

# **Controversies in counselling: Re-thinking therapy's ethical base**

**By**

**Sue Cornforth**

A thesis submitted to the Victoria University of Wellington  
in fulfilment of the requirements  
for the degree of Doctor of Philosophy in Education  
Victoria University of Wellington  
2006

## **Abstract**

This is a theoretical thesis about ethical counselling/psychotherapy. Its aim is to re-think some of the many problems that beset the “psy” professions, by addressing some of therapy’s foundational assumptions. It takes the view that these are still expressed in five ethical principles: autonomy, fidelity, justice, non-maleficence and beneficence. It considers this re-thinking a prerequisite to the development of “just” practice in the twenty-first century.

Counselling/psychotherapy is still an emerging profession and contains many contradictions and unanswered questions. The thesis begins by foregrounding the ambiguous relationship of therapy to social justice and to the global environment. It describes the range of internal disruptions and discrepancies which the profession contains. It then presents ethical commitment as the uniting factor, and as the topic of study for the rest of the thesis.

The re-thinking draws on a variety of poststructural tools and reviews literature throughout. It takes a discursive approach, drawing in particular on a framework suggested by Foucault in 1968. Each of chapters three to seven focuses on one of the five ethical principles. Each principle is subjected to both a meta-analysis, which locates it within wider discursive contexts and a micro-analysis, which tracks its expression in various versions of the New Zealand Association of Counsellors’ ethical codes. This re-thinking seeks to foreground other “truths” that may have been excluded.

The thesis finds that various controversies play a distracting role in a discourse that struggles to exclude immanent relationship with “other things”, including the planet. It finds that therapy continues to play out traditional and oppositional philosophical themes. It finds that morality, expressed rationally as ethics, suffers an erasure. It becomes misrepresented. The thesis ends by proposing a theory of materiality that bridges the gap between discourse analysis and identity politics. It concludes that ethical therapy would do better to free itself from reason’s stranglehold. It calls for an emphasis on dialogic community and the honouring of irrational relationship with the natural environment.

## **Acknowledgements**

This thesis is dedicated to my mother Constance and my father William, who brought their children safely through transitional spaces. One came from a line of women who fought for higher education, the other from an uneducated family who struggled to escape feudal service. They held an extended family together over two hemispheres and left us with a love of the world, of music and of laughter.

The thesis could not have been written without the support of my close family, Mike, Megan and Bryony. They, in turn, edited, discussed, encouraged, cooked and walked the dog for me. They kept my world turning and were unfailing in their readiness to be there for me when needed.

My sincere thanks go to my supervisors who have so have been so generous with their expertise, their time, and their encouragement. They have enabled me to work through some very challenging times, some life changes and some disturbingly new ideas. Dr. Jane Gilbert started me on this road, both focussing my thoughts and reviving my interest in philosophy. Dr. Lise Bird Claiborne has been my consistent mainstay. I am most grateful for her commitment both to the process of this thesis and to the wider context within which it was written. She has established a collaborative work ethic and a safe environment within which to discuss difficult and personally challenging concepts. She has been unfailing in her readiness to inspire, advise and assist. Dr. Jim Neyland saw me through the final phases of this process. I am most grateful for his clear vision, his sense of structure and his willingness to support. He has enabled me to conclude and complete this task. A special thankyou also goes to Margaret Anderson who has so generously assisted me in coming to grips with various data bases and who has helped me establish a new relationship with the literature.

Finally, there are many people without whom this thesis would have foundered. I am most grateful to my friends and colleagues, to my study group, to my discourse group and to my women's group. Their consistent warmth and approval, their laughter and support, have been some of the best findings of this thesis!

# Contents

---

	<b>Page</b>
<b>1. Introduction</b>	<b>1</b>
1.1 The heart of the matter	1
1.2 Format	4
1.3 Positioning therapy: Contested domains	4
1.3.1 What is counselling?	6
1.3.2 Private solutions for public problems?	10
1.3.2.1 Counselling's social genesis	10
1.3.2.2 Increasing social deficit	12
1.3.2.3 The individual/social relationship	15
1.3.3 Contested theory	17
1.3.4 The current "crises in therapy research"	20
1.3.5 Contested agency	22
1.3.6 Competing value systems	24
1.4 Where to from here?	25
<b>2. Methodology</b>	<b>30</b>
2.1 Introduction	30
2.2 Finding a "docile object"	31
2.2.1 Counselling/psychotherapy and ethics	33
2.3 Deciding on a methodology: How is the object to be approached?	35
2.3.1 Discourse and Foucault's four "laws"	36
2.3.1.1 Performing objects	38
2.3.1.2 Performing subjects	39
2.3.1.3 Performing statements	40
2.3.1.4 Performing actions	41
2.4 Deciding on a structure: Layout of the thesis	43
2.5 Using discursive methods	45
2.5.1 Situating within the range of discursive approaches	46
2.5.2 Ethics, discourse, critical theory and deconstruction	47

2.5.3 Including the material effects of discourse	50
2.5.4 “Gleaning”	51
2.5.5 Avoiding the “psychotic celebration of irrationalism”!	52
2.6 A note on style	53
2.7 The chapters	54
<b>3. Autonomy</b>	<b>56</b>
3.1 Introduction	56
3.2 Autonomy in philosophical texts	57
3.3 Autonomy in the “psy” professions	63
3.4 Concrete practices which generate autonomy	68
3.5 Rules of formation in discourses of autonomy	73
3.5.1 The disappearing object	73
3.5.2 Different perceptive/subjective fields	75
3.5.3 “Disunification” in enunciation	77
3.5.4 Strategic possibilities	79
3.6 Exclusions	82
3.7 Unsettling autonomy in therapy	85
3.8 Matter strikes back! The fetish	89
3.9 Re-sourcing autonomy	92
<b>4. Fidelity</b>	<b>96</b>
4.1 Introduction	96
4.2. Situating fidelity in philosophy	97
4.3. Situating fidelity in the “psy” professions	100
4.4. Concrete practices which enact fidelity	105
4.4.1 No intrusions	106
4.4.2 No surprises	107
4.4.3 No trickery	108
4.5. Foucault’s “laws”	110
4.5.1 The elusiveness of fidelity	110
4.5.2 Putting faithfulness in perspective	112
4.5.3 Disjunctions in statement formation	114

4.5.4 The two-faced nature of trust	118
4.6. Performing the divided self	121
4.6.1 The professional, accountable self	122
4.6.2 The authentic, internal self	125
4.6.3 The reflective self	126
4.6.4 Recalling the holy trinity	129
4.7. What is fidelity avoiding?	132
4.8. A new symbolic	134
4.9. A new ethic of fidelity	140
4.10 A post-modern parody	142
<b>5. Justice</b>	<b>144</b>
5.1 Introduction	144
5.2 Situating justice in philosophy	145
5.3 Situating justice in therapy	152
5.3.1 Empowerment	157
5.3.2 Normally speaking....	159
5.4 Justice in the NZAC Code of Ethics: Concrete practices	161
5.4.1 The current state of play	164
5.5 Applying Foucault’s four “laws”	169
5.5.1 “Law” of dispersion of different objects or referents	169
5.5.2 “Law” of enunciative dispersion: performing subjects	170
5.5.3 “Law” of dispersal of the theoretical network (sentence formation)	171
5.5.4 “Law” governing the field of strategic possibilities	176
5.6 Exclusions	178
5.6.1 The problem with sovereign selves in a just world	179
5.6.2 Justice (for) rocks	181
5.7 A new ethic of social justice	183
5.8 The “sorry rocks” of Uluru	187
<b>6. Non-maleficence</b>	<b>189</b>
6.1 Introduction	189
6.2 Non-maleficence and beneficence	190

6.3 Locating non-maleficence in philosophy	192
6.4 Locating non-maleficence in therapy	196
6.5 Concrete practices which describe non-maleficence	203
6.6 Applying Foucault’s four “laws”	208
6.6.1 The disappearing object	209
6.6.2 Mixed metaphors	210
6.6.3 Statement formation and disunity	215
6.6.4 Strategic possibilities	218
6.7 Exclusions: Refusing negations	219
6.7.1 The seduction of intelligibility	220
6.7.2 Suffering subjects	222
6.8 Refusing to objectify	224
<b>7. Beneficence</b>	<b>229</b>
7.1 Introduction	229
7.2 Locating beneficence in philosophy	230
7.3 Locating beneficence in the “psy” professions	235
7.4 Concrete practices which describe beneficence	241
7.5 Applying Foucault’s four “laws”	245
7.5.1 The disappearing object: What is benefit?	246
7.5.2 Mixed metaphors and perceptual fields	249
7.5.3 Wording therapy: “Giving your steak sizzle”	252
7.5.4 Strategic possibilities	254
7.6 Exclusions	257
7.6.1 Benefit in the present	257
7.6.2 Utilitarianism	260
7.6.3 Colonising the future: Dis-crediting utilitarianism	263
7.7 An e-merging ethic of beneficence	268
<b>8. Conclusion</b>	<b>276</b>
8.1 Introduction.	276
8.2 Still “good to think with”: Foucault’s (1968/1998) method	277

8.2.1 Controversies in counselling are entirely predictable	278
8.2.2 Ethical principles remain deeply embedded in counselling	279
8.2.3 Therapy performs philosophy: Philosophy rules	280
8.2.4 On the edge of text: A whole world	284
8.3 Limitations of Foucault's (1968/1998) method: Calling in identity	285
8.3.1 "Re-imagining identification"	286
8.3.2 Time for "the environmental turn"	288
8.4 Discussion and implications for therapy	289
8.5 Further questions and future directions	293
<b>References</b>	<b>296</b>

## List of Figures

Fig.1: Ideal and Contaminated Ego State Diagrams	65
Fig.2: A – The Drama Triangle	213
B – The Winner's Triangle	213



# Chapter 1

## Introduction

*“Psychotherapy is an undefined technique applied to unspecified problems with unpredictable outcome. For this we recommend rigorous training” (Raimy, 1950, p. 150).*

### 1.1 The heart of the matter

This thesis is about ethical counselling/psychotherapy. It begins by describing several controversies that make the delivery of counselling/psychotherapy problematic, if not unethical. I intend to re-think these controversies by addressing the values and assumptions that inform them. I argue that these values and assumptions continue to be expressed in counselling/psychotherapy’s commitment to five foundational ethical principles: autonomy, fidelity, justice, non-maleficence and beneficence. I intend to take a closer look at the direction these provide for dealing with any controversies. Do they continue to be useful beacons in guiding ethical practice? Can they be re-thought and what, if any, alternatives might emerge? This is a theoretical piece of work, which uses a variety of poststructural theoretical tools and reviews relevant literature throughout.

Counselling is a strange business. It has to be experienced to be understood. There are still things I don’t understand, although I trained with the first wave of counsellors in New Zealand (NZ) in 1977. I have been through the heady days of feelings, encounter groups, assertiveness training and much more training. I have survived! I have watched people change before my eyes, and at other times I have been very scared. I have moved from counselling in tertiary and secondary education, to managing my own private practice, to teaching others how to counsel and now to lecturing about counselling. I have lived alongside, and love, a group of politically minded friends, who work in the public service, in voluntary, not for profit and non-governmental organisations, and in the union movement. They see liberation differently. At times there has been a sadness, a gulf between us which is only bridged by laughter. This is

the beginning of my thesis. I would like to start by sharing three vignettes, which stay vividly with me from my time as a counsellor.

My office was on the fourth floor of a mid-city block. I come in early. It is still dark and I have to turn on the lights. There, on the floor, outside my office door is a large, child-sized river boulder. No response is possible and I search desperately for meaning. I am still searching. How did something so big, so heavy, come from its river to my door? Something tells me to take it in. I do so, and find clients reach to touch it. It becomes my “grounding stone”. It lives with me for the rest of my practice, and is requested by my successor when I leave. I choose to conclude that someone left my door feeling lighter!

The second is another morning at the same office. I arrive early to open up. As the lift opens, I am met by policemen and women. Something is in the way. Confused, I step to one side and brush past a trolley. On it is a long black bag. Immediately I sense it is a body, although I have not seen such things before. Later I find that a counsellor, who worked on the same floor, had committed suicide in her office. A gulf has opened. What does one ever make of such events? We work daily with the impending deaths of others. Sometimes we are in danger of too much exposure. And we, too, have lives out there.

The third was in a different office, at the Polytechnic where I worked. There is a knock at the door and in toddles a young child clutching a battered flower. A laughing head appears around the door. It is Jan, an ex-client, who had been living in France. “I want to show you what happened after I left you”. A celebration. Many clients tell us that counselling works. Furthermore, they put themselves out to give us that feedback.

These three vignettes speak of things that are hard to explain rationally. Yet we try, with contradictory results. We deal daily with impending death. Like Foucault (1983, p. 231), we are constantly aware that “it is not that everything is bad, but everything is dangerous”. This thesis has arisen out of a desire to make sense of the many contradictions inherent in counselling/psychotherapy. Therapy is still an emerging profession and raises several unanswered questions. Has it made a difference in the

world? How do we define benefit? Why do the “psy” (Rose, 1985) professions still compete? Are we on the right track in dealing with bicultural challenges? Does therapy have a role to play in environmentalism? What *are* we to do with the self?

A commitment to equality of opportunity brought me from education to counselling and back again. I also have a strong concern for the state of the environment and the future of the planet. Although surrounded by political activists, like many, I have ended up dubiously facilitating individual, private solutions for wider public problems. And I have more recently been teaching other prospective counsellors how to do the same thing.

In my thesis I search for a way to make new meaning of the controversies I observe. I do this by foregrounding the core beliefs of praxis and interrogating their continued usefulness as frameworks for ethical practice. My approach is discursive and this thesis is theoretical. I employ a meta-analysis and draw on more than one theoretical perspective. In particular I use a framework suggested by Foucault (1968/1998). For my “docile object” of study (Lynch, 1985), I chose, when I began this thesis, the five ethical principles on which the New Zealand Association of Counsellors’ (NZAC, 1995) Code of Ethics (COE) was based. I view these as representing the core values on which all counselling is founded and which motivate practice. Since then, these have been repositioned in a new COE (NZAC, 2002). I have tracked their representation in the later Code.

The goal of the thesis is to expose the complex relationship between ethics, therapy and moral intent. The thesis finds that this complex relationship works to separate ethical practice from relationship with the embodied and material, including the natural world. I argue that both our moral thinking and our therapeutic praxis are discursively prescribed. I find that institutionalised morality is constructed like a language, as was the unconscious for Lacan (1977a). It performs us through a misrecognition of desire, becoming located in controlling regimes. Following traditional ethical practices often results in the opposite of that moral intent which seeks to connect. I suggest that more recent feminist and cultural interpretations of psychoanalytic theory (e.g. Kristeva, 1980a; Pels, 1998) allow for a reconnecting of

relationship with the material world. The thesis provides an ethico/political standpoint from which to develop a theory of materiality that re-cognises therapy's responsibility to, and relationship with, our natural environment. In therapy, I make a plea for more emphasis on the immanent and ironic in developing a new and more just practice.

## **1.2 Format**

In this introductory chapter I will lay out my first version of the problem, and my relationship to it. In the next chapter I will account for my choice of an object of study and the chosen methodology. The rest of the thesis is organised around five ethical principles: autonomy, fidelity, justice, non-maleficence and beneficence. Each chapter takes one principle as its subject matter. Each of these central five chapters proceeds through a similar progression and follows the same structure. This will be elaborated on in the next chapter. The final chapter draws together the themes from the previous chapters. The thesis' aim is to re-think therapy's ethical base, rather than find solutions. Nevertheless, it does end with some suggestions for ethical praxis.

## **1.3 Positioning therapy**

Counselling praxis exists at, and is encouraged to hold the tension between, the interface of many oppositions. Not the least amongst these is the physical opposition of bodies - those of the counsellor and the client. Counselling brings together the social and the individual, the analytic and the experiential, the conscious and the unconscious, the quantitative and the qualitative. It both supports and challenges. It exists amongst many theories and many cultures. The management of these tensions is not easily done and contradictions and confusions abound. These create problems which are multiplied in the planning and delivery of counsellor training programmes. Containing all these "disparate and potentially centrifugal forces," (Woolfe, 1997, p. 19) challenges the future of the profession.

These problems or oppositions are not new. They are sometimes accepted as part of what it is to be human and to be in dialogue with another (Banyard, 1999). They are sometimes presented as evidence of therapy's honest intent in its refusal to silence dissent (Feltham, 1999). Their tenacity is sometimes presented as evidence of the robustness of theory (Colman, 1995). They have also been found instructive (Colman,

1995; Feltham, 2002). Norcross and Grencavage (1989) see them as a “necessary developmental stage” (p. 242). They are affectionately mocked as in the quote at the beginning of the chapter and less affectionately mocked by Rosen (1978) and at times in the press (Lascelles, 1994). They are not just restricted to practitioners, but also engage the public domain. At times they are passionate and bitter. Although Samuels (1992, p. xi) calls critics the “therapists of psychotherapy”, viewing well intended criticism as “remedies, cures [and] prescriptions”, the persistence of these oppositions, their scope, and ultimate effect on a vulnerable population of clients is cause for concern, as is psychology’s place in a fragile global environment.

In managing these oppositions, counselling claims an ethical intent, including a commitment to social justice, in providing a respectful humanitarian service. However, it can be argued that at a macro level, social conditions and indices of well-being do not reflect significant improvements in line with the steady increase in, and professionalisation of, counselling services. The face-to-face ethics implicit in the opposition of two bodies sits uneasily within a wider context of both theoretical and social ethics. How does one counsel ethically in a world of “megadeath”, “megapoverity”, (Henriques, Hollway, Urwin, Venn & Walkerdine, 1998, p. x) and “ecocide” (Guattari, 2000, p. 2)? Banyard (1999) notes that underlying “psy” controversies are questions about the relationship of power to difference. This makes constant surveillance essential. Ethical responsibility requires an account of counselling’s relationship with the wider social, economic and political domain.

I will begin by sketching out the problem as it initially presented itself to me. This is but a brief outline of what led me to select ethical themes for further analysis. Other approaches to controversies in counselling have identified a divergent range of themes. As Colman (1995) notes, merely organising these is difficult. My approach identified six main strands. The first is particularly relevant because it addresses the elusiveness of the object of discussion. What are we talking about when we talk of therapy? The second addresses the fraught relationship of individual solutions to social problems. Here I place more emphasis on the local scene out of which emerged the New Zealand Association of Counsellors’ (NZAC) Code of Ethics (COE) which has a significant place in the rest of the thesis. The remaining four cover contested

theory, the burden of proof, divided agency and competing value systems. The next six sections will take one problem in turn.

### ***1.3.1 What is counselling?***

There is seldom agreement on the form and function of counselling/psychotherapy. As Samuels (1992) succinctly notes, “this profession, which is not one, cannot even be named” (p. xi). This makes professional conversations a complicated business. Counselling has a torn history and an ambivalent relationship with the other “psy” professions. It draws on the theoretical traditions of psychoanalysis and psychology in particular, but also philosophy, religion, cultural studies and the arts. It is impossible to agree to its terms. Its founders were rejected by, and rebelled against, mainstream psychoanalysis. Counselling, the rebellious runaway, defies precise definition and lacks a home.

Counsellors have long expressed unease with the term “counselling”. It has overtones of advice-giving which is, ironically, one thing most counsellors agree *not* to do. Within a historic tradition stretching far beyond Shakespeare’s obnoxious Polonius, counsellors have advised sovereign selves. Yet not all advisers were benevolent, as Rogers’ unhappy childhood proved. Drawing on Rousseau’s tradition, Rogers’ (1962) proposed “core conditions” that placed advisors in the opposite role: that of *refraining* from giving advice. Surrounded by nutrient conditions, individuals would find their own solutions. At the time, this struck a chord, which still resonates in the helping professions, but this is at odds with the professional descriptor. It is also at odds with some other psychotherapies.

The boundary between counselling and its more affluent “psy” cousins has long been contested. Psychotherapy often claims difference through expertise, although many dispute this claim. A common distinction sees counselling engaged in non-historical work with no exploration of the transference relationship. Psychotherapy, in this view, seeks aetiology of symptoms and claims that healing takes place *within* the transference relationship. Psychotherapeutic work is seen by those accepting this division as work, which is more “in depth” and of longer duration, whilst counsellors deal with more day-to-day problems and decisions or with recent events. Attempts to

distinguish the two (Brammer & Shostrum, 1982; Corsini & Wedding, 1995) have generally been unsuccessful, although Corsini et al. (1995, p. 2) conclude counselling is “problem-oriented” and psychotherapy “person-oriented”. Furthermore, many psychotherapists place themselves more firmly in the scientific paradigm with access to positivist research, assessment and knowledge of medication. Smith, Glass and Miller (1980), for example, distinguish between “verbal psychotherapy” and so-called “scientific behaviour therapy”, implying that in their interpretation, *psychotherapy* is related to the intrapsychic talking cure and *therapy* to symptom cure.

Any distinction between counselling and psychotherapy is unacceptable to many counsellors who base their practice on the same body of knowledge and may have the same length of training. Writers such as Thorne (1992) defy clear-cut distinctions, suggesting they are illogical and invalid. Certainly the British Association of Counsellors and Psychotherapists (BACP) take this stand in working to bring together both groups in a new collaborative professional body formed 2000 (BCAP, 2005). The introduction to the 1977 *British Code of Ethics and Practice for Counsellors* previously stated that “it is not possible to make a generally accepted distinction between counselling and psychotherapy. There are well founded traditions which use the terms interchangeably and others which distinguish them” (as cited in Bond, 2000, p. 29).

Feltham (1995) and McLeod (2003b) relate the confusion and ambiguity to the interdisciplinary genesis and practice of counselling practice, whilst McLeod and Machin (1998, p. vii) refer to counselling as “an applied discipline”. On this basis some prefer a linguistic distinction. In Corey (1996) “counselling” is the generic term and “therapy” the activity. Ivey, Ivey and Simek-Morgan (1997) use the two terms in tandem throughout their book *Counselling and Psychotherapy: A Multicultural Perspective*. McLeod (1998) claims that counselling is interdisciplinary in both its techniques and perspectives. He writes, “the field of counselling represents a synthesis of ideas from science, philosophy, religion and the arts. It is an interdisciplinary area that cannot appropriately be incorporated into any one of its constituent disciplines” (McLeod, 1998, p. 10). This view sees strength in the richness of counselling’s heritage and multiplicity, and reflects Thorne and Dryden’s

(1993) purpose in producing their collection of essays: *Counselling: Interdisciplinary Perspectives*.

Bond (2000), however, places philosophy at the base of separation. His analysis of respective codes of ethics shows that psychotherapists place a higher value on beneficence, whilst counsellors place a higher value on autonomy. (See Chapter 7, Beneficence, for discussion.) Tantam's (2002, p. 259) cynical client observed the practical corollary in "counsellors reflect, psychotherapists interfere". This philosophical difference also applies to counselling psychology. This new branch of psychology emerged in reaction to the positivist philosophy of mainstream psychology and has posed a further challenge to definition. Woolfe (2000, p. 8) notes similarities between counselling and counselling psychology in the latter's desire to "understand counselling as both a science and an art". With this comes further competition with clinical psychologists (Manthei, Stanley & Gibson, 2004) and with social scientists. Orlans (2002, p. 537) notes, "I now view the two components of 'counselling' and 'psychology' as potentially more challenging as bed partners than I had previously understood to be the case" and Parker (1992, p. 23) calls for the "confused mess of traditional psychology and social science" to be opened up.

Finally, Fairclough (1992, pp. 54-5) takes descriptions of counselling to a different level of meaning. He describes counselling as one of the three discursive technologies, along with advertising and the medical interview. In this view counselling is a "technology of power" (Foucault, 1977), which is colonising other organisational and cultural forms. Rather than being threatened by other systems of power/knowledge, which determine taken-for-granted meanings, Fairclough (1992, p. 59) is proposing that counselling is vigorous, resilient and infectious, although it also has an ambivalent relationship to power.

The lack of clarity sits at odds with a profession which is increasingly accountable within a market driven economy. Dryden and Feltham's (1995, pp. 13-14) conclusion in *Counselling and Psychotherapy: A Consumer's Guide*, "only you can make the final choice and decision about what is best suited to your needs", devolves a problem on the client. When therapists are themselves unclear, how can the vulnerable client



waste time and money doing their own research into a problem for which they sought help in the first place? How do they know which paradigm they may be entering? Feltham (1995), in *What is Counselling?* writes:

It may be the case that the general public roughly, intuitively, knows what counselling is, but I have become convinced as a counsellor and a supervisor of other counsellors that the term “counselling” and the activities that go on under that name are problematic. (p. 1)

Bond (2000) calls for a systematic study of the differentiation.

The New Zealand Association of Counsellors (NZAC) Code of Ethics (NZAC, 2002) states that counselling is an activity that:

Involves the formation of a professional relationship based on ethical values and principles. Counsellors seek to assist clients to increase their understanding of themselves and their relationships with others, to develop more resourceful ways of living, and to bring about change in their lives. Counselling includes relationships formed with individuals, couples, families, groups, communities and organisations. (p. 26)

This description has been fairly constant since the inception of the professional association in Aotearoa/NZ in 1974 and is similar to descriptors in other Euro-western countries. For the purpose of this thesis, this description and the following definitions are to be used.

#### Terminology

For the remainder of this thesis:

*Counsellor*: a member of an organisation with “counselling” in its title.

*Psychotherapist:* a member of an organisation with “psychotherapist” in its title.

*Counselling psychologist:* a member of an organisation with “counselling psychologist” in its title.

*Therapy:* the work counsellors, psychotherapists or counselling psychologists do with clients.

*Therapist:* a counsellor, a psychotherapist or a counselling psychologist.

The next area of contention is the use of individual interventions as solutions to public problems.

### ***1.3.2 Private solutions for public problems?***

Counselling has always existed on the individual/social divide, and has developed or emerged from an ambivalent relationship between the two. Although therapy has been presented as a way of intervening in and alleviating social problems, it has also been criticised as a mechanism for maintaining the status quo (e.g. Hepburn, 1997; Prilleltensky & Fox, 1997). This section finds counselling in a concern for deteriorating social conditions after World War II. It notes that in different parts of the world this concern took different forms. The section continues by noting that an increasing number of counsellors does not appear to have resulted in a corresponding decrease in social problems.

#### ***1.3.2.1 Counselling's social genesis***

Counselling arose in the Euro-western world, within the last one hundred or so years, in response to perceived social breakdown. Its origin, often voluntary, separated it from the more medical “psy” disciplines. In different countries it is described in different ways, in terms that derive from, and are embedded in, specific cultural matrices (McLeod, 2003b). Its common motivation appears to have been a concern to remedy perceived social deficit. In the United Kingdom, in the 1920s and 1930s, there existed various forms of counselling in education and in the 1940s the National Marriage Guidance Council was formed to deal with disruptions caused by returning and often traumatised servicemen. In North America, where the term was first used, it

grew in response to a need to fit people into the job market (Manthei et al., 2004). Frank Parsons (1854-1908), to whom is normally attributed the first use of the term, and founder of counselling in the United States, was, in Gunmere's (1988, p. 403) terms, "a one man American Fabian Society".

In this country, counselling appears to have a role in perpetuating the social conscience of the early Welfare State (Besley, 2002; Hermansson, 1999; Webster & Hermansson, 1983). Beginning with an increase in juvenile delinquency in the late 1950s, disturbing indications of social breakdown prompted the Department of Education, in 1966, to place guidance counsellors in all secondary schools. Webster and Hermansson (1983, p. 472) wrote, "The will to develop guidance and counselling did not spring simply from caring about people. Social problems manifested in both school and community emerged in ways which aroused widespread concern for social stability". This inaugural group of counsellors eventually formed the New Zealand Counselling and Guidance Association (NZCGA) in 1974.

Hermansson (1999, p. 17) notes the evangelistic zeal that inspired the organisation's inaugural conference. Alan Webster, a former minister, spoke passionately about the need to be effective in terms of social outcomes. The theme was continued by Father Felix Donnelly, a Catholic priest well known for his founding role in the Youthline telephone counselling service, who called for a preventative orientation to social problems. His subsequent (1978) book, *Big Boys Don't Cry*, addressed social unease and called for the development of a "chain of caring communities" (p. 205). His presence on the social scene had an impact on counselling in the early days, with early links developing between Youthline, Youthline House and some counselling trainers. Not only were counsellors to work one-on-one, but they were also expected to have a social conscience.

In the first NZCGA COE (1976), this value was expressed in the ethical principle of justice. This states that "counsellors shall be committed to the fair and equitable distribution of counselling services to all individuals and social groups. Counsellors shall also promote social justice through advocacy and empowerment". Indeed, the rather grandiose theme of the NZAC 1983 Hamilton Conference was "Empowering

People”. This was the same year that the first *Handbook* was produced. Being small and red, its affectionate nickname, “Little Red Book”, (Hermansson, 1999, p. 67), further underscored the relationship of counselling to political action and social concern.

### *1.3.2.2 Increasing social deficit*

The growth of counselling might be expected to parallel an improvement in indices of well-being. This does not appear to have been the case. The dismantling of the welfare state and “new Social Darwinism” has been accompanied by a vast resurgence of racism, poverty and unemployment (Giroux, 1998, pp. ix - x). Social problems, in Henriques et al.’s (1998, p. x) words, become “mega” problems in an ever faster spinning, globalised world in which the Third and Fourth parts are increasingly disadvantaged (Peters, 2003). In Aotearoa/NZ various reports have found a widening gap between rich and poor with children and Maori in particular being disadvantaged (Krishnan & Jensen, 2005; Ministry of Social Development (MSD), 2004). The Ministerial Taskforce on Youth Offending (2002) expressed concern with the rise in youth offending, whilst the Social Report (MSD, 2002) found New Zealand/Aotearoa compared unfavourably with other OECD countries in terms of suicide rate and child abuse. The Ministry of Social Development’s (2002) briefing to the incoming minister noted key trends in health, standard of living and education, which show Maori and Pacific Islanders as disadvantaged. In addition, crime rates, child mortality, teenage birth rates, obesity and incidences of poverty are unacceptably high.

At the same time the number of counsellors is increasing. Hermansson (1999, p. 73) notes an increase in number of school guidance counsellors, “to an extent that was the envy of educators in other countries such as Australia and the UK”, whilst at the same time unemployment was rising - a condition which one might expect would be alleviated by good vocational and personal counselling and advice. Hermansson and Webb (1993) note the effect of the Labour market reforms of the mid 1980s in the reduction of social service provisions and the creation of poverty for many. The free market ideology ironically at the same time created opportunities for private practitioners. This was reflected in the enormous leap in NZAC membership in the

early 1990's (from 378 in 1988 to 1364 in 1994.) Membership numbers have continued to rise at a steady pace until standing today (2005) at 2590.

Therapy's response to social deficit appears to have been an increasing commitment to individualised solutions. However, this move towards an individualised and symptom-based psychology remains challenged by several other social movements, which continue to tempt counselling away from ego psychology into a more social and political analysis. They are feminism, disclosures of abuse, recognition of the effects of colonisation and, in Aotearoa/NZ, attempts to increase responsiveness to the Treaty of Waitangi<sup>1</sup> (TOW).

Hermansson (1999, p. 74) notes that between 1984 and 1992, a rise in accountability and increasing professionalisation in education "increased expectations to achieve and increasing signs of dysfunctionality created pressure, and demand for accountability in measurable terms." What Hermansson calls "dysfunctionality" may also be related to the huge wave of abuse disclosures in the 1970s and 1980s (e.g. Macdonald, Lambie & Simmonds, 1995; Courtois, 1988). The 1980s signalled the recognition of the traumatic effects of incest and sexual abuse as a normal reaction to an abnormal experience. This challenged the aetiology of the problem. It leads therapists such as McWhirter (1991) to challenge the use of "dysfunctional" in viewing clients "not as 'sick' people in the system, but as people attempting to cope as best they can within a 'sick' system" (p. 225).

At this point a paradigm shift might have been possible, with counsellors expressing their commitment to social justice in developing a stronger political voice. Instead they remained committed to individual solutions. This again resulted in further employment for counsellors and the formation of what has sometimes been called an abuse industry (e.g. Garry, Frame & Loftus, 1999). The resultant recovered memory debate further emphasised the need for increased accountability and professionalism. This again led to tighter control by funding agencies, which may ultimately be to the detriment of the client (Dale, 2003; Miller, 1994). The requirement for specialised

---

<sup>1</sup> The Treaty of Waitangi, 1840, the founding document of Aotearoa/NZ.

interventions, however, resulted in a further increase in community counselling agencies. To accommodate this, in 1990 the NZAGC changed its name to the New Zealand Association of Counsellors. As a further consequence of the neo-liberal reforms, private enterprise led to a climate of professional competition for funding, which is antithetical to counselling values (Besley, 2002; Miller 1994). This encouraged the internalisation of abuse as an individual problem, instead of encouraging a joint response to a social phenomenon.

Also at the same time, during the 1980s and 1990s, the indigenous people's increased claims on justice (Durie, 1998; Wilson & Yeatman, 1995) further challenged both professional organisations and psychologies of the self. Simultaneously, the post-modern concern with multiplicity, power and difference (Peters, Olssen & Lankshear, 2003) made itself felt in therapy, resulting in what Pederson (1991) called "the fourth wave of multiculturalism". In Aotearoa/NZ multiculturalism still jousts with biculturalism. (See Chapter 5, Justice, for more discussion.) Manthei (1991, p. 12) reasoning that "a professional organisation's Journal mirrors the current concerns and changes in that profession", notes the effect of increased interest in biculturalism during this period. The 1990 issue of the *NZ Journal of Counselling* was largely devoted to biculturalism. A strong Maori voice caused government departments in particular to reconsider their responsibilities under the Treaty of Waitangi, our founding document. Understanding of tikanga, taha Maori<sup>2</sup> and responsiveness to the three main clauses of the Treaty of Waitangi<sup>3</sup> began to be included as a marker of counselling competence. However, responsiveness to the Treaty has been severely limited by a focus on individual interventions. Bicultural initiatives still struggle for emergence, and therapy remains challenged in being respectfully with the other, as Drewery and Monk (1994) note. Maori are still over-represented in prisons, in mental health and unemployment statistics, in notifications to Child Youth and Family and in hospitals and thus also potentially over-represented in client populations.

---

<sup>2</sup> Tikanga and taha Maori refer to an understanding of Maori customs and protocol.

<sup>3</sup> The three main clauses of the TOW call for responses which are sometimes summarised as the "three P's": Partnership, Protection (of Maori resources) and Participation (of Maori in all levels of decision-making).

While counselling remained committed to Euro-westernised, individualised models of health and increasing professionalism, family therapists with a more systemic focus opted for a more direct confrontation with power. This created a split, which resulted in the withdrawal of family therapists to found their own organisation, further consolidating counselling within an individual framework.

Counselling, then, appears to have opted for increasingly individual solutions for public problems, although this move is still questioned by many (e.g. Prilleltensky & Fox, 1997). Increases in professionalisation and in membership appear to have, somewhat alarmingly, paralleled an increasing social deficit. This disturbs counsellors, who resonate with Feltham's (1995) observations. Many *do* voice concern about the growing discrepancy between the increasingly professional and thus sanctioned counsellor, and what Mair (1989, p. 282) calls the "underbelly of society", members of whom often constitute their client base. Besley's (2002, p. 53) "double-edged sword of professionalisation...autonomy versus surveillance", and Miller's (1994) unanswered question, "are we in danger of losing our way?" continue to disturb this writer.

#### *1.3.2.3 The individual/social relationship*

According to writers such as Henriques et al. (1998) and Parker (1992), the individual/social relationship is a dualism deeply embedded in psychological theory, and urgently in need of deconstruction. For them, making overt the relationships of power, which allow the theorising of the individual, becomes a forerunner of beneficial change (e.g. Hollway, 1998). It is thus important to study the way in which the individual has been produced as a means of social regulation (e.g. Rose, 1989). Henriques et al. (1998) believe that we now have a variety of theoretical tools that are equal to the task.

Some of those tools are provided by Foucault and will be used in the body of this thesis. Foucault (1977) describes the "psycho" professions (p. 193) in terms of their social regulatory practices as "techniques for the disciplining of human difference" (Rose, 1989, p. 123). He critiques humanism's notion of personhood, which sees "the person constructed as split between a real and a social self" (Hepburn, 1997, p. 31)

and psychology's taken-for-granted project in producing autonomous individuals. In his view, "the modernist and humanistic focus on the individual (is) instrumental in maintaining the status quo and obscuring existing power relations" (Hepburn, 1997, p. 31). In their normalising function, the "psycho" disciplines are argued to have their origins in what Foucault (1977, p. 192) terms a "reversal of the political axis of individualization". Power, through disciplinary practices, now produces multiple self-governing individuals, rather than single sovereigns. The individual becomes the "fictitious atom" (Foucault, 1977, p. 194) of an ideological society.

Rose (1989) takes Foucault's governmentalities further into the bureaucratic domain where unstable ever-changing individuals now become manageable ciphers for relocation, redeployment, education and, also, cannon-fodder. Projected along axes of normalisation, individualisation in this view is not necessarily maleficent. It provides us with "moral responsibility and social solidarity" and encourages us to "forge an identification between subjective fulfilment and economic advancement, family contentment, parental commitment and so forth" (p. 130). Hubble and O'Hanlon (1992, p. 26), however, question the availability of such subjectivity, writing, "Therapists for the most part give their clients problems". In their view, by normalising the individual experience, counsellors allow clients access to the social sphere, but only at the *expense* of their subjectivity.

If therapy intended to alleviate social conditions, it may very well have been misguided. At the same time, even a humanistic perspective may see the public sphere sold short by the individualising focus of therapy. Feltham (1995, p. 151) asks the crucial question, "Does counselling reflect the values of privacy and intimacy to the detriment of the public and political spheres?" In both views, the site of counselling remains contested.

One might argue that counselling has helped reduce what might have been a wider gap between poverty or sickness and well-being: that matters would have been worse if there had been no counselling. One might argue that counselling has helped to expose problems that might otherwise have remained unobserved. One might also argue that the markers of well-being involve too many variables, are too personal and



unique, to identify and assess in general terms. One might also become involved in a chicken and egg argument, which sees counselling responding to increased need.

It may be that counselling's inability to develop a strong coherent voice has meant that it has been excluded from the policy making that might ensure better social agenda. This appears to be Feltham's (2002) view. Nevertheless, it disturbs counsellors who resonate with Feltham's (1995, pp. 148–153) earlier observations, which imply that counsellors rely on Mair's (1989, p. 282) client "underbelly". Does counselling, contrary to its taken-for-granted intent, have a vested interest in maintaining the separation of individual and social spheres? Counselling's social effectiveness leaves unanswered questions and calls for further analysis.

The following sections present four other controversial sites. These are the multitude of competing theoretical orientations, the current crises in therapeutic research, the struggle for agency and conflicting value systems.

### **1.3.3 *Contested theory***

*"I am the only one who has not talked!"*

Miller, Duncan and Hubble (1997, p. 1), in the above quote, liken the competing calls for authenticity amongst various theoretical approaches to an old Zen story in which a Master calling for silence receives a barrage of responses. Miller et al (1997) note, in their aptly named *Escape From Babel*, an exponential proliferation of therapeutic modalities strive for recognition and provider funding - from 60 in the mid sixties to more than 250 in the eighties. Noting the difficulty of defining what constitutes a model, Karasu (1986, p. 688) claims to have identified more than 400 different approaches. Hollanders (2002, p. 284) expresses concern that "although some may consider this to be indicative of richness, it has become increasingly difficult to avoid the criticism that the field is in a state of chaos". This causes Rose (1989) to wonder how such a heterogeneity ever came to be regarded as a distinct discipline.

Journal space, provider funding, decision-making, superiority and fee payment scales all depend on the preferred voice. Historically the profession fought theoretical

debates on “the battlefield of an internecine war” (Smith, Glass & Miller, 1980, p.2).

They continue:

Although there are many combatants - Freudians versus cognitivists versus humanists - the principals in the war are behaviourists and non-behaviourists. These groups have called each other names and traded high-sounding insults. But the issue was not over psychotherapy versus no psychotherapy, but over brand A psychotherapy versus brand B psychotherapy. (p. 2)

That the battlefield has been succeeded by an uneasy truce may be due to the recognition that the “loudly publicised internecine quarrels have begun to give therapy a bad name” (Miller et al.1997). It is still obvious to Feltham (2002), however, who makes a special plea for therapists to start identifying those things on which they do agree, whilst Miller et al. (1997) call for a “unifying language”.

The theoretical battle lines are drawn between the major paradigms and duplicate the professional distinctions contested in the first section. Behavioural approaches have since the 1970s “won” ascendancy and the tension remains. New brands, with new claims, and new relationships to the scientific or behavioural, continue to proliferate. Miller et al. (1997) note a continuing rise of nearly 400% in the increase of treatment models between the 1960s and the 1990s, and indicate that the number may be even higher. At the same time, there is no evidence to support the efficacy of any one approach over any other.

Central to this multiplicity of approaches are differing concepts of an agentic self. Still relying heavily on the romantic and humanistic notion of “self”, therapy yet strives to accommodate other “wholistic”, cultural and discursive views. These demand extreme philosophical contortions to achieve eclecticism or integration, which is the usual solution to this dilemma.

How are therapists advised to navigate these theoretical lesions or sore spots? In the rest of the thesis I propose that therapy “performs” philosophy possibly more closely

than it would like to think. Despite calls for therapists to more closely examine their own orientation (e.g. Bond, 2000; Combs, 1986; Combs & Soper, 1963; Eaton, 2002; McLeod & McLeod, 1993), philosophy has been slow to impact on practice, (McLeod & McLeod, 1993; Purton, 1993), with the exception of increasingly popular social constructionist and narrative methodologies, and struggling bicultural initiatives. Yet advice in managing difference comes from three major paradigms: positivist, humanistic and poststructuralist.

The positivist response argues for, if not purism (Spurling, 2002), then at least for eclecticism (Carswell, 2002). Garfield (1980, p. 290) noted that over half the clinical psychologists surveyed by Garfield and Kurtz in 1976 believed “different procedures were required for different types of cases”. Reducing practice to discrete and measurable interventions, the positivist advises selective use of each strategy to fit the specific needs of the situation and individual client, sometimes called a “staged, multimodal approach” (McGregor, 2001, p. 18). It is reflected in the “story of the brain” where different systems are seen to mediate certain functions. Healing becomes a kind of patchwork of interventions for which the therapist is given responsibility. Outcome specific quantitative methodology is given weight with qualitative enquiry into patient’s views representing a process variable.

The existential/humanistic response seeks integration (Lees, 2004). Blessed with creativity, therapists develop their own new and unique practice from consideration of alternative views. This view seeks a coming together rather than a pulling apart, (e.g. Clarkson, 1992; Corey, 2005; Erskine & Trautman, 1996). It can be seen in Feltham’s (2002) interest in apologetics and call for internal cohesiveness. It can be seen in integrative psychotherapies. McLeod (2003b, p. 73), noting the richness of interdisciplinary perspectives, uses metaphors of “knitting together” and playing in an orchestra. Here the client is encouraged to similarly re-create themselves.

Poststructural views, however, question the autonomy of humanism’s heroic subject. They inform social-constructionist and discursive approaches which shift the focus from the individual to the “ways of accounting that we have available to us in society” (Hepburn (1997, p. 29). Such an approach takes into account the relationships of

power through which subjects are constituted. Possibilities here exist in resistance and re-positioning through various speech acts (e.g. Drewery & Monk, 1994; Drewery, Winslade & Monk, 2000; Kay, 1999; White & Epston, 1990). Here therapy acknowledges pluralism (Woolfe, Strawbridge & Dryden, 2002) and the co-constructed nature of “reality”.

Although the late twentieth century, in particular, has seen the erosion of what McLeod (2001) terms “schoolism”, the ensuing multiplicity presents a challenge for educators, practitioners and, ultimately, for clients. Herein lies the problem. If different approaches are based on differing constructs of self, how many selves can the eclectic practitioner manage or the integrative practitioner contain? Can the poststructuralist deny the humanist and the positivist “reality” without claiming a “therapeutic truth” (McLeod, 2003)?

This fragmented character and lack of agreement noted by Rose (1989) within a profession which may call itself counselling or therapy, still represents another charged site in the professional discourse. The next section considers what is sometimes referred to as the “current crisis in therapy research”.

#### ***1.3.4 The current “crisis in therapy research”***

The increasing demands of policy makers and providers for rigorously supported evidence has resulted in a call for therapists to develop a stronger relationship with research (e.g. Cochrane, 1999; CORE System Group, 1998; Curtis Jenkins, 2002; Goss & Rose, 2002; Manthei, 2004; McLeod, 2003a; Mellor-Clark, 2000; Woolfe, 2000). An un-named interviewer, introducing a discussion with three leading counselling researchers in the UK, notes that “in order to make counselling more widely available it has to be funded, and the only way to attract funding is to persuade funders that counselling works” (*Counselling and Psychotherapy Journal*, 2004, p. 20). Curtis Jenkins (2002, p. 208) adds a further caveat. If counsellors fail to audit their services, “it is likely that the siren voices will get even louder that there is ‘no evidence’, and anybody can do the work with minimal training”. Noting that significant periods in the development of counselling have occurred when theorists were also practitioners, McLeod (2001) indicates a resultant “current crisis in therapy

research” - a crisis which has resulted in the practitioner devaluing research and research remains in the territory of the academic or the mainstream psychologist or psychiatrist.

This research/practice gap was named as one of the main target areas for research in the 2002 meeting of health professionals at Oxford, UK (Pettifer, 2003). Although Moodley (2000) argues that every counselling and psychotherapy session is basically a (re)search process, and that everything a counsellor does is both research and practice, translating this into a public voice has not been easy. A widening gap has developed between researcher and practitioner in the psychological therapies. If research can be viewed as the public voice of the profession, then have therapists become victims of a “conspiracy of silence” in the form of parallel process in which they absorb the confidences of the client?

The dominant voice of scientific, empirical methodologies has resulted in a hierarchy amongst the helping professions and talking cures with significant discrepancies in remuneration. Such disparities are exemplified in Aotearoa/NZ in the current Accident Compensation Corporation (ACC) case management of sensitive claims. These fund psychologists at a significantly higher rate to assess and report on counselling and therapeutic progress. Since there are no consensual guidelines that determine the difference between the different roles, this has fostered resentments and professional antagonism.

The tension between norm-referenced behaviour and individual, subjective experience, is yet another tension held by the counsellor. Whilst not wanting here to debate the respective merits of qualitative and quantitative epistemology, the debate, which is not peculiar to counselling, does place this profession in a fraught position. Encouraged by their COE to avoid harmful diagnostic labels, counsellors in Aotearoa/NZ lack a vocabulary of assessment. Nor are they able to refer to any benchmarked terms by which mental health may be measured. Working therapeutically in private, therapists are increasingly expected to be publicly accountable.

Notwithstanding these difficulties, therapy has made a good case for itself, as will be discussed further in Chapter 7, Beneficence. Although there may be less debate over whether therapy works, “everyone has won and so all must have prizes” (Cooper, 2003), the debate has now shifted to what might constitute benefit (Riikonen and Vataya, 1999; Tantam, 2002) and where and by whom it is best done. This leads to the next question of contested agency.

### *1.3.5 Contested agency*

Counselling praxis works at the interface of an inside and an outside. (See Chapter 4, Fidelity, for more discussion.) Within this material dynamic, it explores, or encourages into consciousness, the “internal” world of each participant. Henriques et al. (1998) describe this dualistic process as exploring how the outside gets inside. Fairclough (1992, p. 59) puts it the other way round: it “brings the inside of peoples’ heads into the domain of power/knowledge”. Either way, therapy works with both inter-personal and intra-personal material. Most modalities are founded on an “inside/outside” premise and devolve a further tension onto the practitioner. When does one take precedence over the other? And how does one know when material is internal or external?

The concept of transference has been theorised to help practitioners deal with this dilemma. In an attempt to objectify what is beyond words, that is, the emotional domain, transference attempts to rationalise the ontology and epistemology of affect. Do feelings, which are experienced, originate in response to here and now material, the current interaction, supposedly therapeutic, or are they relics of past associations? Further, do they originate from the client’s experience, or from the counsellor’s? And what of the times when such feelings appear connected, but unacceptable, projective identification, or connected and acceptable empathy?

In post-modern times, the concept of transference has changed - as has that of empathy (e.g. Fisher, 2002; Rosak, 1995). These newer versions now recognise a “primitive” (Henriques et al., 1998, p. xvii) form of communication. However, the problem of agency remains: what can be attributed to the therapist and what to the client? Even in the world of speech acts, how is the space to be divided amongst the

different speakers? An extensive supervision industry exists around attempts to separate client and counsellor material. Since counselling places a high value on respect, genuineness and autonomy, “what is yours” and “what is mine” are continually challenged.

Even when focussing on “what the counsellor does, during a counselling session”, (McLeod 2001) the counsellor’s therapeutic bag is more of a Pandora’s box of contradictions. Therapeutic agency is expressed as walking a veritable tightrope. Such contradictions in therapy have been noted by Parker (1999, p.3). Contributors see therapy “as a practice that is both respectful and critical. This double-sided process is complex and contradictory”.

The dilemma is energised around the agency of the counsellor versus the agency of the client - how, if, when or indeed whether it is possible not to intrude, becomes a central question. Dalenberg (1997, pp. 15-16) discusses the relative danger of therapist distancing and intrusive errors as an ethical issue. Brought sharply into focus through working with childhood sexual abuse, the question of therapeutic neutrality versus the “more modern concept of therapist as moral discussant and moral agent”, leads her to comment that “the inevitable influence of the therapist on every aspect of the therapeutic journey is the source of many of the most tangled ethical dilemmas that any therapist faces”.

Bond (2000) places the aetiology of this problem in the conflicting ethics of beneficence and non-maleficence. This is where Tantam’s (2002) client observes the contrasting positions of “interfere” and “reflect”. Bond calls for therapists to make their philosophical position more explicit. This philosophical tension finds further expression in the next section, when therapists need to dialogue with external agencies and are expected to manage a meeting of different value systems.

### ***1.3.6 Competing value systems***

Counselling inhabits the interface of two major cultures. One values co-operation and competition, the other communality and hierarchy (Cornforth & Hudson, n.d.; McLeod and Machin, 1998; Miller, 2003). Counselling is unique in the extent of its

respect of the different other. As Fairclough (1992) notes, it seeks to reverse objectification. Yet, as mentioned earlier, a new binary is also coming to the fore as a result of increasing accountability and contiguous professionalisation. With all third party contracts, the counsellor must needs objectify the client. This leads to the recognition that counselling now straddles a variety of cultures which are not only ethnic.

Situated between funding agencies, other providers and clients, counsellors need to be adept at managing multiple contracts. They need professional validation, financial remuneration, professional support, supervisory support, and may be increasingly involved in research and policy advice. Each of these discourses has a different culture and speaks a different language. Furthermore, if one takes a social constructionist approach, as noted by Drewery et al. (2000, p. 245), “different kinds of talk have different credibility” in different situations. In Scheurich’s (1997) observation, being situated thus, between different symbolics, is not a comfortable position.

Counselling education amplifies all such tensions, existing both within academia and within a wider cultural context. It teaches a value-rich discursive technology (Fairclough 1992) within an academic, cultural and administrative environment, which is often at odds with counselling goals. How can we train towards congruence, empathy and positive self regard, the three corner stones of person centred counselling (Rogers, 1962), in a wider environment, which may have exclusive regulations, hidden or unclear agendas and which may place increasing demands, in terms of both accountability and workload, in a financially stressed environment? How can we teach students to treat their clients wholistically, when the National Qualification Framework increasingly works towards a fragmented description of knowledge? And how can we tackle the challenges of a so-called “post”-colonial, “post”-modern society, a world which creates our clients, in an environment that still defines assessment, responsibility and rewards, including both sanity and salary, in terms of the individual, and within a certain cultural frame? One wonders what might ultimately be the effect of such discrepant values on both students and clients. What might be the cost of occupying such a site of tension and what Fairclough (1992, p.



59) might call an “ambivalent relation to power”? And what happens when attempts are made to shift the power relations between hierarchy, individualism and authority, towards inclusiveness, wholism and partnership?

Kelly’s (1995) national survey identified a core value system common to counsellors across domains. He summarised these as “strong core values of wholistic-humanistic empowerment related to personal development and social concerns” (p. 648). Although acknowledging that these exist within a limited cultural range, Kelly further noted a tendency of clients’ value systems to shift towards those of their counsellor. If it is true that clients’ value systems come to match those of their counsellors, could similar dynamics exist in the process of training counsellors? It is of concern that by a similar top-down process, the organisational and economic power relations of the educational institute, and beyond that, of the wider cultural context, will come to be matched by students in training, and ultimately clients in therapy rather than the reverse.

The symposium, *Contexts of Counselling*, presented in the *British Journal of Guidance and Counselling*, August, 1998, found wider organisational contexts were influential with editors McLeod and Machin (1998) calling for further research in this area.

Our view is that counselling theory and practice has been too dominated by a focus on what the counsellor does during a counselling session, and has not paid sufficient attention to what goes on before, between and after counselling. Counselling is not only a meeting between two persons, but a point of intersection of two cultures. (p. 331)

#### **1.4 Where to from here?**

The above six controversies represent some of my initial concerns and form the background to the rest of this thesis. However, I felt the need to find an organising principle in order to re-think, in the manner suggested by Henriques et al. (1998), some of the issues thus raised. This chapter demonstrates my early attempt to reduce

these controversial areas into generalised groupings. There are, however, themes, such as ethics and philosophy, that are common to all, and other themes, such as environmentalism, which find no place in the above. For those who resonate with Kung's (1992, p. 409) concern that the world is approaching an extremely dangerous technological limit, this omission can no longer be tolerated.

Therapy is fraught with such conflicts which have not been easy to organise. Colman (1995) notes this difficulty and the dilemma it subsequently devolves upon counselling trainers who might want to include them in course modules. Nor is there any consensus about which controversies are the most significant, as witness the inability of the Oxford Group of mental health delegates to find a clear research direction (Pettifer, 2003). Banyard's (1999) proposal that the central issue is one of control in dealing with difference does, however, have appeal.

In foregrounding these controversies, it is also important to consider how they have been, to date, accommodated in therapy. Where are counsellors advised to take these concerns? At the beginning of this chapter it was suggested that allowing these debates was an important part of "theorising therapy". This form of debate often has an oppositional nature. In this, it reflects Billig's (1987) comments on the two-sided nature of thought and is demonstrated in Feltham's (1999, p. 3) invitation to authors to "take sides". This is the intellectual tradition that Sterba (2001) finds unethical (see later, Chapter 7, Beneficence), and which Feltham himself does not totally entertain, and later, in his call for unity (2002), abandons.

In order to develop a more productive dialogue, the therapeutic fall-back position is often "respectful relationship". There is a danger in thinking that that this will avoid oppositional thought. Such a view assumes that each partner is equal and has equal voice. This is not the case where dualisms are concerned. The concern is raised by Drewery and Monk (1994) in relation to therapy. They write:

There is an assumption endemic in some areas of the counselling world that if we could only get the relationships "right", everything else would be alright. We take it that the

assumptions underlying this idea relate to a belief that empathic communication can resolve most misunderstandings between people who are in relationships - and that mediation is always possible. (p. 308)

This assumption ignores the fact that arguments arise out of positions that are not neutral and which have different relationships to power. (For further discussion on respect, see Chapter 3, Autonomy). This view foregrounds a poststructural perspective.

Poststructuralism's avoidance of grand narratives coupled with what Rorty (1979, p. 257) called the "linguistic turn", allows a view of therapy as existing in the margins, on the edges of texts (McLeod, 1999). In this, to me more hopeful view, it exists in, is precipitated by, and sees resolution in difference. Even beyond text, in its deep, underlying symbolic structures, the therapist can be seen as a liminal figure, "practicing at the limits of representation" (Burman, 1996, p. 3) - a "boundary object" (Gordo Lopez, 1996) or inhabitant of the fifth province (O'Reilly Byrne & MacCarthy, 1999). For Benjamin (1986), therapy works in the intersubjective space. Furthermore, Bondi's (2003) references to counselling as a unique, non-hierarchical profession, place it outside the normal discursive range which describes relationships of power. This view wins some support from Fairclough (1992).

In order to take such a view, one needs to engage in the spatial imagery which a poststructural view affords. This becomes, for me, one of the most useful tools with which to address controversial sites. Foucault's (1968/1998) early interest in the "morphology of knowledge" (p. 325) provides a theoretical basis for such a view. It is one that will inform the body of this thesis and one which is developed in the next chapter.

I take the common themes of ethics and philosophy as the uniting factors in these diverse controversies and it is to them that a poststructural analysis will be applied. This will be explained in the next chapter. I have here noted that counselling arose out of a concern for deteriorating social conditions. It has its foundations in education and

the philosophy of liberal reform. However, it draws its theory and techniques from ego psychology. Its very genesis, then, results from the uneasy marriage of the social and the individual. To a certain extent, it can be argued that counselling has not yet found its wings or indeed become fully fledged. If one can stretch a developmental image, one might say it lingers in its adolescence and struggles with integration. It is passionate and emotional and not easily understood. It refuses to be defined. It has experienced periods of “internecine war” and sibling rivalry. It argues with “proof”, yielding neither to practitioner nor to research evidence, neither to qualitative nor to quantitative perspectives. It flirts with intimacy in explorations of “relationship”, between intrusion and distancing. It feels valued by its clients, but has difficulty finding its voice in the political and economic spheres. It confronts existential issues of life and death, of boredom, of trauma and torture, of survival and exclusion, of poverty and illness. It doggedly explores that which makes life worth living. It continually questions itself in lonely spaces and is often isolated by and burdened with confidences. It has not yet, to my mind, adequately addressed the above concerns.

In order for counselling to find its own feet, it is my view that a reconsideration of counselling’s philosophical base is urgently required. This thesis aims to apply a poststructural analysis to the philosophical and ethical stand counselling takes, which might be expected to provide direction in dealing with the controversies outlined in this chapter. Is there anything new that can usefully be re-thought? The next chapter will outline the approach upon which I have finally decided.

I conclude this chapter with a “mystory”<sup>4</sup> (Lincoln & Denzin, 2000), which encapsulates, for me, the problems devolved upon the practitioner by the above controversies.

---

<sup>4</sup> Throughout the text I will occasionally insert brief “mystories” (Denzin & Lincoln, 2000, p. 1055). These are oppositional/complimentary to the requested analysis. They express what is, for me, beyond reason.

*Kino, fourteen summers old – too young by far too many summers, for the age-old choice - to have, or not, a child. Kino seeks an ending, a forgetting, a beginning. Kino shakes her brown curls, flashes proud her eyes. “I’m hapu<sup>5</sup>,” she says. I am sub-tribe.*

*Counselling ethically, respectfully aware of autonomy, empathically in her shoes, we see what can be done with what support.*

*But they will not be quelled. The soft whisperings, shuffling, keening of those without form or breath. They fill the room with their presence, crowding behind Kino’s chair. They are the dead. The never born. The lost generations killed into not-birth by colonisation. Joined by those who were alive.*

*Behind my own chair, a small movement, a soft response. I too have my unborn generations.*

*Kino, is there someone close? Someone you trust?*

*The dark shapes sigh. Hands reach out.*

*Kino, how would you feel if we took this to someone in your family? Your whanau?*

*No way!*

---

<sup>5</sup> Hapu has several meanings in Te Reo Maori. Two common ones are pregnant and sub-tribe.

## Chapter 2

# Methodology

*“How can one be late to the end of history?” (Derrida, 1994, p. 15).*

### 2.1 Introduction

In the previous chapter I set out my version of the problem. I argued that counselling contains many contradictions that are of concern. I suggested that these could well benefit by a re-thinking of underlying philosophy. This chapter gives an account of my chosen approach. I describe my choice of an object of study and the methodology whereby this object is to be re-thought. The chapter concludes with an overview of the body of the thesis. It addresses Derrida’s ironic aphorism above, which calls for a foundational unsettling and implies that “walking backwards to the future” is but part of an endless project.

I have settled on a poststructural<sup>6</sup> re-thinking, a theoretical “project”, although Derrida would not like the term<sup>7</sup>. My thesis will have an end! I have chosen a poststructural framework for five reasons, which will be elaborated throughout this chapter. First it allows both the controversies and counselling to be viewed spatially (e.g. Foucault, 1968/1998): the controversies as a set of interlocking arguments; counselling as “inter-personal”, “intersubjective” and “intertextual”. Second, poststructuralism’s interest in subjectivity and power implicates ethics in any analysis, thus influencing my choice of object of study (e.g. Foucault, 1980; Levinas, 1969; Lyotard, 1984). Third, it allows a re-thinking of the very basic structure of taken-for-granted knowledge and its knower, which is represented in any philosophical standpoint (e.g. Lacan, 1977a; Kristeva, 1980a). Fourth, it allows a way of thinking about the dualisms inherent in several of the controversies (e.g. Derrida, 1978). Last,

---

<sup>6</sup> By post-structuralism I am referring to theorising that draws on the work of Derrida, Lyotard, Foucault, Deleuze and Baudrillard (Peters, 1996), Kristeva and Irigaray, and which owes much to the existential tradition of Nietzsche and Heidegger.

<sup>7</sup> For Derrida (e.g. Caputo, 1997), deconstruction cannot be a project, for it has no end. It is, rather, a condition.

since poststructuralism's endeavour is to rethink the historical continuities that constitute enduring modern problems, it would seem an appropriate tool with which to address controversial sites that have long accompanied the practice of counselling. I find Henriques et al. (1998) comments relevant in refiguring professional existence.

The crises that have shaken modernist convictions have thrown us back to the fundamental issue of who we are, hence the interest in ethics and in exploring the limits of identity in postmodern conditions. The problem is about refiguring the founding principles that could authorise new ways of being and new ways of making sense of existence. (p.xviii)

## **2.2 Finding a “docile object”**

This has not been an easy task. Given my concern for equity and romantic notions of liberation, I first considered what could usefully be done that would benefit all participants. Regretfully, I have had to abandon this rather narcissistic ideal. I have come to accept that for me, this thesis is more honestly a modernist project. It requires a “docile object”, which is more manageable and more finite than the controversies in the previous chapter. However, although for stylistic reasons I have chosen to use normal conventions in order to limit the scope of this thesis, it is not to be inferred that either my epistemology, or my ontology is absolutist, or static.

Lynch's (1985) description of the role of objectification and the modernist need to find and control a “docile object”, somewhat ironically, spoke to me.

In accordance with a programme of normalisation...when an object becomes observable, measurable and quantifiable, it has already become civilised: the disciplinary organisation of civilisation extends its subjection to the object in the very way it makes it knowable. The docile object provides the material template that variously supports or frustrates the operations performed upon it. (pp. 43-4)

How could I choose an object to represent the former arguments in their complexity? I sensed that they were a set of arguments that linked into each other in some way (see also Parker, 1992, p. 24). The object I sought had to allow a “provisional parcelling” (Foucault, 1968, p. 310) of counselling’s relationship with the previous controversies. It had to provide a way of talking, however poststructurally, about real things (Parker, 1992, p. 25). It had to be discrete enough for the purpose of this thesis and yet sufficiently complex to accommodate the far-reaching nature of my concerns. It needed to be an object that could bridge divides and allow a consideration of counselling as an intertextual activity. It needed to be an object through which I could address the very ontological genesis of the profession. It needed to be measurable. And it had to have sufficient object status in Parker’s (1992, p. 32) third moral/political realm. I naively hoped for an object that would not “frustrate the operations performed upon it”!

I have found such an object in the five ethical principles identified by Kitchener (1984): autonomy, justice, fidelity, beneficence and non-maleficence. These “crystallise” (Richardson, 2000, p. 934) the former debates in that they offer multifaceted entry points to those desirous of engaging with them. They re-present therapy’s engagement with the various controversies by offering a presumably cohesive standpoint. As objects, they are both theoretical and real in their documentation. It is to these that therapists look when seeking guidance on controversial issues. They are foundational to counselling, counselling psychology and psychotherapy (Shillito-Clarke, 2003; Palmer Barnes, 1998) in that they express its central tenets. In a sense they are the beacons that guide all therapeutic practice. They are particularly relevant to the contradictions noted in the previous chapter because a poststructural view situates ethics in both interpersonal and intertextual spaces. Furthermore, ethics are suitable objects for poststructural analysis since they satisfy Foucault’s (1968) advice to “choose a domain empirically in which the relations have a chance of being numerous, dense, and relatively easy to describe” (p.310). Ethical principles make multiple appearances controversial debates.

The next section will situate both poststructural and traditional views of ethics as they relate to counselling and psychotherapy.



### **2.2.1 Counselling/psychotherapy and ethics**

Although counselling/psychotherapy may have arisen in response to a concern for deteriorating social conditions, moral enquiry and ethics have not been its focus. It is only since the 1980s with the rise of consumerism and feminism that they achieved any prominence. Eaton (2002) notes that, although there have been diverging views, notably narrative therapists (e.g. White & Epston, 1990), deconstructionist critics (e.g. Parker, 1998, 1999) and critical psychologists (e.g. Fox & Prilleltensky, 1997), therapy has been largely concerned with “methodism” to the exclusion of morality. Where different approaches or methods propose different treatments for cure, morality’s focus is on goodness and on what makes a good act. Morality and ethics are often used interchangeably. Both are central concerns of philosophy. Here they become fragmented into different fields such as meta-ethics and applied ethics. Neiman (2002) argues against this reduction, on the grounds that it allows important topics to be avoided. This thesis follows her, in taking a broad view, whilst acknowledging that morality is usually founded in taken-for-granted values and ethics in a more formalistic understanding. Although I will argue, in this thesis, that therapy performs ethical philosophy more closely than is often thought, this has been a largely un-thought out position.

Poststructural thinking and in particular deconstruction, have, however, allowed a new view of therapy as the meeting of difference, and unsettling of dominant relations of power. The difference thus exists both in time and space (Bass, 1977, p. xvi), as does *différance* for Derrida. In this deconstructive process it echoes Derrida’s (1992a) view that deconstruction is ethical. Here therapy *becomes* ethics. Larner (1999, p. 46) writes that “therapy proceeds through the deconstruction of power as the enactment of an ethical relationship to the other”. Lowenthal and Snell (2000, p.23) further conclude that, “ethics as practice is not in any way separate from psychotherapy. Rather, if ethics is defined as putting the other first, as Levinas, the French phenomenological philosopher, defines it, then this is what all relationships should strive towards”.

This is not, however, the view foregrounded in various professional codes of ethics, which, although in a current process of change, still rely heavily upon traditional

ethics. They present a mix of neo-Kantianism and utilitarianism brushed lightly with feminist and communitarian views, topped off with a dash of Aristotelian virtue ethics. This will be seen in the body of the thesis. All therapists who claim membership of a professional organisation are committed to work to, and considered morally, if not legally accountable (Ludbrook, 2003) to their particular code, which is a “foundational document” underlying all practice (Winslade, 2001). Codes of ethics are central documents or discursive technologies, with a relation to power, as well as a formative theoretical concept in the subjectification of the professional counsellor.

Historically, therapeutic codes of ethics have been based on the five ethical principles following Beauchamp and Childress’ (1994) influential *Principles of Biomedical Ethics*, first printed 1977. These were brought into therapy by Kitchener (1984) and built upon by others, including Corey, Schneider Corey & Callanan (1998). Beauchamp and Childress (1994) defend their choice of principles through their ability to unite common morality across divergent groups, with rules for decision-making, which allow for flexibility. In his analysis of codes, Bond (2000) found that although they were presented in different order of value, all five ethical principles retained currency.

The particular code on which this thesis will focus is that of the New Zealand Association of Counsellors (NZAC). During the conception and writing of this thesis, the NZAC COE has been undergoing a review and a re-writing, culminating in a final draft, which was accepted at the July 2002 Annual General Meeting (AGM) of the association. The new Code was accepted on the basis that it was a “living document”, open to on-going debate and interactive re-structuring as appropriate. Counsellors are urged towards “ethical mindfulness” in developing a relationship with the new Code. The emphasis is thus on ethical praxis and relationship.

During the rewrite, the five above-named ethical principles have undergone some re-arrangement and erasure. These moves, and the traces (Derrida, 1978) they leave, are interesting and will be commented on in each of the following chapters. However, this thesis will remain focussed on the original five principles, since the philosophical positions they represent remain deeply entrenched in counselling and psychotherapy,

as well as retaining currency in the professional codes of several other helping professions. They thus provide common ground for interdisciplinary debate and discussion (Bond, 2000).

### **2.3 Deciding on a methodology: How is the object to be approached?**

I have struggled with the choice of methodology for this thesis. Drawn to poststructural views, I still value my background in science. Willing to suspend grand narratives, I am not yet ready to abandon the material world! Furthermore, my “docile object” was proving more intractable by the day. Although ethics seemed central to my concerns about the previous controversies, they would not stay still long enough to be analysed.

I have concluded that although ethical principles appear discrete, centrally positioned and foundational, they present a problem in their analysis. They are not easily objectified. According to Singer (1994, p.4), they can be both a set of rules and a way of arguing. Whilst not exclusively the domain of philosophy, they do address the basic questions of how we ought to live. In this they invite a subjective view and as objects become inseparable from the observer. Neiman (2002, p. 5) writes “Every time we make the judgement *this ought not to have happened*, we are...at the point at which ethics, and metaphysics, epistemology and aesthetics meet, collide and throw up their hands”. Positioned on the interstices of various texts, the ontology of ethics becomes inseparable from their epistemology.

Furthermore, ethics involves the individual in the social, for what is moral is not just an individual project. Rowson (2001) writes:

For over 2500 years people have debated whether what is right or wrong is a matter of objective moral truth, or a matter of opinion - that is whether, when we judge someone’s behaviour as right or wrong we are describing factual aspects, expressing our feelings, reporting conventional social opinion about it. (pp. 6-7)

Nor is it solely a theoretical project. Fairclough (1992, p. 167) sees ethos, which is the Greek origin of “ethics”, as “manifested by the whole body, not just the voice”. Quoting Bourdieu, (1984) he makes it clear that ethos is seen as the intertextual point between the material and the theoretical, “a dimension of bodily hexis in which one’s whole relationship to the social world is expressed”. Through ethics, individuals are encouraged to make socially good, but individual choices, and express these in visible action.

My “docile object” of study was proving to be a “material object in unstable spaces” (Spyer, 1998). As such, it was not supportive of any operation I might desire to perform upon it. The problem seemed insoluble until I delved deeper into Foucault’s theories of discourse. In *On the Archeology of the Sciences: Response to the Epistemology Circle* (Foucault, 1968/1998) I had my epiphany. (And epiphanies in Lincoln & Denzin (2000, p. 1055) are in themselves a valid qualitative methodology!) There, exposed to view, were the bones of my (dis)content. Foucault’s description of discourse in that piece of work so fitted my observations of counselling controversies that it felt to me like a homecoming - a reversal of the homeless metaphor discussed by Neiman (2002, pp. 238-314). No wonder one could not pin down what counselling was, no wonder there were 400 different modalities, no wonder we talk the different languages of data and feelings, no wonder we oscillate between intruding and supporting. These dilemmas demonstrate exactly the rules of discursive formation that Foucault described.

Although I intend to draw from a variety of theoretical perspectives, this morphological approach has become central to my analysis. In the next section I will explain my understanding of the “rules of discourse” and how they are to be applied in this thesis. Following that I will describe some other theoretical tools which have been engaged in re-thinking therapy’s ethical base.

### ***2.3.1 Discourse and Foucault’s four “laws”***

A discourse, in Foucault’s (1980) view, is a set of power relationships that allow certain things to be spoken about in certain ways, from certain positions. In this manner, “truths” are created, or “fictioned” (Foucault, 1980, pp. 137-147) and

subjects are “performed” through the subject positions made available. This view turns on its head traditional notions of agency and knowledge. Rather than autonomous people thinking and acting independently in the world, Foucault saw discourses performing subjects, objects and actions. Discourses cannot be escaped; we engage in different discourses with different groups of people. Each discourse centres around, and indeed creates, what is presumed to be a certain topic or activity.

To understand Foucault’s view of discourse it is necessary to remove oneself from hermeneutics and consider the operations of power that engage people as subjects. In other words, it is the “how” that interests Foucault rather than the “what”. To think of discourse in this way requires one to abandon taken-for-granted meaning and think instead what it is *possible* to do or say or think. This makes writing about discourse a challenge, since if everything is discourse, what can one say that is *beyond* discourse?

Saying what is beyond discourse becomes an ethical requirement if one takes Foucault’s (1968/1998, p. 277) view that discourses are maleficent. Their existence is at the expense of some other exclusion. Subjectivity in particular is created out of a refusal, a turning away. Foucault’s recurring image is the line on the sand at the edge of the sea where the wave breaks. It vanishes as it is seen. Studying discourse in this way means looking for what might have been excluded. Thinking differently means foregrounding other “truths” and disrupting the inevitability of discursive moves.

Foucault’s (1968/1998) work gives a clearer picture of how discourses operate. In my presentation of his views, I must add the *sine qua non* “if I read him right” for I find Foucault’s work evocative and elusive. It requires of me considerable subjective input. Here then is my understanding. This work sees discourses not as cohesive units of power/knowledge, but what I can only describe as “fallings apart”. The image that has been useful to me in conceptualising what may be beyond words, is the geologist’s image of rock fractures. When a rock is struck with a hammer, it falls apart, or fractures in a way that is distinct to that particular kind of rock. Volcanic glass curves gracefully in concentric circles leaving a smooth fracture plane with a sharp edge. Flint fractures obliquely in the manner that allowed our ancestors to make tools. Sandstone sometimes opens like the leaves of a book. Conglomerate crumbles.

For Foucault, discourses fall apart on four different and intertwining planes, with each discourse differing in the particular manner of its falling apart. The four planes represent four ways of approaching discourse. I use this as a central part of my method. They become the four ways in which discourses of autonomy, fidelity, justice, non-maleficence and beneficence are discussed in this thesis. The four views which follow, concern the way objects are produced, the way in which subject positions are offered, the ways words are put together to form certain meanings and the possibilities offered for action.

Foucault named his observations “laws” although they interact and even contradict each other in an entirely unpredictable way. He notes that where you might expect a discourse to be characterised by unity of some sort, each aspect in which you might expect a unity is, in actual fact, characterised by diversity. This generates the first observation or “law”.

#### *2.3.1.1 Performing objects*

*The “law of dispersion of different objects or referents” (Foucault, 1968/1998, p. 314).*

This first law concerns the formation of all the objects of a discourse. Where one might expect that all participants might agree on the object being discussed, or that which draws a discourse together, Foucault’s observation was that it is more likely that the closer one looks at the object of study, the more it disappears. Foucault here questions the commonly held view of cohesion. He foregrounded a view of discourse as “the common space in which diverse objects stand out and are continuously transformed” (1968/1998, p. 313). The object or “referent” thus escapes any fixed position or meaning and becomes elusive in a variety of terms. Foucault theorised that this became one of the mechanisms of injustice, for through this dispersal, relationships of power could escape reform. Existing “truths” or knowledge could retain their preferred connections and escape challenge by switching referents. He noted that in different discourses, these referents tended to disperse in specific ways,

and called this the law of “referential or law of dispersion of different objects or referents” (Foucault, 1968/1998, pp. 297-335).

This explains the problems in defining “counselling”. Furthermore, the manner of its dispersal will exclude some other, which is beyond consideration. Foregrounding the division “counselling or psychotherapy” might, if one were to apply this analysis, preclude some other “truth” such as “silencing” or “subversion” or “bonding”. As we argue the academic territory, the benefit of therapy per se may escape scrutiny.

### *2.3.1.2 Performing subjects*

*“The law of dispersion” or “enunciative divergence” (Foucault, 1968/1998, pp. 314-5).*

Foucault’s second “law” addresses the multiplicity of subject positions offered in any discourse. His observation addresses the expectation that all participants in a discourse might expect to be “coming from the same place” and have the same perceptual fields. However, Foucault finds that any discourse appears to be characterised by a multitude of perspectives each based on their own metaphor. This observation he called the law of “enunciative divergence” (p. 315), and “the rule of formation of all its syntactic types”, (p. 320). He notes (1968/1998, p. 314) that one might assume that a discourse would be characterised by “one way of seeing things” by “one graphing of the perceptual field” and concludes that within discourses, there are many dispersed heterogeneous statements and statistical calculations which support and exclude each other at different times. Metaphors are one way of accessing particular perspectives, as they represent organising schemas that underlie and emphasise particular world-views, thus indicating subject positions (Foucault, 1968/1998, p. 314). They offer paths by which the object may be approached. Foucault’s law notes that in any given discourse these will reject or refuse each other in a particular way.

In this law I find explanation for the multitude of theoretical approaches discussed in the previous chapter. Therapy has always presented itself through an abundance of metaphors and dependent/continuous praxes. These have traditionally fallen apart into

the three major strands of psychodynamic, cognitive behavioural and humanistic-existential therapies. This “law” provides an explanation not only for the variety of theoretical perspectives, but also for the competing value systems observed in the previous chapter. Providers and therapists see things differently. In this analysis one would have to ask what is here avoided? Eaton (2002) might find that this was morality.

### 2.3.1.3 Performing statements

*“The law of...insurmountable plurality” and “disunification” of the “theoretical network” (Foucault, 1968/1998, p. 318).*

Foucault notes that one might expect that even if metaphorical perspectives invite different subjects, we might agree on theoretical concepts and be able to transmit these in a unified way, agreeing on how our observations are recorded and transmitted - using the same theoretical tools. However, the rule of formation of its semantic elements observes that our very sentence structure, syntax and choice of words recognises power in different places. Statements, the basic unit of discourse, present and exclude meanings, diverging from each other in different patterns in different discourses. Grammatical consistency, and therefore the ability of any set of signs to transmit a coherent concept, appears lacking to Foucault in any discourse.

In the previous chapter I considered the problems raised by differing epistemological positions in the “psy” professions. Foucault’s third “law” expands this observation by directing attention to the very basis of logic and formal structure, and finding here a “disunification”. This law accounts for the falling apart of “how” and “why/what” questions and sees epistemologies divided by quantitative and qualitative dualisms as essential parts of a system in which “why/what” answers become the dominant terms. If the very statements that produce this logic have a different weave, a different dance, a different gravity, a different internal relationship, then *how* we know *what* we know is challenged at a different level. Not only is it possible to account for the quantitative/qualitative dualism, but also the problematic nature of counselling interventions. As Moodley (2000) notes, “the grammar and syntax of counselling provide the rules by which the sentence of therapy is constructed” (p. 7).



Therapists differ over how to direct sentences towards statements of agency, working with metaphors (e.g. Freud, 1965; White & Epston, 1990), or re-positioning (e.g. White & Epston, 1990), or using positive language (e.g. de Shazer, 1985). Some therapists direct linguistic utterances towards feelings, some towards cognitions, some towards behaviours. Where Bandler and Grinder (1979) urge the use of concrete nouns, “anything which can be put in a wheelbarrow”, and Berne (1961) sees agency in denotive, “logical Adult” language, Gestalt (Perls, 1969) therapists might urge towards cathecting feelings, whilst Janov (1973) might relax with a primal scream! This confusion is echoed on a larger frame in the quantitative/qualitative debate and differing epistemologies.

Foucault further divides this axis into four sub-strands, thus identifying different ways in which statements, removed from meaning, may be approached. “Attribution” draws attention to the verb-ties or linkages that perform who does what and in what manner. “Articulation” invites a comparison of the signs with the signified. It draws attention to the range of concepts made possible. In this manner, statements can be viewed from different conceptual levels. “Designation” observes the manner in which conventional or spontaneous signs are engaged. This allows taken-for-granted meanings to exist alongside spontaneous utterances. It covers the use of facts and emotions. It observes formal and informal categories. Finally, “derivation” observes the historical correlation of words and phrases and their contribution to “*connaissance*” or understanding. Together, these approaches, or strands, allow the comparative description of “what can be put in a wheelbarrow”, Janov’s “scream”, the origin of cathexis and the taken-for-granted meaning of “Gestalt”. In this manner, Foucault describes the statements through which one “does” logic.

#### 2.3.2.4 *Performing actions*

*“The law of formation and dispersion of all possible options” within the “field of strategic possibilities”. This is “the rule of formation of all its operational eventualities” (Foucault, 1968/1998, p. 320).*

Foucault notes in this “law” that one might expect that all participants in a discourse might have a unified goal or similar opinions in relation to a desired outcome or target of action. However, instead, he observes an increasing divergence and complexity of opinion in relation to the object. This presents different options for agency. Any discourse has, thus, within it, and even exists because of, a wide range of strategic possibilities. These are often expressed in binary oppositions. They predicate the range of choices available and in fact, become the sine qua non of choice.

This “law” is responsible for the contested agency discussed in the previous chapter. It is ultimately responsible for the private/public dualism. At any given moment during therapy, therapists are challenged in this position in relation to the client. Do they take a more agentic position in standing alongside and supporting, or in confronting in a more oppositional stance? What is the relation between these differing stances? The dilemma is crucial and finds expression in the professional opposition of co-operation and competition as noted by Miller (2003). It is evident inter-personally in supportive versus oppositional or challenging strategies, and it is evident intra-psychically in intrusion versus distancing (Dalenberg, 1997) and in the recommended balance of “surface” and “depth” work (McGregor, 2001). It determines, ultimately, the decision to engage in private therapy or political action.

A similar major operational divide or “falling apart” characterises all discourses in Foucault’s view. It becomes responsible in large part for the self-perpetuation of various discourses. Each strategic alternative offers the platform for critique of its opponent. Neither can exist without the other. Yet in this contest, some other possibility escapes detection.

Foucault has thus pre-dicted problems that interrupt my professional consciousness, making me question my own subjectification, the usefulness of the work I do and my own relation to power. He has also inextricably linked the concept of discourse in my consciousness to counselling problematics. His analysis becomes a central part of my thesis as I seek to re-think ethical guidance for counsellors.

In order to apply this analysis to ethics, one would have to remove them from hermeneutics - from those horizontal continuities (Faubion, 1998, p. 297) that are taken-for-granted meanings - and view them spatially as established discursive forms. A re-thinking would bring to light vertical discontinuities, the gaps and spaces that describe their immediacy (Foucault, 1968/1998). This approach has the potential to interrogate differently the position taken by ethical therapy in relation to the previous controversies/problems. Ethics are thus removed from object category to discursive formation.

#### **2.4 Deciding on a structure: Layout of the thesis**

The manner in which my “docile object” would be approached begins, now, to take shape. A Foucauldian analysis, in this interpretation, would dissect the five ethical discourses along the four axes identified in the “laws”. But first the scope of the discourses themselves needs identifying. In so doing, I take the genealogical approach described by Foucault himself in the early 1980s, when asked to reedit his own entry into the *Dictionnaire des Philosophes* (Florence, 1998, p. 459). In an attempt to circumvent “anthropological universals” I will proceed backwards to those historical constructs and concrete practices, which here constitute counselling.

Each chapter will take a separate ethical principle and track its origin in philosophy and its subsequent movement, rejection or accommodation in the “psy” disciplines. Each chapter will then identify the concrete practices through which this principle is expressed by considering, specifically, the NZAC COE. Following that, the discourse identified will be subjected to analysis along Foucault’s four strands, by removing it as far as possible from hermeneutics. In this manner I hope to identify that which the discourse is at pains to avoid. The chapters of this thesis will then be as follows:

1. Introduction
2. Methodology
3. Autonomy
4. Fidelity
5. Justice
6. Non-maleficence

## 7. Beneficence

## 8. Conclusion

As already noted, Foucault (1968/1998) contended that discourses are founded on exclusion and are inherently maleficent. He writes:

Every manifest discourse secretly rests on an “already said”; but this “already said” is not just a phrase already pronounced, a text already written, but a “never said” - a disembodied discourse, a voice as silent as a breath, a writing that is only the void left by its own trace. (pp. 305-6)

What are the “never saids” in ethical therapy? Foucault’s suspicion of exclusion echoes my own unease about the material effects of a presumably benign intent (therapy). Furthermore, for Foucault (1967/1998), these exclusions express a malevolence. They are, thus, unethical. (See Chapter 6, Non-maleficence, for more discussion.)

Beginning with the 19<sup>th</sup> century, beginning with Freud, Marx and Nietzsche, it seems to me that the sign becomes malevolent, I mean that there is in the sign an ambiguous and somewhat suspicious form of ill will and “malice”. And this is to the extent that the sign is already an interpretation that does not appear as such. Signs are interpretations that try to justify themselves, not the reverse. (p. 277)

By removing the signs from their justification through exposing the operation of Foucault’s “laws”, I hope to allow the “silent breath” to emerge and take, if not verbal, then at least imaginary form.

The final section of each chapter suggests new possibilities in re-thinking each ethic. Bringing into discourse that which has been excluded is in itself problematic. By definition, that which is discursively spoken must, of necessity, exclude some other “truth”. This section, therefore, may foreground what is beyond words, including

imagery, irony and affect. To this end I also include several fictional accounts or “mystories” (Lincoln & Denzin, 2000, p. 1055) which are presented in boxes throughout the text.

## **2.5 Using discursive methods**

Discursive methodologies are still new and not clearly defined (McLeod, 2001). Although Parker’s (1992) definition, “a discourse is a set of statements - words and phrases - that construct objects, that give shape to things outside language so that those things become real to us” (cited in Parker, 1998:66), the manner in which these statements are approached varies widely. Antaki, Billig, Edwards and Potter (2004, p. 1) source a range of methodologies, which include conversation analysis, critical discourse analysis and poststructural and Foucauldian thinking. As Willig (2001) notes, discursive perspectives vary amongst researchers who find such an approach useful. She indicates two increasingly diverging strands: discursive psychology, which investigates “*how* participants use language to manage stake in social interactions” (p. 121) and Foucauldian discourse analysis which investigates “*what* [italics added] characterizes the discursive worlds people inhabit and what are their implications for possible ways-of-being?” (p. 121). Yardley (1997, p 32) defines the two types as “microanalysis” and “macro-level” analysis. Although there have been several calls to combine the two approaches (e.g. Potter & Wetherell, 1995) and although both Burman (n.d., p. 5) and Antaki et al. (n.d., p. 10) agree that “good analysis always moves convincingly back and forth between the general and the specific”, Burman’s question, “what is ‘convincing’ to whom, and why?” indicates the difficulty involved in any consensus.

Both forms of discursive work struggle to take their place as valid methodologies within the more dominant positivist paradigm, although both have made significant impact on the social psychologies and, indeed, psychotherapy. Antaki et al. (2004) address the common criticism that “anything goes” in discourse analysis by calling for its more rigorous application. Whilst agreeing with the need for rigour, Burman (n.d.) takes this argument further, situating Antaki et al.’s more limited version within a wider political and ethical spectrum. This view, which is closer to my own, questions the illusion of control in the former accounts, replacing it with transparency and

responsibility. Engagement with the ethico/political also invites consideration of the possibility of moving the realist “what” from its associations with text, to the material edges of discourses (e.g. Parker, 1992 and Yardley, 1997), noting where their power is inscribed on material bodies, resulting in the movement of things.

### ***2.5.1 Situating within the range of discursive approaches***

My chosen approach is both challenged by and challenges the two possibilities. Although drawn to the form of critical Foucauldian discourse analysis presented by Parker (e.g. 1992, 1997, 1998, 1999), Burman and Parker (1993), Burman (e.g. 1991, n.d.) and Burman, Aitken, Alldred, Allwood, Billington, Goldberg, Gordo Lopez, Heenan, Marks and Warner (1996), using Foucault’s early (1968/1998) work and use of the term “law” in his theorising, raises some interesting epistemological issues. The term has more structural overtones and seems to sit uneasily with poststructural concerns, which query grand narratives. Indeed, Drewerey, Winslade and Monk (2000, p. 244) name “the rejection of reliance on psychological ‘laws’”, as a “central feature of postmodern therapy.” Although Foucault’s quadrant is appealing in its ability to corral my “docile object”, how will I avoid “fictioning” another “fact”?

Yet Foucault’s observations foreground the fickleness of the operation of power relations. Facts are not so elusive, not so transitory. In my understanding the “laws” are more process observations than content analysis. Far from being static, they describe the operation of power on several inter-relating and ever-changing axes. They describe not discourses but discursive formation. Foucault (1968/1998) writes:

This four-level system which governs a discursive formation and has to explain, not its common elements but the play of its divergences, its interstices, its instances, its distances - in some sense its blanks rather than its full surfaces - that is what I propose to call its positivity. (p. 321)

Foucault’s positivity is not positivism. Its terms are different. The “blanks” and “divergences” are axes of focus, points of incision or fault-lines. In this subversive way, by using these laws, the early Foucault is using analysis to shift our gaze towards

deflection and what is omitted or avoided. Foucault's question, *how* is a subject (Danaher, Schirato & Webb, 2000, p 153; Marshall, 2003, p. 48) thus avoids the objectification, the fact, of *what* or *who* is a subject. In this manner, as Peters (1998, p. 4-5) notes, structuralism begins to critique itself.

In this thesis I propose to address both the “how” and “what kind of” discourse. Where the first part of each chapter will draw themes from taken-for-granted meanings, the “what”, the middle part, using Foucault's axes, will consider “how” these themes are fictioned. This structure will allow me to move from the specific to the global. The final part of each chapter will foreground what may have been excluded. In this I engage the political and ethical domain.

#### Format for each chapter

- Situating \* in philosophy
- Situating \* in psychotherapy
- Concrete practices through which \* is performed (NZAC COE)
- Application of Foucault's four “laws”
  1. performing objects
  2. performing subjects
  3. performing statements
  4. performing actions
- Exclusions: what is \* avoiding?
- Suggestions for a new ethic of \*

Key: \* represents the relevant ethical principle.

#### ***2.5.2 Ethics, discourse, critical theory and deconstruction***

An interest in ethics necessitates taking a critical view of any methodology (e.g. Sheffler Manning, 2001, p. 185). To this end, I intend to use a variety of theoretical tools. In particular, I find useful the French poststructuralists with their critique of

humanism's agentic subject, and "permanent suspension of representation" (Peters, Olssen & Lankshear, 2003, p. 3). This allows for both a Foucauldian theorising of discourse, which performs taken for granted truths, and the possibility of an unsettling. In particular, I refer to Derrida and Lyotard's exploration of difference, Levinas' more embodied interest in the impact of the other's face. Their interpretation of ethical involvement is to me preferable to Foucault's (1997) view of ethics as an "aesthetics of the self". Equally significant to me, are the writings of Kristeva and Irigaray. They speak to my symbolic soul, and I base much of my thinking in feminism. However, I also want access to the more positivist views of Freud, Marx and science - as in my description of fracturing rocks.

In drawing on the above sources, I am using critical theory in the way it is defined by Peters et al. (2003, p. 16) as "work that is broadly critical in both a reflective and a reflexive manner". In referring to "the reflexive turn" Peters et al. are referring to a meta-level inquiry into reason's credentials (p17). Tierny and Rhodes (1993, p315) find critical theory particularly useful in working with post-modern concepts, since in their view, both are concerned with interrogating moral absolutes, power and difference. McLeod (2001, pp. 13 & 49) also sees a form of critical thinking as intrinsic to all good discovery-orientated research. Such critical thinking disturbs and unsettles established meanings. It "brackets off" "taken-for-granted" meanings. It is thus employed alongside any methodology.

This "bracketing off", however, must for me, go further than simply unpicking a "fiction", exposing a binary. It must give a glimpse of something new, beyond and becoming. In this a return to Derrida is indicated and this thesis follows Parker (1998) in working with both Foucault and Derrida. As Biesta (2003, p. 640) notes, "references to deconstruction have often involved little beyond highlighting and dismantling taken-for-granted textual assumptions". Although that may have its value, it is not enough to simply unsettle, or even resist, the dominant story - a point similarly made by Burman (1991). The original use of critical theory was, after all emancipatory in intent (Habermas, 1990; Kincheloe & McLaren, 1994), and in Peters et al.'s (2003) view, remains so. The door must remain open, or at least unlocked according to Biesta (2003) and Derrida's "condition of possibility" is different from



Foucault's. Where Foucault addresses the relations of power that *constrain* possibilities, Derrida aims to open them up. Caputo describes Derrida's *difference*, which is what deconstruction is all about, as a "quasi-condition of possibility because it does not describe fixed boundaries that delimit what can happen and what not, but points a mute, Buddhist finger at the moon of uncontainable effects" (Caputo, 1997, p. 102). For Derrida (1992a, p. 25), after all, deconstruction *is* justice. This thesis, also, is concerned with moral effects.

Nor, for me, is it enough to live with the difference once exposed. There is also a problem in therapy's advice to "hold the tension", "maintain balance" "use the creative tension" and "timing", all of which imply management of a supporting dualism. Derrida's work, in my opinion, goes beyond this. The parasitism of deconstruction described by Hepburn is but a beginning, where both/and becomes the "fixity" that deconstruction seeks to avoid. Hepburn writes (1999, p. 641) that Derridean deconstruction is disruption of a binary. "Deconstruction does not 'exist' outside its highlighting potential within texts...(it) is parasitic on the fixity of binary oppositions". Yet, since "it is precisely the ontological move which describes one thing as another that Derrida wants to resist", it becomes in itself an "undecidable". Derrida's work is thus far from parasitic in its creative potential. In his affirmation of difference - in the aporia - there is also a form of active certainty that Neiman (2002) notes when the *is* and *ought* come together. (See Chapter 6, Non-maleficence, for further discussion.) Derrida (1992 b) writes:

I will venture to say that ethics, politics, and responsibility, if there are any, will only ever have begun with the experience and experiment of the aporia. When the path is clear and given, when a certain knowledge opens up the way in advance, the decision is already made, it might well be said that there is none to make; irresponsibly, and in good conscience, one simply applies or implements a program. (p. 41)

Direction emerges compellingly out of this use of deconstruction. Furthermore, in Derrida there is a lightness in the process which is missing in Foucault and which becomes stasis in therapeutic advice. Through writers such as Derrida, Baudrillard

and Deleuze, deconstruction became a joyful possibility. If one follows Derrida, it is in “the de-centering of structure, of the transcendental signified” (Peters, 1998, p. 6), an activity, a process, which brings back the joyful play, which is the heart of deconstruction. Thus, like Scheurich (1997), whilst acknowledging a debt to Foucault, I do not want to be captured by him, and will use other poststructuralists to open up other possibilities.

### ***2.5.3 Including the material effects of discourse***

Throughout this thesis I will be following writers such as Venn (1998, p. 150), Willig (2001, p. 120) and Yardley (1997, pp. 42-44), who point to the importance of developing a theory of materiality. The material effects of discourse are of specific interest to those who are marginalised, colonised or exploited and who point to relationship with resources, rather than resourceful ways of thinking. Their consideration is vital for the well-being of the planet and our on-going material existence. The relativist critique of poststructural accounts in therapy (e.g. Burman & Parker, 1993; Held, 1995; Hepburn 1999, 1997; Parker, 1992) indicates a lack of focus on substance, an omission of relationship with the material. This view is shared by Scheurich (1997), who writes:

Social science research, for the most part, does not address gross material reality...When we conduct research, we are typically little concerned about just the sheer movement of bodies or the sheer existence of things; instead we are mostly concerned with interpretations. (p. 161)

For Foucault, although discourses have material effects (Foucault, 1980) they are not the central focus of his work. (See also Willig, 2001.) Yet, any work that is interested in either the environment or social justice needs access to a form of thinking which can re-cognise the material. Distribution of wealth, resource sharing, employment, educational qualifications, physical health and sustainability are all intelligible through a positivist discourse. Desire for what is perceived to be materially lacking is not readily assuaged through a relativist deconstruction.

I thus need access to a form of thinking which can encompass this perspective. Lincoln and Denzin (2000, p. 1052) recognise a form of inquiry that “seeks to ground the self in a sense of the sacred, to connect the ethical, respectful self dialogically to nature and the worldly environment (Christians, 1995, p. 129)”. This becomes my aim. In this I have found helpful, views from a range of sources: from cultural studies (e.g. Appadurai, 1986; Pels, 1998; Pietz, 1985, 1987, 1988, 1983), from post-colonial studies and justice (e.g. Wilson & Yeatman, 1995), from feminism (e.g. Eisler, 1993; Grosz, 1994; Held, 1995; Henriques et al., 1998), from philosophy (e.g. Midgely, 1994; Sterba, 2001), from medicine (e.g. Yardley, 1997), from neo-Marxism (e.g. Stallybrass, 1998; Youngman, 1986) and from ecopsychology (e.g. Fisher, 2002; Rozak, Gomes & Kanner, 1995). I have also found useful Walkerdine’s (1994) reworking of abstractions (cognition) as a “forgetting” of materiality. In this thesis, I have attempted not to forget.

#### **2.5.4 “Gleaning”**

Scheurich (1997, p. 2) comments, “in my view, postmodernism is Western civilisation’s best attempt to date to critique its own most fundamental assumptions, particularly those assumptions that constitute reality, subjectivity, research and knowledge”. The most common denominator in poststructural and post-modern approaches is, according to Peters (1998), a complexity of themes. However, the management of these themes becomes the researcher’s challenge.

In recognising the complexity of themes in my own approach I am mindful of the craft of “bricoleur”. Lincoln and Denzin (2000, p. 1061) write “like the bricoleurs of Levi-Strauss, we are creating solutions to our problems with makeshift equipment, spare parts, and assemblage”. As a woman, this is another “homecoming”. It has allowed me to reclaim the female equivalent, “gleaner”, in academic spaces. As a migrant woman, my constant task has been to construct my own genealogy - my whakapapa<sup>8</sup>. My tipuna, my ancestors, my creators, are many and often have no name. I roam widely. I gather, use, re-use and re-cycle. Reflexively, I stand indebted

---

<sup>8</sup> Whilst not wanting to appropriate the Maori term for genealogy, the image finds resonance - and possibly new meaning - for me. Whakapapa, in my understanding, is the acknowledgement of those who went before, yet still remain. Those who still live through me, and to whom I am responsible. They connect and support me.

to, re-cognise, those who through me retain a voice. I now find academic, poststructural verification in Lincoln and Denzin's (2000, p. 1060) note: "we are now the ultimate bricoleurs".

### ***2.5.5 Avoiding the "psychotic celebration of irrationalism"!***

Arguments that theorise the impossibility of separating the observer from the observed now become intelligible, acknowledging the difficulty in separating the methodology of observation from its generic context. Observed, observer and observation blur, like colonised little black Sambo's fearsome tigers, into post-modern butter! It becomes possible to theorise or re-imagine an epistemological/ontological collapse (Lyotard, 1984). What arises cannot be separated from the conditions of its origin any more than proof can be separated from the genealogy of that proof. If one is to escape the charges of "nihilism" (Jencks, 1992; Naas, 1992), contamination by the contagious "French disease" (Naas, 1992), "psychotic irrationalism" (Frosh, 1995), or "incoherence" (Hepburn, 1999), that critics of poststructuralism use to deny its validity, some relationship with common meaning must remain.

We might recognise the power of the postmodernist critique...but if we are to avoid the kind of psychotic celebration of irrationalism advocated by some postmodernists, we have to keep on trying to help people as if meaning can survive. (Frosh, 1995, p. 190)

There is a challenge here that will be tested in the marking of this thesis. However, in the journey towards completion, I have found invaluable another form of "research methodology" in the form of on-going discussion and collegial support. Since the beginning of this thesis, I have been part of a group of like-minded researchers, who have met to discuss some of the more difficult concepts and challenges posed by discursive inquiry. It has enabled our emerging voices and provided the safety from the very real possibility of charges of "psychotic irrationalism" that can result from "thinking otherwise". We have called this The Discourse Group. Inspired by the Manchester U.K. Discourse Unit, it has provided an atmosphere of collegiality,

empathic warmth and support. Some of our struggles and our history can be read in Bird, Cornforth, Duncan and Roberson (in press).

I have found that working with these theoretical perspectives has challenged the core of my being. A discursive perspective, in particular, has dissolved the established boundaries of my sense of self, and all I held true in the world. This has proved liberating and exhilarating. But there is a cost. The cost is at times in de-legitimising of self, as perceived by others. I am constantly aware of the need for protection. In addition, I have experienced a strong sense of violence - a sense of that which protects the edge of the taboo. This is hard to put in words - other than it feels like an encounter with malevolence. Other members of the group have shared this experience. Disturbing the existing relationships of power, as Kristeva (1980a) notes, can truly be a dangerous enterprise and not for the fainthearted.

All of this might have challenged my sanity and been fodder for arguments against post-modern navel-gazing. This could have truly supported the view of post-modernism as an invitation to psychosis - if one believed in truth, the self and the DSM<sup>9</sup>! However, the awareness that I am not isolated in these responses has been, if not life-saving, at least sanity-saving. Our group has found that an unsettling of the “self” of the researcher is a pre- or co-requisite for an unsettling of taken-for-granted truths (Bird, Beale, Cornforth, Duncan, O’Connor & Roberson, 2002). And an unsettling of the self cannot, by definition, happen in isolation. My conclusion is that meta-discursive perspectives, like bicultural initiatives (Cornforth, 2000), which also more materially challenge the establishment, should not be undertaken alone. I am indebted to my group’s support.

## **2.6 A note on style**

Richardson (2000) points to the use of writing as a further research tool. I have used my writing to locate agency differently. I do this to both challenge the primacy of that horizontal continuity, the self, and to foreground the morphology of knowledge. What might it be possible to say otherwise? I also wanted to make my work engaging in the

---

<sup>9</sup> American Psychiatric Association (1994). *Diagnostic and statistical manual of mental disorders* (4 ed.). Washington, DC: Author.

sense that it calls for a reaction in the reader. To this end I have allowed humour and irony, included “mystories” and identified several gaps that are not able to be filled by words. Keeping faith with the sensate, in this manner, becomes part of my project to clear a space for a theory of materiality.

## **2.7 The chapters**

In the previous chapter I outlined my version of the problem. I observed that counselling/ psychotherapy is a new profession which seeks to be ethical, but which is fraught with contradictions. I explained my desire to revisit some of its foundational propositions and re-think them, using poststructural tools. In this chapter I have described how I came to choose the five ethical principles as starting points. They both express counselling and psychotherapy’s philosophical base and act as a guide for practice. They should, thus, provide a framework within which to view the controversies mentioned in the previous chapter.

In re-thinking the influence and implications of these ethical principles, I will use a variety of conceptual tools. I favour a form of discourse analysis that allows both a meta-analysis, and a closer scrutiny of current practice. A central part of each analysis will be to subject each principle to Foucault’s (1968/1998) four “laws”. Each following chapter is devoted to one ethical principle. Each chapter takes a similar path, first going backwards to identify the philosophical origins of each principle. The themes identified will then be traced into the “psy” disciplines, and their concrete practices identified through a closer study of the NZAC COE. The discourse thus described will then be viewed through Foucault’s (1968/1998) lens. In observing how each discourse is performed, I seek to make visible what has been excluded. What other truths are there? What might be different? Although the aim of the thesis is not to find conclusions, I complete each section with some beginning suggestions for a more ethical practice.

The first principle to come under scrutiny, in Chapter 3, is autonomy. Therapy is deeply committed to autonomy and to the individual’s right to both privacy and freedom of choice. However autonomy falters when dealing with multiply constructed and multicultural selves, whilst self-formation has more often been addressed than

free will (Fraser, 1998; Scheurich, 1997). Is it possible to re-think this conundrum? Chapter 4 concerns itself with fidelity. Fidelity more commonly appears in the maintenance of good contractual and financial arrangements. It makes brief appearances in the literature and is fickle in its advice. Yet fidelity is the essence of trust and has a strong relationship with the therapeutic relationship, which is the sine qua non of all “good” practice. It seeks to ask how can one be safely with another? Chapter 5 introduces justice. A firm commitment to justice has been the very aetiology of the profession of counselling, in particular, and yet, it is questionable whether the world is a better place since its inception. What has happened to counselling’s concern for a just society? Furthermore, is it possible to re-think the rift between isolation and belonging? The next chapter, 6, considers non-maleficence and what it is to “do no harm”. It takes the view that in order to do no harm it is necessary to know what harm might be. Therapy’s good intent, however, seldom allows for such an exploration. Finally, Chapter 7 addresses beneficence. Burdened with the burden of proof, therapy has struggled in this arena. How *can* one *prove* the desire to help? The chapter seeks to find a rational place for what may be irrational.

In the conclusion I pull together some of the emerging themes that are common to each ethical sub-discourse. I present some irrational and some rational conclusions. I hope that these may speak to those desirous of good and those who at times find themselves in a web of deceit, or slough of despond. They challenge, in particular, the isolation of the self. They agree to some extent with the social construction of emotion (e.g. Harré, 1983, 1986) and with ecopsychology’s concern for, and immersion in the natural world (e.g. Fisher, 2002; Rozak, 1995). They question the autonomy of morality, resonating with Lacan’s (1977a) understanding of the unconscious. They find that morality, expressed as ethics, is similarly constructed like a language. They find that philosophy performs us through this and agree, with Foucault (1966/1998, p. 149), that “‘I speak’ runs counter to ‘I think’”. With Bauman (1993), I thus question the morality of ethical codes and envisage a radical upheaval of the “psy” disciplines. I find hope in Kristeva’s (1980) re-symbolisation of Lacan’s work and in the “indomitable” space she describes. I see in this the will to morality. The thesis also finds that there is still light and play and irony: that the sun still shines, the birds sing and the mist rises.

## Chapter 3

# Autonomy

*“Cultures that live by the values of self-realisation and self-mastery are not especially good at dying, at submitting to those experiences where freedom ends and biological fate begins” (Ignatieff, as cited in Fraser, 1998, p.1).*

### 3.1 Introduction

Therapy is deeply committed to autonomy and to the rights of individuals to make free choices about their own lives. This freedom can be a problem because it allows immorality, in the sense of separation from values, and isolation. Therapists spend much time dealing with the consequences of failed autonomy. Their tools are the traditional philosophical ones of either “re-thinking” or “re-growing” the client. Foucault (1968/1998), however, questions freedom. For him, an autonomous position would be one in which we are compelled, through language, to continually turn the world into objects. This means that “truth” becomes what is permitted. To argue against that is to risk being turned into (labelled) a mad or fetishised object. Other “truths” are violently excluded. This chapter argues that discourses of autonomy direct attention to an individual subject whilst objectifying and exploiting the natural, material and embodied world. It argues for a different form of reasoning.

The chapter begins by looking at the way in which philosophers have approached autonomy. What are some of the key problems in its articulation? It then considers how psychologists and therapists have taken on board or reacted to this thinking. How are these themes expressed and these problems dealt with, or exacerbated in therapeutic practice? A closer look at the NZAC COE then identifies those concrete counselling practices that generate autonomy. Following that, using Foucault’s four axes of formation, autonomy is submitted to a form of analysis that frees it from hermeneutics. This explores whether anything new can be learned by studying the performative aspect of the discourse. It gives a clearer picture of how exploitation is allowed and of autonomy’s role in maintaining the primary disjuncture of mind and



matter, of the rational and the immanent. The chapter concludes by considering possibilities which re-source autonomy differently and which allow a different relationship with the material.

### **3.2 Autonomy in philosophical texts**

Autonomy has two passionate early advocates, Emmanuel Kant (1724-1804) and Jean-Jacques Rousseau (1712-1778), a follower of Hume. It has presence in the two main moral systems devolving from their work. Both theorised autonomy differently, but both appear in agreement that reason, freed from influence, expresses autonomy, and is the pinnacle of moral thought. The continued influence of this idea sees autonomy placed at the top of Kohlberg's (1958/1981) scale of moral reasoning. Its traces remain in the universities' commitment to both academic freedom and moral guardianship. Autonomy is generally taken to mean an individual's right to make choices about his own life without any interference from others. It is argued that this enables us to think ethically. Although philosophers have argued for this right in different ways, all require a "leaving alone", a freedom from influence, a "clear head". This "negative right" originates in the two different theories of Kant and Rousseau: "leave me alone, I'll think it out" and "leave me alone, I'll grow out of it". In both cases, autonomy becomes a pre-condition for both rationality and morality.

In Kant's view, humanity is defined by the ability to reason without being influenced. Upon this ability rests not only our humanity, but also our ethical commitment to each other. Reason, thus argued, must be context-free. This is Kant's (1788/1994) "veil of ignorance" behind which individuals select and commit to "categorical imperatives". This is a philosophy of "do-as-you-would-be-done-by", in which principles are chosen on the basis that if no one had any vested interest, then all would want to abide by them. The freedom from vested, or any other evaluative interest, becomes autonomy and the basis for morality. In this, "man" is supreme. Kant (1788/1994) writes:

Everything in creation which he wishes and over which he has power can be used merely as a means; only man, and, with him, every rational creature, is an end in itself. He is the subject of the moral law which is holy, because of the autonomy of his freedom. (p. 39)

For Kant, the freedom to “think things out” on one’s own results in moral action. It becomes a right, which we must afford to every other thinking being. “Thinking things out on one’s own”, in Kant’s view is a form of “transcendental idealism” (Allison, 1999, p. 117). It is oppositional to any phenomenological understanding, which might involve the senses. In this, Kant draws a firm line between reasonable “man” and sensory contact with the material world. In his argument, rational man has priority - as well as permission to use.

Early texts also used the term “individual self determination” to describe autonomy, and it is in this form that autonomy’s most passionate advocate, Rousseau, argued for immanent rather than transcendent values - for freedom from restrictive value sets such as Christianity, in favour of an internal nobility which, given the right education, would find its expression in beneficent, intuitive, autonomous choices - for boys but not for girls, as Wollstonecraft noted (Putnam Tong, 1998). Left to themselves, “boys” will grow naturally into autonomy. Rousseau (1755/1994) proposed, in opposition to Kant:

“Do what is good for your self with as little possible harm to others.” In short, it is to this natural feeling, rather than to any subtle arguments, that we must look for the cause of the aversion that every man feels to doing evil. (p. 36)

Like Hume, Rousseau believed that ethical thinking evolved out of sensory awareness. He gives the example of letting the boy who has just broken a window experience living in a cold room, rather than beating him.

Whilst the philosophical debate based on the different positions of Kant on the one hand, and Rousseau and Hume on the other, has continued through the two succeeding centuries without being resolved (Singer, 1994), autonomy has survived in both camps. The continuing debate has contributed to the concept of a divided self, which will be discussed in the next chapter: an intuitive noble quality, commonly called the self, and commitment to a morally right act judged favourably by some ideal schema or governance. (See also Chapter 4, Fidelity.)

However, Hume's "passion" struggles to retain any primacy. Rousseau's "boy" does, eventually, learn the rationale for not breaking windows, becoming rational. Midgely (1994, p. 381) attributes this devaluing of emotional involvement to the wider context of "social-contract thinking". Presumably in this view, rather than risk the boy learning to live with the cold, the father would reason that the rest of the house was also getting rather chilly and help the boy fix the shutters! Although this would appear to be a debate based on a developing binary, with reason winning out over passion, there is one important similarity which needs emphasising: autonomy theorised in both positions requires a neutral space, a freedom from interference. This neutral space is also claimed by utilitarian reasoning, in Midgely's "social-contract thinking".

Autonomy appears in social-contract thinking, in moral philosophy during the seventeenth and eighteenth centuries and is a key player in the development of the liberal state. It rapidly found favour in a world governed by restrictive and punitive regimes. The emergence of the liberal state in Europe encouraged free-thinking and the valorising of the rational agent. Co-emergent with the valuing of free-thinking and free will is the valuing of a context of neutrality. This becomes the "negative right" that all citizens must afford to each other in order to claim the benefits of living together. This is the essence of social-contract thinking and the liberal state. One of the founding fathers of the liberal state, John Stuart Mill (1806-1873) maintained the need for a climate of neutrality to enable individuals to make their own decisions. According to Root (1993), Mill believed that:

Neutrality is necessary in order to promote autonomy...A person cannot be forced to be good, and the state should not dictate the kind of life a citizen should lead; it would be better for citizens to choose badly than for them to be forced by the state to choose well. (pp.12-13)

This is the foundational principle of Mill's utilitarianism (1861). Where Kant, Hume and Rousseau established a place for, the right to, autonomy, Mill linked it directly to

action. Mill's utilitarianism becomes, in a sense, "applied autonomy". In thinking things out, Mills argued, the truly rational man would choose that which brought about the greatest good. Only the infirm would seek instant gratification. "Men often, from infirmity of character, make their election for the nearer good, though they know it to be the less valuable", (Mill, 1861/1994, p. 203). Sterba (2001) notes, the strength of utilitarianism is in providing a methodology for decision-making. This also allows Davies (1991) to observe that although autonomy is not clearly defined, it is often used interchangeably with agency. Through applying utilitarian principles to the right to freedom from interference, autonomy, the "self" expresses itself in action. Other ethical principles such as social justice, beneficence and non-maleficence are sometimes said, as in Porter (1999), to monitor this expression of personhood.

There is, however, a problem in such freedom from interference. Some theorists have argued that it comes at a price - at the price of cutting ourselves off from feelings and values, from other people and from the natural world. This is the problem presented by Sterba (2001) in the three major challenges to ethics: environmentalism, feminism and multiculturalism. These call into dispute both traditional versions of autonomy. They question whether an ethical "self" can emerge, grow, out of a neutral container, and whether thinking, decisions made impartially, can be ethical. Christians (2000) attacks the separation of values from rationality, Gilligan (1994) argues that women's selves exist in relationship, and poststructural and multicultural theorists (e.g. Johnson, 1985) interrogate the Western concept of an isolated self.

Christians (2000) argues that this utilitarian approach, based on a commitment to an idealised context of neutrality, has come to pervade all enlightenment projects and concepts of rational thought. He sees, in the very articulation of what is assumed to be an ethical principle, the formation of a set of conditions that make unlikely any improvement in social conditions. He writes, "The Enlightenment's autonomy doctrine created the greatest mischief. Individual self-determination stands as the centrepiece, bequeathing to us the universal problem of integrating human freedom with moral order" (p. 134). He argues that the separation of morality from knowledge has not proved helpful in dealing with social problems. It has led to unethical experiments. It has ignored the influence of power. Utilitarian ethics are "clairvoyant

about aligning means and goals”. They make assumptions that individuals have their own internal morality and are able to align means and ends in an ethical manner. Furthermore the downgrading of emotion and intuition mean that no attention is paid to an “ethics of caring” grounded in “concrete particularities”. “Neutrality is not pluralistic but imperialistic.” It does not address “The War on Poverty, contradictions over welfare, and ill fated studies of urban housing [that] have dramatised the limitations of a utility calculus that occupies the entire moral domain.” He concludes, “The Enlightenment model setting human freedom at odds with the moral order is bankrupt” (p. 141).

This same enlightenment model forms the basis not only of rationality, but also of proof. Somewhat ironically, in order to manipulate variables, the scientific method also relies on freedom from contamination. Christians (2000, p. 135) writes, “Mill delineated the foundations of inductive inquiry as social scientific method. In terms of the principle of empiricism, he perfected the inductive techniques of Francis Bacon as a problem-solving methodology to replace Aristotelian deductive logic”. Following Compte, Mill argued that social scientists should limit themselves to factual data, out of which laws could be generalised. This particular emphasis ensured that the gathering of data should be value free as possible. Ultimately, the goal was to benefit society and the state. But in the meantime, human action was to be free from constraints. In Christian’s view, this has done the greatest harm, rather than good. In a climate of individual experimentalism, inductive logic and moral abstinence, autonomy’s genesis is accompanied by the separation of values from facts and ethical codes from practice. Such thinking has allowed such atrocities as the holocaust. It has allowed Milgram’s (1974) experiments as well as the de-politicising of professionalism. (See Chapter 7, Beneficence, for more discussion.)

This form of reasoning is also objectionable to many feminists. Carol Gilligan (1982, p. 89) raised a strong feminist voice against the male emphasis on individuation, autonomous action and “the presumed neutrality of science”. Turning criticism on its head she claimed women’s “refusal of blind impartiality” (p. 90), demonstrated a *different* form of morality, rather than an immature one. Women do not need to “grow out of” this, although they may have had to “think their way out” in order to be heard.

Gilligan (1982) proposed that morality and reason, for women, needs to take into account care, responsibility, relationships and all the emotional connection that they entail. She argued that the rational perspective excludes women from autonomy and moral reasoning.

A revival of social contract ethics in the twentieth century noted by Singer (1994, p. 13) has given rise to some attempts to bridge the gap between the two former dominant moral positions. In 1971, Kohlberg proposed six stages of moral development. Through this a child must develop in order to become a “fully functioning moral agent” (Putnam Tong, 1998, p. 155). The term “agent” is often used inseparably with autonomy. During the last two stages of this developmental sequence it is theorised that the child passes first through a utilitarian stage of “social-contract legalistic orientation” and finally achieves a more Kantian perspective “the universal ethical principle orientation”. This, for Kohlberg, is the pinnacle of moral development. In reaction to this, Gilligan’s research with pregnant women showed a form of moral reasoning, which placed emphasis on relationship and connections. She aligned previous concepts of autonomy with male norms and argues for recognition of a female form of moral agency. Gilligan’s (1982) *In a Different Voice* values both male justice ethics and an ethic of care. However, later works show her placing stronger emphasis on an ethic of care.

More recently, feminists such as Brown (1997), Held (1995) and Noddings (1986), together with communitarian ethicists, who stress the emphasis on culture and community, such as Féher and Heller (1994), Pateman (1970) and Wilson and Yeatman (1995), have challenged the individual, Euro-western, male aspect of moral agency. They argue for a more interdependent sense of self in which the conditions of neutrality give way to a recognition of values and interconnectedness. However, their arguments struggle for expression within the still dominant, rational paradigm. (See Chapter 5, Justice, for more discussion.)

Revisiting autonomy’s philosophical roots has thus shown Kant and Rousseau’s moral reasoning depending on freedom from interference. It has identified two approaches: a “thinking out” and a “growing out”. It has shown how these ideas were put into

practice in Mill's utilitarianism, becoming the foundation for decision-making in the liberal state. It has identified three dissenting voices: from critical thinking, feminism and multiculturalism. This section has taken the view that the issue at stake in these dissensions is the very freedom from interference that traditional approaches stress as crucial. The three dissensions bring to the fore the separation of values, connection and multiple selves from reason and autonomy. The traditional version of autonomy can thus result in immorality and isolation. The next section will consider what psychotherapy has done with autonomy.

### **3.3 Autonomy in the “psy” professions**

Therapy is deeply committed to autonomy. It also appears to be deeply embedded in the traditional philosophical perspectives of Kant, Rousseau and Mills, which appear to have become foundational to therapy. Therapy has inherited both the commitment (without autonomy there is no cure) and the problem (irrationality). Clients' problems are often because they have not been able to do the “cutting off” required by traditional philosophy in order to be reasonable, and the therapist's task is to help them do it better, by either “re-thinking things out” or by “re-growing” the client.

This section first looks at therapy's commitment to autonomy and then links clients' problems to the impossible task of creating a “neutral space” in their lives. It overviews the main psychotherapeutic approaches and relates those to the arguments of Kant and Rousseau. The section argues that so deeply ingrained is the traditional philosophical view, standard therapeutic methodologies cannot meet the challenges posed by environmentalism, feminism and multiculturalism.

Autonomy is firmly written into psychotherapy, although some inroads have been made by feminist and family therapists. Porter (1999, p. 53) observes that all helping professions accept the importance of autonomy, whilst Dryden and Feltham (1992, p. 258) write, “respect for the autonomy of clients is viewed by many (for example Holmes and Lindley 1998) as the ethical centrepiece of psychotherapy”. Kelly (1995) found that compared with the general population, counsellors valued autonomy and self-direction highly, whilst Bergin (1980) found clinical-humanistic therapists similarly valued autonomy and the rejection of authority. Although autonomy may not

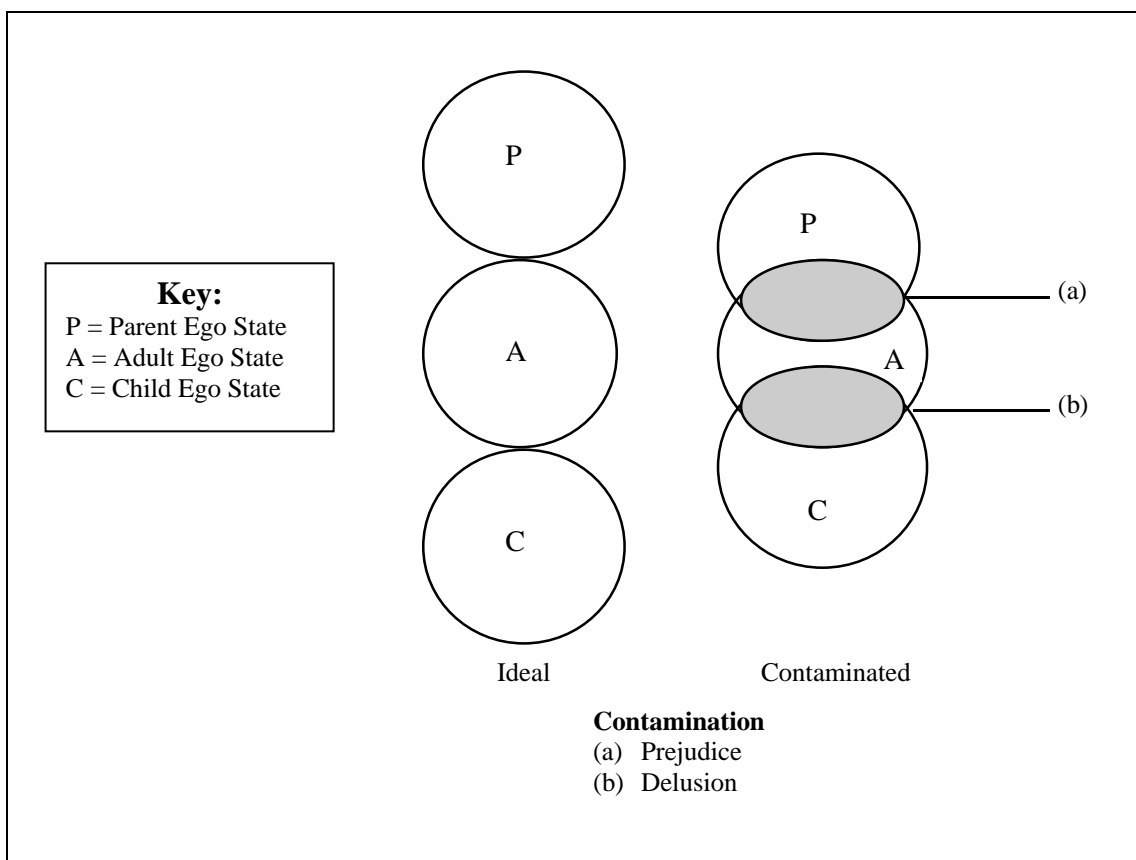
always be a prime value (see Chapter 7, Beneficence, for more discussion), respect for client self-determination (Bond's definition) is obligatory across NZAC, British Association of Counsellors and Psychotherapists (BACP), Canadian Counselling Organisation (CCA) and Psychotherapy and Counselling Federation of Australia (PACFA) ethical codes. Therapists prioritise enabling clients to become aware of their choices and make decisions about their own lives. Corey's (1996, p. 54) description, psychotherapy is a profession which is orientated to "decrease client dependency and to foster independent decision-making", is a standard statement of intent.

The corollary of this commitment is an understanding that without autonomy there is no cure. By extrapolation, therapy which has not enabled clients to "make satisfying choices", which has not "decreased dependency or fostered independent decision making" is failed therapy. In its common understanding as "self-determination", autonomy is dependent upon rational self-theorising. Here it becomes juxtaposed with dead selves. But *failed* selves, immature, immoral, non-functional or undeveloped selves might be capable of autonomy if allowed to "think things out" rationally or "grow and develop to their full potential", naturally, in a healthier environment. Problem and cure here exist in circular relationship as providing clients with a neutral space becomes then the task of therapy. This neutral space is exemplified both by the therapeutic, non-judgemental relationship (see Chapter 4, Fidelity, for more discussion) and in intrapsychic theorising.

Autonomy becomes one of the explicit and consistent markers for Transactional Analysis (TA) cure (e.g. Allen & Allen, 1988; Berne, 1964, 1966; Clarkson, 1992; Kandathil & Kandathil, 1997). Berne (1972, p. 362), who was passionate about cure, describes it in his own graphic way, as a client being able to "put his own show on the road". Berne's strength was an ability to express complex psychoanalytic theory in terms that also appealed to the understanding of the common person. Berne's views are relevant to this discussion because they express a common understanding of autonomy, which includes a graphic representation of the neutral space. Berne described all forms of prejudice and superstition in terms of reasoning being contaminated by parental messages and childish, magical thinking. His ego state diagrams graphically show the necessarily empty Adult ego state, free from



intrusions, being invaded by parental “shoulds” and childish “wants”. Autonomy in the TA literature presents graphically that which is implicit in other approaches: the neutral space that is a precursor of reason and morality. The ego state model shows the Adult ego state as that part of the psyche which responds to the here and now. It is the part that is theorised to solve problems and test reality. When the Adult ego state is intruded upon by either childhood superstitions and delusions, or by old replayed messages, called prejudice, from the past, then the Adult is said to be contaminated. One of the first steps towards cure is to de-confuse or de-contaminate - to empty - the Adult.



*Fig. 1: Ideal and Contaminated Ego State Diagrams* (Harris, 1969, p.95)

This descriptor of prejudice and superstition as intrusions into the neutral reasonable space becomes value laden and undesirable across modalities. It is said to inhibit free choice.

In the previous section, the neutral space that autonomy requires was considered contentious because it isolated reasoning from values. Traditional therapy has developed pathologies that describe as “immature” any thinking which fails to make the requisite separation. They range from immorality to psychosis. Passionate intrusions may be viewed as lack of control, over-reacting, instant gratification, addictive behaviour and mania. Unacknowledged, they may take the form of depression. Inability to separate from other selves is seen as dependency, unhealthy symbiosis, hearing voices and lack of assertion or immaturity.

Maintaining autonomy is obviously not an easy task. It is the common lot of humanity to be prey to the above conditions. Not only is freedom from interference hard won, but it is won at a cost. Isolation and loneliness have become the constant companions of modern man as the existentialists recognised. Baumeister (1991) describes many human conditions as attempts to escape from the self, whilst ecopsychologists such as Glendinning, (1995), Metzner (1995) and Shepard (1982/1995) argue that the pathologies of the modern condition express our disconnection with the natural world. The isolation imposed by an industrialised society has imposed an identity of an individual self, which has become burdensome to many. Denied humanism’s promise of autonomy, many people experience being reduced to ciphers (Rose, 1989) and consumers (Cushman, 1990).

Given that failed autonomy is so prevalent, therapy has at least two choices. It needs to get better at fixing non-autonomous individuals, or it needs to question autonomy itself. Whilst multicultural, feminist and family therapy approaches continue to tackle the latter; the former has become the more common task. As Cushman (1990) notes, the latter task is, after all, beyond the therapist’s job descriptions. (See Chapter 7, Beneficence, for more discussion.) Fixing non-autonomous beings depends on one’s view of the ontology of autonomy. In therapy the three main therapeutic approaches appear to exactly reproduce the perspectives of Kant and Rousseau. The current therapy of choice, Cognitive Behavioural Therapy (CBT), which developed in reaction to psychoanalysis, seeks to free clients from irrational thoughts, thus allowing them to “think things out”. Psychoanalytic and humanistic approaches, although they have different ways of approaching the problem, believe cure is in freeing an

individual to “grow straight”. Where psychoanalysis concentrates on enabling clients to pass through a series of developmental hoops, humanistic approaches believe that providing the right nutrient conditions will allow the self-actualising tendency (physis) of the organismic individual to flourish. These three approaches represent the first “three waves” of psychotherapy. Nor has the subsequent fourth multicultural wave (Pederson, 1991) been able to free itself from their legacy.

In the previous section it was argued that through autonomy, rational selves become separated from values, connections and multiple selves. Therapy would appear to value these exclusions. It stresses the importance of relationship, of cultural awareness and claims to be value-rich. Yet, in a sense they are still add-ons. Approaches which place culture in a central position, using a different concept of self, are less common than those which acknowledge culture as an afterthought. As McLeod (2003b) notes, assimilation has been the rule and new multicultural approaches are an emerging phenomenon rather than a norm. This is also witnessed by the lack of culturally-based therapeutic training. Roger’s foundational humanistic “core conditions” represent freedoms from interference. Genuineness, non-judgementalism and empathy can, after all be reworded as no surprises, no intrusions and no trickery, as will be seen in Chapter 4, Fidelity. Autonomy remains a core value and decision-making remains utilitarian.

In both “re-thinking” and “re-growing”, the ability to make autonomous choices relies heavily upon utilitarian reasoning. Thus “free from interference”, has come to refer to the ability to foresee the consequences of one’s actions. What end will this choice bring about? “Gillick competence”, named after the 1985 lawsuit, has come to be a referendum for those who would challenge the right to autonomy. If a person’s autonomy, or right to make a free decision about themselves, might be in doubt, then one must take into account their ability to foresee the consequences of that decision. Victoria Gillick sought assurance from a British local health authority that none of her daughters under sixteen years of age would receive treatment, including contraceptive advice, without her permission. When the health authorities refused this assurance, she took the case to the House of Lords, who endorsed the health authorities’ decision. Their rationale was that such a decision should be based on a person’s maturity and *whether a person*

*understands the implications* of the treatment proposed, rather than any age specific birthday. This finding, argued to support the rights and safety of young people, has continually been used in situations where underage children have sought independent medical advice and treatment (e.g. Jenkins, 1997). Autonomy is, thus, more commonly reasoned through utilitarian attention to ends not means. It has also been continually contentious, especially in relation to termination of teenage pregnancies. If a person is judged to have sufficient foresight in this manner, they are then afforded the right to autonomy. In therapy this entitles them to confidentiality, to freedom from unwanted interference by the therapist and to treatment.

Autonomy thus remains both the cause and the cure for therapy. It creates problems for clients and provides the solution for therapists. This somewhat ironic relationship is enabled by utilitarian reasoning, which projects consequences into the future. (For more discussion see Chapter 7, Beneficence.) “Thinking things out” appears to be the preferred approach. “Growing things out” still needs to leave the “Adult in executive control” (Berne, 1966). It is very difficult for more post-modern approaches, such as multiculturalism and feminism, to gain any ground, in a system so deeply embedded in a traditional rationality. In the next section I will look more closely at the ways in which a commitment to autonomy is expressed in practice, by studying the guidelines laid down in the NZAC COE (2002). Here autonomy is valued in the provision of a neutral counselling space, in affording respect and in being reasonable.

### **3.4 Concrete practices which generate autonomy**

The core business of counselling is, as stated in the NZAC COE (2002, p. 26), “to [help clients to] develop more resourceful ways of living and to bring about change in their lives”. The NZAC COE (2002) names autonomy as the third core value of counselling, after “respect” and “partnership”. In previous codes it had been the first principle. This is an interesting move, which may indicate a developing awareness of its problematic nature. The Association states its expectation that counsellors shall “embrace these core values as essential and integral to their work” (NZAC, 2002, p. 26). Autonomy finds expression in respect, in supporting the principles of the Treaty of Waitangi (TOW), in maintaining confidentiality, in informed consent and in “seeking to increase the range of choices and opportunities for the client” (section

4.6). Throughout the Code, counsellors are urged to be *reasonable* in decision-making. Despite these guidelines, autonomy has, however, been named as the most ethically contentious issue in therapy. This section will look at specific recommended practices, then at the problems which emerge and which ethical codes struggle to remedy.

Counsellors are elsewhere expected to “respect” cultural difference, colleagues, confidences, other professionals, diversity, the rights of children and counselling ethics. This implies a “leaving alone”, a working around, without evaluation or critique, but also an acknowledgement. Respect allows others the “freedom to” and becomes the foremost value in the 2002 Code. However, respect sits a little uneasily with “partnership”, the second essential value. Where one implies non-interference, the other expects some mutual accommodation or interaction. The Code thus struggles between allowing difference and working with it, particularly where biculturalism is concerned.

The emphasis on respecting cultural diversity is particularly challenging when applied to indigenous peoples. The NZAC COE has, particularly since the 1980s, had to face a peculiar problem in redefining autonomy in relation to the Treaty of Waitangi. A commitment to partnership with Maori challenges the individual nature of autonomy. Adjustments towards a more inclusive perspective have subsequently been made.

Counsellors shall respect the dignity and worth of every individual, the integrity of families/whanau and the diversity of cultures. This implies respect for people’s right to make decisions that affect their own lives, to choose whether or not to consent to anything that is done to them or on their behalf, and to maintain their own privacy. Exceptions to the principle of autonomy occur when there is clear danger to the client, counsellor or public at large and when the individual’s competence to make a decision is clearly limited. (NZAC, 1995, p. 12)

Later suggested re-writes of the COE have debated the alternatives of “Autonomy/agency/sovereignty/choice/self-determination” as well as, “respect for human dignity/worth/mana/sacredness” (Winslade, 2001, p. 21). This demonstrates the struggle to develop a bicultural theme or sub-text. “Sovereignty” and “self-determination” are highly energised and contestable terms that arise in any study of the Treaty of Waitangi. In the Maori-language version of the Treaty, as signed 6<sup>th</sup> February, 1840, Maori granted kawanatanga (governorship) and retained rangatiratanga (chieftainship). In the English-language versions, kawanatanga was translated as “sovereignty”. The subsequent debate hinges on this crucial issue, with Maori denying that they would ever sign away their sovereignty. In a sense, sovereignty becomes autonomy in Aotearoa/NZ. The inclusion of these perspectives in recent discussion indicates a move towards greater responsiveness as well as traces of an on-going struggle to integrate the value of autonomy within a different cultural perspective. A conscious choice was made by the membership, in 2002, to place “partnership” second on its list of values and before autonomy - but after respect.

In cases where autonomy is given to a group, as in acknowledging Maori sovereignty, then the right to autonomy normally afforded to an individual becomes problematic. Such is the case with confidentiality. If autonomy is allowed as of right to an iwi<sup>10</sup>, then what of an individual member who does not want the rest of the tribe to know he is seeing a counsellor?

Counsellors are committed to confidentiality and the Code devotes a page to its management. In protecting the client’s right to anonymity and privacy, counsellors are protecting their autonomy from external interference. Indeed it is often this commitment to confidentiality that has prompted counsellors in this country to engage in political activity. Basing their praxis on the privileged relationship of a priest to his parishioner, counsellors in educational settings have won some acknowledgement in the arena. The Courts and the Accident Compensation Corporation (ACC) have been less accommodating where public interest takes precedence (Ludbrook, 2003; Jefferson, 1998). Testing in this arena has led counsellors to define a “limited” confidentiality. Until subpoenaed by the courts, counsellors are advised to claim a

---

<sup>10</sup> Iwi, in Te Reo Maori, is usually taken to mean “tribe”.

privileged relationship where release of records and information about clients is concerned (NZAC, 2002, p. 31). In other situations, counsellors can incur a criminal penalty for breaching client confidentiality (Ludbrook, 2003, p. 82).

Other areas that are problematic for practices of autonomy are those of documentation and the management of third party relationships. Since these again raise issues of taking a privileged relationship into the public/professional arena, the problematics are similar to those of confidentiality, of informed consent and of the management of therapeutic processes.

Confidentiality helps to define the requisite atmosphere of neutrality within which autonomy is generated. However, when can the counsellor no longer tolerate, in neutrality, the autonomy of the client? How does the therapist deal with a self-destructive or murderous client? When can breaching confidentiality be justifiable? NZAC guidelines for permitting such a transgression or reversal, name danger to the client's self or others in the "immediate and foreseeable" future. However, despite utilitarian reasoning, the "immediate or foreseeable future" (NZAC, 2002, para. 6.2 c) is still, in spite of several attempts at closer definition, an arguable entity, as is the "risk of serious danger".

Through informed consent, counsellors attempt to protect the client from undue pressure or influence in any of their decisions, the course of therapy, or their internal sense of self. Engagement in therapy brings with it a large unknown, and counsellors in NZ are advised by the NZAC (2002, section 5.5) to forewarn their clients as best possible. The experimental nature of relationship-building and involvement in therapeutic process means that counselling outcomes cannot be guaranteed. To some extent clients thus offer themselves up as research subjects without adequate knowledge of the processes in which they may become involved. How, then, can they make fully informed and rational choices about their involvement in the process of counselling? Ultimately, and ironically, autonomy here relies on intuition.

Throughout the Code, counsellors are requested many times to be "reasonable" to use "clear and understandable" language and to take several sets of "reasonable steps". In

the previous example of informed consent, the NZAC COE uses a series of amorphous injunctions that may do little more than indicate the nature of the problem. Counsellors shall use “clear and understandable language”; they shall take “all reasonable steps” and give “age appropriate information”. This emphasis on rationality, which takes future consequences into account, becomes the hallmark of ethical decision-making.

As Drewery and McKenzie (1999) noted, autonomy is seldom debated as a core value in the counselling profession. And yet, Windy Dryden’s (1997) book, *Therapist’s Dilemmas*, identified key issues for counsellors around the managing of autonomy within a session. To what extent should the autonomy of the counsellor appear as in genuine responses, and secondly, to what extent should the autonomy of the counsellor take precedence over the autonomy of the client? Professional management of these two interfaces generated the most compelling of ethical dilemmas for the counsellors interviewed. Similarly, Bond (2000) identifies the facilitation of autonomy whilst maintaining respect as one of the most contentious areas in professional praxis from any ethical standpoint. It would seem obvious that relationships are not rational, yet counsellors remain committed to both. This has led to some contorted solutions. In *Therapist Self-disclosure* (Jones, 2003), therapists claimed they would refuse to respond to a client’s request, “what do you think?”, on the basis that they would sully their client’s neutral space. Yet all Knox, Hess, Peterson and Hill’s (1997) respondents named therapists’ personal disclosures as some of the most helpful interventions.

Autonomy, then, is not just theoretically problematic. It is problematic in its practical application. Despite laudable attempts to engage in dialogue with the membership and gather feedback and on the ethical guidelines presented in the Code, there are many situations in which one can only “be reasonable” and have thought things through. The core problematics, however, remain. “Being reasonable”, with its pre-requisite neutrality, may be, in fact, the problem. Autonomy of the individual falters where it meets the autonomy of one or more others, and it falters when it engages with social and cultural values.



At this point my intent is to remove autonomy as far as possible from hermeneutics, and apply a Foucauldian analysis. What can we learn by considering the manner in which discourses of autonomy are articulated? How is autonomy performed through language and subject positions? The next section examines autonomy in the light of Foucault's (1968/1998) four "laws". I propose that the discourse deflects attention from the exploitative nature of autonomy towards its (false) alignment with human subjects. Autonomy's function here is argued to contribute to the demise of the planet.

### **3.5 Rules of formation in discourses of autonomy**

Applying Foucault's four discursive rules to autonomy reveals a process of continual separation of subject from object: a relentless falling apart, in which subject takes precedence over object. Where a focus on meaning has allowed us to emphasise the formation of the subject: the agentic "I", discursive rules enable us to see an ongoing process of objectification. Through this, that which existed before objectification, becomes excluded, in particular, the natural world. Objectification in this argument *is* exclusion.

#### ***3.5.1 The disappearing object***

Autonomy is seldom clearly defined. It is used interchangeably with self-determination, governance, agency and freedom and morality. Autonomy equates to morality, rights, rationality and humanity for Kant and Rousseau. For the practitioner it is both the ability to make choices and a freedom from interference, a leaving alone. Berne's (1966) use refers to internal cohesion and deconfusion, and others such as Dryden and Feltham (1992) have equated autonomy with empowerment. The most common therapeutic usage is Bond's (2000, p. 47) description of autonomy as "literally self-governance". It is being resourceful and using one's resources. Davies (1991, p. 42) notes the interchangeability of agency, freedom, rationality and moral authority in the dominant humanistic discourses. Here, as agency, Davies sees autonomy as synonymous with being a person.

Yet, as argued earlier, autonomy is not the self, it is rather the conditions that allow the self to emerge. Humanism's focus on, obsession with, the self has created a diversion. As Scheurich (1997) writes:

We (in the West) think that the private conversations we have with ourselves, our “I”s, are the most precious thing. We typically assume that this self, our individuality, our subjectivity, our agency, exists outside of the cultural array, that the individual is an autonomous self largely in control of her/his actions, thoughts...In fact, this is inscribed in our legal system...Other cultures similarly produce different kinds of “I”s or selves, some of which are more group orientated, such as the Japanese, and some of which, like Zen Buddhism, teach its members not to have an “I” in the Western sense. (p. 164)

The sleight of hand which autonomy simultaneously performs is to produce an object at the same time a self. “I” can move mountains, think thoughts, cry tears, build houses and eat oranges. The mountains, thoughts, tears and oranges become through articulation, through autonomy, items, which can be manipulated and used. These become Lynch’s (1985, p. 124) “docile objects”. They become the resources which Kant placed at our disposal and which lose autonomy through foregrounding the “I”. Autonomy provides access to resources.

It has been argued that this process of “naming” an object results in a separation, a loss for the “I”. Berne’s (1966) boy crying out in delight in seeing a bird, is elevated to autonomous manhood by receiving its name. “That’s a sparrow...” father says, and things will never again be the same for the boy-man. However, that is to retain a humanistic, self-centred focus. For the sparrow things are also different. Since man became autonomous, the natural world has never been the same. Autonomy has allowed exploitation and eradication.

In Foucault’s first “law”, not only is autonomy dispersed in several meanings, it also facilitates a dispersal, an exclusion through which the natural world loses its autonomy. Furthermore, agency, being a process, is continual. In order to retain autonomy, the subject thus produced must continue to produce different objects.

Repeating the *same* thing leads to madness. Autonomy, thus accompanies *continual* change to which the reasonable man at times appears to be condemned.

It may be argued that this process also excludes and objectifies, many “others”: minority groups and women in particular. Whilst this is recognised to be the case, Foucault’s second “law” does allow a reversal, which is not, in autonomy, available to the natural world. Women have now the vote, but animals have few rights. This will be considered in the next section.

### ***3.5.2 Different perspective/ subjective fields***

Foucault’s second “law” concerns the formation of subject positions. How may autonomy be approached or viewed? Autonomy requires the continual reconciliation of two main perspective fields, as a donor who *allows* freedom from interference and as a recipient who experiences it. How are autonomous agents in plural allowed? Autonomy requires an “I”, but can two or more “I”s simultaneously exist? An “I” exists because it is allowed to exist by another “I”. An object, having been cast out of autonomy in Foucault’s first law, has not the agency to allow a subject.

Thus “I” am autonomous, and “I” must also allow the other to be autonomous. This becomes problematic if both subjects want to name, control, or produce the same object. What happens when both “name” and objectify, the same house or partner or job? A turmoil, sometimes named desire, intrudes. According to Lacan this is the resulting turmoil between “needs” and “demands” (Appel, 1998, p. 29) with recognition being the goal. In Lacan’s (1953) theorising, to be a subject, to be able to say “I”, expresses both a desire for recognition of the other, in which he simultaneously becomes an object for the other. Lacan’s theorising evidences the circular nature of autonomy for those who place primacy in human subjectivity. He writes, (1953/1977, p. 86) “I identify myself in language, but only by losing myself in it like an object”. Lacan’s theorising does evidence the problem that a commitment to autonomy entails: that of a “letting stand alone” and a “standing alone”. I think this thought only if I allow myself to be autonomous. I speak this thought only if others give me the speaking rights. Claiming an autonomy, which does not express the other’s desire, is as dangerous as speaking out of turn.

But, in order to say “I”, he must also want an object to manipulate. In language, “I” does something to an object, although an “I” only exists by permission of another. This escapes in the Lacanian ambiguity that separates biological needs desirous of things, from desire for the love of a subject (Appel, 1998). Further implications of this will be discussed further in the next chapter, Fidelity. For now, I note the struggle of autonomy to maintain subject positions at the expense of the material object. I also note the theorising of desire in indicating subject positions.

Davies (1991, p. 42) develops this further in the poststructural theory of the discursive origin of desire: “our patterns of desire that we took to be fundamental indicators of our essential selves...signify nothing more than the discourses, and the subject positions made available within them, to which we may have access”. With Harré, she refuses Lacan’s overly deterministic position, and finds freedom through the writing and speaking of utopias (Davies & Harré, 1991, p. 52). Here are the multiple subjectivities that attempt to unpick the autonomy of the “I”. Yet the poststructural interest in multiple subjectivities, ironically, parallels the *reduction* of multiple positions within our wider ecosystem in the extinction of multiple specie positions. A return to Lacan sees desire founded in a lack. Following Lacan, I will argue in this chapter that desire for autonomy *is* founded in a lack. But for me this is not Appel’s (1998, p. 29) “*unachievable* [italics added] struggle for wholeness”, which requires another subject. It does not “mourn” with Butler (1997) for human contact, but rather for the broken connection between what was before both subject and object, our connection with each other and the natural world. Berne’s boy “felt for” the bird before he named it. We are so far removed from the bird that we are unaware of what it “felt”, if anything.

Subject positions are thus seen to be offered to donors and recipients. Yet sometimes it is possible for an object to regain a subject position. In the NZAC COE (2002), for example, traces of an emerging Maori autonomy could be found in references to sovereignty. In this argument, this reversal is not possible for natural objects. For them, autonomy becomes a one-way process of objectification. For autonomy is performed by discourse. One must operate according to the four laws to engage. One

must employ a certain form of reasoning. Only a subject can look at autonomy, since by naming autonomy an object becomes subject. If, dispossessed, I am aware of my dispossession and call for freedom (autonomy), since Kant and Rousseau, I become rational. A bird cannot begin to name these things. According to Foucault's (1968/1998) analysis, a claim to autonomy will also enunciate according to the third "law".

### ***3.5.3 "Disunification" in enunciation***

Discourses of autonomy are articulated by aligning a cluster of terms: "rights" and "responsibilities"; "to" and "from"; "freedom" and "protection"; individual and plural, in various ways. There are many possible combinations. Each allows a different relationship with power and subtle recombinations can redistribute autonomy in unnoticeable ways. Through these nodes of articulation, contesting "I"s can joust for ownership, for the naming, of objects.

Jonathon (1990) notes the problem in the "Prisoner's Dilemma". She identifies four ways in which the terms can be aligned and "truth" "fictioned", so that certain subject positions are privileged by being aligned with autonomy. First, as Midgely also notes, the terms are assumed to come in equal pairs. Second, it is assumed that altering one term will inevitably alter the other, and third, the terms can be attributed to either individual subjects or to groups of subjects. Switching these connections has different results for autonomy. Finally, the pair "freedom from" and "freedom to" can be recombined in ways that remove autonomy from certain subject positions.

Taking each in turn shows, first, that the above terms are often used as if they were equal partners in a pair. It is sometimes, for example, assumed that rights and responsibilities go together, that they have equal moral valence, and that every "to" will have its "from". Midgely (1994) also notes the problem and blames the exploitative potential of autonomy on:

The social contract, and, to suit it, that whole cluster of essential moral terms - right, duty, justice and the rest...The dictum that "rights and duties are correlative" is misleading

because the two words keep rather different company, and one may be narrowed without affecting the other. (pp. 376 & 383)

This leads to the second problem. If the terms were equal partners, one would assume that altering one would also, and in the same way, affect the other. Midgely sees that this is not the case. It could be argued that removing rights, such as the right to a certain standard of living, from the unemployed, for example, actually *increases* their responsibilities. They now have to find alternative ways of supporting their families.

The third problem can be seen in the taken-for-granted origin of rights and duties. This hinges on the attribution of singular and plural pronouns. It is commonly assumed that the state, plural, has the responsibility to safeguard the rights of the individual, singular. Jonathan (1990) marks the problem.

When we think unreflectively of “rights”, what comes to mind are individual freedoms - of thought, of speech, of movement, etc.- which grant us immunity from arbitrary interference by others. These we are accustomed to regard as basic to the life of the autonomous citizen. (p. 19)

We assume that this is part of the social contract into which we have willingly and metaphorically entered. However, and this is my fourth point, immunity is easily exchanged with power. “Freedom from”, easily slips into “freedom to”. Freedom *from* interference in religious practice, may slip into freedom *to* circumcise or bind feet or cover with a veil. Jonathan (1990) continues:

We accord, unreflectively, the same persuasive force to those rights which claim for us, not immunities, but powers - not “freedom from”...but “freedom to”. (p. 19)

In Jonathan’s (1990) argument these re-combinations have been used to support elite practices in schooling. Her “prisoner’s dilemma” leaves little choice for many in a market driven economy. Elite schools used the claim that parents had the right *to*

choose the school of their choice for their children. In effect, such individual rights came at the expense of the school's and the state's social responsibility. Jonathon argued that what was really being protected was the right of the individual schools to select individual parents, since not all parents had equal access to freedom to choose. Here philosophy's "negative right" has become a positive right for a limited few, with no responsibility taken to protect all right holders. Her conclusion is that these moves reinforce whatever has cultural capital at the time - here the New Right.

Feltham's (1995, p. 14) solution, as stated in Chapter 1, to the confusing range of counselling modalities was to advise the client that "only *you* can choose". This places minority group clients in particular in a similar "prisoner's dilemma". For example, Maori clients' choices are severely curtailed since there are very few Maori counsellors.

*Material* objects, including non-human organisms, have no access to and are never aligned with, "rights" or "responsibilities" either "to" or "for" or "from", as Midgely (1994) and Sterba (2001) observe. Although they may be partially protected and given limited freedom as in wildlife sanctuaries or reserves, this is never as of right, and it is literally never "without reserve". The perspective is more Kantian, where a duty of protection is afforded to those who are not, and never will be, autonomous. Again, discourses of autonomy perform a disenfranchisement of the natural world. But this disenfranchising is hard won. Separation from the natural world comes at a cost. The next section foregrounds the major duality that offers subjects different forms of agency in autonomy.

#### ***3.5.4 Strategic possibilities***

Foucault's fourth "law" is based on the claim that all discourses exist upon a major binary. This offers oppositional forms of agency. In autonomy, a major philosophical dualism has been observed between freedom to "think things out" and freedom to "grow things out". This major dualism becomes the basis of most therapeutic interventions, which will either seek to intervene to correct faulty thinking or allow feelings to emerge and the individual's organismic healing potential to take over. From these two positions have developed the two contesting giants of free will, which

alters thought patterns, and determinism, which sees genetic limitations. One reframes, “I’ll never be able to stop drinking”, as “refusing a drink is very difficult for me, however, I am able to get help by ringing AA”. The other allows the grief that goes with unacknowledged loss of a stolen child<sup>11</sup> and the use of alcohol to deaden the pain with, “take your time, I sense your pain”. Although the approaches are more commonly being combined, they still remain the main alternatives and carry with them characteristic subject positions, objects, spontaneous signs and verb alignments. Even increasingly influential social constructionist approaches, which might ask, “how does drinking stop you?” appeal to rational curiosity.

The operation of this law sees various sub-discourses ringed in as support. From these strategic possibilities a huge range of alternatives emerge, each developing its own sub-discourse. In *The Face-Off Between Will and Fate*, Fraser (1998) considers the dilemma posed when the famous artist, de Kooning, developed Alzheimer’s condition. Could his late works be called art? How is autonomy to be defined? Fraser’s argument shows how various other sub-discourses have been drawn on in order to maintain “thinking things out” as the dominant term.

Volunteerism tends to be the dominant term in discourses of agency, and is most usually demonstrated by acts of will. In contrast, determinism, ironically, tends to be the dominant term in discourses of the humanistic self. Where the concept of free will reinforces the male, rational, action-orientated paradigm, determinism in its innate, creative, sensory-linked more female form is allowed to a certain extent in the works of great artists. Fraser sees arguments for agency - whether deterministic or voluntary - dependent on the sub-discourses of elitism, anxiety, and adaptation. Such arguments are informed by discourses of adaptation in the tradition of Darwin. Fraser writes, “Pathologies of the will in the late 1800s were perceived to be indicative of evolutionary reversal”. As such, it is a genealogical universal that the elite succeed - others are eventually excluded. Conscious will is thus seen as an indication of superiority, both physiologically *and* morally.

---

<sup>11</sup> It is now widely recognised that the old Australian practice of removing Aborigine children from their families, to be brought up by the State, has contributed to the widespread use of alcohol amongst those affected.



Will is usually argued as oppositional to instinct or fate or spontaneity. Art needs access to a high level of creativity, but dominant discourses curtail the threatening influence of fate as the following debate illustrates. Possibly motivated by a desire to continue calling de Kooning's later works, art of the highest order, so that they would still fetch highest order prices, critics claim to have identified a deep seated, almost somatic intelligence - a "brain in the wrist", a "wristy, virile probing action of de Kooning's line" and "the cunning of the hand" (as cited in Fraser 1998, pp. 5-6). The point is, in order to stay aligned with the semantic features of the discourse of excellence, a declining de Kooning must be given a superior rationality, which extends to the body itself. Not everyone has an "I" which is a "brain in the wrist". The rest of us must make do with "the more conventional tools of self-reflexivity and conscious intention" (Fraser 1998, p. 16).

A debate has raged over the artistic quality of these works and the location of creativity in relation to will and fate. Significant in this debate is theorising based on the work of Oliver Sacks (e.g.1995), that adaptation is how we cope with disease. The genius is the one who copes best - who has special, deeply seated, talents (and will) - here neurologically based in the nerves - "the brain in the wrist". Autonomy, here the autonomy of genius thus becomes the *anatomy* of genius, lest the pendulum swing too far from an agency of will. In these arguments autonomy is given a biological basis, even more deeply entrenched in the cells of the individual self - but only for the elite. Here argued, to be human, one must know, be in control of, what one is doing. Fraser's argument sees rationality firmly marked as the dominant term. The spontaneous, the out of control, unless they can be argued to be governed by special genetic talents that allow a special kind of will, will always be less than human.

Fraser's argument begins to identify what might be excluded in discourses of autonomy and leads us on to the next section, Exclusions. Exposing autonomy to Foucault's four perspectives has identified a repetitive pattern of objectifying, individuating and separating. Individual subject positions are offered, conditional on continuing the pattern of objectifying. Objects must gain control over other objects in order to become subjects. Prepositional and verbal alignments provide opportunities for adjusting to and maintaining the inertia of the dominant system which prefers

“thinking things out”. Spontaneous emotional signs are erased in favour of the reasonable response. Autonomy’s original desire, thus viewed, becomes contained and suppressed. It is firmly located in individual persons and as such excludes the multiple, connected and material. Indigenous peoples, feminist initiatives and other cultural interventions, which attempt to break the singular hold represented in autonomy, have historically struggled. The natural world has no resort to autonomy.

Taking Foucault’s view of discourse thus, it is possible to view autonomy as an *illusion* of freedom. This view sees us continually compelled by the language we are born into, to see and make the world a certain way. Like King Midas, we must turn everything we touch to stone: by naming, objectifying other things and other people, we separate ourselves from them. This has the quite tragic side-effect of making us feel we are separate from, better than and in control of the thing we name. It is tragic because it has allowed us to harm (exploit) our planet to such an extent that life itself is threatened. And it has left many people with a deep feeling of sadness or alienation, which they try to control by producing more and more objects. The next section takes a closer look at what has been excluded. I argue that we need a different way of thinking in order to reclaim what has been excluded, and that we should not be put off by Lacan’s theorising in “desire is, thus, the narcissistic, unachievable struggle for wholeness” (Appel, 1998, p. 29). In my argument, it is narcissistic to assume that desire is for connection with another *person*. There is, after all, a whole world out there.

### **3.6 Exclusions**

What are these exclusions? Is there any “before” to an object? Before being so transfixed did anything exist? Fraser (1998) sees a desire for agency emerging out of, or energised by a desire to escape from, a fear of uncontrollable natural forces. Agency thus theorised becomes, ironically, escape, avoidance and suppression, and “free will” (agency) thus hypothesised becomes an industrialised society’s response to anxiety. The genealogy of this discourse is located in a landscape of terror - that of being overwhelmed by what is not human at all. Here I propose that autonomy contributes not just to elitism and exclusion, but also to avoidance.

In my argument, a closer observation of Foucault's four laws sees discourses of autonomy performing a de-materialising. Autonomy is here made responsible for turning the unruly organic: the animal and the botanical, and the even more terrifyingly unruly inorganic: landslides, tsunamis, ozone holes, the sea, volcanoes and the rest, into manageable, "docile objects". It turns Marx's beloved coat into a pawnable object (Stallybrass, 1998). It turns Berne's flutter of wings into a common thrush. As Yardley (1997, p. 17) notes, referring to Derrida's desire to shake the metaphysics of presence, "it is by naming 'nature' that we separate ourselves from it".

In performing this separation, discourses of autonomy draw attention *to* human subjects and away from fossilised objects. It is the "I" that is valorised in "autonomous". Autonomy is rarely theorised as the withdrawing of relationship with the natural world. The severing of connection once observed is more often redirected within a discourse that engages rational selves. In Lacan's theory, although every instinctual thrust becomes a challenge for the "I", the "I" remains dominant. Furthermore, the "instinctual thrusts" also become humanised. Emotions, affect, instinct, hormones, senses, all become located in lesser selves. In the "narcissistic, unachievable struggle for wholeness" the material object slips away, leaving a trace called desire. In Lacan's argument, it is human selves that seek fulfilment in each other. A child is theorised to long to be the object of the parent's desire. The child is not theorised to long for re-connection with the natural world, including its mother's arms.

In autonomy, the "spectre of humanism"<sup>12</sup> draws the eye away from the trace of its effect. This effect becomes a de-materialising, that became Marx's central, and often misunderstood, concern. He writes, "if we make abstraction from [the commodity's] use-value, we abstract also from the material constituents and forms which make it a use-value...All its sensuous characteristics are extinguished" (1867/1976, p. 128). Its trace is observed by Rose (1989, p. 124) in the turning of unruly bodies, "the mobile and confusing manifold of the sensible", into manageable ciphers. Durie (1998) also sees its trace in the institutionalisation of the marae and marae protocol. Absorbed by

---

<sup>12</sup> A play on Derrida's (1994) book *Spectres of Marx*, in which he discusses the traces left by Marxism in contemporary poststructural theory. The aim is to show how deeply ingrained is humanism's legacy. Transfixed by the ideal, we ignore its shadow.

the state as a form of governmentality, it loses its traditional base, which is connection with the land and people. Its autonomy becomes suspect. Similarly Young (1995) suspects the autonomy of the voter in a democratic system. Condemned to the isolated neutrality of the polling booth, the individual is deprived of the material warmth of human contact and ability to talk things out in a communicative process.

Defining what has been excluded in, and from, autonomy becomes problematic, for to name it is to create another object. In my view, the “material” is not a thing, but it takes different forms for different writers. Yardley (1997, p. 1) writes “the term ‘material’ simply signals attention to the physical features of human lives, including not only bodies and corporeal activities, but also our environment, institutions, technologies and artefacts”. Sterba’s (2001) environmentalism shows concern for non-human living things as Singer (1975) does for animals. Midgeley (1994) includes all that is non-rational, including islands, rocks, the senile, ecosystems and the dead (see Chapter 5, Justice, for complete list). Appadurai (1986) refers to “other things” in his seminal essay *The Social Life of Things*.

My own preference is to include all the above and describe the material as that with which we make sensate and immanent connection. In this way I attempt to avoid the separation of subject and object. I also hope to foreground a co-constructive interpretation of feelings, sensations, memories and desire. I will use Appadurai’s (1986) term “other things”. I contend that we connect with these “other things” through our senses, our memories and our intuition. We use an immanent form of understanding to, in a sense, “communicate” with them.

There is an increasingly strong voice maintaining that it is critically important for us to reconnect with “other things”. Many, like Sterba (2001), emphasise the fragility of the planet and our potential for what Guattari (2000, p. 2) calls “ecocide”. In addressing this concern, some demand a complete re-thinking of our relationship with “other things”, as do contributors to *Border Fetishisms: Material Objects in Unstable Spaces*, Spyer (1998). Some argue for a different form of rationality that takes into account reason’s interconnectedness with “other things” as do Bateson (2000), Walkerdine, (1994), and Guattari (2000). This thesis takes up the urgency. I too have

children and hope for a future for the earth. Walkerdine (1994) redirects us to the problems of autonomy.

Is it then that so-called abstraction is a forgetting by those who believe themselves autonomous, free and who have enough money and power to treat the world as a logical game, not a matter of survival...In this analysis, abstract reasoning is not the ultimate pinnacle of the intellectual power to abstract, a power essential to the rule of science in the modern world, but a massive forgetting which props up a fantasy of omnipotence of scientific discourses that can control the world, itself a huge fantasy given the present state of the world's ecosystem. In other words, forgetting, meanings, practices and the constructed character of the subject, produce a very special form of power and it is this power, the power of "western rationality", which has understood nature as something to be controlled, known, mastered...The earth, like life, is finite. This kind of thinking, to put it starkly, is destroying our planet and perpetuating domination and oppression. (pp. 72-74)

### **3.7 Unsettling autonomy in therapy**

The autonomous agent remains deeply embedded in counselling. Counsellors strongly support this pattern of objectifying in their valorisation of self-reflection and encouragement of client self-reflection. In fact, so strongly is the almost universal hold of reflective practice established, that I have some existential anxiety in formulating a critique. And yet, it seems to me that a repetitive pattern of object-formation is one that ultimately condones exploitation and is at odds with the beneficent intent of the "helping professions".

Counselling's stated intent "to help clients live more resourcefully" repeats a process of objectifying and enables exploitation. It does not foreground a *relationship with* resources. Although social problems and, indeed, an emphasis on social justice, more commonly have their genesis in the absence, the distribution, and the ownership of

material objects, individual therapy in the main traffics in the theoretical and dematerialised: the objectifiable.

Autonomy in time is always theorised as a limitless capacity. Its ongoing expression signifies what is human, limited only by death. And yet, discourses of resourcing and sustainability theorise differently. Autonomy carries within itself the seeds of its own demise. If autonomy continues unchecked, the end of life, autonomous or otherwise, on this planet is argued to be certain and soon. Even though “choices” made here ultimately have material effects, the responsible management of material resources, in counselling, seldom enters the equation.

There are several urgent reasons for re-cognising materiality in discourses of counselling autonomy. Firstly, in considering counselling’s responsibility to the social, materiality provides a point of entry. Materiality is used to invest indices of social well-being with authority. Poverty, oppression and ill-being are more commonly expressed in terms of a missing material - lack of housing, of income, of food, of medication - or in an overabundance of the material - too many bodies in houses, in prisons, in hospitals. This material also provides a point of entry to counselling where it is in danger of being overtaken by the symbolic.

Secondly, humanistic therapeutic discourses recognise the importance of the sensuous and the immanent. This valorising has at times been maintained at some (material) cost, since provider funding is more commonly aligned with more cognitive and behavioural approaches. Yet as the sensuous becomes re-considered as feelings or as desire, it becomes located in human subjects rather than viewed as that which connects us with “other things”. Injunctions to focus on the specific may indeed allow for reconnection with the affect. But the specific is not always consciously aligned with the material and it becomes further disconnected in the process of cognitive processing that becomes the mark of safe practice. It is possible that when disconnecting the sensuous from the material, counsellors have colluded in a silencing.

Thirdly, the material is a contested part of memory. Often encouraged to avoid material entanglements, in the form of supported “reality”, therapists are directed to work with the co-constructive nature of memories. This in a sense avoids the contested nature of the relationship of memory to “other-things”. And yet memory is inseparable from sensuous relationships. I have a sense of something being not quite right. Derrida directs us to consider the beneficiaries in any discursive move, and as Campbell (1997) notes, moves to disconnect memories from their material objects disadvantage women in particular. Fish quotes Kundera (1999, p. 61): “the struggle...against power,” says the first protagonist in Kundera’s novel, “is the struggle of memory against forgetting” (1994, p. 1). Not only is the engineering of social memory a political act, involved in the class struggle for equality, as demonstrated so movingly in the story of Clementis’ hat<sup>13</sup> (Fish 1999); it is also an internally contested site.

Rationality is often theorised to come at the expense of connectedness - especially connectedness to, as opposed to rationality about, the material and natural world. Although post-modern therapeutic approaches may focus on changing the meanings one makes of one’s material life, writers such as Fish, (1999), Flaskas (1994) and Stern (2003) believe, “there is a danger of undermining an adequate recognition of the power of ‘external’ realities in much of the current painting of social constructionist and postmodernist ideas” (Flaskas, 1994, p. 143). Henriques et al. (1998, p. 8) also indicate their concern for the “central issue” of the place of the material in their analysis. Such arguments are more often advanced by post-colonial, feminist and neo-Marxist writers who refuse to collude with the exclusion of either the material body, or the figures in a bank statement. The price is, after all, more often paid by those who experience themselves as differently positioned in relation to resources.

Humanism’s appropriation of autonomy into “self” thus draws interest away from the disconnection involved. Even Bateson’s ecological perspective has been absorbed into

---

<sup>13</sup> Kundera’s novel *The Book of Laughter and Forgetting* begins with an account of an incident in 1948. The communist leader Gottwald posed for a photograph with his comrades. It was snowing and Clementis took off his own hat and placed it on his leader’s head. Later, Clementis was executed for treason. He was whited out of the photograph on all billboards. But his hat remained on Gottwald’s head.

family systems therapy where its focus has become selves in relationship to other selves. Yet Bateson (2000, p. 512) originally linked ethics and the dangers of excluding relationship with the natural world. A reading of Bateson's (2000) *Steps to an Ecology of the Mind* reveals a unique perspective on ecology which sees no division between the theoretical and the material. Ultimately the theoretical will influence the material. The forms of the material world influence the forms of thought and vice versa. He writes:

This is an ancient problem in ethics and one which...besets every psychiatrist. Should he be satisfied if his patient makes a readjustment to conventional life for neurotic or inappropriate reasons? The question is not only ethical in the conventional sense, it is also the ecological question. The means by which one man influences another are a part of the ecology of ideas in their relationship, and a part of the larger ecological system...It is no use to plead that a particular sin of pollution or exploitation was only a little one or that it was unintentional or that it was committed with the best of intentions...The processes of ecology are not mocked. (Bateson, 2000, p. 512)

It is questionable whether an ethic of autonomy can ignore the relationship of the autonomous to natural resources. In a world hypothesised by many to have a limited future, we discuss cure, but not destruction. Excluded genealogies daily disappear in the form of species, rivers, forests, wetlands, icecaps, all by autonomous agency. Are we so absorbed in reason, in such a deep symbolic of autonomy that we can only conceive of being human as separate from the rest of the material world? Indeed, to exclude the material may be to advance such a limited form of existence.



### **3.8 Matter strikes back! The fetish**

The argument for a re-spect or re-cognition of our material connections gains particular support from a more recent interest in the return of the fetish in cultural, anthropological and religious texts. Standing out in stark contrast to the autonomous individual is the fetish - matter which controls.

The fetisso marks...the subjection of the human body...to the influence of certain significant material objects that, although cut off from the body, function as its controlling organs at certain moments...The fetisso thus represents “a subversion of the ideal of the autonomously determined self.” (Pietz, 1987, p. 23)

Pietz (1985) traces the emergence of the fetisso from Portuguese trading relations with West Africa in the sixteenth and seventeenth centuries. His argument de-vilifies the fetish, as a discursive device, but also a material object, generated in order to demonise the indigenous peoples' attachment to natural objects. This occurred during a transition period when “the native” needed to be converted to Christianity in order to become civilised, at a time when slavery had become unacceptable.

Fetishes, as Spyer's (1998) book indicates in its title, exist as “material objects in unstable spaces”. They identify a period of transition, and once re-cognised, are no more. The fetish is a strikingly unclassifiable thing/device and defies all organisational constructs. “The fetish...is both a discursive creation and a materiality (Pietz, n.d.),” (as cited in Pels, 1998, p. 101). It is either imbued with a spirit of its own by others, or possesses its own spirit. It exists in sensuous relationship with those to whom it speaks, and within this relationship who or what speaks to whom or what is undecidable. “Its matter”, as Pels (1991, p. 91), writes, “strikes back”!

The concept influenced and unsettled two important discourses of the nineteenth century, psychoanalysis and Marxism. Freud, Lacan and Marx used the notion of the fetish to describe a broken relationship with the material and an inversion. For Freud,

the fetish identifies a lack. Here it is associated with pathological functioning. Lacan's fetish is situated in the structural symbolic, "being a stoppage in the displacement functions of unconscious desire". Here desire represents that which seeks an object (Appel, 1998, p. 38). For Freud and Lacan, the object was already dematerialised and desire becomes attached to human functions. But Marx's social theorising did not cast the fetish in such a negative mode. For him the fetish identified a reinvestment of desire, from the sensuous to the theoretical notion of capital. Alienated from the fruits of their labours, the worker also invests desire in commodities. Commodities, however, are not in themselves material. As Marx demonstrates by reference to his beloved and oft-pawned coat, in the beginning of *Das Capital*, commodities represent the de-materialisation of objects (Wheen, 1999; Stallybrass, 1998). A commodity is recognised and valorised by its potential rate of exchange, not by the sensuous voice of its associated memories, nor by the stridency of its disruption. Although Marx's theorising identified innocent victims and brutal capitalists, post-modern theorising can (if required!) be less judgemental. The fetish here re-presents or reveals a trick, a sleight of hand, a discursive move that has trapped all players into a set of power relations involving object formations.

Stallybrass (1998) points out that it was capitalism's investment in de-materialising the other-thing as commodity that fascinated Marx. He argues against the common (mis)conception of the modernist fascination with the material. Far from being obsessed with the material, the all-encompassing capitalist/economic discourse relies on separating the thing from its associated memories and feelings to a focus on its abstract exchange value. The other-thing is thus lost and we are left with a commodity. Stallybrass writes (1998, p. 199), "It was to the systematic undoing of loss that Marx dedicated his entire life." "In *Capital*, Marx tried to restore that material memory, a memory literally embodied in the commodity although suppressed as memory" (Stallybrass, 1998, p. 202).

Appadurai's (1986) seminal work developed this cleaner, more useful version of fetishism into a means for understanding object-relations in which the fetish is an "other-thing". Appadurai approached the study of society from the study of the circulation of objects through that society. He developed a theory of methodological

fetishism, which he saw as a prerequisite for a study of the social life of things. This assumes that objects have no meaning apart from the meaning bestowed upon them, yet in using their movements to comment on society, one is in a sense giving them a voice.

Pels (1998), however, extends Appadurai's focus on commodities into a wider consideration of materiality. He situates the fetish as thing/process that disrupts the very primacy of human signification and value relationships. Fetishes cannot be used, or circulated, in the same way as other things, nor can they be similarly controlled. Thus, they cannot either be classified. In this way they defy "the idealism of an epistemology of classification" (Pels, 1998, p. 111).

Pels (1998, pp. 99-100) cites Miller and van Beeck who view materiality as a "quality of relationship". He writes, "van Beek has recently formulated this in terms of materiality as an 'ontological commitment' of human beings, their acceptance of the autonomy of the things with which they come in contact" (1996 p. 18). Pels, however, wants to go further in challenging the assumption that humans *confer* autonomy on things, and uses a discussion of the fetish to do this. As we use a language of the senses to relate to fetishes, he suggests that aesthetics, or "the mediation of knowledge through the senses" (1998, p. 100) is the best way to study materiality. In this way he sees humans as moulded by things through their sensual relationships and begs the ontological question.

In this way, fetishes and indeed all sensuous relationship with matter, challenge both epistemology and ontology. Refusing to be classified, and refusing to be subjected to a genesis of agency, sensate objects simultaneously speak and are spoken to. They thus provide the unsettling sought in any de-constructive work. Any answer is of necessity elusive. But, as Pels notes in conclusion (1998, p. 92), the fetish "points to a theory of signification that cannot be thought from within an intellectual tradition that is still heavily influenced by Enlightenment thought".

The fetish, then, provides, for the material, an introit into text. It has the potential to reverse the broken relationship with other things, which is autonomy's task. It is

difficult, however, to think through, because as Spyer (1998) notes, the moment it is perceived it is already losing its appeal. Like Foucault's (1963/1998) line in the sand, it disappears in its creation. In text, then, we must seek the material trace. Pels suggests that this can be done through an ethic of aesthetics, which values sensate connections. It is important here to separate this from Foucault's aesthetics of the self, which focuses on the individual human aspect of subjectivity and "felt experience" (Danaher et al., 2000; Faubion, 1998).

### **3.9 Re-sourcing autonomy**

I have argued that the material does indeed speak, most significantly, to us in the form of fetishes and also through our memory, desire and emotions. This provides the basis of my theory of materiality. Pels' (1998) argument for recognition of the material as a *quality of relationship* with Appadurai's (1986) "other-things", sits well with a new version of autonomy. Sovereign selves disappear in sensory connection with the material, whilst the material retains its autonomy. Along with other fetishised objects of therapy: death, food, sexuality, violence, absence, memory and suicide, the self ceases to be an object for itself in sensory understanding. Pels (1998) prefers to engage aesthetics, "the mediation of knowledge through the senses". At the same time, the material, *in a sense*, finds its voice - achieves autonomy. And whether that is madness or autonomy rethought, who as yet can know?

Probyn (2000), in *Carnal Appetites: Food, Sex, Identities* considers the "profound concerns" bespoken by all fetishes.

There are profound concerns that the present food fetishism raises for the gastronome and the ordinary eater alike. "What's bothering us, what's eating us now?" In eating we grapple with concerns about the animate and inanimate, about authenticity and sincerity, about changing familial patterns, about the local rendered global, about whether sexual and alimentary predilections tell us anything about ourselves, about colonial legacies of the past for those of us who live in stolen lands, about whether we are eating or being eaten. (p. 2)

Probyn (2000), in re-cognising the material that intrudes in the form of a fetish, envisions a new kind of ethics - an ethics that includes materiality.

I seek to use the materiality of eating, sex and bodies in order to draw out alternative ways of thinking about an ethics of existence, ways of living informed by both the rawness of a visceral engagement with the world, and a sense of restraint in the face of the excess. (p. 3)

Although with Pels (1998) and Sterba (2001) I would prefer an ethic that allowed matter its own autonomy, Probyn's work does bring the fetish back into therapy.

If we define the material as that which is beyond thought, or that with which we have a sensate relationship, we enter the realm of immanence, leaving rationality at the threshold. Herein lies the challenge. And yet, in counselling, we deal with immanence on a daily basis. In counselling, bodies frequently present because of disturbed confrontation with the material. It is dead bodies (and in bodies, I include all matter), violated bodies, sexed bodies, absent bodies, fetishised bodies that provide the material bread and butter of our counselling encounters.

If, directed towards autonomy, we merely objectify, abstract, or idealise material relationships, do we ultimately lessen the rationality that made the intrusion of these bodies so powerfully disturbing in the first place? Walkerdine (1994) asks a similar question. If one is wanting, desiring, to find a place for discourses of sustainability, these material disruptions may be a place to start. For in a similar vein, sustainability is motivated by an emotional response to a diminishing or violated material. Fear of the imminent death of the planet and love of the natural environment are here theorised to be major motivating factors in persistent attempts to disrupt the current economic conditions of production.

Without autonomy this thesis would not be written. However, neither would it have been written without a love of the natural environment and the collegiality of my

discourse group - a gathering together of bodies, emotions, memories and speech acts. The chapter poses more questions than answers, but the “I” of this text is uneasy about the inclusion of autonomy as an ethical principle. If the idea of an un-governed, non-self is too contentious a notion at the present time, then at least let us allow more space for the honouring of that which is ungovernable. And let us listen more to the voice of the “other thing”. For the material speaks eloquently in therapy and plays a *vital* role in the interstices of texts. Its appearance and non-appearance says much about the dynamics of power. Sensuous and aesthetic, ethical re-engagement with the material offers, in my opinion, more opportunities for altering these dynamics than is ever theorised in psychology.

For now, re-thinking autonomy might demand a new ethic, which includes non-exploitative and restitutive clauses as suggested by Sterba. It might demand a closer consideration of Pel’s (1998) version of aesthetics. It might mean affording rights to inanimate objects, as Midgely suggests. All of these are discussed further in Beneficence. Counselling’s valorising of relationship falls short of relationship with the “other thing”. I argue in this chapter that the material has a powerful part to play in offering *freedom from* discursive determinism. As such it has a right to be included in a new autonomy. At the very least, it allows an unsettling. Counselling ultimately does its clients a disservice by not extending the more common understanding of relationship as between people, to include our sensate and memory relationships with the material, and by not engaging ethically with “other things”.

This chapter has re-thought autonomy and applied Foucault’s four “laws” to the discourse that performs it. It has attributed both the problems therapy tries to solve and the remedies it uses, to a traditional view of autonomy. In this, therapy becomes a dubious sort of homeopathy, curing by more of the same. The chapter has observed the material being excluded, sometimes violently and it has observed the material striving for re-cognition. It has suggested that a new ethic of autonomy would need to give primacy, or at least equality, to sensory awareness. It hopes that through this the voice of the natural world might more clearly be heard.

*I have read somewhere of an old Maori man making a land claim in a court some years ago. To prove beyond doubt his intimate connection with - his rights to - this land, the old man musters all his eloquence. He chants his whakapapa and sings his ancient claim. He is dismissed by the court and loses his land.*

*This story has haunted me ever since. It raised the hairs on my head in the telling of a different way of being with the material. I determined to find it - to use it for the ending of this chapter. I became obsessed with the task of recovering it. I asked everyone I met. Perhaps you know it? I searched the library and my own bookshelves. I spent far too long in this futile task. And then I realised. I had made a fetish of this tale. Its matter had struck back. And whether I had invested the tale with too much sensation and significance, or whether through the tale the land and its original inhabitants spoke back to me, refusing to be further exploited, who will ever know. And does (it) matter<sup>14</sup>?*

---

<sup>14</sup> In the end I found this reference - or it found me - when looking in Durie's (1998) *Te Mana, Te Kawanatanga: The Politics of Maori Self-Determination*, for something else. I was then writing Chapter 5, Justice. Is this significant? Perhaps this speaks more to the need for restitution in a COE?

## Chapter 4

### Fidelity

*“Within the body, growing as a graft, indomitable, there is an other. And no one is present...” (Kristeva, 1980c, p. 237).*

*“Do not ask me who I am and do not ask me to remain the same” (Foucault, 1969/1972, p. 17).*

#### 4.1 Introduction

Fidelity describes how people can be, in good faith, safe with each other. It is crucial to therapy, which relies on building a trusting relationship. One person’s fidelity allows another person’s autonomy. Fidelity guarantees freedom through a commitment to “no intrusions”, “no surprises” and “no trickery”.

This chapter argues that a problem with fidelity is that it is used interchangeably with integrity. This makes it rather two-faced, because integrity will stand up for itself where fidelity will conform to expectations. I propose that the problem originates in philosophy and has led to the common use of the combined term “humanistic-existential” together with dominant utilitarian ethics.

Foucault makes it possible to think of fidelity as constantly refusing an object (don’t go there!) in the same way autonomy constantly produced objects. This creates another illusion - that of a bounded self. Boundaries are highly valued in professional therapeutic practice but have raised problems for both feminist and ethnic groups. Both seek a different symbol to represent their being-in-the-world.

In this chapter I develop a theory of self as the false effect of a refused object - a kind of *trompe d’oeil* that masks a process of continually splitting into two. Using an idea from Kristeva(1974/2000, 1980a), I show that by focussing on the “boundary” rather



than the “self”, we can better deconstruct what has been, for many, a barrier to being safely with others and “other things”.

This chapter follows the structure of the previous chapter. In the first section, I will identify some themes concerning fidelity in philosophy, then I will trace how these have found their way into, or past, psychotherapy. Becoming more specific, I will next identify the concrete practices through which fidelity is expressed in the NZAC codes of ethics. During this three-stage process, problem areas will be identified. These will then be considered in relation to Foucault’s four “laws” that remove hermeneutics from Fidelity, in order to concentrate on the way it is performed through discourse and to find new meanings.

#### **4.2 Situating fidelity in philosophy**

Seeking assurance through certainty seems to have been part of the human condition at least since scientific thought held primacy. We long for things to stay the same. Fidelity expresses this longing and is found in two main forms: faithfulness and integrity. Bond (2001. pp. 59-60) notes an overlap with autonomy. Autonomy as a principle implies faithfully and reliably respecting another’s autonomy. Thus viewed, fidelity becomes a necessary part of autonomy. In order to live together we must know that others will keep their part of the bargain.

Hobbes argued in 1651 that men were bound to live peacefully together according to a very basic, primal natural law that governs all living things. Nature encourages life uninterrupted. It is in the security of “uninterrupted” that we find fidelity. Secondary to this is autonomy, the right to do what we like. Autonomy, for Hobbes, becomes a right that men abandon in favour of peace. Trust is knowing that others will keep this first law.

From this fundamental law of Nature, by which men are commanded to endeavour peace, is derived this second law; “that a man be willing, when others are so too, as far-forth, as for peace, and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much

liberty against other men, as he would allow other men against himself". (Hobbes, 1651/1994a, p. 34)

Hobbes (1651/1994a) described this understanding as a covenant which becomes the basis for any justice. Men must "perform their covenants made" (p. 34) and it is to this end that the commonwealth is organised. Trust in contractual relationships is founded on this good faith.

Integrity, however, is a different form of fidelity. Its origin appears to be in a theory of "duties to the self" as proposed by Kant (1785/1994, p. 274). Here we are faithful not to some externally imposed covenant, enforceable by the law, but to our own humanity. Integrity is found when "each of us is especially responsible for what *he* does, rather than for what other people do" (Singer, 1994, p. 340). Kant (1930, p. 118) wrote, "duties to ourselves are of primary importance and should have pride of place...nothing can be expected of a man who dishonours his own person". This becomes a "duty of integrity" (Midgely, 1994, p. 383). I will not allow you autonomy, if you are going to harm yourself. I will break trust with you in this, even if people disagree with me.

"Performing covenants made" and a "duty of integrity" are very different concepts. Through them, fidelity offers both conformity and uniqueness. The shift in emphasis can be seen in the *Concise Oxford Dictionary* (Fowler & Fowler, 1964) definition of the two terms. One term, fidelity, is defined as "faithfulness, loyalty, (to); strict conformity to truth or fact; exact correspondence to the original" with "clarity of reproduction". "Integrity", however, has as its root the integer, the "whole number, undivided quantity, thing complete in itself...untouched, whole". Integrity is thus "wholeness; soundness; uprightness, honesty". Here in discourses of good faith, the reproduction and the author are set at odds.

The two views remain incompatible, despite attempts to reconcile them and reflect the major philosophical divide mentioned in the previous chapter. Integrity and faithfulness however have a strange relationship. Where faithfulness appears to be the *dominant* term when considering these two aspects of fidelity, integrity holds the

*moral* high ground, repeating Kant's view of its "primary importance". Williams (1994) and Midgely (1994) find integrity threatened by the now dominant social contract model. Each base their critique on different aspects of utilitarianism.

Williams (1994) finds the utilitarian decision-making process, which developed out of Hume's ideas and Rousseau's social contract model, incompatible with integrity. (See Chapter 5, Justice for more discussion here.) Utilities measure the units of benefit that contribute to the general good. Decisions should be made in order to provide the greatest amount of good to all. Williams (1994, p. 345), however, argues that when right action is decided by "the sums (that) come up from the utility network", man becomes nothing more than a channel for others. How can he then be faithful to himself?

Midgely's (1994, pp. 376-8) objection is to the straight-jacket that utilitarianism imposes through the "whole cluster of essential moral terms - right, duty, justice and the rest". The divided nature of these terms, their interchangeable formal and informal use, excludes any form of integrity. A formal use aligns rights and duties and justice with thinking and disconnects them from feelings such as compassion which might be tempted to allow rights and duties to animals, forests and children. Integrity is thus threatened. She concludes that this move "cannot therefore fail to split a man's nature and to isolate him from the rest of creation to which he belongs". Faithful duty to one's self becomes bifurcated into reason and intuition.

Both versions of fidelity, faithfulness and integrity, imply constancy over time and assume the necessary adjunct of a self. We can trace both of these assumptions to the philosophy of Descartes, "the chief architect of the seventeenth-century intellectual revolution" (Cottingham, 1999), with its emphasis on scientific rationality. Descartes' cogito argument (I think therefore I am) theorised a self that was fleeting. In his argument, it is only possible to be aware of a self when thinking. However, this thinking self remains the same every time it is revisited. A self is rational and remains constant in this view. It is faithful to itself in this respect.

Maintaining good faith through integrity, however, has been existentialism's goal. In subsequent poststructural developments the humanistic self's companions, constancy and repetition, have been further demolished in the valorising of pluralities. It is up to Foucault to change the question "What is a self?" to "*How* is a self?" (Marshall, 2003, p. 48) that enables faithful constancy to be replaced in discourse itself. The self may no longer be faithful, but discourses faithfully offer both constant subject and constant object positions. Here the Descartes' constancy may have lost its hold on man, but it certainly retains it in the constant measurable object, which is still the *raison d'être* of much scientific thought.

In philosophy, then, fidelity has been theorised as a rational constant. Traditionally it has been aligned with an autonomous self. Fidelity is found both in the keeping of social contracts and in keeping faith with an internal construct. It has two forms with two different origins. It is faithful and has integrity. It appears as both reproduction and author. Both faithfulness and integrity have been challenged in post-modern times, which emphasise plurality and difference. I have suggested that fidelity as constancy has elided, suffered a philosophical ellipsis, slipped sideways to attach itself to discursive processes and scientific methodology. Fidelity as integrity, the unique individual, slips sideways into ethical texts. The next section will consider what psychotherapy has done with fidelity.

#### **4.3 Situating fidelity in the "psy" professions**

Here I argue that therapy has taken on board the urge to make predictable and constant selves. It has replicated both forms of fidelity. It has done this through building trust in relationship and in working to create stability in the internal environment through the process of therapy. Stable selves are to be returned to the social world. It has also inherited the philosophical dilemma of repetitive predictability versus unique individualism. I propose that therapy confirms the *social* marking of repetition and a *moral* valuing of uniqueness. This distinction poses a dilemma for the therapist.

Beauchamp and Childress (1994) write:

Ramsey has argued that the fundamental ethical question in research, medicine, and health care is, “What is the meaning of the faithfulness of one human being to another?” Few today would agree that fidelity is the fundamental moral norm, but many would accept it as an essential norm. (pp. 429-30)

Beauchamp and Childress include fidelity with veracity, privacy and confidentiality under “professional-patient relationships” (p. 395). Thompson (1990), however, included it as a stand-alone principle in his guide for psychotherapists. I argue that in professions such as therapy, which posit their existence on the therapeutic alliance, fidelity is crucial, and that drawing on its philosophical origins of faithful consistency and unique integrity, it is possible to subsume Beauchamp and Childress’ (1994) four qualities into one term.

In some codes, such as the counselling psychology division of the British Psychological Society (Bond, 2001, p. 241), fidelity is the primary ethical principle. In Bond’s (2001) view, this implies that counselling psychologists are more likely to treat clients as a means to an end (symptom cure). Fidelity must become the monitoring device to ensure a good relationship is maintained. In Bond’s comparative study, counsellors are more likely to prioritise autonomy and the relationship per se. Here clients are an end in themselves and counsellors less likely to use intrusive interventions. The two positions again express the two philosophical positions: faithful reproduction of the terms of an external contract, and integrity in relation to an internal value system.

Despite its importance, fidelity appears rarely in therapeutic texts, more commonly being displaced by the vehicles of its expression, the relationship and the therapeutic alliance. Although the importance of the relationship was recognised by Freud (1912), it was Rogers’ (1951, 1957) insistence on the consistent application of the “necessary and sufficient conditions” of empathy, congruence, and unconditional positive self regard, which left an enduring legacy in counselling theory. The unique quality of this

relationship, recently called the therapeutic alliance, is consistently found to be the crucial determinant of the success of therapy. This alliance is sometimes called “the fiduciary relationship” (Webb, 1997, p. 177) since it depends on trust.

Although strictly speaking it is the judicial system which has characterised certain duties and relationships as “fiduciary”, in therapeutic usage “clients entrust themselves to providers”. Bond (2000, p. 48) writes that fidelity means “honouring the promises upon which the trust between client and counsellor is founded”. Here therapy inherits philosophy’s problem, for, as Beauchamp and Childress (1994, p. 430) note, the establishment of such a relationship takes more than constant faithfulness and being true to one’s word. It would appear that trust also requires the other’s integrity.

The importance of this relationship has been recognised by the dominant “rational” voice in empirical studies. Research reviews (Lambert & Bergin, 1994; Luborsky, Singer & Luborsky, 1975; McLeod, 1990; Paley & Lawton, 2001) consistently identify relationship as a key factor in the healing process. Paley et al. (2001) found that “the bulk of empirical evidence...highlights the primacy of the therapeutic relationship in psychotherapy outcome” (p. 15). Indeed it is the relationship that holds primacy over the exercise of skills or techniques on the part of the counsellor, or indeed, any particular modality (Gergen, 2000). Bordin (1979), whilst stressing the essential and pan-theoretical nature of a good alliance, argues that different therapies might favour different aspects of the alliance - a point similarly made by Horvarth and Greenberg (1994).

Defining this relationship is, however, problematic. For some, the heart of this “fiduciary relationship” is confidentiality (maintaining-faith-together) without which clients would be unlikely to disclose personal material. Confidentiality is the essence of the privileged relationship and a core element of the therapeutic alliance. Ludbrook (2003, p. 81) writes “confidentiality refers to the legal and ethical responsibility of professionals not to make unauthorised disclosure of information that had come to them in the course of a professional relationship”. Thompson (1990, p. 53) notes that

loss of fidelity as the mutual exchange of promises, risks the loss of the therapeutic relationship. This emphasises the contractual and predictable form of fidelity.

Predictability is also expressed in descriptors such as “consistent” and “congruent”. Rogers’ (1957) hypothesis that the necessary conditions for personal change were therapist’s faithful congruence, consistent acceptance and empathy, have been largely accepted in person-centred counselling. Certainly for the adolescents in Everall and Paulson (2002) study, being *consistent* in genuineness, respect and empathy marked a good counsellor.

Here, however, is a problem, for where respect and empathy may be consistent features, being genuine can carry an element of surprise. It springs from integrity and implies that the genuine therapist may shift their constancy from outside locus of control (Hobbes’ covenant) to internal locus of control (Kant’s duty to the self). Although committed to being non-judgemental, I show delight in a client escapade and disapproval at the ill treatment of a child. Roger’s theorising thus carries a contradiction and devolves a problem on the practitioner.

Margison, Barkham, Evans, McGrath, Mellor-Clark and Audin (2000) met the same problem in identifying characteristics of the alliance. They attempt to isolate those factors that allow clear practical guidance for those interested in ethically professional and clinically effective praxis. Although “the therapeutic alliance has emerged as the most common consistent predictor of outcome across many studies in different models of psychotherapy (see Henry et al, 1994, for a review)” (Margison et al. 2000, p. 127), the writers still find an undefinable in the “therapeutic bond”. They use both “integrity” and “agreement” as contributing terms to that which enables the formation of a “therapeutic alliance”. Choosing to focus on the repetitive nature of fidelity, “agreement” and “adherence”, Margison et al. allow skilful practitioners an element of “differentiation” and creativity. Competent practice demonstrates consistency. *Breaking* the rules, however, becomes the mark of expertise.

Margison et al.’s (2000) work shows how the divided nature of fidelity continues to influence theory and research. “Process variables” (states) and “trait-like phenomena”

(traits) replace the philosophical dualism of faithful consistency and spontaneous integrity (e.g. Hovarth & Greenberg (1994). I may react from an angry *state*, but if I can claim it is not my nature (repetitive *trait*) and it is “out of character”, I may get a lighter sentence. McLeod (2003b, p. 393) also splits fidelity into “loyalty, reliability and dependability” all of which signify a consistency to a prior agreement, and “good faith” which signifies differentiation - a leap in the dark, so to speak - which is more congruent with an internal imperative. A similar situation exists in the reliance on internal consistency as a descriptor of cure. As with Descartes’ cogito, the healthy individual is marked by an ability to return to “normal” functioning after any disruption. This is easier to see by studying the opposite of health in the DSM IV. Pathology is usually defined by an *inability* to return to the status quo. In this latter state of un-health, the individual remains prey to their immediate and unstable state.

It is obvious from the above descriptors of mental health, that consistency is valorised in the general population and in general practice. Beauchamp and Childress (1994) remark that an erring practitioner is more likely to be excused if they have been otherwise characteristically exemplary. And yet, as noted in the previous chapter, Autonomy, de Kooning’s creative genius relied on something over and above mere repetition. So does Margison et al.’s (2000) superior practitioner. Similarly Kohlberg’s (1981) still popular pyramid of moral development places the Kantian version of fidelity, “duties to the self” at the apex, above the social contract and utilitarian version, which abides by the rules. It would appear that psychology replicates in practice the dominant order found in philosophy. Yet it affords integrity the *moral* high ground where it becomes a law unto its self. In neither case is fidelity truly faithful, for when can we know when the faithful person decides to switch the rules?

The next section takes a closer look at the NZAC COE. It reveals in concrete terms the intellectual proposition made in this section. For “fidelity”, whilst suffering a theoretical erasure, remains dominant in “faithful” utilitarian practice. “Integrity” has been theoretically and morally elevated but is unable to be captured in practical applications. Yet repetition and consistency repeat themselves consistently.



Uniqueness thus retains the moral high-ground whilst faithfulness becomes the practice. Fidelity continues to play its two roles: reproduction and authorship.

#### **4.4 Concrete practices which enact fidelity**

In this section fidelity will be located in counselling practice where it mediates various professional and therapeutic relationships by attempting to develop a climate of trust. In the taken-for-granted meaning of “honouring the promises on which the trust between client and counsellor is founded”, counsellors commit themselves to “no intrusions”, “no surprises” and “no trickery”.

However, the changing place of fidelity in the NZAC codes of ethics, and in the literature, indicates the developing problematic. Here fidelity comes face to face with integrity, the reproduction meets the author and unpredictable acts are again separated from essentially predictable selves. Which do we trust? This section looks first at the altered place of fidelity within the NZAC COE (2002). It notes that “fidelity” has been removed from the current code. It appears to have been replaced by “personal integrity”: now the fifth core value. The volume of the Code addresses those three aspects, which appear to parallel Rogers’ core conditions. There are no guidelines for the exercise of integrity. Its only appearance is in section 5.14c, where counsellors are expected to verify the integrity of other professionals to whom they may refer clients and in section 7.3a: “uphold the integrity...of the profession”. Neither integrity is their own.

In the ethical principles, which follow the core values, the old *descriptor* of fidelity remains: counsellors shall “be honest and trustworthy in all their professional relationships”. The shift, the elision, is interesting, for the place of integrity would indicate that counsellors are placing a higher value on being genuine, thus displaying a preference for the original over that which conforms to the original. However, expressed in action, the form of fidelity written into the codes becomes Hobbes’ “right which men abandon in favour of peace” rather than the Kantian “duty of integrity to the self”. The original author may be valued, but Caesar’s coins go to the reproduction.

The reason for this appears in the prior placing of autonomy and respect, which are valued more highly. In affirming these, counsellors are stating their commitment to provide a neutral space through “no intrusions”, “no surprises” and “no trickery”. This indicates a consistent stand sometimes expressed as “transparency”. It is at odds with spontaneity and integrity, which may intrude and surprise. The increasingly detailed codes thus attempt to regularise the series of relationships in which counsellors engage. The bulk of the code addresses “The Counselling Relationship”, “Confidentiality”, “Responsibility to Colleagues and the Profession”, and “Relationships with Employers, Funding Agencies and the Wider Community” (see sections 5-8).

#### ***4.4.1 No intrusions***

Respectful relationship is counselling’s core business. Respect, being antithetical to prejudice, requires that the relationship is kept clear from intrusion in the following ways. Counsellors should suspend their disbelief, be free of prejudice, keep focussed on the client, accept difference and be reticent in assessment. Respect is written strongly, as a core value and there are cautions against discrimination and bias in section 5.2. The use of diagnostic labels and their external referents, prohibited in the 1995 code, has been modified in 2002, to an injunction to avoid using labelling in a way that might be harmful in section 5.8. The point at which counsellors’ own judgement may prevail is severely limited and described in the limits to confidentiality in section 6.2. The neutrality of the interaction may be disrupted and opened to external judgement only in the case of “an imminent threat of serious harm to a third party” (section 5.1) or “in order to reduce risk” when there is “serious danger in the immediate or foreseeable future to the client or others”, where it is required by law, or where “the client’s competence to make a decision is impaired” (see section 6.2). Confidentiality issues and inappropriate or disrespectful remarks were the two most common categories of client complaints found by Winslade and White (2002). This indicates both the importance of “no intrusions” and the difficulty in maintaining it.

“No intrusions” is reinforced at a more material level in the NZAC COE (2002) through a section (5.11) on the management of multiple relationships, a section (5.13)

which sanctions against sexual relationships with clients, and in sections 5.12 and 5.6c, which attempt to guard against the intrusion of financial interest. (For more on this, see Chapter 6, Non-maleficence.)

This urge to “decontaminate” in maintaining an atmosphere of neutrality is further echoed by leading therapists in Dryden’s (1997) *Therapist Dilemmas*. Here therapists’ intrusions were named a disturbing factor for counsellors concerned about ethical praxis. Certainly reticence to intrude one’s personal perspective was evident in the recent lively discussion in *Counselling and Psychotherapy Journal* (Jones, 2003).

In “no intrusions” counsellors abandon their own right to autonomy thus giving the client freedom. Yet, as observed in the introduction, there is an ambivalence here. Except in the case of abusive intrusions, reticence to intrude seems more problematic for the counsellor than the client. There is some evidence that clients even value intrusions. Knox, Hess, Petersen and Hill (1997) found clients named as helpful those times when the therapist had disclosed something about their private life, whilst Dalenberg (1997) found clients who had been sexually abused preferred therapist intrusions to therapist distancing.

#### **4.4.2 No surprises**

Therapy is an unknown quantity. As with any new encounter, it will always be a surprise. However, sometimes these experiences come as a shock and/or are unwanted. Winslade and White’s (2002) fourth largest group of complaints concerned informed consent. Dissatisfied clients felt they had not been fully informed of the direction of therapy or been able to protect themselves from sudden overwhelming experiences. To guard against such complaints, the NZAC COE (2002) has a section (5.5) on informed consent. “Informed implies understanding and free consent implies lack of pressure.” Guidelines range from making clients aware of government funding for certain types of counselling, to respecting clients’ rights to withdraw. “Counsellors shall [also] use clear and understandable language to discuss with clients the purposes, risks, limits and costs of the counselling.” To further guard against unwanted surprises, the NZAC have produced a pamphlet for clients (NZAC, n.d.) outlining what clients might reasonably expect from therapy.

Informed consent is now also required from clients who have agreed to participate as research subjects. This includes using their material in any way outside the counselling session. Thus in any speaking, writing or researching about counselling practice, consent, freely given and with sufficient information provided, is essential. The growing importance of clear contractual arrangements is further evidence of the desire to protect the sanctity of the relationship from such intrusions. Clear contractual relationships are advocated (NZAC, 2002, section 5.4) in an attempt to guard against either surprises or trickery. In this manner, ethical guidelines seek to protect clients from the experience, and counsellors from the charge, of unexpected intrusions, emotional or financial.

The problem with informed consent is that no one *can* predict the course of therapy or the outcome of an experiential exercise. Informed consent, thus, becomes modified by reason; “counsellors shall take all reasonable steps to safeguard the interests and rights of clients” (NZAC, 2002, section 5.5). Clients are given the right to “refuse or withdraw consent at any time”. And yet, surprises are surprises. By the time one has had one, it is too late to withdraw. If fidelity were consistency, nothing would disturb its predictability. But therapy deals in process, in the business of change. Informed consent may be more applicable to the medical model and measurable surgical procedures.

#### ***4.4.3 No trickery***

There is a possibility that the above intrusions might be motivated by trickery or manipulation. Although the core values attempt to guard against this possibility, the potential is there for the unscrupulous counsellor to remain undetected. This concern has continually occupied counselling trainers and is recorded in many meeting notes and informal discussions centring on selection procedures, extent and relevance of in-training personal growth experiences, acculturation, and in the scope of assessments. The NZAC *Professional Codes and Guidelines: Selection of Counselling Personnel* (NZAC, 2002, section 1.c) states “there needs to be some indication that an applicant’s experience demonstrates a fundamental interest in and concern for people.” This issue is in itself contentious, since it remains unclear who has the

responsibility to exclude the exploitative therapist, and indeed, how they might be recognised. Although a list of personal qualities are identified as prerequisites for suitable trainees and counselling personnel, it is notoriously difficult to either exclude people on this basis, or accurately assess all candidates. It is to this end that codes of ethics, complaints procedures, membership regulations and pamphlets to clients have been developed.

The 1995 Code had a section on abuse of power. In 1995 this read “counsellors shall not abuse their position by taking advantage of clients for purposes of personal, professional, political, financial or sexual gain” (NZAC, 1995, p.14). In the 2002 Code, this becomes “exploitation”. The negative injunction “no” is used rarely, except in those cases where the material interests of the counsellor might take precedence over those of the client. While not wanting to minimise the harm done by such exploitation, it is interesting that it is sex and money that are targeted as most deserving of exclusion, rather than incompetent or unsupervised work. (For more discussion of the use of the negative, see Chapter 6, Non-maleficence.)

As more counsellors seek to move into private practice (e.g. Cornforth & Sewell, 2004; Smith & Drodge, 2001), opportunities for exploitation exist in encouraging dependency and persuading clients they need more and more therapy. Concern has been expressed about new trainees’ readiness to engage in private practice - sometimes seen as a more lucrative option or possible supplementary income. The danger here is that new counsellors may exploit the client by providing an unsatisfactory service and by putting their own needs for income first. In the UK the BAC requires either recognised training accompanied by 450 supervised practice hours, or ten years’ supervised experience (Syme, 1994). In Aotearoa/NZ there are no such guidelines and the problematic lack of these has been noted by Cornforth and Sewell (2004) and Paton (1999).

It is obvious that being safely with others is not an easy business and an increasingly litigious environment has encouraged the development of increasingly detailed codes. These appear to continue the philosophical argument unacknowledged. The NZAC codes express fidelity by their commitment to autonomy. In this, they replicate two of

Rogers' core conditions, here reworked as consistently granted freedoms. The form fidelity takes is thus reproduction and constancy. And yet I have suggested that in the process, the rules have changed. Counsellors are advised to consistently conform to Rogers' conditions and to contracts made, and yet they are to value integrity, and thus genuineness, more highly than consistency. Respect, understanding, and exclusion of those unable to perform either, become the guarantors of each freedom. Yet respect can be argued to be if not immoral, then at least amoral (see previous chapter), whilst understanding is questioned in Chapter 7, Beneficence. Exclusion is also problematic: who is to be excluded and by whom?

In the first part of this chapter I have outlined some of the problems that accompany fidelity. I have noted how deeply entrenched it is in the therapeutic discourse. I recognise the urge to be safely with others, but I wonder if fidelity is the right vehicle for this. In the next section I will subject discourses of fidelity to Foucault's (1968/1998) "laws", removing them as far as possible from meaning, with the aim of finding out what is excluded and thus denied voice.

#### **4.5 Foucault's "laws"**

The exclusion of fidelity as a core value in the new NZAC COE (2002) invites a return to a Foucauldian (1968/1998) discursive perspective. Whereas at first sight the exclusion may seem innocent enough, displaced by a value of integrity, it devolves an ultimately inconclusive problem upon the counsellor. In this, Foucault's (1968/1998, p. 321) observation that "what can be called a discursive formation...is a controlled system of difference and dispersions" seems apposite. What will happen to fidelity if we remove it from its taken-for-granted meanings and look instead at the language that performs it? In the following section I will separate fidelity from its usual association with self and focus on the consistency that Descartes saw as predicting rationality, and on the integrity that Kant thought we owe to ourselves.

##### ***4.5.1 The elusiveness of fidelity***

The silent exclusion of fidelity in the NZAC COE (2002) parallels its evasiveness in other texts. It illustrates Foucault's (1968/1998) "law": the continual disappearance of the presumably coherent object around which the discourse is generated. Here fidelity

evades capture as an object, dispersing into a plethora of terms. It becomes Foucault's (1968/1998, p. 314) "referential" - not the common object of the discourse, but the site of dispersal of different referents or objects, "put into play by an ensemblage of statements". In the new NZAC COE, the old definition of fidelity remains, "be honest and trustworthy", without mention of the original which was so defined (fidelity).

"Honesty" and "trustworthiness" now become new referents (NZAC, 2002, section 4.7). Bond (2000, p. 48) notes that fidelity "signals the importance of 'trust' and being 'trustworthy'". But honesty and trustworthiness are used interchangeably with integrity, faithfulness, congruence, genuineness, constancy, consistency, authenticity, adherence and respect. Beauchamp and Childress (1994, pp. 430-1) equate fidelity with faithfulness and loyalty, noting the divided loyalties that can result. McLeod (2003b, p. 393) writes "fidelity relates to the existence of loyalty, reliability, dependability and action in good faith". Bond (2001, p. 59) finds fidelity inseparable from "respectful autonomy" and further notes "it is paradoxical that one of the most widely supported ethical commitments should be so difficult to convert into clear practical guidance" (p. 114).

As noted earlier, attempts to isolate contributing factors, which compose the therapeutic alliance, have not been able to find any clear or consensual guidelines describing the components of its operation (Bond, 2000; Hovarth et al., 1994; Payley et al., 2001; Margison et al., 2000; Roth & Parry, 1997). Horvarth and Greenberg (1994, p. 262) note that various scales tend to mirror the diversity of theoretical positions and "purport to measure a number of constituent elements (subscales) as well as the overall strength of the alliance". Bordin (1979) suggests that the alliance has three components: bonds (personal liking, valuing), goals (agreement on the purpose of the therapy) and tasks (the collaborative endorsement of the within therapy activities). Everall and Paulson's (2002) qualitative study, which explores the nature of the therapeutic alliance, shows that trust plays a crucial role in all of the three major themes identified by participants as important factors: the therapeutic environment, the uniqueness of the therapeutic relationship and therapist characteristics.

A considerable amount of research has continued to reflect consensus on general importance, but with varying degrees of agreement on specific ingredients. During the last twenty years, researchers have increasingly targeted the nature of the therapeutic alliance (e.g. Safran, Muran & Wallner Samstag, 1994), with calls for further investigation into alliance components. Even Rogers' core conditions spark debate over "the accuracy and comprehensiveness of the necessary and sufficient conditions model" (McLeod, 2003b, p. 169). If there is such a range in component parts we cannot expect the generic term to be any clearer.

A broad overview sees definitions ranging from trait factors to qualitative descriptors. The consistency which was earlier seen to underlie fidelity expresses itself in the former, in repeated patterns of behaviour, whilst the uniqueness of the latter expresses internally motivated integrity, becoming Horvarth and Greenberg (1994, p. 280) "trait-like phenomenon" and "process variable". Fidelity, as noted, thus escapes between Margison et al.'s (2000) "differentiation" and "adherence". It becomes Beauchamp and Childress' (1994, p. 431) "divided loyalty".

If this split represents the major fault-line along which fidelity is dispersed, what are discourses of fidelity avoiding? I propose to show that they refuse certain objects. In addition, they like to control verbs and are not partial to participles. Heidegger's (1962) "being" is not welcome in fidelity. Nor are some ethnic groups welcome. They have "divided loyalties". The next section considers Foucault's second "law" which observes how subject positions are performed. Again, Foucault's approach finds a falling apart in the ways in which fidelity may be approached and the perspective fields through which it may be viewed.

#### ***4.5.2 Putting faithfulness in perspective***

One might assume that if there was no agreement on the exact nature of the object under scrutiny (fidelity), then at least there might be agreement on the disturbance on the perceptual field caused by its aetiology, on its general shape, on its motivating affect, and that these might invite a certain similar style in enunciative statements and subject positions. One would assume that fidelity would be recognisable in a way that draws in similarly interested parties. Doesn't everyone want to be safe together?



However, nowhere else does an ethical principle require the negotiation of so many different perspectives and accompanying metaphors than in fidelity.

Counsellors through fidelity are directed to observe many contractual relationships. Of prime importance is the therapeutic alliance, but an increasingly professional emphasis directs to other professional contractual arrangements. Each contract defines a different form of relationship each with its own symbolic set, each with its own “ethos” (Fairclough, 1992). The therapist is increasingly expected to engage in multiple relationships: with funding providers, with the obligatory supervisor, at times with their own personal counsellor, with colleagues, with other health professionals, increasingly with the legal profession, with managers and, most importantly, with the client. Furthermore, the client may intrude upon any one of the other relationships - bounding on friendship or a different employment contract for example. A client may turn out to be a colleague’s lover or the builder working on the counsellor’s manager’s house. The number of relationships the counsellor must manage, therefore, is indicative of the number of perspectives offered in this discourse.

In this increasing multiplicity, fidelity enjoins its subjects to stay apart. Each contract, each friendship, must be kept separate. This becomes a crucial aspect of fidelity. Here can be seen the “falling apart” described by Foucault’s (1968/1998) second “law”. When contracts and trust blur in dual relationships, there are problems keeping faith. Thompson (1990) places the management of dual relationships and associated confidentiality at the heart of his discussion on fidelity. According to Thompson:

Each party, implicitly or explicitly, promises to contribute certain functions or services toward the desired result of the relationship, and the total set of each person’s promises structures that person’s role in the relationship...keeping these promises is an ethical duty for all concerned parties. (p. 53)

However, as Thompson (1990, p. 56) goes on to note, dual relationships are one of the major threats to fidelity. Beauchamp and Childress (1994, p. 431) also note the moral problems that can arise due to conflict of interest or divided loyalties.

I propose that fidelity's role is to keep subject positions separate. It is responsible for the formation of individual selves. These selves are subjects and not objects, and they control verbs. This is where the participle escapes! Foucault's third law demonstrates how this is allowed to happen. Subject positions become bounded in fidelity. The repetitive act becomes the consistent person. In the next section I will show how disjunctions in statement formation consistently turn verbs into nouns whilst refusing certain objects. By sleight of hand, a transformation occurs, and "false" selves appear.

#### ***4.5.3 Disjunctions in statement formation***

Foucault's (1968/1998) third "law" observes the manner in which the elements, which compose statements, are put together. Far from finding the coherent "logical" relationship that one might expect, Foucault found that such elements continually disperse. The manner of their dispersal identifies each particular discourse. The "general law of their dispersion, heterogeneity, and incompatibility" makes them recognisable as an "individualizable set of statements in general grammar insofar as all the concepts that appear are interconnected, intersect, interfere with and follow each other, are hidden and scattered in it, are formed from one and the same theoretical network" (1968/1998 p. 318). I take this to mean that subtle disruptions happen in the ways words are put together. Such disruptions take a particular pattern in different discourses. This has the effect of deflecting from statements' normal or taken-for-granted meanings. In this way a hidden meaning or slippage is allowed to emerge un-noticed. In this way the interplay of structural elements - semantic and grammatical - allows an evasion.

In discourses of autonomy it was argued that this continual dispersion was apparent in the continual process of (different) object formation. In discourses of fidelity it will be argued that this continual dispersion shows itself in *object avoidance/refusal*. Taking a discursive perspective allows one to call what is commonly called a boundary, a "refused object". In remaining bounded, one refuses what is out of bounds.

A sleight of hand, or rather text, has allowed boundaries to assume a deceptive concreteness. It is in this sleight of hand that one can see the operation of Foucault's

“theoretical network”. Therapeutic relationships, answerable to discourses of fidelity, rely heavily on boundaries, yet the sequence a + noun hides a deflection. It is “a” boundary that emerges in therapeutic texts. A deflection, thus concretised, directs attention away from that which is to be avoided. A boundary becomes, mistakenly, a material object and associated with lines in diagrams and skin on bodies. This has similarities with Foucault’s recurring image of the limit, a transitory line in the sand made by the breaking wave (e.g. 1963/1998, p. 70), and Lacan’s (1949/2000) mirror. It is Elias’ wall that is “hardly ever considered and never properly explained” (2002, p. 286) and Butler’s (1997, p. 170) “turn...[that] makes the distinction...possible, that marks the division...[and] does succeed in marking and perpetuating the partition between the two”. I propose that it is fidelity that is responsible for performing bounded selves.

If we are to return, briefly, to meaning, we find the nominal and material concept of boundaries is central to discourses of fidelity and has been a troubling notion to those who seek clarification. Its existence purports to provide guidance in dealing faithfully with multiple relationships - or different perspectives. Boundaries may occur intrapsychically, inter-personally and inter-professionally. Indeed, the more professional and therefore by implication the more ethical the therapy, the more clear, in theory, is the boundary. Yet what is “a boundary” and how do we know if we have crossed one? Psychotherapeutic text is weak, even avoidant, in definitive answers here, and yet the concept and management of boundaries is the keystone of ethical professional practice. Webb (1997) in her paper, “Training for Maintaining Appropriate Boundaries in Counselling”, notes, but does not address, the problem. She writes, “The term ‘boundary’ is used widely in the literature but is difficult to define, many writers leaving it largely unexplained”. Reduced to a dictionary definition, she accepts that:

Common to all notions, however, is the concept of “drawing a line”: the *Concise Oxford Dictionary* defines it as a limit-line. This may be between aspects of the self; between aspects of the self and others; between types of relationships; between types of behaviour; etc. (p. 176)

Webb places boundaries firmly within the context of relationship, fidelity and ethics. “Fiduciary relationships such as counselling require particular care in ethical management and therefore employ codes of ethics to articulate the rules which govern their boundaries” (1997, p. 177). An ethic of fidelity places a boundary between different selves, and boundaries become re-worded and materialised as that which separates different subjects.

Boundaries are more often defined by their absence, where they are associated with negative valence. They have failed to reject. Their influence appears reduced in so-called “wholistic practice”; perforated, weakened or absent, intra-psychically, they indicate psychopathology; broken, they indicate an ethical violation; absent, they indicate immorality; blurred they indicate either cultural difference or “chonky” practice; transcended, they indicate altered states of consciousness. They are defined by their power to fix or exclude rather than their hidden de-materiality. Furthermore, the common attribution of the verb-name “boundary violations”, considered noteworthy by Foucault (1998/68, p. 317), here indicates the sanctity of the concept of imposing a taboo that is broken at one’s peril. In common usage, a boundary is most often identified by a feeling of having trespassed. In this way, focus is redirected away from the taboo.

Furthermore, conceptualising boundaries relies on the articulation of those semantic elements and metaphorical understandings, which cluster around “light” as in reflection, and vision, such as in “drawing a line” and “clarity”. The attribution of such descriptors to notions of boundaries further supports the false solidity of a boundary. Grammatical elements derived from light rely on a solidity for their existence. For if light cannot be reflected and deflected, by a solid, it cannot be seen. De-concretising boundaries enables us to “problematise what is thinkable and contests our assumptions and what we take for granted”, revealing, as Rose (1998, p. 18) puts it, “the fragility of what seems solid, the contingency of that which claims lofty nobility and disinterest”. I argue that fidelity is responsible for presenting the self as a false solidarity.

The sub-discourse of boundaries, which accompanies discourses of fidelity, allows subject positions that have deceptive edges. These positions in a sense become empty containers waiting to be filled with identities. It is as if the therapeutic discourse has here become stuck. Phillips (1997, p. 159) notes that “the language of boundaries that psychoanalysis is so intent on...promotes a specific set of assumptions about what a person is and can be”. As with Foucault’s early work, it “tends to elide ‘subject positions of a statement with individual capacities to fill them’ (Brown & Cousins, 1980, p. 272)”. The “subject as an effect of discourse” assumes spatial dimensions through intertextuality with discourses of boundaries and their deceptions. In this way, boundaries contribute to the notion of both subject *positions* and essential selves, as will be seen in the following sections.

Would a self be possible without a boundary? The challenge in Foucault’s archaeological work has disturbed but not yet upset the therapeutic community. We have a long way to go in therapy before a self is seen as a purely structural device enabling certain power relations. This is despite Foucault’s assertion that:

The subject is produced “as an effect” through and within discourse, within specific discursive formations, and has no existence, and certainly no transcendental continuity or identity from one subject position to another. (Hall, 2000, p. 23)

It is more often imbued and ennobled with notions of identity. Using what Butler (2002, p. 108) calls “the binding power” of the ‘I’, the psych professions, in the main, speak the subject into existence.

It would appear, in common-sense logic, that a self needs a skin. As Hall (2000, p. 24) notes, the body is “the last residue or hiding place of ‘Man’”. And, although transpersonal theory (Grof, 1998; Walsh, & Vaughan, 1980; Wilber, 1998) and postmodern feminism (Grosz, 1994; Martin, 1997) may contest this personal edge of material reality, the skin-bounded self, from different standpoints, remains central to psychological health, therapeutic cure and ethical practice, and indeed, as Hall notes, to analysis. In this analysis, however, fidelity performs a trick.

To be faithful may mean being faithful in rejecting certain objects - whether these objects be sexual relations with clients, the incoherence of strong emotion or the intrusions of another. But it is a slippage to *see* the refusal *as* the object. Meanwhile something half verb half noun, and yet neither, escapes. It is an escaping. I will argue in the next section, that this last move brings the verb under control of the noun, and existence, thus, under control of essence.

#### ***4.5.4 The two-faced nature of trust***

Foucault found discourses energised around two dominant strategic possibilities. I have argued that these options in fidelity are repetition and uniqueness. In this section I argue that the choice is in fact not a choice, as repetition remains the dominant term. Transformed into selves by both boundaries and the nominalisation of the almost-verb, the participle, two subject positions are offered to the faithful, each with its own agency: to conform or not to conform. The choices offered, however, are limited indeed. For drawing on the sub-discourses of humanism and existentialism, the new influential descriptor, “humanistic-existential”, ensures that one, the humanistic, will have dominance over the other. By relegating integrity to the internal private domain, fidelity thus performs in an inside/outside split. Its responsibilities are extensive indeed!

There thus appear to exist two versions of fidelity. One emphasises its dependability, its repetitive predictability, its faithfulness to some prior agreement or external locus. This interpretation of fidelity stresses its ability to replicate some original. The other is expressed in its integrity, its loyalty, its honesty and genuineness, its refusal to be corrupted, its willingness to stand alone, and its relationship to some internal locus. This version stresses the creative, ever new, potential of the original. These two versions offer different choice points to the ethical counsellor. In this they obey Foucault’s (1968/1998, p. 320) “law” concerning the field of strategic possibilities in which “two options derive from one and the same distribution of points of choice”. Here that is fidelity.

Fixated by boundaries, the two forms of action become two sorts of self. These subject positions are offered: an authentic, intuitive integer and a replicable, faithful, reflective reproduction. Having bound the self in a false skin, fidelity is now able to use its two strategic options to perform an inside/outside self. In this, I propose that therapy has played its part through the humanistic-existential enterprise. I propose that this paradigm is also absorbed by other therapeutic modalities, such as the cognitive behavioural therapies (CBT) and psychodynamic approaches who work to contain the irrational “wild inner child”. The joint appearance of faithfulness and integrity in the same discourse is theoretically supported by collapsing “humanistic” and “existential” into one word, as is commonly done. I argue that this allows the appropriation of the marked term by its dominant partner, resulting in the formal and informal use noted by Midgely (1994) in the first section of this chapter. Where faithfulness holds the public arena, integrity becomes relegated to the private domain.

An oak tree and a flower, Rogers’ images for the self-actualising, humanistic potential, grow according to a pre-ordained genetic script, given the right conditions. In this they are faithful to external orders. This is the humanistic image in therapy. Yet humanism is not usually associated with such determinism, and humanistic approaches reject the “overt determinism” of the psychodynamic models. Williams and Irving (1996) note the paradox here. So humanism in therapy has kept good company with an Americanised version of existentialism. In this, people create themselves daily in committed and risky acts of integrity, forever new, forever re-creating. This “being” is the existential image. To accommodate both versions therapy has coined the term “humanistic-existential”.

I thus suggest that fidelity’s strategic binary, constancy and uniqueness, becomes absorbed in humanistic and existential theories of personality. The ellipsis mentioned above is then allowed through collapsing the two very different philosophies of existentialism and humanism into the phrase “humanistic-existential” as is done in major counselling texts such as Ivey, Bradford Ivey and Simek-Morgan (1997). It is collapsed into one theory of personality by Rogers and by Berne, who continued to be plagued by his ongoing dilemma: is the pianola played or is it playing? The ensuing confusion is noted by Corey (2005, p. 166). European existentialism, at times a grim

business, became humanised, tamed and imprisoned in American psychology by Rogers and Berne in particular. The third main post World War I voice, Perls, more closely appropriated the central tenets of existentialism in founding Gestalt therapy. Ironically this approach is often critiqued for its lack of theoretical foundation. Rogers' theory turned Heidegger's *being* into *beings*. The acorn will grow into an oak, its angst expressing itself in slight turns of the branch, a swivel of the leaf - those differences that make it unique, but do not separate it from the rest of the species. It is only Perls who said, if therapy were really successful, then the therapist and the client would totally disappear!

The humanistic-existential man, however, has swallowed *being*. It lives inside, imprisoned. Growing naturally according to his self-actualising potential, man responds to norms. When these norms deem it appropriate, he may express his internal being, his inner feelings, his intuition. The subtle move condemns the private, along with integrity to the subordination of the reflective public ego. It also condemns it to a site within the body's (false) skin. Since Heidegger, the ego has always been a public tool. Valorised as my desire, integrity is none-the-less containable and manageable. Consistent in my public, external rationality, I am *allowed* internal integrity. Growing as an oak, in conformity with society's expectations and norms, when appropriate - that is to say when given permission from my ego - I can, I must, be also spontaneous, playful, and emotional. I can publicly object or intervene, but only as "appropriate".

However, whilst somewhat ironically the original integer, notwithstanding its internal restraints, may be increasingly valued, so is the profession increasingly concerned with accountability, registration, improved membership criteria and recognition of approved training courses. Such concerns demand adherence, conformity and consistency. The move appears to have increased the polarisation of the binary, increasingly energised the site of tension, the site at which the counsellor emerges, carrying the tension within - to be authentic or to conform to the increasingly stringent demands of the profession. The choice is, in the event, not a choice, as in order to continue practice, conformity to the profession's requirements is a *sine qua non*. If,



within these limits, the counsellor may also be genuine, self-revealing and spontaneous, then the client may flourish.

Counsellors thus appear bound to a double standard. Invited into the valorisation of an internal locus, of a unique perspective, by descriptors of skilfulness (Margison et al, 2000) and of authenticity, which McLeod (2000, p. 274) notes is regarded as a primary virtue in many counselling circles, they are nevertheless castigated for failures in conformity and adherence to standards of practice (McLeod, 2000, p. 275; Winslade & White, 2003). Through this double standard they perform the divided self.

Thus, where a split self, a reflective practitioner, appears desirable at a professional level, discussion or description of a whole or undivided self slips into the intrapsychic realm, unchallenged. It becomes the private concern of therapy. It will later be seen to be challenged in the subsequent therapeutic discourse, but for now, in the professional arena, although lip service may be made to the author, yet again, Caesar's coins go to the reproduction.

In the following two sections I will explore the use of boundaries in two arena: firstly the relationship of the professional self to boundaries, and then the theorising of internal boundaries. I argue that far from ensuring any desired constancy, it is fidelity that contributes eternally to a split, divided subject. It is thus antithetical to any urge towards stability.

#### **4.6 Performing the divided self**

In seeking assurance, fidelity has had the opposite effect of creating a divided sense of being. I argue that fidelity has created not one, but *three* false selves. This move draws more on psychoanalysis than post-modernism's critique of the unitary subject. Yet this is the tripartite "self" that I find fidelity describing. Such a perspective is useful in foregrounding the place of imagery in self-conception. It allows an argument for a different imaginary in finding a way of being safely with others. I will briefly sketch my version of the three selves and relate them to other writers' versions of the divided self. I argue that the tripartite self firmly establishes the "self"-centered

reasoning that allows dualistic thought. In the final section I will consider other calls for a different imaginary. I conclude the chapter by proposing one that could have special relevance for colonised territories such as Aotearoa/NZ.

By refusing to intrude, to surprise and to trick and by using reflective imagery, fidelity has created a false boundary, thus misrepresenting a verb-thing as a noun. The combined term “humanistic-existential” has locked integrity within and given humanism the key. The self becomes split, by fidelity, into a public, external self, which is faithful to the terms of its social and professional contract, and an internal self, which is unique, ever changing and emotive. There is, however, a third self which observes these antics and which is precipitated on the line of refusal – and which is at present, writing this thesis. Just as I return again and again to this work, this self is constant.

#### ***4.6.1 The professional, accountable self***

The professional therapist emerges from a form of fidelity that is able to reproduce professional guidelines and replicate contractual agreements. To do this it must refuse surprises, intrusions and trickery. That which is to be reproduced is characterised by its discreteness and singularity - a discreteness that in turn relies on boundaries. I follow the exact terms of my particular contract, for by exceeding or failing to comply, I open myself to charges of negligence or malpractice.

Although professional organisations have the joint function of ensuring collegial support and client satisfaction, in an increasingly litigious environment, demarcation becomes crucial. In demarcation we see the operation of fidelity in relation to external criteria and boundaries. Stringent professional membership criteria, recognition of appropriate training providers, inevitably approaching registration, complaints procedures and codes of ethics form the governmentalities which Foucault might describe as contributing to technologies of the professional self. Increasingly specific regulations, policies, codes and advice provide the external template against which the professional self shapes itself. Sheridan (1980) emphasises the essentially repetitive nature of a body of knowledge that, in Foucault’s view, represents a professional discipline. He writes, “The discipline is a principle of control in the production of

discourse. It fixes limits through an identity that takes the form of a permanent reactivation of rules” (p. 126).

Manthei (1991) suggests that it is fair to assume that a professional organisation’s journal will to some extent mirror current professional changes and concerns. Therefore a study of the *NZ Journal of Counselling* contents should give some idea of the pattern of development within that organisation. In his subsequent review of the last decade, Manthei (2001, p. 6) ranks articles dealing with professional issues first in frequency in both decades: “in fact, the percentage of articles dealing with that general topic [the process and professional issues of counselling] doubled from 20% to 40% of the total”. However, professional fidelity is not without its opponents.

Firstly, the requisite conformity, faithful reproduction and constant monitoring in relation to a higher authority or code is argued to be at odds with notions of autonomy. Questions of surveillance, or policing of members are raised by many including Besley (2002), Manthei (1997, a, b), Miller (1994), Scheurich (1997), Sweet (1997) and Winslade (1997).

Secondly, the exclusiveness of bounded practice creates divisions that are incompatible with other values of faith, respect and partnership. Drewery and McKenzie (1999) echo this concern in relation to an increasingly exclusive hierarchy within the NZAC.

[The NZAC] disgraced itself in recent years by accepting as members persons who come from backgrounds in social work and community activism, and some of these are not even “trained”. Without going into detail, the political situation in NZ is such that there is now pressure...to distinguish those members who are “accredited” practitioners, thus creating another hierarchy within the profession. (p. 133)

Drewery and McKenzie (1999) here draw attention to increasing pressure to define the scope of counselling, to reduce the range of subject positions available and to increase surveillance.

Thirdly, the need for constant monitoring of boundaries is challenged in claims that such regulation is impossible, unrealistic and even undesirable. Corey, Corey and Callanan (1998) indicate the inherent problem in boundary violations, which occurs when the counsellor's self interest intrudes upon the interests of the client. To this end, they quote several ethical codes (1998, p. 227) all of which recommend the avoidance of multiple/dual relationships. The authors conclude that the managing of multiple or dual relationships in professional practice is not without risk. They note, however, that there is a wide range of viewpoints regarding the extent of risk. They cite Hedges (1993), who maintains that transference, counter-transference, resistance, and interpretation always involve some form of dual relationship and that the successful management of these processes is therapeutically beneficial. Indeed Thompson (1990) suggests that self-interest should be added to a list of ethical principles in psychotherapy. In this he suggests that therapists' self interests do intrude in that therapists also are entitled to consideration in respect to all other ethical principles. Others challenge more directly the rigid maintenance of boundaries, claiming they limit beneficence. For them, as Holmes and Lindley (1998, p. 237) note, "a boundary is, by definition, divisive", creating "insiders" and "outsiders".

Fourthly, critics see increasing professionalism and gate keeping as being in conflict with authentic human *being*. It restrains more spontaneous existence into repetitive acts of the bounded self - acts that reproduce some external locus of control. It sits at odds with the facilitation of the emergent self in therapy. For this self to be healed it needs access to its spontaneity and freedom from any external locus of control. Finally, new initiatives in therapy require creative approaches. Dale (2002) notes the constrictive element of over-regulation and the associated disincentive to develop innovative practice.

There are, then, several arguments that hold that any consistent duty we have to a social contract is at best limiting and at worst impossible and even immoral. Is it in an

attempt to balance this demand that an increasingly professionalised discipline also increasingly values integrity and uniqueness? The next section notes how fidelity performs the unique “self”.

#### ***4.6.2 The authentic, internal self***

A different kind of self appears in therapy and in therapeutic texts. If one searches for the authentic self - the undivided integer, with personal integrity - one finds oneself, in the main, in the therapeutic arena. Where the faithful self denies self-interest and acts in obedience to an outside locus of control, the self with integrity must refuse outside influence. Yet, integrity proves an elusive capacity, escaping in Phillip’s (1997, p. 157) “jargon of authenticity (integrity, honesty, truth, self, instinct)”. This self generates the terms “integration” and “integrated practice”.

The notion of integrity owes much to Erikson’s (1965) sixth stage, referring to a process by which something new is created out of various experiences. Integration runs as a theme through counselling and therapeutic theory. According to Norcross and Grencavage (1989) and McLeod (2000, p. 209), integration allows the constant creation of something new, yet recognisable. It is the blending of experiences in such a way that the synthesis becomes more than the sum of its parts. It is the self with integrity, which creates itself anew in therapy. It emerges more from existential views rather than a social contract model.

This self, then, is unique and also transformative. It is *one* and it is in a *constant process of becoming*. For Heidegger (Inwood, 1999b), one becomes. This dual notion of “becoming” and “singular self” becomes the hallmark of “personal integrity”. As such, it is contrasted with the reproductive self of fidelity.

This self with integrity is created by a boundary, which refuses the contamination of others. It is separated off and becomes “unique”. It is relegated to the private internal domain. Called a self, it becomes falsely objectified into a singular phenomenon. Indeed, it is through integrity that one person becomes recognisable and differentiated from another. Yet, in the moment of being recognised, through autonomy and through fidelity, it becomes objectified. It is as if it becomes, following Husserl’s observation,

no longer an experience, but a phenomenon or object, which under study must needs be singular (Inwood, 1999a, p. 212). “Objects are thus ‘essences’ and it is essences and their interrelations that logic describes”.

The move produces a self as a legitimate singular phenomenon or object of study for others, and for the next reflective self. Yet this self-object is in a sense misrepresented - a conclusion hinted at by Husserl, drawn by both Lacan and Heidegger, and developed in Butler’s (1997) “fictive redoubling”. Inwood writes of Heidegger (1999b, p. 237) “For *Dasein* (being-in-the-world) tends systematically to misinterpret itself and its world, regarding itself, for example, as a thing on a par with other things...Misinterpretation is a possibility to which *Dasein* is essentially prone”. Heidegger saw and struggled with an ontological shift in which *being* becomes *beings*. The move turns a participle, “being”, into an objectified essence.

Although the self may be an ever changing being - “a becoming”, in discourses of fidelity it becomes integrity, a static thing. In this it mis-re-presents itself. I argue that it is a desire for fidelity that allows this to happen, which turns human *being* into individual human *beings*. Through a refusal of fluidity a falsely concrete, falsely individual, self is produced for observation.

Fidelity allows the marking of this second self. Thus argued, the “self” with integrity is the experiential self, located in the world of feelings and intuition, deep within. It emerges as spontaneity, creativity in the “once only” act, and in the process of becoming. Yet, in spite of its fluidity, strangely, it is recognisable. It is the slight difference that marks one from all the others. The third, reflective self, muses on this contradiction!

#### ***4.6.3 The reflective self***

The reflective self has been the more common focus of the post-modern concern with subjectivity and identity. Central to this project is a challenge to sovereign entity. Such arguments focus on the *ambivalence* (Butler, 1997; du Gay, Evans & Redman, 2002; Henriques, Hollway, Urwin, Venn, & Walkerdine, 1998) which sees difference as a binary. Here I am proposing that the reflective self is precipitated on the divide

between the two former “selves”: repetition and uniqueness, the reproduction and the author. Here its job is to objectify *being*. This allows a symbolic “*homo clausus*” (Elias, 2002) with *three* rather than two, false subdivisions. It presents to the world, however, but *two* faces. My argument is that whilst academically the *ambivalent* self may be deconstructed, it retains pervasiveness through a deeper *tripartite* symbolic. Fidelity, in this view, allows the working of that symbolic to appear.

Both the professional, public self and the experiential self-in-process require the surveillance of another: a subject to their object. It is only by considering the relationship of repetition to uniqueness that we can fully comprehend the ego’s task and the symbolic from which it emerges. According to the “rules” of discourse, simultaneously with their objectification a third self is produced, commonly called the ego. Objects require, call forth, subjects to fill subject positions. Defining a false identity through “a” boundary, the autonomous thinker is now produced. Refusing both self-interest *and* intrusion by others, an ego boundary defines its existence. This is to argue that the professional self is repetition, misrecognised as a site for the operation of power and governmentality; the self with integrity is a verb/participle, a unique becoming, misrecognised as a noun; and thought is still constantly seeking its desire for assurance in the ego.

A double “boundary” is now produced. Whereas the first self may be defined by the skin, which refuses self interest and upon which the discipline of the outer world may be inscribed, and the authentic self is defined by refusal to limit its creative potential, the self-in-charge, the ego, is defined by constancy, by its ability to “hold that idea”, refuse distraction and remain the same. This reflective self continually seeks to check, as Locke observed, “is this what was here before?” (Woolhouse, 1999, p. 80). This is Descarte’s “cogito”; Foucault’s “thought” (Danaher, 2000, p. 44); Freud’s “ego”; Berne’s uncontaminated “Adult in executive control” (Berne, 1961); and psychotherapy’s valorised self-reflective practitioner. This new self is spoken into existence and solidarity by the “I” (Butler, 2002). In its constancy it is said to mediate and control the previous external and internal selves. Thus is created the reflective self.

In therapy, the self-reflective practitioner is highly prized and self-reflection considered an ethical prerequisite. It is assumed that the reflective self can mediate between the demands of professionalisation and the intuition of the integer. Foucault (1982) notes the challenge thus posed. “Never...in the history of human societies...has there been such a tricky combination in the same political structures of individualization techniques and of totalisation procedures” (p. 782). The analysis in this thesis, however, finds the odds are stacked: two stable self-objects against one verb/participle, with integrity/being locked firmly inside. Reflective thought returns again and again to the “self”, each time ensuring that integrity lies within.

Reflexive thought has, however, been questioned for its limited vision. Burman (1991, p. 323) writes, “self-referentiality breeds solipsism”. Is there nothing beyond our own frames of reference? It is challenged by Wasserfall (1993) who notes weak and strong forms of reflexivity, where the latter form engages with political action. It will be seen to be challenged politically by Young (1995), who casts aspersions on the form of democracy that results from individual self-reflection. In forever returning to the “self” we miss the opportunity to engage with others in joint political endeavours.

I am here arguing that fidelity is responsible for projecting two “selves” out into the world, whilst performing three. The reflective “self” traps the third spontaneous and multiple, ever-changing “self” within, as integrity. This illusion is accepted in therapy. Although Sartre (1945/1973) and Rogers (1957) both laud genuine freedom of expression, they, like Frankl (1964), also stress reflective responsibility and self-awareness in relation to one’s own value system. The genuine, spontaneous original, although valued in commitment, creativity and experimentation, becomes both forged and outweighed, in self-reflection.

Furthermore, without the previous two selves, the ego is nothing. With nothing on which to reflect, it becomes transparent, a no-thing. It echoes Butler’s (1997) conclusion.

The power imposed upon one is the power that animates one’s emergence, and there appears to be no escaping this



ambivalence. Indeed, there appears to be no “one” without ambivalence, which is to say that the fictive redoubling necessary to become a self rules out the possibility of strict identity. (p. 198)

But I am arguing that “one” is already three. “I” can make rational decisions and still feel uneasy about them. “I” can act out of character. “I” can disappear in identifying with others. Rationality cannot control what is beyond words, and neither can it destroy it. Through fidelity, I propose that the ego’s job is not a doubling but an inadequate mediation.

#### ***4.6.4 Recalling the holy trinity***

Despite Billig’s (1987) suggestion that all thought rests on a binary - you do or you don’t - I thus argue that it is based in a symbolic that has *three* parts. This projects the three “selves” mentioned in this section. The function of this form appears to be to encapsulate or transfix certain self-objects. Given this symbolic, the problem, for me, becomes not so much deconstructing the binary as in liberating the verb, unique becoming, from the subject/object pair that make up self-reflection. In the following section I will discuss how symbols and metaphors are attempting to perform this revolution.

The triumvirate of selves that fidelity has thus created appears deeply embedded in the Euro-western psyche. Where scientific thought becomes predicated on a binary, we still seek a third term to fill the symbolic space provided by awareness of desire. Phillips (1997) comments on Butler:

It can sometimes seem a shame that there are only two sexes, not least because we use this difference as a paradigm to do so much work for us...There is a kind of intellectual melancholy in the loss of a third sex that never existed and so can never be mourned; this third, irrational sex that would break the spell (or the logic) of the two, and that is one of the child’s formative and repressed fantasies about himself or herself. (There is a link

between this magical solution to the primal scene and fantasies of synthesis and redemption.) What Freud called primary process is, after all, the erasing of mutual exclusion, a logic defying logic. This form of generosity (and radicalism) is not always available, it seems, to our secondary-process selves. (p. 158)

There is, of course, a third and secret sex, as one percent of the population are well aware. Indeed, on this basis, Fausto-Sterling (1999) proposes *five* different sexes. Those who call themselves “intersex” who have both male and female genitalia, and who were in the past more honourably recognised as hermaphrodites, daily defy logic. Material bodies thus refuse dualisms. Phillip’s (1997) compulsion to relegate this third part to an “immature fantasy” evidences logic’s desire to control. Nevertheless, he points to a similar secret symbolic space in the irrational part of the psyche where its “logic defying logic” becomes the sensate understanding of the previous chapter. He also allows a comparison of “integrity” with “desire”. The verb does, after all, express desire in the existential commitment to action.

If we count Phillip’s (1997) “logic defying logic”, there are, then, three forms of rationality which are brought into existence by fidelity: the repetition of professionalism enabling all forms of governmentality; the constancy of the reflective practitioner, who ensures that integrity stays within; and the uniqueness of the integer or human *being*. This latter part has been ensnared inside the human body in an attempt to turn it into a thing. These three forms of thought: repetitive, constant and sensory, logic defying logic, perform a deeper symbolic, where they appear as entities and images of self-hood. Here are: mother, maiden, crone; Father, Son and Holy Ghost; superego, ego and id; Parent, Adult Child ego states; “bio/psycho/social”; and now subject, object, verb. Post-modernism’s fascination with dualisms sometimes obscures a form of thought which psychoanalysis has long recognised.

Grounding logic in a tripartite symbolic does make it easier to understand *being*’s struggle for existence. It is, after all, a case of two against one. The odds are stacked. Reflective thought *and* repetitive thought work to maintain stability, and uniqueness becomes the lesser term. Phillip’s (1997) “logic defying logic” it is often called

“immature” and given a lesser place. Nor does the taken-for-granted meaning of noble integrity conform to Freud’s selfish id. Yet in its ever-new *becoming*, in its willingness to disrupt, it performs the same function. In contemporary theory Phillips’ (1997) “generosity and radicalism”, an ability to connect, has become subordinated to Freud’s (1965) secondary processing. This disables it politically. Its fluency here becomes entrapped by fidelity and turned into a false object. Its ever-changing nature has been condemned for being destructive rather than honouring its fire. Those who “mourn” with Butler (1997) miss this point. However, in other cultures, and previously in my own, this fluidity has not been so devalued. The Holy Ghost and the crone are potent in their unpredictability, whilst Te Reo<sup>15</sup> uses verb and noun interchangeably. Is it only Euro-western rationality that requires stasis? Is it only the coloniser who has turned *being* into Matakaere’s (1995) “Maori, the Eternally Compromised Noun”? Only for some (e.g. Macey, 1995) the verb retains its presence, allowing her to write “power is like a verb; it happens through us” (p. 257).

Fidelity thus involves three selves: the reproductive self through which governmentality is performed; the unique spontaneous self with integrity; and the reflective self, which mediates the two. These selves appear in various deep symbolic structures as a tripartite self. Yet poststructural theory has focussed on deconstructing dualisms, and scientific rationality is often framed around dualistic comparisons. I struggle with this dilemma and conclude that in so doing we may be, ironically, colluding with fidelity’s desire to maintain both stasis and the self. As long as *being* remains trapped within a self boundary, as an internal “logic defying logic”, it remains human and separated from all “other things”.

In the previous chapter, *Autonomy*, I argued for the recognition of a form of immanent understanding as that which links us to, and allows us to “hear” the natural world and “other things”. The next section argues that this is what discourses of fidelity are avoiding. The remainder of the chapter will consider alternative symbolics, which may be more useful in breaking rationality’s two-handed stranglehold.

---

<sup>15</sup> Te reo refers to the Maori language.

#### **4.7 What is fidelity avoiding?**

If, as Butler (1997, p. 6) suggests, “the subject is the effect of power in recoil”, then from what is it recoiling? It would appear that faithful professional practice recoils from intrusions, surprises and trickery. Integrity, however, revels in surprises, in the new and recoils from attempts to restrain, distract or influence its uniqueness. The two are at each other’s throats indeed! No wonder a mediator is required. Although Phillips and Butler see no alternative to this process of subjection, claiming that there are no original copy of copies, and that we must refer to what does not yet exist, yet power remains, “as a condition, power precedes the subject” (Butler, 1997, p.13). It is this power in which I am interested. What is desire misrecognising? What is it mourning?

In the previous chapter, *Autonomy*, I argued that the urge to express desire, through autonomy, resulted in amputating our connection with the material and natural world. I proposed that this occurred through a process of turning other things into objects. In this chapter, I propose that fidelity seals the wound by binding desire inside and simultaneously creating a bounded self. In this it performs the inside/outside split which Henriques et al. (1998) see underpinning the individual/social dichotomy. Thus denied the object of its desire, this part, which is not a part, but a disconnected fluidity, a becoming, a verb, becomes unruly. It needs two to hold it down: governmentality and reflection.

In my argument, we do rationality a disservice if we deny it this “logic defying logic”, this sensory understanding. My proposal is that it is through this that we will learn to “listen” to the natural world and other things including bodies. This part is not to be feared. It is just different. Venn (1998), in his analysis of the current state of the subject of psychology, writes:

My analysis points to three main areas. To start with, the need for a materialist theory of knowledge which regards knowledge as a specific kind of production with definite relations to the social and material world. It would reject the autonomy of science, the science-ideology divide and accounts of the

production of knowledge which leave out cultural effects on the internal system of statements of scientific discourses. (p. 150)

I propose that liberating our immanent, sensory understanding will provide the beginning for a “materialist theory of knowledge”. However, in order to do this, we must learn to live, for longer periods at first, without subjectivity. Fluidity needs be liberated from its subjection. Feelings will no longer be “my” feelings, but a measure of connection with other things, other bodies and the natural world. This thesis follows the social construction of emotions out of naturalism (e.g. Armon-Jones, 1986; Harré, 1986), but allows the other thing a voice as well as the social world. Although this may be contested by many, I am suggesting that we cannot really know a feeling until we have traced it to its connection to the material “other thing”.

The “psy” professions are both challenged by this problem, and have the resources to address it, as Henriques et al. (1998) note. Venn (1998, p. 150) goes on to suggest that this might mean reconsidering psychoanalysis’ interest in the unconscious, since that is the “domain of ‘unreason’”. Psychology is fraught on, yet willing to address, the dualism cognition/affect. In this respect therapy may be well positioned, since it draws on both traditions and is accustomed to tension. In order to enable clients to find their public voice, therapy encourages a journey into the wild side. It becomes for Gilligan, “Psyche’s bed of flowers”, (as cited in Benjamin 1986: 97). Where Benjamin (1986) saw a similar internal force “that originates within, a force imbued with the authenticity of inner desire” (p. 97), for her “this space is in turn connected to the space between self and the other”. I argue that we limit our knowing to see only a connection with others. We need to extend our connections to all that has, and does, matter.

Furthermore, the *process* of therapy operates on repetition and uniqueness, reversing the valorisation of integrity. Riikonen and Vataya (1999) write:

The idea and experience of repetition is inherent in the concept of problems. Most of the options for psychological help try to transform the repetitive and given to something changeable and

“created”. If the task of therapy is seen as turning constraints to opportunities we should be very interested in understanding more about constraints and possibilities from a discursive perspective. (p. 177)

Freeing the unique and creative “logic defying logic” from the constraints of repetition means working differently with fidelity if we are to be true to a desire to be safely with others and other things. It means placing less emphasis on reflection and thinking, more on experiencing and the material. It must be done out of logic. To this end, Riikonen and Vataja (1999) in *Re-imagining Therapy*, place the concept of metaphor centrally. Like Wittgenstein (1953) they see “the main task of research is to find *images and metaphors* which arrest the flow of automatic thoughts and actions and make taken-for-granted metaphors more obvious. These kinds of images and metaphors make new connections, possibilities or more productive metaphors” (p. 178).

Letting go of the subject is stepping into unknown territory. The traveller appears to need a sort of compass to guide. It is to this end that several writers have called for a new symbolic: for what is beyond, more paradigmatic to, words. The final section of this chapter will consider these symbolics and propose one, which may be useful to those living in colonised lands, such as Aotearoa/NZ.

#### **4.8 A new symbolic**

The two quotes at the beginning of this chapter demonstrate two ways in which writers have attempted to unsettle the unitary subject, the self with fidelity, both repetitive and undivided. Foucault’s refuses repetition, revisioning something mobile, fluid and ever changing. This is also Braidotti’s (1994) nomadic project. Kristeva (1980a), however, refuses the fixated form of integrity - the one alone. This is also Irigaray’s (1985) proposal in *This Sex Which Is Not One*. Although these approaches attack both forms of fidelity, they are not immoral, for they express a passionate concern to be more ethically inclusive.

Thus the “I”, contained within its symbolic “self”, is loosening its hold. The fetishised object does, after all make its appearance, like the ego at the point of its disappearance (Spyer 1998). In an age when “we can no longer assume the constancy of particular bodies” (Henriques et al., 1998, p. xiv), perhaps it is time to ask a different question, as did Foucault. Instead of asking either “what is a self?” or even “how is a self?” perhaps we should now be asking “where is a self?” Martin (1992) notes the question “where am I?” often asked by people observing medical images and photographs of their insides.

That’s inside me, but it’s outer space, in other words, it’s something colossally huge but inside me. So where am I? People also react this way to some postmodern architectural forms. So one way that you could approach these images is to look at them as an example of architectural forms that are playing with a lot of the old sureties about perspective in space and also about placement in time. (p. 421)

Fidelity’s attempt to hold onto the sureties of repetition and singularity and constancy is thus challenged by this question and needs a new symbolic to represent unbounded safety. Phillips (1997) writes,

The language of boundaries that psychoanalysis is so intent on, and that makes possible notions of identification and mourning, promotes a specific set of assumptions about what a person is and can be. It is a picture of a person informed by the languages of purity and property, what Mary Douglas more exactly called purity and danger. It may be more useful to talk about gradation and blurring rather than contours and outlines when we plot our stories about gender. Butler’s language of performance keeps definitions on the move, which is where it is anyway. Mourning slows things down. (p. 159)

How can we blur the edge of self and find some new “architectural forms” to inform our thinking about fidelity, about being safely with others?

There have been several other calls for an alternative symbolic in feminist literature. Some have opposed the patriarchy’s valorising of light-based imagery in a turn to Hecate’s realm, the dark. Here, light-ordered symbolism is argued to drive a discourse, which is traditionally the realm of the male sky god - a concept which Eisler (1993) explores in her book *The Chalice and the Blade*. Irigaray (Whitford, 1991) also rejects the patriarchal preference for vision and calls for a different symbolic for women. Her solution is a comment on what Lloyd (1997, p. 404) calls the “undoubted maleness of the Man of Reason”.

Irigaray’s proposal is her symbol of “the two lips”. Her attention to the deep structures, both linguistic and psychoanalytic, that underlie any meaning-making have particular relevance to therapy. In *This Sex Which Is Not One* she “theorised the possibility of a different, non-masculine discourse” (Whitford, 1991, p. 4). Her intriguing philosophical account of the no-place for women in the patriarchal symbolic demands an alternative and her choice, for woman, is the two lips of the vagina which connect and are more than one, which hold their own desire and which sense rather than see. Irigaray’s concern for the world’s future, her critical analysis of the destructive power of the patriarchy and her “polysemic”, elusive style and her passion for woman-as-subject are appealing to me. Her argument for alterity is that the hold of the patriarchal discourse is so strong, and the environment so endangered, that it is unwise at present to offer a shared symbolic. Women must first develop their own symbolic - their own place in discourse.

Irigaray sees a strength, a freedom, in women’s positioning outside discourse. She proposes another image - that of mimicry - to describe women’s introit to text. This enables the continuation of the theme of fetishism developed in the previous chapter. Bhabha (1994) also finds mimicry a useful introit, and describes the fetishism of objects of colonial power by indigenous people, seen in the inappropriate use or wearing of insignia of colonial power. But for Bhabha, mimicry is dangerous. He concludes that the dominant system relies on mimicry and its imperfect adherence to



prop up an existing system of power relations that ultimately disempower the adherent.

Mimicry is constructed around an *ambivalence*; in order to be effective, mimicry must continually produce its slippage, its excess, its difference. The authority of that mode of colonial discourse I have called mimicry is therefore stricken by an indeterminacy: mimicry emerges as the representation of a difference that is itself a process of disavowal. Mimicry is, thus the sign of a double articulation, a complex strategy of reform, regulation and discipline, which “appropriates” the Other as it visualizes power. Mimicry is also the sign of the inappropriate, a difference or recalcitrance which coheres the dominant strategic function of colonial power, intensifies surveillance and poses an immanent threat to both “normalised” knowledges and disciplinary powers. (p. 86)

Bhabha cites Lacan, (1977b, p. 85) “Mimicry reveals something in so far as it is distinct from what might be called an itself that is behind. The effect of mimicry is camouflage”. Lacan writes into semiotics Freud’s interpretation of the infant game “fort” “da” (peekaboo) and resultant self-alienation. “The infant is both split off from his drives and subordinated to the Symbolic” (Appel, 2000, p. 32).

I am sensitive to Irigaray’s cautions, and to Bhabha’s suggestion that any direct engagement reinforces the patriarchy. I am aware, as Bhabha notes, that more than women are “reduced” to mimicry when entering the dominant structures of power. Yet I have a concern to link desire with the material world. Although this is where mimicry originated, it is not available to *all* matter. Not everything has “an itself it is behind”. In this, Grosz’s (1994) re-imagining of the body might take us forward.

Grosz (1994), in *Volatile Bodies*, describes the female body as occupying a different subject position. Attempting to bridge the divide between interiority and exteriority using corporeality as a framework, she proposes that, “the mind is an idea of the body

to the exact degree that the body is an extension of the mind” (p. 12). Her resolution of the inside/outside binary might place selves, social and individual, in some sort of “contacting”. Grosz presents the body as a place where it is possible to *feel* the object by contact and where boundaries merge. She firmly links such an experience to the female body which, she argues, exists in a wider variety of mucous - the biological “in-between” - than the male body. Whether or not this claim is contestable, feminist writers do have a slight advantage in other-self imagining, which is inherent both biologically and conceptually in the female body and relationships. I am talking here of the biological ability of the female body to exist in relation to another during pregnancy and whilst breast-feeding. Being female, I am unable to imagine a male equivalent, although this does not preclude its possibility!

Although Grosz re-imagines the body and places it in a “no man’s land”, between ego and matter, it is again a female image. It does, however, place the material in connection with desire. For Butler, power/desire is located in a space before the “I”. She suggests that the moment of turning, of reflexivity, when one interpellates one’s voice, as does Althusser’s (1969/2000) subject, is a potent space. She sees coherent identity relying on exclusion and suggests that it might be politically necessary to risk the incoherence of identity to make connection possible. This incoherence, this close to, but not through words, holds potential and leads to my preferred symbolic, Kristeva’s (1974/2000, 1980a) chora.

Kristeva presents two images, the infant (1975/1980d) and the chora (1974/2000). Both are related in that they defy the symbolic order. Kristeva’s intriguing poetic writing describes the symbolic child, the infant, the one who does not speak (*in fans*) in discourse. If I understand her correctly, she sees the child introduced as an image at three seminal moments in history, in order to escape the original binary bind: a bind she expresses as reason versus meaning. These seminal moments are, for her: first Christianity, quickly rigidified as a ritual; second, the theories of Rousseau, followed by Marxist revolutions; and then Freud and “modern literature’s disruption of the Christian Word” (1976/1980d, p. 271). At a time when concern for the abused child figures frequently in contemporary texts, are we poised on yet another threshold?

Kristeva symbolically positions the child between the ego and the other. In “Motherhood According to Giovanni Bellini”, the child and mother occupy a shared space. “Within the body, growing as a graft, indomitable, there is an other. And no one is present, within that simultaneously dual and alien space, to signify what is going on” (1975/1980c, p. 237). Kristeva is impressed by the spiritual potency of this no-one, non-verbal, shared space, a space where forms desire. Its potency is here undiminished by discourses of adaptation and development. The child/mother are potent with life, ever becoming, undiminished by the valorisation of the separate, but divided, socially “mature” individual.

Discursively we might find place for the *infans*, that which does not speak, in the spaces between the text of a discourse. Kristeva takes her chora from Plato. It is “an invisible and formless being which receives all things and in some mysterious way partakes of the intelligible, and is most incomprehensible” (as cited in Roudiez, 1980, p. 6). It is the space between the words, taking its genealogy from the Greek word “chorus”. Here meet audience and actors, resonating and thus amplifying the main themes. Here the words stop and shared resonance begins. Where the *infans* does not speak, the chora contains, not words, but rhythm. This is the place where life meets matter. In this respect it connects and involves all that “matters”.

To re-cognise a chora one must shift focus from figure to ground. As Melbourne and Nunns (1999), traditional Maori musicologists, describe the koau or flute as having its own air, the breath of life, so might it be possible for us to re-scribe the ethos and the agency of a discourse as the spaces between the text. If one can think of the words of the text as those elements, which punctuate and shape, and the space between as that which carries and connects, then one can get a sense of the elemental power of this space. When the speaking stops, the resonance of desire begins. Here there is no trope, no turning away. Here is resonance and voice beyond words. The location of desire in the shared space re-moves the necessity for an objectifying turn/trope and subsequent displacement or alienation of desire. In the chora, desire is both expressed and experienced simultaneously.

In her writings, Kristeva argues that this space, the chora, is so potent that dominating and colonising processes/discourses continually seek to destroy it. She speaks of the space-stretchers, the poets, the artists, those who cause the words to pause and speak through the resonance, and warns that they are the first to be killed in a (reactionary) revolution. Those who disrupt by laughter, another form of rhythmic space-stretching and verbal disruption, face either ridicule or death (Kristeva, 1980a).

This image has particular relevance to Aotearoa/NZ, because it describes a process of destruction, with which we are familiar. Maori is a culture rich in imagery relating to the rhythmic space of breath. Kristeva might interpret the silencing of Te Reo as far more than the silencing of a language. She might see it as an attempt to destroy a culture by a systematic attack on the spaces between its words. First the sneeze of life is pathologised, then the hongi, the shared breath, is declared unsanitary. Te Reo is made illegal, and children punished for speaking it at school. Opportunities for the space stretching karanga and the poetry of oratory are reduced, as are the opportunities for the space tension-builders, the hiss and sharp exhalation of breath in the powhiri. As words cease, their function as punctuators of space, the rhythm of life becomes disrupted. The heartbeat ends. Maori faced material and symbolic extinction. Self-emergence can now no longer be through other-self confluence, but through a Euro-western discursive medium, a medium in which Maori becomes Matahaere's (1995) "eternally compromised noun".

There is a potency to the image which appeals to this writer and which engages a part of me that is beyond text. For Kristeva here links semiotics and social justice, life and death, domination and rebellion, blood-shed and heart-beat, physics and biology. The metaphor has the potential to exist across texts and across disciplines. How then might such a symbolic inform a new ethic of fidelity?

#### **4.9 A new ethic of fidelity**

Fidelity addresses what it means to be safely, ethically and in trust with others and other things. This analysis challenges the nature of relationship, the aetiology of reflection and the articulation of responsiveness. It exposes the un-contracted, the dark and the merged.

It would appear that a new ethic of fidelity, or that which mediates an in-between could usefully develop a deconstruction, a new symbolic, a challenging of boundaries and a stronger focus on that which pulsates between us and the rest of the world. If boundaries are integral to a notion of fidelity and if un-bounded-ness is integral to authenticity, with a different imaginary, it becomes possible to argue for a boundary as a site of possible shared power, rather than a mechanism of exclusion or protection.

If the construction of subject and object, of ego and other result through, and from, a turn away from desire and connectedness, and if this is reflected in the maintaining of firm boundaries, then the continual challenging of boundaries becomes our faithful and ethical concern.

A formalistic understanding of morality is contraindicated in this account. Schwandt (2000) pulls together a disparate, but influential group, who argue similarly.

Although they display considerable differences in their views, thinkers such as Kierkegaard, Sartre, Buber, Gabriel Marcel, Levinas, Legstrup, Nussbaum, Bauman and Noddings oppose the way morality is defined in the standard framework. They all argue for an ethic of closeness, of care, of proximity, or of relatedness, and hold that morality must be theorized from an *experiential* basis, specifically in the experience of the I-thou relationship". (p. 204) [I would add both "I-it" and "I-others" relationships to this.]

Bauman (1993) argues, and I agree, that moral life is not about decision-making, calculation, or procedures. Rather it is "that un-founded, non-rational, un-arguable, no-excuses-given and non-calculable urge to stretch towards the other, to caress, to be for, to live for, happen what may" (Bauman, 1993, p. 247). That which touches carries its own vibrations in which individual selves are lost.

“Maori say that the creation of sound in all its forms preceded human existence...rhythm and movement are essential to life...Tihei Maoriora - I sneeze - therefore there is life” (Melbourne & Nunns, 1999).

#### 4.10 A post-modern parody

*God created a garden, and Adam too, said Heidegger<sup>16</sup>, and all lived happily till Adam got lonely and God created the first boundary to turn Adam away from his loneliness for God's garden. And this boundary was called a skin. And on the other side of it was a woman. And woman was all that Adam wanted. She was, indeed, his desire.*

*But God could not let woman know that Adam was lonely, and the skin was thin, and that she was a part of him, so he created a rule. And the rule said, you mustn't ever know anything - especially that apple over there.*

*And woman, being a compatible soul, moved around the garden and made many friends. And one of these was the god-dammed snake. And that woman got so uppity that she decided she wanted knowledge too. And there it hung, within her grasp - the apple of her eye. It mattered.*

*And so she did. She damned well did. She picked it. And being a generous soul - or perhaps wanting to share the blame - who knows - she was no-one's fool now - she offered it to wide-eyed Adam. And wide-eyed Adam, the blue-eyed boy, ate it too. And boy, was God mad!*

---

<sup>16</sup> Heidegger theorised that, if man had any ontology, it must be God.

*So Adam blamed his desire, his woman. So then God created his second boundary. This time he made it good and strong and called it a wall - although others call it death. And the wall went all round the glorious Garden of Eden. And God cast out Adam and Eve - and I think he cast the snake out too - although that bit's not clear. And for all their life they couldn't get back - that is, until they'd found out about death.*

*And the snake lost his legs and got a bellyfull of dirt. And no doubt Adam and Eve mourned for paradise lost for the rest of their lives.*

*One thing's for sure, they never stopped re- producing boundaries. First they reproduced more skins and populated the earth and eventually they got into the clothing industry and started mass producing garments - and making money too - all above board, because God gave them a licence called "agency" over everything. And unlike Lot's wistful, wise wife, they never looked back.*

## Chapter 5

### Justice

*“We’ve had a hundred years of analysis and people are getting more and more sensitive and the world is getting worse and worse” (Hillman & Ventura 1992, p. 3).*

#### 5.1 Introduction

Therapy has a core value of equity shown by treating everyone the same. This is a problem for those who want to “put things right” for people who don’t seem equal at all. It is also a problem in Aotearoa/NZ for those who want to take the Treaty of Waitangi into account, because working alongside Maori means doing things differently. Possibly the worst problem for the therapist is that they are often the ones who have to make a decision about who is entitled to justice. When is someone so obviously not “equal” that they need committing or restraining for their own or others’ good? Foucault’s ideas allow me to argue that therapists are not gods like Janus. They cannot look both ways at once and perform a duty of care towards both the client and society.

Foucault might say that this alternating gaze allows something more important to escape. I argue that one thing that easily escapes is any idea of joint responsibility. A justice that relies on sovereign, autonomous selves will look for a scapegoat. Sometimes that will be the therapist or social worker, sometimes the client. If we are all in this together, we are *all* responsible for “fixing it”. Other theorists add to this by including the inanimate world in this “togetherness”, with similar access to justice. This is also the view of this chapter.

The chapter will follow the structure of previous chapters by tracing justice back to its beginnings in philosophy and then re-tracing its moves into psychotherapy. It will then look more closely at specific practices through which justice is performed by focussing on the NZAC codes of ethics. Following that, justice will be submitted to Foucault’s (1998/1968) four perspectives. During this I will try to capture a sense of



what is being avoided. This will be foregrounded in the last sections on exclusions and suggestions will be made for the development of a more just practice.

## **5.2 Situating justice in philosophy**

Where fidelity, in the previous chapter, was argued to mediate the relationship between, and indeed create, selves, justice is here viewed as mediating the relationship between the individual and their social world. Justice generalises its effects to all. In this it becomes “jus” or the law that binds us together. Justice asks the question: how might a person and their peers stand together in good faith? For what purpose, or under what constraints, do we co-habit in social groups? It holds a central position in all ethical discourses since it is presumed to determine the rules by which power operates between subjects. According to Hillman and Ventura (1992) above, justice may be in need of revision. Its operation calls for closer scrutiny. This section will trace Justice back to its origins and retrace its subsequent path through philosophy into therapeutic discourse.

Legal history sees “jus” originating in the whim of the gods. Removed from its more modern association with responsibilities, rights and wrongs, “jus” was the enforceable, the right of the powerful. Greek gods were not moral, they were capricious. One denied them at one’s peril. “Jus” is symbolised in Zeus’ thunderbolt. Later sovereigns were believed to have different “jus” handed down to them from respective deities, as were the Ten Commandments to Moses. Mediaeval monarchs had separate “jus” to distribute (Maine, 1927). It was not until the weakening of the monarch’s power with the rise of the barons in the Western world (Pollock & Maitland, 1898), that “jus” started to become negotiable and socially constructed. This early, more visceral struggle for power, often theorised as opposition to the influence of the Church through the person of the sovereign, developed into the cognitive power of rationality during the Enlightenment.

“Jus” has, thus, a long history of association with who has the power to enforce what, rather than what is judged morally acceptable, as Derrida (1992a, p. 5) notes in his discussion of “juste” and “droit”. A consideration of justice cannot be dissociated from a consideration of power. It will be argued in the next chapter, Non-maleficence,

that rationality claims power through its appropriation of morality. Rationality *becomes* morality. It would appear that here also, justice may be claiming power through its appropriation of morality. Justice *becomes* morality, hiding its force. It is this elision that Biesta (2003) explores in his discussion of Derrida. Biesta's title "*Deconstruction = Justice*" calls for an unsettling of taken-for-granted meanings, and an awareness that with justice all may not be as it seems.

Theories of justice draw on several different models, which seek to explain how "men" can live together in harmony, and how that can be enforced. One of the most influential is Hobbes' (1651/1994) social contract model. This is based upon a legal and political fiction, upon an imaginary, but useful premise that individuals have agreed to forfeit certain freedoms in order to benefit from social life. Against this they are governed. This premise is based on the idea of "juridical sovereignty". Here the law is seen as god given and eternal. Social members have rights given to them by the law of nature (*jus naturale*). However, they agree to forfeit some of these (such as the right to kill other people) in order to benefit from living together. In his famous revision of this, Rousseau, in 1762, argued that the function of the state was to allow people to develop natural goodness. A state which fails to do this no longer has legitimate power (Solomon, 1997, p. 633).

This paved the way for the second common model, the social warfare model found in Marxism. This view sees government appropriated by certain groups in society who maintain their power (or rights) by deception or tyranny. Gramsci's (1986) concept of hegemony is an example of how systems of dominant power work in such a model. In viewing a moral system and the origin of moral thought as conditioned by economic arrangements, Marx echoes Thrasymachus' earlier views "that ethics is something imposed on the weaker by the stronger" (Singer, 1994, pp. 17-18). Thus "our standard concepts of justice and injustice are moulded to serve the interests of the ruling class".

Eighteenth century writers previously debated the origin of any such rights. Their legacy also continues unresolved (Singer, 1994, p. 9). It is possible to see in this debate rationality's struggle to wrest power away from deity - to grab Jove's thunderbolt. For Kant, ethics, including justice, equates to God-given rationality. It

separates “man” from animals, his base desires and the rest of the world. He wrote, “moral law is holy (inviolable)” (Kant, 1788/1994, p. 39). Although man may be unholy, his humanity, which “must be holy to him”, is his central and indivisible core. Justice in this view flows from the expression of the “holy” centre of man’s being and follows his duty to be human. Being human in this view is dependent upon one’s ability to grasp or “know” the moral “jus” or law. Because of this ontology, man can never be used as a means to an end. Justice, for Kant, is treating everyone the same. It is this desire that leads to retribution. For if one has suffered because of another’s unjust actions, equity demands the unjust other pays the price. Shylock must have his pound of flesh.

Hume’s (1739/1994) earlier, but opposing, view gave primacy to the passions or emotions. Although Hume argued that when these emotions were not “disordered” they were primarily benevolent, such as “love of life and kindness to children”, they were nevertheless “planted in us”. Reason can only hope to control what really motivates us and we allow rights to others on the basis of our *feelings* for them. This allows his views to be closer to those who were influenced by Darwin’s evolutionary theories and primate ethics and subsequent geneticism. Hume, however, went further in developing the idea of general good and utility, although this is most commonly associated with Mill’s *Utilitarianism* published 1861. A single just act might in the long run disadvantage the rest of society. One might, in this view, make a small sacrifice in order that more people might benefit in the long run. One could steal a loaf of bread to feed a family, as long as it did not significantly deprive anyone else.

From these two original positions developed the two main strands of ethical thinking. Hume (1739/1994) named these two positions the “ought” and the “is”. Although, as Singer (1994, p. 9) notes, they are closer together today than previously, they have still influenced the contract/warfare debate. Kant’s (1788/1994, p. 274) categorical imperative: “Act only on that maxim through which you can at the same time will that it should become a universal law”, leads easily to ideals of impartiality and equity. Hobbes’ concept of passion controlled, on the other hand, informs Rawl’s (1972/1994, p. 364) concern for “the least advantaged members of society”.

These theories of the origin of governance still inform choices about just ethical action and become expressed in debates about impartiality and fairness, as expressed by Sidgwick (1907/1994) and Rawls (1972/1994). Sidgwick (1907/1994, p. 135), in considering the general and imprecise nature of all ethical principles from a utilitarian standpoint, identifies a common element in justice, which he claims is intuitively known. This, he argues, is impartiality. Impartiality finds effect in sub-discourses of sameness and equity. Rawls' (1972/1994, pp. 362-3) critique of this theory prefers a definition of justice as fairness "which...ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances". Rawl's belief that "a society satisfying the principles of justice as fairness comes as close as a society can, to being a voluntary scheme" (p. 364), identifies the core of the social contract model. He argues for example "that inequalities of wealth and authority are only just if they result in compensating benefits for everyone and in particular for the least advantaged members of society". Although agreeing with Mill's concept of equity, he stretches this to include equality of opportunity and access. An expression of justice, in this theory, might seek to impose community service rather than imprisonment. It leads to re-distributive justice.

These forms of justice, the retribution of Kant, the utility of Mills, and the redistribution of Rawls, are still the most common forms. The first chooses universal principles from behind a veil of ignorance, the next applies them in such a way as to benefit the greatest number of people. These two keep good company. The third strives to ensure that the rich do not continue to get richer at the expense of the poor. The same people must not always benefit and all should have the same equality of access and opportunity. This is Rawl's fairness. In a free market economy and with the decline of the Welfare State, it appears that impartiality is winning out over fairness.

Poststructural views, however, disturb the binary of impartiality and fairness and demand a re-cognition of the effects and operation of power. In the wake of the Holocaust, "jus" becomes once more suspect. Levinas, Lyotard and Derrida explore the meeting of difference and see justice expressed in our response to the other, whilst

Foucault addresses the dynamics of power. Foucault's unwillingness to accept either the social contract or the social warfare models of joint human enterprise allows for a different theorising that sees power circulating through systems of governmentality (Danaher, Schirato & Webb, 2000, p. 89). For Foucault (1980, p. 98), power is "something which circulates, or rather as something which only functions in the form of a chain. It is never localised, never in anybody's hands, never appropriated as a commodity or a piece of wealth". Power here becomes forms of internalised rationality such as may be seen in discursive operations. Foucault's biopower and technologies of governmentality, however, do not totally evade the former dualism. Indeed, as Foucault, referring to power, predicted, they create another. Danaher et al. (2000, p. 95) write, "power always creates its own 'other', its own opposition". For power exists in a circular relationship with "regimes of truth". The "politics of truth" are the mechanisms by which "truth" functions as "true". Thus facts are fictioned. Truth/power/knowledge circulates among people *and* within people. As Gore (1992) points out, these represent the political and ethical dimensions of these regimes. Justice/power appears continually fraught on this binary.

This binary is emphasised in what is often considered to be another paradigm shift. Gilligan's (1994) seminal work has allowed for the foregrounding of justice as a public/private dualism. Gilligan responds to the hierarchical versions of Freud, Piaget and Kohlberg, arguing for a different form of justice for women.

Freud concluded that women "show less sense of justice than men, that they are less ready to submit to the great exigencies of life, that they are more often influenced in their judgements by feelings of affection or hostility". The criticism that Freud makes of women's sense of justice, seeing it as compromised in its refusal of blind impartiality, reappears not only in the work of Piaget but also that of Kohlberg. (p. 53)

Gilligan theorises a women's ethic of care, rather than fairness or impartiality. In this, ethical problems arise from conflicting responsibilities rather than conflicting rights. The ensuing dualism, however, has been troubling to many. Whilst, as Held (1994)

notes, some think an ethic of care should supersede or stand as oppositional to an ethic of justice, other views support integrating the two. She sees a place for both forms of morality.

Finally, justice has often a direct relationship with the material world. Justice inscribes bodies and re-arranges “other things”. Feminism emphasises a material form of justice. Held (1994, p. 168) writes “women’s experience of moral problems seems to lead us to be especially concerned with actual relationships between embodied persons”. Marx’s alienation premise (see Chapter 1, Autonomy) described the de-materialising effect of the economic relationships of power, whilst for Foucault the operations of justice/power have material and often violent effects. One might then assume, (although it is never wise to do so), that a concern for social justice might demand a consideration of the distribution, inscription, or re-distribution, of material objects.

The more disturbing poststructural views have not yet managed to unseat the more traditional binaries, although they are problematic to jurisprudence. Rosenfield (1992, p. 152), for example, refers to the current “crisis in legal interpretation” which reflects a loss of faith in objective criteria. Although contributing to a promising initiative in restorative justice, all three major themes retain currency. Examples of their operation could recently be observed in Aotearoa/NZ in the divisive and heated seabed/foreshore debate.

In 2003, the Court of Appeal ruled that the Maori Land Court had jurisdiction to investigate customary title to the foreshore and seabed. In 2004, some say with undue haste, the controversial Foreshore and Seabed Act was passed, which vested the ownership of all public foreshore and seabed in the Crown. This aimed to maintain public rights of access while ensuring protection of the association of whanau, hapu and iwi with certain areas. Some saw this as an affront to Maori, who had assumed customary rights to the seabed/foreshore, under article two of the Treaty of Waitangi, our founding document. This guaranteed Maori protection of their customary rights in

the gathering of food and other taonga<sup>17</sup>. The Euro-western Kantian interpretation of rights is at odds with many indigenous people's understanding of guardianship or "kaitiakitanga". This is closer to a feminist ethic of care. As with many feminist arguments, however, this appears to be relegated to the private domain and subsidiary to public justice, with kaitiakitanga being overshadowed by the Resource Management Act, 1991. Since this Act was amended at the same time to allow for subdivisions to revert to the crown, some saw this as a further affront to the indigenous people's claims.

Some have used the claim of equity "we're all the same". Maori should not have special privilege. Supporters of the Maori have argued for fairness and contextual consideration. Many marae used, and still use, the seabed/foreshore as their self-supporting farm. Some have impassioned arguments demanding restitution for neo-colonial appropriation. Public opinion was fraught upon the interpretation of "customary rights" and concepts of ownership including the right to make money out of mussel farming. Inspiring all arguments was a strong sensory connection with place, be it tangata whenua or the desire to protect the Maori/Pakeha cultural icon, "Christmas at the beach". A Maori-organised demonstration attracted record numbers of protesters and many called for more face-to-face discussion and public debate as a restorative way forward.

This local debate defines or encapsulates the scope of discourses of justice against which this chapter is set. In it, all three traditional and two contemporary themes strive for Jove's thunderbolt. I have proposed that the dominant view of justice is still Kantian and utilitarian. It favours equity and retribution. I have seen fairness and care struggling. I have suggested that poststructural views might here see the material effects of justice relegated to the radical and theoretical, where they retain strong emotional and moral currency. The next section considers the working out of these themes in the therapeutic discourse. How is justice performed in the "psy" professions?

---

<sup>17</sup> Taonga are commonly known as treasures, and refer to those items which have particular significance for Maori.

### 5.3 Situating justice in therapy

In this section I will consider the place of justice in the “psy” professions. In mainstream therapy a dichotomy appears between public and private forms of justice, in which equity, through Kantianism and utilitarianism, is still the dominant theme. However there exists a strong *moral* voice in radical “critical” theorising and social constructionist, cultural and feminist approaches which favours fairness. I suggest that therapy also has a vital, but hidden relationship with the power expressed by justice, in managing the sub-discourses of normality and empowerment. I also propose that therapy increasingly inscribes fairness with *moral* value, whilst practicing equity.

Therapy has a deeply just intent. Originating out of a concern for perceived social breakdown, it drew, in particular, on ego psychology, humanism and existentialism in providing an individual solution to a social problem. With boundaries intact through fidelity (see the previous chapter), the fully functioning person is expected to meld into their social world. Descriptors of mental health find an individual satisfactorily integrated into their social environment (e.g. Disley, 1997). Since justice has been said to operate at this transition point, mediating between the individual and society, one might expect an ethic of justice to be increasingly important in therapy. Would it, perhaps, have a part to play in “cure”?

I find that justice holds an ambivalent position in therapeutic texts. It does not appear to be a primary principle in any code (Bond, 2000, p. 60). It was the fourth of Kitchener’s (1984) moral principles and, as will be seen, has, in principled form, been written out of the NZAC COE (2002). Its subsidiary position in therapeutic texts is somewhat surprising given the nature of counselling as an adjunct to social cohesion.

Definitions of justice are also somewhat circumspect and restrained, favouring equity and being coy with fairness. In Beauchamp and Childress’ medical ethics (1994) justice refers to the fair distribution of services within society. Noting the importance of justice “policies in access to financing of health care...dwarf in social importance every other issue considered in this book”, Beauchamp and Childress (1994, p. 387) nevertheless settle for a form of equity in “recognising an enforceable right to a decent minimum of health care”. Bond (2001) notes that although justice is implicit in



all therapeutic codes, in therapy it is even less specific than in Beauchamp and Childress' medical ethics (1994). Justice is more likely to appear in a "weak form" as a private venture, or in privacy with clients. In Bond's (2001) analysis:

Impartiality and being non-discriminatory towards clients is stressed, but this falls short of a wider commitment to ensuring the availability of counselling to all members of the population on an equitable basis. None of the codes go so far as to suggest a more positive obligation to ensure a fair distribution and availability of counselling to the whole population. (p. 159)

Nor is there a strong trend towards a more positive involvement in the promotion of fairness and redistribution through social equity. Therapists are not encouraged to be political persons. As Monk and Chen (1998, p. 2) note, although inroads have been made "in confronting racist and androcentric practice", social oppression remains deeply embedded in practice. Furthermore, the extent of these inroads is still debatable. According to Prilleltensky and Nelson (1997), even community psychologists have been unable to challenge "the status quo's underlying legitimacy" (p. 166), whilst Fox (1997) notes a decreased emphasis on social change.

Although Kitchener (1984, p. 50) equates justice with being even handed and believes that therapists should "have a commitment to being 'fair' that goes beyond that of the ordinary person", the extent of this call above and beyond is unclear. This somewhat cautious approach is vastly different from Parson's<sup>18</sup> original intent and from the more politically active approach taken by many feminist (e.g. Brown, 1997; Elliot, 1997; Fine, 1992; Goldner, 1992; Hare-Mustin & Marecek, 1994; Porter, 1999; Weingarten, 1991), social-constructionist, (eg Drewery & Monk, 1994; McNamee & Gergen, 1992; Shotter, 1993a,b), cultural (e.g. Durie, 1998; Moodley, 2000); and family therapists (e.g. Tamasese & Waldegrave 1994; Waldegrave, 2000/1990; White,

---

<sup>18</sup> Frank Parsons (1854 -1908) is credited with being the first person to use the term counsellor in its currently used form. He was a radical social advocate and passionate advocate of rights for the urban poor in Boston. His Vocation Bureau supported workers and migrants against what he saw as an oppressive capitalism.

1989)<sup>19</sup>. McLeod's (2003b, p. 393) definition of justice as being "primarily concerned with the fair distribution of resources *or materials* [italics added], on the assumption that people are equal unless there is some acceptable rationale for treating them differently" is a brave naming of material effects, which is more usually avoided. Bond (2000, p. 22) notes that attention is periodically drawn to the origins of counselling and Parsons, especially when it appears that "counselling is in danger of becoming 'overly parochial and perhaps irrelevant' (Zytowski, 1985)". That Parsons is again making an appearance may indicate that the time is right for another paradigm shift.

Be that as it may, addressing power more directly has been left to those who draw on the post-modern interest in moral absolutes, power and difference (e.g. Tierney et al., 1993). Here critical psychology bravely confronts mainstream psychology's unjust practices (e.g. Fox & Prilleltensky, 1997). Here is poststructuralism's interest in the "suspension of representation" (Peters, Olssen & Lankshear, 2003) which works to unsettle the established order. However, in its turn, this relative turn is critiqued for its lack of material substance and political potency. There is a danger that these approaches remain the "conscience of the profession" (Feltham, 2002), allowing a more traditional relationship with clients who are treated "all the same". Although Waldegrave and his team (e.g. Waldegrave, 1990, 2000; Tamasese & Waldegrave, 1993) have been speaking and publishing around the world since the 1980's, and although their articles appear to have become a compulsory part of any training module, family centres similar to theirs have not been established at the same rate as other therapeutic services.

Cushman (1990) notes the problem. In inheriting responsibility for the unitary subject, the "psy" professions struggle to make full use of poststructural tools. Counselling theory has always spoken, and rebelled against oppression, but liberal humanism left a lonely self to be disciplined by justice - one with internalised resources. Just therapy thus struggles to avoid dualisms. It replays weak and strong forms of justice that parallel the weak and strong forms of reflection noted by Wasserfall (1993). It replays

---

<sup>19</sup> I recognize that these categories are somewhat arbitrary in their distinctness. Many writers refuse such neat categorization, addressing and redressing the effects of power on marginalized groups in general.

Midgely's (1994) formal and informal use and Gilligan's (1982) public/private dichotomy. It also replays the inside/outside dualism noted in the previous section. Whilst systemically favouring impartiality and equity (ultimate extensions of this are retribution, as in "an eye for an eye"), in the equal provision of services, in the private sphere it prides itself on being non-judgemental (non-retributive). Here it also has the stated intent of theoretical redistribution in enabling clients to access "more resourceful ways of living" (NZAC, 2002, p. 26). It thus replays Fairclough's (1992, p. 59) observations. Counselling is a "highly ambivalent" practice, with a complex relationship to power.

Where critical theory worked towards liberation, more recent theoretical tools are working on producing a form of human being, which is not so bounded, with resources that are not so private. (See Chapter 4, Fidelity for more discussion here.) Recent critical texts have used both forms of theorising to engage in a deconstruction of just practice. In *Deconstructing Psychotherapy*, for example, Parker (1999) invited contributors to engage with the personal/political interface in a new way. Parker writes, "perhaps the metaphor of deconstruction is more apposite here...this book...invites a connection between the personal and political which is more radical and practical than approaches derived so far from dialectics" (p. 5). Therapies arising from such poststructural literature attempt to reverse the increasing dualisms, placing redistribution, and being fair, in the public arena. Whilst not favouring retribution, based on equity, in the private arena, they at least favour a form of judgementalism that identifies and resists certain unjust relations of power. In this I might confront my client's racist comments, rather than listen to the story of his broken relationship (Elliot, 1997). I might encourage my anorexic clients to wear T-shirts bearing political slogans (Epston, Morris & Maisel, 1995).

This is not mainstream practice, and strategies for bringing together the public and private are notoriously difficult. Indeed, a new dichotomy is emerging with increasingly daring radical perspectives that parallel increasingly rigorous evidence-based, accountable practice. Feltham (2002) notes the importance of such perspectives, but emasculates them by relegating them to the status of internal dogmatics. Totton (2004), however, sees the emergence of two distinct forms of

therapy, which he calls “the expert systems approach” and the “local knowledge approach” (p. 6). If justice is power, then it would appear to thrive on binaries. Of even more concern is the role of the therapist in maintaining these.

Therapy is a private process and occurs behind closed doors. Yet the therapist must now be also a professional. This means projecting a public face and being accountable to systems of governmentality. This places therapists in a crucially important yet contradictory relationship with justice, which seldom enters overt discourses under that name.

Whilst committed to providing, if not equality of opportunity, at least equal access to therapeutic services, therapists are also responsible for denying those same services to others. For it is incumbent on therapists, by law, to protect society from the dangerously destructive desires of individual clients. Should a therapist judge that the client is incompetent to make a decision or that there is a “serious danger in the immediate or foreseeable future” (NZAC, 2002, section 6.2.c) to either the client or others, they have an ethical responsibility to inform appropriate services. This may then restrict the client’s access to autonomy. “Jus” is utilitarian, in this country at least, preferring public to private good, and Kantian in attributing liability. Subjection to this law has resulted in bringing therapy into other arena: the legal arena, the mental health arena and the public domain. Yet it is seldom seen as part of the therapist’s commitment to justice.

This, then, places therapists in the unenviable position of Janus<sup>20</sup>. Therapists appear to need two faces: one looks inwards to the therapeutic interaction, the other is required to look outwards to wider society and the possibility of public danger. Both activities require very different skills. Each requires a different positioning in the appropriate discourse. Given the moments of heightened tension in which such judgements are usually made, the management of the two together necessitates more the flexibility of an acrobat than a rational and judicious balancing of the scales of justice! I am not here criticising “safe” practice, although Brown (1997) might. I am rather noting that

---

<sup>20</sup> Kristeva (1980, p. 23) uses the same metaphor to describe the form of double vision required for those ethically engaged in the dominant discourse.

it is interesting that therapy has taken this critical role on board so demurely. Still fraught on the public/private, individual/society, inside/outside dualism, justice does not, for example, make neighbours accountable for the wellbeing of the neighbourhood.

Two sub-discourses contribute to an understanding and expression of justice in therapy. These can be seen to represent the two philosophical positions of impartiality and fairness. They are the sub-discourses of empowerment and normal human development. Whilst both are increasingly, theoretically, under attack, they continue to dominate practice. Where empowerment would seem to inspire an ethic of social justice, the identification and exclusion of the “abnormal” requires a different perspective. Justice in this case is afforded to society rather than to the client. It could be seen to be retributive. One adds to the rights of the individual, the other denies or removes rights, as Brown (1997) and Fox (1997) note. These two antithetical positions are afforded to the therapist who may be impeached for failing in either duty: for either breaching confidentiality or in failing to warn. Reeve and Seber (2004) discuss the difficulties of maintaining this balance.

Philosophy can here be seen to continue its debate through professional practice. In this, therapy draws on two competing sub-discourses: empowerment and normality. I am foregrounding these in order to show that, contrary to any peaceful intent, a commitment to justice is a two edged sword for therapists. It places them in a torn position and requires them to be instrumental in hiding the operations of power.

### ***5.3.1 Empowerment***

Originating in the “fairness” model, particularly in the 1980s, the word “empowerment” was freely used to explain the benefit of the talking cures. McWhirter (1991) in an attempt to find a unifying principle, which might allow outcome studies to determine its efficacy, gathered descriptors from a variety of human service perspectives. She concluded that empowerment was different from autonomy in that it “simultaneously affected both the individual and the community” (p. 222). She writes, “It is important to distinguish empowerment from concepts such as autonomy and efficacy. Empowerment refers to a comprehensive process affecting

not just the individual but the individual in relation to others, to the community and to society” (p. 224).

According to McWhirter (1991), empowerment is a four-stage process in which individuals:

- (a) become aware of the power dynamics at work in their life context,
- (b) develop the skills and capacity for gaining some reasonable control over their lives,
- (c) exercise this control without infringing upon the rights of others and
- (d) support the empowerment of others in their community. (p. 224)

Yet empowerment, like fairness, relies on a quantifiable notion of power and an expert “empowerer”. Gore (1992) argues that this belief in empowerment is embedded in education and, by extrapolation, in the helping professions. She critiques underlying assumptions by questioning first, the expert position of teacher (counsellor), and second the still common view of power as a property. Furthermore, Gore finds empowerment responsible for perpetuating the binary oppression/production. Gore’s conclusion is to foreground the necessary question, “what *can* we do for you?” which places power in sites of practice and calls for a more collective engagement with the workings of justice.

This aspect of empowerment has been developed by feminist therapists in particular (e.g. Bowen, Bahrck & Zerbe Enns, 1991), who stress the importance of refraining from engaging in any dynamics of power that reproduce the conditions of an unjust society. To this end the position of experts in total control of their own circumstances, and of magicians in possession of arcane knowledge, supported by jargon, must be abandoned. Helpers must neither rescue nor direct. Empowerment has here come to mean enabling others to effect change for themselves. Yet the enabler remains.

Although a buzzword of the 1980s, empowerment remains in common coinage. Its function as a mediator and perpetrator of the individual/social dualism remains. It was replaced in the 1990s, perhaps predictably, by a scientific interest in the

mechanics of the brain and the nervous system, rather than a social system. Yet “the decade of the brain” indicates a biological form of empowerment that is a key element of subsequent attachment theory. The manner in which an infant is said to be empowered to enter the social sphere still stresses individual preparedness, an expert caregiver and a quantifiable notion of power as serotonin and new neural connections (Siegel, 2001). The function of empowerment, if not its name, remains a core concept (McWhirter 1991), particularly in multicultural counselling (McLeod, 2003b). Sub-discourses of empowerment provide conflicting views on the social responsibility of the counsellor and call for clarification (Bowen, Bahrlick & Zerbe Enns, 1991; McWhirter, 1991).

I propose that this discourse of empowerment is itself empowered in a circular fashion by the sub-discourse of normality, as predicted by Foucault (1980). It becomes the other half of a pair which sees empowerment attempting to share and to be fair, and normality attempting to reduce all to the same and to equity.

### *5.3.2 Normally speaking...*

The next sub-discourse plays out the philosophical theme of impartiality and equity. It presents an external template, or an “ought” for those seeking to be human. Not only do normality and fairness compete, but the interstices of justice and of normal human development create a further tension for the counsellor. It is the justice system, which in material fact and in bodily space separates the normal from the abnormal. In response to increasing demands for assessment, counsellors may be forced to change perspective and their own just position in relation to the client.

In Aotearoa/NZ the Mental Health Act (1992) states that, in an emergency, information should be provided if it is “necessary to save the person’s life, to prevent serious damage to the health of the person or to prevent the person from causing serious injury to himself, herself, or others” (Compulsory Assessment and Treatment Amendment Act, 1992.) Bond’s (2000) comparison of five professional therapeutic codes: the British Association of Counselling (BAC), the Confederation of Scottish Counselling Agencies (COSCA), the British Psychological Society (BPS), the United Kingdom Council for Psychotherapy (UKCP) and NZAC shows that whereas

confidentiality is a universal requirement, disclosure is advised in order to save life or prevent serious harm. Furthermore, in cases where the therapist has failed to inform appropriate services, the law has punished them. The criteria for exclusion or inclusion becomes that of various arbiters such as the DSM and other forms of assessment which almost universally have as their common denominator theories of normality. Without acceptance of normality, exclusion would be impossible.

Where such intrusions may seem reasonable and desirable (and safety is not here the issue, rather therapists' positions in relation to it), they place a responsibility upon the therapist to be "unjust" to the client. There are many cases which are not clear-cut and the burden of being both judge and jury is an onerous one. Therapists have choice to either exclude certain clients from their services, or become politically active. In excluding, they prove themselves worthy of a place in the social and professional world. It is at this juncture that positions may once more change, confidentiality may be broken, patients committed, relations informed, police involved. In committing themselves to upholding beliefs in, and measures of (ab)normality such as the DSM IV, counsellors become part of the front line that delineates the other - the sane from the insane, mature from immature, criminal from non-criminal, those with ego from those without.

Although normality has been critiqued and pathologised from various standpoints, (e.g. Fraser, 1998; Gergen, 1991; Rose, 1985; Walkerdine, 1994), the concept remains deeply embedded in the therapist's psyche. Walkerdine (1994) argues for abandoning the theory altogether.

If the idea of a stagewise progression of reasoning to a pinnacle of abstracted logic is itself not universal and natural at all, but Eurocentric and bourgeois, then it follows that the very idea of a universal progression needs to be abandoned. (p. 70)

However, the idea appears too deeply entrenched to disappear. It is embedded in the humanistic notion of growth in Roger's self-actualising principle. It may have softened to allow difference, especially cultural difference, but the core of



developmental theory is now compellingly reinforced by stories from neurophysiology. The stage-wise development of attachment theory accounts for the origin of many social problems. Furthermore it is relentless in its allocation of the problem. It is the individual who has, however unfortunately, had an insufficient attachment who is now argued to be routed for later social deviance. This surge of interest in neurophysiology makes it all the more important that a different theory of materiality be developed. Scientific evidence is otherwise hard to counteract.

Therapy, then, replays philosophy in having a divided relationship with justice. In the main, it relegates justice as fairness to critical psychology, to social constructionism, to feminism and to multiculturalism. Here it is afforded the moral high-ground. It plays out a form of theoretical fairness in therapy, where clients' access to resources is discussed in private places. It leaves equity and sameness as the weighted term, through an emphasis on professionalism and normality. The next section will consider the concrete practices through which justice is enacted in the NZAC codes of ethics.

#### **5.4 Justice in the NZAC Code of Ethics: Concrete practices**

In this section I intend to take a closer look at how justice is expressed in the ethical codes of the NZAC. I will show that the previous dualism, fairness/equity, is continued. As the former is increasingly valued in moral terms, practice increasingly replays sameness. Comparing different versions of the same code allows a dynamic view of the process whereby this happens. It shows that the NZAC has had a fluid relationship with justice. "Justice" as a principle has become replaced by "social" justice as a value. This is a complicated move. It appears to show an increasing valuing of fairness over equity. However, moving justice, now social justice, from a principle to a value, has the effect of relegating fairness to the private, moral sphere.

Furthermore, in contrast, the codes' contents appear to be moving from fairness to equity. Where the 1995 COE stressed empowerment and fairness through involvement in what Gore (1992, p. 64) would call "the political aspect" of Foucault's regimes of truth, the 2002 COE appears to foreground the "ethical component". The most striking difference between the 1991, 1995 and 2002 codes is the latter's (lack of) relationship with community. Although foregrounding "social justice", in 2002 the

membership decided to remove a whole section on “Responsibility to the Wider Community” (NZAC, 1991, p. 25; NZAC, 1995, p. 14). Whilst all the contributing sections have been absorbed into “Respecting Diversity and Promoting Social Justice”, the transition has allowed some changes that, to my mind, lessen the political impact of the Code. “Any person shall [in 1995, but no longer in 2002] have the right of access to appropriate counselling” (1995, p. 13). Instead counsellors will be committed to the “equitable provision” (section 5.2.g) of services. This may be more realistic, but the poor could miss out. Counsellors in 2002 will still “seek to increase the range of choices and opportunities” but no longer for the community. The new commitment is only for clients. In 1991 counsellors “should advocate policies and legislation that promote social justice, improved social conditions and a fair sharing of the community’s resources”. By 2002, fair sharing has become equity, improved social conditions have become wellbeing and community resources have become “more resourceful ways of living” (section 2) for clients. These changes may be minimal, but to my mind they indicate a possible trend that is worth consideration.

For those who prefer the ethico/political domain, there are some encouraging additions in the 2002 code. Under “Safety” (section 5.1), counsellors are charged to “take responsible action to challenge violence and the abuse of power” (section 5.1.b). Under “Responsibility to the Profession” they are “encouraged to devote a proportion of their professional activity to services for which there is little or no financial return” (section 7.3.c). They are still to contribute to policy development and promote equal employment and Treaty principles. Perhaps most important of all is the writing in of “seeking consultation”, “working with” and supervision which evidences a move towards a more dialogic practice. (See Turner, 1995, later.)

However, much of the 2002 code advises client-focussed rather than socially-focussed action. Here counsellors are to “support their clients to challenge the injustices they experience” (section 5.2). It is possible that NZAC, in “promoting” various forms of welfare and equity, have encouraged counsellors to become if not more passive, then at least more removed. “Acting with respect”, “actively supporting” and “promoting safety” (NZAC, 2002) appear a tad more cautious than the previous political

advocacy. Here the Code might appear to reflect Prilleltensky and Nelson's (1997) ameliorative rather than transformative approach to social justice.

Further evidencing this internalisation of justice are the recommendations to address personal judgements. Section 5.2, "Respecting Diversity and Promoting Social Justice", urges counsellors to "take account of their own cultural identity and biases". Counsellors are also directed in section 5.2 to "understand and work within the client's cultural context". Coupled with an increased emphasis on on-going training and cultural awareness, justice appears to follow Foucault's aesthetics of the self. I have indicated that I find this problematic for two reasons. Foucault's theory still appears to me to reproduce the internal/external binary that separates ethics from politics, and it does not sufficiently allow for a theory of materiality and deconstruction of individuality, which I began to propose in the previous two chapters.

The 2002 code also attempts to be more inclusive of feminist and other cultural perspectives. These innovative and promising moves are somewhat understated and, to my mind, result in a confused mix of perspectives. Preceding social justice are the values of "partnership" and "responsible caring". These two values, however, are somewhat at odds, the equity of the former displacing the rather confusing interpretation of Gilligan's feminist perspective in the latter. Gilligan's ethics of care based on responsibility for the other, thus worded, could here be taken to imply a prior responsibility to society, rather than to the embodied other. The form of social justice which might be expected to follow from this, could be somewhat paternalistic.

The new code works to include a stronger response to the principles of the Treaty of Waitangi. Reference is made to the importance of "partnership", "sovereignty", "whanau", "hapu" and "iwi". Consultancy, cultural supervision and ongoing training in cultural understanding become part of ethical practice. This attempt to be more inclusive demonstrates the struggle to escape from assimilation. Whilst the code partially succeeds, it is interesting that such inclusion still appears to follow the adjustment of the dominant schema to the indigenous. In this it still appears to collude with the assimilation, which McLeod (2003b, p. 244) notes was the preferred response

of the 1960s and 1970s. The 2002 Code appears to follow similar solutions by including strategies for building greater awareness of culture. Ethical principal 5, “promote the safety and well-being of individuals, families, communities, whanau, hapu and iwi” still calls for a process by which the inherent tension between individual and hapu, whanau and iwi might be addressed. Although committed to partnership, the code is not a shared document with both partners participating equally. Nor is it a joint publication with another stand-alone Maori code. As McLeod (2003b) notes, culture here becomes an add-on to general approaches. The NZAC continues to front these challenging issues.

Thus, although Winslade, White, Paton, Esler, Feather and Cheshire (2002) claim that the new section promoting social justice goes much further than it used to go, the counsellor’s role appears to be to facilitate equity within the client, in terms of assisting them to access their internal resources, rather than within society. Therapists’ concern for social issues here appears to be weighted in favour of just therapeutic practice, rather than social or political engagement.

To summarise the key points that emerged out of the process of consultation that accompanied the drafting of the new code, Winslade and White (2002) presented a multi-vocal piece resembling a Socratic dialogue, at the NZAC Conference, 2002, Auckland. This creative and engaging piece represented the various voices encountered during the previous process of consultation. The following section uses these pieces to address issues of social justice as present in the current discourse within the NZAC. Whilst very much respecting the work done and the difficulties faced by the team, a closer look nevertheless observes an emerging sub-text.

#### ***5.4.1 The current state of play***

It is easy to criticise a faceless document which is in the public arena. It is important here to pay tribute to the amount of consultancy which was undertaken and which is expected to continue. It is also important to see in the following extract, evidence of Turner’s (1995) “dialogic community”, discussed later in this chapter. Indeed, an ongoing commitment to this may be the strongest contribution the new code makes to social justice. Winslade and White (2002) are at pains to describe the current code as

a “work in progress” and a “living document” which has been put forward as a discussion document rather than a finished product.

The following “play” is part of a production made by the ethics committee for the general membership at the NZAC AGM, 2002. In this they hoped to represent, and put forward for open discussion, the concerns of membership as expressed in various consultations. Parts are taken here by various NZAC members. The section here reproduced is presented as representative of the current counselling discourse on social justice. Answers/statements (A) come from the Ethics Advisory Group and questions (Q) from voices representing the membership. The play is in italics; my commentary in plain type.

*A. “There is a new section on respecting diversity and promoting social justice...This goes much further than we used to. We don’t just expect counsellors to not discriminate against those from different cultural backgrounds any more...We expect them to learn about the client’s cultural context, to work towards bicultural competence, to work in ways that are meaningful within the client’s cultural communities”.*

This sounds exciting! I wonder what will be new and what meaningful ways of working will be advocated. I like the idea of the recognising and *relating* to the client’s context. I must admit to some warning bells in hearing “learning about”. Watch out for cultural appropriation! Another query: if we work towards becoming biculturally competent, do we stop worrying about training sufficient Maori?

*Q. “The code asks us to design and carry out and write up research in a way that promotes cultural sensitivity. Does this mean that researchers should not report honestly data that is not culturally sensitive?”*

*A. No, we are not inviting dishonesty or limiting academic freedom. But we might expect for example that if research data being reported might have an effect on perceptions of Maori people, that Maori should have a chance to comment on these data too. And the researcher should report these comments too.”*

I’m so pleased to see the ethics of research addressed – but I wonder if it goes far enough. Can one analyse another’s difference? Should Pakeha be researching Maori? Could we have made a stronger statement about joint bicultural research initiatives? Doesn’t all research “have an effect on perceptions”, Maori or otherwise?

*Q. “The code asks us to take responsible action to challenge violence or abuse of power. Can we be expected to stop violence from happening? Could that put us at risk?...Does that mean counsellors should be out there on the streets with protest banners?”*

*A. “No that’s not an expectation of ethical practice. Nor are we asking counsellors to place themselves or their clients at risk. But we also do not expect counsellors to collude with the ongoing presence of violence. We expect that they will make clear a position against violence and find ways to express that in their work.”*

Yes. We’ll all do this differently, and we do have to take clients’ and our own safety into account here. But how...? It still feels a little unclear and rather too safe. Doesn’t one always have to take a risk in avoiding colluding with power?...And why is political action being so often limited to a consideration of protest marches.

*Q. "The code says that counsellors are encouraged to devote a proportion of their professional activity to work for which there is little or no financial return. Do we have to do this? What if a counsellor is just scraping by financially?"*

*A. "The idea of pro bono work goes a long way back in professional ethics, especially in medicine and law. It emphasises the principle of service to others that underlies being a professional. We might interpret this quite widely. So it might mean making phone calls on a client's behalf and not charging for the extra time. It might mean doing tasks for NZAC. It might mean charging a reduced fee for someone who can't afford a full fee. It might mean serving on a community committee."*

Fair enough. I make adjustments to take a client's financial, or other devalued status into account all the time. But I get tired of doing this. I don't want to be the ambulance at the bottom of the cliff. Where do we get to start building fences? Also, there's a slippage here - in the Code, the pro bono work was to be for the Association, not the client.

This interactive piece demonstrates a series of ameliorative (Prilleltensky & Nelson, 1997) responses to the hard questions, from those who appear to fear a more radical, political stance. Although engaging, they limit the sphere of social justice to the work and person of the counsellor. Justice is to be private, internal and supportive.

The fundamental philosophical dilemma appears here to have been dealt with by directing just practice inwards, away from contextual referential, to the therapist's own integrity, and outwards in a supportive rather than proactive role. Furthermore, this support must be impartially given. It would appear that the impartial treatment of the individual may here be taking precedence over the political, although the stated intent, social justice, might indicate otherwise.

Nor has the post-modern academic counselling discourse been able to accommodate the complexities of the bicultural relationship, although its struggle to do so is ongoing. Winslade (2001, p. 22) indicates the “elevation of the statement about ‘actively supporting the principles of partnership embodied in the TOW’ from a guideline in the last Code, to a principle”. However, in spite of both this and increased requirements for Treaty training in the NZAC COE for Trainers, the effects of disciplinary power as described by Foucault can be seen in the continued eradication of history. In reviews of two consecutive decades of the contents of the *NZ Journal of Counselling* Manthei (1991, 2001) categorizes “cross-cultural/bicultural issues”. In 1991, these are ranked fourth in a list of nine categories. Twenty such articles are listed, 13.8% of the total number of articles in the first decade, many of these being in a special issue in 1990. In the second decade (Manthei, 2001) the category contains 31 articles, 14% of the total, and is ranked third. However, a critical analysis of the last decade reveals that only three of these articles, published in the *Journal*, concern Maori, the others more accurately refer to cross-cultural issues: Asian, Pacific Island and Chinese. A planned Maori issue of the *Journal* has failed to get off the ground, but a special issue relating to counselling Chinese was published 2003. It would appear that there are difficulties not only in responding to the face of the Maori other, but in identifying its very existence.

There is an ongoing danger that partnership continues to be conceived of as being between two equal individuals. It can be seen that the document is being adapted, rather than re-written, that Maori are seen as doing things “differently”, and that choice options, here related to ethical decisions or autonomy, arise mainly out of some undefined notion of partnership.

Thus concrete practices, as expressed through the NZAC codes, show competing philosophical positions of equity and fairness. The dominant institutional theme appears to be impartiality and equity, with fairness being delegated to the more value-rich, but less influential aspects of practice. To its credit, the NZAC continues to tussle with this problem by keeping the debate alive and public. Here is a developing ethical commitment to ongoing dialogue. The following section uses Foucault’s four strands to re-think the just counselling praxis described in this section.



## 5.5 Applying Foucault's four "laws"

In this section I intend to remove justice as far as possible from meaning and study the above themes in relation to Foucault's (1968/1998) four laws. In so doing I am searching for what might be excluded or thought differently from the still dominant individual/social binary. This will mean focussing on the manner in which constitutive statements are constructed, rather than their taken-for-granted meanings. How do discourses perform justice thus in therapy? I suggest that justice performs not just selves, as in fidelity, but *sovereign* selves. I propose that an essential part of this move sees justice performing an isolation. Jove's thunderbolt, after all, requires a target.

### 5.5.1 "Law" of dispersion of different objects or referents

As can be seen in the previous themes, justice takes several different forms. In this it conforms to Foucault's first "law" which sees the referent for any discourse, continually dispersed. The ambivalence between "justice" and "social justice" is but one example. Justice accompanies injustice in another dualism, followed by retribution and redistribution, with restoration making some inroad. Justice is also made oppositional to care. This particular dualism will be discussed further in Chapter 7, Beneficence. Another dualism is Sidgwick's justice as impartiality, and Rawl's justice as fairness, which inform debates of equity versus equality: of access and opportunity. In particular, in counselling in Aotearoa/NZ, they drive debate over the relative merits of multiculturalism and biculturalism. The interface of these two sub-discourses can be used to conceal *un-fairness* in equity. As Fine and Addelston (1996, p. 84) note, sameness and difference are "promiscuous and deceptive discursive strategies". They appear in each other's company, masking underlying relationships of power residing in the physical practices of institutions.

Following this, and if, as Foucault proposes, power exists by hiding itself, then one would assume that it is justice-as-power which is here excluded. Certainly justice-as-power is alien to counselling, and the core Rogerian (1957, 1951) value of non-judgemental, positive self regard, implies distancing altogether from retributive forms, if not also from distributive forms. Therapeutic advice is also cautious about encouraging abused clients to seek legal redress, ostensibly because of the trauma the

court process can engender. Furthermore, therapy is sensitive about claims to expertise. Therapy would appear to prefer to remove itself from justice-as-power. In this view, justice is seldom represented as power. In fact, it would appear that dominant forms of therapy, including ethical codes, are at pains to remove connotations of power from therapy. The section on “abuse of power” (NZAC, 1995, p14) has, after all, been changed to a less raw and more individually focussed section on “exploitation” (NZAC, 2002, p. 29). This subtle move individualises misuse of power, thus removing counsellors from any consideration of counselling as inherently suspect in demonstrating Fairclough’s (1992) ambivalent relationship to power.

The next “law” considers the way in which subject positions are presented through various fields of vision and metaphors. I suggest that inhabiting these hides the operations of power. It compels subjectivity to inhabit a *body* upon which power can be inscribed.

### **5.5.2 “Law” of enunciative dispersion: performing subjects**

In accordance with Foucault’s second “law”, a multitude of subject positions are identified. Identifying one’s standpoint in talking justice becomes crucial. For whom are we speaking when we talk impartiality, fairness or equity? For the counsellor the problem is multiplied. The metaphor of Janus was earlier proposed. Here therapists are dangerously positioned as both judge and jury. In matters that involve public safety, the counsellor/therapist is directed to act in the public good, even though this may mean abandoning a primary allegiance to the client. Although consultation is recommended, the judgement call is too often the solitary counsellor’s. It is against the counsellor’s *error* of judgement (*injustice*) that legal proceedings may be undertaken by either client or court. (See the Tarasoff case, Ludbrook, 2003, p. 63.)

In making such judgement calls, the counsellor must, unlike Janus, have a third face in taking into account their own professional safety. The constant requirement to look at least three ways, to client and public good and to professional reputation, including other contractual relationships, is somewhat eclipsed in most codes, by aligning justice with its taken-for-granted meaning of the even handed or impartial delivery of services.

An interesting example of the double vision which justice requires can be seen in attributing the aetiology of social problems - and here I may have to return to hermeneutics! McWhirter (1991) puts it succinctly: “clients should be viewed *not* as ‘sick’ people in the system, but as people attempting to cope as best they can within a ‘sick’ system”. The differing standpoints become most pressing in discourse of sexual abuse. For why do we counsel clients to readjust their life-saving strategies and then return them to a world that remains full of pornography, violence and denial? It is therefore not surprising that energy became redirected into more stringent “scientific” enquiry allowed by a study of the brain, which allowed a compromise to be reached in attachment theory. It pays homage to a refusal to blame, whilst redirecting attention away from society to malfunctioning individuals. Again, something has escaped.

Foucault’s (1979) view of governmentality describes a key feature of subject positions offered in discourses of justice. It is visibly present in Plate no. 8 “Lecture on the evils of alcoholism in the auditorium of Fresnes prison”. The auditorium is one of several that have survived in the Western world and shows what might appear to be the appallingly inhumane position of prisoners who are walled in so that they cannot see each other, only the lecturer. Deprived of human touch, many of these prisoners were also kept in solitary confinement. Here is, graphically presented, the isolating role of justice. It offers only *individual* subject positions. This places therapy, behind its closed doors, in an extremely ambivalent position and relationship to power. The question now becomes this: is there other than an individual subject position in justice/power? And what is therapy’s place in performing isolation? The next section on sentence formation gives an indication of how this isolation is here performed.

### ***5.5.3 “Law” of dispersal of the theoretical network (sentence formation)***

According to Foucault’s third “law”, each subject position is expressed through different language style. I intend to show that three distinctive theoretical networks or sentence formations are seen in discourses of justice. They are firstly the language of assessment, secondly, the use of numerical attribution, and thirdly, the turn to ownership and nominalisation.

First, the unspoken in-justice which causes the therapist to align with society in making the client ab-normal requires not only a shift in perspective, but also in sentence formation. This judgement call, devolved upon the therapist, causes theoretical, practical and political concern in its reliance upon assessment. It is by assessment that therapists decide whether society needs protection against the client and it is by assessment that therapists exclude some clients from their services. Assessment could be argued to be an attribute of in-justice, the reverse of either fairness or impartiality. It disrupts the “equity in relationship between people” that Waldegrave (1990) and his team describe as the epitome of justice, earlier in this chapter. Assessment could be seen as a regulatory device, a “technique of power” (Fairclough, 1992, p. 54) by which power replicates itself.

The language of assessment is different from the language of therapy. It requires more closed questions, less affective language, more rigid attribution in the form of “you” questions and “I” responses, more nominalisations and strict control of turn taking by the assessor. Fairclough (1992), considering Foucault in relation to discourse genres, writes:

Interview and counselling represent respectively objectifying and subjectifying genres corresponding to the objectifying technique of examination and the subjectifying technique of confession, and the modes of discourse which bureaucratically “handle” people like objects on the one hand, and modes of discourse which explore and give voice to the self. (p. 54)

Where Fairclough separates counselling from interviewing in this manner, increasing professionalisation and accountability has, since then, resulted in counselling being colonised by the interview.

This assessment genre has not sat easily with counselling. It is often seen as a necessary obstacle to the therapeutic relationship. The debate is most obvious in the requirements (by ACC, in NZ) for on-going assessment in the provision of counselling for sensitive claims, and the increasing inclusion of mental health

modules in training programmes. The problematic place of assessment in a therapeutic relationship has been addressed theoretically by writers such as Corey (1996), Briere (1992, 2001), Dalenberg (1997), Egan (1990), Martin (1997) and McGregor (2001). It is of special concern in abuse-focused therapy where it is generally accepted that survivors may be re-abused in therapy by the reactivation of traumatic memories. By concluding that assessment must intertwine with therapy, theoreticians claim moral intent. However, it is also possible to see, in this, the colonising moves of an objectifying genre.

Increasingly, on-going funding of therapy depends upon assessment. An original injunction, in the 1995 COE, to avoid the use of assessment labels, has been later modified to read “counsellors shall avoid using diagnostic labelling in any way *which is likely to cause harm* [italics added] to their clients” (NZAC, 2002, section 5.8 b). This example of the colonising power of the so-called impartial medical discourse is resisted by many counsellors from the subjectifying genre and has resulted in a passionate response, some of which appears in the pages of the NZAC *Newsletter*. Language is highly emotive and is summarised by Dale (2003, p. 24) in her on-going columns. They express major concerns about the on-going nature of reviews and use of an “expert” psychologist to assess counsellors’ work. Dale writes “there is a tone of disappointment, frustration and outrage” in NZAC, and “some clients feel under tortuous scrutiny”. Responses to a questionnaire to ACC counsellors, June 2003, spoke strongly of injustice. “A considerable number of respondents consider ACC procedures to be insensitive, invasive, inflexible, intrusive and pathologising” (p. 23).

It would appear that the subjectifying genre might be losing ground to the objectifying one. Speaking fairness, counsellors tend to lose the rationality, the singularity, the autonomy of a rights-based discourse. As Midgley (1994, pp. 382-383) points out, “the language of rights is rather ill-suited to expressing [this], because it has been developed mainly for the protection of people who, though perhaps oppressed, are in principle articulate”. Here the eruption of spontaneous, emotive signs such as “tortuous scrutiny” indicate the desperation of a perception of justice that is different from those who seek impartiality. (For further discussion on verb-ties slippages in the use of “rights” and “responsibilities” see Chapter 3, Autonomy.)

Midgley's (1994, p. 383) statement, "the dictum that 'rights and duties are correlative' is misleading, because the two words keep rather different company, and one may be narrowed without affecting the other", indicates the slippage noted in Chapter 3. Rights are often assumed to be balanced by responsibilities, but Jonathan (1990) and Midgley (1994) expose the falsehood in these assumptions. The disadvantaged have few rights, and correspondingly huge responsibility for self-sufficiency placed on them, due to their limited access to resources. This cannot easily be expressed in a non-emotive genre.

Secondly, the use of numerical attribution also allows an evasion. Consider the following passage, which is from the "Guidelines for the Training of Counsellors" (NZAC, 2002).

An essential element of any training course in NZ must be the provision of appropriate experiences for trainees to increase their awareness and knowledge of tikanga Maori and the issues and realities of biculturalism as the first step towards developing skills and understanding necessary for working in a multicultural society. (p. 46)

Statements such as this do nothing to remove the confusion about the type of society that might be called just. Is it multicultural or bicultural? How can it be both unless one becomes an adjunct to the other? Biculturalism and multiculturalism present different aspects of justice. Where biculturalism speaks to fairness, a re-balancing of the scales, multiculturalism speaks equity in "we're all the same, but different". Encouraged by the post-modern preference for pluralism, the invitation to join the multicultural "we" is compelling. Even Maori, as Matahaere (1995) notes, do not now identify as one. There are many iwi. However, when the dominant group uses "we", there is a danger of Mohanty's (1994, p. 151) "empty cultural pluralism".

Speaking from a feminist perspective, with the emphasis on gender, Fine and Addelston (1996) note a discursive process, which constructs difference and sameness

in such a way as to reinforce existing institutional power. They argue that the apparently oppositional positions of difference and sameness are but variations of one position. The function of this position is to distract focus from structural inequities and privilege. These debates allow the above “empty pluralism”.

The struggle for cultural sovereignty is paralleled in the private therapeutic discourse where the interchangeable use of pronouns hides the operation of power. Consider the following sets of interpersonal interactions.

<i>I claim my rights.</i>	<i>You're just feeling upset.</i>
<i>We agreed to share.</i>	<i>I didn't</i>
<i>You're unsuited to this job.</i>	<i>I claim unfair dismissal.</i>
<i>I think this is appalling.</i>	Use “I” statements and claim <i>your feelings.</i>
<i>You seem to think you can...</i>	<i>I'm sorry.</i>
<i>We need to pull together.</i>	<i>It's alright for you.</i>

These hide a tussle for power, which normally resides in the thinking “I”. “We” thus can mask an inequity, “you” can be made culpable, and “I” am sovereign. Therapy encourages “I” statements in relation to feelings.

This leads to the third linguistic form, the use of the possessive. Here I am encouraged to “own” my feelings. The need for “I”-based discourses to continually produce an object was discussed in Chapter 3 Autonomy. This also has a special relevance to Justice where concepts of ownership abound. The earlier example of the seabed/foreshore highlights the temptation to turn customary rights into concepts of ownership. The same struggle can be noted in the domain of power/knowledge, which informs the counselling discourse. “Possessing” knowledge and understanding of another’s culture is said to give one professional competency. Individual ownership of the skills and attributes named in the above quote give the requisite skill base for the applicant member. Section 2 of the membership criteria in “Professional Codes and Guidelines” (NZAC, 2002, p.31), states that a candidate shall be eligible for membership if in their training she “has” “a record of bicultural learning and/or

experience, including marae experience, has sensitivity to TOW issues and can demonstrate an understanding of Tikanga Maori”.

The nominalisation of concepts seen in the preceding chapter, Fidelity, allows subsequent ownership by the “my” and invites cultural appropriation. A recent inaugural national hui<sup>21</sup> made a series of recommendations to the NZAC Executive. The first recommendation requested wide distribution of these recommendations. The second reads: “delete the word ‘understanding’ and change to ‘acceptance’ of Tikanga Maori” (Shields, 2004). This would have the effect of separating the “my” from the ownership implicit in understanding, and avoid cultural appropriation. “My acceptance of your Tikanga” avoids the slippage that can occur when “my understanding” becomes the focus.

Foucault’s third “law” thus shows therapy favouring an objectifying genre where justice is concerned, although clients are encouraged to use a subjectifying mode. I have suggested that this supports discourses of ownership. The interchangeable use of pronouns and numerical attributes appears to allow power to hide itself. I propose that this is immoral because it reinforces the isolation of sovereign selves.

#### ***5.5.4 “Law” governing the field of strategic possibilities***

Foucault’s final “law” notes the limited possibilities for action offered by discourses. Their divisive function appears to distract from other possibilities by foregrounding two opposing strategic possibilities. In justice, those options are most clearly organised around impartiality and fairness. From these two philosophical positions devolve a whole cluster of possible actions. Normality, equity, retribution and possibly therapy, rather alarmingly, spring from impartiality. Redistribution and affirmative action have more affinity with fairness. In a commitment to providing equal access to counselling services, and in the internalising of resources within the sovereign self, it would appear that counsellors are more aligned with the first strategy. This approach, based on a fundamental belief in sameness, is at odds with the more politically active model in the latter’s focus on difference.

---

<sup>21</sup> Meetings/celebrations.



The resilience of these two options is marked by Derrida (e.g. 1992a, p.5) in his descriptions of “juste” and “droit” (the “juridico-ethical-political” and its enforcement). These become re-presented in legislative and executive forms of government. They re-present the former objectifying and subjectifying genres of the previous section. They form, as Jacobson (1994, p. 96) marks in his intriguing account of Moses’ conversations with two types of God<sup>22</sup>, the very difference between “the rule of types of classes” and “single characters”. These single characters, according to Yeatman (1995), are then offered two subsequent positions: to strive for inclusion, for “normality” or to reject inclusion.

Until now, there appeared to be only two alternatives for those who are excluded by modern sovereign selfhood and contractualism: either an equalitarian attempt to seek inclusion within the terms of classical sovereign selfhood, or an equalitarian rejection of the injustice built into these terms for a particular category of subjects (workers, women, Maori etc.).  
(p. 210)

Yeatman predicts the next section, exclusions, by noting that “each option has presupposed that the terms of classical sovereign selfhood were fixed, that specifically the indivisibility of the sovereign subject was a given”, where justice is concerned.

Similarly Foucault’s (1968) “laws” reveal a discourse committed to the performing of isolated individuals, each self-monitoring in relation to systems of governmentality, which perpetuate normative “truths”. But, as we can physically sense in response to the prisoners in Fresnes prison, this is a manifest falsehood, a violence to other “truths” such as compassion. Therapy’s relation to this isolating process is especially worrying. Given a concern for the increasing domination of all systems of technologies, it becomes ever more important to increase opportunities for human and environmental contact. Whether therapy can fulfil this role becomes the subject of Chapter 7, Beneficence. In line with Foucault’s fourth “law”, various new “just”

---

<sup>22</sup> Moses is both the narrator and a character in the Five Books. As a character, he is Yaweh’s friend. As narrator, he takes dictation from Elohim, the all-powerful.

initiatives appear to quickly split into new binaries: care relegated to the private and opposed to public justice (Jaggar, 1995); critical psychology into ideology and mainstream practice (Fox & Prilleltensky, 1997); debate, into dogmatics and apologetics (Feltham, 2002); therapeutic practice into “coverers” and the “uncoverers” (Palmer, 2002). Derrida sees such double binds as being particularly relevant to discourses of justice. For him “droit” or enforcement always exists in symbiotic opposition to “juste” or right, as in the moral aspect of justice (e.g. Cornell, Rosenfield & Gray Carlson, 1992, p. 5). Deconstructing this binary becomes, for him, justice (e.g. Derrida, 1992a) and leads us to the next section.

## 5.6 Exclusions

According to Foucault, discourses are accompanied by non-representations, which are treated unjustly. Applying Foucault’s four “laws” to justice has indicated the following. The first “law” sees justice presented in many forms, but suggests that connotations of power remain hidden. The second notes the isolated and isolating nature of subject positions that excludes collusion and co-operation. The third observes statements in which “I” and “you” jostle for possession, to the exclusion of the subjective “we”. “We take responsibility for”, seldom appears. The last “law” notes the distractive persistence of dualisms when alternative views of the other are presented to the exclusion of what might be behind the sovereign self.

Addressing justice is a complicated business, but it does seem to me that it is the sovereign self that is at the heart of the problem and that its deconstruction becomes an ethical prerequisite. Wolfe (1992, p. 382) similarly concludes that “the failure of postmodern theorists of justice is to develop an adequate philosophical anthropology dealing with the capacities of human selves”. For me, the problem with promising social constructionist revisions is still the ghost<sup>23</sup> of humanism. To extend this view I turn to ecopsychology, although this disparate field also includes theorists from law and philosophy (e.g. Sterba, 2001; Midgely, 1994). Here a new form of non-sovereign being is embedded in the natural world.

---

<sup>23</sup> Derrida’s recurring image, representing a trace (e.g. 1994, *Spectres of Marx*).

This final section first addresses communitarian, cultural and feminist views, which see non-sovereign (human) selves excluded from justice. It then extends this view to consider the exclusion of the natural world. It concludes by foregrounding alternative possibilities. It puts the question: what price is justice if the planet dies through our neglect? What price is justice if one dies alone?<sup>24</sup> What redress of justice can be caused by a re-alignment with material “other things”, including bodies?

### ***5.6.1 The problem with sovereign selves in a just world***

In concluding that contemporary discourses of justice rely upon sovereign selves Yeatman (1995) argues that this reliance continues to perpetuate an injustice for those who are excluded by this notion - particularly women and indigenous peoples. Sovereign selves are defined by their rationality and autonomy and exclude those who inhabit divisible and connected selves.

Sovereign selves operate in isolation and with the autonomy that presumes freedom from interference. They cast votes in isolation. They make up their own minds. Even juries, and therapists, although face-to-face, are chosen for their impartiality and non-judgementalism. Young (1995), speaking from politics, finds such impartiality a myth, which works to disempower alternative frameworks. In her view this rationality is more likely to be subjective and biased than if it is mediated by contact with others. For Herrnstein-Smith (1992) also, so-called democracy disempowers the marginalised. In Young’s (1995) view the democratic ideal, one “man” one vote, allows the perpetuation of an injustice by excluding relationship with others. In *Justice and Identity: Antipodean practices*, she appeals for an embodied “deliberative democracy” in which citizens must encounter each other’s faces rather than hide behind the protected privacy of the polling booth.

Deliberative critics of the interest-based model of democracy object to what they perceive as its irrationality and its privatised understanding of the political process. In this model, citizens need never leave their own private and parochial pursuits and

---

<sup>24</sup> Heidegger (Inwood, 1999, p. 239) argued that death described being or *dasein*. Being in the multiple world, we nevertheless die alone, in Heidegger’s argument. This alone, for him, proves our authenticity.

recognise their fellows in a public setting to address one another about their collective, as distinct from individual, needs and goals. Each citizen may reason about the best means for achieving his or her own privately defined ends, but the aggregate outcome has no necessary rationality and has not been arrived at by a process of reasoning. People need not leave their own subjective point of view to take a more objective or general view of political issues. Thus the interest-based model of democracy also presumes that people cannot make claims on others about justice or the public good and defend those claims with reason. (p. 135).

Extrapolating to therapy, Young, and also Christians (2000), might similarly critique the culture of privacy, confidentiality and self-actualisation in a practice that rarely allows the intrusion of other interested parties. (See Chapter 3, Autonomy, for more discussion here.) Therapy certainly does not encourage equal debate between groups of clients and therapists together.

Faceless sovereign selves produce the malleable statistic (Rose, 1989), which allow governmentality to remove itself even further from the other's face. In such a system, individual selves can be made culpable, while systems remain faceless. The binary innocent/guilty is thus allowed to remain, and power escapes. As Scheurich (1997) notes, there is a potential for codes of ethics, directed to justice, to make culpable individual selves, thus allowing larger organisations to escape responsibility.

Indeed, "sovereign selves" could be reworked as indices or points or nodes at which blame, or its weaker form, responsibility, becomes apportioned. This site becomes the site of a struggle for power, which is acted out in physical form in the law courts, as well as in the counsellor's relationship to the client, where responsibility becomes the contested term. In this argument, sovereign selves thus avoid *re-ponding* to each other. Never seeing the others' face, citizens, and possibly therapists, avoid any response that might express the form of justice that is crucial for Levinas, Lyotard and Derrida.

### 5.6.2 *Justice (for) rocks*

For Midgely (1994), “other things” which are deemed unable to enter into contractual relationships, are also excluded. Writing from moral philosophy, she believes, in similar vein to Foucault, that our “thinking is shaped by what our sages omit to mention” (1994, p. 378). She argues that dominant social contract, Rawlsian, rights-based models do not just exclude the other faces but all material relationships, including the wider natural world. Any other thing incapable of entering into a contractual relationship becomes excluded. She notes a general avoidance of response to the material, seen earlier in a turning away from the real to the imaginary; from communicative to balloted democracy; from assessment of material re-sources to assessment of internal resources; and from non-rational to rational. This view sees material relationships inherent in customary rights avoided in Rawlsian debates over ownership rights, in which the “other thing” becomes an object. It causes to vanish what is materially under one’s nose. Midgely (1994) appears to agree with Young (1995, p. 145) who writes that justice needs to be based on discussion that “is also wrapped in non-linguistic gestures that bring people together warmly, seeing conditions for amicability: smiles, handshakes, hugs, the giving and taking of food and drink”. Justice is, after all, what faces us when we wake up in the morning: a warm house and a full fridge. Avoidance of justice is here avoidance of the immediate “other thing”. Midgely (1994) notes that the Greek philosophers managed to avoid discussing slavery, whilst debating humanity, no doubt at the same time as being waited upon.

The Greek philosophers never really raised the problem of slavery till towards the end of their speech, and then a few of them did so with conviction. This happened even though it lay right in the path of their enquiries into political justice and the value of the individual soul. (p. 378)

Midgely (1994) here critiques reason’s credentials. She finds the social contract model lacking and Kant’s attempt to straddle the border by describing an “indirect duty” to the non-rational, irrational by definition. (If “duties” truly originated in man’s own rationality, there would be no need for such concern.) She challenges Hume and

Rawl’s solution to exclude some relationships from a duty of justice, demanding a reconsideration of “such awkward and non-contractual virtues as ‘compassion and humanity’” (1994, p. 377). She concludes that the social contract model:

Isolates the duties which people owe each other *merely as thinkers* from those deeper and more general ones which they owe each other as beings who feel. It cannot, therefore, fail both to split a man’s nature and to isolate him from the rest of creation to which he belongs. (pp.377-8)

Midgley’s (1994, p. 381) preliminary list of material exclusions includes the following “non-rational agents”.

<u>Midgley’s (1994, p. 381) Material Exclusions</u>	
<i>Human sector</i>	<ol style="list-style-type: none"> <li>1. The dead</li> <li>2. Posterity</li> <li>3. Children</li> <li>4. The senile</li> <li>5. The temporarily insane</li> <li>6. The permanently insane</li> <li>7. Defectives, ranging down to “human vegetables”</li> <li>8. Embryos, human and otherwise</li> </ol>
<i>Animal sector</i>	<ol style="list-style-type: none"> <li>9. Sentient animals</li> <li>10. Non-sentient animals</li> </ol>
<i>Inanimate sector</i>	<ol style="list-style-type: none"> <li>11. Plants of all kinds</li> <li>12. Artefacts, including works of art</li> <li>13. Inanimate but structured objects – crystals, rivers, rocks, etc.</li> </ol>
<i>Comprehensive</i>	<ol style="list-style-type: none"> <li>14. Unchosen groups of all kinds, including families and species</li> <li>15. Ecosystems, landscapes, villages, warrens, cities, etc.</li> <li>16. Countries</li> <li>17. The biosphere</li> </ol>
<i>Miscellaneous</i>	<ol style="list-style-type: none"> <li>18. Oneself</li> <li>19. God</li> </ol>

Sterba (2001), also, notes that ethics fails not only women and multiculturalism, but also the environment. Working within the Kantian tradition, he argues for a revision of principles, which would allow rights to other species and ecosystems and thus address Mack's (1995) observation of human "species arrogance" (p. 279 et ff.). Perhaps the most challenging of these are a new principle of restitution, where damage has occurred and a principle of disproportionality which prohibits "actions that meet non-basic or luxury needs" (p37). Sterba's concern for justice (see also Sterba, 1980) is, however, still challenged by humanism, although he approaches Derrida's (e.g.1992b) "aporia" (between two poles) by a different path, as will be seen in Chapter 7, Beneficence.

Although Midgely's compassion and caring are generally argued to be the alternatives to a rights-based justice, the argument in this thesis is that our immanent relationship with the material object itself is the fundamental exclusion and the fundamental requirement. And where Singer (1994, p. 7) writes "the heart of the most fundamental of all the questions that can be raised about the nature of ethics: whether ethics is objective or subjective", writers such as Yeatman et al. (1995), Midgely (1994) and Sterba (2001) offer a way past these binaries.

I have here suggested that justice relies on isolated sovereign selves to make its mark, to make its power felt. It does not extend its "mercy" to those not in this category. This excludes the natural world, many ethnic groups, and the non-rational. Two main points of concern have emerged out of this analysis. One is the place therapy has in performing an isolating function through reliance on the sovereign, and expert, self. The other is therapy's removal from ethico-political engagement with the law and with the environment. Both these issues seriously challenge just therapeutic practice. In the next, final section, I indicate possible directions for future consideration.

### **5.7 A new ethic of social justice**

In this concluding section, I note that a commitment to justice is a commitment to the law and to society. I seek to reverse the ameliorative trend observed in this chapter, and by Prilleltensky and Nelson (1997), and to replace it with a transformative way. The findings of this chapter indicate three projects: first, an urgent deconstruction of

the isolated self, with sole responsibility; second a direct confrontation with the legitimacy of power; and third the inclusion of the natural world.

This chapter lays out some serious challenges for therapy. Foucault's (1968/1998) four "laws" have allowed a view of an expert therapist performing power through isolation. Re-presenting a gentler form of governmentality than that which disciplined the prisoners in Fresnes' prison (Foucault, 1979), therapy nevertheless works behind closed doors, in confined spaces, leaving the natural world behind. This is usually theorised to protect the anonymity of the client and assure a commitment to confidentiality. It is presumed that the client would want these conditions, and would not otherwise be able to trust. Therapy is so deeply committed to confidentiality (see previous chapter, Fidelity), that to question this feels dangerous. Yet it seems to me that a trickery is performed in such a private arrangement, in which one person is presumed to be expert.

To date, it is feminist and social constructionist approaches which have tackled the problems of therapist power, the sovereign self, and therapist collusion with dominant structures. In particular, narrative approaches have attempted to orientate therapy to an understanding of power as an existing network, within which we are all positioned. The opportunities for agency, in such a view, become the speech act and the facilitated re-positioning of the client. Narrative approaches (e.g. White & Epston, 1990) attempt to disrupt, in material fact, the privileged position of therapist as well as the bounds of physical "selfhood". Reflective teamwork, follow up sessions which engage community support, reflective letters sent to the client between sessions, the naïvely curious stance of the therapist, the use of metaphor and the identification of multiple positions, all challenge the traditionally impervious boundaries which isolate selves from the rest of the world and the expertise of the rest of the world.

However, within these multiple positionings, something still resembling an elusive self is allowed to escape. They are still inhabited, however temporarily, by subjects. Furthermore, the faithful self of the therapist remains largely intact. This has led Gergen and Kaye (1992) to see the therapeutic self as an ongoing problematic in social constructionist approaches. Fish (1993), whilst recognising the enormous



contribution of the “narrative/conversational” models of White and Epston (1990) and de Shazer (1991), finds they express a conservative attitude to context and power. He writes:

Families and individuals do construct their lives, including their own stories: these stories both make possible and constrain their existence. But, as Luepnitz (1988, p146) has observed, they have not made these stories “just as they please” (see also Coyne, 1985). Nor may we assist them to construct new stories, and different lives, just as we please. (p. 230)

The aim of narrative therapy may be to reposition the client within their social world. However, the extent to which the therapist is part of each social problem is seldom addressed (e.g. Brown, 1997). Jones’ (1999) discussion in *The Limits of Cross-Cultural Dialogue* is relevant to therapy. Does therapy similarly express the coloniser’s desire for extraction? In Orner’s (1992, p. 76) words, “why must the oppressed speak? For whose benefit do we/they speak?”

This brings us to the second project, which has become the territory of critical and deconstructive psychology, described earlier by Feltham (2002) as the “conscience of the profession”. Often critiqued for failing to come up with any better alternatives, or even for being part of the problem (Bové, 1983), such approaches are in danger of being relegated to the private, internal realm of Feltham’s (2002) “dogmatics”<sup>25</sup>, unless they manage to maintain the interdisciplinary perspective from which counselling draws strength (e.g. Feltham, 2002; McLeod, 2003b; Neimeyer & Mahoney, 1999; Wass & Neimeyer, 1995). Fox (1997) goes further, claiming “you cannot change a system from which you seek acceptance” (p. 232). This becomes the ultimate dilemma. For him, and I agree, hope for social change lies, most promisingly, in psychological jurisprudence. Here the legitimacy of law must be challenged by questioning the fundamental principles which prop up capitalism. To honour a commitment to justice, the “psy” professions need to remove themselves from the

---

<sup>25</sup> Feltham (2003) in *What’s the Good of Counselling and Psychotherapy* uses terminology from theology to differentiate arguments about internal cohesion (dogmatics), versus those which prove a discipline’s usefulness in a wider context (apologetics).

interpersonal focus of Brown's (1997) "micro-ethics" and tackle power directly. They need to expose false psychological assumptions, such as human selfishness, the benefits of growth and the legitimacy of avoidance, on which the law rests. If we take Sterba's (2001) earlier suggestions into account, this challenge also needs to address the law's fundamental specie-ism.

It is debateable whether the above challenges can be made from individual subject positions. (See also Burman, Alldred, Bewley, Goldberg, Heenan, Marks, Marshall, Taylor, Ullah & Warner, 1996 ; Burman et al., 1996.) This chapter has found that justice relies on sovereign selves and cannot, by them, be threatened. It may be that we could better draw on the political parallel proposed by Wilson and Yeatman. (1995) of a "dialogic community". Turner (1995, p. 93) coins the term, "a relational politics of difference, a politics in which citizens constitute a dialogic community linked by complex political processes that express and mediate their contested versions of public society". Certainly Brown (1997) found that ethics flourished in a collegial community. A parallel just "therapeutic dialogic community" might seek the answer to Gore's (1992) question "what *can* we do for you?" It might foreground both conferencing and restorative justice initiatives (e.g. Drewery & Winslade, 2005) and the research communities suggested by Lincoln and Denzin (2000). It might provide a more supportive environment for ethico/political initiatives and it might begin to explore ways of developing relationship with the natural world. It might thus provide a better opportunity for Levinas' response and Gilligan's on-going care. If we take on board Derrida's (e.g.1992a) argument, we would see justice in an immediate, supported response (as far as is possible), rather than a utilitarian rationalising (as far as is reasonable). All these possibilities will be discussed further in Chapter 7, Beneficence.

These suggestions may seem somewhat idealised, and as yet un-formed, but at their base is a belief that "we" must learn to give "we" voice. In the final chapter of the Wilson and Yeatman's (1995) edited collection, Yeatman's concluding remarks address the difficulty of speaking differently within existing power relationships. Arguing for those who are excluded becomes a challenge if we attempt to use the just

structures and processes that already exist. Yeatman, also, claims to do no more than pose the problem at this point. She writes:

I have argued that the contemporary feminist and post-colonial politics of difference radically problematises the discourse of sovereign selfhood which has characterised modern conceptions of democracy and justice...We cannot use the political and legal theory of indivisible sovereign selfhood to guide us in understanding this politics. We shall need to develop a political and legal theory that works with the claims of a divisible sovereign selfhood and their relationship to justice (pp.208 & 210).

In this chapter I have found that justice thrives on binaries. Acting on a desire to know that the world is “right”, that all are harmonious together, justice performs a trickery. Concealing its power, it isolates and disciplines individual selves. Dividing, it rules. Justice lashes bodies into shape, isolating them from other bodies and other things. I have argued that the power of justice resides in the sovereign self which is ripe for deconstruction. We would do better to re-cognise our connection with, and responsibility to “other things”.

### **5.8 The “sorry rocks” of Uluru**

*The “sorry rocks” of Uluru*

“Please return these rocks home as a symbol of one white man’s attempt to make amends for my people’s past,” wrote a man who sent back two rocks from Uluru he had kept for 12 years. “Even if our leader is not sorry for what we have taken from you, I am.”

Nearly every weekday rocks sent from around the world arrive at the headquarters of the Uluru-Kaata Tjuta National Park.

Some are the size of gravel. One weighted in at 35 kilograms. But they all have one thing in common: they were taken from a sacred mountain by travellers later weighed down by remorse.

Most of these stones are pieces of Uluru, the huge red formation in the middle of the Australian Outback that is widely known as Ayer's Rock. In what amounts to a geological diaspora, tourists have been taking pieces of the rock for decades, even though Uluru's Aboriginal owners, the Anangu, consider the site holy.

Some return their souvenirs out of the fear that the stones are cursed and can cause such calamities as cancer, car accidents, death and divorce.

Others send their mementos back after gaining a new appreciation for the Aboriginal culture... "Please put these rocks and sand back where it belongs," wrote an apologetic, if ungrammatical, scientist living in Australia who returned two rocks and a container of soil last month.

"I have collected (STOLEN!) it during my last trip and I feel sad about it. Sometimes even scientists are ignoramus(es). Sorry for that."

*Paddock (2004) in The Dominion Post.*

## Chapter 6

### Non-maleficence

*“If you can describe Diana’s nakedness - feel free” (Foucault, 1988, p. 132).*

*“If I am even close to correct, the problem of evil is so pervasive that an exhaustive and systematic treatment of it would require an exhaustive and systematic treatment of most of the history of philosophy” (Neiman 2002, p. 10).*

#### 6.1 Introduction

This chapter is about harm. It asks, “what is harm, so that we may not do it?” I show that philosophers have always had trouble locating harm. When they think they have found it, when bad things happen, they have always tried to find a logical explanation. Therapy has copied this in trying to *understand* human pain, suffering and wrongdoing. Political activists would say this is a waste of time. We ought instead to be resisting whatever harms people. I argue that there is another problem. If something is beyond our comprehension, we will easily call it unreasonable, mad or bad. Then we seek the person responsible. Because virtue ethics places morality in people, we can call people bad or good. It appears easier to call something *intentional malice* than to say we don’t understand it. Nor does therapy like to say the “no” required in resistance.

In this chapter I argue that virtue ethics are a way of passing the buck, that harm is not always open to being understood - it deceives by swapping objects - and that evil is not large and intentional, but small acts which compound. I propose that we would be better to spend more time specifying and refusing all small “evil” acts before they get bigger, rather than seeking quick solutions and blaming faulty persons.

In the previous chapters, autonomy was seen to mediate between self and object, fidelity between two different selves and justice between self and social. Non-

maleficence is here theorised to separate professional from non-professional. Non-maleficence, or the injunction to do no harm, has historically been used to prescribe the practice of those who are legitimised to act upon others, that is to say, professional selves.

I will begin by separating non-maleficence from beneficence, since the two are often seen as a dualistic pair. I will then trace non-maleficence's origin in philosophy. Here I expose a tendency to avoid "evil", and to move too quickly to shaky solutions. Non-maleficence will then be traced into psychotherapy and particular attention given to how it is embedded in the New Zealand Association of Counsellors (NZAC) Code of Ethics (COE). This shows non-maleficence expressed in concrete practices, which reinforce evil's association with the immanent and material. The second half of the chapter will consider how Foucault's (1968) four laws may here be operating to form and foreclose contemporary therapeutic discourse, making it impervious to change. The chapter concludes by foregrounding themes which struggle to emerge from the excluded margins.

## **6.2 Non-maleficence and beneficence**

Non-maleficence is often considered together with beneficence, the last ethical principle to be considered in this thesis (Chapter 7) as part of a dualistic pair. However, I intend to treat them separately. Non-maleficence raises questions that are different to those concerning beneficence, and "not doing harm" is not the same as "doing good". In this section I will discuss the special form of moral agency described by non-maleficence. I will then continue to interrogate philosophy for its version of "harm" and conclude, with Neiman (2002), that it is too dangerous to avoid.

Non-maleficence and beneficence describe different forms of moral action in situations where others are involved. As a binary they are contentious. Do I do harm, or no harm, if I refuse to intervene in a street fight - or if I neglect a child? In order to solve this dilemma, Beauchamp and Childress (1994) note that many philosophers have joined them in a single principle. Frankena (1973) views them as related, but on the following scale of divergence, which leads from lower to higher order functioning.

*Nonmaleficence*

1. One ought not to inflict evil or harm

*Beneficence*

2. One ought to prevent evil or harm
3. One ought to remove evil or harm
4. One ought to do or promote good.

Frankena (1973 )

In this thesis, however, they will be considered separately, following Beauchamp and Childress (1994), Bond (2000), Kitchener (1984) and Meara, Schmidt and Day (1996). Although writers such as Bond (2000) discuss the inter-relatedness of these two principles, he views them as having different relationships with autonomy. Non-maleficence refrains from interference. Beneficence intervenes. (See Chapter 7, Beneficence for further discussion.)

First, each locates harm differently: one in the actions of the agent, the other on the horizon. Non-maleficence may be preventing oneself from spreading rumours, however interesting they may be. Beneficence is intervening if someone else begins to gossip, through a belief that gossip is harmful. Since each creates a different object as the focus of its agency and each indicates a different source of harm, the self and the other, each is given separate consideration.

Second, whereas non-maleficence is often considered an absolute (rather than prima facie) obligation, beneficence as such becomes problematic. Although feminist ethics may valorise a responsibility to help someone else in need (Porter, 1999), it becomes difficult to hold someone accountable to this as an absolute obligation. Non-maleficence, however, can be used as a successful defence in a court of law. It is more indicative of the lowest common standard of acceptable behaviour, which the law is said to represent.

The third justification follows the quotation from Neiman (2002) at the beginning of the chapter. Preferring the more potent term “evil” to its weaker version “harm”, she

interrogates philosophy's reluctance to address this subject. For Neiman, it is paradoxically the very avoidance of evil that has caused the greatest harm and led to her observation of the fragmentation and subsequent recent decline of philosophy. Her endeavour echoes the existential resolve to confront rather than avoid. Kierkegaard, often considered the founder of existentialism, began his work with a commitment to the task of "making things harder", rather than follow the modernist mechanist obsession with making things easier. These views recognise the difficulty in focussing for any time on evil. The need to seek solution is too urgent. Foucault, as will be discussed in the latter part of this chapter, credits this urgent need with maleficent intent. For him the discursive form, rather than the content, becomes prescriptive and immoral. This chapter also refuses to allow non-maleficence to be absorbed in too eager a beneficence. We will, therefore, pause a while with harm.

### **6.3 Locating non-maleficence in philosophy**

In this section I draw on Neiman's (2002) account of the place of evil in modern thought in order to answer the question, "what is harm that we may not do it?" For Neiman, evil/harm is perceived when Hume's (1739/1994) "is" and "ought" are out of kilter. When a child dies, this *is, ought* not to have happened. I show that traditional philosophy's response has been either to try to understand or to refuse to understand. I agree with Neiman, that seeking a solution too soon has had disastrous effects. I note that harm has been alternatively located in either human subjects or the universe. Following Arendt (1994), I propose that evil/harm evolves from small, unchecked acts.

Doing harm may put one beyond access to justice. It may also put one beyond the bounds of humanity. Wishing well, an inclination towards benevolence, has been built into conceptualisations of, and claimed as a co-condition of humanity certainly since Christianity. The Christian view simplified evil and, historically, all forms of evil were located in the works of the devil. Redeemed humanity achieved a state of grace through the ultimate act of non-maleficence: the self-sacrifice of the godhead through the crucifixion. This was supported by the beneficence of baptism and the confessional. The legacy of this metaphysical view of evil as the work of the devil caused a problem for eighteenth century philosophers. They accepted "the eighteenth



century's use of the word 'evil' to refer to both acts of human cruelty and instances of human suffering" (Neiman, 2002, p. 3). Yet how could certain acts, such as the plague, be attributed to a just God? The problem of evil thus plagued early philosophers, who sought to defend God as creator of the world.

Eventually through Pope, Rousseau and Kant, the responsibility for moral action against evil was steadily taken out of God's hands and replaced in those of "man". This led to the development of the now taken-for-granted view of different moral and natural evils. One originates in human subjects and the other in natural events. Through the influence of Kant and Hume (Singer, 1994, pp. 42 & 121) who saw, respectively, ultimate reason and instinctual, innate nature as good, evil becomes theorised as both the non-rational and non-human. Man is good both at heart and in his reasonableness. Evil in man becomes "base" desires which cannot be fathomed, and animal instincts. This inherited solution, according to Neiman, becomes one of the crucial factors in the split between mind and matter, between what she calls the *is* and the *ought*, following Hume (1739/1994, p. 122).

In Neiman's fascinating account, two major events shook the philosophical foundations of the West. One was the 1755 Lisbon earthquake, the other the Holocaust. The inexplicable nature and scale of devastation caused by each form of evil, between the *is* of the earthquake and the *ought* of (in)humanity, in societies thought to be civilised, defied analysis. The first broke man's faith in the universe, the other destroyed faith in human beings. "Both created boundaries between what could and what could not be thought" (Neiman, 2002, p. 239). Philosophy, in her compelling view, has not recovered from the challenge posed, and the search for what is moral in the face of harm founders. It splits philosophy into ethics and epistemology. When the *is* and the *ought* are out of kilter, when things are not as they should be, we meet evil.

What are we to do about this? Neiman concludes that, "two basic stances run through modern thought. One, from Rousseau to Arendt, insists that morality demands we make evil intelligible. The other, from Voltaire to Adorno, insists that morality demands we don't" (p. 239). The first response is to try to understand, in order to

control or prevent a recurrence. What drove her to steal? Is this war justified? The other is to give primacy to the immanent response. My darling daughter! Stop this slaughter! These options for non-maleficence will be discussed further in the second part of the chapter.

The major fault line between *is* and *ought*, which owes much of its aetiology to Kant, sets in motion a series of minor faults, which can be seen in the various branches of ethics and epistemology. A study of the ethical principle, non-malevolence, thus brings to the fore the difference between recently revived character or virtue ethics, based on the writings of Aristotle and Plato, and principle ethics based on Kant's *oughts*. For virtue ethics allow evil to be relocated in non-virtuous people, rather than in harmful acts. The *is* thus becomes the person. Coupled with the desire to make the world intelligible, virtues allow for the difference between malevolence (wishing or intending harm) and maleficence (doing harm). A tired driver may accidentally bump another car. An angry driver might do it on purpose. The damage may be the same. Although the law makes a distinction between the two, Beauchamp and Childress (1994) note that professional ethicists and moral philosophers are divided on making such a distinction. However, without recourse to virtue ethics, when the *is* and the *ought* are at odds, we would be hard pressed to describe either bad people or intentionality.

Although intentionality remains a key theme in the "psy" professions, Neiman claims that it cannot be justified after Auschwitz, recalling Adrendt's much challenged response to the trial of Eichmann, which allowed the gradual, but shattering recognition that evil can originate in banality. Ordinary small people can cause devastating evil. Neiman writes, "Auschwitz destroyed two central responses to evil that can be viewed as secular theodicies" (2002, p. 240). These are progress with the Hegelian idea that the world is improving, and the Kantian idea of contingency or undetermined freedom of choice. In addition it "undermined the modern rejection of theodicy that locates evil in intention". In defining theodicy, Neiman follows Levinas in extending it to include the urge to make meaning.

Theodicy, in the narrow sense, allows the believer to maintain faith in God in face of the world's evils. Theodicy in the broad sense, is any way of giving meaning to evil that helps us face despair. Theodicies allow us to go on in the world. Ideally, they should reconcile us to past evils while providing direction in preventing future ones. Levinas claimed that the first task could not be maintained in good conscience after Auschwitz. He thus gave philosophical expression to an idea shared by many: the forms of evil that appeared in the twentieth century made demands modern consciousness could not meet. (p. 239)

What direction, then, should or can we take to prevent future evils? For Neiman, non-maleficence consists of moments when the *is* and the *ought* fuse together. In recognising the urge to collapse the two, one must resist the pathology that rests in too soon a closure. This will be discussed further in the closing section of the chapter. Neiman persists in taking a metaphysical view, arguing that any other excludes a full consideration of the topic. "Metaphysics is the drive to make very general sense of the world in face of the fact that things go intolerably wrong" (p. 322). A move to analytic philosophy is for her an avoidance, and the "force and radiance" of metaphysics its "inexpressibility" (2002, p. 310). Like poetry, it uses images and metaphors. Here it becomes the correct tool to address the "boundaries between what could and what could not be thought" (Neiman, 2002, p. 239). This is a plea to discuss what may be beyond the conventionally rational. As such it appeals to this writer. Neiman (2002, p. 310) argues that metaphysics is "needed to keep questions of meaning alive". Furthermore, metaphysics and ethics are intimately connected (p. 323). Being ethical implies constantly trying to put shape on that which is "wrong". It may have no ultimate meaning, but moments of awe when reconciled, however temporarily.

Her urge to collapse the binary between *is* and *ought* is to some degree echoed by Levinas' demand that we respond to face of the other, by Gilligan's ethic of caring and re-sponsibility and by all those who seek to deconstruct the unequal power relationships inherent in any binary. Neiman, however, remains faithful to a

metaphysical perspective which is beyond embodied others, and is firm in her refusal to find all solutions in reason. Like Foucault, she bases her response upon a refusal. She writes, “the most hopeful gesture we may be able to make is not to answer whether life is justified but merely to reject the question” (p. 328).

This section has presented Neiman’s version of the treatment of evil in the history of philosophy. It agrees with her analysis that to understand and to refuse are simplistic solutions. It also agrees with her proposition that evil is best dealt with by metaphysics, meaning and metaphor. Like her it refuses to avoid and to seek too quickly a solution and sees facing “evil”, whilst suspending rationality, as the ultimate ethical task.

How are these themes played out in therapy? Neiman’s views might resonate with those who work with metaphor and meaning, although it is questionable whether the best place for these is in therapy (see Chapter 7, Beneficence). Certainly the “psy” (Rose, 1985) disciplines have a long history of making “evil” intelligible and a lesser history of saying “no”. The next section considers the place of non-maleficence in therapy. It concludes that although therapy has a beneficent intent, it has a questionable relationship with non-maleficence. It has inherited its assumptions about “wrong-ness” or harm from traditional philosophy. It marks the dominant term, understanding, in its curiosity, naïve or otherwise; its commitment to confidentiality says no to connection with or intrusion by others; it locates “wrong-ness” in the material and in human bodies.

#### **6.4 Locating non-maleficence in therapy**

In this section I argue that the “psy” professions have built themselves around an avoided version of harm. Unable to hold the *is* and the *ought* together, understanding harm has become their special territory. For this to happen, harm has had to be located in human subjects. There harm can be controlled. Non-maleficence is thus a core principle in psychotherapy. Rowson (2001) writes:

Before all else, we have a duty to ensure we do not harm our clients. Some who think in terms of a hierarchy of duties see

the duty not to cause harm as one of- if not *the* - most important of all. (p. 15)

Beauchamp and Childress (1994, p. 189) cite the following freely-quoted maxim, which is the mainstay of all new therapeutic trainees, “Above all (or first) do no harm”, noting its obscure origins and unclear implications. They write that it is a “strained translation of a single Hippocratic passage” and not in the main body of the oath: “I will use treatment to help the sick according to my ability and judgement, but I will never use it to injure or wrong them”. Despite its claim to centrality, very little is written about non-maleficence per se, a situation that may owe something to the influence of both philosophy and Freud.

Freud, who has left an enduring influence on the “psy” professions, would have agreed with Neiman that the separation of the *is* and the *ought* is problematic. His insistence on the centrality of sexual functioning reflected his concern to treat the body and mind as a single entity. In the end, this very insistence proved unacceptable to his followers, Jung, Reich and Adler, who all left to follow other sources of motivation. It is now generally accepted that Freud altered his original belief that sexual abuse lay behind many of his patients’ neuroses, in response to Fleiss’ admonition that it would be professional suicide (Miller, 1991; Pack, 2004). Thus silenced, Freud re-wrote his theory blaming the child, whom he now endowed with sexual drives. In other words, if the child hadn’t wanted it, it wouldn’t have happened. Thus originated drive theory and thus evil is displaced from unacceptable social mores onto an innocent child. Too soon a foreclosure has had pathological effects. The subsequent founding of different theoretical approaches by Freud’s former followers echoes Neiman’s earlier observations. As with philosophy, evil avoided appears to have led to fragmentation.

This “lie” devolves a problematic on every subsequent therapy trainee. It is a lie that must somehow be swallowed, a fault line that must be internalised (Pack, 2004). Founded on a false premise, it feeds the need to make sense, to make life intelligible. Having not said “no”, therapy must now try to understand. However, what therapists seek to understand is not evil, but human being. The first humanistic therapists, who

were also influential in their turn, have swallowed Freud's gaffe. Rogers, Berne and Perls humanised, de-sexualised and made intelligible Freud's wilful child, the id. No longer a "seething cauldron of excitement" he was freed (albeit by a good therapist) to liberate his own potential. Berne (1966) writes:

Freud describes the id as "chaos, a seething cauldron of excitement. It has no organisation and no united will, nothing which can be compared to negation." The transactional child is highly organised, is not necessarily seething, and is quite able to say "No"; and in fact has a strong tendency to do so when this suits his unified will. (p. 297)

However, although the child might be liberated, evil escapes either political (Leibniz, 1985) or philosophical (Neiman, 2002) consideration, whilst therapy benefits.

And where is evil now? Is it under control? Freud's theory saw the superego controlling the wild child. (See Chapter 4, Fidelity for more discussion.) In a similar fashion ethical codes control the wild therapist, becoming, as Besley (2002) notes, a twentieth century phenomenon. Codes are generally taken to be attempts to control evil by helping practitioners "understand" what to do when "wrong-ness" happens. They continue, at a systemic level, the desire to make harm intelligible. Codes have been critiqued: for their redundancy to legislation (Bersoff, 1996), for allowing organisations to escape responsibility by placing it on the individual (Brown, 1997; Scheurich, 1997), for their governmentality (Besley, 2002; Miller, 1994), for being more important to professional self-interest than client interest (Brown, 1997; Szasz, 1986) and for their silencing of morality (Bauman, 1993). Nevertheless professional organisations continue to refine and expand original brief documents into increasingly complex structures. These codes are supported by complaints procedures and disciplinary procedures. However, the stated aim of such codes is to protect the client. Besley (2002, p. 73) writes, "These codes enable clients to identify malpractice, misconduct, negligence and conflicts of interest, and to seek redress through a complaints or disciplinary procedure".

Within these codes, non-maleficence, according to Beauchamp and Childress (1994), is identifiable by the use of a negative injunction. They note that where rules supporting beneficence require “taking action by helping - preventing harm, removing harm, and promoting good...nonmaleficence only requires intentionally refraining from actions that cause harm. Rules of nonmaleficence therefore take the form of ‘Do not do X’” (p. 192). If this is the case, it makes brief appearances in codes which are increasingly directed towards beneficence and good practice. There are however three areas in which the public are to be protected from harm by the therapist. Where rules and the law exclude certain obvious forms of conduct, such as lying and cheating, from professional behaviour, ethical principles, in particular non-maleficence, seek to exclude behaviour which would be hard to *defend* in a court of law. They are professionally agreed-upon standards, which, if not upheld, would weaken the trust of the public in the professional service (Beauchamp and Childress, 1994). This is the outcome of locating harm in persons.

Taking this definition of non-maleficence, harm falls into three categories: harm that might occur by *malpractice and negligence* (failure to protect the specialist body of knowledge); harm that might occur from *misconduct* (self interest, malice or lack of virtue in the counsellor); and *failure to consider cultural safety* (harm that might occur through imposition of a different set of values, prejudice or disregard for the wider context). All locate harm in the body of the therapist. Here simplified, maleficence becomes incompetence, exploitation and prejudice. The incompetent therapist does not withhold her irrationality. She may claim to work with crystals or levitation. The exploitative therapist does not refrain from self-interest. He doubles her fee when his competition leaves town. The negligent therapist does not hold back, or turn off, the internal noise of her personal prejudices. She does not hear the client’s concern for her suicidal husband. Holmes and Lindley (1998, p. 166) further define misconduct as sexual, financial or informational (that is, respect for confidentiality) exploitation by therapists. This rewording of confidentiality places this most frequently complained about principle in more direct relationship with evil.

If the intent of ethical codes is to protect the public, including clients, consideration of the results and sanctions from complaints procedures should indicate where clients see harm. Griffin (2003), Head of Professional Conduct, BCAP, writes:

The main purpose of adopting Codes, or the *Ethical Framework* is to provide a base line of what the Association...considers to be best practice...The only mechanism for assessing whether that level of best practice has been delivered is for any complaints alleging poor practice to be considered by the Association under the Professional Conduct Procedure. It is by the operation of this procedure that the Association and its members can measure standards of practice. (p. 56)

This is a debatable claim, as Bond (2001, p. 34) notes, since the vulnerability of the client makes laying a complaint difficult. In addition, the performance of complaints procedures can leave clients traumatised. This being the case, complaints which are finally upheld deserve more than due consideration.

Such results are not always published. The first tentative analysis of complaints received by the NZAC was published by Winslade and White (2002). Dressler (1987) found that “the complaints brought before and adjudicated by the American Psychological Association (APA) Ethics Committee almost exclusively involve behaviour that the criminal law would call *malum in se*, that is, conduct that is inherently wrong” (as cited in Bersoff, 1996, p. 86). The American Psychological Association (APA, 1994) itemises the primary reasons for professional sanctions as “making false or misleading public statements, engage in sexual intimacies with their clients, or defraud insurance companies”. This is supported by Palmer Barnes (1998, p. 104), who reviewed complaints against BAC counsellors, finding counsellors who lie, cheat and steal are more likely to be sanctioned. Winslade and White (2002) analysed complaints received by the NZAC 1991-2000. Unfortunately this analysis did not distinguish complaints received from complaints upheld. The authors also note that some complaints are malicious. Given this, they list the three behaviours most



commonly complained about as: confidentiality issues (22/180), inappropriate or disrespectful remarks (21/180), and the incompetence of the counsellor (20/180). There is a significant literature dealing with dual relationships in therapy which recognises a significant problem in sexual abuse of clients by counsellors (e.g. Pope, 1991).

It is hard to deduce anything of significance from these arbitrary and unconnected reports, but Daellenbach, chair of the N.Z. Association of Psychotherapists's (NZAP) Complaints Committee (2004) claims it is easier for clients to complain against behaviours that have been clearly negated. It would appear that a significant number of complaints are against therapists' exploitation of clients. It is interesting to note that the few negative injunctions that appear in codes are usually directed against such activities. This being the case, it would appear that the best protection one can give to the public is to use Beauchamp and Childress' (1994) format which uses the negative: "do *not* do X".

Furthermore, although Beauchamp and Childress (1994) claim that the concern expressed through the codes is directed at the harmful act, not the person responsible, a subsequent valuing of virtue ethics calls this into question. The revival of virtue ethics has been noted by Bond (2000), proposed by Meara et al. (1996), and questioned by Bersoff (1996), Kitchener (1996) and Vasques (1996). Where earlier codes were more closely aligned with principle ethics, later revisions demonstrate attempts to include values and virtues. The move is interesting in non-maleficence, as it has the opposite effect of locating the origin of harm in the person of the counsellor rather than individual acts. Furthermore, it raises questions about who should be responsible for excluding those of irredeemable virtue.

Kitchener (1996, p. 94), writing about the relative merits of principle and virtue ethics, suggests, along with Beauchamp and Childress (1994) and Meara et al. (1996), that underneath every principle there is a corresponding virtue. As under beneficence lies benevolence, so by implication, under non-maleficence, lies non-malevolence. The character trait determines the act. In Meara et al.'s (1996) view the two systems are complementary. They write that principle ethics "is rooted in common morality

and has as its structure a set of prima facie obligations” (p. 13). Virtue ethics, in contrast, sets forth a set of ideals to which professionals aspire (p. 24).

Other writers such as Bersoff (1996) repudiate any significant difference here. Bersoff’s rejection of the dual system proposed by Meara et al. (1996) is based on irrelevance, redundancy and unavoidability, and sees dangers to both character and community should this approach be followed. Challenging the trait factor approach, he questions whether, should virtues be character traits, they can then be taught. Furthermore, Meara et al. (1996) argue that virtue ethics are to be recommended because they are community based, expressing the highest ideals of local groups. Bersoff (1996) however, asks the pertinent question, what protection is there for someone who may aspire to liberalism within a conservative group? The current problem of gay acceptance by the more conservative Christian communities, for example, challenges the virtue of commitment to “the sanctity of marriage”.

Using virtue ethics to reinforce ethical, non-maleficent behaviour raises problems about the definition and assessment of harmful traits, the possibility of teaching/learning alternative virtues, and by whom this should be done. Current debates in professional circles discuss the responsibilities that thus devolve on training institutions. These become caught between the need to provide equality of opportunity in education and professional guidelines for the selection of therapeutic trainees (Cornforth and Sewell, 2004).

Five themes have thus been observed in discourses of non-maleficence in therapy: the drive to make evil in *human being* intelligible; the proliferation of ethical codes; the reluctance to use negative injunctions; the revival of virtue ethics; and contested responsibility for excluding or sanctioning the non-virtuous. In this, therapy would appear to have inherited both the traditional philosophical dualism of either making wrong-ness intelligible or (rarely) saying “no”. It also locates evil in bodies and appears to defy Neiman’s suggestions in its readiness to find solution and avoid what might be refused.

I have suggested that this treatment makes it difficult for clients to make complaints. I also suggest that virtue ethics leads to the naming of “bad” people, rather than “bad” acts. Furthermore, the whole structure of psychology, in its focus on understanding, could be seen to be based on a one-sided view of non-maleficence. The following section considers how these themes are played out (if at all) in concrete practices in the local scene. It finds that the above themes are fully entrenched. In particular, a strong move to *avoidance* of maleficence is noted. This is seen to be problematic.

### **6.5 Concrete practices which describe non-maleficence**

In this section I look for non-maleficence in an ethical code. I find evil transformed into a gentler version and avoided. It is most clearly identified in straying bodies. There alone, it is met with a “no”. I put the question, who benefits in this treatment?

The historical process of writing, consulting and rewriting the various NZAC COEs expresses an ongoing commitment to exclude the infliction of harm and develop trust in the profession. However, non-maleficence has suffered somewhat in the various revisions. Originally one of the five general principles directing practice, non-maleficence remains a principle but is anglicised and modified in the final Code (NZAC, 2002), to “counsellors shall...avoid doing harm in all their professional work”. This change is indicative of several overall trends. Firstly the Code seeks to be more easily understood, thus continuing to mark, systemically, the dominant term. Secondly it prefers the weak form of evil, “harm”. Thirdly it appears to be moving to exclude negative injunctions and fourthly, it places “harm” and “avoid” in ambivalent relationship.

The rejection of non-maleficence in favour of harm may make commendably more sense to the layman/woman. However it must also be recognised that in the translation, direction is drawn away from the possibility of inhuman evil intent and conscious self-service, to cover the more human or unintended mistakes that a well-meaning counsellor may make. The urgency of evil is lost along with any metaphysical or political perspective that sees danger beyond individual selves or on the horizon. The Code (2002) is firmly based in a theory of autonomous selves and speaks to the rehabilitation of erring membership.

The majority of the NZAC (2002) “Ethical Guidelines” suggest a positive course of action aimed at helping counsellors avoid malpractice and directing them to consider cultural safety. This more properly falls within the domain of benevolence. If non-maleficence follows Beauchamp and Childress’ (1994, p. 192) definition, “rules of non-maleficence therefore take the form of ‘Do not do X’”, then non-maleficence makes surprisingly few appearances. (See below.) One might expect that in the spelling out, in the specification, of what might cause harm, an organisation makes a committed response. This is *avoided* by the use of “avoid”, which devolves a multiplicity of choice on the counsellor and could be seen to favour the counsellor over the client.

In the earlier codes, non-maleficence retains its presence. In the previous (1995) Code, it is described as “do no harm” (NZAC, 1995, p. 12) and specifies that which is to be negated. It specifically locates harm in “diagnostic labels, counselling methods, use of assessment data or other practices which are likely to cause harm to [their] clients.” “Other [harmful] practices” are later identified by the negative injunction and include incompetence, abuse of power and personal profit. Here the NZAC makes a brave stand, differentiating itself from other “psy” professions in its reluctance to objectify clients. By 2002, this injunction no longer accompanies the principle non-maleficence (by now, “avoid doing harm”). It is relegated to section 5.8.b of the following “General Guidelines” and reads; “counsellors should avoid using diagnostic labelling in any way which is likely to cause harm to their clients”.

There are subtle changes here which deserve comment. Counsellors “*shall* [italics added] avoid” several defined “practices”, has become “counsellors *should* [italics added] avoid using diagnostic labelling in any way which is likely to cause harm” (section 5.8.b). The implication is that labelling is becoming acceptable but ought to be used carefully. Assessment now appears to be totally acceptable. The resultant change in values does not sit happily with all of the membership, as witness the current debate over Accident Compensation Corporation (ACC) assessments discussed in the previous chapter. The 1995 code also used the negative injunction

more freely than the 2002 Code. In this latter code, the only negative injunctions are as follows:

**NZAC (2002) COE: Negative Injunctions.**

**5.12 Exploitation**

- a) Counsellors *shall not* abuse their position by exploiting clients for purposes of personal, professional, political or financial gain.
- b) Counsellors *shall not* solicit testimonials from current or former clients.

**5.13 Sexual Relationships With Clients.**

- a) Counsellors *shall not* engage in sexual or romantic activity with their clients.
- b) Counsellors *shall not* exploit the potential for intimacy made possible in the counselling relationship, even after the counselling has ended.
- c) Counsellors *shall not* sexually harass their clients.
- d) Counsellors *shall not* provide counselling to persons with whom they have had a sexual or romantic relationship.

**5.14 Referral**

- d) Counsellors *shall not* ask for or accept referral fees.

**7.1 Responsibility to Colleagues**

- b) Counsellors *shall not* solicit the clients away from other counsellors.

**7.3 Responsibility to the Profession**

- e) Counsellors *shall not* use their position within an organisation to recruit clients for their own private practice.

Of the three domains of non-maleficence mentioned earlier: malpractice (incompetence), exploitation and prejudice (failure to consider cultural safety),

exploitation receives the least attention and the only negations. This is noteworthy and is discussed further in the final section of this chapter.

Although the counsellor's role in protection from harm is addressed in some detail, the guidelines indicate various forms of beneficial action such as: "take all reasonable steps to protect", "take responsible action to challenge", "to warn...in the event of an imminent threat", "to seek to limit the harmful impact of", "to avoid discriminating" and "to be cautious about". These fall more within the definition of beneficence as a duty to prevent and remove evil.

An increasing use of the word "avoid" also allows for situations in which harm may occur either with the consent of the client, such as the inadvertent effect of an experimental activity, or in order to achieve some greater good, such as breaking confidentiality in order to prevent serious harm to another. As such it becomes a by-product of beneficence. The variety of choice allowed by "avoid" indicates a decision-making framework that is both Kantian and Utilitarian. In making ethical decisions, a process of "specification and balancing" is still recommended, following Beauchamp and Childress (1994).

Thus worded, the Code appears to follow a Kantian approach, which assumes that counsellors are reasonable agents, who are therefore unlikely to have evil intentions, which need restraint. Clients do not have to be protected against their therapist, except where sex and money rear their ugly heads. Counsellors can spend the majority of their time protecting clients from evil or harm that originates elsewhere and in developing their skills and competencies in order to minimise the risk of malpractice or failure to consider cultural safety.

Evil is firmly placed on the horizon and the role of the counsellor as beneficial protector established from the very beginning, by the placement of non-maleficence in relevant codes and discussions. "*First* do no harm" sees evil speedily dispatched and replaced by the benevolent counsellor. Bond (2000, p. 65) notes, "non-maleficence, i.e. the avoidance of harm, is not usually presented as the foremost ethical concern". Although not wanting to prefer any one ethical principle to another, he nevertheless

begins his discussion of ethical themes with non-maleficence. This similar sequence is followed by the NZAC (2002) who begin their general guidelines with safety and protecting the client from harm. Whilst no-one would want harm to befall a client, the maxim “*safety first*” does draw urgent attention to beneficial action and locate evil elsewhere. Evil’s association with the therapist is weakened. It establishes an assumption that evil is located outside, in the extraordinarily non-virtuous person or natural event, rather than Arendt’s (1994) proliferation of small acts.

It is, perhaps, inevitable that such a perspective encourages the development of virtue ethics, for one must ensure that a reasonable and hence, by Kantian standards, virtuous agent is present. It is obvious that the latest code is moving to embrace virtue ethics, evident in an initial list of core values, which are said to underlie all principles, in the membership requirement for “person(s) of good character” (NZAC, 2002, p. 39) and in the list of personal qualities deemed necessary for the selection of counselling personnel (NZAC, 2002, p. 43). There are, as might be expected, no underlying values for non-maleficence, although, as discussed earlier, one might have assumed that non-malevolence underlay non-maleficence.

Increasingly stringent membership requirements, lest the non-virtuous gain entry to the profession, appear to reflect Bersoff’s (1996) view that virtues may be difficult to teach. Excluding the non-virtuous, however, is problematic. The contentious issue of selection for training programmes, as well as attempted approval of such training programmes, indicates concern over the appropriateness of new candidates. Cornforth and Sewell (2004) write:

The current EFT (Equivalent Full-time) driven, student centred focus of tertiary education is at times at odds with the requirements of professional training guidelines. The NZAC Professional Codes and Guidelines for the selection of counsellors and entrants to training programmes states “...selecting appropriate personnel for counselling work is crucial to the maintenance of an effective profession” (NZAC, 2002, p. 43). The pressure to continually increase student numbers may result in the selection for applicants

who may not meet specified professional criteria. The management of these conflicting interests may be one of the most pressing challenges of the next decade. (p. 46)

A consideration of the manner in which non-maleficence has been treated within the various NZAC codes over time thus shows a move towards the progressive elimination of any “do not” rules and accompanying restraints. An ongoing focus is placed on beneficence and choices for action that would both increase the possibility of good and protect the client from harm that originates elsewhere. Originally bottom lines were drawn in the three areas earlier attributed to non-maleficence: malpractice, misconduct and prejudice. To date, of these, only misconduct is limited by a negative injunction. Paralleling this trend is an increasing inclusion of a virtues perspective.

The NZAC’s commitment to positive action is admirable. However, there are certain unsettling features deserving of attention. These concern the location of harm: whether it lies in the act or in the person; the burden of proof: how easy is it for clients to complain against negligence as opposed to misconduct; the location of responsibility: whose responsibility is it to exclude unsuitable counsellors; and finally the commitment to political action: what does it mean that a professional organisation refuses to refuse?

The next section will apply Foucault’s four “laws” to the discourse of non-maleficence and the themes presented in the previous part of this chapter. It is hoped that by taking this approach, what non-maleficence is at pains to exclude may more easily emerge. The section concludes with the view that the non-speaking of negativity has allowed morality to become the domain of sovereign selves. A villain is made of that which is beyond rationality, and a form of blindness ensues, which works against the ability to resist.

## **6.6 Applying Foucault’s four “laws”**

In this section I will remove non-maleficence as far as possible from hermeneutics. How is non-maleficence performed? Does “evil” become Foucault’s (1968/98, p. 305) “never said”? And if so, does this have the opposite effect from its benign intent? For



those interested in justice, a deeper understanding of the relationships of therapy to the negative is indicated. Taking each of Foucault's (1968/1998) "laws" in turn, this section will consider how is non-maleficence "fictioned" (Foucault, 1980, p. 193) in counselling/psychotherapy.

I find according to Foucault's first "law", harm twisting elusively between intent and experience, the *ought not* and the *is so*. In the second, I note the exclusion of collusion. The third here refuses not evil, but negations themselves, whilst the fourth "law" sees the continuation of the philosophical dualistic alternatives: to make evil intelligible or to refuse it entirely. I conclude that the therapeutic discourse of non-maleficence works to exclude a version of harm as the ordinary present, in which we are all involved.

#### ***6.6.1 The disappearing object***

The commonsense understanding of non-maleficence is the identifying of harm in order to exclude it. Yet defining harm is in itself problematic. Neiman, whose views have influenced this chapter, declines the invitation, writing, "merely listing the right names can seem hopeless" (2002, p. 10). Beauchamp and Childress (1994, p. 193), speaking from an established position of authority in medical ethics, choose to focus on the harmfulness of the harm. They note several ambiguities in discussing the relative interpretations of "harming", "wronging" and "injury" which cover a range of severity ranging from violation to a mere setback. They note that some definitions further "include setbacks to reputation, property, privacy or liberty". Within this, they conclude, "trivial harms can be distinguished from serious harms by the order and magnitude of the interests involved".

Beauchamp and Childress (1994) prefer not to engage with intent, noting that harm may happen as a consequence of some other action and be interpreted as bad luck. For them, harm that is intended does not differ from harm that is not. Intent, however, becomes central to philosophy where the most dominant perspectives range between "human cruelty" and "human suffering". It also informs the distinction between incompetence, exploitation and prejudice (cultural un-safety), which were seen to be descriptors of non-maleficence in the NZAC COE. Exploitation is by definition

intentional. As discussed at the beginning of the chapter, after Auschwitz evil also became banal, with the shocking recognition that the mundane actions of ordinary people could lead to horrific outcomes.

A further complication sees the object of this particular sub-discourse made all the more elusive through its negative description, “*do no harm*”. As will be noted in the second “law”, a negative has the ability to create a switch, a sleight of hand. This, and the problem of adjudicating between the act, the intent, and the severity, implicates Foucault’s third “law”. Whilst these are here considered separately, the intertwining nature of each strand is a central component of Foucault’s (1968/1998) theorising in this approach.

Some philosophers, however, from Nietzsche to Camus, have refused common interpretations by referring to “hope” itself as the worst evil. In this view, hope becomes evil in its denial of the material and present. Enduring present material injustice is made possible by promise of a better future. In this way, hope becomes in Marx’ terms, “the opiate of the people”. This is challenging indeed to therapy, which sees expectancy, hope and placebo factors as making up one of the four main determinants (responsible for 15%) of cure (Lambert, 1992). Could discourses of non-maleficence be avoiding the material present? Replacing this does become the subject of the next chapter, Beneficence. For the moment I will note the elusiveness of harm, and follow Foucault’s other three strands.

### ***6.6.2 Mixed metaphors***

A second aspect of discourse, observed by Foucault, is the diverging multitude of perspectives, perceptive fields or metaphors through and by which the object may be approached. The range and variety of therapeutic metaphors has been discussed in Chapter 1, and presented as problematic in terms of both finding a unified political voice, and in terms of appropriate matching between client and therapist perspectives. Such metaphors are, however, usually attached to beneficial outcomes, such as growth or motivation, and are more appropriate to the next chapter. Metaphors which visualise restraint of that which might cause harm are less visible. How then are subjects invited into non-maleficence?

As has been noted, there exists a strong bias towards making evil/harm intelligible within the talking cures. Coupled with a growing trend towards strength-based approaches, resistance to doing harm becomes quickly converted into “doing good”. There is, however, one metaphor or image, the drama triangle (Karpman, 1968), which originated in Transactional Analysis (TA) therapy and which is at pains to demonstrate the way in which subjects are drawn into relationship with “evil”. Although this metaphor offers a more structuralist perspective, it is worth considering here for the following reasons. First, its persistence (Hine, 1990) “speaks” to something widely appealing in humanity’s relationship with evil. Karpman’s (1968) original drama triangle has retained currency in various interpersonal fields. It appears in work with organisations (Edmunds, 2003; Summerton, 1993), in abuse related therapy (Mecalf, 1998; Jenkins, 1997) and in education (Le Guernic, 2004; Martin, 2004). Secondly, the necessary interchangeability of the component roles indicates “the common space in which diverse objects stand out and are continuously transformed” (Foucault, 1968/1998, p. 313). Finally, there are already, in TA and feminist literature, critiques that indicate that which may be unjustly excluded. Considering the drama triangle as a discursive device helps identify a set of directions, or fallings apart, which regulate the subject positions offered by discourses of evil.

The original drama triangle identified three perspectives from which the three forms of harm, identified in the NZAC COE, incompetence, exploitation and prejudice/cultural un-safety, could be approached. Refusing these positions became the ultimate act of non-maleficence. Although the drama triangle was later converted into Choy’s (1990) winners’ triangle, Karpman’s idea retains currency, albeit often in a simplified form. Choy’s (1990) interpretation, the winner’s triangle, as might be expected, transfers this image into both beneficence and the objectivity that characterises the trait factor approach. Is it possible that Choy’s popular move has offered “too soon, an intelligible resolution”? For those unfamiliar with game theory, a brief description follows.

Eric Berne used his remarkable grasp of the vernacular to colloquialise complex concepts from psychoanalysis in order to de-mystify and make them accessible to the general public. He identified a form of human interaction, which approached but fell short of desired intimacy, as “game playing”. Games, which can be lethal, have thus humble and even beneficent (English, 1971) origins in a desire to connect. In this they replay Arendt’s (1994) understanding of the initial ordinariness of evil. Game playing occurs in a sequence of increasing severity. Games occur between at least two people, have an identifiable set of interactions or moves, involve a vital turn or switch in roles, and leave players feeling bad in a way that is very familiar to them. Berne gave games vivid names which connected with various perceptual fields recognisable to those involved in the experience of psychological harm: e.g. “Poor me”; “Kick me”; “Now I’ve got you, you son of a bitch (NIGYSOB)”; “Please me”; and “Why don’t you...Yes but...”

Karpman (1968) distilled the various games identified by Berne (1964, p. 1972) into one basic game, which he named the “drama triangle”. The two (at least) players enter the game in one of three roles: Rescuer, Persecutor or Victim. (See figure 2). Each represents a different perspective on, and relationship to, harm. Together they expose the way in which discourses of non-maleficence commonly fall apart. Each role correlates to the three forms of harm identified in the NZAC COE (2002): Incompetence (victim), exploitation (persecutor) and prejudice (rescuer). In this view, the victim believes s/he lacks the skills or strength to prevent the onslaught of the persecutor who is meeting their own needs entirely. The rescuer often mistakenly intervenes in the often mistaken belief that they alone can help. In the inevitable switch, the victim or persecutor may turn on the rescuer, accusing them of interfering, or the rescuer may turn on the persecutor, who then becomes a victim. Any of the roles may be switched in this way.

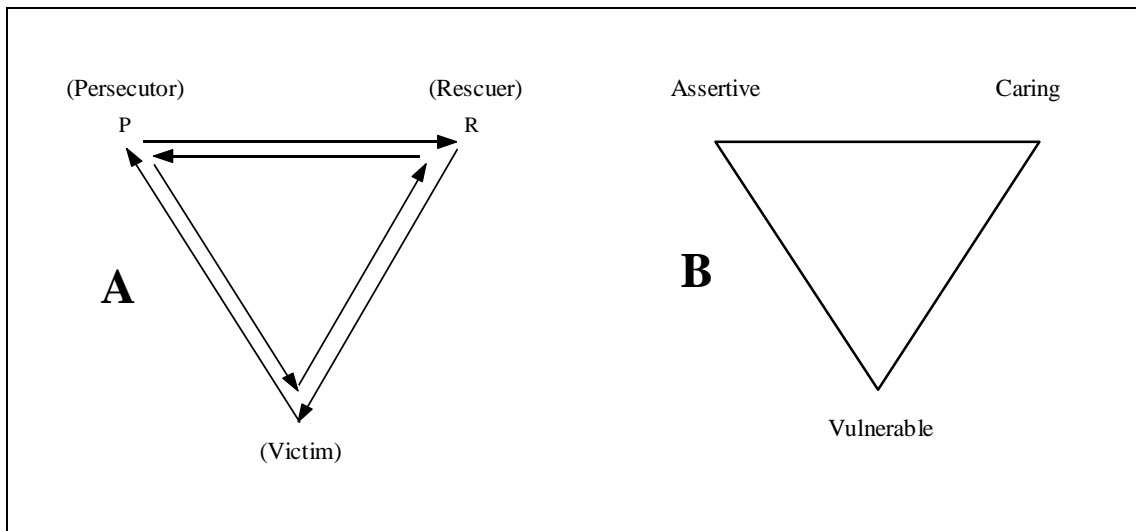


Fig. 2: A - The Drama Triangle – showing possible positions (Karpman, 1968)  
 B - The Winner's Triangle – showing the characteristics of persecutors, rescuers and victims (Choy, 1990)

A vital element in the structure of a game is the switching of roles resulting in what Berne called a “cross-up” or switch (Berne, 1964, 1974) and identifiable by feelings of confusion. In this way a rescuer turns in frustration upon she who refuses to be helped and a bully backed into a corner becomes a whimpering victim. Feelings of confusion are said to indicate a switch in perspective/position and the presence of a game. Karpman’s original metaphor is often misquoted and misinterpreted by *ignoring* the vitally important switch represented by the double pointed arrow, which is a sine qua non of all game playing (Berne, 1964). Choy’s (1990) diagram (Figure 2) shows how “positions” are in danger of being transformed into self-actualising “types of people”. This is the move that sees evil located in non-virtuous people, rather than a shared sequence of small acts. Yet it is the interchangeability of positions which is closest to and demonstrates so well the elusive fluidity of discursive formations. In the move towards stasis, discourses of non-maleficence appear to work to exclude the recognition that where evil is concerned, all are implicated at some level. Once I have found the persecutor in myself I can no longer accept my own virtue. Furthermore, being human is to know games and to be continually involved in the non-maleficence of rejecting these positions.

Although much of TA literature addresses ways of becoming free of games, it has been suggested that a game-free existence is rare. If this is so, we are continually

confronted with the need for non-maleficence. The ongoing pervasiveness of a common, or normative relationship with harm, noted by Arendt (1994) and Neiman (2002), is also indicated in psychotherapy by an additional body of writing on “bystander games” (e.g. Clarkson, 1993). This argument further reinforces what non-maleficence is at pains to avoid.

The bystander position, like that of the rescuer, relates to a game being played by others. Where the “rescuer” jumps in to aid the “victim”, the “bystander” is irresolute. What is the ethical position/action to be sought at such a time? If one observes a harm done to another, when, if at all, does one intervene? In TA theorising, a transaction (speech act) that is publicly observed has more impact than one which occurs in private and is called a “caromb” transaction. Praise in the company of an assenting public carries the silent confirmation of many voices and is all the more effective. By this reasoning, harm visible in the public arena becomes harm done by many. This is the basic *modus operandi* of ritual abuse. In Clarkson’s (1993) opinion, an objection is called for. She writes, “the most important and potent possibilities for change lie with those who would most disclaim such power - the bystanders” (p. 171). By remaining silent in the face of harm, we collude. There is, thus, a fourth subject position, that of colluding observer/ bystander.

A fifth position in relation to harm, which is really a form of refusal, comes from a strong political and feminist voice who say “no” to the label of victim and claim instead a position as “survivor”. Berne and Choy may advocate the use of individual responsibility and rationality in order to become game-free, but many argue that for the victim this is not an option. Writers such as Bricehouse and Hawker (1993) argue that the triangle continues to blame the victim by implying they have a choice to change position. In many cases the resources of the victim are so unevenly stacked against the force of the persecutor that ceasing to play the game is not an option. “Survivor”, then, offers a position which recognises not only the strength and endurance needed to resist annihilation until it is safe to move away from harm, but also the physical weaponry wielded by the “persecutor” against the “victim”. This last perspective is made more tenable by being aligned with a certain type of sentence formation. This will be considered in the next section, with Foucault’s third “law”.

I have suggested that applying Foucault's first "law" indicates the difficulty of locating harm. If the colonisation of the drama triangle by a positive, but objectifying discourse is anything to go by, then Foucault's second "law" shows the discourse of non-maleficence inviting people into benign stable subject positions, whilst covering up the switch by which all are implicated. It shows two paths to non-maleficence - one being rational, the other refusing to be rational in saying "no". I now propose that applying his third "law" indicates a preference for "avoid" and the association of the negative with the immoral, rather than with resistance. I note that this move has the effect of removing "no" from association with material objects and locating it in undesirable selves. It appears to be easier to say "no undesirables are allowed to be counsellors" than to say, "no tissue damage is tolerated" (no smacking bodies) or "no objectification of clients".

### ***6.6.3 Statement formation and disunity***

What are the common configurations in the sentences that perform discourses of non-maleficence? How does the "theoretical network" (Foucault, 1968/1998, p. 318) fall apart? The tendency of recent codes and therapies to *exclude* Beauchamp and Childress' (1994) negative prerequisite provides an example of the formal diverging theoretical framework which Foucault predicts. As noted earlier, there is a trend to replace "no" with "avoid" and a preference for the weaker version of evil, "harm". In its rare appearances the negative is aligned with harm that is located in individual subjects and their material benefit.

The injunction "no" is commonly aligned with a range of survivor positions where it expresses a resistance. Surviving abuse, for example, has been enabled by saying "no", thus repositioning the former victim. It is commonly acknowledged that the child who can say "no" is less likely to be abused. Refusal, however, becomes less and less of an option, as witness the recall of the recent anti-smacking campaign.<sup>26</sup> However we may valorise positive strategies, it is difficult to see how many significant political changes would have been accomplished without a refusal. We

---

<sup>26</sup> Last minute changes were required to be made in the recent anti-smacking campaign. These removed all reference to "don't smack". The program has since been criticized for becoming a positive parenting campaign and losing its original focus.

need only look at “no smoking”; “no (Springbok) tour”; “no nuclear ships”; “no (Vietnam) war”; “no sexual harassment”.

The power of such slogans in part lies in their specificity and concreteness. The negative isolates and emphasises. Winslade and White’s (2002) analysis of complaints illustrates the struggle for specificity that accompanies a more positive COE. They write “Each complaint is of course unique, and the selection of common features to group complaints under is in some ways a distortion of the meaning of the complaint for the complainant” (p. 6). If a particular behaviour, such as sexual relationships with clients, was to be avoided then a negative injunction facilitates an easier process for a client. Present codes tend to be more dialectical. As Palmer Barnes (1998) writes:

It is therefore important to remember that there is usually something in a complaint indicating some individual or organisational difficulty that needs to be taken seriously. Organisations are wise to attend to grievances and complaints, especially if they come up with any frequency. There is a need to understand what they mean to the individual or individuals concerned and whether there is a parallel process involving the organisation as a whole. (p.113)

It is of concern that a parallel process, a professional rejection of “no”, may make it difficult for a client to specify the root of their complaint, the object of their “no”.

Midway between “no” and “do” sits “avoid”. “Avoid” is verb-tied to the rescuer/counsellor, who is allowed to both indulge it and give it voice. In so doing, they have the potential to reposition as persecutor. Client/victims are not invited (tied by verbs) to avoid. On the contrary, they are more likely to be challenged in this respect. In the NZAC COE (2002), as well as being advised to avoid harm, counsellors are to: “avoid discriminating” (section 5.2.d); “avoid using diagnostic labelling in any way that is likely to cause harm” (section 5.8.b); and limit the effect of “their own cultural identity and biases” (section 5.2.a). “Avoid” speaks for the rescuer and seeks to protect the client from the counsellor’s bias through the



expression of prejudice and ignorance - in other words, that which has not been made intelligible.

The significance of this is two-fold. Firstly “avoid” encourages flexibility and allows other alternatives, thus contributing to the valorising and construction of choice and multiplicity and de-valorising of the negative. Note the difference between, “don’t tell lies” and “avoid telling lies”. Awareness of choice, the common indicator of agency, is aligned with the therapist’s position, since sentence formation denies clients access to avoidance. In fact, client avoidance is given a negative valence in the therapeutic literature. To avoid here becomes to hide, to be unaware of. Approaches such as existential, psychodynamic and CBT make the confrontation of avoidance the target of their interventions. For many, “I’d rather not talk about that”, immediately indicates a resistance to be explored. Secondly, “avoid” encourages the internalising of that which is to be avoided. To avoid is to go around and to encompass, not to negate, or, as in therapy, to hide or be unaware of. By advising avoidance, the professional discourse allows practitioners to accept and internalise their non-rationality through limiting its expression.

The use of “not” however, allows a refusal. “No” is allowed to clients in limited doses, in relation to harm that originates from without. One might cynically note, if one *can* say “no”, then one shifts from victim to survivor and may no longer need the services of a therapist! “No” is allowed to counsellors also in limited dose, but in relation to harm that originates from within. “Not” in the NZAC COE is aligned with the physicality of the counsellor who might be tempted to inflict harm as persecutor. Here it indicates, and expels, the urges of both the flesh and the dollar; sex and financial exploitation. As “no” allows a survivor to escape physical harm, and, ultimately, the therapeutic discourse, so “not” allows discourses of non-maleficence to exclude the influence of the material or immanent world. By limiting the use of the negative, therapy could be seen to be part of the dematerialising process discussed in Chapter 3, Autonomy. “Avoid”, by contrast, allows the internalisation of metaphysical concepts whose interpretations and valences are up for grabs and subject to the foreclosure which results in blame or victimisation.

Non-maleficence, then, is elusive and swaps objects. It attempts to locate harm in individual subjects and it is more likely to say “no” to negative thoughts, than to material deprivation or abuse. This may explain why it is difficult to say “no” to bullying. The bully works to an ethical code which “avoids” and leaves a diffuse and unmarked trail. Those unaccustomed to saying “no” find it difficult to identify the material and specific object that the negative demands. Foucault’s fourth “law” reconsiders the struggle between making this intelligible and finding something material, to which one can say “no”.

#### ***6.6.4 Strategic possibilities***

Foucault’s fourth perspective reconsiders the strategic possibilities which each discourse presents. In his view, a dominant binary theme will be found which limits all other opportunities for action. Neiman (2002) clearly expresses such a dualism in non-maleficence, using her preferred term “evil” she writes of “two kinds of standpoints... The one...that we make evil intelligible. The other...insists that morality demands that we don’t” (p. 8). She continues with “my own sympathies tend toward the former line of view, while acknowledging the force of the latter”. The therapeutic response, however, appears to be a strange combination of both options.

In its relentless search for meaning, in the over-use of the word “explore” and “exploratory phase” in addressing the client’s world and in the proliferation of modalities which attempt to present a different understanding of the nature and solution of problems, therapy might appear to obsess over intelligibility. The very nature of therapy appears to feed the need of those who desire to understand. McLeod (2003b, pp. 490) refers to several studies that find that many of those entering the therapeutic field as a career, have done so out of childhood experiences which leave them hurt, and with a constant need to understand. He writes, “therapy requires a strong interest in making sense of the inner world of clients. The exposure in childhood to periods of loneliness or isolation provides a capacity for exploration of inner life”.

Yet therapy also has a complex relationship with the other member of the binary, refusal, although this may not be so apparent. For therapy seems united in its refusal

to perform the negative. The progressive un-naming and virtual elimination of maleficence from the NZAC COE is paralleled by an increasing commitment to a strength-based approach to therapy. This non-speaking of negativity becomes one of the major coherent factors which unify the counselling discourse. This, in a way, weakens its ability to perform a more political role. If the preferred binary is shifting away from understand/refuse to understand/refuse negative interpretations, we are left with a double negative: to refuse negations.

To “refuse negations” demands a return to hermeneutics. It has a relentless appeal to the wish to make things intelligible. It will, therefore, become the subject of the next section. This will foreground what appears to have been excluded in discourses of non-maleficence. Foucault’s four “laws” have indicated that these avoid the material present whilst locating harm in individual subjects. Non-maleficence eludes implication. It doesn’t like to be caught in the act. It prefers to present rescuers, persecutors and victims rather than an intertwining set of relationships in which all are involved. It aligns subject position and negations (verb-ties) in a manner that invites a refusal of negative thoughts rather than the external influence of the material world. In refusing negations themselves, it appears to condemn the negative to a “negative” valence. This will be considered in the next section.

### **6.7 Exclusions: Refusing negations**

In this section I propose that negations have a positive valence in that they can resist the objectification of the material world. They allow us to say “no” to the misuse of material objects. I would also like to propose that it is in negations that the *is* and the *ought* come together: that the euphoria noted by Arendt and Neiman occurs when we *oppose* such a use of the material-other. To refuse negations is to refuse the ordinary, as well as not so ordinary, possibility of heroism: of finding that commitment to life that, as the existentialists noted, one would, ironically, die for. To sit in a tree to prevent its felling; to feed a child; to jump in the river to save a life; to intervene between a bullet and another; to speak up and risk losing one’s job; to re-pot a plant; to speak for, stand next to, the abused and risk being targeted oneself - all stand in the path of that which would reduce the material-other to an object. All put the world “right”, however temporarily. The mistrust of “no”, which may fuel therapy’s dislike

of the term, has, after all, been inherited through its association with our own objectification as bad, in the past. The negation that therapy appears to refuse here becomes Foucault's "never said", and enables discourses of oppression to continue.

In this section I will discuss the seductive desire to make things intelligible. I will relate this to the current thrust of therapy, which seeks intelligibility whilst refusing negativity. I will then discuss the effect of locating evil in human subjects and propose re-locating harm in the act of objectifying the material-other. In this view, non-maleficence becomes non-objectification. It becomes the refusal to allow material objects to be used in relationships of power which abuse. It becomes the continual confronting of small acts which affect our relationship with the other things.

### ***6.7.1 The seduction of intelligibility***

The strong pull to make things intelligible is hard to resist, especially in such a cryptic challenge as a "double negative"! Foucault locates this urge in the very operation of discursive formations. Discourses offer various "truths" for the curious. They also exist by excluding. For Foucault (1998) this exclusion, this "never said", holds a powerful place. It allows for transgressive acts and it has a relationship with oppression. Its exclusion allows the continued existence of forms which present certain relationships of power/knowledge. It is in this act of simultaneous exclusion, rather than in any so-called meaning, that Foucault locates maleficence. He writes (1998, p. 387), "All knowledge rests on injustice...the instinct for knowledge is malicious (something murderous, opposed to the happiness of mankind)". This view de-vilifies the negative and attacks the very foundations of our ethical understanding. Foucault (1982/1998) writes:

One is apt to think that a culture is more attached to its values than to its forms, and that these can be easily modified, abandoned, taken up again; that only meaning is deeply rooted. This is to overlook how much hatred forms have given rise to when they have come apart or come into existence. It is to ignore the fact that people cling to ways of seeing, saying, doing and

thinking, more than to what is seen, to what is thought said or done. (p. 242)

There is a sense in which this view is echoed in Kristeva's (1980) observation of the danger in interruptions and Levinas' intrusion of the other's face which "disturbs the order of my, ego's, world" (Peperzak, 1993, p. 20). Both note the violence that results from disruptions of established form. For Foucault (1968/1998) the forms of discourse, the four laws discussed above, work together to exclude and to oppress. They become the vehicle through which harm is delivered, regardless of their subject matter. The word, the sign itself, as noted at the beginning of this thesis, contains "an ambiguous and somewhat suspicious form of ill will and 'malice'" (Foucault, 1967/1998, p. 277). So discourses of non-maleficence may be in themselves maleficent. Herein lies the seductive power of the urge to make things intelligible. It is the force that drives rationality itself. According to Walkerdine (1994) it is the force that makes us "forget" the material. (See Chapter 3, *Autonomy*.) I am proposing that it is through negations, through refusing to "forget", that we can put right our connections with the material world.

As indicated above, the negative has been gradually excluded in psychotherapy. The move to collapse non-maleficence and beneficence into the same binary (Bond, 2000; Beauchamp and Childress, 1994) does make it more likely that the moral demand to refuse evil is systemically averted, through encouraging what Neiman (2002) might call "too soon a solution". The negative's rare appearance in ethical codes is also paralleled by increasing moves towards strengths-based approaches in therapy. Partly this can be attributed to the lingering influence of humanism's belief in man's ability to transcend. Partly it can be attributed to the "bottomless pit" hypothesis which sees a focus on deficit as being economically untenable. The taken-for-granted meaning sees a virtue in this move. A plethora of techniques such as reframing, affirmations, decontamination, analysis of discounts, re-storying, identification of "unique outcomes" (White & Epston, 1990) and exceptions (de Shazer, 1991), which look for the rare positive moments, rather than the multitude of problems, and restructuring of illogical thought patterns, indicate therapy's core direction. Indeed, the plethora of "solutions" brings to mind Neiman's original proposition that an avoidance of the problem of evil

has resulted in fragmentation and decline for philosophy. Has psychotherapy taken a similar route?

### ***6.7.2 Suffering subjects***

Avoiding evil has necessitated its containment. I propose that therapy has inherited the eighteenth century solution of dividing evil into natural and moral forms. Focussing on the latter, it performs subjects around the concept of evil, as if its contamination can here be isolated and treated. This gives rise to both the folk wisdom of “life happens, its how you deal with it that counts”, and the scientific interest in resilience. Thus re-located internally, hidden from view, evil appears managed. Therapy can enter into a parallel process of avoidance/management in “curing” clients. Coupled with a desire not to “make things worse” and a focus on individual solutions, it is understandable, when evil is located in human subjects, that dwelling on evil in its immanent form, suffering, can seem in itself re-abusive. Solutions are thus sought and revisiting of trauma severely curtailed. Therapy’s task has been to remove suffering from the client, without, as Cushman (1990) notes, addressing the underlying cause. Suffering, thus individualised, escapes to strike again.

Similarly, the reintroduction of virtue ethics can be seen to provide another systemic form of avoidance by relegation to subject positions. Evil avoided becomes internalised or at least is allowed to co-exist in uneasy proximity as a psychic shadow. Virtue ethics perpetuates an individual perspective in which evil/sin can more easily be relocated in non-virtuous and professionally disposable others. Furthermore, a bad name sticks. Beauchamp and Childress (1994, p. 463) claim that she who has displayed a “defect of moral character” (misconduct) is more likely to be subjected to moral blame in any judgemental error (malpractice). In addition, the selective use of the negative injunction in professional codes more easily implicates faulty selves. Professionals who have illicit sexual relations with clients, who “lie, cheat and steal” (Palmer Barnes, 1998, p. 104), are, after all, more likely to be sanctioned. These *acts* are not to be condoned, but the location of harm in the person of the therapist is questionable. They also say something about the culture in which they are allowed to

occur. The present argument invites a consideration of virtue ethics as a vehicle for passing the buck and sending the convicts back to the colonies.

A similar move in therapy would have faulty selves committed to a lifetime of unredeemable evil/suffering. The addicted, those who have not been able to form secure attachments in the first few months of life and those without the genes for resilience are storied by neuroscience into constant relationship with harm. A debate ensues, but science is still the dominant account where providers are concerned. Being able to locate therapists' failure to remove suffering in the neurones of the client is, at times, a tempting option.

Avoiding evil by internalising it in either the individual damaged client or in the straying professional, in this analysis, represents the easy option referred to by Neiman (2002, p. 326). The temptation to blame others, or, indeed, oneself, revoices the frightened Freudian child who calls for rescue or revenge<sup>27</sup>: it enters the drama triangle; it represents a partial and faulty view and too hasty response; it refigures devils and monsters. It deters us from taking evil in its more metaphysical sense, which demands a consideration of the bigger picture in which we are all involved.

Poststructural theorising of multiple subjectivities, however, poses a problem for internalised evil. It is a problem which falls to narrative therapists to address. This is done by externalising. This anti-trait move sees subject positions separated from now externalised "evil". In this way, for example, Winslade and Monk's (1999) "kids who are 'in trouble'", explore their relationship with "truancy trouble" and "stealing trouble". The move is promising, but not yet mainstream. Neither, to my mind, does it sufficiently address either therapist collusion or the relationship of negativity to the abusive use of material objects. (See Chapter 5, Justice, for more discussion here.)

In the final section I ask what might be different, if negativity was detached from suffering subjects and used to refuse a process which treats the "other thing" as object? What if negation's more ethical function is to refuse to allow the material

---

<sup>27</sup> Freud theorised that, through fear of being unsupported, the child, calling unsuccessfully for rescue, would first attempt to blame others and then blame him/herself.

world to be used as object of abuse? This would mean *valuing* negations in a process of continually resisting those small acts, which allow abuse of the material world.

### **6.8 Refusing to objectify**

Discourses rely on objectification and on individual subjectivities. Arguing otherwise, then, becomes problematic. In the above claim I am seeking to include, *in* discourse, that which Foucault saw situated on its extremities. Discourses have material effects, they work on bodies and things. Discourses resist inclusion of the immanent. In so doing, they turn the material world into objects through the process of signature. Yet this process of objectification was argued to be immoral in Chapter 3, *Autonomy*. In this chapter, I propose that it is through a commitment to the intent of non-maleficence that the process of objectification can be reversed. I do this by first reviewing the association of the negative with the material. I then look at situations in which this negation is reversed. I conclude by suggesting that therapy needs to revisit negations in order to externalise evil, remove it from subject positions and relocate it in the misuse of the material world.

I have proposed that the avoidance of the evil/negative is made possible by locating it in specific subjects. Those who are not amenable to reason become unredeemable clients and immoral counsellors. The negative is sparingly applied and appears to be reserved for the task of excluding all that is of the physical world. If we separate the value from that which is valued we find it is contact with bodies, sexed, salaried or dead, which are most clearly excluded by Beauchamp and Childress' (1994) prerequisite "no". Gross misconduct engages in inappropriate sexual relationships, exploits for financial gain and, particularly in medical ethics, but increasingly in therapeutic ones, colludes with death. So deeply imbued with moral valence are the topics concerned that to revision them as rationality's attempt to exclude the material, is seldom easy, particularly in therapy, which is concerned to give space to the affect or immanent emotional experience. My purpose is not to condone these activities, but to note the compounding effect of acts which may have small beginnings. These small beginnings do, after all, engage many in their more innocent form, as witness debate engendered by the viability of touching, of receiving gifts or supporting euthanasia and suicide.



A consideration of metaphysical evil somewhat ironically demands inclusion of the material world. For Leibniz (1985), where suffering was to be redeemed by material interventions such as medicine and food, metaphysical evil was to be combatted by political action. It is only the sinner who requires more abstract education. Since political action is, after all, at its core, about the redistribution of material resources, Leibniz appears to place harm and its remedies firmly in the real. Therapy, however, educates the sinner and the sufferer alike.

Neiman (2002) theorised evil as a disconnection between the *is* and the *ought* (this *is* not what *ought* to happen). The *is* occurs in and expresses the real, the material. Perspectives which focus on either dualistic alternative miss the whole picture. Yet both views need to be taken into account. Of the two common alternative responses which Neiman notes, saying “no” to evil and refusing to make it intelligible appears to be the more common response for those who have most closely experienced its physicality. Camus chose to represent evil as natural in the plague, Adorno and Amery survived the holocaust, Nietzsche lived with a disability and Voltaire was strongly influenced by the Lisbon earthquake. All refused to find meaning in, or to relate to evil. Adorno’s often quoted comment that “silence is the only civilised response” (Neiman, 2002, p. 2), resonates with Dalenberg’s (1999) challenge to those who work with trauma survivors: “never say anything that you could not say to a burning child”.

McGuiness (2001) also believes that we must cease avoiding, cease rationalising and face up to the sheer physical presence of evil in the stories and bodies and video footage of victims of torture. In this place of no words, it is uncertain what will emerge, since this is the place of uncontrolled irrationality. However, in his view, such irrationality is more ethical than attempts to understand. In this he is at one with Lyotard’s (1984) view of ethics as the urgency to present the unrepresentable.

The experience, the *is* of evil is immanent. It is felt physically and somatically. This aligns the sufferer most firmly with the material. Earlier it was claimed that the ability to say “no” turns victim into survivor. It was also noted that the strength of the

negative was in its specificity, often located in the real. Saying “no” identifies the requisite material change. It externalises the immanent unwanted materiality. Either way, the ability to say “no” results in physical change. The organising construct of the sufferer’s pain is externalised onto a refused object. The knife is withdrawn, the bullet removed, shame rejected and replaced, responsibility relocated and norepinephrine reduced.

It is here argued that “no” has the potential to change the symbolic to the material. It has the potential to change evil. It becomes the political act of resistance, which ultimately results in redistribution of resources. It becomes the specific act of rebellion, or it becomes a turning away from, an abandonment. Each indicates a change in the relationship of material objects. Appadurai’s (1986) claim that an observation of the movement of things can tell us volumes about the society which used/revered them is also here apposite. Such a study also tracks changes in power relationships. In saying no, in refusing, we not only change position, we change the position of “other things” and our relationship to them. What is here argued to be omitted from discourses of evil is the re-cognition of the material, and the necessity, the possibility, of its replacement.

Neiman’s conclusion was that through collapsing the *is* and the *ought* we achieve reconciliation. It is as immoral to concentrate on the real as it is to concentrate on the ideal, but where the two can merge, there comes a completeness, a sense of all being well with the world. This carries a sense of something like the euphoria Arendt found when she made her sense of the Eichmann case. The real is, and is incomprehensible. Humankind seeks meaning. Where meaning and material meet, as in the chora (see Chapter 4, Fidelity) the pulse of life can be felt. Neiman (2002) writes:

We experience wonder in the moments when we see the world is as it ought to be – an experience so deep that the *ought* melts away. The disappearance of the ought in such moments leads some thinkers to describe them as the experience of Being freed from human demands and categories. But it is equally the experience that all our demands have been fulfilled. (p. 322)

Like Diana's nakedness, in the quotation from Foucault at the beginning of the chapter, it defies, negates, reason.

In this chapter I have argued that therapy spends much time searching for the *ought*. It tends to contain the material, the *is*, in individual selves. To do this it applies an ethic of virtue. Therapy refuses both the material and a metaphysical view of evil. Yet therapists too often take bystander positions enforced by the materiality of rooms, time frames, the need to earn a living and waiting queues of individual clients. Observing evil, yet bound by individual contracts, it is hard to take political action. So imbued is this "logic" that it is difficult to think otherwise, but if therapy was to begin to name evil by negating it, because of the specificity of the "no", therapists would have to identify small material acts. This is supported by Berne and the TA view of the escalating nature of games. These, according to Arendt become the seeds of larger evils, which become more impossible to confront. Therapists are well positioned to do this, although they may as yet lack the vocabulary. If they were to do this, then it is my belief that the paradigm shift called for by Cushman (1990), might begin to occur. If, like Neiman, my thinking is halfway reasonable, the following are indicated:

1. An ongoing nurturing of material relationships.
2. A refusal of virtue ethics.
3. A more specific use of the negative injunction.
4. A refusal to locate evil/harm in individual bodies.
5. A change in the valence attributed to negations.

#### **A Dilemma**

*Last night as I was completing this chapter, maleficence, which had previously been vivid in my dreams, presented itself in material form, demanding a response. A client whom I had not seen for ten years, rang to reconnect me with her is. As a result of a media presentation of alleged abuse of former patients by former staff of Porirua Mental Hospital, she had been invited to join a group of claimants, seeking redress of harm. Knowing that I, her former counsellor, would be called on as witness, she wanted to warn me of possible involvement and sound out my position. What **ought** I to do?*

- 1. Advise her against getting further involved, as many counsellors do, through the possibility of re-traumatisation in undertaking a court case? (Bystander position)*
- 2. Spend \$300 in taking out indemnity insurance, even though I am no longer seeing clients? And pay for a further series of supervision sessions for myself at \$90.00 per session? (Victim position).*
- 3. Face the possibility of losing my good name and even of professional sanctioning should a defence lawyer be able to fault my duty of care? (Victim position)*
- 4. Support my ex-client (no longer my client) wholeheartedly. (Rescuer position.)*
- 5. Confront evil to the best of my ability through a refusal to be ruled by fear and finances. (Survivor position).*
- 5. Gather a group of counsellors and make a professional response to the media?*
- 6. Assist in ensuring that the ex-client is duly and legally recompensed?*
- 7. Assist in ensuring that the client has a chance to put her case to her former abusers?*
- 8.?*

## Chapter 7

# Beneficence

*“The two professions most responsible for healing the empty self, advertising and psychotherapy, find themselves in a bind: They must treat a psychological symptom without being able to address its historical causes” (Cushman, 1990, p. 599).*

*“The black man refuses to occupy the past of which the white man is the future”  
(Bhabha, 1994, p238).*

### 7.1 Introduction

The last principle is beneficence – the imperative to “do good”. Determining what it is to be a good person, and to perform a good act, has been the core business of both ethical philosophy and therapy. Neither task is easy. I propose that therapy has inherited, unexamined, the dominant philosophical belief that being reasonable is the same as “doing good”. This is a problem for a passionate profession: one that values both feelings and relationship. As a result, therapy has a long history of having to prove itself and has encountered many difficulties along the way.

Even though therapy has proved effective in curing symptoms, it is still accused of being irrational. Using Foucault’s (1968/1998) approach allows a theme of time to emerge. Benefit can only be articulated within a certain time frame and this has dangerous consequences both globally and ecologically. I argue that beneficence needs freeing from the time constraints of rationality.

This chapter will draw some themes from philosophy and trace where they have made their mark in psychotherapy. It will revisit the NZAC COE (2002) to find concrete practices which are the vehicles for “doing good” in counselling in Aotearoa/NZ. Following this, the chapter will take a Foucauldian (1968/1998) approach in order to recast these themes and practices in a different frame: to explore the possibilities of

“non-knowledge” (Riikonen & Vataja, 1999) and divergencies which foreground gaps in what is commonly seen as a univocal discourse. It seeks the nodes at which this particular ethical sub-discourse, beneficence, “falls apart”<sup>28</sup>, and in this falling apart what becomes excluded. The chapter finishes by re-presenting an excluded form of beneficence: the present moment, or *kairos* (Stern, 2004). It suggests that utilitarian methods of decision making fail this form of beneficence.

In the previous chapter, Non-maleficence, a rationale was provided for treating non-maleficence and beneficence as separate entities, rather than members of a dualistic pair. According to this rationale, and in line with Frankena’s (1973) definition, beneficence was distinguished from non-maleficence. Where non-maleficence refrains from inflicting harm, beneficence goes out of its way to prevent and protect - to stand in the way of harm and to perform good acts. Beneficence thus intervenes when harm threatens. It also “does good” when there is no harm in sight.

## **7.2 Locating beneficence in philosophy**

In this section I go to philosophy to discover what “doing good” might mean. I note that this is strongly aligned with being reasonable. Other perspectives, such as an ethic of care and an ethic of immediate response, still struggle for emergence. They are often relegated to the private domain. I foresee a problem for therapy, which must “do good” in the private domain, whilst being accountable in the public domain. This will be explored in the subsequent section.

An interest in applied ethical theory, in what it means to “do good”, is “one of the most important philosophical developments in twentieth-century ethics”, according to Singer (1994, p. 13). In Parfit’s (1994, p. 392) view, the field of “Non-Religious-Ethics” may just be beginning. As Sterba (2001) notes, philosophers still rely heavily on traditional views that struggle to find a rational base for moral action. Traditional ethics offers three main perspectives on what it is to be a morally good person. The following descriptions are based on Sterba’s (2001) account. All three, in his view, demonstrate a rational compromise between self-interest and altruism.

---

<sup>28</sup> “Falling apart” refers to Foucault’s (1968/1998) description of the characteristic manner of internal divergence that distinguishes different discourses.

### Traditional views of a morally good person

Kantian ethics as developed by John Rawls: One whose actions conform to the principles which would be unanimously chosen by persons behind a veil of ignorance.

Utilitarian: One whose action maximises the net utility or satisfaction of everyone affected by them.

Aristotelian: One whose action, for the most part, furthers his or her proper development as a human being. This is further specified as acting in conformity with a set of virtues, the most important of which are prudence, justice, courage and temperance.

Kantian beneficence thus does-as-it-would-be-done-by; utilitarian beneficence performs a mathematical equation, seeking profit through probability; and Aristotelian beneficence aspires to perfection.

There have been attempts to combine these salient features in a variety of ways, but as Sterba (2001) notes, all are so abstract that they fail to deal with gender roles, the environment and other cultures. In the application of these philosophical standpoints it is still possible to oppress by omission. For example, the politician's public courage (a virtue) in campaigning for equity (a principle) in the workplace (for the general good) may still leave his wife at home with a sick, or in Marx's case, dying, child<sup>29</sup>.

Furthermore, the above three traditional views are argued to be essentially reasonable. Beneficence, since Kant and Hume (Singer, 1994), has been argued to be a core part

---

<sup>29</sup> This refers to the poverty in which Marx and his family lived, and to which has been attributed the death of his children, four of whom pre-deceased him. Marx chose the unpaid life of "angry agitator", rather than betray his principles in regular paid employment (Wheen, 1999).

of human rationality. As theorised in the previous chapter, the responsibility for benevolence was moved from incomprehensible God into comprehensible human persons during the Enlightenment. Rationality, as a source of beneficence, and beneficence as a source of rationality, however, struggle to retain primacy in Euro-western thought and are continually under threat from both fundamental religions and critical post-modernism.

The Euro-western logic used to support a rational beneficence is also incompatible with other cultural forms, including feminism, and the “logic defying logic” (Phillips, 1997, p 158) of other-things and the environment. (See Chapter 4, Fidelity.) Post-modern critical theorizing, however, has unsettled the very foundations of universal rationality. This has allowed a space in which we can consider alternative forms of beneficence. Foregrounding an immanent, rather than reasoned response, exception is taken to the executive, finite and public nature of the ethical act involved in the former three forms of beneficence. Having done one’s duty (Kantian), made a decision (Utilitarian), or controlled one’s anger (Aristotelian), one engages in life as before. But for the disenfranchised, “life as before” is not an ethical option. Two other ethical options have made their presence felt in philosophy. One is the feminist ethic of care attributed to Gilligan (Gilligan, 1994). The other is what I will call an ethic of immediate response.

Although they may not normally be placed in the same category, I draw on Levinas, Lyotard and Derrida to describe the heightened awareness and subsequent call for responsibility and social justice felt in the face of something that is recognised as difference and which cannot in its entirety ever be known. This is that which has been excluded and marginalised, whilst something else has been given more presence in its place. The ethical imperative in this re-cognition is to *respond*. To turn away is immoral and unjust. This is what Egéa-Kuehne (2003) describes as “Levinas’ ethicopolitical order of human proximity” (p. 103). For when the other’s face intrudes upon one’s consciousness, things can never be the same. It demands concern, it demands a response. It is Derrida’s “difference” and his insistence that deconstruction *is* justice. We “always have to be willing to think again, think differently, about the other, to be willing to be taken by surprise, rather than only trying to know and define



who the other is” (Biesta, 2003, p. 151). Here, also, is Lyotard’s “differend” and requirement to “bear witness to”, or, “present the unrepresentable” (Nuyen, 1998, p. 175).

Whilst Gilligan opens a space for the private domain, Levinas, Lyotard and Derrida address their concern to the public, political domain arguing for beneficence as a form of justice, which has technological and political implications. All three are driven by an immediacy, an urgency. The later Levinas, driven by memories of the holocaust, leaves a central message: this must never happen again! His response is above all else a response to the reality of physical violence in the world. As Sheffler Manning (2001, p.185) observes, for Levinas, “it is the cry of the Other: ‘Don’t kill me’, that is the origin and foundation of all the other responsibilities that fall on me.” In a similar vein, “according to Lyotard, we have to face this ethical problem with the utmost urgency because what is at stake is life and death itself” (Nuyen, 1998, p. 175). Driven to action, from ethics to justice, in the public sphere, they nevertheless describe a form of action that is on-going, embodied and similarly to Gilligan’s, infinite. This is, for Levinas, “founded on the self’s infinite obligation(s) to the Other” (Sheffler Manning, 2001).

Gilligan (1994) theorised a different form of morality for women, for whom an understanding of responsibilities and relationships similarly contrasted with an understanding of rights and rules. Defining her position in relation to Kohlberg’s (1981) six stages of moral judgement, beneficence for Gilligan is expressed in “an obligation to do what I can to make the world a better place to live in, no matter how small a scale that might be on”, and in an on-going sense of “being responsible to the world” (1994, p.56). Gilligan’s beneficent woman worries about omissions, about failing to help. Kohlberg’s beneficent individual is concerned not to intrude upon the rights of others. The developing binary is commonly described in terms of oppositional ethics of care and of justice - often in ways that emphasise their relative private and public spheres of influence.

Feminists, since the 1980s and the initial impact of “care thinking”, have interrogated the possibility of the co-existence or complementarity of what is commonly seen as

two separate moral systems (e.g. Jaggard, 1995). A “justice” perspective prioritises general principles, applied impartially, which direct morally permissible action. “Care thinking”, on the other hand, involves a moral obligation to a specific person or persons where both are bound in a loving relationship. Some theorists such as Friedman (1995) see them as complementary aspects of moral reasoning. Sterba (2001) and Blum (1987) point to the specificity of care within an overarching moral framework of justice. Others argue that they address different spheres. Some theorists, such as Kohlberg, (1981) and Blum (1987) see the two as distinct *practices* directed to distinct spheres, where justice addresses the public sphere, care the private. Some, such as Habermas (1990), see them as addressing different *issues*, with an ethic of justice addressing universal rights and care the good life.

Although it is plausible to see the two as compatible and even indispensable aspects of moral theory, Jaggard (1995) notes several problematics. If the two are complementary, what tells us when one should be chosen above the other? Furthermore, justice still has the dominant voice and continues to relegate care to a subordinate position. And, if we see each appropriating a different domain, then as Ruddick (1995) notes, justice is badly needed in the household, whilst care is badly needed in the public sphere (Held, 1995). One might here expect a more equal consideration of the special nature of each perspective.

Gilligan’s views have been modified and extended by many feminist writers, but, as Jaggard (1995, p. 187) concludes, “Most proponents of the ethics of care now dispute the possibility of any easy synthesis of care with justice”. In her later work, Gilligan presents care and justice as “two moral perspectives that organise thinking in different ways” (Gilligan & Wiggins, 1987, p. 20). Although Jaggard sees a possibility of resolution, to date the discourse of beneficence appears fraught upon this binary.

Card (1995) draws out the conceptual difference, interpreting Gilligan’s method of inclusiveness as “taking on a certain responsibility...of *making it good* that everyone is included, of finding, creating, a *good* way to do that, thereby maintaining informal connections with everyone” (p. 92). This is different from Kantian obligations, and Card (1995) emphasises the formal and informal distinction, extending this beyond

gender. In her view, women have had “bad moral luck”. She cautions against too rosy a view of women’s caring by drawing attention to its oppressed, historically enforced nature, preferring a formal/informal distinction.

The different roles of the two kinds of obligation are suggested by differences in the consequences of fulfilling or failing to fulfil them. In fulfilling formal obligations, we *discharge* them, as in paying a debt. Discharging the obligations brings the relationship to a close, terminates that formal connection...By contrast, with obligations incurred to a benefactor, we often think in terms of *living up to* them rather than of discharging them. Living up to them tends to *affirm* the relationship rather than bring it to a close. (p. 92)

Card thus foregrounds the conceptual differences, raised by Gilligan, in the two systems, which go beyond gender and “yield different ethical preoccupations, methods, priorities, even concepts” (p. 80).

Benevolence in philosophy, then, presents both a divided subject and a divided object and offers several positions to the would-be-benevolent agent. The subject is allowed both a private and a public life, and benevolence can be theorised to respect others’ rights, thus allowing them to go about their own business, and/or to build and nurture on-going dependent relationships. In theory, whilst traditional philosophy seldom appears to differentiate between Frankena’s (1973) three descriptors of benevolence: to *prevent*, *remove* and *do* “good”, collapsing all three indicates a dominant view which prioritizes the independent, agentic individual. Both a feminist ethic of care and an ethic of immediate response, however, in varying degrees, shift focus from the agent to the other, who may need assistance. How are these positions engaged in psychotherapy?

### **7.3 Locating benevolence in the “psy” professions**

Benevolence, or “doing good” is, to many, the core of therapy. Therapy is, according to *The Concise Oxford Dictionary* (Fowler & Fowler, 1964), a “curative, healing,

performative art”. And yet both what it is to “do good”, and what that *goodness* might entail, are still contested territories. Riikonen and Vataja (1999), whose views will be discussed later in this chapter, take a further challenging position, writing “psychotherapy and related activities should be beneficial interaction par excellence” (p.175). They contend, however, that since we do not know what or where benefit occurs, it may be possible to say that such a thing as psychotherapy, by definition a beneficent professional process, does not even exist. This is a radical view, based on an interrogation of “benefit”. It does, however, speak to a constant unease/obsession within the profession to prove its own worth and the difficulties in defining “good” for another. This section considers some of the ways in which benefit is presented in therapy, and identifies some on-going challenges.

Whereas before 1980, counselling/psychotherapy held a contested place in terms of its net benefit, it has generally been accepted, and consistently found, since the 1980s that psychotherapy/counselling is an activity which contributes to the well-being of clients. Significant in this claim, which defines benefit as effectiveness, are the following voices. Smith and Glass’ (1977) initial meta-analysis led to Smith, Glass and Miller’s (1980) second meta-analysis of psychotherapy outcome literature, which found therapy to be still highly effective. Rosenthal (1990) concluded that “we are doing considerably better in our softer, wilder sciences than we may have thought we were doing” (p. 776). Although Glass and Kliegl (1983) found that the benefits of therapy diminished over time, Lambert and Bergin’s (1994) extensive review of the literature found psychotherapy effective, lasting and statistically significant. Furthermore, there appears to be little difference between various therapeutic approaches (Stiles, Shapiro, & Elliott, 1986). The ongoing consistency of such findings, (see, for example, Seligman, 1995), leads Cooper (2003) to write, “The ‘Dodo bird verdict’ (Everyone has won and so all must have prizes<sup>30</sup>) seems to be one of the most robust findings of therapeutic outcome studies (see Asay and Lambert, 1999; Luborsky, Singer and Luborsky, 1975)”. Smith, Glass and Miller’s (1980, pp. 183-189) following conclusions are thus still quoted.

---

<sup>30</sup> From Lewis Carol’s *Alice in Wonderland*.

Smith, Glass and Miller's, (1980, pp. 183-189) conclusions:

1. Psychotherapy is beneficial, consistently so and in many different ways. Its benefits are on a par with other expensive and ambitious interventions, such as schooling and medicine. The benefits of psychotherapy are not permanent, but then, little is.
2. Different types of psychotherapy (verbal or behavioural; psychodynamic, client-centred, or systematic desensitisation) do not produce different types or degrees of benefit.
3. Differences in how psychotherapy is conducted (whether in groups or individually, by experienced or novice therapists, for long or short periods of time, and the like) make very little difference in how beneficial it is.

Benefit as effectiveness here describes an obligation discharged. The therapist is its beneficial agent. The ethical perspective is traditional. Benefit as effectiveness is, however, problematic. Curtis Jenkins (2002) predicts that the evidence base for psychological therapies will always be under threat, whilst the difficulties of collating empirical evidence is noted by many including Curtis Jenkins (2002), Garfield (1980), Lambert (1992), McLeod (2003a), and Strupp and Howard (1992). The emotional nature of this debate is noted by Glass and Kliegl (1983). They record two opposing, but equally passionate, responses to meta-analysis outcome studies: "Eysenck – 'an exercise in mega-silliness'", and "Simon- 'Classics (such as this) in science are rare'" (p. 33)!

Viewed from the standpoint of traditional ethics, beneficence in therapy is problematic on the following counts. These are the same reasons used to critique rationality itself, and demonstrate the inseparability, in this view, of reason and beneficence. The reasonable man will "do good". But rationality, as discussed in Chapter 4, Fidelity, must be a constant. Yet here the obligation, once discharged, will not stay discharged. Benefits cannot be proved to last over time. Secondly, rationality is claimed to be the ontological property of reasonable man, who becomes its executive officer. Yet it is not possible in beneficence to connect the act directly to the

agent, because of the multitude of variables involved in research with human subjects. And thirdly, the drive towards cost-effectiveness is based on budgetary distinctions made on the principle of the greatest good to the greatest number of people. Not all therapy can be funded, and this results in the utilitarian prioritizing of evidence-based practice, which looks for generalisable outcomes. It can be seen how closely rationality and benefit are aligned through traditional ethics. A dilemma is imposed upon therapists (and on clients) who feel intuitively that therapy “works” but who have difficulty in reasoning this claim. Traditional ethics thus works against finding therapy beneficial.

The problem is more often defined as a clash between empirical and qualitative epistemologies, in what appears to be an attempt to maintain rationality rather than morality. Several responses are forthcoming. There is a strong drive to develop a research culture amongst therapist/counsellors in order to create a body of practice-based rather than evidence based research (e.g. *Counselling and Psychotherapy Journal*, 2004; Feltham, 2002; Goss & Rose, 2002; Manthei, 2004; McLeod, 2003a, 2001). Qualitative methodology is achieving greater recognition (e.g. Denzin & Lincoln, 2000; McLeod, 2003a), and space is beginning to be made for a subjective, intuitive form of rationality - specifically beneficence as defined by clients. Finally, there are indications of a turn away from an adversarial form of reasoning within the profession itself. All of these may indicate a swing towards the two other forms of beneficence discussed in the previous section, an ethic of care and an ethic of immediate response.

Feltham (2002), in *What's the Good of Counselling and Psychotherapy: The Benefits Explained*, advocates for the next stage in what Kuhn (1962) might call the development of a new paradigm. In this phase the adversarial dialectical reasoning is rejected in favour of inclusion. Taking the position that the time for internecine wars is past, Feltham draws together various eminently respectable contributors to present a united front to providers, policy makers and consumers alike. Using an analogy from theology, he distinguishes between *dogmatics*, which debate internally contested theory and *apologetics*, which present a case for the existence of the discipline, as a whole, to the outside world. He reflects a belief that the time has come to pool and

draw on similarities and joint advantages, rather than on differences. In his view, unless therapists unite they will not be able to address Paul's (1967) often-quoted question: "What treatment, by whom, is the most effective for this individual with that specific problem, and under what circumstances?"

However, as Manthei, Stanley and Gibson (2004, p. 53) note, "effectiveness is not the same as efficacy", and it is somewhat ironic, or perhaps understandable, that this move to cohesion comes in a political climate of rationalisation. Although all may truly have won, there are not enough prizes to go around. Those winners who can win more quickly and with less expense are rewarded and the race is again on. One needs also to add, benefit *for* whom? "Dogmatics", "apologetics" and benefit have political faces. All are influenced by the need to attract funding and are responsive to political change. Feltham's move comes in the context of primary healthcare reform in the UK. Manthei et al.'s (2004) exploration of the difference between counselling and counselling psychology is founded in concern for the effect of the new Health Practitioners Competence Assurance Act (2003) in Aotearoa/NZ. The paradigm shift is thus, ironically, indicative of counselling/therapy's attempt to enter the public sphere. Feltham's (2002) book demonstrates attempts to speak the language of the dominant evidence-based discourse. This would appear to be an important moment in the development of the profession, and benefit, however defined, one of the key players.

However, it appears to be increasingly difficult to identify what constitutes benefit. Tantom (2002), speaking from philosophy, indicates this challenge as the next most pressing direction for research. Post-modern multiplicities still struggle to find a foothold in discourses that are economically driven. A recent spate of interest in the components of well-being, which cynics might see put forward as a solution to the "bottomless pit" hypothesis mentioned in the previous chapter, cannot avoid research into client perspectives. This is both the driver for the CORE system in the UK and one of the four major themes to emerge in the UK from the first interdisciplinary meeting of the Society for Psychotherapy Research (Pettifer, 2003). However, soliciting consumers' views appears to be a token gesture in a more dominant paradigm which, in seeking the greatest good for the greatest number, continues to

reduce human subjectivity to Rose's (1989) ciphers. Thus, where a utilitarian perspective seeks general good in traits of well-being, a subjective assessment seeks satisfaction (CORE, 1998) or, Tantam's (2002) preference, happiness.

It would appear that beneficence still struggles for emergence in a contest between utilitarian rationality and the intuitive, immediate response. The original descriptors of beneficence at the beginning of this chapter enjoin therapists to *prevent* and *protect* from harm, and “do good”, however that may be defined. The three levels are sometimes used to describe different forms of beneficence that are claimed to distinguish counselling from psychotherapy. Counsellors have the lesser job of preventing and protecting with psychotherapists being more active agents (and therefore able to demand higher fees). Bond (2000, p. 58) considers the relative emphasis placed on various ethical principles in the respective codes of counsellors, psychotherapists and counselling psychologists. He notes that where the UK Council for Psychotherapy (UKCP) prioritises beneficence - actively “doing good” in “alleviating suffering and promoting wellbeing” (UKCP, 1998 section 8.21.2), counsellors prioritise autonomy and a form of beneficence that protects and gives permission to clients' wishes. Tantam's (2002) client repeats, “counsellors reflect, psychotherapists interfere” (p. 259) and the argument over which may be the most beneficent continues.

While the membership requirements and training guidelines for counsellors in Aotearoa/N.Z. show an expectation that counsellors will be able to both intervene and reflect, person-centred counselling with its strong philosophical base of client autonomy appears to have a stronger hold in the UK. Nevertheless, in all forms of therapy the use and timing of interventions remains contentious, reflecting an ambiguous position in relation to beneficence.

Given that there are no clear paths to benefit, it is curious that it is so consistently advocated. It is also obvious that the profession is constantly plagued by the question of its own efficacy. Seligman (1995, p. 54) notes that one of the flaws of the significant *Consumer Reports* (1994) study was its inability to address the question, “Can psychotherapy help?” It would appear that a conviction re the benefits of



therapy comes from a non-quantifiable, subjective place - a position which is contested in post modernism, since there is no subject to be subjective.

Therapy struggles to prove its worth in a dominant paradigm that would see benefit as effectiveness, logically defined, quantitatively measured and administered by logical (and therefore beneficial) agents. However, there are cracks in this paradigm. If descriptors of beneficence are fraught upon the rationality of their epistemology, (how do we know you're satisfied?) and if the agents of beneficence are fraught upon their ontology, (what gives you the right to intervene, and can you prove it was due to your influence, anyway?) as is here argued, how does an ethical code give direction to its membership? The next section will examine some of the concrete practices that are said to express beneficence in the NZAC COE (2002). This section will show that, for counsellors in NZ at least, an attempt to include more post-modern views is a challenging business.

#### **7.4 Concrete practices which describe beneficence**

The NZAC COE, in its 1995 definition of beneficence, clearly indicated a proactive, utilitarian stance in relation to “doing good”.

Counselling is a helping profession which expects counsellors to act in ways that *promote* the welfare and positive growth of their clients. In situations where there is the possibility of both harm and benefit, the responsibility is on counsellors to ensure that their own actions are chosen *with a view to bringing about the greatest balance of good* [italics added]. (NZAC, 1995, section 3)

Although this descriptor no longer remains, these concepts remain entrenched in the membership and find expression in the later rewrite. The 2002 COE shows a developing ethical awareness within the profession. It evidences a concerted attempt to develop a collaborative and sound practice ethic. One of its goals has been to identify and provide supportive guidance in cases that have been frequently identified as challenging. The current Code (NZAC 2002) is thus, first, more detailed and

specific in its guidance. Second, it evidences a move away from Kantian deontological principles towards virtue ethics, care-thinking and communitarianism. Third, in its consultation process, its presentation and its contents, it shows a commitment to dialogic community. There are, however inevitable problems in this on-going process. It would appear that rational beneficence dies hard and that a more relational form of subjectification struggles for emergence.

It is difficult to draw any firm conclusions from a comparison of the current code with its predecessor, since the two documents vary significantly in length and substance. The first, most obvious difference is the increasing amount of detailed guidance for practitioners in the 2002 Code. Here is Frankena's (1973) third, proactive form of beneficence. It appears to be based on an assumption that "doing good" is dependent on maintaining firm boundaries. Counsellors are advised, for example, to "specify", "clarify", "establish purpose", keep records (safely stored), and "set boundaries". The Code thus evidences an ongoing commitment to autonomy, as discussed in Chapter 1. Indeed, if any other clear distinction can be made between the old and new codes, it is the increasingly common use of appeals to autonomy's prerequisites, "respect" and "reason". I have argued that these are suspect terms, although it is understandable that they appeal to those who need to be accountable to providers. The empty space they both describe keeps distance from the more involved passion of care.

Second, the 2002 Code also evidences a desire to move away from Kantian principles, which, as has been noted in previous chapters, have been, at least nominally, somewhat displaced. Beneficence now originates in a set of core values and increasingly is expressed in partnership, participation and care. There is a greater commitment to Treaty principles, cultural awareness, care and collaboration. "Partnership", "responsible caring" and "social justice" are respectively the second, fourth and sixth core values. However, the code is not without its inconsistencies. It is possible to read in it a somewhat uneasy mixture of philosophical positions. There are nine Kantian, deontological, or rule-based, principles expressed as "counsellors shall" (section 4, 1-9). Some previous principles are reworded as values. There are traces of a feminist ethic of "care thinking" in "responsible caring" (section 3.4), and "counsellors shall act with care and respect for individual cultural differences"

(section 4.1). There is a suspect relationship with immediate response in the frequent use of “respect”, and a communitarian commitment to the indigenous peoples of Aotearoa through responsiveness to the principles of the TOW.

Integrating these new approaches does not appear to have been an easy task, and to my mind, they struggle to emerge within a dominant rational framework. There is a danger that they become relegated to Frankena’s (1973) two (lower order) forms of beneficence, “prevent” and “protect”. (See Chapter 5, Justice, for more discussion.) “Respect” and “autonomy” are, after all, still the first and third core values – although they are no longer principles. “Acting with care and respect” (section 4.1) sets the scene for a contradiction that continues through the rest of the document. Scheffler Manning (2001), considering Levinas’ never-ending journey towards justice, writes with caution of respect.

The demands to respect the otherness of all others, to let the Other be, to let the Other speak etc...provides legitimacy and shelter to right-wing groups...such language may be used to defend and so to continue practices such as forbidding mixed marriages, killing adulterous women, female circumcision, etc.  
(p. 182)

(See also Drewery & Monk, 1994; Sacks, 1997.) “Doing good”, beneficence, for counsellors, becomes strongly aligned with autonomy and autonomy, in Chapter 3, was found lacking. Kant’s equity is still apparent in advice to be “even-handed” (section 5.11.c) and “equitable” (section 5.2.g). Furthermore, the rational man holds an increasingly firm place in the frequent use of the modifier “reasonable”, as in “counsellors shall take all reasonable steps to protect clients from harm” (section 5.1.a). As noted, the five ethical principles that are the subject of this thesis retain currency. This implies an associated form of “top down” reasoning, where moral action responds to theoretical, universal imperatives rather than immediate action. Blum (1982) and Jaggard (1995) caution against this version of ethical thinking. They find it expressing a juridical-administrative perspective that is unwelcoming to many women and to many people from non-western cultures. Decision-making in this

version is still rational and utilitarian. As evidenced in the Code, it relies on the “reasonableness” of the counsellor, who, again and again, shall “take all reasonable steps” (e.g. section 5.7.e) to resolve an issue. (See also sections 5.1.a, c; 5.4 c; 5.5 b, c, e; 5.6 b; and so on.) To Brown (1997, p.58) these are “weasel words” that serve to protect the profession.

Where some theorists caution against respect, others warn about the association of care with race, class and gender. Certainly traces of care thinking are to be found in the Code alongside care’s extension, “partnership”, the second core value, and in “care and respect for...cultural difference and...diversity” (the first ethical principle). The association of “care thinking” with both feminist and ethnic communities is questioned by Tronto (1995, p. 104) who argues “not all caring is moral”. With Held (1995), she notes its association with race and class. Whether the care here advised is the care of Scheffler Manning’s (2001, p. 182) “respect”, that refrains from interference and provides shelter to right wing groups, or the care of ongoing mutuality, is not clear. Here care appears to retain the association with ethnicity and the disadvantaged members of society, but has taken the form of “be cautious”. Care then, when written into policy documents, must needs be *carefully* scrutinised.

The struggle to deal differently, and more ethically, with difference is also evidenced in the rewording of the original principles (the subject of this thesis). These are now lengthy and debatably universable. To “promote the safety and wellbeing of individuals, families, communities, whanau, hapu and iwi”, is a rather tall order! Where traditional ethics sees fewer problems in making such principles universable across cultures, NZAC has made an honest attempt to be more inclusive of different perspectives. This foregrounds the problem noted by Sterba (2001). In his view, accessing a form of rationality that has a moral basis and is cross-culturally acceptable is one of the major challenges fronting any culturally sensitive society.

The third, and to me most promising development, is an increasing commitment to dialogic community that has arisen out of the rewriting process. Presented as “a living document” (Winslade & White, 2002), the Code’s contents become almost secondary to the debate it engages. It is the result of an intense process of collaboration and

discussion that has evolved over several years. Its “ethics” thus become expressed in the ongoing responsiveness of the organisation to its membership. It is this process that most clearly evidences a move towards a feminist ethic of care, a communitarian ethic of inclusion and an ethic of immediate response. Within the code, however, I find the move still somewhat unclear, unacknowledged and resting on no consistent rationale. As a result of much internal consultation, the Code can be said to represent the current professional ethical discourse and to reflect the beneficent concrete practices in which counsellors are engaged. Whilst the NZAC may be committed to a more dialogic form of ethical engagement with its membership, there is still room for developing this relationship further between counsellors and clients.

In the first part of this Chapter, I have summarised three traditional philosophical perspectives on benefit. The first is that it is inseparable from rationality, the second that it is performed by virtuous agents, and the third is that it can be measured in order to achieve the best outcomes. I have proposed that dissenting poststructural views are dealt with by being relegated to the private sphere, or by being incorporated into the dominant paradigm. I find that psychotherapy consistently performs these perspectives. Poststructural views have to some extent disturbed this performance, with the development of both counselling and qualitative methodology. However, the NZAC COE (2002) demonstrates the struggle that results from an attempt to include perspectives that are more representative of, and friendly to, women and other cultures.

At this point a return to a Foucauldian perspective is indicated in order to more closely scrutinise what might be escaping as this debate evolves. I conclude, in the next section that discourses of beneficence work to exclude benefit as a component of the present moment. Their operations appear to rely on a different understanding of time.

### **7.5 Applying Foucault’s four “laws”**

Having identified some professional confusion, it could be useful to apply Foucault’s (1968/1998) thinking to the current discourse of beneficence in order to unravel some of the strands that contribute to the various problematics. Keeping in mind that, in

Foucault's view, these work to exclude and maintain existing relationships of power, I here seek entry for possible disruptions and resistances. "Doing good", after all, seeks to right some of the maleficent effects of discourse. What is it possible to uncover by taking Foucault's (1968/1998) approach?

### ***7.5.1 The disappearing object: What is benefit?***

The object of discourse is elusive, according to Foucault's first "law", and here benefit continues to evade objectification. What is benefit that we might be its agent, and in what quantities or qualities should it be administered? Benefit presents an amorphous mix of cure, care and risk. At the interface of each I find a chronological concept of time.

Justice seeks a return to equity, to normality, through finite "cure" and the removal of symptoms. Yet how robust is psychological "cure"? Can it stand the test of time and longitudinal study? Do symptoms relieved simply re-surface in a different form later? The recent focus on traits such as "resilience" could be seen as psychology's attempt to extend the life of "cure" into the future. If the trait is there, the means of cure is there. By thus placing the onus for cure on the client, the longitudinal success of therapy can be claimed in advance - a sort of credit rating.

Benefit-as-cure in therapy is not easy to identify or measure in the type of quantitative analysis valued by the dominant medical model that controls funding. It is thus difficult to claim benefit in comparison to drug treatment or medical intervention or indeed to titrate therapy, as one would with a drug, in order to modify its effects. Curtis Jenkins (2002, pp. 200-202) in his analysis of the evidence to support the growth of counselling in primary health care in the UK, itemises the special problems involved in counselling research when the researcher attempts to follow the traditional scientific approach. Cochrane (1999) points out that evaluating *cure* conditions is again fraught with difficulty, as does Curtis Jenkins (2002). As Tantam (2002) notes, therapists are not able to claim to be able to produce any of these symptom-reducing effects, any more than they can make claims for improved well-being. They are more likely to name them as possible goals, whilst appealing to a subjective sense of client satisfaction. Miller (2003) does, however, find "a number of counsellors who are

willing to risk their credibility in this way” (p. 80). She notes an increase in the use of commercial languaging in marketing counselling in New Zealand, as some counsellors claim benefits such as “self-actualisation, fulfilment, spiritual achievements, personal growth and discovery” (p. 81).

It is possible, as Cochrane points out (1999, p. 199), to view instead benefit as *care*, rather than cure. From this perspective, therapy might provide the same sort of fund-worthy benefit as the hospice movement, enabling people to pass comfortably through major life transitions. Care is thus related to sequential time. Although suggesting a greater emphasis on autonomy, managed care also presumes a principled universality - a gold standard, against which “poor-caring” might be measured. Such caring is seen in providers’ views as preventative of other conditions rather than curative. But, as Tantam (2002) points out, “to restrict counselling and psychotherapy to being treatments or prophylactics for medical conditions strikes many psychotherapists and counsellors as falling short of what benefits psychotherapy and counselling can provide” (p. 263).

These benefits still prove hard to name. Benefit-as-care might have a place in assisting moves towards the “well-being” which is seen by some as a human right and which is a part of the World Health Organisation’s (WHO) definition of health, a “state of complete physical, mental, and social wellbeing, and not just the absence of disease or infirmity” (WHO, 2005). However, as Tantam writes (2002, p. 263), “well-being is closely linked with living well. A right to well-being may therefore imply a duty to live life according to another’s prescription for well-being”.

In spite of concerns about rights to well-being and noting that “measuring the quality of life is one of the major areas of growth in health economics” (p. 273), Tantam still advocates a pre-identified trait factor definition of benefit. He believes a subjective assessment of an individual’s quality of life through a utilities approach is the most promising way of identifying therapeutic benefit to date. This has the ability to move measurement beyond mere symptom relief. Individuals subjectively decide which path they want to pursue in order to benefit most from their lives. He remarks on the

lack of attention given to these scores by therapists and suggests this is because “well-being is easily confounded with satisfaction, hopefulness, or compliance” (p. 275).

The above ideas, in a sense, combine externally and subjectively defined criteria for identifying benefit. However, again they foreground the ambiguous relationship of externally defined benefit to time. Stability, like fidelity (see Chapter 4) must be there again and again and again. Once objectified, the object must not be allowed to be fickle. Tantam objects to the widely used CORE programme in the UK, which is used to assess the effectiveness of therapy. Four items target well-being. They are “I have felt OK about myself”, “I have felt like crying”, “I have felt optimistic about my future”, and “I have felt overwhelmed about my own problems” (CORE System Group, 1998). In Tantam’s view these more accurately assess an emotional “state”, which he views adversely, as a fluid entity. Yet for psychodynamic therapists in particular, a feeling fixed is a feeling stuck - energy not being used. Thus, even within a subjective assessment, benefit is differently identified.

A final word on the elusiveness of benefit calls for a comment on the relationship of happiness-as-benefit to suffering. Tantam finds that subjective happiness is “paradoxically...consistent with some kinds of emotional suffering”. Large scale epidemiological studies (Tantam, 2002, pp. 266-7) show that emotional suffering may be part of normal life and spiritual arguments from a multitude of denominations support its place in refining spiritual strength. Tantam also notes that happy people are found to be more comfortable with the suffering of others and more inclined to help rather than shy away.

Palmer (2002), working with the armed forces, takes this association of pain (suffering) and pleasure further. In his view, benefit becomes aligned with the ability to engage in risks. This challenges what is normally seen as a crucial aspect of therapeutic benefit, protection from danger. He writes, “the Army is an organisation *par excellence* that thrives on risk, the dignity of risk and the excitement of risk” (p. 226). Nor is the army alone in this view as the spate of adventure tourism indicates. Zaloom (2004), writing from cultural studies, notes a contemporary reluctance to focus on the positive or beneficial aspects of risk. He writes, “Very little work has



focussed on active, voluntary engagement with risk...contemporary social theorists usually conceive of risk negatively...[viewing] risk as an object of calculation and avoidance” (pp. 365 & 391). For Zaloom (2004) risk leads to benefit: “risk reaps reward” (p. 365).

Including risk as contributing to benefit, allows a theme of time to emerge. Risk starkly defines the present moment. Cure, or effectiveness, looks to a future endpoint and care, being continuous, has no limit. I propose that this theme is also a decisive factor in the next section, which considers the various subject positions offered to those who wish to engage with benefit.

### ***7.5.2 Mixed metaphors and perceptual fields***

Foucault’s second “law” considers the subject positions offered by analysing the various styles through which statements are made. Here we find benefit in counselling/psychotherapy often *mis*-represented in both public and professional perception. Professionals struggle to present comprehensible versions of their work to providers and clients, who may have had different experiences. In a range of views, therapy is seen through a dollar sign in cost-effectiveness by funders; as a beacon of hope by the client; as a form of medicine - or even punishment - to be administered by those providing care to needy inmates (you need counselling!); as the new religion; as the opiate of the people, by those preferring more united political solutions; and even as trickery and fraudulent delusion. (See also Chapter 1, Introduction.) Therapists, meantime, describe their benefit as residing in a special kind of relationship. (See Chapter 4, Fidelity.)

The form of subjectivity which is invited by filling these positions, is often not a rational subjectivity, as could be seen earlier in the quote from Glass and Kliegl (1983). The emotional response commonly evoked belies a subjectifying genre - the domain of values. Indeed, because of its moral and subjective component, it is sometimes theorised that therapy *is* the new religion. This is given a positive valence by writers such as Kirkwood (2003, p. 186), who value the “re-emergence of the persons-in-relation perspective”, as a response to the decline of religion. Baldwin (2004), however, records its negative valence below:

Four years ago Dr. George Carey, the then Archbishop of Canterbury, startled the therapeutic community by declaring that the root cause of the present “reign of sin” was an obsession with therapy, education and wealth. The idea of such strange bedfellows accused of complicit guilt raised some incredulous eyebrows. (p. 9)

How does a profession which claims it has to be experienced to be understood, satisfy demands for rational benefit? At least until the recent move to encourage counselling research, it has appeared more common for therapy to invite subjective engagement. In this, recent moves to include client perspectives may indicate the relocation of irrationality in the client, in a way that allows the therapist to remain rational. It does, however, allow a marginal subject position for the subjective.

As noted in the introduction, the variety of metaphors claimed by different approaches in the visualising of benefit continues to indicate a range of subject positions. Rogers’ (1961) unfolding rose calls in the naturalist, Durie’s (1986) Te Whare Tapa Wha (the four poles of the house) invites the indigenous, and storytelling draws in the creative. A mixture of hydraulic machinery, phalli and dreams (e.g. Freud 1965) appeals to the mechanistic, whilst Lacan’s (e.g. 2000) mirror speaks to the reflective theorist. Berne’s (1961) physis and Perls’ (1969) Gestalt each have different appeal. Each metaphor has its own associated language of cure. Each claims difference. Each exists alongside the increasingly obligatory assessment form.

This landscape of difference presents a variety of directions to the client consumer seeking help, to the health provider contracting therapeutic services for results, to the therapist and to the organisation with a duty of care, such as a school or tertiary institute. The confusion that is thus created can be seen in various consumer guides which set out the problematic by noting the variety of approaches, but devolve the choice upon the consumer who is enjoined to “change their counsellor” (NZAC n.d.) if dissatisfied. As Dryden and Feltham (1995) note in *Counselling and Psychotherapy: A Consumer’s Guide*, “only you can make the final choice and

decision about what is best suited to your needs” (p.14). Since benefit is contested institutionally, it is rather optimistic to assume that an uninformed client has the necessary information to make a decision about it.

Each perceptual field has a certain relationship with time, targeting work in the past present or future. With the questionable exception of certain existential approaches, all put cure in the future. Even person centred counsellors set their practices in time. Rogers’ “directional life force” (Williams & Irving, 1996, p. 16) loses direction when the clock stops. Yet where providers and clients benefit from reduced time, therapists benefit from being able to work with limitless time. This intricate relationship, this “falling apart” of the themes of benefit and time, begins to characterise discourses of beneficence.

Not only do different approaches target their interventions differently in relation to time, but in proving benefit they must needs work within a context of causality, in linear time. At what time was the causal intervention and by what time may cure be claimed? A developing binary can be identified: where symptomology has historic roots, cure and well-being are reasoned through future projections. At the same time, historically based approaches are currently giving way to present and future based modalities. Foucault advises us to note the divergence of such a formation.

In a world of quick fixes it would sometimes appear that history itself may be undergoing a process of gradual exclusion in favour of Neiman’s (2002) “too soon a solution”. As causality becomes a contested notion, more recent modalities, such as Solution Focussed Therapy (de Shazer, 1985), claim difference through future orientation. The past need not be explored in brief, strengths-based therapy. Certainly current therapies, and in particular behavioural therapies, prefer to locate the problem in the present, and cure in the future. Theorising “hope” requires a similar projection. (See also “Hoping for Change: The Role of Hope, Expectancy, and Placebo in Psychotherapy Outcome”, Miller et al. 1997, Ch. 5.) This turn to the future in the work of therapy expresses the dilemma identified by Cushman (1990, p. 606), who defines professionalism itself by, and in relation to time, in the quote at the beginning of the chapter.

In the struggle to locate the problem and the cure in chronological time, benefit is seldom, if ever, aligned with the present. Foucault's next law looks at the relationship between subjects, objects and verbs. It shows that although therapists may use open questions to be non-directive, they are resolute in directing traffic along the motorway of chronological time.

### ***7.5.3 Wording therapy: "Giving your steak sizzle"***

Foucault's third law of discourse considers the manner in which statements are made in constructing concepts and the manner of their differentiation from each other. This section will begin by viewing the terms that describe therapeutic beneficence. It will note how therapy draws attention to itself as a beneficial service. It will then address a more subtle form of influence through the use of verb-ties.

A closer look at the NZAC COE has noted the use of supportive terms which link therapist with client, in a certain relationship of unequal power: "support", "protect", "encourage", "work with". Here are the first two forms of beneficence together with a strong alignment with autonomy. The more active agency implicit in "*do good*", is reserved for those occasions when the autonomy of the client is severely at odds with that which is considered normal, when safety is threatened or in executing the contractual terms of their relationship, as in fees, note-taking and competence to practice.

Therapy, however, aspires to be more than a "helping profession". It seeks to make more impact. In advertising their wares, therapists, as noted by Tantam (2002) and Miller (2003), are unlikely to claim the specific benefits that might allow them to be more directive. It is the rare therapist in these days of accountability who would wager, as Corsini was wont to do, "do this and your thoughts and feelings will change...I'll bet you two dollars. Do it, and if I am wrong, I will pay you and you will be the judge" (Ellis, 1995, p. 163)! They can, however, achieve subjective impact with a set of spontaneous signs that claim benefit via various approaches. In the "sexing up" of approach related jargon, active agency engages with client problem.

Some poach validity from science, such as Berne's pseudo-scientific game formula in the previous chapter, and Cognitive Behavioural Therapy with its multitude of acronyms: Ellis' (1995) Rational Emotive Behavioural Therapy (REBT); Beck's (1976) Cognitive Therapy (CT); Meichenbaum's (1977) Cognitive Behavioural Therapy (CBT); Ellis' (1995) threefold ABC process and Berne's (1961) Parent Adult and Child ego states (PAC); Bandler and Grinder's (1979) Neuro Linguistic Programming (NLP) and rapid eye movement, EMDR. All are redolent of the periodic table and chemical compounds, and assume scientific validity. There are magical solutions/questions and unique outcomes. Frogs get turned into princes (NLP & TA). There is the culturally intriguing "hakomi" (Kurtz, 1990) and Janof's (1973) "primal scream". Some give their approach a name which defies competition by claiming ownership of cure: "solution focussed therapy", "brief therapy", "motivational interviewing". Why would one search further? Miller's (2003, p. 74) "sparkling version" and Miller et al.'s (1997) "sizzle" demonstrate the importance of marketing therapy in discrete and memorable packages in order to attract both funding and clients.

Should a developer be unable to distinguish his product from others in the marketplace, sales become driven almost exclusively by differences in cost – something that developers of all types of products want to avoid, No one wants a steak with no sizzle! (p. 10)

This sizzle has present and immanent appeal. However, the rationality that follows the initial "client capture" shows therapists exerting their (beneficial) influence through a set of verb-ties that articulate time in certain defined ways. Each approach places emphasis through preferred tense on temporal aspects of experience or cognition. Many psychotherapists seek information about problems in the past. (Is this a familiar feeling for you? When did you first feel this way?) Future orientated approaches, such as narrative and solution focussed, will look back briefly to identify strengths (has there ever been a time when the problem wasn't there?) then forwards to resolution (what will be different when the problem is no longer there?). Only some existential and body-centered approaches encourage a consistent present focus (what

is going on for you right now?) although person-centered therapy will also focus on the present relationship. Yet even in these approaches, the present experience becomes generalised in past and future tense through a recommended process of “integration/de-briefing”. Whether worded as questions or statements, these are labelled “helpful interventions”. They are intrusive, they represent the third form of beneficence and are thought to do good. Each loses its meaning when placed in a different tense.

Miller et al. (1997) are not the first to compare therapy with advertising. Cushman’s (1990) quote at the beginning of this chapter marks the metaphor that will be addressed later in this chapter, whilst Fairclough (1992) named counselling, along with advertising and the medical interview, as the three colonising discursive technologies. These discourses are languaged through “telling and selling” styles (Fairclough, 1992, p. 115). I propose that these set out the “conditions of use, and at the same time try to ‘sell’ it” (p. 115) *through the chosen tense*. As Fairclough notes, this produces “two sets of subject positions, producers and consumers, at the same time, and also (position) readers in contradictory ways” (p. 15). In this manner Foucault’s (1968/1998) second and third laws intertwine. A trickery is performed, as will be discussed later, which removes benefit from the present and projects it into the future.

The language of therapy traps both therapist and consumer alike. Punchy phrases capture the subjective imagination whilst leaving a thirst for more. Once clients are attracted by the spontaneous sign, the orientation of sentences, through the verb-ties, keeps participants engaged. This engagement is for a cure, which is placed in the future. The advertiser must continually look to the future for benefit. The billboard is in the now. The benefit is in the future. The present, along with its beneficiary, is seldom remarked. Cure in the present ends therapy as we know it.

#### ***7.5.4 Strategic possibilities***

Foucault’s last “law” claims that each discourse rests upon a dominant binary, which offers at least two major strategic possibilities for action. Each depends upon the other, and taking either will not alter the relationships of power within the discourse. In beneficence, the binary justice versus care has been argued to offer distinct

strategic possibilities that are claimed to be irreconcilable. Where justice operates from a sense of duty to fulfil certain universal ethical principles, caring enters into loving relationship. Ruddick (1995) marks the different choices offered.

From the perspective of justice, relationships require *restraint* of one's own aggression, intrusion, and appropriation and *respect* for the autonomy and bodily integrity of others. Participants attempt to devise and agree upon procedures for resolving fairly inevitable conflicts. A primary temptation, according to the perspective of justice, is to flout the rules of fair play, taking whatever you can get, what you are strong enough or lucky enough to be able to exact. Correlatively, a person may be tempted (as well as forced) to submit to injustice without protest. She may also be tempted to watch, without protest, when injustice is inflicted on others. (p. 204)

And, for care:

From the perspective of care, relationships require *attentiveness* to others and *response* to their needs. Each participant should endeavour to give what can usefully be received and to receive what can usefully be given. A primary temptation, according to the perspective of care, is to neglect others or to project one's own needs onto them. Correlatively, a caring person may be destructively self-sacrificial, unwilling or unable to be the recipient of care. Or he may be tempted to watch with indifference when others are neglected or abandoned. (p. 205)

Counselling in particular (as opposed to some forms of psychotherapy) sits uneasily in relation to these strategic possibilities. Certainly care is more apparent in the private realm of the counselling room. Where justice holds a dominant position in the Codes care becomes a significant part of the counselling relationship. The attentiveness that Ruddick (1995) finds to be an essential part of an ethic of care is described by Blum

(1992), as an emotional “posture of empathy, openness and receptiveness”. This parallels Rogers’ (1957) three “necessary and sufficient conditions” of empathy, genuineness and positive self regard. And yet, as noted in the previous section, core elements of caring, ongoing interrelatedness and reciprocity are missing. Care’s position in the NZAC Code is made unrecognisable as “responsible caring” (NZAC, 2002) where the response may be to the governmentality of the Code, and the “reasonableness” of traditional, public ethics, rather than to the other’s presence.

As Sterba (2001) notes in considering the feminist challenge to ethics, the justice/care dichotomy is also that of the public/private distinction. Whilst Sterba, himself a neo-Kantian, continues to accept the importance of a private sphere - a place where we can do as we please without being beholden to the law - feminists and counsellors might disagree. The private sphere is where injustice is most likely to pervade. A recent advertisement by the Westpac bank, showing several amusing scenarios involving kinky but harmless activities, such as cross-dressing, was accompanied by the text, “what you do in the privacy of your own home is your business - the rest is *our* business”. This drew criticism from many. A series of horrific child abuse cases demonstrated the violence that can and does occur in the private sphere with results that here, but not always, became public. Therapy is fraught upon this binary. It works with the private. It is made accountable to the public. Chapter 6, Justice, explored some of the difficulties in inhabiting this impossible space.

If we reintroduce Neiman’s thinking from the previous chapter, where the *is* and the *ought* meet, evil dissipates. These terms also describe the private and public domains. An ethic of care, grounded as it is in the bodily and the specific, becomes the *is*. Ruddick’s (1995, p. 215) “embodied wilfulness”, Jaggar’s (1995, pp. 192 & 180) “focus on the particular” and “concrete specificity”, Baier’s (1995, p. 88) “material stakes”, all speak of what is oppositional to thought, as well as that which inhabits the infinite present. An ethic of justice, grounded in the *ought*, must needs use causality and look to a future end. Time informs, and defines, all three binaries.

Foucault’s four laws have demonstrated a consistent, intertwining theme of chronological time. The strands of his four laws appear to support each other in



avoiding, or devaluing, the present moment. Placing cure in the future, in a sense, gives therapy a life. In the next section I propose that benefit is more correctly placed in the present. If therapy is to be beneficial, it may need to re-vision its relationship with the past and future.

## **7.6 Exclusions**

The most obvious exclusion in this analysis is clearly articulated around time, excluding that which is out of time, the timeless present moment. Chronological time becomes an axis of articulation - an energised node at which a slippage may occur unremarked. It presents an interface of past and future through which the present can be avoided. It is time that separates the strategic binary of judicial and finite cure from infinite care, whilst time defines the moment of risk. The three major groups of therapeutic approaches define themselves in relation to time, with psychoanalysis taking the past, CBT the future and existential/humanistic struggling, somewhat unsuccessfully, to stay in the present. Where impact may be in the present, their contributing statements differ in tense, whilst theorising takes place in future and past tense. Providers use time to provide criteria for selecting favoured interventions.

This next section will consider the possibility of placing benefit in the present. It will consider the place of utilitarian reasoning in detracting from the present. It links this form of thinking to a violence and concludes that in a globalised world, utilitarianism has had its day.

### **7.6.1 Benefit in the present**

I argue that it is possible to place benefit in the present moment. In *The Present Moment in Psychotherapy and Everyday Life*, Stern (2004) explores the influence of the present in therapy. In Stern's view it is the "now" that marks the moment of change, the moment of potential, of transformation. Observing that remarkably little has been written on the subject, marking the "now" becomes the crux of his new version of therapy. In taking this position he acknowledges the legacy of the existential and phenomenological tradition and their characteristic emphasis on subjectivity. Foregrounding a concept of time that emphasises the moment of opportunity and change, *Kairos*, he argues that Euro-western thought has become too

reliant on *Chronos*, or sequential time. He also critiques more fluid, and therapeutically popular, narrative time for being too cognitively based to truly reflect the dynamic potential of subjective consciousness.

Stern's focus is on those subjectively experienced moments, which he claims are "the key moments of change in psychotherapy and the nodal points in our everyday intimate relationships" (2004, p. xi). Being present in those moments becomes for him, beneficence. Again, he writes, "most psychotherapies agree that therapeutic work in the 'here and now' has the greatest power in bringing about change" (p. 3). Yet, later, "this is, of course a radical departure from the path historically taken by most psychologies that put their emphasis on the past and its influence" (p. xv). Although this statement is somewhat ambiguous, and may be insulting to many existentialists, who have long contended the same, nevertheless it is clear that Stern believes his current emphasis on the present is a radical departure from psychotherapy's normal direction.

Although many existential therapists might be expected to take issue with this claim, it is obvious that, even for them, the present moment is hard-won. In order for it to remain in therapy it must be contextualised, processed and "made safe". Since the heady and unstable days of the encounter group movement, the calming power of cognition has held primacy until disturbed by attachment theory and neurophysiology with its emphasis on somatic self-soothing through the firing of mirror neurons. It is from this position that Stern speaks. And it is in his contextualising of the present moment that we part company, for Stern divides the present into a sequence, with a beginning a middle and an end. In so doing he appears to re-contextualise *Kairos* in *Chronos*, without addressing the damage caused by the latter. Although Stern's argument is for a greater emphasis in therapy of that which has previously been excluded, he still appears to be driven by a too hasty concern to seek solution and control: to resituate the present moment in chronological sequence.

Furthermore, although Stern notes that present moments are subjective in that they involve feelings about objects, "real or virtual" (p. 15), and although his breakfast

scenarios<sup>31</sup> are rich in describing relationships with everyday other-things, such as butter, the fridge, a passer-by, he gives no credit to the importance of our immanent connections with these everyday other-things in enabling *Kairos*. And yet, *Kairos* is described as the “moment of meeting” (p. xvi), and “the meeting of unrelated and independent elements” (p. xv). Stern’s interest appears conceptual - the emerging for him is a psychological insight, processing the “before” into the “after”. The self remains a self in chronological time, and therapy continues.

If benefit is to be measured on a happiness scale, as Tantam (2002) suggests, it can be argued that benefit accrues from the loss of self, in the material, whether this be embodied other, or the natural world. That experience is both in and out of time. This is the irony of Erikson’s (1965) sixth stage, intimacy versus isolation. Here “the young adult, emerging from the search for and the insistence on identity, is eager and willing to fuse his identity with that of others” (p. 255). One gains a self only to lose it in intimacy. Existential therapist van Deurzen Smith (1988) notes the importance of our relationship with the *umwelt*, the material, natural world. For her, being “in tune” expresses a similar sentiment.

An ability to tune into the natural dimensions of existence generates enjoyment as well as securing survival...Fishing, gardening, horse-riding, sailing, hunting or playing golf are all examples of people’s ability to play into their natural world and experience the thrill of being in tune with the environment and their body. (p. 71)

Asay and Lambert (1999) found 40% of cure was related to extra-therapeutic factors such as falling in love (hopefully with another material body!), whilst Riikonen and Vataja (1999) describe well-being as “joyful and inspiring experiences” in the following terms:

---

<sup>31</sup> Stern’s (2004) “breakfast scenarios”, now called “microanalytic interviews”, are used to fix client’s minds and sensations on point in time.

We can get a feeling of being connected to the world, or to something felt more or less vaguely as meaningful, for instance when we are working with the dirt of our garden, walking our dog or when swimming in a communal pool. The important thing seems to be the capacity of something to make a feeling of machine-likeness (or a constraining quality) of life to disappear. (p. 181)

These writers have seen benefit in the loss of self in the material world. This is Eliot's (1936, p. 187) "still point of the turning world". It is immanent and sensory. Its incompatibility with cognition defies logic and leaves it on the outside of text. Such moments become the ecstasy of the irrational. More reasonable benefit falls prey to utilitarianism, which removes it forever from our grasp.

Utilitarianism is sometimes thought of as the mechanism by which Kantian principles are applied. In Sterba's (2001) view, it is particularly in the application of ethical principles that we come to grief. Certainly it is in the application of *Kairos* to psychotherapeutic interventions that Stern returns to *Chronos*. How is it that applications fail us so readily? The next section will explore some problems in using the commonly prescribed method for choosing beneficent acts. This results in a future focus and detracts from the present experience.

### **7.6.2 Utilitarianism**

In therapy there has traditionally been a reliance on utilitarian principles in making "good" decisions. Palmer Barnes (1998) writes:

As psychotherapists, we would probably all accept that the following four principles are fundamental to our work:

- 1 the principle of maximizing benefit and minimizing harm;
2. the principle of achieving the greatest good;
- 3 the principle of acting justly;
4. the principle of respecting autonomy.

(p. 11)

Therapists, and indeed many health professionals, are directed to engage in a process of “specification and balancing” (Beauchamp and Childress., 1994, p. 28) before carrying out an intervention. As a part of this process they must project benefit into the future. The chosen course of action must needs be one that takes into account the greatest good to the greatest number of people. Since the act has not yet been performed, the projections are in the main hypothetical and run along the lines of “if this is done, what is likely to happen (in the future/long term)”.

Indeed wisdom has been construed as having *forethought*. Prudence plans ahead. And failure stands accused of not having “thought it through” to some future end. In balance, moral judgements are weighted against “learning from the past”. The often-quoted Maori perspective expressed in “walking backwards to the future” comes as a surprise to Euro-western logic. Thinkers from a variety of disciplines, such as Scheurich (1997), Neiman (2002) Foucault (1972, 1973, 1977) and Cushman (1990) have grounded the novelty of their work in a similar “archeological<sup>32</sup>” perspective. This, for them, is more ethical.

Utilitarian principles also drive the compilation of “traits”, giving them more weight than subjective assessments of benefit. Although clients’ views (the subjective, embodied response) are increasingly sought, they are sought within a framework that seeks to identify, to objectify, trends, themes and traits. Levinas’ requisite response to the face of the other becomes postponed, through an articulation of time, and generalised through the collation of data and the development of an external standard or theory. Utilitarian principles have already decided that benefit is to do that which has the greatest benefit for the greatest number of people.

Doing good thus becomes agency in the future tense. “We will act appropriately, when we have the requisite data.” One thinks before acting. Clients’ views on benefit thus become easily translated into the current terminology, which assumes a common humanity, rather than using the emotional terminology of immediate care or

---

<sup>32</sup> I use the term loosely here to refer to the desire to ward against “too early a solution”. This is seen as avoidant. All these writers have referred to the need to spend more time “looking backwards”.

responsiveness. The accompanying material impact with its demand for a material response, be it shared laughter, an embrace, a handshake - or even a refunded cheque, is thus eluded.

This form of rationality is not the only way of approaching ethical decisions and may foreclose some other options. Solomon's wisdom is, after all, defined by taking into account the immanent response of the biological mother, who offered her child to her contestant, rather than kill it by cutting it in half. He did not analyse which parent might be able to (in the future) provide the better home or education. Durie (1998) foregrounds a different form of rationality for Maori in his earlier example of the old man singing his claim, his connection, to land. This speaks to a logic that includes the immanent, timeless response in the rational.

Sterba (2002) argues that it is vitally important to find a new form of moral decision-making that is acceptable to all cultures. We live in an increasingly global society in which multiculturalism presents one of the major challenges to ethical thinking. Sterba (2002) concludes that we need to develop a form of rationality that is acceptable across ethnic groups. He discards theological morality for its inability to unite, and argues for a form of secular thinking which is more all-encompassing. For Fisher (2002), the urgency to develop a new form of rationality is driven by concern for the future of the planet. Working in "the difficult space between the 'human' and the 'natural'" (p. xvi) he works to develop a form of rationality "in which critical analysis is allowed to coexist with talk of deer tracks, sunshine on tree trunks, and heartfelt hugs". Although neither find an easy solution, it would appear that for both, utilitarianism's future may be past!

Unsettling utilitarianism is, however, a formidable task, so deeply embedded is our culture in its forms. And yet it is in the very practical application of ethical principles that Sterba thinks we fall down in confronting another challenge, that of feminism. It is utilitarianism that separates public justice from private care. Although Sterba considers one of the strengths of utilitarianism is its decision-making procedure, he still thinks along with other forms of Euro-western moral thinking, that it has failed at the practical level. Sterba's solution to the dilemma posed by feminism is to propose a

value of androgyny. I agree that this would have interesting effect but wonder if he has overlooked a more core conflictual process, that is, the management of time. Sterba writes:

Traditional ethics has failed to apply the public/private distinction in ways that adequately take women's perspectives into account. To properly apply the distinction, we need to acknowledge that family life belongs, in large part, with the public domain. (p. 71)

Acknowledging the influence of the private in the public domain is scary territory. One can see why the fall-back position of an abstract value or trait, "androgyny", might be more appealing. However, it is a utilitarian approach to life's problems that allows smacking (for the future good of the child), inequity in the home (you can get a job after the children are grown up) and disempowerment, (when you earn as much as me). Utilitarianism projects benefit into the future, and generalises instances into traits, but care is responsible to the present.

It is the covert link of utilitarian reasoning to violence, observed in Chapter 3, *Autonomy*, by Christians (2000), and in Chapter 5, *Justice*, by Midgely (1994) that provides the last, compelling reason for unsettling the hold of utilitarianism: that is to address the exploitation and abuse that is allowed to occur in the present, when focus is re-directed to the future. Utilitarianism provides, in practice, the immoral container that was earlier theoretically observed. Where autonomy's blank slate was argued to be value-free, it is more difficult to do this with utilitarian reasoning. For utilitarianism proposes benefit. However, by locating this in the future, it has allowed acts of violence in the present. This proposition will be further expanded in the next section by exploring utilitarianism's relationship with time. In this I present the arguments of Bateson (2000) and Cushman (1990) and conclude that it would be immoral and unbeneficial to continue decision-making in this way.

### ***7.6.3 Colonising the future: Dis-crediting utilitarianism***

Utilitarianism has sat uncomfortably with ethics for two very influential writers in psychology, Gregory Bateson and Phillip Cushman. Both address the centrality of

time and link utilitarianism to a violence. Following them, it becomes ethically imperative to re-consider the future projection excused by conceptions of general good on which utilitarianism is founded. For those who seek to redress Sterba's three challenges to ethics: environmentalism, feminism and multiculturalism, it becomes essential. Where Sterba finds an adjusted Kantian perspective adequate, I do not find that it sufficiently takes into account what a discursive perspective foregrounds: that is the performative aspect of the constitutive power relationships. So-called rationality relies too much on set forms to be able to address that which is discursively excluded. Bateson and Cushman, however, allow us to consider the place of time.

In 1966, in an address not published until 2000, Bateson defined beneficence in "he who would do good to another must do it in Minute Particulars. General Good is the plea of the scoundrel, hypocrite and flatterer" (Bateson, 1966/2000, p. 477). Bateson identifies the Treaty of Versailles, 1919, as a major paradigmatic turning point<sup>33</sup> in the history of ethical decision-making. Here "general good" takes precedence over "minute particulars".

For Bateson, Versailles was crucially significant because it marked the political acceptance of utilitarian thinking that excused a present deception by arguing for a future benefit. This is the form of logic that led to Hiroshima and Nagasaki - justified "by the general good and saving American lives". For Bateson, such logic is trickery and in his ecological view has ongoing effects, which causes him to quote Joyce: "history is that nightmare from which there is no awakening" (p. 477). Although Bateson (1966/2000) does not foreground the shift in time that this implies, he would appear to agree with Neiman's concern for the past and to pre-voice Foucault's geneological approach by arguing for the importance of history in understanding humanity, and in particular human pain and how to alleviate it. He writes:

---

<sup>33</sup> The story Bateson tells is that as WWI was dragging on, with Germany apparently losing, America thought that Germany might be tempted into ending the war more quickly if they were offered a non-punitive armistice. However, once the deal was signed, the allies continued to blockade Germany, which caused suffering and starvation in that country for a further year. This was argued to have been a crucial factor in the origin of WWII.



If...we really want to know what are the significant points in history, we have to ask which are the moments in history when attitudes were changed. These are the moments when people are hurt because of their former “values”. (p. 478)

Cushman’s (1990) challenge is more explicit in linking globalisation to time. Interestingly, he also identified a major paradigmatic shift. Without reference to Bateson, he places this somewhat later than World War I. For Cushman the shift occurred after World War II with the change to a credit system. Here Cushman echoes the form of Bateson’s concerns by taking the shape of the argument into the realm of Rose’s ciphers. Both identify a shift in focus, a major swing of the thermostat (Bateson, 2000, p. 478) from past to future. For Cushman, this was marked by the introduction of the credit card, devised to boost a post World War II economy. Credit gives weight, not to what I materially possess, but to what, theoretically, I may hope to have in the future. Cushman theorised that a Victorian sexually repressed self developed into a post World War II empty self. This development is in part an outcome of industrialisation, which resulted in, and is still resulting in, the break up of local communities and shared culture. This self is soothed and filled up by non-essential, disposable or quickly outmoded consumer items, celebrities and experiences.

Cushman writes that the material violence of World War II “provided an inescapable sense of realness” (p. 603), and that the challenge to the US to “convert its powerful, international war machine into a viable, international peacetime economy” resulted in the development of the credit system. For both Bateson and Cushman, the violence of war is thus internalised, and a sleight of hand, a trickery, draws attention away from the material reality to a generalised future. Evil is hidden in generalised outcomes and hope. Here, also, is Christian’s (2000) concern for the atrocities permitted in the neutral, rational, experimental space.

This future focus is not innocent. It evidences both a theoretical and a material rape, for placing hope as benefit in the future is a colonising venture. Accruing negative credit is for many akin to selling one’s soul to the devil. It ensures a permanent bondage to global corporations. For others in what is sometimes called “the two-

thirds world” since it is home to two thirds of the world’s population, negative credit results in a material rape. It becomes the concern also voiced by Fisher (2002), Guattari (2000), Peters (2003), Rozak et al. (1995) and Sterba (2002). It is the concern that draws together the anti-globalisation groups, and where they find some commonality with feminists, environmentalists and peace activists. It draws together, as Peters (2003) notes, a disparate band of resisting voices who confront, who precipitate, in its meaning of “make visible”, violence.

The theorising of benefit as abstract trait or future good can thus be argued to have cataclysmic consequences for the environment, for women and for other ethnic cultures. But it is a consequence that can only be considered by reversing the more common time sequence of benefit in the future and symptom in the past. Benefit, for colonisers, in the past, in the form of exploitation and colonisation, has projected symptoms into the future in the form of emptiness, lack, isolation and fear.

Although philosophy in various forms from existentialism to Marxism to psychoanalysis has marked the problem, it is therapy that has been called upon to remedy it. Cushman’s concern for the healing of the “empty self” identifies advertising and psychology as the two professions responsible for the healing of this self - professions which are hamstrung by their definition, their job description, and thus unable to address wider social issues. These professions confound the problem by methodology and strategies aimed to similarly “fill up” the self in a never-ending search for self-actualisation and growth.

Therapy, then, in Cushman’s view (1990) is ill equipped, because:

Psychology cannot fully alleviate the symptoms unless it can treat the cause (i.e., the political and historical constellations that shape the era), and yet that cause is the exact subject psychology is not allowed to address. Psychological ideology ignores it, job descriptions exclude it. (p. 606)

Although the core element of a psychological perspective is historic and causal, the fact that it is limited to a focus on developing individual identity through a future projection, means that it cannot explore and correct what contributed to the individuation of some subjects, the exclusion both of others and of “other things”.

Cushman (1990) still believes it is crucial that psychology continue to work within the past-present - future tension. However, that might mean a major unsettling of the profession. He writes:

We psychologists would have to re-think the entire way in which, to use Hale’s (1986) phrase, we conduct “the business of psychology”. Rethinking would necessitate a profound critique of our field and our society, and most of us do not have the training to attempt such a task, but the integrity of our profession, and possibility the viability of our society, may depend on our success or failure. (p. 609)

In previous chapters I have argued that tropes, turns and coils, such as the twist and slippage that here occur around the fracturing of time, tend to indicate a cover of violence - whether this be violence in the formation of the self, or violence in the abuse of persons or violence in the abuse of the planet. It has also been argued that disruptions and interruptions to the dominant discourse will invariably have violent repercussions. This may express what Foucault named the malevolent aspect of discourse. Any discourse appears to exist by violently excluding some (non)representation. Re-presented violence, on the other hand, recoils on the voice that names it.

I have argued that the material extension of credit within the Euro-western world, coincides with the violent rape of third world countries. Furthermore, using credit is seen as a way of self-soothing. If well-being depends on facilitating the individual’s autonomy through being “self-soothing, self-loving and self-sufficient” (Cushman, 1990, p. 604) - and this is also the view of currently popular attachment theorists - then do we fall into the trap of condoning third world violence? Does the self-soothing rely on alcohol, shopping sprees, expensive sports and increasing use of

credit? Does self-soothing rely on the purchase of therapy? And can such an ethic be then called beneficent? Hope for the future comes at a cost - a cost which may be the loss of any material future for our civilisation.

I have argued that chronological time is worth considering as the axis that divides those who benefit, from those who do not. The manipulation of this fault line allows violence and abuse to be covered. I propose that the vehicle for this manipulation is utilitarian reasoning, which values general good in future tense. Founding an ethic of benevolence on such reasoning cannot, therefore, be ethical. In the final section I consider a radical review of therapy which places justice in the past, care in the future and benefit in the present.

### **7.7 An e-merging ethic of beneficence**

This final section considers the challenges to traditional therapy and to ethics presented by a re-valuing of the present moment. In this it takes up the challenges posed by those writers who indicate a major revision may be in order (e.g. Cushman, 2000; Palmer, 2002; Riikonen & Vataja, 1999; Sterba, 2002). Responding to these alternative accounts threatens the very foundations of the profession. And yet, as this thesis has hopefully demonstrated, the foundations are already shaky - to the point of distraction. Distraction is, in this view, the function of discourse. Although it is not the purpose of this thesis to find solutions, the chapter ends by sketching an alternative possibility and making some suggestions for change.

Cushman's challenge to "rethink the entire way in which, to use Hale's (1986) phrase, we conduct 'the business of psychology'", is echoed by Riikonen and Vataja. (1999) who questioned the very existence of *psychotherapy* at the beginning of this chapter, arguing that if therapy is beneficial, then what we commonly define as therapy may not, by definition, be therapeutic.

We believe that "psychological healing" - the supposed activity/result of effective therapy - very seldom takes place in those relatively regulated settings called "therapy" and that people generally do not notice moments of mental or

psychological healing. In fact, healing (we could as well talk of “generation of mental well-being”, or things like that) seems to mostly happen in everyday contexts and situations which most therapists would have difficulty in recognizing as relevant at all. (p. 176)

Certainly a therapy that supports the dominance of the “constraining quality of life” (Riikonen & Vataja, 1999, p. 181) cannot be beneficial in Tantom’s (2002) terms. Therapy certainly does revert from subjective experience to objectification and cognition more often than the other way round.

Although not overtly set in a context of time, Palmer’s (2002) valorising of the “dignity of risk” challenges the professional therapeutic valorising of safety and associated planning for a future. Yet there can be no question that risk-taking removes the “constraining quality of life”, placing it firmly in the present material moment - or that it has appeal. The long and curious association of therapy with the military has found no adequate explanation. It is commonly thought that the destructiveness of war stands in direct antithesis to the work of therapy. Yet are the two professions so removed? Is it possible that they both play out, in major and minor keys, a similar form of rationality?

Cushman and Bateson set therapy in the wider context of war, seeing the one as an inversion of the other, made possible through utilitarianism. In this they repeat Derrida’s (1992a, p39) *differentielle contamination* (see Chapter 5, Justice). Before peace was already always war. A discursive perspective also sees an intertwining set of power relationships expressed by Foucault (1980, p. 578) in “nothing is more material, physical, corporeal than the exercise of power”. In this view, the military acts out or re-presents, in material form, a set of power relationships that already exist elsewhere. The argument here is that we cannot morally separate ourselves from the activities of war while we similarly base our rationality upon utilitarian reasoning, which allows present violence for future good.

In addition, the oppositional form of reasoning encouraged by the strategic binaries in discursive formations, as evidenced in Foucault's fourth law, becomes the basis of an adversarial system. This is so deeply imbued into our culture that theorists from Socrates to Hegel to Billig have been able to describe it as a natural function of thought. From such "minute particulars" develop Berne's (1964, p. 57) "third degree games", which end in "surgery, the courtroom or the morgue". It is from similar observations that Sterba (2001) calls for "a peacemaking way of doing philosophy".

It is the *practice* of morality, the application of ethical theory, with which Sterba (2001) takes issue. Here Kantianism fails feminism in particular, but also ecology and multiculturalism. Perhaps it has also failed the armed forces! Sterba sees a cultural paradigm heavily committed to antagonism. When rationality relies on, indeed is formed by, being articulated through a warmongering model, what hope is there for a just world? Sterba views both philosophical debate and public affairs modelled on fighting and conflict. Such a climate mediates against change - and certainly against any e-merging. Since the important point is to win, then the winning is all. All one needs is an opponent - and preferably a weak one. Debate with strong opponents may not even be embarked upon, which might explain the difficulty in raising his three challenges as serious subjects. It is easier, after all, to denigrate with the dismissive label, "p.c."

Sterba (2001, p. 115) advocates a "peacekeeping way of doing philosophy" in which we need to recognise what is valuable in others' views rather than wasting energy endlessly re-arranging our own views to deceive others - and sometimes ourselves. This is a similar call to the rather less incisive/compelling one made by Feltham (2002) in counselling/psychotherapy and Miller et al.'s (1997) call for a "unifying language". It becomes the quintessential small act of goodness to which Bateson referred in his quote, "let him do good in the smallest particular". In finding points of agreement on which to build we must avoid the "compelling need to disagree" (Sterba, 2001, p. 111), in order to make up our own minds. Indeed, as has been argued throughout the thesis, and in particular in Chapter 4, Fidelity, making up our own minds may be the last thing we need to do, since subjectivity is here contested.

Sterba's (2001, p. 115) peacekeeping way indicates three necessary positions:

Requirements for a peacekeeping way of doing philosophy

1. A fair-mindedness that, amongst other things, puts the most favourable interpretation on the views of one's opponents.
2. An openness that reaches out to understand challenging new views.
3. A self-criticalness that requires modifying or abandoning one's views should the weight of the available evidence require it.

Sterba (2001, p. 115).

Sterba's preparedness to "abandon one's views" incurs a step into the timeless. For as Levinas noted, when I truly see the other's face I am forever altered. The ability to let go, to risk an upheaval, to recognise the point of confusion that indicates a TA game, becomes in this argument an ethical imperative. Although Sterba's language retains traces of antagonism (for example, in the use of "opponent"), it does demonstrate another sort of e-merging. Such standards are, after all, what we demand of the private domain, and their practical application moves the two domains closer together.

It seems possible that in placing peace-making in time, in *Kairos* and the moment of (self) abandoning, there lies the possibility of co-existence with the divergent ethics of care and justice. This would confirm Jagger's (1995) hope for a sensible relationship between the two views. For if peace-keeping relies on a present merging, can we then relegate justice and care to chronological time? When I step into the void, I risk everything. My risk can only be made bearable by hoping for an ongoing commitment to future relationship. Here is the care that pre-vents my marginalisation. My protection lies in the knowledge that justice will make right the past. This, then, directs therapy in different directions.

Sterba's (2001, pp. 37-39) commitment to restitution, developed with the environment in mind, thus provides a starting point for an ethic of justice that will make right the past and include material other things. Although the first two principles are rather militant, and his foregrounding of human primacy problematic, Sterba is a realist and believes that principles speak for what is enforceable and tolerable in general. Two are worth considering in that they demonstrate an attempt to extend beneficence to other things.

A Principle of Disproportionality:

Actions that meet non-basic or luxury needs of humans are prohibited where they aggress against the basic needs of individual animals and plants (and individuals/groups) or of whole species or ecosystems.

A Principle of Restitution:

Appropriate reparation or compensation is required wherever the other principles have been violated.

A new ethic of justice would, as Fox (1997) suggested, imply a closer relationship between therapists and the justice system. (See Chapter 5, Justice for more discussion here.) Therapy has traditionally fought shy of this relationship, but psychologists are increasingly involved with forensic psychology, legal psychology and jurisprudence (Fox, 1997). How else can we ensure that should evil happen, this past can be put right by law. Therapists are already showing an interest in restorative justice (e.g. Drewery and Winslade, 2005) and in dialogic justice. Taking a stand in law is, after all, making the private negation public.

Risking the present, even when it is the last act of desperation, relies on hope for the future. Here lies the work of infinite care. In committing to an ethic of care, therapy



would need play its part in working towards an ongoing inclusiveness and reciprocity that is there for the long haul. In a post-modern, ever-changing world, this is a rare commodity. The notion of “community” is as yet elusive, and Lincoln and Denzin’s (2000) “seventh moment” has yet to be charted. With them, however, I see the importance of “declaring ourselves committed to detachment or solidarity with the human community. We come to know, and we come to exist meaningfully, only in community. We have the opportunity to rejoin that community as its resident intellectuals and change agents”. Although preferring to abandon the expert position that this view is in danger of foregrounding, the authors’ notion of professional involvement in a future-orientated “civic social science” is appealing.

Finally, re-cognising benefit in the present, may require a different emphasis *in* therapy – something akin to Riikonen and Vataja’s (1999) “happy language”. They draw on Baudrillard, who argues for “the free and spiritual use of language” (p.184), noting that Baudrillard foregrounds the *form* of language rather than the rationalist’s obsession with content which has devalued “genre, style, rhythm, tone, irony, humour”. Riikonen and Vataja (1999), in their “dialogic approach” make a stand for a “happy language” (*langue heureuse*) which will regain these points of lightness. Implicit in their analysis is an awareness of the deadening effect of actual therapeutic language, however punchy its selling points. Riikonen and Vataja (1999) contend that therapists have fallen into the problem trap with its associated relationship to chronological time, with problems in the past and cure in the future. They call for a re-valuing of passion, enigma and mystery, claiming “the happiness of dialogues is their power to refreshen, to bring about joy, to dissolve burdens and oppression” (p.185).

Riikonen and Vataja do not mention time as a component of Baudrillard’s move to re-value the forms of language over their content. However, their understanding does speak of the power of a “langue heureuse” to undo “finalizations” in momentary experiences, and thus exists out of chronological time (p. 185). They propose a new form of therapy, “Pommetics” which is “about ways to turn trivial things into interesting ones, together and alone”. Their proposal is a “use of the imagination to create holes to univocal knowledges and to the analytical and reflective machinery

producing them” (p. 186). They end with a quote from a work in progress. It is a fitting and non-final way to end this chapter - with a challenge to traditional psychotherapy.

Knowledge can't be destroyed (it should not be wise either as will be learned later) but it can be made playable by *impossibilities* which helps us momentarily notice the nothingness which is a source of creation, to use a traditional expression (don't worry if you don't understand, it will become easier, along the way, not to feel ashamed or guilty because of that). Impossibilities are the hammers whose hits refreshen the Mind.

Knowledge creates stone. What we are looking for are words and creatures that can create echoes and reflections making stone alive.

We need to understand the language of swallows.

First there was logos (concept, thought, reason), then there was stone. From this stone houses and empires were built. To it the first laws were engraved.

To understand the properties and capabilities of stone, science was created.

I have had the sensation of everything sometimes turns to stone. I can, like the writer Milan Kundera, see swarms of agelasts, soul eaters, destroyers of laughter marching on our streets.

But what do we become if we stop hearing and seeing and feeling the meeting of the stone, warm evenings and swallows?

The time of writing stories has ended. The swallows never fly straight.

To not write stories we have to forget. Art of forgetting is art of life.

I speak of error contained in pointing directly. But, as you understand, vaguely, I guess, I have to speak of this pointing and its alternatives indirectly.

So what can I say: The heaven is for these who don't instruct, but there is always some room for half-serious teachers.

We need good, old, incomprehensible, not de-gapped words, words with invisible letters and big W's.

We should worship those moments when we find them - and there are many of them.

(Riikonen & Vataja, 1999, p.185).

## Chapter 8

### Conclusion

*“We are witnessing the astonishing spectacle of a power, divested of intellectual logistics” (Raulet, 1983/1998, p. 453).*

*“Morality is not safe in the hands of reason” (Bauman, 1993, p247).*

#### 8.1 Introduction

In this thesis I have re-thought the values and assumptions that provide direction for dealing with various controversies in counselling. I have approached these by applying Foucault’s (1968/1998) approach, combined with a variety of other poststructural, theoretical tools, to the five foundational principles that still inform ethical practice. This has foregrounded the complex relationship between ethics, moral intent and therapy. I conclude that a new “ethic” of therapy must deconstruct itself as an abstract, individualising process and develop relationship (identification) with the material world. The thesis provides an ethico/moral standpoint from which to develop a theory of materiality.

Having begun by investigating ethical therapy, I have concluded by questioning the ethical integrity of rationality. I find, in the rational articulation of morality, an amoral deception. When taken-for-granted “moral” values are formulated as “ethics”, according to the traditional rules of logic, they take on a different shape. My findings thus question the usefulness of ethical codes. Whom do they benefit? My early Foucauldian analysis finds controversies in counselling inevitable and distracting. The five principles provide platforms from which the various controversies can struggle to extend the life of humanism’s bounded, agentic individual, whilst the rest of the world calls for attention. The controversies detract from more urgent, non-logical matters, such as our life on this planet. I note some serious and ultimately life-threatening omissions in the form of immanent relationship with Appadurai’s (1986) other things. This disconnection leaves us homeless (Neiman’s 2002 metaphor):

isolated sovereign selves in a neglected universe. This thesis works towards developing a theory of dialogic materiality, which connects discourse theory with the poststructural interest in identification. It raises many questions and poses some major challenges for therapy.

In this chapter I begin by commenting on the usefulness of my chosen Foucauldian approach. In the first two sections I present the conclusions it has allowed me to make: the re-thinking of counselling controversies as necessary discursive formations in discourses committed to producing rational unitary subjects; the deception performed by ethical principles in offering moral guidance; and the violence done to our immanent connections with the material world. I then indicate the point at which this method becomes problematic for me. The challenges thus posed have necessitated drawing on other poststructural theories. In the following section I then comment on the particular usefulness of developments in psychoanalytic and semiotic theory, which have allowed me to take my previous conclusions further. I extend these by drawing on ecopsychology and cultural studies. I conclude that a new ethic that addresses the politics of (material) exclusion could here find theoretical support. It appears possible to re-think fetishism as a powerful intrusion of the excluded material world; to re-think metaphor and spatiality as material indicators; to re-think the symbolic in order to identify a non-verbal, non-subjective space that is outside discursive constraints; to re-think desire as an identification with the embodied and material. These theories identify a rational and ethical context - a space for the introit of the non-rational and material. The next section discusses some implications of these findings for therapy and draws attention to further unanswered questions. The aim of the thesis was to re-think therapy's ethical base, rather than find solutions. Nevertheless, I conclude by indicating some future directions and areas of interest.

## **8.2 Still “good to think with”: Foucault’s (1968/1998) method**

The application of Foucault’s (1968/1998) “laws” has been central to all these findings. I have been struck by the relevance of this approach in my attempt to re-think the various controversies and contradictions in therapy. Although remaining cautious about the possibility of having been “taken over” by the method (Burman,

1991; Scheurich, 1997), using Foucault's (1968/1998) approach has allowed the following conclusions to emerge.

### ***8.2.1 Controversies in counselling are entirely predictable***

I found Foucault's (1968/1998) approach surprisingly adept in providing a structure that encompasses all my initial concerns. It fitted the bill perfectly! It provided a new and cohesive way of thinking about the controversies that I had observed. Such a re-thinking had been the object of my investigation. Viewing the various contradictions and controversies that plague therapy as dynamic discursive devices - as executors of Foucault's four "laws" - allows a freedom that is denied the subjective participant. The logic (or illogic) of their arguments becomes redundant to the logic of the discursive formation. In this understanding, the problems I saw facing counselling - different modalities, different perspectives, different ontologies, different epistemologies and different options for agency describe different strands of an enduring discursive formation.

Since ethical principles are here found to perform similar dividing practices, there is little hope that they can be useful tools for the resolution of the previous controversies. On the contrary, in this analysis, ethical principles are both the origin, and ensure the continuance of these enduring forms. They are, thus, the very bones of the former controversies. A commitment to them as organising principles represents a commitment to those same "fallings apart" or forms of logic and subjectivity that are reproduced in the controversies.

What is counselling? Foucault's (1968/1998) analysis sees the object continually dispersing, perpetuating the sub-discourses of expertise and control that were critiqued in Chapter 5, Justice. Can personal solutions help alleviate social problems? This question perpetuates the public/private strategic dualism in all its forms. It replays an archetypal struggle, which, in Chapter 6, "Justice", was argued to demonstrate the power of the public and rational, whilst locating responsibility in private individuals. The increasing number of theoretical orientations enables therapy to accommodate new perspectives on subjectivity whilst continuing to demand the self-monitoring/surveillance that I critique in Chapter 4, Fidelity. The current crises in

therapy research perpetuates various rational theoretical networks, whilst continuing to value the neutral space critiqued in Chapter 3, Autonomy. Finally, therapeutic agency, jousting between humanism's "I", social-constructionism's "relationship" and a more a poststructural concept of power that "works through subject's actions" (Henriques et al., 1998, p. 117) still perpetuates discourses of causality and linear time that were critiqued in Chapter 7, Beneficence.

Foucault's (1968/1998) morphological approach has allowed this interpretation, whilst indicating what might be excluded. The seduction of intelligibility, critiqued in Chapter 6, Non-maleficence, draws the eye away from something more powerful. We are prevented from engaging with it. I find ethical counselling still committed to a form of reasoning, structured through binary oppositions, which works to exclude the material, the multiple, the negative and non-chronological time, whilst ensuring the continued survival of that horizontal continuity, that "unreflective unity" (Foucault, 1968/1998, p. 310), the "self".

I conclude that these controversies are indeed "immaterial". Without them the framework of the individual self, and its separation from the rest of the universe, would be exposed. They detract from more urgent, non-logical matters, such as our life on this planet and our relationship with the material world.

Foregrounding the "how" has provided freedom from the tyranny of the "what". In Hall's (2000, p. 15) words, I thus still find Foucault's theories "good to think with". This is my first finding. Foucault's (1968/1998) perspective has thus demonstrated, in this instance, the entirely predictable nature of controversies in counselling.

### ***8.2.2 Ethical principles remain deeply embedded in counselling***

The second, also surprising, finding is the extent to which therapy performs - or rather, is performed by, discourses of traditional philosophy. Both theory and practice re-present traditional philosophical positions. I have found that, although the five principles do not retain the overt position that they formerly held, they are still deeply embedded in the therapeutic discourse. Their referents remain. Analysing the therapeutic discourse along Foucault's four perspectives has shown that traces of the

original principles continue to direct practice. For example, “fidelity” may have suffered an erasure, but its referents “integrity” and “consistency” make frequent appearances. Similarly “beneficence” remains in directions to be at all times “reasonable”. Non-maleficence can be seen in the refusal of negativity.

Although therapy may be experimenting with other forms of ethical thinking, it remains committed to the form of logic that the principles formerly expressed. Furthermore, although attempts have been made to think differently, ethically, other approaches are still add-ons to the dominant traditional themes. Therapy is so committed to traditional philosophical ideas that it acts these out in practice, seeking rational constancy in isolated autonomous selves, forever committed to the production of objects, oriented to future good, desperate to understand and less and less able to say “no”.

A commitment to traditional philosophy has, however, posed a problem for therapy. Along with the valorising of reason, it has had to swallow various accompanying dualisms. This has resulted in splitting the work of therapy into a private form of caring and a publicly accountable space. In this division, morality appears to have been relegated to second place.

### ***8.2.3 Therapy performs philosophy: Philosophy rules***

Foucault’s approach has shown that whilst acting out, in professional practice, the dominant philosophical view, therapy has attached *moral* valence to the non-dominant term. It thus appears to perform a subtle deception. In this deception, the non-dominant term becomes relegated to the private domain, through the private work of therapy. The dominant term retains primacy in the public sphere.

Autonomy was found to be characterised by two versions of “leaving alone”. The first followed Kant in thinking things out, free from interference. The second followed Rousseau in encouraging the (clients) to “grow into” their own rationality by finding things out through experience. A closer analysis of the therapeutic discourse found rationality the dominant term: a “thinking things out” through the control of objects. This expresses a commitment to the concept of “free will” on which therapeutic



interventions are founded. Yet Rogers' image of the deterministic, unfolding rose retains an honoured place in the private spaces of therapy. In a similar fashion, through fidelity, therapists have a duty to be faithful to all their (increasing number of) public contracts, including those with clients. Each contract must be separated by well-maintained "boundaries". This is considered to be an ethical prerequisite. Yet fidelity's other form, integrity, holds an honoured place in therapy. It is both a core value and the mark of the expert practitioner, who is allowed to break the rules. Again, the moral high-ground goes to the less dominant term.

A consideration of justice brings to the fore the public/private spheres with their relative emphasis on impartiality and fairness. This is a dichotomy well-known to therapy. Equity is written large into the therapeutic discourse in the form of non-discrimination. Redistributive fairness is limited to the client's internal and private resources. In "seeking to assist clients...to develop more resourceful ways of living" (NZAC, 2002, p. 26) counsellors seek intrapsychic change. Yet therapy posits its future existence on, and sees justice in, its ability to bring the private world into public places with calls to present a unified voice and engage in policy making (e.g. Feltham, 2002).

A closer look at non-maleficence has seen therapy dedicated to "trying to understand" when the "is" and the "ought" are out of kilter, when harm happens and people turn to therapy. Neiman's (2002) other option, to refuse to understand, indicates the successful end of therapy. It is expressed in the heroic resistance of the new narrative, by the survivor or by the political activist. Therapy is so entrenched in the traditional perspectives of ethical philosophy, that rationality, through cure, has become beneficence. The reasonable person is both "cured" and moral. Yet success in therapy is not a rational business. However, although universally prized, on-going, reciprocal caring relationships still defy rational analysis. This is summarised in the following.

## Therapy as philosophy-in-action

### Autonomy

The dominant term in philosophy and therapy is “leaving alone” in order to *think* things out.

The *moral* high-ground in therapy is given to the non-dominant term in providing the nurturing environment that allows a *growing* out.

### Fidelity

The dominant term in philosophy and therapy is reproduction and consistency.

The *moral* high-ground in therapy is given to the non-dominant term, integrity.

### Justice

The dominant term in philosophy and therapy is equity.

The *moral* high-ground in therapy is given to the non-dominant term, fairness.

### Non-maleficence

The dominant term in philosophy and therapy is to make sense of evil.

The *moral* high-ground in therapy is given to the non-dominant term, to refuse to be negative.

### Beneficence

The dominant term in philosophy and therapy is public and reasonable.

The *moral* high-ground in therapy is given to the non-dominant term, personal care.

The implication of this for ethical practice is one of the most sobering conclusions to this study. In this analysis, “talking ethics” takes a new turn. Not only are ethical principles, and their lingering traces, found to perform divisive practices, but also what are commonly thought to be moral positions here become relegated to one part of a dualistic pair. In this they re-present Derrida’s (1992a, p. 38) “*differantielle contamination*”. (See Chapter 7, Beneficence.) As war becomes, for him, a necessary adjunct to peace, (already always there) so does morality in ethical form become a necessary adjunct to economic and exploitative rationality. Biesta (2003, p. 147) puts it this way: “What is excluded thereby in a sense returns to sign the act of its own exclusion”. Morality, expressed ethically, in a sense, *legitimises* the rationality that ignores it (Bauman,1993). Therapy thus, seeking to follow the ethical beacon, must also internalise its shadow pair. In practice, this latter becomes the dominant term, and therapy becomes unethical.

Viewed in this light, morality, expressed ethically doesn’t stand a chance. Therapy works to continue philosophy’s valorising of the rational and individual agent, and the world goes on as before. Here I am forced to agree with Nietzsche (1885/1917) that God is dead - that we have indeed killed her through our obsession with reason. (This point was similarly made by Foucault (1998, p. 85.) Taking Foucault’s (1968/1998) approach has clarified Nietzsche’s proposition. Something divine, some theodicy (Neiman, 2002), dies within when we pursue reason’s path. In the *differantielle contamination* of values/reason we are in danger of losing our souls.

Therapy is strongly implicated in this theodicide, which may yet become Guattari’s (2000) ecocide. The world that produced the self-made autonomous man, turned away from the force and radiance (Neiman, 2002) of metaphysics. It also turned away from the force and radiance of the natural world. Subsequently, where philosophy has suffered a decline (Neiman, 2002), therapy has enjoyed an increase and is now considered to be in a “dynamic state of evolution” (Mellor-Clark, 2000). If therapy has replaced philosophy (and religion) in their function of upholding the values and metaphysics of humanity, then therapy’s capture by reason is of concern. Rose (1985) writes:

There is a common acceptance that something significant occurred in a period from about 1875-1925...This event appears to consist of the translation or extension of certain recurrent questions about the nature of humans from the closed space of philosophy to a domain of positive knowledge: the formation of psychology as a coherent and individuated scientific discourse. (p. 3)

Therapy is deeply implicated in this move from external to internal forms of governmentality that occurred at that time. The study of this has been one of Foucault's major contributions. Where the later Foucault (e.g. Foucault, 1980/1998) and Rose (1989) do not necessarily see this as a negative move, this thesis sees morality, and the planet, coming off the worst.

#### ***8.2.4 On the edge of text: A whole world***

This, in a sense, brings us to the edge of text. Foucault's (1968/1998) approach directs attention to, relies on, the exclusive nature of discourses. But to my mind it lacks the apparatus to take this further. The line, the limit, the never said, the transgression and the wave on the edge of the sand: all speak of what *cannot* speak, or be spoken. Nevertheless, Foucault indicates the importance of its existence.

In this thesis, following Foucault's analysis I have sought to identify what might have been excluded in the ethical discourse. I find, as did Foucault (1980), that this discourse does indeed have a *material* edge. The discourse of ethical therapy appears to work to disconnect and devalue our fluid connection with each other (other bodies) and the natural world. The natural world, in particular, has no access to ethics. I have argued that this is dangerous territory indeed, given the fragile state of our planet, and, although not everyone may agree, I put forward the following summary of exclusions for consideration.

### Exclusions

Autonomy, through constant object production, excludes relationship with Appadurai's (1986) "other things".

Fidelity, through a reliance on boundaries, creates false objects, divided selves, and excludes the infinite and unbounded.

Justice, through hiding a power that isolates people from each other and the environment, excludes a sense of "being in it together".

Non-maleficence, through refusing negations, excludes our ability to resist exclusions and objectification.

Beneficence, through a chronological use of time, excludes the potent, unbounded present.

And it is at this point that, for me, Foucault's usefulness stops. His early analysis is unable to account for the feelings of betrayal and hopelessness felt by many who have striven for liberation and change. There is a mourning in recognising the failure of ethical thinking. Where subjects meet discourses, there is a rift. In order to deal with this, it appears necessary to return to the metaphysics and hermeneutics allowed by several psychoanalytically informed theories in particular. Poststructural developments in the politics and ethics of exclusion (e.g. Bhabha, 1994; Gilligan, 1982; Sterba, 2001), the foregrounding of spatiality and symbolism (e.g. Derrida, 1992b; Irigaray, 1985; Kristeva, 1980a) and the "re-sensing" of knowledge (e.g. Hall, 2000; Pels, 1998; Richardson, 2000) indicate a place to begin theorising our identification with the material world.

### **8.3 Limitations of Foucault's (1968/1998) method: Calling in identity**

Although Foucault's (1968/1998) method has been useful in providing a theoretically satisfying way of thinking about the controversies in counselling, I found it of limited use in the ethico/political realm in the application of this new knowledge. What are

we to do with this? As soon as the question is asked, we are back in the realm of subjectivity. Here is the problem identified by Hall (2000), who notes the fracture between discursive and psychoanalytic perspectives. Here the performative meets the performer. In this section I discuss the contribution of semiotic and psychoanalytic theory and the conclusions they have allowed me to draw.

### **8.3.1 “Re-imagining identification”**

To make sense of the exclusions indicated through Foucault’s (1968/1998) perspective, I have also found myself, like Venn (1998), drawn to non-deterministic, dynamic theories that have re-thought psychoanalysis. In re-thinking autonomy I drew on the fetish. In re-thinking fidelity I drew on the symbolic order of Lacan, Kristeva and Irigaray. Dynamic theory figured large in re-thinking justice, non-maleficence and beneficence. I find these theories also “good to think with”.

From these psychoanalytic developments, I conclude that the symbolic order can be used to critique itself. Where the performative meets the performer, there are gaps and spaces, particularly for women. Here are Henriques et al.’s (1998) “phantasmatic sites”. Here is Kristeva’s (1974/2000, 1980a) chora, which turns semiotics upside down. Where a Foucauldian analysis saw autonomy creating objects, fidelity creating subjects, justice dividing pronouns, non-maleficence avoiding negation, and beneficence controlling tense, psychoanalytic theory allows a revisioning of the imprisoned verb as desire.

In Chapter 4, I argued that reason used fidelity to objectify *being*. This becomes solidified as integrity. In this it is misrepresented, in the manner that troubled Heidegger (1962). Through its associations with reflective constancy and repetitive professional reproduction, its fluidity becomes objectified. Thus I objectify my feelings and reflect on this phenomenon in supervision. Through a similar misrepresentation in Lacan’s imaginary, the “I” seeks the desire of the other. It misrepresents itself in the mirror of the other, as I do in seeking professional approval from both my supervisor and my professional organisation.

From this I conclude that ethical thinking is structured like a language (as was the unconscious for Lacan). It misrepresents our desire. The moral urge to connect and heal (Bauman, 1993) that has been captured by ethical thinking gets turned on its head by “logic”. Despite Foucault’s assertion that “‘I speak’ runs counter to ‘I think’” (Foucault, 1966/1998, p. 149), it takes psychoanalytic imagining to inhabit the space before speaking - or even thinking - begins. Interrupting both the symbolic and the structural is Kristeva’s (1974/2000, 1980a) poetic language. It leads, for me, to the following non-logical conclusions.

#### My “Irrational” Conclusions

Autonomy: I seek to follow my desire in the world and end up separating myself from the rest of creation.

Fidelity: I seek to be in harmony with others and end up creating a barrier between us.

Justice: I seek to know that all is well and end up naming the unwell.

Non-maleficence: I seek to heal and end up perpetuating the pain.

Beneficence: I seek to express my love for others and end up calculating my effect.

This conclusion, is, in effect a no-conclusion. It is also a beginning. It is a connecting. It may be an “identifying” that speaks to others. In this it leads me back to Hall.

Hall (2000) proposes the concept of identification as the most promising, although still problematic, bridge between discourses and psychoanalytical perspectives.

It seems to be in the attempt to rearticulate the relationship between subjects and discursive practices that the question of identity recurs - or rather, if one prefers to stress the process of subjectification to discursive practices, and the politics of

exclusion which all such subjectification appears to entail, the question of identification. (p. 16)

Hall argues that “identification” “draws meanings from both the discursive and psychoanalytic repertoires” (p. 16). Although Hall does nothing more than indicate the complexities of the semantic field from which identification originates, his terminology resonates with fidelity’s over-controlled verb. (See Chapter 4.) Identification is “always becoming” and it “does not obliterate difference” (Hall, p.16). “It obeys the logic of more-than-one” (p.17). Yet Hall sides with theoreticians who are seeking a “social identity” in which identities can only be “read against the grain” (p.18) and which require the production of boundaries. Identities are only constituted through what they lack. What these theories lack for me is inclusion of the wider material world.

### ***8.3.2 Time for “the environmental turn”<sup>34</sup>***

The immanent logic-defying-logic for which I have argued throughout this thesis finds resonance with Hall’s concept of identification. His “strategic and positional” (p. 17) concept of identity parallels Pels’ (1998) process of relationship with other things. Yet, psychoanalytic theory and the concept of identity appear to be exclusive to *human* subjectivity. Still based on a lack, an immature fantasy of wholeness, identification still turns its head. I find in these arguments a blind spot. It is as if, as Midgeley (1994, p. 378) noted with the ancient Greeks, that many of our sages are still blind to what is materially under their noses. Does the body really end with the skin? Don’t we support, and aren’t we supported by, whole ecosystems? In dealing with this urge to extend identification to the whole universe, I need to draw on other theories, in particular ecopsychology and cultural studies. It is too easy to relegate to second place, or exclude entirely, ethical relationship (here “an identifying”) with other things and the global environment.

Contrary to those poststructural views that see nothing before either subjectivity or text, a return of interest in the fetish (e.g. Spyer, 1998) has allowed us to view its trace as the material object. Where Lacan (e.g.1949/2000) sees a misrepresentation of

---

<sup>34</sup> A play on Rorty’s (1979) much quoted “turn to language”. Here I take another turn.



desire, Butler (1997) mourning and Davies (e.g.1991) power, cultural studies foregrounds matter and the human-material connection. Desire here takes material form as witness the various totems of indigenous peoples. Matter “speaks” to people through their desire. According to Spyer (1998) the material fetish vanishes, loses its power, at the moment of its discovery. In this fluidity, this “ever new” capacity, it resonates with Hall’s (2000) theory of identification and semiotic’s misinterpretation. The fetish, in this account, however, does not disappear. It is not immature or a figment of the imagination. Cultural studies de-pathologises its psychoanalytic associations. Here it is beloved.

Cultural studies’ account of the fetish thus allows the introit of the inanimate into text. In this view, the fetish is *always* and inherently a material object. It is thus possible to rework desire, not as the naturalist somatic intent towards an object, but as a possible two way, ever changing connection with the other thing. In a world where other things, in the form of different species and un-manipulated landforms, are rapidly being reduced to annihilation, reserves and monocultures, our possibilities for coming alive through difference are rapidly depleting. My final conclusion is, then, that it is extremely important - our lives depend on it - to develop our relationship with the other things that are under our noses.

#### **8.4 Discussion and implications for therapy**

Although these conclusions are in the theoretical realm, there are implications for therapeutic practice. They lead me to make some tentative conclusions in the practical realm. First, I question the place of ethical codes in just practice. In particular they contraindicate the use of utilitarian reasoning and virtue ethics. Second, they lend urgency to the need for environmental awareness in therapeutic training and practice. This includes an emphasis on the recognition of our relationships with material objects. Third, they demand a continued deconstruction of the isolated and the expert self and their definition in time in therapy. To my mind, this includes challenging the isolation of our professional status and allegiances.

Ethical codes are imbued with good intent: with the *desire* to oppose any unjust relationships of power. Yet this analysis sees them perpetuating old inequities. It has

led me to question their place in professional practice. I did not start out with this view - I expected them to be my ally. However, this thesis sees things differently. I find the limited use of “no X” inhibiting resistance. It appears to make it more difficult for clients to speak their concerns. It also appears to reduce options for resisting the objectification of the other thing. The emphasis on being reasonable, and in calculating utilities through future good, is questioned by this thesis’ critique of reason. The on-going commitment to individual subjectivities and individual responsibilities perpetuates the dangerous autonomy of the enlightenment man. Despite various attempts to extend notions of sovereignty to whole peoples, there is little place for joint responsibility. The practitioner is assumed virtuous and able to be re-educated. Supported by increasing commitment to virtue ethics, he is given a “head” start over the client. I therefore conclude with Brown (1997) and Szasz (1986) that ethical codes work to protect the profession, rather than the public they serve. I find with Scheurich (1997) that they allow organisations to escape responsibility by placing it on the individuals. I also conclude with Bersoff (1999) that they are redundant to law, which is more able to refuse and resist.

Further debate and discussion is needed to consider these findings, and their possible implications to practice. If, as this analysis indicates, it is better to refuse certain small acts, use immediacy and meet face-to-face, then ethical practice needs to be more dialogic and responsibility more communal. I, myself, see possibility in the use of “supervisory” groups, rather than individual supervision, whose function is to debate - and support, as far as possible, rather than as far as reasonable, ethical practice. Is it too revolutionary to suggest that these groups might also, sometimes, include clients? Can we learn, here, from restorative justice?

The second implication draws attention to the absence of reference to our relationship with the environment and “other things” in ethical practice and in the training of counsellors and psychotherapists. Although various approaches may value a wholistic perspective, which sees individuals connected to their wider environment, in my understanding this relationship lacks ethico/political edge. Humanism’s subject remains central. I am unable to speak for culturally-based initiatives that seek a Maori world view. It may be that they are doing better in this respect.

This thesis has seen the exclusion of the material world as a central move in the development of unethical “reason”. It has seen autonomy and fidelity constantly reducing the other thing to “one”, in a process of objectification. They attempt to restrict its multiplicity and fluidity. The material outcome of such a move is predicted to be ultimately catastrophic for life on earth and the planet as a whole. In my developing view, the theoretical outcome restricts identity to the binding of a wound that will never heal and that will, in the end, prove fatal.

Whichever way one looks at it, the problems facing the environment are too urgently connected to the problems of our future to ignore. We need to discuss them in our training as well as bring them into therapy. (Ecotherapists such as Fisher, 2002, admit to sometimes interrupting therapy that seems to be going nowhere with questions such as: “Are you aware that the planet is dying?”) Building on the findings of non-maleficence, we might also focus on small things - the material objects under our noses. How did they enter the therapeutic discourse? What is our relationship with them? What has been their journey to this place and what are they saying to us? In this manner we need to develop our immanent understanding, our non-rational sense.

At the beginning of this thesis I posed the question, what *are* we to do with the self? My conclusions have found it urgently in need of further deconstruction. The third implication for therapy, then, is to continue the work begun by social constructionism and discursive approaches. This is an ongoing challenge and requires attention that is beyond the scope of this thesis. My personal preference in practice is to follow those initiatives and interventions which lose the self in the chora of the present moment, in creativity, in the environment and in community: the more-than-one. In Chapter 7, Beneficence, I suggested that therapy could be more involved in restitution and limitless care. The first requires confronting the legitimacy of law (Fox, 1997), the second requires involvement in community and “sacred discourse” (Lincoln & Denzin, 2000, p. 1052).

There are also implications for the professional, expert self. The challenge posed to just therapy by the expert self of the practitioner was earlier noted by Gergen and

Kaye (1992). Is therapy ready to abandon this position? I see two possibilities. The first is in the losing of our professional identity through ethico/political engagement with other disciplines. I referred to some of these possibilities in Chapter 7, Beneficence. I wonder about the objectification that occurs as we define ourselves ever more strictly in relation to a certain professional identity such as counselling. Fisher (2002) and Peters (2003) both refer to the disparate band of voices that speak for ecology. Is it “speaking for (ecology)” that counts? Is it time to inhabit more confidently that interdisciplinary space indicated by Feltham (2002) and McLeod (2003b), targeting action in the world rather than contesting “evidence” and theory?

The second possibility is that of deconstructing the therapeutic expert by prying her away from ownership of a special body of knowledge and static professional identity. I am here suggesting that we could consider the possibility that counselling studies and counselling skills might take precedence over the training of *counsellors*. Fairclough (1992) notes the colonising power of the counselling discourse. If one sees benefit in the dissemination of counselling values, then professional dissemination may be more powerful than private dissemination through clients.

These concluding thoughts all imply a disruption to therapy as we know it. In Chapter 3, Fidelity, I used Kristeva’s (1975/2000, 1980a) chora to argue for disruptions that connect matter and mind in rhythm, that ripple in laughter, song and tears, and present this as a metaphor which might be familiar to other ethnic groups. Sterba’s (2001) final comment is to call for a form of reason that is acceptable across all cultures. Although he does not envisage the possibility, one could extrapolate that a form of reason that also takes into account the rhythms of the natural environment would also be preferable. This is the form for which I have advocated. I finish, with some rational suggestions.

Some “Rational” Suggestions.

Build relationships with the material world.

Stand firm for immanent understanding.

Utilitarian reasoning has had its day.

Refuse virtue ethics.

Always see the self as re-presentative rather than individualistic.

Situate an ethic of justice in past with emphasis on restitution and legal reform.

Situate an ethic of care in the future with community building.

Situate an ethic of benefit in the present.

Play with the gaps between the words.

Learn to let go.

Be at home in the natural world.

Work in community with each other.

### **8.5 Further questions and future directions**

The conclusions in this thesis are very much new beginnings. They indicate gaps and possibilities. Several unanswered questions remain. It has been beyond the scope of this thesis to investigate why controversies are so pronounced in the “psy” professions, although it is tempting to indicate possibilities. It is also unclear what the material outcome of this thesis will be. Who will ultimately benefit? There is theoretical work to be done in continuing to develop a theory of materiality - in particular one that can accommodate the fetish and a process of identifying. There is ethico/political work to be done in debate, discussion and in forming alliances. There is practical work to be done in redesigning training programmes. There is also, of course, personal work to be done. Burman (1991) notes the problem inherent in reflexive work involving discourses. Eventually the question must be asked: “Which

politics, whose politics [do] we choose to support”? (p. 340). If I am to build on our discourse groups’ earlier experience (Bird et al., 2004), the beginning may be to first transform our “selves”, unsettling our own separateness – from each other, and from the rest of the universe. I take my conclusion from Bauman (1993).

Moral responsibility is the most personal and inalienable of human possessions and the most precious of human rights. It cannot be taken away, shared, ceded, pawned or deposited for safekeeping. Moral responsibility is unconditional and infinite, and it manifests itself in the constant anguish of not manifesting itself enough. Moral responsibility does not look for reassurance for its right to be, or for excuses for its right not to be. It is there before any reassurance or proof and after any excuse or absolution. (p. 250)

### **Beannacht**

On the day when  
the weight deadens  
on your shoulders

and you stumble,  
may the clay dance  
to balance you.

And when your eyes  
freeze behind  
the grey window  
and the ghost of loss  
gets in to you,

may a flock of colours  
indigo, red, green  
and azure blue  
come to awaken in you  
a meadow of delight.

When the canvas frays  
in the curach of thought  
and a stain of ocean  
blackens beneath you,  
may there come across the waters  
a path of yellow moonlight  
to bring you safely home.

May the nourishment of the earth be yours,  
may the clarity of light be yours  
may the fluency of the ocean be yours,  
may the protection of the ancestors be yours.

And so may a slow  
wind work these words  
of love around you,  
an invisible cloak  
to mind your life

(O'Donoghue, 1997).

## References

- Allen, J., & Allen, B. (1988). Scripts and permissions: Some unexamined assumptions and connotations. *Transactional Analysis Journal*, 18(4), 72-74.
- Allison, H. E. (1999). Immanuel Kant (1724 - 1804). In T. Honderich (Ed.), *The Philosophers: Introducing great Western thinkers* (pp. 115-123). Oxford: Oxford University Press.
- Althusser, L. (2000). Ideology interpellates individuals as subjects. In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader*. (pp. 31-39). London: Sage.
- American Psychiatric Association (1994). *Diagnostic and statistical manual of mental disorders* (4 ed.). Washington DC: American Psychiatric Association.
- American Psychological Association Ethics Committee (1994). Report of the Ethics Committee, 1993. *American Psychologist*, 49, 659-666.
- Antaki, C., Billig, M., Edwards, D., & Potter, J. (n.d). *Discourse analysis means doing analysis: A critique of six analytic shortcomings*. Retrieved, November 1<sup>st</sup>, 2004, from <http://www.lboro.ac.uk/departments/ss/centres/dargindex.htm>
- Appadurai, A. (1986). "Introduction: Commodities and the politics of value". In A. Appadurai (Ed.), *The social life of things: Commodities in cultural perspective*. (pp. 3-63). Cambridge: Cambridge University Press.
- Appel, S. (1998). Jaques Lacan: Ideal-I and image, subject, and signification. In M. Peters (Ed.), *Naming the multiple: Poststructuralism and education* (pp. 25-49). London: Bergin & Garvey.
- Arendt, H. (1994). *Eichmann in Jerusalem: A report on the banality of evil*. New York: Penguin.
- Armon-Jones, C. (1986). The social function of emotion. In R. Harré (Ed.), *The social construction of emotions* (pp. 57-83). Oxford: Basil Blackwell Ltd.
- Asay, T. P., & Lambert, M. J. (1999). The empirical case for the common factors in therapy: Quantitative findings. In B. L. Hubble, B. L. Duncan & S. D. Miller (Eds.), *The Heart and soul of change: What works in therapy* (pp. 23-33). Washington, DC: American Psychological Association.
- Baier, A. (1995). The need for more than justice. In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 47-61). Boulder, Colorado: Westview Press.



- Baldwin, A. (2004). Psychotherapy- the new religion? *Counselling and Psychotherapy Journal*, 15(5), 9-11.
- Bandler, R., & Grinder, J. (Eds.). (1979). *Frogs into princes: Neuro linguistic programming*. Moab, Utah: Real People Press.
- Banyard, P. (1999). *Controversies in psychology*. NY & London: Routledge.
- Bass, A. (1977). Translator's introduction. In *Jaques Derrida. Writing and difference* (pp. ix-xx). London: Routledge & Kegan Paul Ltd.
- Bateson, G. (1966/2000). From Versailles to Cybernetics. In Bateson, G. (2000). *Steps to an ecology of mind* (pp. 477-486). Chicago: University of Chicago Press.
- Bateson, G. (2000). *Steps to an ecology of mind*. Chicago: University of Chicago Press.
- Bauman, Z. (1993). *Postmodern ethics*. Oxford: Blackwell.
- Baumeister, R. (1991). *Escaping the self: Alcoholism, spirituality, masochism, and other flights from the burden of selfhood*. New York: Harper Collins.
- Beauchamp, T., & Childress, J. (1994). *Principles of biomedical ethics*. (4 ed.). NY, Oxford: Oxford University Press.
- Beck, A. (1976). *Cognitive therapy and emotional disorders*. New York: New American Library.
- Benjamin, J. (1986). A desire of one's own: Psychoanalytic feminism and intersubjective space. In T. de Laurentis (Ed.), *Feminist studies / critical studies* (pp. 78-101). Bloomington, USA: Indiana University Press.
- Bergin, A. (1980). Psychotherapy and religious values. *Journal of Consulting and Clinical Psychology*, 48, 95-105.
- Berne, E. (1961). *Transactional analysis and psychotherapy*. New York: Grove Press.
- Berne, E. (1964). *Games people play*. London: Penguin.
- Berne, E. (1966). *Principles of group treatment*. New York: Grove Press.
- Berne, E. (1972). *What do you say after you say hello?* New York: Bantam Books.
- Bersoff, D. (1996). The virtue of principle ethics. *The Counseling Psychologist*, 24(1), 86-91.
- Besley, C. (2002). The professionalisation of school counselling in New Zealand in the 20<sup>th</sup> Century. [Special Issue] *Access: Critical Perspectives on Communication, Cultural & Policy Studies*, 21(2), 3-94.

- Bhabha, H. (1994). *The location of culture*. London: Routledge.
- Biesta, G., J. (2003). Jacques Derrida: Deconstruction = justice. In M. Peters, M. Olssen & C. Lankshear (Eds.), *Futures of critical theory: Dreams of difference* (pp. 141-155). Oxford: Rowman & Littlefield Publishers Inc.
- Billig, M. (1987). *Arguing and thinking: A rhetorical approach to social psychology*. London: Cambridge University Press.
- Bird, L., Beale, F., Cornforth, S., Duncan, D., O'Connor, C., & Roberson, S. (2002). *Transformative possibilities for critical and sensitive discourse research*. Paper presented at the NZARE Conference, "Continuity and change: Into the 21st century", Massey University, Palmerston North, NZ.
- Bird, L., Cornforth, S., Duncan, D., & Roberson, S. (in press). Professionals becoming researchers: Collective engagement and difficulties of transformation. *International Journal of Critical Psychology. Critical Professionals: Experiencing Contradictions*.
- Blum, L. (1982). Kant's and Hegel's moral rationalism: A feminist perspective. *Canadian Journal of Philosophy*, 12(2), 287-302.
- Blum, L. (1987). Particularity and responsiveness. In J. Kagan & S. Lamb (Eds.), *The emergence of morality in young children* (pp. 306-338). Chicago and London: University of Chicago Press.
- Blum, L. (1992). Care. In L. Becker, C (Ed.), *Encyclopaedia of ethics*. New York: Garland.
- Bond, T. (2000). *Standards and ethics for counselling in action* (2 ed.). London: Sage.
- Bondi, E. (2003, November). *Counselling, professionalisation and voluntarism: the Scottish experience*. Paper presented at the meeting of the Victoria University of Wellington Institute of Geography Architecture School, Vivian St., Wellington, NZ.
- Bordin, E. S. (1979). The generalisability of the psychoanalytic concept of working alliance. *Psychotherapy: Theory, Research, Practice*, 16, 252-260.
- Bové, P. A. (1983). Variations on authority: Some deconstructive transformations of the new criticism. In J. Arac, W. Godzich & W. Martin (Eds.), *The Yale critics: Deconstruction in America* (Vol. 6, pp. 3-20). Minneapolis: University of Minneapolis Press.

- Bowen, N., Bahrlick, A., & Zerbe Enns, C. (1991). A feminist response to empowerment. *Journal of Counselling and Development*, 69, 228.
- Braidotti, R. (1994). *Nomadic subjects: Embodiment and difference in contemporary feminist theory*. N.Y: Columbia University Press.
- Brammer, L. M., & Shostrum, E. L. (1982). *Therapeutic psychology - Fundamentals of counselling and psychotherapy*. Englewood Cliffs, NJ: Prentice-Hall.
- Bricehouse, T., & Hawker, L. (1993). Degrees of games: An application to the understanding of domestic violence. *Transactional Analysis Journal*, 23(4), 195-201.
- Briere, J. (1992). *Child abuse trauma. Theory and treatment of the lasting effects*. London: Sage.
- Briere, J. (2001). Treating survivors of severe childhood abuse and neglect: Further development of an integrative model. In J. Myers, C. Hendrix & J. T. Reid (Eds.), *The APSAC handbook on child maltreatment* (2 ed., pp. 52-73). Newbury Park, CA: Sage.
- British Association for Counselling (1997). *Code of ethics and practice for counsellors*. Rugby: British Association for Counselling.
- British Association for Counselling and Psychotherapy (2005). *Ethical framework for good practice in counselling and psychotherapy*. Retrieved, 17th March, 2005, from [http://www.bcap.co.uk/ethical\\_framework/](http://www.bcap.co.uk/ethical_framework/)
- Brown, L. (1997). Ethics in psychology: Cui bono? In Fox, D., & Prilleltensky, I. (Eds.). *Critical psychology: An introduction* (pp. 51-67). London: Sage.
- Burman, E. (1991). What discourse is not. *Philosophical Psychology*, 4(3), 325-342.
- Burman, E. (n.d.). *Discourse analysis means analysing discourse: Some comments on Antaki, Billig, Edwards and Potter, "Discourse analysis means doing analysis": A critique of six analytics shortcomings*. Retrieved, November 1, 2004, from [http://www.did.stu.mmu.ac.uk/psy\\_speech/research/discourse/dustaff.htm](http://www.did.stu.mmu.ac.uk/psy_speech/research/discourse/dustaff.htm)
- Burman, E. (1996). Psychology discourse practice: From regulation to resistance. In E. Burman, G. Aitken, P. Alldred, R. Allwood, T. Billington, B. Goldberg, A. Gordo Lopez, C. Heenan, D. Marks & S. Warner (Eds.), *Psychology, Discourse, Practice: From Regulation to Resistance*. London: Taylor Francis. (pp. 1-15). London: Taylor Francis.

- Burman, E., Aitken, G., Alldred, P., Allwood, R., Billington, T., Goldberg, B., Gordo Lopez, A., Heenan, C., Marks, D., & Warner, S. (1996). *Psychology, discourse, practice: From regulation to resistance*. London: Taylor Francis.
- Burman, E., Alldred, P., Bewley, C., Goldberg, B., Heenan, C., Marks, D., Marshall, J., Taylor, K., Ullah, R. & Warner, S. (1996). *Challenging Women: Psychology's exclusions, feminist possibilities*. Buckingham, Philadelphia: Open University Press.
- Burman, E., & Parker, I. (Eds.). (1993). *"Discourse analytic research. Repertoires and readings of texts in action"*. London & New York: Routledge.
- Butler, J. (1997). *The psychic life of power: Theories in subjection*. Stanford, California: Stanford University Press.
- Butler, J. (2002). Critically queer. In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader* (pp. 108-117). London: Sage.
- Campbell, S. (1997). Women, "false" memory, and personal identity. *Hypatia*, 12(2), 319-335.
- Canadian Counselling Association (2005). *Code of Ethics*. Retrieved, 16th March, from <http://www.ccacc.ca/coe.htm>
- Caputo, J. (Ed.). (1997). *Deconstruction in a nutshell: A conversation with Jaques Derrida*. New York: Fordham University Press.
- Card, C. (1995). Gender and moral luck. In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 79-101). Boulder, Colorado, USA: Westview Press.
- Carswell, C. (2002). The good, the bad and the integrative. *Counselling and Psychotherapy Journal*, 13(4), 14-17.
- Choy, A. (1990). The winner's triangle. *Transactional Analysis Journal*, 20(1), 40-46.
- Christians, C. (2000). Ethics and politics in qualitative research. In N. Denzin & Y. Lincoln (Eds.), *Handbook of qualitative research*. (2 ed.). London: Sage.
- Clarkson, P. (1992). *Transactional analysis psychotherapy: An integrated approach*. London: Tavistock/Routledge.
- Clarkson, P. (1993). Bystander games. *Transactional Analysis Journal*, 23(3), 158-172.
- Cochrane, A. L. (1999). *Effectiveness and efficiency. Random reflections on health services*. London: RSM Press.

- Colman, A. M. (Ed.). (1995). *Controversies in psychology*. London: Longman.
- Combs, A. W. (1986). What makes a good helper? A person-centred approach. *Person Centred Review, 1*, 51-61.
- Combs, A. W., & Soper, D. W. (1963). The perceptual organisation of effective counsellors. *Journal of Counselling Psychology, 10*, 222-227.
- Compulsory Assessment and Treatment Amendment Act, 46 (1992).
- Cooper, M. (2003). Research in question. *Counseling & Psychotherapy Journal, 14*(3) 41-44.
- CORE System Group. (1998). *CORE system information management handbook*. Leeds: CORE System Group.
- Corey, G. (1996). *Theory and practice of counselling and psychotherapy*. NY: Brooks/Cole.
- Corey, G. (2005). *Theory and practice of counseling and psychotherapy* [7th International Student Edition ed.]. London: Thomson Brooks/Cole.
- Corey, G., Schneider Corey, M., & Callanan, P. (1998). *Issues and ethics in the helping professions*. Pacific Grove, USA: Brooks/Cole Publishing Co.
- Cornell, D., Rosenfield, M., & Gray Carlson, D. (Eds.). (1992). *Deconstruction and the possibility of justice*. New York, London: Routledge.
- Cornforth, S. (2000). Implementation of bicultural initiatives by counselling trainees: Towards a relational model. *New Zealand Journal of Counselling, 21*(1), 35-46.
- Cornforth, S., & Sewell, S. (2004). Where have they gone? What are they doing? The profiles and destinations of counselling graduates, 1997-2002. *New Zealand Journal of Counselling, 25*(1), 31-47.
- Corsini, R., & Wedding, D. (Eds.). (1995). *Current psychotherapies* (5 ed.). Itasca Illinois: F.E. Peacock Publishers Inc.
- Cottingham, J. (1999). René Descartes (1596-1650). In T. Honderich (Ed.), *The Philosophers. Introducing great Western thinkers* (pp. 59-67). Oxford: Oxford University Press.
- Courtois, C. (1988). *Healing the incest wound: Adult survivors in therapy*. New York, London: W.W. Norton & Co.
- Curtis Jenkins, G. (2002). Good money after bad? The justification for the expansion of counselling services in primary health care. In C. Feltham (Ed.), *Whats the*

- good of counselling and psychotherapy? The benefits explained.* London: Sage.
- Cushman, P. (1990). Why the self is empty. Toward a historically situated psychology. *American Psychologist*, 45(5), 599 - 611.
- Dale, A. (2003). ACC news. *NZAC Newsletter*, 24(1), 26-30.
- Dale, P. (2002). Benefits of therapy with adults who were abused as children: Some issues from evaluation of counselling services. In C. Feltham (Ed.), *What's the good of counselling and psychotherapy? The benefits explained* (pp. 34-48). London: Sage.
- Dalenberg, C. (1999, March). *The treatment of complex PTSD*. Paper presented at the meeting of Doctors for Sexual Abuse Care, Wellington, N.Z.
- Dalenberg, C. J. (1997). Ethical issues in the assessment and treatment of child abuse victims: Countertransferential and transference Issues. In S. Bucky (Ed.), *The comprehensive textbook of ethics and law in the practice of psychology*. New York: Plenum Press.
- Danaher, G., Schirato, T., & Webb, J. (2000). *Understanding Foucault*. St. Leonards, Australia: Allen & Unwin.
- Davies, B. (1991). The concept of agency: A feminist poststructuralist analysis. *Postmodern Critical Theorising*, 30, 42-53.
- Davies, B., & Harré, R. (1991). Positioning: The discursive production of selves. *Journal for the Theory of Social Behaviour*, 20, 43-63.
- de Shazer, S. (1985). *Keys to solution in brief therapy*. New York: Norton.
- de Shazer, S. (1991). *Putting difference to work*. New York: W.W. Norton.
- Denzin, N. K., & Lincoln, Y. S. (Eds.). (2000). *Handbook of qualitative research* (2<sup>nd</sup> ed). Thousand Oaks, California: Sage.
- Derrida, J. (1978). *Writing and difference*. Chicago: University of Chicago Press.
- Derrida, J. (1992a). Force of law: The "mystical foundation of authority". In D. Cornell, M. Rosenfield & D. Gray Carlson (Eds.), *Deconstruction and the possibility of justice* (pp. 3-68). New York & London: Routledge.
- Derrida, J. (1992b). *The other heading. Reflections on today's Europe* (P. A. Brault & M. B. Naas, Trans.). Bloomington & Indianapolis: Indiana University Press.
- Derrida, J. (1994). *Spectres of Marx: The state of the debt, the work of mourning & the new international*. (P. Kamuf., Trans.). New York & London: Routledge.

- Disley, B. (1997). An overview of mental health in NZ. In P. Ellis & S. Collings (Eds.), *Mental Health in NZ*. Wellington: Ministry of Health.
- Donnelly, F. (1978). *Big boy's don't cry*. Auckland, New Zealand: Cassell Ltd.
- Drewery, W., & McKenzie, W. (1999). Therapy and faith. In I. Parker (Ed.), *Deconstructing psychotherapy* (pp. 132-150). London: Sage.
- Drewery, W., & Winslade, J. (2005). Developing restorative practices in schools: Some reflections. *New Zealand Journal of Counselling*, 26(1), 16-33.
- Drewery, W., Winslade, J., & Monk, G. (2000). Resisting the dominating story: Towards a deeper understanding of narrative therapy. In R. A. Neimeyer & J. D. Raskin (Eds.), *Constructions of disorder* (pp. 243-263). Washington DC: American Psychological Society.
- Drewery, W., & Monk, G. (1994). Some reflections on the therapeutic power of post-structuralism. *The International Journal for the Advancement of Counselling*, 17(4), 303-313.
- Dreyfus, H., & Rabinow, P. (Eds.). (1983). *Michel Foucault: Beyond structuralism and hermeneutics* (2 ed.). Chicago: University of Chicago Press.
- Dryden, W. (Ed.). (1997). *Therapist's dilemmas* (2 ed.). London: Sage.
- Dryden, W., & Feltham, C. (Eds.). (1992). *Psychotherapy and its discontents*. Buckingham: Open University Press.
- Dryden, W., & Feltham, C. (1995). *Counselling and psychotherapy: A consumer's guide*. London: Sheldon Press.
- du Gay, P., Evans, J., & Redman, P. (Eds.). (2002). *Identity: A reader*. London: Sage.
- Durie, M. (1986). *Maori health: Contemporary issues and responses*. Auckland, New Zealand: Mental Health Foundation of New Zealand.
- Durie, M. (1998). *Te Mana, te kawanatanga: The politics of Maori self-determination*. Auckland, N.Z.: Oxford University Press.
- Eaton, J. (2002). Psychotherapy and moral inquiry. *Theory & Psychology*, 12(3), 367-386.
- Edmunds, G. (2003). Investment games. *Transactional Analysis Journal*, 33(1), 68-78.
- Egan, G. (1990). *The skilled helper: A systematic approach to effective helping* (5 ed.). Belmont, CA: Brooks/Cole.

- Eg ea-Kuehne, D. (2003). Levinas's ethicopolitical order of human proximity: "The quest for justice". In M. Peters, M. Olssen & C. Lankshear (Eds.), *Futures of critical theory: Dreams of difference* (pp. 103-127). Oxford: Rowman & Littlefield Publishers Inc.
- Eisler, R. (1993). *The chalice and the blade: Our history, our future*. London: Pandora, Harper Collins.
- Elias, N. (2002). Homo clausus and the civilising process. In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader* (pp. 284-296). London: Sage.
- Eliot, T. S. (1936). Burnt Norton. In *Collected poems 1909-1935* (pp. 185-191). London: Faber & Faber Ltd.
- Elliot, H. (1997). Engendering distinctions : Postmodernism, feminism an narrative therapy. *Geko, 1*, 52-71.
- Ellis, A. (1995). Rational emotive behaviour therapy. In R. J. Corsini & D. Wedding (Eds.), *Current psychotherapies* (5 ed., pp. 162-197).
- English, F. (1971). The substitution factor: Rackets and real feelings. In M. Friedlander (Ed.), *Volume of selected articles from the Transactional Analysis Journal, 1971-1980* (pp. 67-73). San Francisco: International Transactional Analysis Association.
- Epston, D., Morris, F., & Maisel, R. (1995). A narrative approach to so-called anorexia/bulemia. In K. Weingarten (Ed.), *Cultural resistance: Challenging beliefs about men, women and therapy*. New York: Haworth Press.
- Erikson, E. H. (1965). *Childhood and society*. Hamondsworth, England: Pelican.
- Erskine, R. G., & Trautman, R. L. (1996). Methods of an integrative psychotherapy. *Transactional Analysis Journal, 26*(4), 316-329.
- Everall, R. D., & Paulson, B. L. (2002). The therapeutic alliance: Adolescent perspectives. *Counselling and Psychotherapy Research, 2*(2), 78 - 88.
- Fairclough, N. (1992). *Discourse and social change*. Cambridge: Polity Press.
- Faubion, J., D (Ed.). (1998). *Michel Foucault: Aesthetics, method and epistemology* (R. Hurley & Others, Trans.). Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Fausto-Sterling, A. (1999). *Sexing the body: Gender politics and the construction of sexuality*. London: Basic Books.
- F eher, F., & Heller, A. (1994). *Biopolitics*. Aldershot: Avebury.



- Feltham, C. (1995). *What is counselling? The promise and problem of the talking therapies*. London: Sage.
- Feltham, C. (Ed.). (1999). *Controversies in counselling and psychotherapy*. London: Sage.
- Feltham, C. (Ed.). (2002). *What's the good of counselling and psychotherapy? The benefits explained*. London: Sage.
- Fine, M. (1992). *Disruptive voices*. USA: University of Michigan Press.
- Fine, M., & Addleston, J. (1996). Containing questions of gender and power: The discursive limits of "sameness" and "difference". In S. Wilkinson (Ed.), *Feminist social psychologies: International perspectives* (pp. 66-86). Philadelphia: Oxford University Press.
- Fish, V. (1993). Poststructuralism in family therapy: Interrogating the narrative/conversational mode. *Journal of Marital and Family therapy*, 19(3), 221 - 232.
- Fish, V. (1999). Clementis' hat: Foucault and the politics of psychotherapy. In I. Parker (Ed.), *Deconstructing psychotherapy* (pp. 54-71). London: Sage.
- Fisher, A. (2002). *Radical ecopsychology: Psychology in the service of life*. Albany, New York: State University of New York Press.
- Flaskas, C. (1994). Postmodernism, constructionism and the idea of reality: A contribution to the "ism" discussions. *A.N.Z. Journal of Family Therapy*, 16(3), 143 - 146.
- Florence, M. (1998). Foucault. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology*. (R. Hurley & Others, Trans.). (Vol. 2., pp. 459-464) *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- (Vol. 2, pp. 459-464). New York: New York Press.
- Foucault, M. (1972). *The archeology of knowledge and the discourse on language* (A. Sheridan, Trans.). New York: Pantheon books.
- Foucault, M. (1973). *The birth of the clinic: An archaeology of medical perception*. New York: Pantheon.
- Foucault, M. (1977). *Discipline and punish: The birth of the prison* (A. Sheridan, Trans.). London: Penguin.

- Foucault, M. (1980). *Power/knowledge: Selected interviews and other writings 1972-1977*. London: Harvester Wheatsheaf.
- Foucault, M. (1982). The subject and power. *Critical Inquiry*, 8, 777-795.
- Foucault, M. (1983). The subject and power. In H. Dreyfus & P. Rabinow (Eds.), *Michel Foucault: Beyond structuralism and hermeneutics* (2 ed., pp. 208-228). Chicago: University of Chicago Press.
- Foucault, M. (1988). Technologies of the self. In L. H. Martin, H. Gutman & P. H. Hutton (Eds.), *Technologies of the self* (pp. 16-49). Amherst: University of Massachusetts Press.
- Foucault, M. (Ed.). (1997). *Ethics: Essential works of Foucault 1954-1984* (Vol. 1). London: Penguin.
- Foucault, M. (1963/1998). A preface to transgression. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 69-87). (R. Hurley & Others, Trans.). Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Foucault, M. (1966/1998). The thought of the outside. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 147-171). (R. Hurley & Others, Trans.). Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Foucault, M. (1967/1998). Nietzsche, Freud, Marx . In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 269-279). (R. Hurley & Others, Trans.) Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Foucault, M. (1968/1998). On the archeology of the sciences: Response to the Epistemology Circle. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 297-335). (R. Hurley & Others, Trans.) Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Foucault, M. (1980/1998). Foucault. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 459-465). (R. Hurley & Others, Trans.) Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.

- Foucault, M. (1982/1998). Pierre Boulez: Passing through the screen. In J. Faubion (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (pp. 241-247). (R. Hurley & Others, Trans.) Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Fowler, H. W., & Fowler, F. G. (Eds.). (1964). *The concise Oxford dictionary of current English* (5 ed.). Oxford: Clarendon Press.
- Fox, D., & Prilleltensky, I. (Eds.). (1997). *Critical psychology: An introduction*. London: Sage.
- Frankena, W. (1973). *Ethics* (2 ed.). Englewood Cliffs, NJ: Prentice Hall.
- Frankl, V. (1964). *Man's search for meaning: An introduction to logotherapy* (I. Lasch, Trans.). London: Hodder & Stoughton.
- Fraser, M. (1998). "The face-off between will and fate": Artistic identity and neurological style in de Kooning's late works. *Body and Society*, 4(4), 1-22.
- Freidman, M. (1995). Beyond caring: The demoralisation of gender. In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 61-79). Boulder, Colorado: Westview Press.
- Freud, S. (1912). The dynamics of transference. In J. Strachey (Ed.), *The standard edition of the complete psychological works of Sigmund Freud* (pp. 99-108). London: Hogarth Press.
- Freud, S. (1950). "Fetishism ". In J. Strachey (Ed.), *Collected Papers* (Vol. 5, pp. 198-204). London: The Hogarth Press.
- Freud, S. (1965). *The interpretation of dreams* (J. Strachey, Trans.). New York: Avon Books.
- Frosh, S. (1995). Postmodernism vs psychotherapy. *Journal of Family Therapy*, 17(2), 175-190.
- Garfield, S., L. (1980). *Psychotherapy: An eclectic approach*. New York: John Wiley & Sons Inc.
- Garry, M., Frame, S., & Loftus, E. (1999). Lie down and let me tell you about your childhood. In S. Della Sala (Ed.), *Mind myths: Exploring popular assumptions about the mind and brain*. New York: John Wiley & Sons.
- Gergen, K. (1991). *The saturated self: Dilemmas of identity in modern life*. New York: Basic.

- Gergen, K., & Kaye, J. (1992). Beyond narrative in the construction of therapeutic meaning. In S. McNamee & K. Gergen (Eds.), *Therapy as social construction*. London: Sage.
- Gergen, K. J. (2000). The coming of creative confluence in therapeutic practice. *Psychotherapy : Theory/research/practice/training*, 37( 4), 364 - 369.
- Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge, Mass.: Harvard University Press.
- Gilligan, C. (1994). In a different voice. In P. Singer (Ed.), *Ethics* (pp. 51-57). Oxford: Oxford University Press.
- Gilligan, C., & Wiggins, G. (1987). The origins of morality in early childhood relationships. In J. Kagan & S. Lamb (Eds.), *The emergence of morality in young children* (pp. 277-305). Chicago and London: University of Chicago Press.
- Giroux, H. (1998). Series foreword. In M. Peters (Ed.), *Naming the multiple: Poststructuralism and education* (pp. ix-xii). London: Bergin & Garvey.
- Glass, G. V., & Kliegl, R. M. (1983). An apology for research integration in the study of psychotherapy. *Journal of Consulting and Clinical Psychology*, 51(1), 28-41.
- Glendinning, C. (1995). Technology, trauma and the wild. In T. Rozak, M. Gomes & A. Kanner (Eds.), *Ecopsychology: Restoring the earth, healing the mind* (pp. 41-55). San Francisco: Sierra Club.
- Goldner, V. (1992). Making room for both/and. *Networker*, 55-61.
- Gordo Lopez, A. (1996). The rhetorics of gender identity clinics: Transsexuals and other boundary objects. In E. Burman, G. Aitken, P. Alldred, R. Allwood, T. Billington, B. Goldberg, A. Gordo Lopez, C. Heenan, D. Marks & S. Warner (Eds.), *Psychology, Discourse, Practice: From Regulation to Resistance* (pp. 170-193). London: Taylor Francis.
- Gore, J. (1992). What we can do for you! What can "we" do for "you"?: Struggling over empowerment in critical and feminist pedagogy. In C. Luke & J. Gore (Eds.), *Feminsims and critical pedagogy* (pp. 54-73). New York: Routledge.
- Goss, S., & Rose, S. (2002). Evidence based practice: A guide for counsellors and psychotherapists. *Counselling and Psychotherapy Research*, 2(2), 147-151.

- Gramsci, A. (1986). *Selections from prison notebooks* (Q. Hoare & G. Smith, Trans.). London: Lawrence & Wishart.
- Griffin, G. (2003). Publishing of complaints. *Counselling and Psychotherapy Journal*, 14(10), 56.
- Grof, S. (1998). Ken Wilbur's spectrum psychology: Observations from clinical consciousness research. In D. Rothberg & S. Kelly (Eds.), *Ken Wilber in dialogue* (pp. 85-117). Wheaton, Illinois: Quest Books.
- Grosz, E. (1994). *Volatile bodies: Toward a corporeal feminism*. St. Leonards. NSW: Allen & Unwin.
- Guattari, F. (2000). *The three ecologies* (I. Pindar & P. Sutton, Trans.). London: The Athlone Press.
- Gunmere, R. (1988). The counsellor as prophet: Frank Parsons 1854-1908. *Journal of Counseling and Development*, May 66, 402-405.
- Habermas, J. (1990). *Moral consciousness and communicative action* (C. Lenhardt & S. Weber Nicholson, Trans.). Boston: MIT Press.
- Hall, S. (2000). Who needs "identity"? In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader* (pp. 15-30). London: Sage.
- Hare-Mustin, R., & Marecek, J. (1994). Feminism & postmodernism: Dilemmas and points of resistance. *Dulwich Centre Newsletter.*, 4(13), 13-19.
- Harré, R. (1983). *Personal being: A theory for personal psychology*. Oxford: Blackwell.
- Harré, R. (Ed.). (1986). *The social construction of emotions*. Oxford: Basil Blackwell Ltd.
- Harris, T. (1969). *I'm OK you're OK*. London: Pan Books.
- Health Practitioners Competence Assurance Act, 48 (2003).
- Heidegger, M. (1962). *Being and time* (J. MacQuarrie & E. Robinson, Trans.). New York: Harper & Row.
- Held, V. (1994). Reason, gender and moral theory. In P. Singer (Ed.), *Ethics* (pp. 166-170). Oxford: Oxford University Press.
- Held, V. (Ed.). (1995). *Justice and care: Essential readings in feminist ethics*. Boulder, Colorado: Westview Press.

- Henriques, J., Hollway, W., Urwin, C., Venn, C., & Walkerdine, V. (Eds.). (1998). *Changing the subject: Psychology, social regulation and subjectivity*. London: Routledge.
- Hepburn, A. (1997). Teachers and secondary school bullying: A postmodern analysis. *Discourse and Society*, 8(1), 27-48.
- Hepburn, A. (1999). Derrida and psychology: Deconstruction and its ab/uses in critical and discursive psychologies. *Theory and Psychology*, 9(5), 639-665.
- Hermansson, G., L. (1999). *Pieces of Silver: Twenty-five Years of the New Zealand Counselling & Guidance Association / New Zealand Association of Counsellors 1974-1999*. Hamilton, NZ: New Zealand Association of Counsellors.
- Hermansson, G., & Webb, S. (1993). Guidance and counselling in New Zealand: Weathering a decade of transformation. *The International Journal for the Advancement of Counselling*, 16(3), 213-227.
- Herrnstein-Smith, B. (1992). Judgement after the fall. In D. Cornell, M. Rosenfield & D. Gray Carlson (Eds.), *Deconstruction and the possibility of justice* (pp. 211-232). New York, London: Routledge.
- Hilman, J., & Ventura, M. (1992). *We've had a hundred years of psychotherapy and the world's getting worse*. San Francisco, CA: Harper Collins.
- Hine, J. (1990). The bilateral and ongoing nature of games. *Transactional Analysis Journal*, 20(1), 28-39.
- Hobbes, T. (1651/1994). *Leviathan*. In P. Singer (Ed.), *Ethics* (pp. 29-35). Oxford: Oxford University Press.
- Hollanders, H. (2002). The eclectic and integrative approach. In R. Woolfe, W. Dryden & S. Strawbridge (Eds.), *Handbook of counselling psychology* (2 ed., pp. 277-301). London: Sage.
- Hollway, W. (1998). Fitting work: Psychological assessment in organisations. In J. Henriques, W. Hollway, C. Urwin, C. Venn & V. Walkerdine (Eds.), *Changing the subject: Psychology, social regulation and subjectivity* (pp. 26-60). London: Routledge.
- Holmes, J., & Lindley, R. (1998). *The values of psychotherapy*. London: H. Karnac (Books) Ltd.

- Horvarth, A. O., & Greenberg, L. S. (Eds.). (1994). *The working alliance: Theory, research, and practice*. New York: J.Wiley & Sons.
- Hubble, M., & O'Hanlon, W. (1992). Theory countertransference. *Dulwich Centre Newsletter, 1*, 25-30.
- Hume, D. (1994). Reason and passion. In P. Singer (Ed.), *Ethics* (pp. 118-123). Oxford: Oxford University Press.
- Intersex Society of North America America. (2005). *Intersex Society of North America*. Retrieved, 17th February, 2005, from <http://www.isna.org>
- Inwood, M. J. (1999a). Edmund Husserl (1859-1938). In T. Honderich (Ed.), *The Philosophers: Introducing great Western thinkers* (pp. 211-217). New York: Oxford.
- Inwood, M. J. (1999b). Martin Heidegger (1889-1976). In T. Honderich (Ed.), *The philosophers: Introducing great Western thinkers* (pp. 235-245). New York: Oxford University Press.
- Irigaray, I. (1985). *This sex which is not one* (C. Porter, Trans.). New York: Cornell University Press.
- Ivey, A., Bradford Ivey, M., & Simek-Morgan, L. (1997). *Counselling and psychotherapy: A multicultural perspective* (4 ed.). Boston & London: Allyn & Bacon.
- Jacobson, A. (1994). The idolatry of rules: Writing law according to Moses, with reference to other jurisprudences. In D. Cornell, M. Rosenfield & D. Gray Carlson (Eds.), *Deconstruction and the possibility of justice* (pp. 95-152). New York, London: Routledge.
- Jaggar, A. (1995). Caring as a feminist practice of moral reason. In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 179-203). Boulder, Colorado: Westview Press.
- Janov, A. (1973). *The primal scream*. London: Sphere Press.
- Jefferson, S. (1998). The limits of confidentiality in court proceedings. *NZAC Newsletter, 18*(4), 9-10.
- Jencks, C. (Ed.). (1992). *The post-modern reader*. London: Academy Editions.
- Jenkins, P. (1997). False or recovered memories?: Legal and ethical implications for therapists. *British Journal of Guidance and Counselling, 25*(2), 119-215.

- Johnson, F. (1985). The western concept of self. In A. J. Marsella, G. De Vos & F. L. K. Hsu (Eds.), *Culture and self: Asian and Western perspectives* (pp. 91-139). New York: Tavistock.
- Jonathon, R. (1990). State education service or prisoner's dilemma: The "hidden hand" as source of education policy. *Educational Philosophy and Theory*, 22(1).
- Jones, A. (1999). The limits of cross-cultural dialogue: Pedagogy, desire, and absolution in the classroom. *Educational Theory*, 49(3), 299 - 316.
- Jones, C. (2003). The Thelma challenge. *Counselling & Psychotherapy Journal*, 14(1).
- Kandathil, G., & Kandathil, C. (1997). Autonomy: Open door to spirituality. *Transactional Analysis Journal*, 27(1).
- Kant, I. (1930). Duties to oneself (L. Infield, Trans.). In L. Infield (Ed.), *Lectures on ethics* (pp. 118). London: Methuen.
- Kant, I. (1785/1994). The categorical imperative. In P. Singer (Ed.), *Ethics* (pp. 274-279). Oxford: Oxford University Press.
- Kant, I. (1788/1994). The noble descent of duty. In P. Singer (Ed.), *Ethics* (pp. 39-41). Oxford: Oxford University Press.
- Karasu, T. B. (1986). The specificity against non-specificity dilemma: Towards identifying therapeutic change agents. *American Journal of Psychiatry*(143), 687-695.
- Karpman, S. (1968). Fairy tales and script drama analysis. *Transactional Analysis Bulletin*, 7(26), 39-43.
- Karpman, S. (1971). Options. *Transactional Analysis Journal*, 1(1), 79-87.
- Kaye, J. (1999). Toward a non-regulative praxis. In I. Parker (Ed.), *Deconstructing psychotherapy* (pp. 19-39). London: Sage.
- Kelly, E. (1995). Counsellor values: A national survey. *Journal of Counselling & Development*, 73, 648 - 653.
- Kincheloe, J., & McLaren, P. (1994). Rethinking critical theory and qualitative research. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (pp. 138-157). London: Sage.



- Kirkwood, C. (2003). The persons-in-relation perspective: Towards a philosophy for counselling in society. *Counselling and Psychotherapy Research*, 3(3), 186-195.
- Kitchener, K., S. (1984). Intuition, critical evaluation and ethical principles: The foundation for ethical decisions in counselling psychology. *Counselling Psychologist*, 12, 43-55.
- Kitchener, K., S. (1996). There is more to ethics than principles. *The Counselling Psychologist*, 24(1), 92-97.
- Knox, S., Hess, S. A., Petersen, D. A., & Hill, C. E. (1997). A qualitative analysis of client perceptions of the effects of helpful therapist self-disclosure in long-term therapy. *Journal of Counselling Psychology*, 44(3).
- Kohlberg, L. (1981). *The philosophy of moral development*. San Fransisco: Harper and Rowe.
- Krishnan, V., & Jensen, J. (2005). *Trends in economic wellbeing: Changing patterns in New Zealand 1989-2001*. Wellington: Ministry of Social Development.
- Kristeva, J. (1980a). *Desire in language: A semiotic approach to literature and art* (T. Gora, A. Jardine & L. Roudiez, Trans.). Oxford: Basil Blackwell.
- Kristeva, J. (1980b). From one identity to another (T. Gora, A. Jardine & L. Roudiez, Trans.). In L. Roudiez (Ed.), *Desire in language: A semiotic approach to literature and art* (pp. 124-148). Oxford: Basil Blackwell.
- Kristeva, J. (1980c). Motherhood according to Giovanni Bellini (T. Gora, A. Jardine & L. Roudiez, Trans.). In L. Roudiez (Ed.), *Desire in language: A semiotic approach to literature and art* (pp. 237-271). Oxford: Basil Blackwell.
- Kristeva, J. (1980d). Place names (T. Gora, A. Jardine & L. Roudiez, Trans.). In L. Roudiez (Ed.), *Desire in language: A semiotic approach to literature and art* (pp. 271-295). Oxford: Basil Blackwell.
- Kristeva, J. (2000). Revolution in poetic language. In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader* (pp. 69-76). London: Sage.
- Kuhn, T. S. (1962). *The structure of scientific revolutions*. Chicago: University of Chicago Press.
- Kung, H. (1992). Why we need a global ethic. In C. Jencks (Ed.), *The Post-Modern Reader*. London: St. Martins Press.

- Kurtz, R. (1990). *Body-centered psychotherapy: The Hakomi method: The integrated use of mindfulness, non-violence and the body*. Mendocino, CA: LifeRhythms.
- Lacan, J. (1977a). The function and field of speech and language in psychoanalysis. In A. Sheridan (Ed.), *Ecrits: A selection* (pp. 30-113). New York: Norton.
- Lacan, J. (1977b). *"The line and light" The four fundamental concepts of psychoanalysis*. (A. Sheridan, Trans.). London: The Hogarth Press and the Institute of Psychoanalysis.
- Lacan, J. (2000). The mirror stage. In P. du Gay, J. Evans & P. Redman (Eds.), *Identity: A reader* (pp. 44-50). London: Sage.
- Lambert, M. (1992). Implications of outcome research for psychotherapy integration. In J. Norcross & M. Goldfried (Eds.), *Handbook of psychotherapy integration* (pp. 99-129). New York: Basic Books.
- Lambert, M., & Bergin, A. (1994). The effectiveness of psychotherapy. In A. Bergin & S. Garfield (Eds.), *Handbook of psychotherapy and behaviour change* (4 ed., pp. 143-190). New York: Wiley.
- Larner, G. (1999). Derrida and the deconstruction of power as context and topic in therapy. In I. Parker (Ed.), *Deconstructing psychotherapy*. (pp. 39-54). London: Sage.
- Lascelles, G. (1994, January 21). Do we really need all this counselling and why must the government pay for it? *The Christchurch Press*, p. 11.
- Lees, J. (2004). Eclecticism and integration. *Counselling and Psychotherapy Journal*, 15(06), 25-27.
- Leibniz, G. (1985). *Theodicy*. A. Farrar (Ed.). (E.M. Huggard, Trans.). Open Court.
- Levinas, E. (1969). *Totality and infinity; an essay on exteriority*. (A. Lingis, Trans.). Pittsburgh: Duquesne University Press.
- Lincoln, Y. S., & Denzin, N. K. (2000). The seventh moment: Out of the past. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of Qualitative Research* (Vol. 2, pp. 1047-1065). Thousand Oaks, California: Sage.
- Lloyd, G. (1997). "The man of reason". In R. Solomon (Ed.), *Introducing philosophy: A text with integrated readings* (pp. 403-409). USA: Harcourt Brace.
- Loewenthal, D., & Snell, R. (2000). Psychotherapy as the practice of ethics. In F. Palmer Barnes & L. Murdin (Eds.), *Values and ethics in the practice of counselling and psychotherapy* (pp. 23-32). Suffolk: St. Edmundsbury Press.

- Luborsky, L., Singer, B., & Luborsky, L. (1975). Comparative studies of psychotherapies: "Is it true that everybody has won and all must have prizes"? *Archives of General Psychiatry*, 32, 995-1008.
- Ludbrook, R. (2003). *Counselling and the law*. Hamilton: New Zealand Association of Counsellors.
- Lynch, M. (1985). Discipline and the material form of images: An analysis of scientific visibility. *Social Studies of Science*, 15, 37-66.
- Lyotard, J. F. (1984). *The postmodern condition: A report on knowledge* (G. Bennington & B. Massumi, Trans.). Minneapolis: University of Minnesota.
- Macdonald, K., Lambie, I., & Simmonds, L. (1995). *Counselling for sexual abuse. A therapist's guide to working with adults, children, and families*. Auckland, N.Z: Oxford University Press.
- Macey, J. (1995). Working through environmental despair. In T. Rozak, M. Gomes & A. Kanner (Eds.), *Ecopsychology: Restoring the earth, healing the mind* (pp. 240-263). San Francisco: Sierra Club.
- Mack, J. (1995). The politics of species arrogance. In T. Rozak, M. Gomes & A. Kanner (Eds.), *Ecopsychology: Restoring the earth, healing the mind*. (pp. 279-288). San Francisco: Sierra Club.
- Maine, H. (1927). *Ancient law*. London: Denton.
- Mair, M. (1989). *Between psychology and psychotherapy: A poetics of experience*. London: Routledge.
- Manthei, R., J. (1991). Content analysis of the New Zealand Counselling and Guidance Association Journal: Volumes 1-12, 1976-1990. *New Zealand Journal of Counselling*, XIII(1), 12-18.
- Manthei, R. (1997a). NZAC: Renewing membership: Who measures up? *NZAC Newsletter*, 18(2), 12-13.
- Manthei, R. (1997b). NZAC: Setting standards or policing practices? *NZAC Newsletter*, 18(1), 44-45.
- Manthei, R. (2001). Content analysis of the NZ Journal of Counselling: Volumes 13 - 21, 1991 - 2000. *NZ Journal of Counselling*, 22(1), 1 - 13.
- Manthei, R. (2004). Encouraging counsellors to become active researchers and users of research. *New Zealand Journal of Counselling*, 25(1), 70-84.

- Manthei, R., Rich, P., Agee, M., Monk, G., Miller, J., Bunce, J., Webb, S. & Hermansson, G. (1994). "Being in control": A survey of counsellors who have moved into private practice. *New Zealand Journal of Counselling*, 16(2), 14-31.
- Manthei, R., Stanley, P., & Gibson, K. (2004). Counselling and counselling psychology in New Zealand: Similarities and differences. *New Zealand Journal of Counselling*, 25(1), 48-70.
- Margison, F. R., Barkham, M., Evans, C., McGrath, G., Mellor-Clark, J. & Audin, K. (2000). Measurement and psychotherapy: Evidence-based practice and practice-based evidence. *British Journal of Psychiatry*, 177, 123-130.
- Marsella, A. J., & White, G. M. (Eds.). (1982). *Cultural conceptions of mental health and therapy*. Boston & London: D. Reidel Publishing Company.
- Marshall, J. D. (2003). A critical theory of the self: Wittgenstein, Nietzsche, Foucault. In M. Peters, M. Olssen & C. Lankshear (Eds.), *Futures of Critical Theory: Dreams of Difference* (pp. 39-59). Lanham, USA: Rowman & Littlefield Publishers, Inc.
- Martin, E. (1992). Body narratives, body boundaries. In L. Grossberg, C. Nelson & P. Treichler (Eds.), *Cultural Studies* (pp. 409-423). New York: Routledge.
- Martin, E. (1997). The end of the body? In R. Lancaster, N & M. di Leonardo (Eds.), *The gender and sexuality reader* (pp. 543-558). New York: Routledge.
- Martin, P. (2004). Conflict resolution using Transactional Analysis and Aikido. *Transactional Analysis Journal*, 34(3), 229-242.
- Marx, K. (1976). *Capital: A critique of political economy* (B. Fowkes, Trans. Vol. 1). New York: Vintage.
- Matahaere, D. (1995). Maori, the "eternally compromised noun": Complicity, contradictions, and postcolonial identities in the age of biculturalism. *Women's Studies Journal*, 11(1-2), 15-24.
- McGregor, K. (2001). *Therapy guidelines for adult survivors of child sexual abuse*. (No. 293): Accident Compensation Corporation (ACC).
- McGuiness, J. (2001, 23 & 24 March). *If a thing exists it exists in some amount; If it exists in some amount then it can be measured*. Paper presented at the ninth International Counselling Conference, "Counselling in context: Stories from

- four continents". Centre for Studies in Counselling, University of Durham, England.
- McLaren, P., & Leonardo, Z. (1998). Jean Baudrillard: From Marxism to terrorist pedagogy. In M. Peters (Ed.), *Naming the multiple: Poststructuralism and education* (pp. 215-243). London: Bergin & Garvey.
- McLeod, J. (1990). The client's experience of counselling: A review of the research literature. In D. Mearns & W. Dryden (Eds.), *Experiences of counselling in action*. London: Sage.
- McLeod, J. (1998). *An introduction to counselling* (2 ed.). Buckingham: Oxford University Press.
- McLeod, J. (1999). Counselling as a social process. *Counselling, 10*, 217-226.
- McLeod, J. (2000). *An introduction to counselling* (2 ed.). Buckingham: Oxford University Press.
- McLeod, J. (2001). Introduction: Critical issues in the methodology of qualitative research. *Counselling and Psychotherapy Research, 1*(2), 115-117.
- McLeod, J. (2003a). *Doing counselling research* (2 ed.). London: Sage.
- McLeod, J. (2003b). *An introduction to counselling* (3rd ed.). Buckingham: Oxford University Press.
- McLeod, J., & Machin, L. (1998). Contexts of counselling: A neglected dimension of theory, research and practice. *British Journal of Guidance and Counselling, 26*[Special], 325-336.
- McLeod, J., & McLeod, J. (1993). The relationship between personal philosophy and effectiveness in counsellors. *Counselling Psychology Quarterly, 6*(2), 121-129.
- McNamee, S., & Gergen, K. (Eds.). (1992). *Therapy as social construction*. London: Sage.
- McWhirter, E. H. (1991). Empowerment in counselling. *Journal of Counselling and Development, 69*, 222-227.
- Meara, N. M., Schmidt, L. D., & Day, J. D. (1996). Principles and virtues: A foundation for ethical decisions, policy and character. *Counseling Psychologist, 24*(1), 4-77.
- Medcalf, E. (1998). Managing the care of victims of sexual abuse: A New Zealand experience. *New Zealand Journal of Counselling, 19*(1), 43-53.

- Meichenbaum, D. (1977). *Cognitive behaviour modification: An integrative approach*. New York: Plenum.
- Melbourne, H., & Nunns, R. (1999). *Te Ku Te Whe* [CD]. Aotearoa New Zealand: Rattle Records.
- Mellor-Clark, J. (2000). *Counselling in primary health care in the context of the NHS quality agenda: The facts*. Rugby: British Association for Counselling and Psychotherapy.
- Metzner, R. (1995). The psychopathology of the human-nature relationship. In T. Rozak, M. Gomes & A. Kanner (Eds.), *Ecopsychology: Restoring the earth, healing the mind* (pp. 55-68). San Francisco: Sierra Club.
- Midgley, M. (1994). Duties concerning islands. In P. Singer (Ed.), *Ethics* (pp. 374 - 387). Oxford: Oxford University Press.
- Milgram, S. (1974). *Obedience to authority*. New York: Harper & Rowe.
- Mill, J., S. (1994). Higher and lower pleasures. In P. Singer (Ed.), *Ethics* (pp. 201-205). Oxford: Oxford University Press.
- Mill, J. S. (1957). Utilitarianism. In R. C. Solomon (Ed.), *Introducing philosophy: A text with integrated readings* (6 ed., pp. 572-578). New York & London: Harcourt Brace College Publishers.
- Miller, A. (1991). Theories as a protective shield. In *Banished knowledge: Facing childhood injuries* (pp. 54 - 57).
- Miller, J. (1994). Professionalisation in counselling: Are we in danger of losing out way? *NZ Journal of Counselling*, XVI(2), 7-13.
- Miller, J. (2003). Marketing counselling in NZ. *NZ Journal of Counselling*, 24(1), 66-83.
- Miller, S. D., Duncan, B., L., & Hubble, M., A (Eds.). (1997). *Escape from Babel: Toward a unifying language for psychotherapy practice*. NY: W.W.Norton & Co.
- Ministry of Social Development (2002). *Briefing to the incoming Minister. Improving wellbeing for all New Zealanders*. Wellington: Ministry of Social Development.
- Ministry of Social Development (2002) Social Report. Retrieved, 1<sup>st</sup> March, 2002, from <http://socialreport.msd.govt.nz/2002/safety-security/safety-security.shtml>

- Ministry of Social Development (2004). *Children and young people: Indicators of wellbeing in New Zealand*. Wellington: Ministry of Social Development.
- Ministerial Taskforce on Youth Offending (2002). *Report of the Ministerial Taskforce on Youth Offending*. Wellington: Ministry of Justice.
- Mohanty, C. (1994). On race and voice: Challenges for liberal education in the 1990s. In H. Giroux & P. McLaren (Eds.), *Between borders: Pedagogy and the politics of cultural studies* (pp. 145-166). New York: Routledge.
- Monk, G., & Chen, M. (1998). *Advancing social justice in clinical practice: A postmodern approach*. Paper presented at the New Zealand Association of Counsellors, Waitangi.
- Moodley, R. (2000, March). *Cultural voices: Speaking "outside" the sentence of counselling and psychotherapy*. Paper presented at the Eighth International Counselling Conference, "Counselling: A Question of Culture", University of Durham, U.K.
- Naas, M. (1992). Introduction: For example (P. A. Brault & T. M. B. Naas, Trans.). In *The other heading. Reflections on today's Europe* (pp. vii-lix). Bloomington & Indianapolis: Indiana University Press.
- Neiman, S. (2002). *Evil in modern thought: An alternative history of philosophy*. USA: Princeton University Press.
- Neimeyer, R., & Raskin, J. (Eds.). (2000). *Constructions of disorder*. Washington, DC: APA.
- Neimyer, R., & Mahoney, M. (Eds.). (1995). *Constructivism in psychotherapy*. USA: APA.
- New Zealand Counselling and Guidance Association (1976). *Handbook*. Hamilton: New Zealand Counselling and Guidance Association.
- New Zealand Association of Counsellors (1991). *Handbook*. Hamilton: New Zealand Association of Counsellors.
- New Zealand Association of Counsellors (1995). *Handbook*. Hamilton: New Zealand Association of Counsellors.
- New Zealand Association of Counsellors (2002). *Handbook*. Hamilton: New Zealand Association of Counsellors.
- New Zealand Association of Counsellors (n.d.). *Counselling: Brochure for clients*. Hamilton: New Zealand Association of Counsellors.

- New Zealand Association of Psychotherapists (2005). *Code of Ethics*. Retrieved, 16<sup>th</sup> March, 2005, from <http://www.nzap.org.nz/ethics.htm>
- Nietzsche, F. (1917). *Thus spake Zarathustra* (T. Common, Trans.). New York: Boni & Liveright.
- Noddings, N. (1986). *Caring: A feminine approach to ethics and moral education*. London: University of California Press.
- Norcross, J. C., & Grencavage, L. M. (1989). Eclecticism and integration in counselling and psychotherapy: Major themes and obstacles. *British Journal of Guidance and Counselling*, 17, 215-247.
- Nuyen, A., T. (1998). Jean-Francois Lyotard: Education for imaginative knowledge. In M. Peters (Ed.), *Naming the multiple: Poststructuralism and education* (pp. 173-183). London: Bergin & Garvey.
- O'Donoghue, J. (1997) *Anam cara, Spiritual wisdom for the celtic soul*. UK: Bantam Press.
- O'Reilly Byrne, N., & MacCarthy, C. (1999). Feminism, politics and power in therapeutic discourse: Fragments from the Fifth Province. In I. Parker (Ed.), *Deconstructing psychotherapy* (pp. 86-103). London: Sage.
- Orlans, V. (2002). Counselling psychology in the workplace. In R. Woolfe, W. Dryden & S. Strawbridge (Eds.), *Handbook of counselling psychology* (2 ed., pp. 536-552). London: Sage.
- Orner, M. (1992). Interrupting calls for student voice in "liberatory" education: A feminist, poststructuralist perspective. In C. Luke & J. Gore (Eds.), *Feminisms and critical pedagogy* (pp. 74-89). New York: Routledge.
- Pack, M. (2004). Sexual abuse counsellor's responses to stress and trauma: A social work perspective. *New Zealand Journal of Counselling*, 25(2).
- Paddock, R. (2004, Wednesday, March 31). Pulling power of Uluru. *The Dominion Post*, p.11.
- Paley, G., & D, Lawton. (2001). Evidence-based practice: Accounting for the importance of the therapeutic relationship in UK National Health Service provision. *Counselling and Psychotherapy Research*, 1(1), 12 - 18.
- Palmer Barnes, F. (1998). *Complaints and grievances in psychotherapy: A handbook of ethical practice*. London: Routledge.



- Palmer, I. (2002). Psychotherapy, the psychology of trauma and army psychiatry since 1904. In C. Feltham (Ed.), *What's the good of counselling and psychotherapy? The benefits explained* (pp. 225-240). London: Sage.
- Parfit, D. (1994). How both human history and the history of ethics may just be beginning. In P. Singer (Ed.), *Ethics* (pp. 391-393). Oxford: Oxford University Press.
- Parker, I. (1992). *Discourse dynamics. Critical analysis for social and individual psychology*. London: Routledge.
- Parker, I. (1997). *Culture: Psychoanalytic discourse in Western society*. London: Sage.
- Parker, I. (1998). Constructing and deconstructing psychotherapeutic discourse. *European Journal of Psychotherapy, Counselling & Health, 1*, 65-78.
- Parker, I. (Ed.). (1999). *Deconstructing psychotherapy*. London: Sage.
- Pateman, C. (1970). *Participation and democratic theory*. London: Alden & Mowbray Ltd.
- Paton, I. (1999). The nature and experience of private practice counselling in New Zealand. *New Zealand Journal of Counselling, 20*(1), 1-24.
- Patterson, T. (1994). Family therapy in the age of isms. *ANZ Journal of Family Therapy, 15*(1), 33-38.
- Paul, G. L. (1967). Outcome research in psychotherapy. *Journal of Counselling Psychology, 31*, 109-188.
- Pearson, J. (Ed.). (2001). *Michel Foucault. Fearless speech*. Los Angeles, USA: Semiotext(e).
- Pederson, P. B. (1991). Multiculturalism as a generic approach to counseling. *Journal of Counseling and Development, 70*, 6-12.
- Pels, P. (1998). The spirit of matter: On fetish, rarity, fact, and fancy. In P. Spyer (Ed.), *Border fetishisms: Material objects in unstable spaces* (pp. 91-122). New York & London: Routledge.
- Perls, F. (1969). *Gestalt therapy verbatim*. Moab, UT: Real People Press.
- Peperzak, A. (1993). *To the Other: An introduction to the philosophy of Emmanuel Levinas*. West Lafayette, Indiana: Purdue University Press.
- Peters, M. (Ed.). (1998). *Naming the multiple: Poststructuralism and education*. Bergin & Garvey: London.

- Peters, M. (2003). "Antiglobalisation" and Guattari's *The three ecologies*. In M. Peters, M. Olssen & C. Lankshear (Eds.), *Futures of critical theory - Dreams of difference* (pp. 275-288). Lanham, Maryland, USA: Rowman & Littlefield Publishers Inc.
- Peters, M., Olssen, M., & Lankshear, C. (Eds.). (2003). *Futures of critical theory - Dreams of difference*. Oxford: Rowman & Littlefield Publishers Inc.
- Pettifer, M. (2003). Generating a research priority consensus: A Delphi exercise. *Healthcare Counselling and Psychotherapy Journal*, 3(1), 5-7.
- Phillips, A. (1997). Melancholy gender / refused identification. Keep it moving: Commentary on Judith Butler, by Adam Phillips. In J. Butler (Ed.), *The psychic life of power: Theories in subjection* (pp. 132-151). Stanford, California: Stanford University Press.
- Pietz, W. (1985). The problem of the fetish, I. *Res*, 9(5-7).
- Pietz, W. (1987). The problem of the fetish, II. *Res*, 13(23 - 45).
- Pietz, W. (1988). The problem of the fetish, III. *Res*, 16(105-123).
- Pietz, W. (1993). Fetishism and materialism: The limits of theory in Marx. In E. Apter & W. Pietz (Eds.), *Fetishism as cultural discourse* (pp. 119 - 151). Ithaca: Cornell University Press.
- Pollock, F., & Maitland, F. (1898). *The history of English law before the time of Edward I* (Vol. 1). Cambridge: Cambridge University Press.
- Pope, K. (1991). Dual relationships in psychotherapy. *Ethics and behaviour*, 1(1), 21-34.
- Porter, E. (1999). *Feminist perspectives on ethics*. London: Longman.
- Potter, J., & Wetherell, M. (1995). Discourse analysis. In J. Smith, R. Harré & L. Van Langenhove (Eds.), *Rethinking methods in psychology*. London: Sage.
- Prilleltensky, I., & Fox, D. (1997). Introducing critical psychology: Values, assumptions, and the status quo. In D. Fox & I. Prilleltensky (Eds.), *Critical Psychology: An introduction* (pp. 3-20). London: Sage.
- Prilleltensky, I., & Nelson, G. (1997). Community psychology: Reclaiming social justice. In D. Fox I. & I. Prilleltensky (Eds.), *Critical Psychology: An introduction* (pp. 166-185). London: Sage.
- Probyn, E. (2000). *Carnal appetites: Food, sex, identities*. London: Routledge

- Psychotherapy and Counseling Federation of Australia (2005). *Code of Ethics*, Retrieved, 16th March, 2005, from <http://www.pacfa.org.au/scripts/content.asp?pageid=ETHICSPAGEDID>
- Purton, C. (1993). Philosophy and counselling. In B. Thorne & W. Dryden (Eds.), *Counselling: Interdisciplinary perspectives* (pp. 152 - 171). Milton Keynes: Oxford University Press.
- Putnam Tong, R. (1998). *Feminist thought: A more comprehensive introduction* (2 ed.). St. Leonards, NSW, Australia: Allen & Unwin.
- Raimy, V., C. (1950). *Training in clinical psychology*. Upper Saddle River, NJ: Prentice Hall.
- Raulet, G. (1998). Structuralism and post-structuralism. In Faubion, J., D (Ed.). *Michel Foucault: Aesthetics, method and epistemology* (pp.433-458). (R. Hurley & Others, Trans.). Vol. 2. *Essential Works of Foucault 1954-1984*. London & New York: Allen Lane, The Penguin Press.
- Rawls, J. (1994). The main idea of the theory of justice. In P. Singer (Ed.), *Ethics* (pp. 362-367). Oxford: Oxford University Press.
- Reeve, A., & Seber, P. (2004). When a client seems suicidal... *Healthcare Counselling and Psychotherapy Journal*, 4(4), 27-31.
- Richardson, L. (2000). Writing: A method of inquiry. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (2 ed., pp. 923-948). Thousand Oaks, California: Sage.
- Riikonen, E., & Vataja, S. (1999). Can (and should) we know how, where and when psychotherapy takes place? In I. Parker (Ed.), *Deconstructing psychotherapy* (pp. 175-189) . London: Sage.
- Rogers, C. R. (1951). *Client-centered therapy*. Boston: Houghton Mifflin.
- Rogers, C. R. (1957). The necessary and sufficient conditions of therapeutic personality change. *Journal of Consulting Psychology*, 21, 95-103.
- Rogers, C.R. (1961). *On becoming a person*. Boston: Houghton Mifflin.
- Rogers, C. R. (1962). The interpersonal relationship: The core of guidance. *Harvard Educational Review*, 32(4), 416-429.
- Rogers, A. (2003). The Thelma challenge. *Counselling and Psychotherapy Journal*, 14(5), 29-32.

- Rorty, R. (1979). *Philosophy and the mirror of nature*. Princetown, New Jersey: Princetown University Press.
- Rose, N. (1985). *The psychological complex*. London: Routledge & Kegan Paul.
- Rose, N. (1989). Individualising psychology. In J. Shotter & K. J. Gergen (Eds.), *Texts of identity*. London: Sage.
- Rosen , R. D. (1978). *Psychobabble: Fast talk and quick cure in the era of feeling*. New York: Athenium.
- Rosenfield, M. (1992). Deconstruction and legal interpretation: Conflict, indeterminacy and the temptations of the new legal formalism. In D. Cornell, M. Rosenfield & D. Gray Carlson (Eds.), *Deconstruction and the possibility of justice* (pp. 152-211). New York, London: Routledge.
- Rosenthal, R. (1990). How are we doing in soft psychology? *American Psychologist*, 45, 775-777.
- Roth, A. D., & Parry, G. (1997). The implications of psychotherapy research for clinical practice and service development: Lessons and limitations. *Journal of Mental Health*, 6(367 - 80).
- Roudiez, L. (1980). Introduction (T. Gora, A. Jardine & L. Roudiez, Trans.). In L. Roudiez (Ed.), *Desire in language: A semiotic approach to literature and art* (pp. 1-20). Oxford: Basil Blackwell.
- Raulet, G. (1998). Structuralism and post-structuralism. In (pp. 433-458). In J. Faubion, D (Ed.), *Michel Foucault: Aesthetics, method and epistemology* (Vol. 2, pp. 269-278). London: The Penguin Press.
- Rousseau, J. J. (1994). The natural state of man. In P. Singer (Ed.), *Ethics* (pp. 35-36). Oxford: Oxford University Press.
- Rousseau, J. J. (1997). The social contract. In R. Solomon (Ed.), *Introducing philosophy: A text with integrated readings* (6 ed., pp. 635-639). Orlando, Florida: Harcourt Brace & Co.
- Rowson, R. (2001). Ethical principles. In F. Palmer Barnes & I. Murdin (Eds.), *Values and ethics in the practice of counselling and psychotherapy* (pp. 6 - 7). Suffolk: St. Edmundsbury Press.
- Rozak, T., Gomes, M., & Kanner, A. (Eds.). (1995). *Ecopsychology: Restoring the earth, healing the mind*. San Francisco: Sierra Club.

- Ruddick, S. (1995). Injustice in families: Assault and domination. In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 203-225). Boulder, Colorado: Westview Press.
- Sacks, J. (1997). *Faith in the future: The ecology of hope and the restoration of family, community, and faith*. Macon, Georgia: Mercer University Press.
- Sacks, O. (1995). *An anthropologist on Mars*. Basingstoke: Picador.
- Safran, J., Muran, C., & Wallner Samstag, L. (1994). Resolving therapeutic alliance ruptures: A task analytic investigation. In A. O. Horvarth & L. S. Greenberg (Eds.), *The working alliance: Theory, research, and practice* (pp. 225 - 255). New York: J.Wiley & Sons.
- Samuels, A. (1992). Foreward. In W. Dryden & C. Feltham (Eds.), *Psychotherapy and its discontents* (pp. xi-xv). Buckingham: Oxford University Press.
- Sarap, M. (1993). *An introductory guide to post-structuralism and post-modernism*. UK: Harvester Wheatsheaf.
- Sartre, J. P. (1973). *Existentialism and humanism* (P. Mairet, Trans.). London: Eyre Methuen Ltd.
- Scheurich, J. (1997). *Research method in the postmodern*. London: The Falmer Press.
- Schwandt, T. A. (2000). Three epistemological stances for qualitative inquiry: Interpretivism, hermeneutics, and social constructionism. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research*. (2 ed., pp. 189-214). Thousand Oaks, California: Sage.
- Seligman, M. (1995). The effectiveness of psychotherapy. The consumer reports study. *American Psychologist*, 50(12), 965-974.
- Sheffler Manning, R. J. (2001). *Beyond ethics to justice through Levinas and Derrida: The legacy of Levinas*. Quincey University: Franciscan Press.
- Shepard, P. (1995). Nature and madness. In T. Rozak, M. Gomes & A. Kanner (Eds.), *Ecopsychology: Restoring the earth, healing the mind* (pp. 21-40). San Francisco: Sierra Club.
- Sheridan, A. (1980). *Michel Foucault: The will to truth*. London & New York: Tavistock Publications.
- Shields, G. (2004). Recommendations of National Hui. *New Zealand Association of Counsellors Newsletter*, 24(4), 26.

- Shillito-Clarke, C. (2003). Ethical issues in counselling psychology. In R. Woolfe, W. Dryden & S. Strawbridge (Eds.), *Handbook of counselling psychology* (2 ed., pp. 616-636). London: Sage.
- Shotter, J. (1993a). *Conversational realities: Constructing life through language*. London: Sage.
- Shotter, J. (1993b). *Cultural politics of everyday life. Social constructionism, rhetoric and knowing of the third kind*. Toronto: University of Toronto Press.
- Sidgwick, H. (1994). The axioms of ethics. In P. Singer (Ed.), *Ethics* (pp. 134-137). Oxford: Oxford University Press.
- Siegel, D. (2001). Toward an interpersonal neurobiology of the developing mind: Attachment relationships, "mindsight", and neural integration. *Infant Mental Health Journal*, 22(1-2), 67 - 94.
- Singer, P. (1975). *Animal liberation*. New York: Avon.
- Singer, P. (1994). *Ethics*. Oxford: Oxford University Press.
- Smith, J., D., & Drodge, E. N. (2001). A portrait of counselling: Counsellors' work roles and career satisfaction. *Canadian Journal of Counselling/ Revue Canadienne de Counseling*, 35(3), 237-249.
- Smith, M. L., Glass, G., & Miller, T. (1980). *The benefits of psychotherapy*. London: John Hopkins University Press.
- Smith, M. L., & Glass, G. V. (1977). Meta-analysis of psychotherapy outcome studies. *American Psychologist*, 32, 752-760.
- Solomon, R. (1997). *Introducing philosophy: A text with integrated readings*. New York: Harcourt Brace college Publishers.
- Spurling, L. (2002). One model is not enough. *Counselling and Psychotherapy Journal*, 13(6), 14-16.
- Spyer, P. (Ed.). (1998). *Border fetishisms: Material objects in unstable spaces*. New York & London: Routledge.
- Stallybrass, P. (1998). Marx's coat. In P. Spyer (Ed.), *Border fetishisms: Material objects in unstable spaces* (pp. 183 - 207). NY p: Routledge:.
- Sterba, J., P. (1980). *The demands of justice*. Notre Dame, Indiana & London: University of Notre Dame Press.
- Sterba, J., P. (2001). *Three challenges to ethics: Environmentalism, feminism and multiculturalism*. New York, Oxford: Oxford University Press.

- Stern, D. (2004). *The present moment in psychotherapy and everyday life*. London: W.W. Norton.
- Stiles, W. B., Shapiro, D. A., & Elliott, R. (1986). Are all psychotherapies equivalent? *American Psychologist*, *41*, 165-180.
- Strupp, H., H, & Howard, K., I. (2002). A brief history of psychotherapy research. In D. Freedheim, F (Ed.), *History of psychotherapy: A century of change*. Washington, DC: American Psychological Association.
- Summerton, O. (1993). Games in organisations. *Transactional Analysis Journal*, *23*(2), 87-103.
- Sweet, G. (1997). Tea party time with an optimist. *NZAC Newsletter*, *18*(1), 56-57.
- Syme, G. (1994). *Counselling in independent practice*. London: Open University Press.
- Szasz, T. (1986). The case against suicide prevention. *American Psychologist*, *41*(7), 806-12 .
- Tamasese, K., & Waldegrave, C. (1994). Cultural and gender accountability in the "Just therapy" approach. *Dulwich Centre Newsletter*, (2&3), 55-67.
- Tantam, D. (2002). The philosophical and ethical basis of benefit. In C. Feltham (Ed.), *What's the good of counselling and psychotherapy? The benefits explained* (pp. 256-279). London: Sage.
- Thompson, A. (1990). *A guide to ethical practice in psychotherapy*. New York: John Wiley & Sons.
- Thorne, B. (1992). Psychotherapy and counselling: The quest for difference. *Counselling, Journal of the British Association for Counselling*, *3*(4), 244-248.
- Thorne, B., & Dryden, W. (Eds.). (1993). *Counselling: Interdisciplinary perspectives*. Milton Keynes: Oxford University Press.
- Tierny, W., & Rhodes, R. (1993). Postmodernism and critical theory in higher education: Implications for research and practice. In J. Smart (Ed.), *Higher education: Handbook of theory and research* (Vol. IX, pp. 308-343). New York: Agathon Pres.
- Totton, N. (2003). Ecopsychology. *Counselling and Psychotherapy Journal*, *14*(9), 14-19.
- Totton, N. (2004). Two ways of being helpful. *Counselling and Psychotherapy Journal*, *15*(10), 5-9.

- Tronto, J. (1995). Women and caring: What can feminists learn? In V. Held (Ed.), *Justice and care: Essential readings in feminist ethics* (pp. 101-117). Boulder, Colorado: Westview Press.
- Turner, K. (1995). The *April Report* of the Royal Commission on Social Policy: Treaty partnership as a framework for politics of difference? In M. Wilson & A. Yeatman (Eds.), *Justice and identity: Antipodean practices* (pp. 78-96). Wellington, N.Z: Bridget Williams Books.
- van Deurzen Smith, E. (1988). *Existential counselling in practice*. London: Sage.
- Vasques, M. (1996). Will virtue ethics improve ethical conduct in multicultural settings and interactions? *The Counselling Psychologist*, 24(1), 98-104.
- Venn, C. (1998). The subject of psychology. In J. Henriques, W. Hollway, C. Urwin, C. Venn & V. Walkerdine (Eds.), *Changing the subject: Psychology, social regulation and subjectivity* (pp. 119-153). London: Routledge.
- Waldegrave, C. (1990). Social justice and family therapy. *Dulwich Centre Newsletter*, 1, 21-25.
- Waldegrave, C. (2000). "Just therapy" with families and communities. In G. Burford & J. Hudson (Eds.), *Family group conferencing: New directions in community-centred child and family practice* (pp. 153-163). New York: Aldine de Gruyter.
- Walkerdine, V. (1994). Reasoning in a post-modern age. In P. Ernest (Ed.), *Mathematics, education and philosophy: An international perspective* (pp. 61 - 74). London: The Falmer Press.
- Walkerdine, V. (1998). Developmental psychology and the child-centred pedagogy: the insertion of Piaget into early education. In J. Henriques, W. Hollway, C. Urwin, C. Venn & V. Walkerdine (Eds.), *Changing the subject: Psychology, social regulation and subjectivity* (pp. 153-203). London: Routledge.
- Walsh, R., & Vaughan, F. (1980). *Beyond ego: Transpersonal dimensions in psychology*. New York: St. Martin's Press.
- Wass, H., & Neimeyer, R. (Eds.). (1995). *Dying: Facing the facts* (3 ed.). Washington, DC: Taylor & Francis.
- Wasserfall, R. (1993). Reflexivity, feminism and difference. In R. Hertz (Ed.), *Reflexivity and voice* (pp. 150-168). London: Sage.



- Webb, S. (1997). Training for maintaining appropriate boundaries in counselling. *British Journal of Guidance and Counselling*, 25(2), 175-188.
- Webster, A. C., & Hermansson, G. L. (1983). Guidance and counselling in New Zealand. *The Personnel and Guidance Journal*, 61(8), 472-476.
- Weingarten, K. (1991). The discourses of intimacy: Adding a social constructionist and feminist view. *Family Process*, 30, 285-305.
- When, F. (1999). *Karl Marx*. London: Fourth Estate.
- White, M. (1989). The externalising of the problem and the re-authoring of lives and relationships. *Dulwich Centre Newsletter*. (Summer 1988/89), 3-20.
- White, M., & Epston, D. (1990). *Narrative means to therapeutic ends*. New York: Norton.
- Whitford, M. (1991). *Luce Irigaray: Philosophy in the feminine*. London: Routledge.
- Wilber, K. (1998). A more integral approach. In D. Rothberg & S. Kelly (Eds.), *Ken Wilber in dialogue: Conversations with leading transpersonal thinkers* (pp. 306-370). Wheaton, Illinois: Quest Books.
- Williams, B. (1994). Jim and the Indians. In P. Singer (Ed.), *Ethics*. Oxford: Oxford University Press. (pp. 339-345). Oxford: Oxford University Press.
- Williams, D., & Irving, J. (1996). Personal growth: Rogerian paradoxes. *British Journal of Guidance and Counselling*, 24, 165 - 173.
- Willig, C. (2001). *Introducing qualitative research in psychology: Adventures in theory and method*. Buckingham Philadelphia: Open University Press.
- Wilson, M. (1995)
- Wilson, M., & Yeatman, A. (Eds.). (1995). *Justice and identity. Antipodean practices*. Wellington, New Zealand: Bridget Williams Books.
- Winslade, J. (1997). Worries about increased surveillance of members. *NZAC Newsletter*, 18(2), 14-17.
- Winslade, J. (2001). A new shape for the NZAC Code of Ethics. *NZAC Newsletter*, 21(2), 21-23.
- Winslade, J., & Monk, G. (1999). Conversations with kids who are "in trouble". In J. Winslade & G. Monk (Eds.), *Narrative counselling in schools* (pp. 67-94). London: Sage.
- Winslade, J., & White, C. (2002). An analysis of ethics complaints to NZAC:1991-2000. *NZ Journal of Counselling*, 23(2), 1-14.

- Winslade, J., White, C., Paton, I., Esler, I., Feather, R., & Cheshire, A. (2002, August). *Presenting the proposed new Code of Ethics*. Paper presented at the NZAC Annual Conference, Waipuna, Auckland.
- Wittgenstein, L. (1953). *Philosophical investigations*. Oxford: Blackwell.
- Wolfe, A. (1992). Algorithmic justice. In D. Cornell, M. Rosenfield & D. Gray Carlson (Eds.), *Cornell, D., Rosenfield, M., & Gray Carlson, D. (Eds.). (1992). Deconstruction and the possibility of justice* (pp. 361-387). London: Routledge.
- Woolfe, R. (1997). Counselling in Britain: Present position and future prospects. In S. Palmer & G. McMahon (Eds.), *Handbook of counselling* (2 ed., pp. 1-23). London: New York: Routledge.
- Woolfe, R. (2000). Counselling in Britain: present position and future prospects. In S. Palmer & G. McMahon (Eds.), *Handbook of Counselling* (pp. 3-22). London: Routledge.
- Woolfe, R., Strawbridge, S., & Dryden, W. (Eds.). (2002). *Handbook of counselling psychology* (2 ed.). London: Sage.
- World Health Organisation (2005). *Constitution of the World Health Organisation*. Retrieved, April 1st, 2005, from <http://w3.who.org/aboutsear/const.htm>
- Yardley, L. (Ed.). (1997). *Material discourses of health and illness*. London: Routledge.
- Yeatman, A. (1995). Justice and the sovereign self. In M. Wilson & A. Yeatman (Eds.), *Justice and identity: Antipodean practices* (pp. 195-212). Wellington, NZ: Bridget Williams Books.
- Young, I. (1995). Communication and the other: Beyond deliberative democracy. In M. Wilson & A. Yeatman (Eds.), *Justice and identity. Antipodean practices* (pp. 134-153). Wellington: Bridget Williams Books.
- Youngman, F. (1986). *Adult education and socialist pedagogy*. New York: Groom Helm.
- Zaloom, C. (2004). The productive life of risk. *Cultural Anthropology*, 19(3), 365-391.