b), as an example where Lacan's writings are used extensively and in some detail, is explicit that Lacan is often elliptical, deliberately avoiding the provision of a comprehensive theory. In addition, Parker (Parker, 2005a) is attempting to re-interpret Lacan for a discourse analytic approach and drawing on this approach will help consider its utility. More specifically, the focus Lacanian analyses take on form rather than content suggests that a Lacanian approach will be particularly useful for examining tokenistic consultation in domestic violence policy. Consequently, this chapter aims to use Lacanian psychoanalysis to deconstruct the form of 'consultation' in *S&J* and I now turn to outline the methodological approach.

3.2.Methodology

The approach to Lacanian psychoanalysis used in this chapter is to combine it with discourse analysis. The methodological aim is to deconstruct the form of

consultation through an analysis of the construction of Lacanian psychoanalytic concepts in *S&J*. Before developing such an approach further it is important to describe *S&J* in more detail and it is to this I now turn.

3.2.1. Materials

S&J has been key to the work the UK government undertook in the area of domestic violence policy and operationalises an important international civil rights initiative, the UN Convention for the Elimination of All Discrimination Against Women (CEDAW). *S&J* influenced the appointment of a National Domestic Violence Co-ordinator in the Department of Health (DoH) and health professionals are increasingly required to identify domestic violence (e.g. in general practice; Bradley, Smith, Long, & O'Dowd, 2002; Richardson et al., 2002). In addition, the UK acceded to the UN Convention for Discrimination Against All Women (CEDAW) on 7th May 1986 (Office of the High Commissioner for Human Rights, 2004) and *S&J* is included as part of the UK's actions to implement CEDAW (UN CEDAW, 2003). *S&J* starts with a Foreword from the Home Secretary and, after the introduction (chapter 1), there is a list of what the government has done so far in its three-stranded approach (prevention, protection and justice, and support) to domestic violence, which are each dealt with in more detail in subsequent chapters (ch. 2-4). Last, there are four annexes; A), a list of 45 questions on which the government welcomes views; B), details of how to respond to *S&J*; C), an initial and partial assessment of the impact of *S&J* on black and ethnic minority communities; D), impact assessment – including public sector costs and benefits – of *S&J*.

The nature of the *S&J* as a government publication is unclear, which seems to stem from the presentation of *S&J* as a 'Consultation' document. The political

process for government policy can take the form of a green and then a white paper or straight to a white paper. A green paper is a consultation document and a white paper is a statement of policy. The process can move from green paper, to white paper, and then usually to a Bill where changes or additions of law are suggested, with an Act as the final legislative outcome. The full title, '*Safety and Justice: the Government's proposals on domestic violence*', suggests the aim is explicitly to define policy. *S&J* was published in June 2003 and by the start of the next session of Government (1st December), Baroness Scotland of Ashal, Minister of State, Home Office, introduced the Domestic Violence, Crime and Victims Bill to the House of Lords (House of Lords, 2003a; 2003b; now the Domestic Violence, Crime & Victims Act (2004)). The summary of responses (Home Office, 2003b) to *S&J* was published not long before the introduction of the Bill, with the Bill already included as one proposal of the government in the initial policy. In addition, in the second reading of this Bill, Lord Desai, Baroness Linklater of Butterstone, the Earl of Roslyn, and Lord Borrie explicitly call *S&J* a white paper (15/12/2003, [665] 978; 990; 993; 995). The suggestion is that *S&J* was a document presenting formally what the Home Office intended to do in relation to domestic violence. However, inside *S&J* the text asks for responses to the proposals as part of a consultation. Baroness Thomas of Walliswood and Baroness Scotland of Asthal, in the second reading of the Bill, also refer to *S&J* as a consultation document (15/12/2003, [665] 958; 1015). It is just this confusion between consulting and proposing in *S&J* that makes it a particularly useful source for a psychoanalytic analysis.

3.2.2. Research Process

In developing this analysis, I undertook two parallel lines of reading. At the centre of the first line of reading was *S&J* and linked texts and materials. The debates from the House of Lords on the Domestic Violence, Crime, and Victims Bill, which are recorded in Hansard daily and now available online³, provided a useful source of discussion of *S&J*. In addition, I watched for broadcast and print media about *S&J* and domestic violence. Specifically, the BBC had a series of programmes, called *Hitting Home*⁴, on domestic violence over a week in 2004.

The second line of reading was on psychoanalysis and discourse analysis. In particular, I was searching for an alternative perspective to Kleinian psychoanalytic theory. During supervision, Jung and Lacan were discussed as possibilities, noting that Lacan seems to be the more popular of the two. I read Jung's autobiography (1953), and work exploring his connections with the Nazis (Frosh, 2005) to learn more about why Jungian psychoanalysis lacks the popularity of Lacan in critical academic work. Jung does not feature heavily in this thesis but I do think there is much to learn about Jungian psychoanalysis, particularly in relation to the mythopoetic men's movements (where Jungian archetypes seem to be called upon). Nevertheless, the readings on Lacan (which I explain below) proved to make a connection with my parallel reading of and around *S&J* that seemed to present the best possibility of an analysis that would further understandings of *S&J*. It is to the work on Lacan that I now turn.

³ <http://www.publications.parliament.uk/pa/pahansard.htm>

3.2.3. Critical Transformative Psychoanalytic Discourse Analysis

The analysis in this chapter draws upon Parker's psycho-discursive approach, critical transformative psychoanalytic discourse analysis (CTPDA; Parker, 1997a) which can be understood in three steps. First, CTPDA is a Foucauldian discourse analysis reading for the regularities in linguistic resources, termed discourses, providing the rules for the construction of admissible ways of being. Second, CTPDA is a psychoanalytic discourse analysis that reads for those discourses of subjectivity that construct psychoanalytic ways of being. Last, CTPDA is critical of its topic (in this case, consultation) and transformative of psychoanalysis. The topic in this paper is consultation in a key, contemporary UK domestic violence policy. In CTPDA, to be critical of government policy is to render visible and question the connections between power, knowledge, and language. A CTPDA is transformative of psychoanalysis by locating psychoanalysis as discursively constructed, rather than essentialist, innate, or determined.

Lacanian psychoanalysis is useful for exploring the form of consultation because it draws upon Saussurian semiotics (Saussure, 1972). For Saussure, a sign consists of a signifier and a signified where the link between a signifier and its signified is arbitrary. As such, the content of language consists of meaningless elements (signifiers) with meaning created through the relation between elements, i.e. between signifiers (form). It is through these chains of signification that social practices, such as consultation, are enacted at a symbolic level. Despite the ability of language to constantly reproduce new variations (contents) there is, for Lacanian

⁴ http://www.bbc.co.uk/relationships/domestic_violence/index.shtml

psychoanalysis, a limited number of forms of signification (Quackelbeen, 1997). These are termed the discourse of the Master, Hysteric, University and Analyst (see, *ibid.*; Lacan, 1991[1969-1970]) and I shall give brief descriptions of each.

• Each of the forms of discourse are constituted by four terms, which can move between four positions. The positions start with *truth* which motivates the *agent* to address the *Other*, which produces a *product*. The terms - the master signifier (S^1), knowledge (S^2), the *objet petit a*, and the barred subject - can move between the four positions but they are always in the same order. For example, if knowledge is in the position of *truth*, the *objet petit a* will be in the position of the *agent*. The description of each concept depends on their arrangement in the chain of signification. The Discourse of the Master can be seen in psychiatric encounters where the patient (barred subject in the position of *truth*) does not understand their symptom, the psychiatrist (master signifier as agent) provides a diagnosis (knowledge as Other) in which the patient is objectified (*objet petit a* as product), and there is no connection between being an object for the psychiatrist and the divided subjectivity of the patient. In the Discourse of the Hysteric, the cause of the hysteric's symptom (the *objet petit a* as truth) is unconscious, the hysteric (as agent) is a barred subject who addresses the Other (the master signifier) in order to bring about understanding about their symptom (knowledge as product), and the knowing they bring about (knowledge) is not related to what caused their symptom (*objet petit a*). The Discourse of the University is common to education where the master signifier is unconscious original knowledge (master signifier as truth) that supports the knowledge that is to be taught, and the knowledge that is to be taught (knowledge as agent) addresses the student (*objet petit a* as Other) as lacking.

knowledge (barred subject as product). In the Discourse of the Analyst, the analyst's knowledge (as truth) leads them (*objet petit a* as agent) to address the patient (barred subject as Other), which elicits knowing (master signifier as product) from the patient that is not connected to the knowledge in the analyst. While both the Discourse of the Analyst and University suggest a particular setting – therapy and education, respectively – this does not mean they will only, or always, be evident in those settings. For the purposes of this chapter, I have offered only brief descriptions of the four discourses and refer the reader to Quackelbeen (1997) for their elucidation in greater detail.

Adapted from Parker's discussion of what a Lacanian theory of discourse may be (2005a), I take a particular orientation to *S&J*, which can be outlined in three steps. The first two steps look to the form of the text, rather than its content.

3.2.3.1. Step 1: differences

First, the analytic reading focuses on the construction of differences and the purpose they may serve. Differences are patterns in the text that differentiate between two or more objects and then subsequently hold them in tension. The confusion over the nature of *S&J* as either a green-consultation or white-policy-proposal paper demonstrates the construction of a difference with two items in tension. Consulting and proposing are two separate activities and, more to the point, there is a tension between the two. To consult is to discuss with the intention of seeking information or advice about the matter under discussion. To propose can mean to present something for consideration and could be in line with consultation. However, the proposals in *S&J* come in two forms that close off further discussion. These are a) what has been done and b) what will be done. Pages 14 and 15 are

devoted to summarising all the activities (22 in total) the government has done so far and almost every subsection of the three main chapters (2-4) ends with what the government intends to do next. If the government has already developed detailed proposals, some of which it has already implemented, of what it plans to do then there is a suggestion that the proposals are not open to discussion.

3.2.3.2.Step 2: chains of meaning

This brings me to the second step in the orientation to the Lacanian analysis, where the focus on difference is extended to search for chains of meaning. For Lacan, meaning is not fixed but constructed by the relation of a term to words, signs that precede it. As such, this CTPDA orients itself to *S&J* by reading differences as constructed in a chain of signification and one of the four forms of signification: the Discourse of the Analyst, which will be elaborated in greater detail in the analysis.

3.2.3.3.Step 3: nonsensical

The final step in the approach to the analysis is to read the nonsensical in the text in an attempt to find alternative ways of reading the text. It is to read the UK policy like a piece of fiction or comedy, to look for possible puns, double meanings, sarcastic replies, etc, which psychoanalysis would interpret as having unconscious meaning. The difference between consulting and proposing is a point of nonsense. In relation to the proposals actually set out in *S&J*, the difference between consultation and proposal can appear trite and to analyse it could be seen as pointless. However, the possible nonsense of such a difference highlights it as a useful focus for a Lacanian orientated CTPDA.

These three steps aim to orientate the analyst to the text in such a way that will disrupt the intended reading of the text so that the function *S&J* plays in organising

signs and constructing meaning can be opened up. The analysis argues that four Lacanian concepts are constructed in *S&J* – knowledge, the *objet petit a*, the barred subject, and the master signifier - and, importantly, the relation between these concepts is understood to be that of the Discourse of the Analyst

3.3. Analysis

In this analysis, the consult-propose difference is outlined in detail as a chain of signification, specifically Lacan's 'Discourse of the Analyst' (Quackelbeen, 1997). Lacan was concerned with psychoanalysis as a talking therapy. As such, he deals with both the analyst and the analysand (the client) and the Discourse of the Analyst is about the relation (form) between the analyst and analysand in the therapeutic encounter (although, as a form of signification it is not limited to the therapeutic context). Georgaca (2001b) provides a case study of a man, 'C', who has undergone psychoanalytic psychotherapy for seven years and I shall provide examples from this, along with my own interpretations, to describe the Discourse of the Analyst. However, to do so, I shall start with the Discourse of the Master as it provides a useful contrast.

In the early stages of psychotherapy, the analysand generally attempts to use the analyst as an authority figure through which they can come to know themselves. In C's 16th session, there is a clear example of this when he says "hell, you're a supertherapist... why shouldn't I be glad and celebrate that... because that's going to help me get better" (Georgaca, 2001b, p. 228). C seems to be addressing a question to himself ('why shouldn't I be glad and celebrate') in an internal dialogue, which suggests he is addressing and reproaching (for not being glad and celebrating) another part of himself. At the same time, C is also addressing the analyst ('you')

and asking the same question ('why shouldn't I be glad...'). In addressing the analyst, C can be interpreted as a barred subject because he can only know himself through the analyst. In seeking this knowledge of himself from the analyst, C supports the analyst as a master signifier, which provides the authority for this knowledge to be taken as truth. However, in Lacanian psychoanalysis such truth is knowledge of the analyst and the outcome is that knowledge of the barred subject remains a lost object (*objet petit a*), sought but not found. To reiterate, the Discourse of the Master is a chain starting with the barred subject (as truth), supporting the master signifier (as agent) who provides knowledge (Other), which results in the *objet petit a* (product).

In Lacanian psychoanalysis, the analyst aims to move beyond the Discourse of the Master to the Discourse of the Analyst. In session 726, the progress C has made can be seen when he says "you get more satisfaction from feeling morally superior to other people than you do from feeling, uh, at one with them... and it's like if I can maintain myself in that position, uh, an internal position that you really don't care about me, you pretended to care about me in this relationship for professional reasons.. and I think it's a way for compensating for the low self-esteem..." (ibid., p. 233). As in the quote above, C seems to be addressing himself ('you get more satisfaction from...') and the analyst ('you really don't care...'). However, C does not appear to be seeking an answer (knowledge) from the analyst. C is still a barred subject but in a different position in the chain. C is a barred subject producing knowledge about himself that is the master signifier. That is, the knowledge will be that which holds together C's understanding of himself. These, the barred subject and master signifier, are the last two links in the chain of the Discourse of the

Analyst. First, there is some unknown knowledge (truth), which causes the analyst (agent) to address the client (Other). The analyst (*objet petit a*) remains unknown to the client as C cannot know what causes the analyst to elicit him to speak. The point is that C has moved from the Discourse of the Master where C sought knowledge of himself from the analyst to the Discourse of the Analyst where, in the chain of signification, he is producer of the master signifier.

The role of Government seems to be that of the master signifier, the authority figure, in the Discourse of the Analyst. That is, Government provides the authority for the decisions made in the act of governing. However, the process of consultation seems to reverse this role because the government seems to seek knowledge on how to govern. I will now provide my own interpretation of consultation in *S&J* as the Discourse of the Analyst. Consequently, to elucidate my reading of the Discourse of the Analyst in *S&J* I draw upon the four concepts in the chain of signification starting with, first, the *object petit a* (agent), then, second, the unknown knowledge (truth) which (comes first in the chain of signification and) causes the *objet petit a* to elicit speaking from, third, the barred subject (Other) and last, the master signifier (product), which is produced by the barred subject.

3.3.1. **Objet Petit A**

In consulting, the Government is, like an analyst to an analysand, a figure of authority in relation to those consulted because government is the one, in seeking consultation, doing the addressing. The Government can be understood as a (re)construction of the *objet petit a*. What government is in *S&J* is not a simple question and seems to be an *objet petit a* that lacks concrete existence and is always

a lost object. Consider the following extract in which Government is given as a noun and those it wants to hear from are named and described:

Extract 3.1: "The Government would like to hear views on its proposals from the public and from those in professional agencies and the voluntary sector who deal with victims and offenders on a regular basis. The Government is particularly anxious to hear from those who are, or have been, victims of domestic violence..." (p. 7)

This could be read as an account that establishes the nature, stake and interest of a number of subjects (Potter, 1996). These are the Government, the public, the professional and voluntary sector, and victims. As workers in the area of domestic violence, the professionals and voluntary sector would appear to be knowledgeable whereas, in contrast, the public are not. Victims are also knowledgeable and there is a particular importance ('anxious to hear from') added to that knowledge. The contrast seems to also be one of stake, as the knowledgeable professionals can be assumed to have a particular stake in the outcomes, such as the amount of funding a particular voluntary service receives, whereas the public do not. The victims can also be interpreted as having a stake in protecting themselves, although this could be attributed to all of the subjects of the extract. Government is an active agent doing the consulting and proposing while it is also defining itself negatively. That is, by addressing the three groups – the public, the professionals and voluntary sector, and the victims – Government is shown to not be one of those groups. However, focusing on the construction of stake and interest limits the analysis to what is done in the text and avoids what is not done.

In asking for views on its proposals, the Government does not reveal itself to the reader. That is, Government does provide an account that defines it as active and distinct from the public, professionals, and victims but it does not tell us who, or what, it is; it only seeks a response. Government could be read as similar to self-sufficient arguments (Wetherell & Potter, 1992), which are statements that require no justification nor warrant any further argument. As such, Government seems to be a self-sufficient name – its meaning glaringly obvious; to ask what, or who, government is to ask a question that answers itself: government is government. *S&J* could construct government as the collection of elected members of parliament, but it does not. Government could also be constructed as a collection of institutions (the civil service, Parliament, House of Lords, etc.) that is more than the people (civil servants, MPs, Lords, etc) constituting it. The point is to move away from understanding the word 'government' as a signifier connected to a particular signified (whatever one may think it is). Here the analysis takes a theoretical step out of how 'government' may usually (if there is such a thing) be read to suggest that it acts as an *objet petit a* that is presented and at the same time remains lost.

3.3.2. Truth (S₂)

The meaning of Government is also specified structurally by its place in the chain of signification. Returning to 3.1 gives government as addressor, eliciting views from others. This leads the analysis of consultation in *S&J* to two points, in both directions of signification. Forwards in the chain of signification is the action of addressing (the barred subject considered next) and backwards in the chain is why government would want to elicit information.

In the Foreword, the Home Secretary appears to explain why Government is conducting the consultation:

Extract 3.2: "We are inviting views from the public and professionals to help us develop and implement a cohesive and effective strategy to tackle domestic violence" (p. 5)

From this extract it would appear that consultation is occurring because the Government wants help to (a) develop and (b) implement the policy. But in the domain of policy, this would seem to be a redescription of consultation and a circular explanation. That is, consultation can be interpreted as an activity of seeking help from other parties to develop and implement the policy. This could be interpreted as Government presenting itself as having a neutral stake (Potter, 1996) in the outcome of consultation. That is, the only stake Government would seem to have is in the process of consultation and, as such, will be unbiased in the use of the views it receives.

However, much of the development and implementation of the policy has already been undertaken. The next extract, continuing from Extract 3.1, acknowledges this:

Extract 3.3: "...to learn more about the practical impact of its proposals, and to find out whether more can and should be done" (p. 7)

This would seem to clarify that the Government is consulting because it wants to find out what is happening as a consequence ('the practical impact') of implementing its policy and to see if more work is necessary. The stake of Government would appear to be a neutral observer ('to learn') although it does present ownership ('its proposals') over the policy. Government could be read as a

benevolent observer, wanting to see if it can do any more ('to find out whether more can and should be done') to help. However, this could also be interpreted as a more specific re-description of consultation after policy development, where consultation is understood to be a process through which one would learn about the effects of the implementation of a policy. Indeed, this explanation of consultation does not explain why, given that Government had already developed and implemented the policy, it would need help with assessing the impact of the policy or deciding if more work was needed.

An alternative explanation is that Government was consulting because it wanted to develop democratic accountability where citizens had a role in developing the actions of Government. However, *S&J* does not attempt to present such an explanation and such a position would seem to question the accountability of the policy that had already been developed and implemented. Why government/*objet petit a* seeks to address remains just as unwritten as exactly what government is. In the Discourse of the Analyst, the hidden, or unconscious, motivation is knowledge in the position of truth. From a Lacanian perspective, the Government's address of the public, professionals and victims, in consultation is assumed to be motivated. Why remains unwritten and I would suggest it is also, because the Government does not seem to have a clear answer, unconscious. That is, that in *S&J* Government does not know why it is consulting. The government is presented by a noun and is at least conscious but the knowledge driving it remains unwritten. In a string of signification, this gives an unconscious knowledge, driving an *objet petit a* to address. This can then move on in the line of signification to what, or who, is being addressed.

3.3.3. Barred Subject (§)

The Government asks for views from the public and professionals (see Extracts 3.1 and 3.2). This request, by implication, partly specifies what government is. That is, government is not the public, professional, or victim. The point is that government are addressing what, or who, they are not: the Other. The Other of the *objet petit a* is the barred subject, which is explained below.

In Extract 3.1 the Government wants to *hear* from the public etc. The Other is therefore being elicited to speak and hence there is a presumption that they have something to say. That is, the Other is constructed as a subject and one that is knowledgeable. I want to emphasise the relation between the nature of Government (as agent) and the Other, which is a classic example of the construction of meaning through a chain of signification.

Before explicating this relation in the form of the Discourse of the Analyst, I want to point out that this analysis does not question the construction of the Other. That is, the construction of the Other as the public, professionals, or victims. The public could be read as the citizens of the state, whereas the professionals are those knowledgeable people who also have some interest in the outcome of the policy. Victims are knowledgeable because of their experiences of abuse and, consequently, they, as victims of abuse and as knowledgeable *qua* abuse, lack agency. In addition, the government is 'particularly anxious' (Extract 3.1) to hear from victims, which suggests the reasons for consulting victims are emotive, which could undermine the views of victims if rational reasons for consulting are preferred.

However, the definition of Other as knowledgeable is not integral to what the Other is but is, rather, a function of it being addressed. As such, the Other is a

barred subject because knowledge of itself comes from the *objet petit a*, which remains forever lost. What the public, professionals, and victims are is defined by Government but what Government is remains to be specified. This continues in the chain of meaning as the assumption is that the Other knows something and they can voice it in the consultation process.

3.3.4. Master Signifier (S₁)

While a chain of meaning may move forward, the definition of meaning is at the same time retroactive, in the opposite direction. That is, meaning is always imposed afterwards, or even afterwords. The Other is specified by the product, whatever it may be, sought from it and the *objet petit a* (as agent) is the seeker of that product. As such, the product sought from the Other is a master signifier dominating meaning in the chain of signification. The form of the Discourse of the Analyst – the form of consultation – is defined by the knowledge sought.

As the concept overshadowing meaning, the master signifier could be understood as the location of power. This needs to be contrasted with understanding Government as an institution of power with the ability to affect the lives of its citizens. Indeed, as *objet petit a* 'Government' is similar to Foucault's (1976) conception of power:

“power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategic situation in a particular society” (ibid., p. 93)

The Discourse of the Master is most alike the role of governing and in it 'Government' would be the figure providing authority (master signifier) for the actions undertaken in the process of governing. However, in *S&J* the Government

does not present itself as providing the authority for the knowledge it seeks. Rather, it would seem that the act of consulting is intended to provide the authority for the decision made in *S&J*. The *objet petit a* addresses the barred subject and elicits from it the master signifier, which dominates the meaning of consultation. However, this does not mean the master signifier explains why the Government seeks to consult.

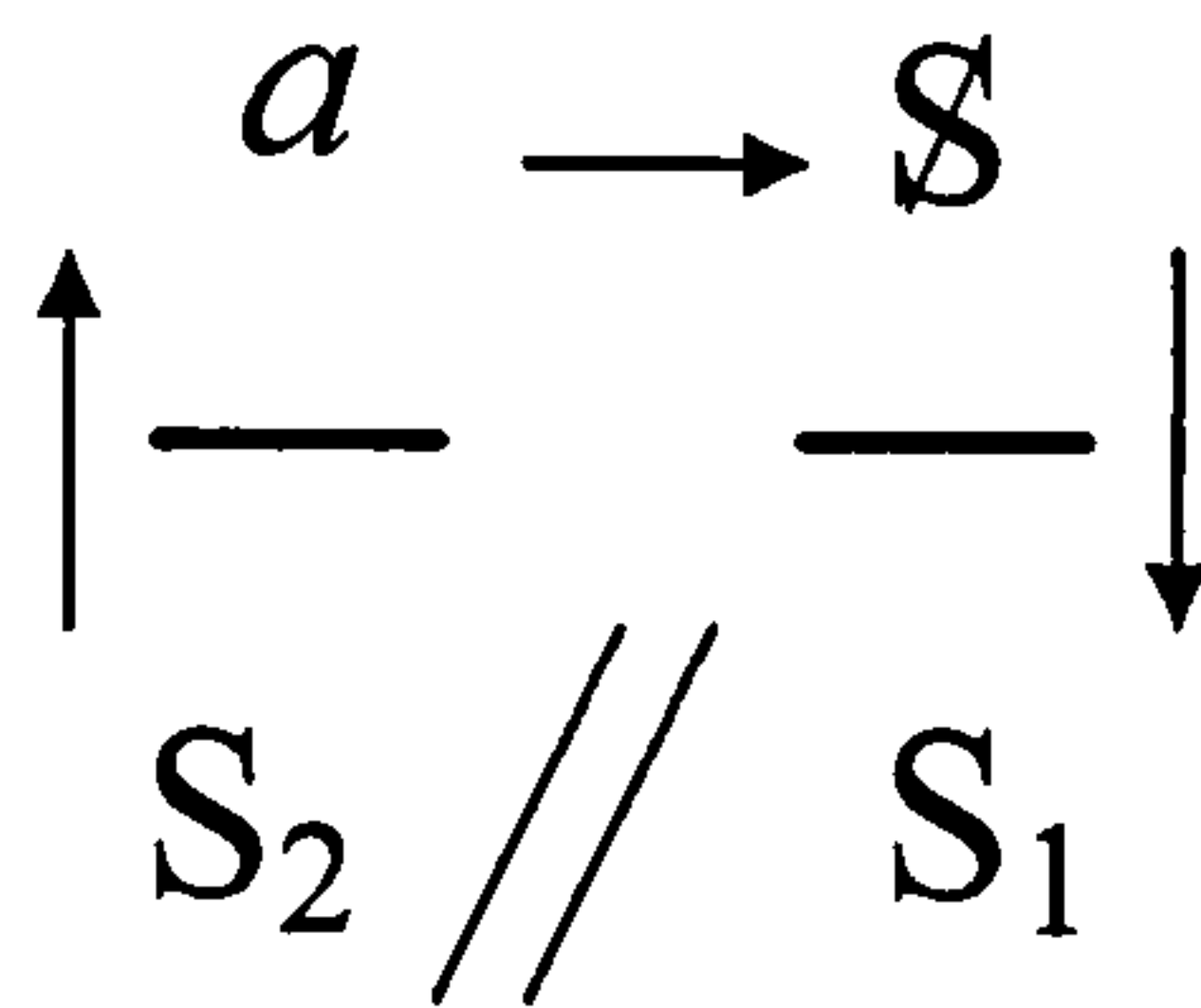


Figure 3.1: Discourse of the Analyst

There is a disconnection between the truth that causes Government to consult and the product (master signifier) sought from consultation. Figure 3.1 illustrates the Discourse of the Analyst with three arrows connecting the four concepts and highlighting the direction of signification. The chain starts with the knowledge (truth/S₂) motivating the objet petit a (*a*) to address the barred subject (*S*) for the product (master signifier/S₁). Two horizontal lines show what is conscious (above the lines) and what is unconscious (below the lines). The unconscious concepts (S₁ and S₂) are the only two that lack an arrow connecting them. Indeed, there is a double forward slash (//) and this represents a line of impotence or a connection of impossibility. The point is that the knowledge the government seeks is not connected to what drives government. This was the difference between proposal and consultation and the tension presented between the two. Consultation was an offer

to seek information but a proposal was to say what was to be done and close off further discussion.

This analysis suggests that reading *S&J* as constructing the Discourse of the Analyst disturbs the function of consultation. To read the consultation that is *S&J* as Government wanting to elicit information is a retroactive construction of meaning through the line of signification. It is to assume that Government is driven by the knowledge that is assumed in the Other. Yet the very tension between consultation and proposal highlights a disconnection because *S&J* already lays out what the Government plans to do. As such, Government would not seem to be motivated by the product sought. This is to read the chain of signification in an opposite, clockwise, direction. Hence, the motivation behind the consultation on *S&J* still remains hidden. Moreover, there is no immediate connection between what the Government seeks and why it seeks it.

3.4. Conclusions

This analysis aimed to explore the construction of consultation in *S&J* (Home Office, 2003a), the key, contemporary domestic violence policy for England and Wales. Consultation seems to be a common policy exercise but is rarely achieved in practice (e.g. Cook, 2002): consultation is rarely consultative. *S&J* is a document in which policy is proposed, progress towards specific policy aims listed, future plans outlined and consultation sought. As most of the policy decisions have already been made, *S&J* appears a trite attempt to consult. Through the difference between proposing and consulting, consultation in *S&J* is understood in my analysis as working through the form of Lacanian signification termed the Discourse of the Analyst (Lacan, 1991). There is some unknown truth, which motivates the

government (*objet petit a*) to address the public, professionals, and victims (barred subjects) to seek something (the product as master signifier) from them. The main point of this analysis is that, in *S&J*, the government is not motivated to consult by the product it would receive. That is, consultation is not done to consult.

My analysis does not explain, or settle, what motivates the government to consult. It could be to achieve democratic accountability or the appearance of such accountability. Further research could certainly consider how to explore the hidden signifiers behind consultation in *S&J* and domestic violence policy more generally. For example, key protagonists for a particular policy could be interviewed about consultation or government texts that obligate organisations, such as local councils (see e.g. Cook, 2002), to consult could be explored. Nevertheless, the disconnection between the knowledge driving consultation and the knowledge sought suggests that real consultation is impossible. Even if government is motivated by a democratic desire to include people in decision making, it is still not motivated by the knowledge it seeks.

The conscious concepts in the Discourse of the Analyst are understood as constructing two subjectivities; government (*objet petit a*) and consultee (barred subject), and the Lacanian perspective drawn upon suggests a particular resolution for this chapter. First, the impetus behind examining consultation in *S&J* was that my analysis in the previous chapter of Aotearoa/New Zealand domestic violence policy (NZ Ministry of Social Development, 2002) had found it to be violent at a symbolic level. As tokenistic consultation seems to allow public policy the pretence of democratic accountability while permitting government to maintain control over decision making, it would appear that consultation is a means through which control

is maintained over others and is, therefore, an act of violence. However, while consultation may be a means of control in the Discourse of the Analyst, the government is not in control but is driven by something that I suggest is unconscious even to itself. Indeed, the point is that the people (civil servants writing the policy, ministers presenting legislation based on *S&J*) and institutions (the Home Office, which published *S&J* or the House of Lords, where legislation based on *S&J* was initiated) that may be called government do not consist of a controlling omnipotent power that is able to be in control. By interpreting the Government in *S&J* as not motivated by the product it seeks, this could be taken as negative and cynical of all attempts to achieve democratic accountability. However, for Lacan (Bracher, 1993), the Discourse of the Analyst is the most effective means of achieving social change because it forces the consultees (barred subjects) to recognise the deficiencies of government and identify with their alienated position in decision making processes of policy development.

Bracher (ibid.) explores the relevance of all four of Lacan's forms of signification for social change more extensively but it is easy to be cynical of the therapeutic suggestions of Lacanian psychoanalysis. Indeed, it seems particularly self-serving to psychoanalysts of any school for the Discourse of the Analyst to be considered that form of signification that is most useful in social change. In addition, it forces whoever is consulted to recognise their own position in consultation, which individualises social change as something initiated by a particular subject. However, the subjectivities constructed by the Discourse of the Analyst – *objet petit a* and the barred subject – are psychosocial because they can position people as they are involved as, for example, ministers or civil servants in

undertaking the decisions laid out in *S&J* or as professionals being consulted on specific details of those decisions but they do not inhere in any one individual. Consequently, for Lacan, the potential for social change is in the psychosocial subjectivity of the barred subject, which may, or may not, position people. This invites more detailed consideration of Lacan's forms of signification for domestic violence policy more generally as well as a questioning of the attempts of domestic violence policy to achieve change.

If consultation is to be understood as a process to develop democratic accountability the Discourse of the Analyst highlights a potential difficulty. Government may want to be accountable to its citizens for the decisions it takes, but that does not mean it wants its citizens to make the decisions for which it will be accountable.

This chapter adds to my dual and circular objectives in my thesis of developing critique while considering how to do critique by using CTPDA on another policy document (*S&J*) and by also using a different psychoanalytic perspective (Lacanian psychoanalysis). My intention has been to demonstrate the utility of a Lacanian psycho-discursive analysis for critiquing domestic violence policy. However, Lacanian psychoanalysis is often obscure and this may prevent others from using it as a critical resource. I have felt both enthralled, confused, and, at times, irritated while developing this analysis. More specifically, I have worried that I should not employ Lacanian psychoanalytic theory in my thesis unless I really understand it. I would suggest that focusing on achieving 'understanding' (whatever it may be) only distracts from the development of critique. In the next chapter, I shall again draw upon Lacanian psychoanalysis to demonstrate its utility again.

Like Chapter 2, the analysis in this chapter only presents a modest amount of material from the policy document (*S&J*). Drawing on more material, such as related documents or the talk of people who have to implement, or are affected by, the policy may help expand the critiques. However, in a thesis like this it is worth continuing to consider how to critique domestic violence policy by focusing on the documents in which the policy are presented. More specifically, I have termed my use of CTPDA 'psycho-discursive' and in the critique I develop in the next chapter I shall include wider debate (e.g., Hollway & Jefferson, 2005a; 2005b; Spears, 2005; Wetherell, 2005) on psycho-discursive methods.

My thesis has looked at two different issues – 'family' and 'consultation' – in separate policy documents – *Te Rito* and *S&J* – but what remains is to demonstrate that a psycho-discursive analysis can be used to consider a different issue in the same text. That is, for example, to show that a Lacanian CTPDA of *S&J* is not limited to considering 'consultation'. Indeed, both *Te Rito* and *S&J* use gender-neutral terms to name the violence(s) ('family violence' and 'domestic violence' respectively) they concern themselves with. Gender-neutral language obscures the gendering of violence but considering 'family' in 'family violence' (in Chapter 2) failed to recognise this. Exploring 'consultation' in this chapter also failed to comment on the gendering of violence. However, when writing about 'domestic violence' in *S&J*, the policy explicitly refers to gender, which is something I consider in the next chapter.

CHAPTER 4 DECONSTRUCTING GENDER IN UK DOMESTIC VIOLENCE POLICY: A PSYCHO-DISCURSIVE ANALYSIS OF *SAFETY & JUSTICE*¹

This chapter provides an analysis of the way in which ‘domestic violence’ is constructed in the key, contemporary UK policy document, *Safety and Justice (S&J)*. The two previous analytic chapters in my thesis have looked at ‘family violence’ (Chapter 2) and ‘consultation’ without considering the use of gender-neutral language and how this obscures the gendering of violence(s). In this chapter, a psycho-discursive analysis of the gender-neutral ‘domestic violence’ in S&J will allow us to explore gender. In addition, this chapter draws upon debate about the utility of psychoanalysis to demonstrate the potential of a psycho-discursive analysis in which psychoanalysis is treated as a socially constructed theory of self. I draw upon Lacanian psychoanalysis for the second time to demonstrate its utility even though the Lacanian perspective is notoriously obscure. My analysis of *S&J* suggests that two opposing understandings of domestic violence are used; context-neutral and patriarchal-heterosexual. However, the two understandings are not treated equally in the text of *S&J*. First, context-neutral is discounted by the use of discontinuity markers. Second, discussion of context-neutral and the dilemma between context-neutral and patriarchal-heterosexual understandings are repressed. Last, a particular understanding of gender and sexuality (active male, passive othered

¹ I would like to thank anonymous reviewers and attendees of *II International Colloquium of Studies on Men and Masculinities: Violence: A game for men?*, Guadalajara, Mexico (June, 2006), and the *Qualitative Research & Marginalisation* conference, Leicester (May, 2006), for feedback on earlier drafts of this chapter.

female) is constructed as the phallus and, hence, is allowed to frame the meaning of domestic violence. The unwitting dominance of patriarchal-heterosexual, it is argued, can work to obscure other forms of domestic violence, such as within same sex relationships.

4.1. Introduction

This chapter provides an analysis of the way in which domestic violence is constructed within the key, contemporary UK policy document, *Safety and Justice* (*S&J*; Home Office, 2003). Interrogating the construction of domestic violence within this document is important as *S&J* has implications for the way in which perpetrators and victims of domestic violence are treated. My analysis will also demonstrate the utility of a method combining discursive and psychoanalytic theory (Billig, 1999; Parker, 1997a); a subject of debate within UK social psychology in recent years (Billig, 2002a; 2002b; Frosh, 2002; Frosh & Emerson, 2005; Frosh, Phoenix, & Pattman, 2003; Gough, 2004; Hollway, 1989; Hollway & Jefferson, 2005a; 2005b; Henriques, Hollway, Urwin, Venn, & Walkerdine, 1998; Spears, 2005; Wetherell, 2003; 2005).

Safety and Justice: the Government's proposals on domestic violence (2003a) is a key policy for the UK Labour Government. Since its publication by the Home Office, *S&J* has influenced the development of the Domestic Violence, Crime and Victims Act (2004), catalysed the appointment of a National Domestic Violence Co-ordinator in the Department of Health (DoH) and the inclusion of the Integrated Domestic Abuse Programme (IDAP; Pence & Paymar, 1993) as an antiviolenence intervention in Probation Services (The Correctional Services Accreditation Panel, 2004). The UK acceded to the UN Convention for the Elimination of all forms of

Discrimination Against Women (CEDAW) in 1986 (Office of the High Commissioner for Human Rights, 2004) and, in their fifth report to the UN on their actions to implement CEDAW, *S&J* is documented as a strategy to help reduce discrimination against women. On a local level, the development of initiatives such as the Harrogate and District Domestic Abuse Forum, in Yorkshire, UK, have been based on *S&J* policy co-ordinating work across the district to reduce domestic violence. This has resulted in, for example, awareness training days for front line workers, such as midwives and police officers, and a panel to improve communication between agencies for high risk cases. *S&J* is a materially effective policy, changing practices across the UK, linked to civil rights initiatives across the globe. This influence makes it important to understand the way in which domestic violence is presented within *S&J*.

4.1.1. Subjectivity & Domestic Violence

The importance of considering the construction of domestic violence in policy has been recognised in an extensive research programme in Aotearoa/New Zealand (A/NZ), which is a leading country in the domestic violence work generally and the operationalisation of CEDAW into domestic violence policy more specifically. The *Domestic Violence Interventions and Services Research Programme* (Morgan, 2005) has taken the introduction of the A/NZ Domestic Violence Act (DVA; 1995) as a starting point for psychosocial research over the last decade. Primarily utilising interviews, this has focused on the providers and users of the services influenced by the DVA (1995). DVISRP has included attendees at men-for-non-violence programmes (Morgan & O'Neill, 2001), the facilitators running the programmes (ibid.), as well as women with a partner attending such programmes (Towsey, 1996),

lawyers and their female clients (Pond, 2003), general practitioners (Aldridge, 2000), and police officers (Oliver, 2001; Pinkus, 1996) with plans under way to interview judges.

It is in the contradiction between two main discourses found in the A/NZ Domestic Violence Interventions and Services Research Programme that I see the importance of subjectivity for domestic violence policy. First, domestic violence is constructed as a rational act committed by an offender with the intention, conscious or not, of controlling their victim. Termed the instrumental power discourse (O'Neill, 1998), this places the responsibility for violence within the individual abuser. Second, there is the discourse of expressive tension (ibid.) where domestic violence is constructed as the enactment of anger experienced by the offender. Consequently, the abuser's outward aggression is considered to be beyond their control, allowing them to elide responsibility. The implication is that social policy can either change an abuser or hold them responsible, but not both. The subject of instrumental power has autonomy to be violent that is beyond the control of policy. In the expressive tension discourse, the individual is subject to the structure of society, etc., which is open to change through policy. For example, pro-arrest policies for incidents of domestic violence may help create a society in which victims are not isolated but instead supported by the criminal-justice system. Consequently, the expressive-tension/instrumental-power problematic attends to theorising what it is to be a person in society.

A critique of the A/NZ DVA would point out that it attempts to simultaneously construct the perpetrator as active and passive, blameworthy and innocent. This resonates with debates in social psychology around understandings of subjectivity

(e.g. Henriques et al., 1998; Hollway, 1989). More specifically, agency in subjectivity has been taken up with discussion of psychosocial methods and the appropriateness of including psychoanalytic theory. In an outline of the principles of the Centre for Psychosocial Studies (CPS), Birbeck College, Frosh (2003) stresses the importance of attempting to theorise the human subject as a social entity. Hence, 'psychosocial' combines both the individual subject and the social in one term, attempting to theorise the individual and society as a "seamless entity... intimately connected or possibly even the same thing" (ibid., p. 1547). While Frosh propounds methodological pluralism as a principle of the CPS, a small body of work has focused on whether or not psychoanalysis enables the theorisation of a psychosocial subjectivity (Billig, 2002a; 2002b; Frosh, 2002; Frosh, Phoenix, & Pattman, 2003; Frosh & Emerson, 2005; Georgaca, 2005; Gough, 2004; Hollway & Jefferson., 2005a; 2005b; Spears, 2005; Wetherell, 2003; 2005).

4.1.2. Psychosocial Methods

The debate on including psychoanalysis as a psychosocial method typically starts with discourse analysis as methodological and theoretical base. Broadly, within psychology there are two different schools of discourse analysis and it is the limitations of each that suggest the addition of psychoanalytic theory. First, there is a focus on *symbolic resources* (Parker, 1992), which are tissues of meaning, the regularities of which are known as discourses: that is, bodies of practices, institutions, agents, conversations, etc., united by a commonality running through them. A subject is understood to be constructed in and through such symbolic resources. However, this fails to explain how discourses are brought together to construct any single individual. Indeed, the focus on symbolic resources implies

subjectivity is a blank space to be filled by discourses (Parker, 1997a). Another approach to discourse analysis focuses on *symbolic practices* (Potter & Wetherell, 1987); how an individual, or group, makes use of symbolic resources to construct particular, often contradictory, subject positions. Here, a subject constructs themselves with different symbolic practices, implying a strategically motivated language user (Madill & Doherty, 1994). Hence, the blank subject is replaced by an uncomplicated subjectivity (Parker, 1997a) that fails to explain a subject's motivation to present him/herself in particular ways. Wetherell (1998) does suggest that these two approaches to discourse analysis can be combined and has attempted to theorise a reflexive actor (Wetherell, 2005); a contradictory, fragmentary subjectivity that is both constructed by, and constructs itself through, discourse. Nevertheless, this still fails to account for individual investment in particular subject positions (Hollway & Jefferson, 2005b). An additional problem within both approaches to discourse analysis is that subjectivity may not be limited to what is narratable. Specifically, Frosh (1999; 2001) is at pains to argue that there are experiences beyond what is said or written and that discourse analysis lacks a framework to theorise them.

Psychoanalysis may be a useful addition to discourse analysis that may provide a theory of the speaking subject; connecting individual and social to explain investment in, and experience beyond, discourse. The free association narrative interview method (Hollway & Jefferson, 2000) is a prominent example in which discourse analysis and Kleinian psychoanalysis are combined. Gadd (2000; 2002) has utilised this method to explore men's involvement (as clients or therapists) in an anti-violence programme in the UK. In an example Gadd gives, Gary talks about

how his partner, Rebecca, would get in a panic when her mum was coming to visit. Gary explained that Rebecca received his help (telling her to calm down) as him "having a go at her" (2000, p. 435). Gadd uses Kleinian theory to suggest that Gary is splitting off and projecting onto Rebecca his anxieties about failing to fulfil patriarchal expectations for a white, heterosexual male to be in control. Anxiety is theorised as the key psychosocial dynamic that is unspoken and experienced individually but understandable only with reference to, in this case, patriarchy as a social system that could explain why Gary would be anxious about losing control.

A problem with the way that psychoanalytic and discursive theory has been combined is that it has been done in a way that not only recovers but privileges the psychological dimension. First, the research materials used, which are developed from semi-structured interviews, leave open the possibility of the analysis being individualised. Returning to the above example, there remain questions about why Gary responded to his anxiety with splitting and projection, rather than, for example, depressive helplessness. It would seem that the answer could be found further within Gary's biography. As such, the analysis fails to fully theorise a psychosocial subjectivity. Second, the use of psychoanalytic theory in a psychosocial analysis is open to the charge of essentialism. For example, in Kleinian psychoanalytic theory, anxiety is theorised as an entity that the individual needs to defend against. In the case of Gary, above, it could be argued that his anxiety is constructed socially by patriarchy, but that Gary needs to manage or defend against this anxiety is taken for granted. The difficulty posed by combining discursive and psychoanalytic theory has led others to turn elsewhere for theories of subjectivity. Personal construct psychology (Burr & Butt, 1992) and phenomenology (Butt & Langdrige, 2003) are

two examples to which researchers have turned. However, there is still the potential for combinations of the psychoanalytic and discursive that avoids privileging either the psychological or the social.

Two theorists have, arguably, avoided these problems, albeit with contrasting approaches to combining psychoanalytic and discursive theory. First, Parker (1997b) has shown that psychoanalysis is a symbolic resource utilised in such cultural products as films and books. Analysis of such textual material should allow us to provide a psychosocial analysis that does not risk being individualised because they do not assume or provide a ready prepared individual in the way that interviews do. Second, Billig (1999) has attempted to ground psychodynamics in discourse by paying close attention to discursive practices in written texts. For example, repression could be achieved socially by a change in subject, which not only avoids further discussion of the previous subject but replaces it with something else (*ibid.*; more on this below). Focusing on symbolic practices should allow us to provide clear arguments for understanding psychoanalytic concepts as socially constructed rather than essentialised entities.

The two discourse analytic approaches, focusing on, first, symbolic resources and, second, symbolic practices can be brought together into an analysis that considers the discursive practices in a text so as to build up an account of how psychoanalysis acts as a discursive resource. I shall call this approach psychodiscursive (Wetherell & Edley, 1999). In the remainder of this chapter, I want to develop this argument by means of an analysis of *S&J*. Like other research on domestic violence (e.g. Batsleer et al., 2002; Morgan, 2005), I argue that *S&J* constructs complex relations between gender and violence while sustaining a

patriarchal heterocentricism. This allows me to further develop critique in this thesis by considering gender (in the gender-neutral term 'domestic violence'), which has hitherto been carefully avoided and is obscured in both policy documents – *Te Rito* and *S&J* – analysed.

4.2. Methodology

Two different understandings of domestic violence are constructed in *S&J*. The first construes domestic violence occurring without discrimination, to or by anyone; that is, that social position has no influence on the occurrence or susceptibility to domestic violence. The second understanding construes domestic violence as something that is customarily perpetrated by men against women. This insinuates that men are active, women passive and that the relationship between perpetrator and victim is heterosexual. These two understandings shall be called the context-neutral discourse and the patriarchal-heterosexual discourse respectively. The following extracts which (re)produce these discourses are taken from the Foreword, Summary, and the main text of *S&J*:

Extract 4.1: “Although such violence can occur irrespective of background and circumstance, sexuality or gender, it is predominantly women who suffer. One in four women experience some form of violence from a partner in their lifetime. Every week two women die as a result of it” (Home Office, 2003, p. 5).

Extract 4.2: “Domestic violence occurs across society, regardless of age, gender, race, sexuality, wealth and geography. However, it is predominately women who suffer as a result” (Home Office, 2003, p. 6).

Extract 4.3: "Domestic violence occurs across society, regardless of age, gender, race, sexuality, wealth and geography. But the figures show that it is predominantly violence by men against women" (Home Office, 2003, p. 9).

Each extract could be a repetition of the other. Indeed the first sentence in Extracts 4.2 and 4.3 are identical. They have been selected as the only instances where *S&J* explicitly writes about the issue of defining domestic violence. Despite their brevity and infrequency – or rather, because their scarcity places them on the margins (Derrida, 1982) – I shall argue that these extracts are important for the framing of domestic violence throughout the policy document and hence for the implementation of the policy. These extracts succeed in using three different, but overlapping, symbolic practices. On the basis of these three symbolic practices I argue that a psychodynamic – the phallus – is (re)constructed. These will be articulated during the four successive steps in the following analysis. In terms of method, steps one and two utilise discourse analysis, step three combines this with a psychoanalytic concept (repression), and step four draws mainly on psychoanalytic theory. In terms of content, step one demonstrates the dilemma between context-neutral and patriarchal-heterocentric constructions of domestic violence in the text. Steps two and three show how the text ultimately marginalises the context-neutral account through discounting and repression. The final step then brings the first three together to suggest that the patriarchal-heterocentric account is insufficient to dominate understandings of domestic violence.

4.2.1. Research Process

The research process for this analysis was similar to that outlined in the previous chapter where a line of reading around *S&J* was paralleled by a line of reading into psychoanalysis. The process for the analysis in this chapter started primarily with my own desire to consider gender and a subsequent search for aspects within *S&J* where I thought gender was important (which are presented in the analysis below). These instances were discussed during supervision and my supervisors noted the use of symbolic resources. This led the analysis to include work on Discursive Psychology (e.g. Edwards & Potter, 1992) and debates on the use of discourse analysis and psychoanalysis. As such, the analytic process gave greater weight to considering the work of symbolic resources within *S&J*.

The research process for this analysis was also heavily influenced by the development of a paper for publication. Supervision focused on my written presentation of this analysis, which was continually reworked until my supervisors were happy to send it off for publication. In particular, I tried more explicitly to address relevant debates in social and critical psychology on the use of psychoanalysis and discourse analysis in the introduction to this chapter. As a more specific example, the analysis in this paper initially started with the phallus, which is now the last section in the analysis. My supervisors commented on the links between the analysis I presented on the phallus and work from Discursive Psychology. This led me to read (often for the second time) relevant texts in Discursive Psychology (such as Billig, 1987) and develop the analysis to focus explicitly on terms from Discursive Psychology. Specifically, the analysis now starts with dilemmas (4.3.1) and discounting (4.3.2). My continued reading of *S&J*,

rewriting of this chapter, and concern with current debates led to an analysis of *S&J* that I thought 'made sense'. That is, where the psychoanalytic discourse analysis interpreted *S&J* in a way that added an extra layer of meaning that seemed to make sense in terms of domestic violence policy and the theoretical debates on method. I shall now turn to this analysis in more detail.

4.3. Analysis

4.3.1. Dilemmas

The extracts present two possible pictures of domestic violence which are partly contradictions of each other and therefore serve to construct a dilemma. Characteristic of a dilemma is that it is more complex than a simple choice. As Billig points out, dilemmas "impose an assessment of conflicting values", producing more than one "ideal world", each with their own "arrangement of power, value and interest" (Billig et al., 1988, p. 163). An example Billig et al. (1988) give is individuality as a western liberal ideal where it is taken as fact that individuals are all different and this difference is to be valued. This can be contrasted with the continual use of gender as a social category, which obscures the individual differences assumed by individuality. Billig et al. (ibid.) provide an example of five female university students talking about the lack of women in scientific jobs where they vacillate between individuality ("It isn't possible to generalize at all", p. 128) and gender ("the people who were actually best at it [science] were girls funnily enough", ibid.). The taken-for-granted nature of individuality and gender means neither can be ignored – there is no choice between them – rather, they must rather coexist as alternate ideal worlds.

Indeed, individuality/gender is a contemporary ideological dilemma that has similarities with the two understandings of domestic violence in *S&J*. The context-neutral domestic violence in the extracts point to policy delivery that recognises all possible manifestations of domestic violence, specifically, “*age, gender, race, sexuality, wealth and geography*” (Extracts 4.2 & 4.3). The implication is that, for example, violence within a homosexual relationship will be given equal resources and consideration as violence within a heterosexual relationship. In contrast to this, the patriarchal-heterocentric discourse of domestic violence within the extracts point to an understanding of domestic violence as one manifestation of male violence against women and therefore presumes a heterosexual relationship. The distinction between the context-neutral and patriarchal-heterocentric possibilities for policy is an imposition of assumed categories (gender and sexuality). Context-neutral domestic violence will be recognised regardless of the social categories inherent in the situation, whereas patriarchal-heterocentric violence requires and reconstructs a male-female binary; an important social category in some way influencing the occurrence of domestic violence.

4.3.2. Discounting

The analysis now moves on to demonstrate the way in which context-neutral and patriarchal-heterosexual constructions of domestic violence are presented in a hierarchical relation to each other. Discounting (Speer & Potter, 2000) allows both aspects of a dilemma to be presented but in such a way as to reduce the value of one aspect relative to the other. Speer and Potter (ibid.) give the example of a heterosexual man, Ben, talking about his experience of a gay club. Ben says he “had a bloody good time” but despite this emphatic remark he reports three times that the

experience “didn’t really bother him” (p. 549). First, Ben presents himself as not having any difficulty with homosexuality and therefore as not heterosexist. Second, Ben then distances himself from any suggestion that he may have homosexual desires with such repetition as to undermine the importance of his anti-heterosexism.

In each *S&J* extract, context-neutral in domestic violence policy is presented first but alongside discontinuity markers ('although', 'but', etc.; see Drew, 1995). In Extract 4.1, the first sentence, on equality, begins with ‘Although’ signalling the importance of what is going to come afterwards. In Extracts 4.2 and 4.3, the second sentences start with ‘However’ and ‘But’ respectively, highlighting again the importance of the second, patriarchal-heterosexual, statement. As such, *S&J* constructs policy as being able to account for context-neutral and patriarchal-heterosexual understandings of domestic violence, but undermines the importance of context-neutral relative to the patriarchal-heterosexual.

The British Association for Counselling and Psychotherapy (BACP) published a letter in response to *S&J* (Jamieson, 2003) in which the deputy chief executive protests the lack of reference to parent and elder abuse. However, including the context-neutral account implicitly protects *S&J* from the criticism that it is a policy that marginalises victims who do not suffer at the hands of an adult male within a heterosexual relationship (see; Billig, 1987). That is, by acknowledging context-neutral understandings of domestic violence, *S&J* appears to anticipate, and therefore preclude, accounts that some understandings of domestic violence are excluded. Indeed, the context-neutral account is constructed before the patriarchal-heterosexual approach suggesting that domestic violence that does not fit within the patriarchal-heterosexual discourse is something that needs

addressing. However, as my analysis of discounting suggests, the context-neutral account is indeed subtly, marginalised.

A discursive analysis of the construction of a dilemma and the discounting of one aspect of the dilemma demonstrates the argumentative nature of language use and how this manifests in the text of *S&J* (Billig et al., 1988). Nevertheless, as Billig also notes (1987, footnote 42, p. 51), directing attention to argumentation risks ignoring ways in which argument is avoided. An overlapping approach to reading *S&J*, which provides an account of argument avoidance, is to draw on the theory of repression.

4.3.3. Repression

Repression would suggest that, not only is one aspect of a dilemma devalued, but that any discussion or exploration of that aspect is avoided. Repression is a term often associated with Freud (Laplanche & Pontalis, 1983) but this chapter draws specifically on the concept's use in Billig's work (1999), in which he analyses how repression is achieved in language (rather than being an invisible process of the mind). For example, Billig argues that Freud's case study of Dora (1905a) represses consideration of the oppression under which Jews lived in Austria at the time. In the case history, Freud mentions that Dora had difficulty explaining why she spent two hours looking at Raphael's painting of Madonna. A footnote in the case study is used by Freud to offer an interpretation, which emphasises that the example is not important for the main theme of the text. In addition, the footnote focuses on the sexual aspect (virgin mother) of the Madonna viewing. Billig points out that the example is of a Jewish girl looking at an image of the Christians who would have been, in the name of Christianity, oppressing almost everyone Dora (and Freud)

knew at the time. Consequently repression of anti-semitism is achieved discursively, through minimisation of relevant material (to a footnote) and then avoidance.

Repression in *S&J* is very similar to the explanation of discounting as an argumentative resource, as the discontinuity markers, 'Although', 'However' and 'But', are also read as signals of repression. In the *S&J* extracts, the discontinuity markers construct context-neutral as a possible understanding of domestic violence – violence that can be enacted and suffered by anyone – but the discussion is presented as one that will not be pursued in *S&J*. Discounting and repression are signalled by the use of discontinuity markers but the concept of repression provides greater opportunity for the analysis to move beyond the extracts. Discontinuity focuses on the value of the two sides of the dilemma relative to each other; the hierarchical relationship constructed between context-neutral and patriarchal-heterosexist. As such, discounting is concerned with presence. That is, how both parts of a dilemma can be included, accounted for, and then one part implicitly marginalised. Repression, in addition, describes the process of making absent. *S&J* could have, for example, included a lengthy discussion of possible manifestations of domestic violence that do not rely on heterosexual relationships and still managed to discount context-neutral. Indeed, *S&J* includes provision to change legislation, now set out in the Domestic Violence, Crime and Victims Act (2004), so that non-molestation and occupation orders include non-cohabiting and same sex couples. However, the extracts included in this chapter show that, where context-neutral understandings are present in the text, the policy pushes context-neutral aside to turn to patriarchal-heterosexist understandings. Consequently, *S&J* succeeds in repressing both

context-neutral and the dilemmatic relationship between context-neutral and patriarchal-heterosexual accounts of domestic violence.

The discursive use of dilemma and discounting has shown the complexity of what is being achieved in these three extracts from *S&J*. In addition, the use of repression shows how *S&J* manages to avoid greater internal conflict and complexity. In particular, it avoids a discussion of how an understanding of domestic violence as a form of male violence against women can be reconciled with, for example, violence in homosexual relationships, or when men are victims and women are perpetrators. These two examples show the concrete implications for policy delivery. In both examples, men could be the victims of domestic violence with little appropriate state or voluntary refuge available.

These three steps in the analysis have focused on the context-neutral aspect of *S&J*. The first two steps were discursive and the third is a discursive psychoanalysis. As such, these three steps constitute a predominately discourse analytic psycho-discursive analysis. The problem is that the analysis, by focusing on context-neutral, becomes a mirror image of the policy; context-neutral is the dominant focus with gender and sexuality repressed, avoided. Indeed, the aim of an analysis could be to engage in the conflict under discussion, returning it in reverse form to undo the marginalisation and disturb the hegemony. However, ending the analysis here could reify a dilemma between context-neutral and patriarchal-heterocentric understandings. One final analytic step will draw together the marginalisation of context-neutral with the precarious dominance of gender and sexuality in the patriarchal-heterosexual discourse.

4.3.4. Phallus

This final step in the analysis moves towards a greater use of psychoanalysis in this psycho-discursive approach to argue that gender and sexuality are constructed as the phallus. This brings the analysis to focus on gender and sexuality while also including the marginalisation of context-neutral. The point is that particular constructions of gender (patriarchy) and sexuality (heterosexual) are constructed as dominant but that this dominance is precarious and open to critique by the very thing it marginalises (Foucault, 1998): context-neutral domestic violence.

In classical psychoanalysis, the phallus is a symbolic *representation* of the penis and not the penis itself. As such, the phallus is a symbol but one that is not reducible to the penis. Rather, the meanings assigned to the penis, such as virility or strength, are what constitute the phallus (Laplanche & Pontalis, 1983). For example, reviewing male pin-ups, Dyer concludes; “[m]uscularity is the *sign* of power – natural, achieved, phallic” (1982, p. 68). Freud used the concept of the phallus as a term in one of his stages of development (the phallic stage/phase; 1905b) but it becomes central in Lacan’s work (Laplanche & Pontalis, 1983). This chapter offers a very specific reading of the phallus, which will be explained in two stages.

The first stage in understanding the construction of the concept of the phallus is to consider the symbolic system in which the phallus works. In this step, the phallus is absent in the same way that gender and sexuality are pushed out of a definition of domestic violence as context-free in the extracts from *S&J*. This will become clearer below. The focus in this step is on where the *S&J* extracts state, “violence can occur irrespective of...” and “domestic violence occurs across society,

regardless of...". At this point, the psychoanalytic analysis takes a theoretical leap to contrast 'society' with what could be taken as Lacan's symbolic order.

The order, or structure, of the symbolic is not much more than Saussurian semiotics (Saussure, 1972). A sign consists of a signifier and a signified, but the link between a signifier and its signified is arbitrary. As such, language consists of meaningless elements (signifiers). Meaning is created through the relation between these elements, i.e. between signifiers. Consequently, language – the symbolic – is a fluid system of signifiers. It is the structure of the symbolic at any moment that constructs meaning. Reading 'social' as the symbolic then allows this analysis to consider the social as a structure with the power of defining meaning. This would be the meaning of gender, sexuality, or age, etc. Again, gender and sexuality are distinct from the social; they are merely possibilities that may occur should the specific structure of the social at any one time allow them. It is important to keep in mind the power of the symbolic in the next step towards an understanding of the phallus.

The second stage in understanding the phallus is to consider how it works within the symbolic. In describing the symbolic order as a genderless and asexual system based on Saussurian linguistics it still lacks a distinct element that Lacan would add: the master signifier (Segal, 1997). The master signifier is a signifier that takes prominence in determining meaning in the chain of signification. Lacan uses the concept of *points de capiton* to expand on this (1977; Parker, 2005a). These are quilting points where the stitching brings either side of the quilt together. The analogy suggests that relations of signifiers are brought towards the same meaning by a common signifier (the stitching), although it is difficult to understand how a

common signifier can affect the meaning of a chain of signification when it is the relation between signifiers, and not the signifiers themselves, that construct meaning. Nevertheless, the chain of signification and the master signifier can be understood as Lacan's theory of the symbolic.

As such, with *S&J*, patriarchal heterosexuality is constructed as a master signifier. This is done negatively through the discounting and repression of context-neutral. A context-neutral understanding of domestic violence is presented as something contradictory to a patriarchal-heterocentric understanding of domestic violence and then context-neutral is devalued and further discussion of it avoided. Consequently, patriarchy and heterosexuality are left as a combined signifier to dominate in the construction of the meaning of domestic violence. Or rather, *S&J* gives patriarchal heterosexuality the power to define. For example, in writing an example of past attitudes to domestic violence, *S&J* focuses exclusively on the heterosexual couplet:

“Attitudes towards domestic violence have changed in recent years. For example, it used to be the case that society thought a man was entitled to beat his wife – that it was his responsibility and right to control her, and using violence was an accepted way of doing so. Few considered it a crime”
(Home Office, 2003, p. 8)

There are three aspects to gender and sexuality in the *S&J* extracts under detailed analysis here. First, women are the passive objects of domestic violence in all three extracts. Second, men are the active subjects, being violent, but present in only one of the three extracts. Third, the inclusion of active men alongside passive women in the last extract also suggests heterosexual relations. Hence, the various

occurrences the extracts suggest domestic violence may take in society come to be shaped by patriarchal-heterosexuality. The concept of the 'phallus' is not only limited to this ability to dominate meaning (master signifier) but refers to a gendered (male) and sexual (heterosexual) power. Consequently, patriarchal-heterosexuality not only dominates the meaning of domestic violence in *S&J* but does so by assigning the masculine as active and the feminine as passive.

The key point of this final step in the analysis is to argue that gender and sexuality are not sufficient to dominate understandings of domestic violence. This argument requires including the previous analytic steps where context-neutral was shown to be marginalised, or, specifically, discounted and repressed but also presented in a dilemmatic relationship to the patriarchal-heterosexual discourse. Context-neutral and patriarchal-heterosexual understandings of domestic violence are presented alongside each other, as contradictions. That is, the patriarchal-heterosexual account construes domestic violence, in contradiction to a context-neutral account, as something that does not occur regardless of gender and sexuality. As such, gender and sexuality are being constructed alongside their contradiction. This can be considered again by looking at an example where there is greater discussion of gender in domestic violence. In the *British Medical Journal* there are two letters (Carlsten, 2002; Horner, 2002) written in response to two research articles (Bradley, Smith, Long, & O'Dowd, 2002; Richardson et al., 2002) and one editorial (Jewkes, 2002). As Carlsten's letter points out (2002), the articles and the editorial use the gender-neutral and sexuality-neutral term 'domestic violence' suggesting a context-neutral approach to domestic violence. However, the three papers consistently focus on male violence against women; specifically on

identifying (passive) female victims in general medical practice. Carlsten argues that this is evidence of a bias towards women, which results in female violence against men being ignored. Horner's letter provides an example suggesting the bias towards male violence against women has led to a male victim being further victimised by the police:

“On a personal level it leads to the situation I encountered recently in my local police station. A man with quite severe injuries after an attack by his former (female) partner was in the cells for breach of the peace” (Horner, 2002, p. 44).

Feder and Richardson (2002) replied to these two letters in a BMJ Rapid Response² to argue that, while research on female violence against men is legitimate, it is not their priority. The precedence given to male violence against women by Feder and Richardson is justified by an argument, as noted in the response title, that the “effects of domestic violence are far greater for women than men” (2002). This debate jumps between focusing on women to arguing that the focus should not exclude men. Nevertheless, no consideration is given to how this should be done or even why it is so problematic. Each author's response gravitates towards patriarchal-heterocentric understandings of domestic violence, with an additional hint that there should be an understanding that is context-neutral. The BMJ debate shows the same patriarchal-heterosexual understanding that is in *S&J* being majoritised while, at the same time, undermined by understandings that would have

² These are published online only. However, the BMJ did have Feder and Richardson's reply, as Feder and Richardson note, but chose not to print it alongside Carlsten and Horney's letters.

been included in context-neutral. Including this debate from BMJ highlights that the phallus is both dominant and unstable. That is, in *S&J*, the patriarchal-heterosexual discourse frames understandings of domestic violence but its dominance is always precarious as it is continually undermined by the context-neutral discourse which is constructed alongside it.

4.4. Conclusions

The main point of the analysis presented here is to argue that a patriarchal-heterosexual discourse, despite its relative absence, implicitly frames the meaning of domestic violence in a key contemporary domestic violence policy document. Using three extracts from *S&J*, I argued that two discourses of domestic violence were constructed as dilemmatic: context-neutral and patriarchal-heterosexual. However, context-neutral understandings were discursively discounted and repressed. As such, the patriarchal-heterosexual approach is given the power to dominate meaning. However, like a phallus, that power is precarious and can be contested by a context-neutral perspective, which is the dilemmatic counterpart.

The fourth step of the analysis provided an example outside of *S&J* where a debate in the BMJ centred on the context-neutral/patriarchal-heterosexual dilemma with a bias towards the heterosexual couplet. This debate focused on research about identifying female victims of domestic violence in general medical practice and *S&J* presented increased identification of victims in health settings as government policy. As such, the BMJ debate can be understood as linked to government policy and the text analysed in this chapter. Indeed, the gender and sexuality neutral term 'victim identification' could be understood within the context-neutral discourse. The analysis presented here would suggest that patriarchal-heterosexuality is a

symbolic resource that would frame such context-neutral statements as victim identification. This is the case with the BMJ debate where the research articles (Bradley et al., 2002; Richardson et al., 2002) understood the policy to be identification of female victims of male violence. Hence, the interest of the context-neutral/patriarchal-heterosexual dilemma lies not just with *S&J* but with domestic violence policy generally. This is especially so with policy tied to civil rights initiatives, such as CEDAW, where equality of rights may draw upon a context-neutral discourse.

The phallus – unstable masculine power – is the psychoanalytic term drawn upon to conceptualise the dominance of the patriarchal-heterosexual discourse. The psycho-discursive approach used in this chapter presents the phallus as discursively constructed. In *S&J*, the context-neutral approach is discounted and repressed leaving patriarchal-heterosexual discourse to frame the meaning of domestic violence (power). The patriarchal-heterosexual discourse constructs men as active and women as passive (masculine power). However, the power to frame meaning is open to be contested (unstable power) because the patriarchal-heterosexual discourse is constructed with context-neutral as a dilemmatic counterpart. In addition, in conducting a psycho-discursive analysis the aim was to avoid privileging the individual. The context-neutral/patriarchal-heterosexual dilemma is a psychosocial issue, relevant, for example, for individual abusers and victims affected by *S&J* policy whose experience is marginalised by the patriarchal-heterosexual framing of domestic violence. Policy could take a central role by initiating discourse around context-neutral understanding of domestic violence so that currently marginalised forms of domestic violence are recognised as

such. What remains is to elaborate how this can be done and in the next, concluding chapter I consider that the work of critique also needs to imagine its own policies. Intersectionality (Crenshaw, 1989), which conceptualises the way different identities, such as gender and sexuality, intersect in social practices, such as policy, is certainly a term that could prove useful. Indeed, the analysis in this chapter could be interpreted as an attack on feminist work that has fought so hard to get domestic violence recognised as a serious issue. The usefulness of intersectionality is that it attempts to challenge and comprehend inequality as multiple and interacting and has been used, for example, in crime (Messerschmitt, 1997) and feminist politics (Yuval-Davis, 2006). Having considered the potential of psycho-discursive analysis for critique in this thesis, the analysis of the patriarchal-heterosexual discourse acting as a phallus suggests further work needs to consider how intersectionality can add to the work of critique and psycho-discursive methods.

Like the last two analytic chapters (Chapter 2 & 3), the analysis in this chapter demonstrates the possibility of using psycho-discursive analysis by drawing upon and presenting a modest amount of material. In this chapter, I make a theoretical leap to argue that the symbolic practices (re)constructed in S&J allow a patriarchal-heterosexual discourse of domestic violence to insinuate itself in the (entire) text, albeit alongside the context-neutral discourse. This leap also turns to draw upon Lacanian psychoanalytic theory, which is notoriously obscure. I am wary that the use of the phallus in this analysis could be bewildering and the theoretical leap unconvincing. To further develop and establish this critique, I would suggest drawing upon a broader range of materials where gender and sexuality are discussed in relation to domestic violence, such as in the campaigns of Father Rights Groups

who, like the BMJ debate mentioned in the fourth step of the analysis, argue there is a bias towards women (Kaye & Tolmie, 1998a; 1998b; 1998c). As this critique is developed I would warn against limiting it to a Lacanian (or Kleinian) psycho-discursive approach and would suggest that the theoretical approach adopted needs to be fashioned along with, in a circular fashion, the development of the critique. This is something I consider in the next chapter when I discuss the broader approach to critique offered by my thesis.

CHAPTER 5 CRITIQUE, PSYCHOANALYTIC CRITIQUE, & GUERRILLA CRITICAL SOCIAL POLICY

The aims for this thesis are to, first, deconstruct contemporary domestic violence policy and, second, develop and evaluate methods for deconstructing policy and I have primarily attempted to achieve this through three separate analytic chapters (Chapters 2, 3, and 4). Chapter 1 reviewed research that was relevant for three interventions – protection orders, mandatory arrest, and psychotherapy – primarily drawn upon in domestic violence policy to suggest that focusing on domestic violence policy documents may provide critique that is relevant at the context-neutral level of policy. Consequently, the next three analytic chapters each focus on a particular topic – ‘family’, ‘consultation’, and ‘domestic violence’ – situated within contemporary domestic violence policy. As such, there is no single comprehensive critique of domestic violence policy in this thesis. Nevertheless, the main theme of my thesis is to ask how domestic violence policy can be deconstructed and each analytic chapter has utilised psychoanalysis and discourse analysis (the combination of which is termed psycho-discursive). Consequently, I shall conclude my thesis in this chapter by discussing the approach to critique utilised and introducing a concept – the discursive complex (DC) – that can aid further use of this approach. Then I shall end by arguing that psychoanalysis has the potential to be more than a topic of investigation (as it has been in this thesis) and could be used as a conceptual tool to achieve the threefold critical social policy that Townsend (1981) terms Guerrilla. That is, critical social policy that critiques current policy, imagines its own policy, and attempts to realise it.

5.1. Critique

In each analytic chapter, I have attempted to develop an analysis of a part of a policy ('family', 'consultation', and 'domestic violence') that is relevant for domestic violence with a method that is particularly appropriate for that part of policy being deconstructed. As such, the methodological concerns are situated within each chapter rather than in a single 'methodology' chapter. While I do use psycho-discursive methods and draw upon Kleinian and Lacanian psychoanalytic theory, I would warn against generalising these as methods of critique. What Parker (2005a, p. 178) writes about his technique in his paper on Lacanian Discourse Analysis, I would add as the conclusions I draw for critique:

“If there are elements of technique [or critique] that can be derived from the account in this paper [or thesis], they will need to be explicated and warranted each time for each piece of analysis” (ibid., p. 178).

However, I do not deny that there is a common methodological strand throughout the three analytic chapters that I would describe as a particular approach to critique offered by my thesis. First, this approach deconstructs the discourses of subjectivity through which the people affected by the policy are constructed. Second, it attempts to enable consideration of subjectivity as intimately social and individual: what is termed psychosocial subjectivity. Last, this approach develops a methodology that is peculiar to the discourses of subjectivity and the policy that the critique focuses on. Policy was theorised as functioning discursively (rather than causally) and therefore as effecting change through unconscious mechanisms and so this thesis drew upon discourse analysis and psychoanalysis. In particular, discourse analysis and psychoanalysis were combined and this helped to theorise subject positions that are psychosocial. As such,

this thesis has contributed to the debate on psycho-discursive methods by demonstrating their utility for critiquing domestic violence policy.

Nevertheless, psychoanalysis is not the only theoretical framework that can be used to theorise psychosocial subjectivity. Others have turned to personal construct psychology (Burr & Butt, 1992) and phenomenology (Butt, 2003 1176 /id) and I would recommend examining the utility of these approaches for critique. I am tempted to suggest that the utility of alternative approaches, such as phenomenology and psychoanalysis, could be examined by using them to analyse the same policy document. However, there are two particular dangers of such an approach. First, each theoretical framework – personal construct psychology, phenomenology, and psychoanalysis – requires a great deal of in-depth study before they can be used with confidence. Academics with experiences in different frameworks could collaborate to examine the same policy. However, the second danger is that the interest in methodology – examining the different frameworks – could become central, pushing considerations of the policy aside. In particular, this may mean that the analyses developed by the frameworks utilised fail to develop an approach that is specific to the policy being examined. Indeed, I could have examined the two psychoanalytic perspectives – Kleinian and Lacanian – used in this thesis in the same way. Rather than moving from a Kleinian psycho-discursive analysis of *Te Rito* (NZ Ministry of Social Development, 2002; see Chapter 2) to a Lacanian psycho-discursive analysis of Safety and Justice (Home Office, 2003; see Chapter 3) I could have used both approaches on just one of the policy documents. Nevertheless I preferred to continue consideration of one of the issues –collaborative consultation – brought up in the first

analysis and to select a policy document and psychoanalytic perspective because of its potential for critique (of the form of tokenistic consultation; see Chapter 3).

I do not want to dismiss the use of multiple frameworks or the use of frameworks other than psychoanalysis. Personal construct psychology and phenomenology are two frameworks that are being used in psychological and sociological literature (Butt & Langdrige, 2003) and their potential to theorise psychosocial subjects suggests they may be useful for critique of government policy. To consider their potential, they could be used to develop critique of domestic violence policy (as has been done in this thesis with a psycho-discursive approach). However, as the focus of my thesis is psychoanalysis I want to continue to explore its potential for critique. In particular, I want to introduce the 'discursive complex' as a psycho-discursive analytical tool that can help enable the consideration of subjectivity as both social and individual. However, to do so I shall have to start with the concept of the psy-complex.

5.1.1. Psy-Complex

The psy-, or psychological, complex is a term that has come to encompass discourses that make possible psychologies of self, whatever they may be. As such, the psy-complex is a discourse of subjectivity in which psychology is implicated as constructing the subject(ivities) that it takes as its objects. Rose (1985) traced this in England from 1869 to 1939 as psychology became an administrative technology in schools, hospitals, prisons, factories, and the army. For example, the use of intelligence tests to assess if a candidate is suitable for recruitment by the army. Rose's thesis is that these practices, such as intelligence tests, are not so much a result of a psychology of the individual but they are, in part, the conditions of possibility that made such a psychology make sense. That is, the practices instantiated an effective

social reality through which an individual could experience themselves as having a psychology (such as having an intelligence) and through which knowledge of those experiences (as clever or stupid, for example) could be accepted.

Here, 'complex' can be confusing. It can serve a double purpose meaning both complicated and something particularly psychoanalytic. In particular, complex is a Jungian theory that has become an expression (Complex Theory; Jung, 1960; see also Laplanche & Pontalis, 1983). For example, 'inferiority complex' suggests that underlying a person's actions are feelings of inadequacy of which they are not conscious. This suggests a split psyche; a consciousness and an unconsciousness in which lie desires that will disturb, and yet may be incorporated by, conscious intention. The actions of someone with an inferiority complex are ego-assimilated neuroses: they are expressions of the complex that are acceptable to consciousness. It has parallels with discourse as rules of language that are never explicitly present but provide the framework for something to have meaning. As such, 'psy-complex' is theorised to be one possible discourse of subjectivity and in this thesis I have drawn upon psychoanalysis in the same way. As such, discourses of subjectivity can be understood as competing – and, where it suits them, colluding – with each other to sanction what is admissible as knowledge of self. As such, 'complex' is understood to suggest something both psychoanalytic and Foucauldian and I want to expand on the relation between psychoanalysis and the psy-complex.

5.1.2. Discursive Complex

Psychoanalysis is part of the psy-complex and yet it is not. Where psychoanalytic discourse instantiates a psychology (and vice versa) it is part of the psy-complex. Indeed, in psychology psychoanalysis is frequently called upon as a history,

a foundation, or its proponents, particularly Freud, are named as its pioneers (e.g. Fancher, 1996). However, psychology frequently constructs psychoanalysis as something separate, deficient, as unable to provide knowledge admissible within the psy-complex (Frosh, 1989). For example, as an A'level student I was taught to argue that Freud's case studies were unreliable because they were based on his case notes rather than audio recordings (even though such technology was not available to Freud). In a psychoanalytic twist, Burman would call psychoanalysis psychology's repressed other (1994). As such, psychoanalysis is itself a discourse – one that may be assimilated in the psy-complex or silenced, othered.

Discursive complex (DC) is a term Parker uses to name psychodynamic constructions of self (e.g. 1997a). That is, DCs are the conditions of possibility for the discursive formation of psychoanalytic ways of being. Again, 'complex' is used to signal that this is psychoanalytic and Foucauldian: as split psyche with unconscious rules that disturb and construct conscious knowledge.

The DC provides a useful analytic tool because psychoanalytic knowledge is part of globalised western culture (Parker, 1997b). A DC is likely to be most effective when it remains unspoken; when it takes on an assumed naturalness that means it does not need voicing; when it is given (and taken) as an unquestionable truth. Psychoanalysis is used both implicitly and explicitly in art, theatre, literature, popular culture, advertising, etc. For example, Salvador Dali's 'The City of Drawers' and 'The Anthropomorphic Cabinet' (1936) both show a figure whose torso is made of drawers that are open to varying degrees. They suggest a human body that can be known from the contents within; a psychoanalytic conscious and unconscious body that may be opened up and closed. Although Dali was known to work explicitly with

psychoanalytic concepts, the writers of Spiderman may not have. In the motion picture, Peter Parker decides to use his super powers to earn money (Raimi, Lee, & Dikto, 2002). On his way, Uncle Ben tries to talk to Parker about the responsibilities that come with power. However, Parker throws these back and suggests that his uncle should stop trying to be his father. Later, the Uncle is then shot and killed by a thief whom Parker had allowed to pass (knowing that the thief had stolen money at gunpoint). After the murder, Spider-Man comes to be a crime fighting figure and it is almost as if Uncle Ben had to die for Parker to choose the role of a super-hero. The plot is not dissimilar to the 'Oedipus Complex', where the son kills and then takes on the role of the father. Indeed, I would go as far as to suggest that this is a theme common to the superhero genre (for both the hero and villain) and one that works because it is not spoken about explicitly. Where the characters talk of their Oedipal identification to their (usually) father then it may fail or appear trite and unconvincing. This is where the DC is understood as Foucauldian and psychoanalytic, providing rules structuring what is an acceptable story line and where awareness of it in consciousness would negate its power.

These two examples can each be called a DC, as the term can be both general and specific. Discursive Complex can be understood to encapsulate psychoanalysis as a discourse manifest in a multitude of activities and ways of talking. In that sense, psychoanalysis could be understood as having its own regime of truth where discourses come to be subsumed under psychoanalysis and contend for permission to be called psychoanalytic: that is, to construct knowledge that is admissible in the Discursive Complex. There is, for example, the break between Freud and Jung that demonstrates disagreement about what psychoanalysis should be (see Jung, 1961). In

this case, the examples from Dali and Spiderman would just be part of the myriad of discourses constituting and constituted by the Discursive Complex. However, Parker offers a more specific use where examples such as these would be called a DC. Note that shifts between the full name, Discursive Complex, and the abbreviation, DC, are being used to signal this differentiation. An illustration is Parker's analysis of a British Psychological Society policy text, in which he writes of the Id and Ego each as a DC (1997b; 2002). Here, the boundaries of the DC drawn by the writer are used deliberately as part of the method of critical transformative psychoanalytic discourse analysis (CTPDA). Or rather, the boundaries are momentarily fixed so that the DC can be open for discourse analysis. That is, to consider the power effects it has in legitimating or censoring. Consequently, in Dali and Spiderman I am suggesting that two different DCs, psychical apparatus and Oedipus complex respectively, are structuring subjectivities (re)constructed within art, comic books, and film.

For a method of critique, the point of focusing on a psychoanalytic structuring is to consider how a DC is (re)constructed as knowledge of self and how it has power effects by guarantying the subject a position within a regime of truth and marginalising other discourses of subjectivity. For example, by arguing, in Chapter 2, that the paranoid-schizoid position is (re)constructed in *Te Rito* I was suggesting that it is a DC, which is taken as an admissible way of being for the policy makers (constitutes knowledge of self) that managed anxiety about, and dominated, Māori (has power effects). As an analytic tool, the DC helps to consider how an individual subjectivity that is invested emotionally in particular discourses is constructed socially. While the DC is a useful analytic tool, I do not think it necessarily needs to be elucidated when writing about a CTPDA. In the three analyses in this thesis, I have not drawn upon DC

(even though it helped when developing the analyses) because I have been wary about adding an extra theoretical concept to discussions of psychoanalytic terms, such as the Discourse of the Analyst (Chapter 3) and the phallus (Chapter 4), that are difficult to explain.

5.2. Psychoanalytic Critique?

In drawing upon the DC as something psychoanalytic and Foucauldian, this thesis could be understood as suggesting that a method of critique is enabled by psychoanalysing policy. Indeed, Georgaca warns that understanding psychoanalysis as a discourse that permeates western culture “conflates the employment of psychoanalysis as a topic of investigation with psychoanalysis as a resource, an analytical and conceptual tool” (2005, p. 85). It is worth reiterating that the title of this thesis is ‘deconstructing’ – not psychoanalysing – ‘domestic violence policy’. Theorising the function of policy as discursive (rather than causal) each of the three analytic chapters (Chapters 2, 3, and 4) has read for the unconscious way policy locates a particular person. As such, psychoanalysis offers the potential for critique that considers the ways in which policy works that are not immediately obvious. Consequently, psychoanalysis has been used as a topic of critique and the primary methodological approach is discourse analysis. Nevertheless, there is a history of critical social policy and psychoanalytic work that is relevant for critiquing policy and which I argue suggests psychoanalysing policy may be useful, which I want to outline before considering some difficulties that need to be overcome before a psychoanalytic critique of policy can be realised.

Writing in the second issue of the journal *Critical Social Policy* (CSP), Townsend (1981) argued that those who study policy have been positioned as

subordinates or passers-by but they should attempt to become guerrillas who “hold images of an alternative society and work assiduously to turn them into reality” (ibid. p. 32). It is perhaps useful to explain that the study of social policy was predated by the study of social administration. The focus on ‘administration’ seems to be intimately linked with the Fabian Society’s (founded 1884²¹) commitment to gradual social change (rather than revolution). In 1900, the Fabian Society joined with trade unions to form the Labour Party and this link remains today. The Fabian Society presents itself as the oldest socialist organisation but the inaugural publication of CSP in 1981 was, in response to the cuts in public expenditure and loss to the Conservative Party of the 1974-79 Labour Government (see Kerr, 1981), an attempt to present alternative socialist views. As such, the move from ‘social administration’ to ‘social policy’ in CSP demonstrated a commitment to more radical change while maintaining that the state is the legitimate body through which to achieve such change.

My thesis has contributed to the study of social policy by demonstrating the utility of psycho-discursive methods for the critique of policy. However, in reference to Townsend’s (1981) use of the term Guerrilla, there is still a need to develop alternative views of domestic violence policy and how those views can be turned into reality. Kerr’s (1981) explanation of the naivety of Fabianism, which led to the publication of CSP, is particularly apt:

“the belief that if only you can demonstrate the facts, show the evidence, and argue the case cogently, then surely government can be persuaded by the sheer logic of the case to change its policy” (ibid., p. 8)

²¹ See <http://www.fabian-society.org.uk/About/history.asp>

The point is that the work of critique needs to consider how it is to achieve change and the hope that this can be achieved through rational debate is naive. If policy is theorised as functioning discursively (rather than through causal relations) the same would have to be admitted of policy critique. As such, the critique of policy using psycho-discursive methods needs to be taken further to consider what the critique suggests for domestic violence policy and how those suggestions can be realised. As a therapeutic tradition that goes beyond the rational to theorise an unconscious, psychoanalysis could potentially help to develop critique that has political effect. The work of psychoanalysis and institutions (e.g. Menzies Lyth, 1988) is an example that I think fails to utilise this potential.

From a Kleinian perspective, where anxiety is central, the dynamics of a group (Bion, 1955) or institution (Jacques, 1951; 1955) could be understood as a mechanism through which the management of anxiety is achieved. In Menzies Lyth's (1988) now classic study of nursing in an English teaching hospital in 1959, nurses were required to perform a few specialised tasks with a large number of patients, such as- dispensing medication or taking blood pressure. Menzies Lyth argued that the way the nurses' workload was structured allowed them to maintain a safe emotional distance from patients and to, therefore, avoid the anxiety of dealing with illness and death. However, as almost one third of student nurses chose to leave their course early rather than qualify it would seem that the institutional dynamics – even if they successfully avoided the anxiety of illness and death – created an unsatisfactory working environment.

Working on a consultant basis, Menzies Lyth was a psychoanalyst who would provide these kinds of analyses for an institution. The example of nursing is given

here because it seems no different to nursing today. Even though Menzies Lyth achieved change in a hospital, such as in a long-stay children's hospital (*ibid.*), and despite the interest of the Department of Health, which commissioned an action research project in a day care centre for children under five (Bain, 1980), there has been little take up of a psychoanalytic approach to institutions. As Spillius (1990) highlights, this is in marked contrast to Bowlby's (1980) work, which successfully ensured that children were allowed to have visitors in hospital. While Bowlby's work required a clear change in rules, Menzies Lyth consultancy work suggests that an organisation should seek psychoanalysis. For me, this would entail a more radical approach than looking to see if psychodynamic processes are preventing an institution from achieving its aims (e.g. Fyhr, 2002): even institutional aims would be open to questioning.

The difficulty with the work of psychoanalysis and institutions is that it has attempted to mimic the relationship between analyst (consultant) and analysand (institution) in the clinic. Even though psychoanalysis has a long history of work outside of the clinic, such as with films and politics (Laclau, 1989), psychoanalytic concepts and their potential for change are intimately linked to the context of the clinic and a therapeutic relationship. As Georgaca (2005) points out, there are differences between talk produced for research, talk in psychotherapy, and other 'naturally occurring' talk. It could be added that talk is different to written words and that policy documents are a particular type of writing that has its own conventions. This is similar to the understanding that discourse is linked to the context in which it is produced. Consequently, the (re)construction of psychoanalytic concepts will be contextually bound. The point is that psychoanalysing an institution may be very different to what

goes on in individual psychoanalysis. For a psychoanalysis of institutions to be effective, it needs to re-interpret the therapeutic relationship for its own purposes.

To take this one step further, if psychoanalysis is going to help to develop a method of Guerrilla critical social policy – which critiques current policy, imagines its own policy, and attempts to realise it – there needs to be more work on how the therapeutic relationship can be re-interpreted to the domain of public policy. This is not something that I think can, or should, be done here. To reiterate, the impetus for my thesis was to, in a circular fashion, develop critique at the same time as asking how critique can be done. As such, I would want to avoid a re-interpretation of psychoanalysis for policy that does not (circularly) attempt a psychoanalytic-Guerrilla-critical-social-policy of its own. At the very least, I would suggest engaging with a particular topic within the policy, such as ‘family’ or ‘domestic violence’, and considering how the work of policy, such as ‘consultation’ (tokenistic, collaborative or both), and psychoanalysis, such as therapeutic relationship in the clinic, is achieved. Notwithstanding the development of a psychoanalytic guerrilla critical social policy, this thesis still has its own limitations and uses, which I shall now outline, respectively.

5.3.Limitations

The primary limitation of the research in this thesis is that it only analyses the texts of policy documents. This thesis has focused on policy documents to allow the development of critique while considering how to do critique. Nevertheless, the preface to this thesis has also provided a radical theoretical suggestion that policy is enacted discursively rather than causally. The implication is that policy will be evidenced and (re)constructed in multiple discursive forms and a critique of policy

should also consider these. For example, a UK policy may be presented in formal prepared speeches to Parliament and the House of Lords, to relevant civil servants and practitioners, and press releases and appearances on the national and local broadcast and print media. The policy will take on a discursive life on its own – independent from the government-author – as it is further discussed, debated, and lived. Indeed, it could be suggested that the written policy document is the least useful source for critiquing policy. Nevertheless, the policy document provides a useful central point that could be understood as its earliest version before it enters everyday discourse. This is a pragmatic point for a methodology of critique as I am not suggesting that the policy is outside of discourse before it is presented in a written document. I would suggest that researchers focusing on policy need to draw upon the multiple forms through which policy is enacted.

I also want to discuss the limited applicability of the research in this thesis to two particular contexts; policy and the clinic. First, in UK academia there is increasing pressure to conduct research that is policy relevant and to clearly outline how it is so. It could be argued that any thesis focusing on policy documents, such as this, should consider how it can be applied to policy. For example, Gadd's thesis (2000) utilises FANI to analyse men (perpetrators and facilitators) partaking in an antiviolenace programme and provides a chapter on policy implications referring explicitly to UK policy. Indeed, Gadd is named as one of the contributors to the consultation on *S&J* (Home Office, 2003b), which suggests he took it upon himself to write to the Home Office. In conclusion to each of the analytic chapters, this thesis does briefly discuss policy implications. However, I would argue that without further work developing a

guerrilla-critical-social-policy the work in this thesis is of limited interest in the context of policy.

Second, a great deal of psychoanalytic theory has been developed in the context of the clinic. As such, utilising psychoanalytic theory in this thesis could suggest that it also has relevance for the clinic. Nevertheless, the focus on written documents in this thesis is of limited applicability to group and individual clinical settings. However, if this work were to be developed to include alternative forms where policy is enacted, such as in spoken interaction, the clinical setting of psychoanalysis could be a useful resource.

5.4.Uses

This thesis provides a radical analysis of government policy from a (critical) social-psychological perspective (see e.g. Gough & McFadden, 2001), which will be useful for a number of different groups. I understand ‘practitioners’ to broadly encompass those involved in developing and providing antiviolence work, which could include police officers and counsellors. This thesis provides practitioners with an alternative way to critique domestic violence policy. That is, practitioners may use the analyses provided in this thesis to question their obligations under any given policy. For example, practitioners may re-consider the role of the family in the development of an antiviolence service (Chapter 2) or place less emphasis on their own inclusion in consultation processes (Chapter 3). The Bradford Reducing Anger & Violent Emotions (BRAVE²²; see Dominey, 2006) programme could be used to provide a more specific example. BRAVE talks about reconnecting men with *soft*

²² See footnote 1, Preface, p. 1.

power, which seems to call upon an archetype of a strong powerful husband and father who does not need to be violent. The analysis family in *Te Rito* could be used to question the role of family in the connections between men and power. I would also suggest that BRAVE would justify an analysis of itself, as it seems to reconstruct Jungian psychoanalytic notions of an archetypical man. However, its practitioners may not welcome critical questioning of BRAVE but the development of a psychoanalytic-guerrilla-critical-social-policy should provide a means to engage with them. Nevertheless, there are other groups that would be more welcoming of such an approach, which I shall consider.

As a thesis that focuses on government policy it would seem to be of use for the academic discipline of social policy. The divisions between social policy and (critical) social psychology are largely historical and administrative, part of which have been outlined above. As such, the topics social policy and social psychology concern themselves with are not easily differentiated. This thesis comes from a (critical) social psychological perspective and demonstrates how theories used in that perspective – of discourse, psychoanalysis, and subjectivity – can be applied to policy. This is not to say that theories of discourse, psychoanalysis, and subjectivity are not already used in social policy but that they may be used differently. In critical social psychology there are broadly two different schools of discourse analysis. First, there is a focus on symbolic resources (Parker, 1992), which is associated with the Discourse Unit at Manchester Metropolitan University, and, second, a focus on symbolic practices (Potter & Wetherell, 1987), which is associated with the Discourse and Rhetoric Group at Loughborough University. For both groups, the research in this thesis demonstrates the utility of policy documents for discourse analysis. This is

particularly important given current debate on the use of interviews, which argues that transcripts of interviews predominate when we should be seeking alternatives (Parker & the Bolton Discourse Network, 1999; Potter & Hepburn, 2005).

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Appendix 1

- 1) *ESRC 1+3 (competition) studentship offer letter*

PTD/ORDINARY unconditional offer

26 July 2002

Mr PE Branney
50 Westfield Road
Leicester
LE3 6HS



Dear Mr Branney

ESRC STUDENTSHIP COMPETITION 2002

APPLICATION NUMBER: PTA-030-2002-00243
INSTITUTION: University of Leeds
DEPARTMENT/COURSE: Psychological Approaches to Health
RESEARCH TOPIC (if applicable):
TENABLE FROM: Course Period: 01 Oct 2002 TO: 30 Sep 2003
Research Period: 01 Oct 2003 TO 30 Sep 2006

I am pleased to offer you a Full Time Studentship to undertake the programme described above.

It is very important that you complete and return the enclosed 'Acceptance of Award' form within 10 working days of the date of this letter confirming that you wish to accept this award. If we have not received your confirmation within 10 days, we will assume that you do not wish to take up the award and will offer it to a candidate from the reserve list. Within your subject area 87 offers were made, the cut off mark was 75 and your application received a mark of 76.

Please note that if you have been accepted for an award on a '1+3' basis you are required, under the terms of the award, to undertake and successfully complete the research training Master's Course, identified in Section 1 of your application, before continuation of the award beyond the first year will be considered. Continuation of the award will also be dependant on the ESRC's acceptance of a full research proposal which you will be expected to submit to the ESRC in July 2003.

If you will be studying at Oxford, Cambridge or Durham University it is important that you indicate the name of your college. Without this information payments may be delayed. If you don't know this at present, please inform us in writing as soon as the information is available.

A copy of the ESRC Studentship Handbook is enclosed. Please read it carefully as you will be signing that you agree to the conditions laid down in the Handbook when you return your acceptance form. We will contact you before October to confirm the financial details of your award.

We hope you will accept the offer and wish you well in your studies.

Yours sincerely

A handwritten signature in cursive script that reads 'S Creaser'.

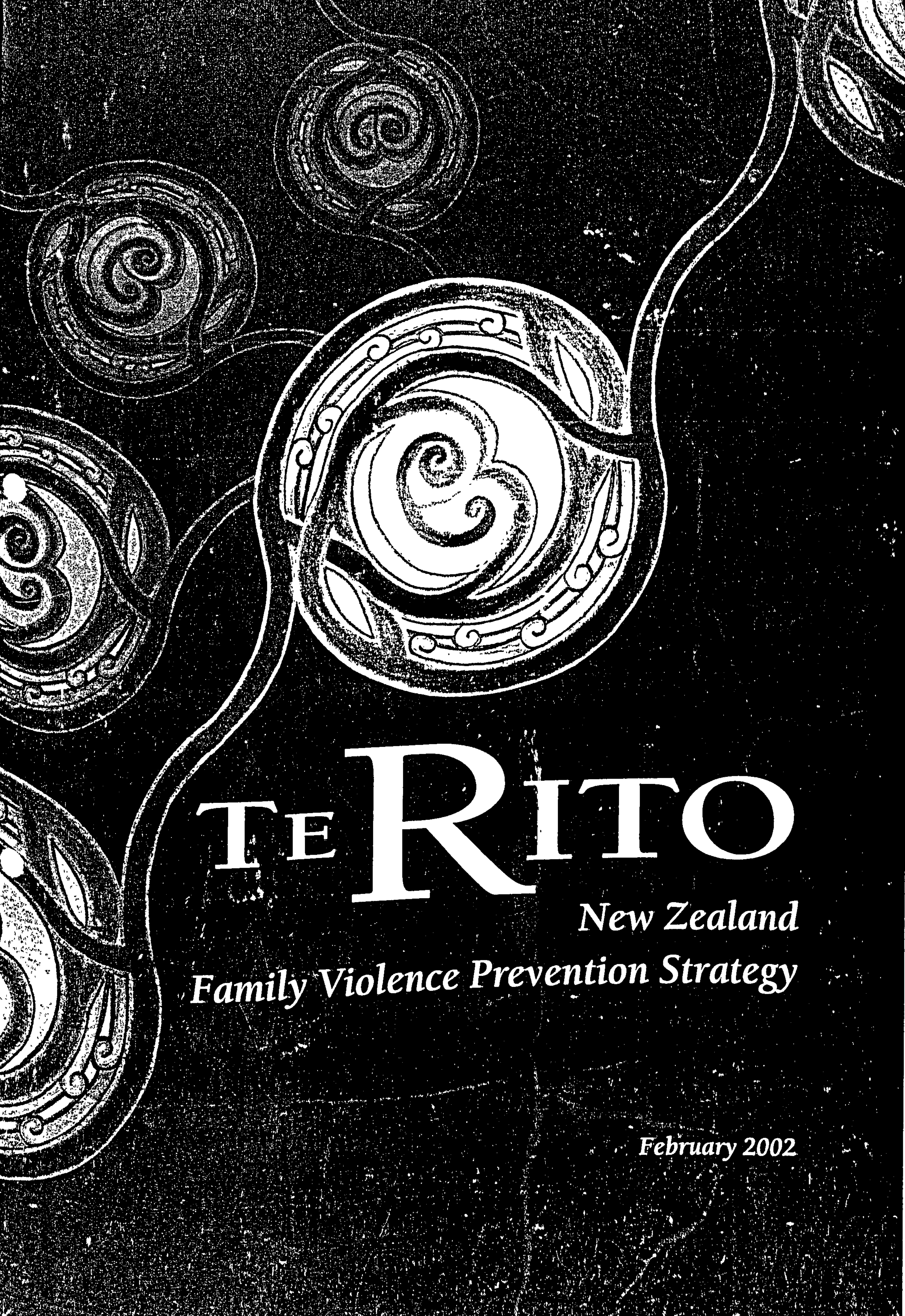
Sandra Creaser (Mrs)
Postgraduate Training Division

Encs

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Appendix 2

- 2) *Te Rito: New Zealand Family Violence Prevention Strategy (front cover page and pages one to three)*



TE RITO

*New Zealand
Family Violence Prevention Strategy*

February 2002

TE RITO

*New Zealand
Family Violence Prevention Strategy*

February 2002

Acknowledgements

The New Zealand Family Violence Prevention Strategy was developed by the Family Violence Focus Group, which comprises the National Network of Stopping Violence Services, National Collective of Independent Women's Refuges, National Collective of Rape Crisis and Related Groups, Royal New Zealand Plunket Society, Barnardos, Age Concern New Zealand, Relationship Services, Child Abuse Prevention Services New Zealand, Pacific Island Women's Project, Ministry of Social Development, Department of Child, Youth, and Family Services, Ministry of Justice including the Crime Prevention Unit, Department for Courts, Department of Corrections, New

Zealand Police, Ministry of Health, Ministry of Education, Specialist Education Services, Early Childhood Development, Te Puni Kōkiri, Ministry of Pacific Island Affairs, Ministry of Women's Affairs, Department of Internal Affairs including Ethnic Affairs, Treasury and the Accident Compensation Corporation.

Valuable input was also provided by the Family Violence Advisory Committee, Office of the Commissioner for Children, community workshop participants, individual interviewees, submissions and organisations that work every day with those affected by family violence.

The cover artwork was designed by Justine Maynard and illustrates the interconnectedness between people and their environment. The centrepiece depicts a foetus surrounded by their whānau, hapū, iwi, communities, significant others and society as a whole. All of these environments are intertwined and have a direct impact on whether or not that individual will flourish. The artwork further illustrates the linkages between one individual and their environment and others.

**Family Violence Focus Group
February 2002**

Te Rito
New Zealand Family Violence Prevention Strategy
was published by
The Ministry of Social Development
Te Manatū Whakahiato Ora

2002

ISBN:0-478-25120-3

Copies of this report can be obtained from:
Ministry of Social Development
Bowen State Building
P.O. Box 12-136
Wellington

information@msd.govt.nz
or
(04) 916 3300

or it can be viewed on www.msd.govt.nz

Design and print management by Graphetti Design Studio Ltd

Foreword



He aha te mea nui o te ao?

He tangata!

He tangata!

He tangata!

*What is the most important
thing in this world?*

It is people!

It is people!

It is people!

Family violence is a major issue affecting the lives of far too many New Zealanders and creates significant social and economic costs for society as a whole.

Building a society where families/whānau are living free from violence requires a comprehensive, multi-faceted and co-ordinated approach, an investment in long-term strategies, and a continued effort to maintain progress.

In September last year I released the Review of Family Violence Prevention in New Zealand: Plan of Action. The plan of action set out a range of strategies to address the key issues and gaps in family violence prevention identified by an extensive literature review, four community workshops, interviews with key informants and written submissions from family violence prevention networks. The Government then tasked the Family Violence Focus Group – an expert advisory committee made up of government and non-government organisations – to use the plan of action to develop a five-year implementation strategy for the Government to consider.

It is now my pleasure to present the New Zealand Family Violence Prevention Strategy. The strategy captures the essence of the plan of action, provides the detail for achieving the family violence reduction goal of the Government's Crime Reduction Strategy and builds on the previous Government Statement of Policy on Family Violence. It sets out the Government's key goals and objectives and a framework for action for maximising progress toward the vision of families/whānau living free from violence. The strategy also establishes a set of principles that will guide the implementation process and any future approaches to family violence prevention.

The strategy has been developed by government and non-government agencies working together in partnership. There has also been significant input from a wide range of individuals and different sectors in the communities. I would like to acknowledge everyone's valuable contributions. Continuing and building on these relationships are integral to achieving the strategy's vision, goals and objectives.

This Government is strongly committed to ensuring that the New Zealand Family Violence Prevention Strategy is successfully implemented over time and to eliminating family violence in Aotearoa/New Zealand.

Steve Maharey
Minister of Social Services and Employment



Appendix 3

- 3) *Safety & Justice: the Government's proposals on domestic violence (front cover page and pages one to five)*



Home Office
BUILDING A SAFE, JUST
AND TOLERANT SOCIETY

SAFETY AND JUSTICE:

The Government's Proposals on
Domestic Violence



SAFETY AND JUSTICE:

The Government's Proposals on
Domestic Violence

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

June 2003

Cm 5847

£11.25

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Foreword



by the Home Secretary,
The Rt Hon David Blunkett MP

Domestic violence accounts for a quarter of all recorded violent crime in England and Wales. Although such violence can occur irrespective of background and circumstance, sexuality or gender, it is predominantly women who suffer. One in four women experience some form of violence from a partner in their lifetime. Every week two women die as a result of it.

Domestic violence is usually a hidden crime. Victims suffer silently, afraid for themselves and for their children. The trauma and long-term effects suffered by children living in a violent household is incalculable.

This consultation paper outlines our proposals to help prevent domestic violence, improve support and protection for victims and bring more perpetrators of this insidious crime to justice. If we are to prevent violence, we must change attitudes, particularly among young people. Research shows that one in five young men and one in ten young women believe that

violence towards a partner is sometimes acceptable. It never is.

We must encourage victims to seek help, support and protection and that means ensuring that the response of professionals, including doctors, teachers, social services, and the police is the right one. It means strengthening the civil and criminal law to ensure both the police and the courts know what powers are available.

This year the Government is investing over £61 million on tackling domestic violence, including over £18 million towards additional refuge provision. But we will also look at ways of helping the victims of domestic violence stay in their own homes whenever possible.

We are inviting views from the public and professionals to help us develop and implement a cohesive and effective strategy to tackle domestic violence.

Changing attitudes is vital to help victims break free from the cycle of abuse and violence they suffer. No woman, man or child brings domestic violence on themselves and no one should have to put up with it.

David Blunkett

HOME SECRETARY
June 2003

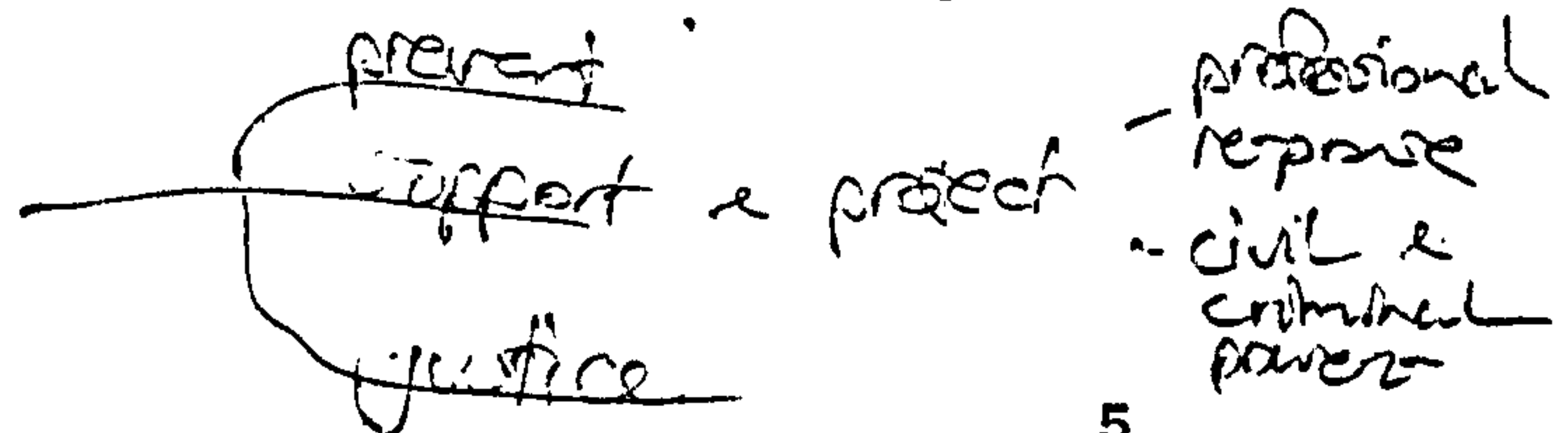
lay & knowledgeable

- Gendered

Not victims fault but doesn't point to perpetrator

3-prong approach

change attitudes



Start base facts

Appendix IV.

IV. ESRC overseas fieldwork funding

FAM/OSFW

E·S·R·C
ECONOMIC
& SOCIAL
RESEARCH
COUNCIL

31st March 2004

Mr P Branney
47 Landseer Mount
Bramley
Leeds
LS13 2QZ

800 travel
84-1-15
assistance

Dear Mr Branney

ESRC STUDENTSHIP NUMBER : PTA-030-2002-00243
Overseas Fieldwork - £1808 - 21.6.04-10.9.04 - New Zealand - 12 weeks

Thank you for your application form for overseas fieldwork expenses notifying the ESRC of your intention to conduct 12 weeks fieldwork in New Zealand.

This overseas trip has been approved and the ESRC will contribute £1808 towards the cost of this fieldwork. This sum is in addition to your maintenance grant and will be paid via the University Finance Office to your department. This payment will be made in May 2004 to give sufficient time for transfers to take place for you to draw on. Your supervisor will be informed when payment is made.

For the duration of the trip your maintenance grant will be paid into your bank using the information on file from your most recent registration document, could you please advise if any changes have been made to these details.

Please note that if your fieldwork is prematurely terminated for any reason, you must repay to the ESRC any of the fieldwork expenses overpaid to you, or on your behalf, either in whole or in such proportion as the ESRC determines.

If you require any further information please do not hesitate to contact me.

Yours sincerely

Teresa Tucker

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Ofsw-1



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Appendix 5

- 5) *Letter from host overseas fieldwork supervisor*



Massey University

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8 August 2006

Institute of Psychological Sciences
University of Leeds
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UK

To Whom it May Concern

I confirm that I acted as Peter Branney's host supervisor when he was visited the School of Psychology, Massey University, Aotearoa/New Zealand, as a doctoral student from 28th June 2004 until 17th September 2004. After reading some work by one of my past doctoral students (Damien O'Neill) and I, Peter initially contacted me via email early in 2004 to enquire about the possibility of coming to Massey as part of his doctoral research and to learn about the *Domestic Violence Interventions and Services Research Programme*. I agreed and Peter subsequently arranged funding for his travel and to support him during his time here.

While here, Peter worked on developing his theoretical approach to an analysis of the key Aotearoa/New Zealand domestic violence policy, *Te Rito*. This was primarily done through the development of a theoretical paper on how to use discourse analysis and psychoanalysis to read for the construction of subjectivities in texts on domestic violence perpetrator interventions. Peter presented different versions of this work to *Voices Against Violence*, a domestic violence forum (9th September 2004), at a departmental seminar (17th September 2004), and to the *Third International Interdisciplinary Conference in Sex & Gender*, Wroclaw, Poland (23rd-25th September, 2004), where it is in-press for a book on the conference. Since returning to Leeds, Peter has worked up a more detailed analysis of *Te Rito*, which was presented to a seminar entitled, *Semiotics & Violences*, at the *29th International Congress on Law & Mental Health*, Paris, France, and will soon be sent to *Sociology*, the journal of the British Sociological Association, for review.

Nevertheless, this work was not Peter's only focus. Peter and I secured ethical approval and departmental funding (NZ\$2787.99) for a number of interviews with key protagonists in domestic violence policy across Aotearoa/New Zealand. Peter conducted these interviews and we shall return to them once he has completed his thesis. In addition, Peter contributed to teaching by marking essays for a level three undergraduate (critical) forensic psychology course.

Yours faithfully

Mandy Morgan, PhD
Senior Lecturer, Acting Head of School

Appendix 6

6) *Conference Abstract: Poland (September, 2004)*

Branney, P., Morgan, M., Gough, B., & Madill, A. (2004b, 23rd-25th September).

Reading the construction of gendered subjectivities in the politics of domestic violence intervention: merging the psychoanalytic and psycho-discursive. *The 3rd International Interdisciplinary Conference on Sex & Gender*, Wrocław, Poland. Institutes of Psychology and German Philology at Wrocław University, Poland; The Centre of Eastern-Slavic Literature at the European University Viadrina, Frankfurt, Germany; Interdisciplinary Centre of Gender Studies at Humbolt University in Berlin, Germany.

Abstract

The construction of the gendered subject can have both positive and negative implications for political change. For example, if the UK's Labour Government are trying to prevent domestic violence, a gendered and typically masculine activity, then reconstructing the violent man as individual, intentional, and authorial directs change away from the legal, socioeconomic, and political structures underpinning that violence. In this paper I consider the psychoanalytic and psycho-discursive approaches to reading gendered subjectivities to propose Professor Ian Parker's (1997) combination of the two; critical transformative psychoanalytic discourse analysis.

Appendix 7

7) *Conference paper in press: Poland (September, 2004)*

READING THE CONSTRUCTION OF GENDERED SUBJECTIVITIES IN THE POLITICS OF DOMESTIC VIOLENCE INTERVENTION: MERGING CRITICAL DISCOURSE ANALYSIS AND PSYCHOANALYSIS

Peter Branney

Institute of Psychological Sciences, University of Leeds, England

Dr. Mandy Morgan

School of Psychology, Massey University, New Zealand/Aotearoa

Drs. Brendan Gough & Anna Madill

Institute of Psychological Sciences, University of Leeds, England

The construction of the gendered subject can have both positive and negative implications for political change. For example, if the UK's Labour Government are trying to prevent domestic violence, a gendered and typically masculine activity, then reconstructing the violent man as unable to control his violent passions allows the avoidance of responsibility and leaves little to change. Critical discourse analytic and psychoanalytic approaches to reading gendered subjectivities both assume such a man. Critical psychoanalytic discourse analysis (CPDA; Parker¹) is suggested as an alternative and understood as a method that merges the benefits of both approaches while avoiding a romantic subject at the whim of uncontrollable aggression.

In the development of a strategy for safety and justice in domestic violence², the British Labour Government recognised that women were most likely to be victims of crime at the hands of their male partner³. Yet the legislation they proposed, to criminalise the actions of the abuser, appeared to be gender blind⁴. We shall use this paper to ask how we can read sex and gender in the legal and political domains. We shall ask what methods we can use to read what, so often, is hidden. In doing so, we concern ourselves primarily with the subjectivity these methods rely upon and the implications of this subjectivity for a politics of domestic violence perpetrator intervention.

This subjectivity assumed by these methods is brought to life in Wilde's novel, *A picture of Dorian Gray*:

*"There are moments, psychologists tell us, when the passion for sin, or for what the world calls sin, so dominates a nature, that every fibre of the body, as every cell of the brain, seems to be instinct with fearful impulses. Men and women at such moments lose the freedom of their will..."*⁵.

¹ 1997a

² Home Office 2003a; 2003b

³ Home Office 2002

⁴ e.g. House of Lords 2003a; 2003b

⁵ 1891, p. 190

As the main character, the sublimely beautiful Dorian Gray, stalks from one of Victorian London's opium dens to the next, he is followed. It is here, in the dark streets, that Wilde peddles a psychological knowledge (*psychologists tell us*) to talk of sin (*the passion for sin*) and the body (*every fibre of the body, as every cell of the brain*). Like Heloise and Abelard, Tristan and Isolde, and Romeo and Juliet, that body is undeniably romantic. It is at the mercy of its own passions, be they love or aggression⁶. Sin, however, is not immutable. It is not a dictate from God but something called forth by the people that refer to it (*what the world calls sin*). Wilde conjures up a picture of morality and immorality:

*"...Men and women at such moments lose the freedom of their will. They move to their terrible end as automatons move. Choice is taken from them, and conscience is either killed, or, if it lives at all, lives but to give rebellion its fascination, and disobedience its charm. For all sins, as theologians weary not of reminding us, are sins of disobedience. When that high spirit, that morning star of evil, fell from heaven, it was as a rebel that he fell"*⁷.

As we follow Dorian, he too is followed. A scene of trepidation is set, for we are left to expect that the sailor in pursuit of Dorian, our Prince Charming, is set to kill. This violence is to be retribution, as the death of the sailor's sister sits at Dorian's door. Romantic subjectivity can be understood as one in which the irrational is split from the core rational decision maker. The suggestion is that the sailor, while able to control himself and make choices about how to act (*freedom of will*), is here no longer in control (*choice is taken from [him]*). Aggression may, or may not, be considered a reasonable response to the murder of the sailor's sister, but it is a passion that the sailor is presented as unable to control and in that sense it is irrational. In this interpretation, romanticism divides subjectivity into the chooser and the passion (the controlling Other), where, for example, aggression is both a part of the person (it is *their* anger – *they* are angry) and separate from them (they cannot control *it* – *it* controls them).

We shall come to the implications of romantic subjectivity for a politics of DVPI below, but this paper argues that two specific methods for considering DVPI actually assume such a subjectivity. The first method, which we shall refer to as both critical discourse analysis (CDA) and a reading of subjectivity, has allowed awareness of the construction of subjectivity within language – not just romantic subjectivity, but any others that may be

⁶ Abelard et al. 2003; Bedier & Belloc 1913; Shakespeare 1980

⁷ 1891, p. 190

(re)constructed in practices of DVPI. CDA is therefore a *reading* of subjectivity. Gough⁸ distinguishes between two schools of discourse analysis; Discursive Psychology (DP)⁹ is largely concerned with a reworking of cognitive psychology that “relocates psychological/cognitive concepts such as emotion and memory from within the person (or mind) to the realm of language”¹⁰; CDA¹¹, on the other hand, is informed by Marxist, post-structuralist, and or feminist positions through Foucauldian social theory. Where the romantic subject is read in DVPI the approach used may be understood as coming from the latter school, as a form of feminist CDA that questions the subjectivities reconstructed in practices of intervening with the perpetrators of domestic violence. As a reading of subjectivity, CDA is also a questioning of the subjectivity. In doing so, theorists are often transforming psychological constructs into discourses, particularly aggression, and the distinction between the two schools of discourse analytic methods can break down. However, in considering the scrutiny of romantic subjectivity in the use of CDA in DVPI research, and discursive methods more generally, we shall argue that it can, and has, assumed and constructed the very romanticism it critiques.

The second method is in part a response to the problems with the first method; the assumed subjectivity of discourse analytic methods. This method, which we call both psychoanalysis and theorising the subject, is an attempt to not only read subjectivity, but to deliberately theorise, to make possible, alternative (psychodynamic) subject positions¹². While CDA made it possible to read romantic subjectivity, psychoanalysis provides the opportunity to theorise a substitution. Kleinian psychoanalytic theory has been turned to for this very task with more recent work using it in DVPI¹³. We consider how this is done and, again, argue that it has, like CDA, assumed a romanticism of subjectivity.

As the British Government comes to a decision on DVPI – about how to change practices nationwide – reading and theorising the subjectivity in what they do allows us to question their policies and to do so in such a way that makes possible alternative subjectivities. In arguing that CDA and psychoanalytic research into DVPI has assumed a romantic subjectivity, we want to suggest an alternative that may avoid this problem while

⁸ 2004

⁹ see Edwards 1997; Edwards & Potter 1992

¹⁰ Gough 2004, p. 2

¹¹ see Burman 1990; Parker 1992a

¹² see Henriques et al. 1984; 1998; Hollway 1989

¹³ Gadd 2000a; 2000b; 2002

drawing on their strengths. We shall draw on methodology offered by Parker¹⁴ and, here, portray a combination of CDA and psychoanalysis: critical psychoanalytic discourse analysis (CPDA). Consequently, the romantic subject will be outlined in CDA and psychoanalytic research before providing an initial CPDA as an example.

Critical Discourse Analysis – Reading Subjectivity

The critical discourse analytic approach explores cultural representations and how these come to constitute subjectivity¹⁵. It is through regularities in ‘tissues of meaning’¹⁶ that objects and subjects are constructed¹⁷. These regularities, known as discourses, are often ‘ways of talking’. In the ‘discourses of violence’ approach, Hearn imagines a subject that is constituted by self-interested, recurrent patterns of talking¹⁸. Doing so enables us to read these patterns, or subject positions, and question how they excuse, rationalise, and neutralise patriarchal hegemony through a man’s abusive and violent behaviour. Indeed, it is this very questioning that makes reading subjectivity so useful. If the British Home Office is attempting to change practices in the name of preventing domestic violence, then the very subject positions these practices substantiate invites consideration.

In Manawatu, New Zealand, a ‘stopping violence’ programme is run by the New Zealand Men for Non-Violence Network (NZ-MFNV) under a legal, judicial, and political framework that the British Government appears to be mirroring with the Domestic Violence, Crime and Victims Bill¹⁹. While the NZ-MFNV was established in 1991²⁰, programme requirements are now set out in the New Zealand 1995 Domestic Violence Act. Meeting these requirements is the only way a programme can be approved, and subsequently funded, to provide services for the courts. O’Neill and Morgan used participant observation with a critical discourse analysis to ask what subject positions the Manawatu programme made available²¹. Clients were, predominantly, abusive men who had been court ordered to attend but also included others that had been given one last chance by their partner. In their analysis of the talk of the paid facilitators and clients, as well as specific practices, O’Neil and Morgan showed a subjectivity, romantic-expressive tension, that was not so different to the romantic

¹⁴ What Parker calls ‘Critical Transformative Psychoanalytic Discourse Analysis’ (1997a; see also 1997b; 2002; 2005)

¹⁵ Roper & Tosh 1991

¹⁶ Parker 1992b

¹⁷ Willot & Griffin 1997

¹⁸ 1996; 1997; 1998

¹⁹ House of Lords 2003a; 2003b

²⁰ O’Neill & Morgan 2001

²¹ *ibid*; see also Morgan & O’Neill 2001

one to which Wilde refers²². Tension rating is one of the reported practices and can be seen in the American film, *Unforgivable*²³, that shows a violent man who is given the choice of criminal charges or successful completion of a self-help antiviolence group intervention. The task requires talk of aggression as a tension the clients experience in degrees - something that can therefore be recognised and rated. In *Unforgivable*, this is done by a group of men and a psychiatrist. They start with physical symptoms; nausea (rated 1), tight chest (2), and trembling (3) as signs of their aggressive tensions. They then move to behaviours; yelling (4), insults (5), and throwing (6), then cognitions; confusion (7), and visualising attack (8), before screaming (9), and physical assault (10). This task required clients to repeatedly talk of themselves as at the whim of a violent inner tension. If they are arguing and they feel nauseous it is this tension. If they are shouting, it is this tension. If they assault their partner, it is this tension. The higher the tension rating the stronger the control it has over them. Indeed, when it reaches 10 they have lost all control to it. They can remove themselves from the argument but can only wait for the tension to subside. It is beyond their control. While the New Zealand 'antiviolence programme' reconstructed multiple discourses (including liberal humanist instrumental, structuralist social systems, and learning discourse²⁴), this is a specific example that allows the perpetrator to avoid responsibility for his actions and we may be critical of any government policy that would require this to be exercised nationwide.

Discourse analysis is itself a practice that constructs, and relies upon, a particular subject position: the blank subject²⁵. That is, everything that can be said about a person is a discourse constructing that very person. As a method that continually questions the construction of subjectivity, discourse analysis assumes a blank subjectivity and that subjectivity defies definition. Discourse and subjectivity are split.

The difficulty with blank subjectivity is that it can so easily be filled in:

*"[T]he paradox of such a position is that by offering no theorization of the speaking subject a space is left for the audience to assume one"*²⁶.

Whatever becomes subjectivity, whatever meaning we invest it with, will be taken as the *real* subject which is not accessible for discourse analysis. In some discursive methods

²² O'Neill calls this romantic expressive tension; see 1998

²³ Campbell 1996

²⁴ O'Neill 1998

²⁵ Parker 1997a; 2002

²⁶ Madill & Doherty 1994, p. 270

this is the “strategically motivated language user”²⁷. Whatever discourse a man may draw upon to justify his violence are open to question, but that he is an agent that can choose, even if unconsciously, between discourses is already assumed.

Underlying blank subjectivity and discourse is a romanticised subjectivity that means any discursive DVPI, such as ‘antiviolence programmes’, is trying to change something within the individual that they, the individuals themselves, cannot control. The construction of a person is split between the core element, blank subjectivity, and something peripheral that exerts influence, discourse. The power of discourse is to construct and while we can challenge that, it cannot be simply mobilised by that which it constructs. That is, subjectivity cannot construct itself into being: it cannot decide what it wants to be and then just talk itself into being that way. More specifically, whatever subjectivity ‘wants to be’ is already constructed in discourse. If we recognise that a discourse of romantic inner tension can prevent any changes to power relationships, we cannot just ignore it. As a discourse it is lived, and persuading men to talk differently about violence may do little to change their embodiment of those discourses.

“[S]ome men, including practitioners and clients on antiviolence programs, learn to talk the talk without walking the walk. If anxieties are embodied, then masculinity cannot be readily socially constructed away, even if the necessary material resources and political will are in place”²⁸.

While discourse use might change throughout a DVPI it may still fail to change the embodiment of discourse. However, failure to change behaviour may also mean discourse remains impervious. Indeed, behaviour is one of the many tissues of meaning that are discourse. Men may come to talk differently in a group intervention. Yet, if they are left to still feel an aggressive inner tension as something intimately real nothing much has changed. The critical discourse analytic approach allows us to be aware and critical of a romantic discourse, but the very subjectivity it implicitly relies on sounds itself suspiciously romantic.

1.1 Psychoanalysis – Theorising Subjectivity

A psychoanalytic approach allows for the assumption of a multifaceted psychosocial subjectivity. Layers of consciousness are conceptualised as driven by psychic forces and defence mechanisms. The forces and defences are social and the psyche they are driving is

²⁷ Madill & Doherty 1994, p. 261

²⁸ Gadd 2003, p. 351

considered psychological: hence, psychosocial. Melanie Klein suggests the avoidance of anxiety as the driving force with splitting and projection as two of many defences to protect against undue anxiety²⁹. While the individual psyche may respond to and defend against anxiety, the meaning that anxiety provides is constructed by society. Yet it is through responding to anxiety that they, the individual psyches, are constructed. Anxiety and defences may be considered discourses and the psyche is “always-already more than a physical container for something else called the mind or self”³⁰. That is, the psyche is more than just an individual container for psychodynamics. It comes with a particular structure for handling discourses – even if that structure may change. The psychoanalytic psyche can then be located within discourses of, for example, violence and gender, such as that of romantic-expressive tension. It is through these discourses that the psyche is constructed and it comes to these discourses already inscribed with meaning. The interaction between the two is such that the boundaries between individual and the social break down. This allows the questioning of the investment of subjectivity in social practices. Rather than just questioning social practices, this method allows for the theorisation of a subjectivity that is written into, that comes to, these practices. We can make assumptions about the people that are to be subject to these DVPIs. As domestic violence policies legislate for change across Britain, psychoanalysis can be used to consider the subjectivities that will be constructing themselves through these changes.

In Keele, England, a counselling service runs group sessions similar to the New Zealand Manawatu Men Against Violence programme (NZ-MMAV). Attendance is voluntary, although legislative changes are likely to allow courts in England and Wales to mandate and fund attendance. In the utilisation of a psychoanalytic approach, Gadd used the free association narrative interview method³¹. This is a case study method that aims to elicit a participant’s life story around particular questions. Using men attending counselling for domestic violence, Gadd assumed a defended psychosocial subject. The questions used by Gadd in the interviews asked for stories around the impact of violence and sexual violence on the clients lives as well as how they came to the ‘antiviolence programme’. Analysis focused on anxiety provoking events and experiences. One case study is about a 26-year-old white male called Gary who, at the time of the interviews, was living alone. Gary reported that he came to the programme because of his violence to his previous girlfriend, Rebecca. Gadd

²⁹ see also Hollway & Jefferson 2000, p. 19; 1988a; Klein 1988b

³⁰ Henriques et al. 1998, p. xvi

³¹ FANI; 2000a

presents us with an excerpt from the interview when Gary talks of trying to calm Rebecca who was in a “right panic”³². However, Gary finds that Rebecca experiences this, not as him being helpful, but as bullying. Positing Gary as a defended subject helps locate his experiences as a violent man within discourses. In the analysis, Gadd theorises the anxiety Gary sees in Rebecca to be actually Gary’s own anxiety:

“[Transcript of Gary speaking:] Every week she [Rebecca] would get in a right panic. Really panicking and running about like mad. Saying, ‘I’m not going to get everything done. I’m not going to be ready in time’. So I was trying to help her... She (was) just panicking, and panicking. I said, ‘Look. Just calm down. I can’t like. We’re not going to get anything sorted out if you don’t calm down’... And she’d think I was having a go at her [...] I’d just need her to calm down so that we could sort everything out”³³.

Within hegemonic discourses about what it is to be a man, Gary feels that he is failing to help Rebecca. Failing to achieve this masculinity is anxiety causing. In an attempt to avoid this anxiety, Gadd proposed that Gary is splitting it off from himself and projecting it onto Rebecca:

“Denied the largely fulfilled expectation among white, middle-class, able-bodied heterosexual men to be listened to (an expectation that might have seemed all the more rudimentary given Gary’s unemployed status and his intense feeling of loneliness), Gary’s feelings of being misrepresented become increasingly persecutory... Gary was splitting off and projecting his persecutory anxieties onto Rebecca. Although Gary claimed Rebecca felt criticized, it was he who was afraid that she might think he was doing her down. The moment Gary lost his temper he conceded inability to contain his (already acute) anxious confusion”³⁴.

Anxiety is both inside and outside. It is inside Gary, part of his psychology, and outside of him, constructed socially. However, the anxiety inside is the anxiety outside: they are not different. That is, the anxiety Gary experiences is the anxiety (re)constructed around him. Like a visual illusion, when we look at this case study we can either see an individual, Gary, peering through or, with a mere blink, the mass accumulation of voices (re)creating

³² *ibid*, p. 435

³³ *ibid*. Brackets show Gadd’s insertion during interview transcription and square brackets are additions from the authors of this paper.

³⁴ Gadd 2000b, p. 439-440

discourse. It becomes increasingly difficult to locate a particular individual or a discourse as the boundaries between psyche and social are broken down.

While the psychoanalytic approach places the individual firmly within the social, it is difficult to see how this can prevent itself from collapsing into romanticism.

“Psychoanalytic discourse offers us an individualizing perspective on processes and dynamics. Our reflection is turned inside and backwards[...] Notice the dualisms that endow the explanation with meaning: rational/irrational, conscious/unconscious, contextual/individual-personal.”³⁵

Indeed, it calls upon us to individualise discourse: to place discourse within someone. Before it allows us to break the distinction between psyche and social, it first requires us to assume there is an individual separate from discourse. The psyche is the core of the subjectivity. The defence mechanisms, drives, or discourses are both inside and outside this subjectivity. Nevertheless, the psyche is split from them, affected by but unable to effect defences or drives. Gary may have been placed within discourses of what it means to be a man but we are asked to see him as, unconsciously, the author of his anxiety and defences. Yet he comes to us mystified, the author of something he cannot control. His body is at the whim of his own anxiety and the defences that are called upon to defend against it.

In dissolving the romantic dualism it is this very subjectivity that is assumed. Psychoanalysis assumes a distinction between psyche and social then puts the social into the psyche in such a way as to attempt to break down the dualism – to theorise a subjectivity that is intimately social. This constructs subjectivity as the site of change, but does not allow a subjectivity that can be responsible for change. It puts into the psyche what can only be changed socially.

Critical Psychoanalytic Discourse Analysis

Parker focuses on the discursive construction of psychoanalytic subjectivity and we suggest this is an approach that can be used to read the construction of gendered subjectivities in domestic violence policy. In this paper we want to propose that this method can be understood as a merging of CDA and psychoanalysis: hence, CPDA. The scepticism of any truth outside language in CDA is retained. Specifically, the assumption of what is the core person in romantic subjectivity is to be avoided; in CDA the blank subject and in

³⁵ Soendergaard 2002, p. 448

psychoanalysis the psyche. The use of these methods in CPDA is where they converge on what is outside of the person's control; on discourse, psychic forces, and defences. The aim is to do so without recourse to individualisation. Psychoanalysis brings with it a dynamic and complex subjectivity that can be read in the social, but this is to be done without any attempt to locate an author. The difficulty with romanticism is that it has allowed an Othering of what has been the analytic focus of CDA and psychoanalytic DVPI research. That is, discourse and psychodynamics are located outside of the individual's control, as Other: they control and construct the individual but the individual is little able to turn about the power of influence and regain control for themselves. Indeed, the research can question policy but the very questioning, be it CDA or psychoanalytic, imagines a subject that cannot be responsible for change.

CPDA is open to the criticisms of antihumanism in post-structuralist, language-centred theories that partly led to the use of psychoanalysis for DVPI research³⁶. The turn away from the core romantic subjectivity could even be considered to be sidestepping the issues surrounding subjectivity:

*"I do think that discourse analysts within psychology need to do more to examine subjectivity – why individuals take on certain positions and reject others and why the appeal of particular narratives or discourses persists for a given person"*³⁷.

However, the assumptions behind such humanism seem no less romantic than has been outlined for CDA and psychoanalysis. As legislation and policy leads to changes in practices across Britain, assuming a romantic subjectivity is only going to provide a questioning that gives us an abuser who is author of his actions but unable to do anything about them. The choice of CPDA is to be neither humanist nor antihumanist. This concern is secondary to the development of a politics of DVPI research that enables a methodology of change.

While the UK has been considering a domestic violence strategy for the last couple of years, New Zealand has been able to rely on the 1995 Domestic Violence Act (DVA). Many working in the field of domestic violence consider this a groundbreaking piece of legislation³⁸, but a backlash has occurred. Fathers' Rights groups concerns about the 1995 DVA are manifold and our aim is not to detail them comprehensively^{39,40}. The central issue

³⁶ see Henriques, Hollway, Urwin, Venn, & Walkerdine 1984; 1998

³⁷ Gough 2004, p. 20

³⁸ see, for example, Hann 2004

³⁹ This has already been done in Australia, but not in New Zealand; see Kaye & Tolmie 1998a; 1998b; 1998c.

they present is the maintenance of their rights as a father. This is specifically, their right to have access to their children and the responsibility of the courts and their ex-partners to uphold this right. However, they consider the courts to be biased against them and their ex-partners to be vindictive liars. They evade a moral-political discussion of whether an abusive father should be allowed access to (his) child/ren. That is, Fathers' Rights groups disregard the right to safety of, not just their child/ren but, also their (ex-)partner⁴¹. They do not discuss why they chose a vindictive liar to be their partner and mother of their children, nor why they would want to continue to share parenting, as some do, with such a woman. While policy makers may be proud of the 1995 DVA, Fathers' Rights groups would contest its usefulness. It is at this intersection that we shall engage both, the DVA and Fathers' Rights groups, with CPDA.

Two texts show the construction of a psychodynamic construct, anxiety, around DVPI. There is the first author's own narrative (shown in the next paragraph) of events in New Zealand while a visiting doctoral student at Massey University, Palmerston North, from June to September 2004. The second is an article presented by Family Court Judge Jan Doogue at the 2004 annual Child and Youth Law conference in Auckland⁴².

August 2004 saw a march in Wellington, New Zealand, that represents the Fathers' Rights backlash. The march was specifically against a proposed Civil Union Bill. The organisers, Destiny Church, are a right wing Christian group that hold the family as sacred. As such, this march was also a backlash against the power of a court to prevent an abusive father from accessing his child/ren. There, men marched in rows, all with black t-shirts exclaiming 'ENOUGH IS ENOUGH!', with those at the front shouting abuse at the counter protest and the transgender MP, Georgina Beyer. Images on the news showed large groups of deeply angry and aggressive men. Up to and after the march, Destiny Church and their talk of the failure of the government to uphold the place of the family seemed, to the first author, to receive much attention from the news media. Many conversations turned to it as a topic. However, these conversations were used to dismiss Destiny Church.

⁴⁰ Stuart Birk is a senior lecturer in economics at Massey University, New Zealand, a vocal proponent of Fathers' Rights groups and his website is most informative (<http://www.massey.ac.nz/~kbirks/>).

⁴¹ Prior to the 1995 DVA, Alan Bristol was given custody of his three children even though he had been abusive to his wife, Christine Bristol (further details can be found in Busch & Robertson 1994). It was established that, after a campaign of sustained violence to his wife, on 5th February 1994, Alan killed himself and all three of his children (Davison 1994).

⁴² see Doogue 2004

The march was one of the most visual instances of the backlash, but prior to this it had already entered into the talk of a female Family Court Judge. Doogue talks of rights as something that can be weighed against each other. However, this is done without mention of how they would weigh in comparison to each other:

*“Considerable reliance has been placed on “Supervised Access” as being a panacea to balancing a child’s rights to be safe and a non-custodial’s parent’s right to access. This sometimes results in either inappropriate outcomes for children or unacceptable disenfranchisement for parents [...] detrimentally affecting some children’s relationships with their non-custodial parent”*⁴³.

We argue that the psychodynamic of anxiety is being discursively constructed but do not attempt to find an individual to place it within. The march and its violence are an outward display of aggression and of an anxiety about something. That the first author found conversations turn to Destiny Church only to dismiss it suggests an anxiety that is difficult to tackle consciously. Destiny Church was frequently dismissed but the suggestion is that they needed to do, to talk about and reject, this because it is associated with something that made them anxious. However, they only talked about this - about Destiny Church, about the anxiety – to say how unimportant it was. As soon as the anxiety became conscious, through talk, it was immediately dismissed. The judge’s talk shows just what this anxiety is about. Doogue talks of a difficult balancing act but not of how it should be done. Alarming, she suggests that this will lead to disenfranchisement. However, Doogue does not specify when - only *sometimes* – leaving the anxiety generalised and unpredictable. That is, it is an anxiety about family – about the dual role of the family-held-sacred and the family-as-abuser. The marchers went to Parliament like children protesting to their parents. Judge Doogue talks like a parent worriedly passing judgement on her children – worried that she may be damaging them.

This is an initial and tentative analysis to demonstrate the possibilities of CPDA. This is not by locating anxiety, or any other psychodynamics, within an individual. Two very different texts were used here to show that this is not a straightforward psychoanalytic interpretation. No one is author of the anxiety, not even the texts. Like a discourse, the psychodynamics are considered as sociocultural resources. The implication is that in developing a methodology for DVPI research CPDA will help explore this anxiety about the

⁴³ 2004, p. 1

family. This could be done by both exploring discourse around the family as well as a more detailed exploration of the discursive construction of psychodynamics in these, and other DVPI, texts. The hope is that any such analysis will avoid the dualism in romantic subjectivity.

Conclusion

Wilde's now classic works, in talking about a romantic subjectivity, are a reading of sex and gender in Wilde's own times. This paper has considered three contemporary methods for reading sex and gender in legal and political contexts. In particular, it has argued that both the critical discourse analytic and psychoanalytic approaches assume a romantic subjectivity, where a core element of the person is under the control of another part of themselves. For a politics of domestic violence perpetrator intervention, this would leave us challenging that which is not only assumed but essential: it leaves us challenging men who beg to be excused responsibility for their violence while underpinning that challenge on romanticism. CDA does enable criticism of discourse and psychoanalysis makes possible alternative subjectivities. CPDA is offered as a third, alternative, method that should allow for the benefits of both the CDA and psychoanalytic approaches while moving beyond the assumption of a romantic subject: where there is a core person who is under the control, but cannot control, another part of themselves. Changes to legislation and practice that are to be brought about by the current British Labour Government invite questioning and CPDA can be used to raise questions, such as the about the role family is given within DVPI, that might otherwise be overlooked.

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Appendix 8

8) *Conference Abstract: Paris (July, 2005)*

Branney, P., Madill, A., & Gough, B. (2005a, 4th-10th July). Psychoanalytic-discursive construction of subjectivities in *Te Rito* (2002), Aotearoa/New Zealand Labour Government policy for domestic violence perpetrator intervention. In R. Panikkar (Moderator), L. Coombes (Convenor), *Semiotics & Social Significances of Violence. 29th International Congress on Law & Mental Health*, Paris, France. International Academy of Law & Mental Health.

Abstract

'Changing the Subject' (Henriques, Hollway, Urwin, Venn, & Walkerdine, 1984) offered two main turning points relevant for this paper. The first was a critique of the assumptions in psychology around the understanding of what it is to be a person: that is, subjectivity. In particular, they looked at what this assumed subjectivity implied, for example, in combating racism. The second presented a critically reworked psychoanalytic approach for theorising an alternative subjectivity. This paper argues that we need to continue to ask how subjectivity is reconstructed, especially in institutions that govern responses to men's violences. Aotearoa/New Zealand has specific legislation, the 1995 Domestic Violence Act, for intervening with male perpetrators of violence against women. More recently, the Aotearoa/New Zealand Labour Government has used a collaborative approach with a number of non-

government organisations to develop a national strategy for tackling what they call family violence. This is something that will change practices across the country and as such the subjectivities this policy and the practices it will put in place invite consideration. This paper shall outline a critical psychoanalytic discursive approach to reading the construction of subjectivities in the Aotearoa/New Zealand policy, '*Te Rito: New Zealand Family Violence Prevention Strategy*' (2002). This is a method, taken from Parker (1997), that is understood here as a merging of critical discourse analysis' scepticism of any truth outside language and psychoanalysis' ability to theorise a multifaceted psychosocial subjectivity. The analysis presented will focus on the psychodynamics (re)constructed between the author and the policy text. This will be turned to the questions it raises about the domestic violence perpetrator interventions the Aotearoa/New Zealand Government intends to implement nationwide.

Appendix 9

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Abstract: This paper provides an analysis of the way in which domestic violence is constructed in the key, contemporary UK policy document, Safety and Justice (S&J). In addition, this paper considers the utility of a psycho-discursive analysis in which psychoanalysis is treated as a socially constructed theory of self. Our analysis of S&J suggests that two opposing understandings of domestic violence are used; context-neutral and patriarchal-heterosexual. However, the two understandings are not treated equally in the text of S&J. First, context-neutral is discounted by the use of discontinuity markers. Second, discussion of context-neutral and the dilemma between context-neutral and patriarchal-heterosexual understandings are repressed. Last, a particular understanding of gender and sexuality (active male, passive othered female) is constructed as the phallus and, hence, is allowed to frame the meaning of domestic violence. The unwitting dominance of patriarchal-heterosexual, it is argued, can work to obscure other forms of domestic violence, such as within same sex relationships.

Running head: *Deconstructing domestic violence*

Deconstructing UK domestic violence policy: a psycho-discursive analysis of *Safety & Justice*

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DECONSTRUCTING UK DOMESTIC VIOLENCE POLICY: A PSYCHO- DISCURSIVE ANALYSIS OF SAFETY & JUSTICE

Introduction

This paper provides an analysis of the way in which domestic violence is constructed within the key, contemporary UK policy document, *Safety and Justice* (S&J; Home Office, 2003). Interrogating the construction of domestic violence within this document is important as S&J has implications for the way in which perpetrators and victims of domestic violence are treated. Our analysis will also demonstrate the utility of a method combining discursive and psychoanalytic theory (Billig, 1999; Parker, 1997a); a subject of debate within UK social psychology in recent years (Billig, 2002a; 2002b; Frosh, 2002; Frosh & Emerson, 2005; Frosh, Phoenix, & Pattman, 2003; Gough, 2004; Hollway, 1989; Hollway & Jefferson, 2005a; 2005b; Henriques, Hollway, Urwin, Venn, & Walkerdine, 1998; Spears, 2005; Wetherell, 2003; 2005).

Safety and Justice: the Government's proposals on domestic violence (2003a) is a key policy for the UK Labour Government. Since its publication by the Home Office, S&J has influenced the development of the Domestic Violence, Crime and Victims Act (2004), catalysed the appointment of a National Domestic Violence Co-ordinator in the Department of Health (DoH) and the inclusion of the Integrated Domestic Abuse Programme (IDAP; Pence & Paymar, 1993) as an antiviolenace intervention in Probation Services (The Correctional Services Accreditation Panel, 2004). The UK acceded to the UN Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) in 1986 (Office of the High

Commissioner for Human Rights, 2004) and, in their fifth report to the UN on their actions to implement CEDAW, *S&J* is documented as a strategy to help reduce discrimination against women. On a local level, the development of initiatives such as the Harrogate and District Domestic Abuse Forum, in Yorkshire, UK, have been based on *S&J* policy co-ordinating work across the district to reduce domestic violence. This has resulted in, for example, awareness training days for front line workers, such as midwives and police officers, and a panel to improve communication between agencies for high risk cases. *S&J* is a materially effective policy, changing practices across the UK, linked to civil rights initiatives across the globe. This influence makes it important to understand the way in which domestic violence is presented within *S&J*.

Subjectivity & Domestic Violence

The importance of considering the construction of domestic violence in policy has been recognised in an extensive research programme in Aotearoa/New Zealand (A/NZ). The *Domestic Violence Interventions and Services Research Programme* (Morgan, 2005) has taken the introduction of the A/NZ Domestic Violence Act (DVA; 1995) as a starting point for psychosocial research over the last decade. Primarily utilising interviews, this has focused on the providers and users of the services influenced by the DVA (1995). DVISRP has included attendees at men-for-non-violence programmes (Morgan & O'Neill, 2001), the facilitators running the programmes (ibid), as well as women with a partner attending such programmes (Towsey, 1996), lawyers and their female clients (Pond, 2003), general practitioners (Aldridge, 2000), and police officers (Oliver, 2001; Pinkus, 1996) with plans underway to interview judges.

It is in the contradiction between two main discourses found in the A/NZ Domestic Violence Interventions and Services Research Programme that we see the importance of subjectivity for domestic violence policy. First, domestic violence is constructed as a rational act committed by an offender with the intention, conscious or not, of controlling their victim. Termed the instrumental power discourse (O'Neill, 1998), this places the responsibility for violence within the individual abuser. Second, there is the discourse of expressive tension (ibid) where domestic violence is constructed as the enactment of anger experienced by the offender. Consequently, the abuser's outward aggression is considered to be beyond their control, allowing them to elide responsibility. The implication is that social policy can either change an abuser or hold them responsible, but not both. The subject of instrumental power has autonomy to be violent that is beyond the control of policy. In the expressive tension discourse, the individual is subject to the structure of society, etc., which are open to change through policy. For example, pro-arrest policies for incidents of domestic violence may help create a society in which victims are not isolated but instead supported by the criminal-justice system. Consequently, the expressive-tension/instrumental-power problematic attends to theorising what it is to be a person in society.

A critique of the A/NZ DVA would point out that it attempts to simultaneously construct the perpetrator as active and passive, blameworthy and innocent. This resonates with debates in social psychology around understandings of subjectivity (e.g. Henriques et al., 1998; Hollway, 1989). More specifically, agency in subjectivity has been taken up with discussion of psychosocial methods and the appropriateness of including psychoanalytic theory. In an outline of the principles of the Centre for Psychosocial Studies (CPS), Birbeck College, Frosh (2003) stresses the

importance of attempting to theorise the human subject as a social entity. Hence, 'psychosocial' combines both the individual subject and the social in one term, attempting to theorise the individual and society as a "seamless entity... intimately connected or possibly even the same thing" (ibid., p. 1547). While Frosh propounds methodological pluralism as a principle of the CPS, a small body of work has focused on whether or not psychoanalysis enables the theorisation of a psychosocial subjectivity (Billig, 2002a; 2002b; Frosh, 2002; Frosh et al., 2003; Frosh et al., 2005; Gough, 2004; Hollway & Jefferson., 2005a; 2005b; Spears, 2005; Wetherell, 2003; 2005).

Psychosocial Methods

The debate on including psychoanalysis as a psychosocial method typically starts with discourse analysis as methodological and theoretical base. Broadly, within psychology there are two different schools of discourse analysis and it is the limitations of each that suggest the addition of psychoanalytic theory. First, there is a focus on *symbolic resources* (Parker, 1992), which are tissues of meaning, the regularities of which are known as discourses: that is, bodies of practices, institutions, agents, conversations, etc., united by a commonality running through them. A subject is understood to be constructed in and through such symbolic resources. However, this fails to explain how discourses are brought together to construct any single individual. Indeed, the focus on symbolic resources implies subjectivity is a blank space to be filled by discourses (Parker, 1997a). Another approach to discourse analysis focuses on *symbolic practices* (Potter & Wetherell, 1987); how an individual, or group, makes use of symbolic resources to construct particular, often contradictory, subject positions. Here, a subject constructs themselves with different symbolic practices, implying a strategically motivated language user (Madill & Doherty, 1994).

Hence, the blank subject is replaced by an uncomplicated subjectivity (Parker, 1997a) that fails to explain a subject's motivation to present him/herself in particular ways. Wetherell (1998) does suggest that these two approaches to discourse analysis can be combined and has attempted to theorise a reflexive actor (Wetherell, 2005); a contradictory, fragmentary subjectivity that is both constructed by, and constructs itself through, discourse. Nevertheless, this still fails to account for individual investment in particular subject positions (Hollway & Jefferson, 2005b). An additional problem within both approaches to discourse analysis is that subjectivity may not be limited to what is narratable. Specifically, Frosh (1999; 2001) is at pains to argue that there are experiences beyond what is said or written and that discourse analysis lacks a framework to theorise them.

Psychoanalysis may be a useful addition to discourse analysis that may provide a theory of the speaking subject; connecting individual and social to explain investment in, and experience beyond, discourse. The free association narrative interview method (Hollway & Jefferson, 2000) is a prominent example in which discourse analysis and Kleinian psychoanalysis are combined. Gadd (2000; 2002) has utilised this method to explore men's involvement (as clients or therapists) in an anti-violence programme in the UK. In an example Gadd gives, Gary talks about how his partner, Rebecca, would get in a panic when her mum was coming to visit. Gary explained that Rebecca received his help (telling her to calm down) as him "having a go at her" (2000, p. 435). Gadd uses Kleinian theory to suggest that Gary is splitting off and projecting onto Rebecca his anxieties about failing to fulfil patriarchal expectations for a white, heterosexual male to be in control. Anxiety is theorised as the key psychosocial dynamic that is unspoken and experienced individually but

understandable only with reference to, in this case, patriarchy as a social system that could explain why Gary would be anxious about losing control.

A problem with the way that psychoanalytic and discursive theory has been combined is that it has been done in a way that not only recovers but privileges the psychological dimension. First, the research materials used (largely interviews) leave open the possibility of the analysis being individualised. Returning to the above example, there remain questions about why Gary responded to his anxiety with splitting and projection, rather than, for example, depressive helplessness. It would seem that the answer could be found further within Gary's biography. As such, the analysis fails to fully theorise a psychosocial subjectivity. Second, the use of psychoanalytic theory in a psychosocial analysis is open to the charge of essentialism. For example, in Kleinian psychoanalytic theory, anxiety is theorised as an entity that the individual needs to defend against. In the case of Gary, above, it could be argued that his anxiety is constructed socially by patriarchy, but that Gary needs to manage or defend against this anxiety is taken for granted. The difficulty posed by combining discursive and psychoanalytic theory have led others to turn elsewhere for theories of subjectivity. For example, to personal construct psychology (Burr & Butt, 1992) and phenomenology (Butt & Langdrige, 2003). However, there is still the potential for combinations of the psychoanalytic and discursive that avoids privileging either the psychological or the social.

Two theorists have, arguably, avoided these problems, albeit with contrasting approaches to combining psychoanalytic and discursive theory. First, Parker (1997b) has shown that psychoanalysis is a symbolic resource utilised in such cultural products as films and books. Analysis of such textual material should allow us to provide a psychosocial analysis that does not risk being individualised. Second, Billig

(1999) has attempted to ground psychodynamics in discourse by paying close attention to discursive practices in written texts. For example, repression could be achieved socially by a change in subject, which not only avoids further discussion of the previous subject but replaces it with something else (ibid.; more on this below). Focusing on symbolic practices should allow us to provide clear arguments for understanding psychoanalytic concepts as socially constructed rather than essentialised entities.

The two discourse analytic approaches, focusing on, first, symbolic resources and, second, symbolic practices can be brought together into an analysis that considers the discursive practices in a text so as to build up an account of how psychoanalysis acts as a discursive resource. We shall call this approach psycho-discursive (Wetherell & Edley, 1999). In the remainder of this paper, we want to develop this argument by means of an analysis of *S&J*. Like other research on domestic violence (e.g. Batsleer et al., 2002; Morgan, 2005), we argue that *S&J* constructs complex relations between gender and violence while sustaining a patriarchal heterocentricism.

Method

Two different understandings of domestic violence are constructed in *S&J*. The first construes domestic violence occurring without discrimination, to or by anyone; that is, that social context has no influence on domestic violence. The second understanding construes domestic violence as something that is customarily perpetrated by men against women. This insinuates that men are active, women passive and that the relationship between perpetrator and victim is heterosexual. These two understandings shall be called the context-neutral discourse and the

patriarchal-heterosexual discourse respectively. The following extracts indicative of these discourses are taken from the Foreword, Summary, and the main text of *S&J*:

Extract 1: *“Although such violence can occur irrespective of background and circumstance, sexuality or gender, it is predominantly women who suffer. One in four women experience some form of violence from a partner in their lifetime. Every week two women die as a result of it”* (Home Office, 2003, p. 5).

Extract 2: *“Domestic violence occurs across society, regardless of age, gender, race, sexuality, wealth and geography. However, it is predominately women who suffer as a result”* (Home Office, 2003, p. 6).

Extract 3: *“Domestic violence occurs across society, regardless of age, gender, race, sexuality, wealth and geography. But the figures show that it is predominantly violence by men against women”* (Home Office, 2003, p. 9).

Each extract could be a repetition of the other. Indeed the first sentence in Extracts 2 and 3 are identical. They have been selected as the only instances where *S&J* explicitly writes about the issue of defining domestic violence. Despite their brevity and infrequency – or rather, because their scarcity places them on the margins (Derrida, 1982) – we shall argue that these extracts are important for the framing of domestic violence throughout the policy document and hence for the implementation of the policy. These extracts succeed in using three different, but overlapping, symbolic practices. On the basis of these three symbolic practices we argue that a psychodynamic (the phallus) is (re)constructed. These will be articulated during the four successive steps in the following analysis. In terms of method, steps one and two utilise discourse analysis, step three combines this with a psychoanalytic concept (repression), and step four draws mainly on psychoanalytic theory. In terms of content, step one demonstrates the dilemma between context-neutral and

patriarchal-heterocentric constructions of domestic violence in the text. Steps two and three show how the text ultimately marginalises the context-neutral account through discounting and repression. The final step then brings the first three together to suggest that the patriarchal-heterocentric account is insufficient to dominate understandings of domestic violence.

Analysis

Dilemmas

The extracts present two possible pictures of domestic violence which are partly contradictions of each other and therefore serve to construct a dilemma. Characteristic of a dilemma is that it is more complex than a simple choice. As Billig points out, dilemmas “impose an assessment of conflicting values”, producing more than one “ideal world”, each with their own “arrangement of power, value and interest” (Billig et al., 1988, p. 163). An example Billig et al. (1988) give is individuality as a western liberal ideal where it is taken as fact that individuals are all different and this difference is to be valued. This can be contrasted with the continual use of gender as a social category, which obscures the individual differences assumed by individuality. Billig et al. (ibid.) provide an example of five female university students talking about the lack of women in scientific jobs where they vacillate between individuality (“It isn’t possible to generalize at all”, p. 128) and gender (“the people who were actually best at it [science] were girls funnily enough”, ibid.). The taken-for-granted nature of individuality and gender means neither can be ignored – there is no choice between them – rather, they must rather coexist as alternate ideal worlds.

Indeed, individuality/gender is a contemporary ideological dilemma that has similarities with the two understandings of domestic violence in *S&J*. The context-neutral domestic violence in the extracts point to policy delivery that recognises all possible manifestations of domestic violence, specifically, “*age, gender, race, sexuality, wealth and geography*” (Extracts 2 & 3). The implication is that, for example, violence within a homosexual relationship will be given equal resources and consideration as violence within a heterosexual relationship. In contrast to this, the patriarchal-heterocentric discourse of domestic violence within the extracts point to an understanding of domestic violence as one manifestation of male violence against women and therefore presumes a heterosexual relationship. The distinction between the context-neutral and patriarchal-heterocentric possibilities for policy is an imposition of assumed categories (gender and sexuality). Context-neutral domestic violence will be recognised regardless of the social categories inherent in the situation, whereas patriarchal-heterocentric violence requires and reconstructs a male-female binary; an important social category in some way influencing the occurrence of domestic violence.

Discounting

The analysis now moves on to demonstrate the way in which context-neutral and patriarchal-heterosexual constructions of domestic violence are presented in a hierarchical relation to each other. Discounting (Speer & Potter, 2000) allows both aspects of a dilemma to be presented but in such a way as to reduce the value of one aspect relative to the other. Speer and Potter (*ibid.*) give the example of a heterosexual man, Ben, talking about his experience of a gay club. Ben says he “had a bloody good time” but despite this emphatic remark he reports three times that the experience “didn’t really bother him” (p. 549). First, Ben presents himself as not

having any difficulty with homosexuality and therefore as not heterosexist. Second, Ben then distances himself from any suggestion that he may have homosexual desires with such repetition as to undermine the importance of his anti-heterosexism.

In each *S&J* extract, context-neutral in domestic violence policy is presented first but alongside discontinuity markers ('although', 'but', etc.; see Drew, 1995). In Extract 1, the first sentence, on equality, begins with 'Although' signalling the importance of what is going to come afterwards. In Extracts 2 and 3, the second sentences start with 'However' and 'But' respectively, highlighting again the importance of the second, patriarchal-heterosexual, statement. As such, *S&J* constructs policy as being able to account for context-neutral and patriarchal-heterosexual understandings of domestic violence, but undermines the importance of context-neutral relative to the patriarchal-heterosexual.

The British Association for Counselling and Psychotherapy (BACP) published a letter in response to *S&J* (Jamieson, 2003) in which the deputy chief executive protests the lack of reference to parent and elder abuse. However, including the context-neutral account implicitly protects *S&J* from the criticism that it is a policy that marginalises victims who do not suffer at the hands of an adult male within a heterosexual relationship (see; Billig, 1987). That is, by acknowledging context-neutral understandings of domestic violence, *S&J* appears to anticipate, and therefore preclude, accounts that some understandings of domestic violence are excluded. Indeed, the context-neutral account is constructed before the patriarchal-heterosexual approach suggesting that domestic violence that does not fit within the patriarchal-heterosexual discourse is something that needs addressing. However, as our analysis of discounting suggests, the context-neutral account is indeed subtly, marginalised.

A discursive analysis of the construction of a dilemma and the discounting of one aspect of the dilemma demonstrates the argumentative nature of language use and how this manifests in the text of *S&J* (Billig et al., 1988). Nevertheless, as Billig also notes (1988, footnote 42, p. 51), directing attention to argumentation risks ignoring ways in which argument is avoided. An overlapping approach to reading *S&J*, which provides an account of argument avoidance, is to draw on the theory of repression.

Repression

Repression would suggest that, not only is one aspect of a dilemma devalued, but that any discussion or exploration of that aspect is avoided. Repression is a term often associated with Freud (Laplanche & Pontalis, 1983) but this paper draws specifically on the concept's use in Billig's work (1999), in which he analyses how repression is achieved in language (rather than being an invisible process of the mind). For example, Billig argues that Freud's case study of Dora (1905a) represses consideration of the oppression under which Jews lived in Austria at the time. In the case history, Freud mentions that Dora had difficulty explaining why she spent two hours looking at Raphael's painting of Madonna. A footnote in the case study is used by Freud to offer an interpretation, which emphasises that the example is not important for the main theme of the text. In addition, the footnote focuses on the sexual aspect (virgin mother) of the Madonna viewing. Billig points out that the example is of a Jewish girl looking at an image of the Christians who would have been, in the name of Christianity, oppressing almost everyone Dora (and Freud) knew at the time. Consequently repression of anti-semitism is achieved discursively, through minimisation of relevant material (to a footnote) and then avoidance.

Repression in *S&J* is very similar to the explanation of discounting as an argumentative resource, as the discontinuity markers, 'Although', 'However' and

'But', are also read as signals of repression. In the *S&J* extracts, the discontinuity markers construct context-neutral as a possible understanding of domestic violence – violence that can be enacted and suffered by anyone – but the discussion is presented as one that will not be pursued in *S&J*. Discounting and repression are signalled by the use of discontinuity markers but the concept of repression provides greater opportunity for the analysis to move beyond the extracts. Discontinuity focuses on the value of the two sides of the dilemma relative to each other; the hierarchical relationship constructed between context-neutral and patriarchal-heterosexist. As such, discounting is concerned with presence. That is, how both parts of a dilemma can be included, accounted for, and then one part implicitly marginalised.

Repression, in addition, describes the process of making absent. *S&J* could have, for example, included a lengthy discussion of possible manifestations of domestic violence that do not rely on heterosexual relationships and still managed to discount context-neutral. Indeed, *S&J* includes provision to change legislation, now set out in the Domestic Violence, Crime and Victims Act (2004), so that non-molestation and occupation orders include non-cohabiting and same sex couples. However, the extracts included in this paper show that, where context-neutral understandings are present in the text, the policy pushes context-neutral aside to turn to patriarchal-heterosexist understandings. Consequently, *S&J* succeeds in repressing both context-neutral and the dilemmatic relationship between context-neutral and patriarchal-heterosexual accounts of domestic violence.

The discursive use of dilemma and discounting has shown the complexity of what is being achieved in these three extracts from *S&J*. In addition, the use of repression shows how *S&J* manages to avoid greater internal conflict and complexity. In particular, it avoids a discussion of how an understanding of domestic violence as a

form of male violence against women can be reconciled with, for example, violence in homosexual relationships, or when men are victims and women are perpetrators. These two examples show the concrete implications for policy delivery. In both examples, men could be the victims of domestic violence with little appropriate state or voluntary refuge available.

These three steps in the analysis have focused on the context-neutral aspect of *S&J*. The first two steps were discursive and the third is a discursive psychoanalysis. As such, these three steps constitute a predominately discourse analytic psycho-discursive analysis. The problem is that the analysis, by focusing on context-neutral, becomes a mirror image of the policy; context-neutral is the dominant focus with gender and sexuality repressed, avoided. Indeed, the aim of an analysis could be to engage in the conflict under discussion, returning it in reverse form to undo the marginalisation and disturb the hegemony. However, ending the analysis here could reify a dilemma between context-neutral and patriarchal-heterocentric understandings. One final analytic step will draw together the marginalisation of context-neutral with the precarious dominance of gender and sexuality in the patriarchal-heterosexual discourse.

Phallus

This final step in the analysis moves towards a greater use of psychoanalysis in this psycho-discursive approach to argue that gender and sexuality are constructed as the phallus. This brings the analysis to focus on gender and sexuality while also including the marginalisation of context-neutral. The point is that particular constructions of gender (patriarchy) and sexuality (heterosexual) are constructed as dominant but that this dominance is precarious and open to critique by the very thing it marginalises (Foucault, 1998): context-neutral domestic violence.

In classical psychoanalysis, the phallus is a symbolic *representation* of the penis and not the penis itself. As such, the phallus is a symbol but one that is not reducible to the penis. Rather, the meanings assigned to the penis, such as virility or strength, are what constitute the phallus (Laplanche et al., 1983). For example, reviewing male pin-ups, Dyers concludes; “[m]uscularity is the *sign* of power – natural, achieved, phallic” (1982, p. 68). Freud used the concept of the phallus as a term in one of his stages of development (the phallic stage/phase; 1905b) but it becomes central in Lacan’s work (Laplanche et al., 1983). This paper offers a very specific reading of the phallus, which will be explained in two stages.

The first stage in understanding the construction of the concept of the phallus is to consider the symbolic system in which the phallus works. In this step, the phallus is absent in the same way that gender and sexuality are pushed out of a definition of domestic violence as context-free in the extracts from *S&J*. This will become clearer below. The focus in this step is on where the *S&J* extracts state, “violence can occur irrespective of...” and “domestic violence occurs across society, regardless of...”. At this point, the psychoanalytic analysis takes a theoretical leap to contrast ‘society’ with what could be taken as Lacan’s symbolic order.

The order, or structure, of the symbolic is not much more than Saussurian semiotics (Saussure, 1972). A sign consists of a signifier and a signified, but the link between a signifier and its signified is arbitrary. As such, language consists of meaningless elements (signifiers). Meaning is created through the relation between these elements, i.e. between signifiers. Consequently, language – the symbolic – is a fluid system of signifiers. It is the structure of the symbolic at any moment that constructs meaning. Reading ‘social’ as the symbolic then allows this analysis to consider the social as a structure with the power of defining meaning. This would be

the meaning of gender, sexuality, or age, etc. Again, gender and sexuality are distinct from the social; they are merely possibilities that may occur should the specific structure of the social at any one time allow them. It is important to keep in mind the power of the symbolic in the next step towards an understanding of the phallus.

The second stage in understanding the phallus is to consider how it works within the symbolic. In describing the symbolic order as a genderless and asexual system based on Saussurian linguistics it still lacks a distinct element that Lacan would add: the master signifier (Segal, 1997). The master signifier is a signifier that takes prominence in determining meaning in the chain of signification. Lacan uses the concept of *points de capiton* to expand on this (1977; Parker, 2005). These are quilting points where the stitching brings either side of the quilt together. The analogy suggests that relations of signifiers are brought towards the same meaning by a common signifier (the stitching), although it is difficult to understand how a common signifier can affect the meaning of a chain of signification when it is the relation between signifiers, and not the signifiers themselves, that construct meaning. Nevertheless, the chain of signification and the master signifier can be understood as Lacan's theory of the symbolic.

As such, with *S&J*, gender and sexuality are constructed as a master signifier. This is done negatively through the discounting and repression of context-neutral. A context-neutral understanding of domestic violence is presented as something contradictory to a patriarchal-heterocentric understanding of domestic violence and then context-neutral is devalued and further discussion of it avoided. Consequently, patriarchy and heterosexuality are left as a combined signifier to dominate in the construction of the meaning of domestic violence. Or rather, *S&J* gives patriarchal

heterosexuality the power to define. For example, in writing an example of past attitudes to domestic violence, *S&J* focuses exclusively on the heterosexual couplet:

“Attitudes towards domestic violence have changed in recent years. For example, it used to be the case that society thought a man was entitled to beat his wife – that it was his responsibility and right to control her, and using violence was an accepted way of doing so. Few considered it a crime” (Home Office, 2003, p. 8)

There are three aspects to gender and sexuality in the *S&J* extracts under detailed analysis here. First, women are the passive objects of domestic violence in all three extracts. Second, men are the active subjects, being violent, but present in only one of the three extracts. Third, the inclusion of active men alongside passive women in the last extract also suggests heterosexual relations. Hence, the various occurrences the extracts suggest domestic violence may take in society come to be shaped by patriarchal-heterosexuality. The concept of the ‘phallus’ is not only limited to this ability to dominate meaning (master signifier) but refers to a gendered (male) and sexual (heterosexual) power. Consequently, patriarchal-heterosexuality not only dominates the meaning of domestic violence in *S&J* but does so by assigning the masculine as active and the feminine as passive.

The key point of this final step in the analysis is to argue that gender and sexuality are not sufficient to dominate understandings of domestic violence. This argument requires including the previous analytic steps where context-neutral was shown to be marginalised, or, specifically, discounted and repressed but also presented in a dilemmatic relationship to the patriarchal-heterosexual discourse. Context-neutral and patriarchal-heterosexual understandings of domestic violence are presented alongside each other, as contradictions. That is, the patriarchal-heterosexual account construes domestic violence, in contradiction to a context-

neutral account, as something that does not occur regardless of gender and sexuality. As such, gender and sexuality are being constructed alongside their contradiction. This can be better considered by looking at an example where there is greater discussion of gender in domestic violence. In the British Medical Journal there are two letters (Carlsten, 2002; Horner, 2002) written in response to two research articles (Bradley, Smith, Long, & O'Dowd, 2002; Richardson et al., 2002) and one editorial (Jewkes, 2002). As Carlsten's letter points out (2002), the articles and the editorial use the gender-neutral and sexuality-neutral term 'domestic violence' suggesting a context-neutral approach to domestic violence. However, the three papers consistently focus on male violence against women; specifically on identifying (passive) female victims in general medical practice. Carlsten argues that this is evidence of a bias towards women, which results in female violence against men being ignored. Horner's letter provides an example suggesting the bias towards male violence against women has led to a male victim being further victimised by the police:

"On a personal level it leads to the situation I encountered recently in my local police station. A man with quite severe injuries after an attack by his former (female) partner was in the cells for breach of the peace" (Horner, 2002, p. 44).

Feder and Richardson (2002) replied to these two letters in a BMJ Rapid Response¹ to argue that, while research on female violence against men is legitimate,

¹ These are published online only. However, the BMJ did have Feder and Richardson's reply, as Feder and Richardson note, but chose not to print it alongside Carlsten and Horney's letters.

it is not their priority. The precedence given to male violence against women by Feder and Richardson is justified by an argument, as noted in the response title, that the “effects of domestic violence are far greater for women than men” (2002). This debate jumps between focusing on women to arguing that the focus should not exclude men. Nevertheless, no consideration is given to how this should be done or even why it is so problematic. Each author’s response gravitates towards patriarchal-heterocentric understandings of domestic violence, with an additional hint that there should be an understanding that is context-neutral. The BMJ debate shows the same patriarchal-heterosexual understanding that is in *S&J* being majoritised while, at the same time, undermined by understandings that would have been included in context-neutral. Including this debate from BMJ highlights that the phallus is both dominant and unstable. That is, in *S&J*, the patriarchal-heterosexual discourse frames understandings of domestic violence but its dominance is always precarious as it is continually undermined by the context-neutral discourse which is constructed alongside it.

Conclusions

The main point of the analysis presented here is to argue that a patriarchal-heterosexual discourse, despite its relative absence, implicitly frames the meaning of domestic violence in a key contemporary domestic violence policy document. Using three extracts from *S&J*, we argued that two discourses of domestic violence were constructed as dilemmatic: context-neutral and patriarchal-heterosexual. However, context-neutral understandings were discursively discounted and repressed. As such, the patriarchal-heterosexual approach is given the power to dominate meaning. However, like a phallus, that power is precarious and can be contested by a context-neutral perspective, which is the dilemmatic counterpart.

The fourth step of the analysis provided an example outside of *S&J* where a debate in the *BMJ* centred on the context-neutral/patriarchal-heterosexual dilemma with a bias towards the heterosexual couplet. This debate focused on research about identifying female victims of domestic violence in general medical practice and *S&J* presented increased identification of victims in health settings as government policy. As such, the *BMJ* debate can be understood as linked to government policy and the text analysed in this paper. Indeed, the gender and sexuality neutral term 'victim identification' could be understood within the context-neutral discourse. The analysis presented here would suggest that patriarchal-heterosexuality is a symbolic resource that would frame such context-neutral statements as victim identification. This is the case with the *BMJ* debate where the research articles (Bradley et al., 2002; Richardson et al., 2002) understood the policy to be identification of female victims of male violence. Hence, the interest of the context-neutral/patriarchal-heterosexual dilemma lies not just with *S&J* but with domestic violence policy generally. This is especially so with policy tied to civil rights initiatives, such as CEDAW, where equality of rights may draw upon a context-neutral discourse.

The phallus – unstable masculine power – is the psychoanalytic term drawn upon to conceptualise the dominance of the patriarchal-heterosexual discourse. The psycho-discursive approach used in this paper presents the phallus as discursively constructed. In *S&J*, the context-neutral approach is discounted and repressed leaving patriarchal-heterosexual discourse to frame the meaning of domestic violence (power). The patriarchal-heterosexual discourse constructs men as active and women as passive (masculine power). However, the power to frame meaning is open to be contested (unstable power) because the patriarchal-heterosexual discourse is constructed with context-neutral as a dilemmatic counterpart. In addition, in

conducting a psycho-discursive analysis our aim was to avoid privileging the individual. The context-neutral/patriarchal-heterosexual dilemma is a psychosocial issue, relevant, for example, for individual abusers and victims affected by *S&J* policy whose experience is marginalised by the patriarchal-heterosexual framing of domestic violence. Policy could take a central role by initiating discourse around context-neutral understanding of domestic violence so that currently marginalised forms of domestic violence are recognised as such.

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*Appendix 10**10) Conference Abstract: Leicester (May, 2006)*

Branney, P., Gough, B., & Madill, A. (2006, 3rd-5th May). Phallic policy: a psycho-discursive analysis of UK domestic violence policy. In B. Gough (convenor), *the marginalization of gender categories, identities and communities*. *Qualitative Research & Marginalisation*, School of Psychology, University of Leicester, UK

Abstract

Peter Branney uses conceptual tools from discursive psychology and psychoanalytic theory to foster a critical analysis of gender within a recent UK policy text on domestic violence: Safety & Justice. The analysis demonstrates that while attention is very much focussed on diversity i.e. anyone can be a perpetrator or victim of domestic violence, the male aggressor/female victim couplet insinuates itself into the text. The marginalisation of other forms of domestic violence is then discussed.

Appendix 11

11) Conference Abstract: Mexico (June, 2006)

Branney, P., Gough, B., & Madill, A. (2006, 21st-23rd June). A psychosocial analysis of UK domestic violence policy. *II International Colloquium of Studies on Men and Masculinities: Violence: A game for men?*, National Congress of the Mexican Academy of Gender Studies of Men, University of Guadalajara, Mexico.

Abstract

This paper takes issue with the minoritization of understandings of domestic violence in Safety & Justice (*S&J*; 2004), a key UK domestic violence policy. The main argument is that *S&J* appears to deal with diverse representations of domestic violence, such as violence in a homosexual relationship, but a heterocentric, patriarchal discourse implicitly frames the meaning of domestic violence. This argument is made by using a four step psychosocial analysis; steps that moves increasingly from Billig's conversation analysis (1999) to Parker's critical use of psychoanalysis (1997). The first step details the construction of a dilemma between two understandings of domestic violence; there is the context-neutral understanding where violence can happen to and be perpetrated by anyone whereas there is also a specific patriarchal understanding where domestic violence is one form of male violence against women. The second step shows how diversity is discounted and the third step moves towards psychoanalysis to suggest diversity is repressed. The fourth step argues that gender is being constructed as a phallus. That is, gender has a fragile

dominance; a dominance that can be disturbed by the return of diversity. Consequently, the analysis helps to build up the argument to show that there is a complex relationship between the minoritization of context-neutral and the majoritization of patriarchal understandings of domestic violence. This paper then concludes by drawing on a debate in the *British Medical Journal* to show the relevance of this analysis beyond *S&J*.

*Appendix 12**12) Publication: Book review*

Branney, P. (2006). A review of 'Doing Qualitative Research Differently: Free Association, Narrative and the Interview Method' by Wendy Hollway and Tony Jefferson (2000a). *Qualitative Research in Psychology*, 3(1), 73-74.

Hollway W, Jefferson T. 2000: *Doing qualitative research differently: free association, narrative and the interview method*. London: Sage.

This is a thorough methods textbook with a core theoretical argument. It focuses on their ESRC project, 'Gender difference, anxiety, and the fear of crime', to outline limitations of quantitative and qualitative research in this area and to introduce the FANI method. Separate chapters cover approaches to interviews, analysing data (which is shown to be more than just the transcript), ethics and generalizability. Rather than providing a conclusion, Hollway and Jefferson draw the book together at the end to present a FANI case study. Readers familiar with the now seminal works *Changing the subject* and *Subjectivity and method in psychology* (Henriques *et al.*, 1998; Hollway, 1989) will recognize the critique of the assumed unitary, rational subjectivity (in Fear of Crime research) to present relational, psychoanalytic (specifically, Kleinian-defended) subjectivities as an alternative. Reading *Doing qualitative research differently* as an undergraduate, it brought to me an excitement about possibilities for projects in psychology. Indeed, I would argue that the book will be an essential resource for students and researchers because it extensively and coherently explains how to change the subject of psychology: how to conduct research that assumes alternative subjectivities and how to shift the focus of academic psychology. Gadd is a researcher who is apposite here, having developed his career upon FANI. His doctoral thesis considered the notion of the defended subject in masculinities and male violences against known women (Gadd, 2000a; see, 2000b; 2002; 2003) and he has continued to draw

upon this as a research and analytic tool (e.g., Gadd & Farrall, 2004). As I want to suggest that this book is, and will continue to be, important in designing and conducting research, I want to make two points: about the applications of such research and its own assumed subjectivity.

First, the book does suggest that FANI will have practical implications but to consider these the reader will have to look elsewhere. The acknowledgements show that this method resulted in part from a project on Fear of Crime, which was funded under the ESRC research programme on Crime and Social Order. The ESRC is a government-funded research council and, for me, there is a connotation that FANI may feed into how crime and social disorder is governed. In the afterword, Hollway and Jefferson are explicit that FANI will make visible, to policy-makers, layers of meaning and experience that have hitherto remained hidden. Yet it is left unclear what difference seeing these layers will make to policy. It could be that in challenging assumptions around Fear of Crime, this particular research will, for example, dispel the myths that make this a policy concern. However, I cannot help but feel that in their metaphor of vision (making visible) Hollway and Jefferson are hinting at much more. They may be suggesting a psychoanalytic policy gaze or new ways of being and doing policy. Researchers and students alike will frequently find that they are called to justify their work, and it is appealing to be able to suggest practical applications. The reader will find that they have to go beyond this book to have a clear idea about how this can be done.

Secondly, there is the danger that using this text will lead to research that replaces one hegemonic subject(ivity) with another. I

would suggest that the book can be understood as evidencing a paranoid-schizoid splitting of subjectivity. The rational, unitary subject is bad, 'a depleted product of a depleted method', whereas the defended subject is good, offering 'an enriched, more complex, nuanced and, arguably, more humane and ethical view' (p. 155). One subjectivity is demonized and split off, open to the critical gaze of the researcher. The other is idealized and free to be introjected as a new hegemony in research. Again, readers will recognize in this criticisms that were made of *Changing the subject* and *Subjectivity and method in psychology* (see respectively, Soendergaard, 2002; Widdicombe, 1992). The point should be that the defended subject, like the unitary, rational subject, is a historical discursive construction; if FANI can be used to question our relation to, or assumptions about, Fear of Crime, then we should not neglect to consider our relations to psychoanalysis. I would argue that failing to do so is no more, or less, ethical than continuing with the rational subject.

Consequently, *Doing qualitative research differently* is a text that will continue to help many throughout their research. It is accessible, easy to read and draws upon a common research thread, Fear of Crime, to make clear the use of the FANI method and to continue the argument to change the subject of psychology. For help with its allusion to possibilities for policy change and the idealization of psychoanalysis, the reader and researcher will have to turn to other sources.

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*Appendix 13**13) Publication: Seminar review*

Branney, P. (2006). Showcasing qualitative psychology: seminar review: "Methods and practices: some new dilemmas" by Jonathan Potter (March 10th, 2006). *Qualitative Methods in Psychology Section Newsletter*, 1, 2-5.

Showcasing Qualitative Psychology: Seminar review

Methods and Practices: Some new dilemmas

Reviewed by Peter Branney

METHODS AND PRACTICES: Some New Dilemmas was the first in the recently inaugurated Qualitative Methods in Psychology Section (QMPS) seminar series, Showcasing Qualitative Psychology. Professor Jonathan Potter (University of Leeds) managed to fit in driving to Leeds, a run, a brief meeting with the Qualitative Research Group at the University of Leeds Institute of Psychological Sciences, a chat with undergraduate and postgraduate students, and lunch before arriving at the packed seminar. Potter, who was welcomed by QMIP chairperson Zazie Todd, talked for an hour, took questions, and then stayed around afterwards to chat.

In describing four issues of interview practice (flooding, footing, stake and interest, and psychology in practice), Potter's seminar was useful for anyone conducting research using interviews or focus groups. He offers insight into how a researcher may develop a more sophisticated critical and discursive approach to their (interview) data. Interested readers are referred to Potter's review essay (2003), dedicated to the late Hanneke Houtkoop-Steenstra, in which he sets the scene for research where method is taken as a mode of interaction. For Potter, the interview is not only a common source of data generation but also a source of interaction worthy of study. Potter, with Alexa Hepburn, has extensively explored issues in qualitative interviews (Potter & Hepburn, 2005a) and his seminar picked up on four of these issues; the inevitable problems of the interview method. Their article was published in *Qualitative Research in Psychology* (QRP) with responses from Jonathan Smith (2005), Wendy Hollway (2005) and Elliot Mishler (2005) alongside their own reply (Potter & Hepburn, 2005b). In considering Potter's seminar, this review will not cover the QRP debate, which can be followed up from the references, but will provide an overview of the four issues of interview practice for those unable to attend the seminar whilst offering new examples to keep those who attended interested.

To add to the debate on the use of qualitative interviews within QRP, the interview practice issues shall be described by drawing on three paragraphs of text and a table in which Potter and Hepburn (2005a, p.283-4) argue that interviews are a method central to qualitative research. In *The Interview in Contemporary Qualitative Psychology*, Potter and Hepburn (ibid.) take two collections on how to conduct qualitative research (Camic, Rhodes, & Yardley, 2003; Smith & Klein, 1984) and list the perspectives covered, their objects of study, and the techniques of data generation. The first perspective is 'ethnography'. Its objects of study are 'cultures, rituals, and groupings', and the technique of data generation is 'interviews'. Of the six perspectives covered (including 'phenomenology', 'psychoanalysis', 'narrative psychology', 'grounded theory', 'discourse analysis and discursive psychology'), all but one include

interviews as their sole technique for generating data. This small section of text will show that the four issues of interviews are not limited to interview research but also enable consideration of the psychology constructed within Potter's work. In numbering the issues of interview practice, this review will follow Potter's seminar but will start with the second issue, footing.

Interview Practice Issue 2: Footing

In relation to interviews, footing is the construction of the basis from which an interviewee or interviewer speaks. The footing constructed in Potter and Hepburn's argument for the centrality of interviews in qualitative psychology is particularly interesting. Footing seems to have relevance to limitless texts, such as films, poems, diaries, etc., where 'an entity' of some kind is speaking. Even a fictional character, such as Bramstoker's Dracula or even Lassie, can be understood as 'speaking'. For example, in arguing that interviews are a central focus of qualitative research, Potter and Hepburn's footing could be understood as that of the disinterested, objective observer. Their argument is built upon evidence seemingly external to them, which they report to the reader. It may be worth noting that the only perspective to include a technique other than interviews – 'naturalistic data' – is 'discourse analysis and discursive psychology'. Both perspective (e.g. Potter & Wetherell, 1987) and technique (e.g. Hepburn & Potter, forthcoming) are associated with Potter and Hepburn. Indeed, the chapter on 'discourse analysis and discursive psychology' in the qualitative collection by Camic *et al.* (2003) is written by Potter. The point is that the footing of the objective observer may be masking their own links to the data presented in the table. I am not suggesting that Potter and Hepburn are deliberately attempting to deceive in their argument. Instead, I argue that the stance of the objective observer is untenable. However, the next interview practice issue, *stake and interest*, shows that Potter and Hepburn recognise this. Indeed, stake and interest can highlight the complexity with which Potter and Hepburn construct their footing as the disinterested observer.

Interview Practice Issue 3: Stake & Interest

In interviews, stake and interest refer to just that – how a speaker manages their stake and interest in the topic(s) of conversation. Like footing, stake and interest is relevant to all texts where there is a speaking entity. Again, to give an example: In Potter and Hepburn's (2005a) section on the centrality of interviews to qualitative research, they state that they have drawn the perspectives and techniques of data generation from two textbooks, for the sake of 'brevity' (p.283). They also note that their review of the textbooks is a 'sketchy and somewhat rhetorical summary' (ibid.). The use of the term 'rhetorical' suggests that Potter and Hepburn are tentatively constructing, and at the same time acknowledging, their own stake in the evidence they present; that is, the evidence is selected because it supports the argument of the centrality of interviews in qualitative research (rather than objectively – if this is possible – collecting evidence and finding subsequently that it supports the argument. As such, contradictions in Potter and Hepburn's footing (disinterested observer) and stake (supporting argument that interviews are important in qualitative psychology) are carefully managed through their interest (in brevity). This is a good example of the first interview practice issue.

Interview Practice Issue 1: Flooding

Flooding is a metaphor for the introduction of the interviewer's concerns into the interview. Potter and Hepburn refer specifically to flooding interviews with 'social science agenda and categories' (ibid. p.291). The point is that social science is not found in the interview data but brought to, and reconstructed within, the interview. However, flooding is not limited to social science or psychological agendas; the 'concerns and orientations that are central for the researcher' (Potter & Hepburn, 2005a, p.293) will flood the interview regardless of what those interests are. Flooding would seem to be relevant for all research whether it is qualitative or quantitative, interview or experiment. Potter and Hepburn's review of the two qualitative collections is a brief piece of research presented as evidence for their argument that interviews are central to qualitative psychology. The way in which the data (perspective, objects of study, and technique of data generation) was extracted seems to evidence concern with supporting the argument, rather than considering if, and how, interviews are important in qualitative research. Indeed, Potter and Hepburn's section could be read as implying that the importance of interviews is self-evident. Readers of their QRP article may, even if they question the evidence supporting the argument, be unlikely to dispute such a claim. Qualitative researchers may find that Potter and Hepburn's work reconstructs aspects of psychology, as Potter explored in the final interview practice issue.

Interview Practice Issue 4: Psychology in Practice

Referring to psychology in practice, Potter stressed how psychology is worked up inter-actively; that is, psychology is what people do rather than who people are. Potter's focus was the interview as an interaction where, for example, the interviewee is treated 'as a reporter on events, actions, social processes and structures, and cognitions' (Potter & Hepburn, 2005a, p.297). In the article, Potter and Hepburn term this issue 'reproduction of cognitivism' and give 'privileging conceptual rumination' and 'cognitive language as descriptive language' as two examples. From Potter's perspective, psychology is discursively constructed. Extraversion would not be a personality disposition inhering within the extraverted individual but something that is worked up in a conversation. Undoubtedly, the interview is not the only place where psychology is practiced and so this interview practice issue also has relevance for texts beyond the interview. I would suggest that Potter's seminar and article (ibid.) could be understood as *méconnaissance* (Lacan, 1956/1977) in practice. That is, Potter's seminar discursively constructs *méconnaissance*: a term from the Lacanian psychoanalysis. This concept utilises the metaphor of vision in combining two overlapping elements; misrecognition and misconstruction. Potter and Hepburn's article argues that the interview is important to qualitative psychology. The interview is also a central focus throughout the article. In drawing on *méconnaissance*, the suggestion is that the argument is misrecognition of the importance given to interviews by the article as the concern of others, namely qualitative researchers; that is, Potter and Hepburn's article constructs qualitative researchers as overly reliant on interviews when it is the article itself that gives interviews a central role. The focus on interviews also hints at obsession with method while neglecting to consider the framework(s) through which research could be conducted, such as a feminist or post-modern perspective. As such, focusing on interviews could be interpreted as methodolatry – method worship – misconstruction.

Consequently, *Methods and practices: some new dilemmas* was a seminar that researchers will find useful in developing sophisticated discursive analysis of what Potter called 'got at data' (data generated through interviews, focus groups, etc.). The four interview practice issues Potter explored are further discussed, along with other problems related to interview methodologies, in Potter and Hepburn (2005a). Researchers may also find that flooding, footing, stake and interest, and psychology in practice have relevance beyond the interview.

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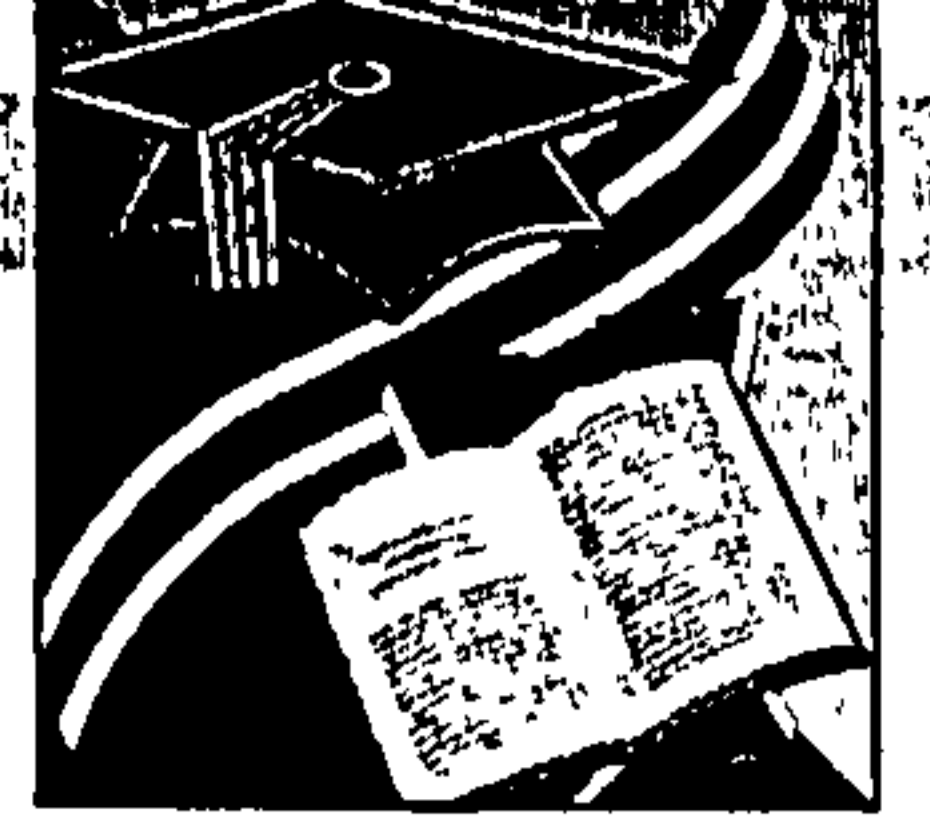
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Appendix 14

14) *Publication: Overseas Fieldwork*

Branney, P. (2006). Overseas fieldwork: supervisors, funding, and ingenious pigs. *The Psychologist*, 16(7), 433.



Associate Editor: Nicola Hills

Short articles (around 600 words), news, tips, quotes, cartoons and other contributions of particular relevance to students are most welcome. Send to: Nicola Hills, c/o the Society's Leicester office. E-mail: Nicola_Hills@hotmail.com

Overseas fieldwork – Supervisors, funding and ingenious pigs

It is hard to believe I was so amazed. Standing on the main street in Palmerston North, Aotearoa/New Zealand, I had to figure out how to get around and find the psychology department at Massey University. That really is not that taxing (at least, not compared to keeping a pig in a field – but more on that later).

However, I stood for a moment absolutely astonished, astounded that I had actually made it all the way from the University of Leeds. It is almost as if the simplicity of the task of map reading made me wonder if I had actually left England. Nevertheless, I had made it; I had persuaded a funder that this was a valuable part of my doctoral research. The experience of getting funding was difficult, particularly as I did not know anyone who had successfully done so before. So this article is a reflection on becoming a travelling postgraduate with two points I would make to anyone contemplating attempting the same thing.

But first it is worth considering why a student would want to travel to do research. For those postgraduate students with dependants, travel could offer more hassle than benefits. If anything, the money offered through funding is unlikely to cover any additional costs. Indeed, even for the footloose and fancy free, the money will cover very little.

Nevertheless, travelling will open up the possibility for research and training opportunities that may not be offered at the institution at which the postgraduate is a student. This could be access to technology, expensive equipment, or alternative

Our October issue is due to be sent to all new psychology undergrads. If you've got any advice for them about studying psychology at university or about psychology in general, post it on our online discussion forum (www.psychforum.org.uk) and we'll print the best.

BY PETER BRANNEY

Picture missing

Massey University, New Zealand

populations for sampling. In my case, it provided the opportunity work with a senior academic who had, for some time, led a team of postgraduate students in the substantive topic of my research and who was also aware of relevant work outside of academia. The possible benefits sought should be kept in mind when searching for an academic to conduct overseas fieldwork with.

First, a good host supervisor can be found by e-mail. That is, supervisors can be found through contacts in your present department, or by looking at the authors of key articles in your area. However, if you are to travel the globe to spend only a short time in a department then a good host supervisor will be one that will be prepared to give you plenty of their time. Academics may find e-mails to be the bane of their life, so those academics that respond quickly and frequently to e-mails about ideas for a postgraduate student's research are likely to be good supervisors. When I first met my host, Dr Mandy Morgan, in her office in New Zealand I had never spoken to or met her before. All our correspondence had been via e-mail, and Mandy was always prompt and interested in my work, and proved to be an extremely helpful and considerate host supervisor.

Second, a successful funding application for overseas fieldwork will need a watertight justification. I put together my first formal application for funding with the BPS Study Visits Scheme. In a three-page cover letter, I outlined personal background details relevant to the research, the

proposed research and justifications for the travel. Unfortunately, the BPS application was unsuccessful but as a recipient of an ESRC studentship I could still apply to the ESRC for funding for up to three months. However, the ESRC application left space for a mere 300 words in which to argue that the trip was essential to the applicant's training. On reflection, the second funding application contains the clearest argument that I have so far written during my PhD. As in other areas of writing, less is sometimes more: the restrictions forced a reconsideration of the application and a more coherent argument emerged.

Now that my third PhD year has started and I entertain thoughts of writing a thesis, the time in New Zealand seems like a distant memory. As an exercise in career development it was an extremely productive experience. More generally, being a travelling PhD student offered the opportunity to experience both a different psychology department and a different supervisor, to meet researchers and other professionals related to the PhD project (in my case, policy makers), and to manage a small budget, which includes negotiations with the parent department on how any funding is spent.

Perhaps more interestingly, the overseas research was also a time to have some fun. For example, living on a small hobby farm for a month I had to contend with a hairy pig that was also an escape artist. Map reading was a lot safer.

n Peter Branney is with the Institute of Psychological Sciences, University of Leeds.

PSYPAG ANNUAL CONFERENCE

PSYPAG – the Psychology Postgraduate Affairs Group is holding its 2006 annual conference on 25–27 July at the University of Reading. The conference theme is 'Early career success'

o Visit www.psypag.co.uk for more details.

*Appendix 15**15) Publication: Research in Focus*

Branney, P., Gough, B., Madill, A., & Morgan, M. (in press). Domestic violence policy in the UK and Aotearoa/New Zealand: a psychodiscursive analysis. *NE Branch Bulletin, British Psychological Society.*

DOMESTIC VIOLENCE POLICY IN THE UK AND AOTEAROA/NEW ZEALAND: A PSYCHODISCURSIVE ANALYSIS

Two contradictory discourses pervade psychotherapeutic interventions for male violence against women. First, a romantic liberal-humanist discourse constructs violence as a rational and functional decision of the abuser. Second, an expressive tension discourse constructs violence as the result of a biological drive that is deemed to be outside of the abuser's control. For example, clients in an antiviolence programme are often asked to use aggression rating (from 1, nausea, flushed cheeks, etc. to 10, actual violence) as a technique to prevent violence. The theory is that this allows them to recognise that they may become abusive and that they should call a timeout. As such, they are given control to choose to continue towards violence or to prevent it happening. However, the aggression they are rating is presented as a bodily response; something that is controlling their actions and so it is difficult to hold them responsible for the resulting violence. The liberal-humanist discourse does allow for interventions that offer the possibility that an abuser make take responsibility and change. Nevertheless, the discourse of expressive tension is so pernicious in the lives of abusers that it cannot be simply ignored.

Unfortunately, pointing out the dilemma between these discourses within domestic violence intervention does little to provide a solution. The UK Labour Government's policy for domestic violence (Home Office, 2003) sets out psychotherapeutic interventions which continue to reconstruct the two discourses as the only way to prevent offenders re-offending. Indeed, Leeds probation service has been developing a stopping violence programme which will soon become common practice

throughout the country. However, Parker (1997) does offer us a theoretical concept, *complex subjectivity*, and a methodology, *critical transformative psychoanalytic discourse analysis* (CTPDA), that should enable analysis of government policy while moving beyond the dichotomy of 'out of control' or 'in control' abusers. As such, this research project was started in September 2003, shortly after the (June 2003) publication of the UK domestic violence policy and has two interlinked aims. The first is topical; to **explore the construction of subjectivities in UK domestic violence policy**. The second is methodological; to **assess the utility of CTPDA**.

Analyses to date:

1. The meaning of consultation: construction of 'discourse of the analyst'

Where the UK policy writes about 'consultation', this analysis argues it is constructing the Lacanian psychoanalytic concept of discourse of the analyst. In particular, we argue that the government, although framing policy as inviting consultation, does not encourage responses. For example, the policy document ends by asking for responses to be sent it but the title of the document, *Safety and Justice: the government's proposals on domestic violence*, suggests the aim is to explicitly define policy. This suggested that the direction of domestic violence policy had already been set.

2. Diversity and gender in understanding domestic violence: dilemmas, discounting, repressing, and the phallus

This analysis argues that UK policy constructs a dilemma between domestic violence that can happen to anyone (diversity) and domestic violence that predominately occurs to women at the hands of men (gender). However, diversity

is discounted (devalued in relation to a gendered understanding) and repressed (where the focus turns to something else, in this case gender). Last, gender is also constructed as a phallus; this is a psychoanalytic construct of something that is given the power to define the meaning language takes and comes to dominate the meaning of domestic violence. Specifically, domestic violence is understood as something that predominantly occurs in heterosexual relationships, in which women are the passive objects of violence and men are the active perpetrators of violence. While the phallus does have the power to define this is only ever a false power (akin to a self-fulfilling prophecy: true only as long as it is allowed to be). Consequently, a dominant gendered understanding is a shaky one that cannot account for those imagined through an understanding that domestic violence can happen to anyone. The suggestion is that policy hints that it is applicable to all possible manifestations of domestic violence but then pushes out of conscious awareness any that are not heterosexual, where women are victims and men abusers.

3. Aotearoa/New Zealand domestic violence policy: the violent family manifest as policy

Aotearoa/New Zealand broadly follows the pro-arrest policy agenda that the UK was turning towards in the Labour policy document and has been doing so for at least 10 years now. Policies will have had longer to take effect and therefore reflection on what has been achieved is enabled. An analysis of the key A/NZ policy (NZ Ministry of Social Development, 2002) argues that the multiplicity of people and organisations involved in developing the policy are constructed as a

violent family. That is, they present themselves as an ideal family and hide the conflict within. For example, they write about partnership between government and non-government agencies and that continuing these relationships is essential to achieving the policy aims. Yet one group writes, in a separate publication, about disagreements in the use of a term, disagreements that are hidden in the A/NZ policy.

Initial Conclusions

Returning to the two aims, each analysis succeeds in exploring domestic violence policy. However, the analyses do not refer to subjectivity explicitly. It may be that the concept of subjectivity is redundant, although, this involves detailed theoretical considerations that will be explored further. In addition, each analysis demonstrates the utility of the methodology, CTPDA, to develop useful critical comment. What remains is a consideration of how such a methodology could be extended from document analysis to include materials collected through interviews, case studies, focus groups, etc.

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Appendix 16

16) List of training undertaken

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|------------------------|--|
| Teaching | <p>North-East Postgraduates who Teach or Tutor Network Workshop, Institute of Psychological Sciences, University of Leeds, 12th May 2006.</p> <p>Assessing Student Coursework, Staff & Departmental Development Unit, University of Leeds, March 2004.</p> <p>Effective Teaching & Learning Methods in Small Groups in Arts & Social Sciences Disciplines, Staff & Departmental Development Unit, University of Leeds, January 2004.</p> <p>Tutorial Teaching Seminar Series, Philosophy Department, University of Leeds, October 2003 – January 2004 & October 2002 – January 2003.</p> <p>Small Group Teaching, Staff & Departmental Development Unit, University of Leeds, September 2003.</p> |
| Research | <p>ESRC Student Day at the Home Office, Home Office, February 2006.</p> <p>Writing Research Grants, Practice & Professional Issues, Institute of Psychological Sciences, University of Leeds, May 2006.</p> <p>Ethical Issues in Research with Animals, School of Psychology, University of Leeds, November 2003.</p> <p>Structural Equation Modelling & Meta-Analysis, North West Consortium for Postgraduate Training in Psychology, University of Central Lancashire, October 2003.</p> |
| Information Technology | <p>Word for Report Writing, Information Systems Services, University of Leeds, June 2005.</p> <p>Touch Typing; Pass in OCR Level 2 Certificate in Text Processing: Text Production (Intermediate), Park Lane College, Leeds, November 2003 – April 2004.</p> <p>Referencing Software & Endnote, Library, University of Leeds, June 2003.</p> <p>Computing, A'level (Grade B), Wyggeston & Queen Elizabeth I College, Leicester, October 1996 – June 1998.</p> <p>Information Technology, GCSE (Grade A), Rowley Fields Community</p> |

College, October 1994 – June 1996.

- Communication** Introduction to Effective Poster Presentations, Staff & Departmental Development Unit, University of Leeds, May 2004.
- New Researchers Media Training Day, ESRC, March 2004.
- Networking, Practical & Professional Issues in Postgraduate Research, School of Psychology, University of Leeds, March 2004.
- Giving Presentations, Staff & Departmental Development Unit, University of Leeds, June 2003.
- Professional Development** Research Council's Graduate School Programme, Penrith, University of Central Lancashire, March 2005.
- Time Management During your Research Degree, Staff & Departmental Development Unit, University of Leeds, March 2004.
- Starting a Research Degree, Staff & Departmental Development Unit, University of Leeds, October 2003
- Topic Specific** Too Close to Home: An information and awareness raising day, Harrogate & District Domestic Abuse Forum, Harrogate, West Yorkshire, February 2005.
- Health & Safety** Fire Warden Course A, Safety Advisory Services, University of Leeds, November 2003.
- Fire Lecture, Leeds General Infirmary, Leeds Teaching Hospitals NHS Trust, June 2004 & January 2005.
- CPR, NHS Professionals, West Yorkshire Medical Ambulance Service NHS Trust, June 2003 & December 2004.
- Lifting & handling patients, NHS Professionals, West Yorkshire Medical Ambulance Service NHS Trust, June 2003 & December 2004.