Chapter 1

Applying Theory to Policy and Practice: Methodological Problems and Issues\(^1\)

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Introduction

This collection is unusual in that it is borne both from the rigours of theoretical and philosophical reflections and from addressing the many difficulties of applying these reflections to the detail of policy and practice. The shared premise of all the contributors is that too often the business of theoretical and philosophical rigour and issues of detailed application are kept apart to the profound detriment of both pursuits. Particular attention is paid to the methodological problems of moving from theoretical generalisation (including normative and ethical arguments) to specific policy and practice-based issues.

We anticipate that interested readers will comprise a number of audiences including, practitioners in the legal profession, probation, counselling, social work, and social and public policy analysts and political campaigners, as well as political and ethical philosophers and theorists concerned with policy and practice-based issues. Although the collection is clearly not targeted to one audience we believe that specific audiences will nevertheless be interested in the whole of the collection for two main reasons. First, we have deliberately focused on issues that overlap between different disciplines and practices in order to draw out general lessons regarding the application of theory to policy and practice. Second, we expect that the collection will provide various interesting case studies concerning the difficulties of moving from theoretical generality to specific policy and practice-based concerns.

Given the above, the contributors have been chosen to reflect a wide range of academic backgrounds including from social policy, political philosophy, political theory, legal theory, social philosophy, and applied ethics, as well as reflecting a diverse range of practice-based backgrounds, in legal practice, probation, counselling, social work, and political campaigning most notably relating to ‘race’ and disability issues. This combination we believe provides especially fertile ground for exploring the above methodological problems.

With the risk of over-simplification, these problems can be summarised under three broad headings providing a basic organising principle for the collection:

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\(^1\) Parts of this chapter appear in the first chapter of my book (2002), *Defending Justice as Reciprocity*. I would like to thank the publisher Edwin Mellen for permitting these sections to be reproduced here.
1. problems of accessibility for policy analysts and practitioners concerning the theoretical language used and the abstract nature of theoretical argument;
2. problems of relevance and applicability to policy and practice given the structure and purpose of theoretical modelling and the ‘environmental constraints’ of theory and its application to policy/practice; and
3. problems of how philosophical moves can be made from theoretical generalisation to policy and practice given specific recommendations for implementation are often not axiomatically reflected in generalised abstract principles.

Therefore, the first aim of this collection is to ensure chapters are written in a style that would allow non-philosophers and theorists to follow and engage with the arguments presented. The second aim is to also make clear throughout how theory might be seen as both relevant and applicable to policy and practice, despite the above environmental constraints. The third aim is to directly engage with more abstract philosophical issues concerning the application of theory to policy and practice and the structure of abstract thinking and argument.

We need though, as a preface to the above, to address two more fundamental questions which apply to all areas of policy and practice-based issues. Why is it important to apply theory and ethical argument to policy and practice? And, can this application add anything to our existing knowledge and understanding?

By way of introducing this collection, what therefore follows is an attempt to address these questions in order to affirm, not only the importance, but also the necessity of applying theory and ethical argument to policy and practice. As well as sketching out personal views concerning the way normative generalisations relate to policy and practice, in the process, I give a brief outline of how the other contributors have applied and explored theory in respect to their own areas, given the basic assumption shared by us all. Namely, that engaging in this application will help equip practitioners and policy recommenders and analysts with what might be termed ‘critical tools to think with’, which then will hopefully better inform the purpose and direction of both policy and practice.

**Applying Theory to Policy and Practice**

It is the case that academic analysts over the last two or three decades have made significant advances in the application of theory to the study of policy and practice (see Pierson and Castles, 2000, 1–113; Blakemore, 2003, 1–16). At times commentators have regretted these applications, but for most the use of theory has made very positive contributions to understanding both policy and practice.

For example, in the past, academic social policy analysts, skilled in empirical data collection and often motivated by Fabian political perspectives, would only on occasion make explicit applications of theory to social policy studies, usually derived from the idea that academic analysts over the last two or three decades have made significant advances in the application of theory to the study of policy and practice (see Pierson and Castles, 2000, 1–113; Blakemore, 2003, 1–16). At times commentators have regretted these applications, but for most the use of theory has made very positive contributions to understanding both policy and practice.

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2 These constraints might include financial and resource constraints, but also perceived constraints of the practitioner and policy-maker, that the situation or circumstances confronted do not neatly ‘fit’ with the theory.
from sociology. Consequently, analysis was frequently based on descriptive accounts of the ‘outputs’ and ‘outcomes’ of policy and practice. Roughly, outputs refer to the specific intentions of policy-makers and how effective policy and practice has been in implementing these intentions. Whereas outcomes mainly concern the affect that policy and practice implementation has on particular groups and individuals. However, whilst these accounts have provided very important and useful data, the highly descriptive approach failed to properly address disputes over why and how policy and practice is implemented and justified. It is at this point that theory is able to contribute to the analysis of policy and practice, providing various explanatory frameworks that directly address these disputes (see Pierson and Castles, 2000, 1–10; Blakemore, 2003, 1–16).

It is important at this point to make a distinction between theoretical explanation (which might be morally neutral in that a moral position is not necessarily explicitly promoted); and normative justification of policy (which involves a defence and/or critique of moral and ethical positions in relation to policy). Both assume that empirical data collection is insufficient for analysing policy and practice. To this extent normative or ethical analysis can be seen as a particular branch of theory, given the premise that an interpretation of facts is required when analysing policy and practice. However, this in turn involves theoretical analysis that might (or might not be) philosophical and normative in character.

The central problem to be addressed here though is that, in any event, there is no straightforward delineation between generalised theory and values committed to and specific policy and practice responses. Many complications occur when theoretical and philosophical generality is applied to the detail of policy and practice implementation. Indeed, these complications have themselves become the focus of considerable debate. For example, in relation to the application of political philosophy to the detail of social policy, I have argued elsewhere that political positions usually represented as being very different from each other often provide similar normative justifications for social security policy. Nevertheless, even slight variances of philosophical emphasis can result in large differences regarding policy outcomes, whereas at other times the philosophical differences over value commitment may be large between political positions, with the policy outcome effect being relatively minimal (Smith, 1997, 79–97; Smith, 1998, 246–262; Smith, 2002a, 1–40; Also see Goodin, 1988; Freeden, 1994).

Despite these difficulties, maintaining an engagement in normative political philosophy is an essential part of social policy analysis. Policy-makers need to explain and give normative or ethical reasons why a particular social policy or provision of welfare is being promoted. However, for some ‘positivists’ within policy analysis moral debates are insubstantial or even nonsensical. Similarly, certain ‘post-modern’ approaches claim that moral points of view are merely relative to the observer and therefore cannot offer any objective standpoint (despite pretensions to the contrary that such a standpoint can be identified). These issues will be explored in more detail below. Suffice it to say here, various criticisms will be made of these positions but acknowledging the force of some of their arguments.

My main assertion is that without moral analysis, any debates concerning the promotion or justification of welfare and other forms of public provision are likely
rendered incoherent. This is because the making of policy and its application in practice is in part legitimated by ethical justifications. For example, politicians appeal to what ought to happen, as well as to what is happening, which then demands moral analysis. Quite how this moral analysis can be applied to policy-making is open to question (and reflects some of the issues outlined above). Despite this, some kind of moral analysis is clearly needed particularly within the field of normative and political philosophy, being centrally concerned with ethical arguments relating to the distribution of economic and political resources.

An additional (perhaps more pragmatic reason) for applying theoretical and ethical questions to social policy analysis is that welfare states (and practitioners) being represented via institutional entities, have become increasingly criticised by commentators from both the left and right, and from within what might be described as ‘New Social Movements’ (see Pierson, 1990; McIntosh, 2000; Pateman, 2000). The welfare state is now no longer viewed as a benign provider of citizens’ needs as was anticipated by its supporters in the aftermath of the Second World War. Policy positions from all sides of the political spectrum exhibit a more complex and ambivalent attitude to state provision.

I will now explore further the general role of normative discussion within policy debate, in an attempt to justify the importance and necessity of applying theoretical and ethical argument to policy and practice.

There are a number of reasons a person could be sceptical about the relevance of applying normative argument to the political realities of policy recommendation and practice implementation. For example, a sceptic might argue that the main motivation of politicians (and policy-makers generally) is often very different from any explicit ethical justifications made in relation to policy proposals. Government and other policy-makers claim that their intentions for implementing X set of policies are to promote a particular value(s) through encouraging Y type of practice. However, their real intentions can be located in less morally bound motivations such as political and/or economic expediency.

Indeed, the above sceptical position can be found within various academic policy-analysis conducted during the 1970s. For example, some policy analysts proposed that the value of equality, relating to the re-distribution of resources from the better-off to the worst-off, had no impact at all on policy-makers and governments (even if the latter were rhetorically highly committed to this value). Wilensky argued that there was no correlation whatsoever between the polemical commitments of particular governments to the value of equality and actual distributive patterns found within their respective countries (Wilensky, 1975; also see Pierson, 1990, 16–18).

However, the lack of correlation between value commitment and the effects of policy implementation does not necessarily mean the value itself is irrelevant to policy and practice debates. First, a particular value may genuinely have a strong resonance within a specific set of proposals for policy-makers and practitioners even though other hidden agendas exist. Motives, in other words, are often mixed. Second, many social, political and economic events are outside the control of the policy-maker and practitioner but will have impacts on policy and practice outcomes whatever the intentions of either, but might then require a moral response. Third, having a commitment to certain values might at least ‘put brakes’ on the various
influences which pull the policy-maker and practitioner in opposite directions. For example, it might be conjectured that countries where there are large degrees of inequality (even if their governments are committed to the value of equality) would be even more unequal without this commitment.

In addition, political philosophers make the point that the importance of normative discussion concerning policy is that the articulation of value can be considered in abstraction from other non-normative intentions and factors. Goodin, for example, distinguishes between conventional intentions (that is the institutional norms which are implied within policy and legislation) and the particular intentions of policy-makers (that is the motivations or intentions of the political actors who create policy) (Goodin, 1988, 13–14). According to Goodin, specifying the normative characteristics of a welfare state should only refer to conventional and not individual intentions, as the latter are likely to be varied and disconnected from policy and practice (for the reasons identified by the sceptic above). Nevertheless, the former normative characteristics still allow for certain philosophical inferences concerning how policy and practice ought to be shaped and formulated.

Just as we infer the meaning of words from the connotations that speakers conventionally intend by them… so too should we base our classification of policy instruments on the conventional intentions that characteristically lie (or are said to lie) behind them (Goodin, 1988, 14).

Following from the above, a philosophical abstraction process can be engaged in to understand why, on normative grounds, X proposal may be preferred over Y (both understood as ‘conventional intentions’). Therefore, the degree to which particular policy proposals are motivated by, say, political expediency is irrelevant, as what matters is the explicit delineation of values in relation to the policy convention itself rather than the policy-maker’s intentions. Indeed, it is this Goodin type of distinction that I believe is often behind much of the sceptic’s concerns. By seeking to uncover the cynical motivations of governments, the sceptic is not necessarily implying values do not matter, in relation to policy and practice debates. Rather, she could be emphasizing the importance of being explicit about the very mixed motives of a government in order to articulate what ought to be its intentions regarding the promotion of particular sets of value, expressed through certain policies and practices understood as conventions (in Goodin’s sense above).

Another approach or attitude to the normative analysis of policy and practice might also be dismissive of its worth but not because of the cynical political intentions or motivations of policy-makers. As referred to above, a positivist approach to policy analysis can be taken emphasizing the importance of fact collection over normative evaluation. The term ‘positivism’ was first used by the nineteenth-century philosopher Auguste Comte in his *Cours de Philosophie Positive* (also see West, 1996, 53–59). It encapsulates what Comte claimed as being a more advanced form of knowledge inherited from the natural sciences, replacing religion and speculative philosophy. Perhaps the most unadulterated form of positivist epistemology is the ‘logical positivism’ of the early twentieth century that discredited completely ethical discourse arguing that it is literally nonsensical (also see Smith, 1998, 44–59).
An inheritor of the above approach may therefore assert that theories and normative debate are at best only of secondary importance to the positivist job of implementing ‘what works’ as practice instruments in relation to particular policy goals or aims. Consequently, if theory is to be useful according to the positivist then it is merely to establish testable hypotheses explaining how X policy aim or goal is achieved given certain facts. For example, theoretical models of individual or group behaviour can be constructed, which then are used to predict certain outcomes if and when policy-goal X is aimed for. This type of analysis is prevalent in micro-economic analysis and certain forms of ‘games theory’ which try to predict behaviour based on the premise that individuals act either to fulfil individual preferences and/or act in their self-interest. Philosophical arguments over the ways values and norms affect the legitimisation and justification of policy and practice, are as a result often sidelined. Policy and practice analysis instead focuses on technical questions concerning the most efficient method of implementing the goals of Government policy recognising the problem of coordinating and adjudicating between conflicting individual preferences and interests.

Chapter Outline

In defence of theoretical and ethical analysis, the response throughout this collection is two-fold. First, philosophically at least, the above what we will call ‘naïve positivist position’ has been almost completely discredited. The position (either explicitly or implicitly) states roughly – ‘facts speak for themselves and therefore we only need theory when we have a ‘gap’ in the facts.’ Or, put another way – ‘theory is used to generate hypotheses that can be tested against the facts but once the right amount of facts are found (via the appropriate research) theory is redundant’. Although this perhaps has overly-caricatured a certain style of policy and practice analysis popular in the first two or three decades after the war (and has since been rejected by most policy academics – see Pierson and, Castles 2000, 1–10; Blakemore, 2003, 1–10) this positivist attitude still informs much contemporary policy-making and practice paradigms to the detriment of those at the receiving end of implementation. For example, in Chapter 2 James Sweeney critically evaluates the relationship between facts and theory in his analysis of decisions made by judges in respect to asylum seekers. Practical problems and issues are derived, he argues, from judges trying to make complex decisions whilst denying their theoretical context. The difficulty being for Sweeney is that judges, as a result, frequently over-rely on their so-called ‘common-sense’, disguising highly subjective and evaluative assumptions when establishing the factual ‘credibility’ of asylum seekers personal accounts of their circumstances, but which then lead to judges jettisoning commitments to the rigour of applying consistently legal theory in specific cases. What is required, according to Sweeney, is a more explicit recognition by judges of the socially constructed nature of fact accumulation and how ‘facts’ are interpreted which will then assist them making consistent and justifiable decisions.

In parallel to this particular criticism of ‘naïve positivism’, my philosophical objection to the above positivist approach, is based on well-trodden ground and so
I will not dwell on it in too much detail here. Nevertheless, it is important to first emphasise that the demise of logical positivism at least was largely due to a basic incoherence at the heart of its philosophy. It argued for a ‘verification principle’ functioning as a yardstick for sensible utterances but which was then found to be unverifiable according to its own rules (also see Plant, 1991, 12–21). In addition, even those who were sympathetic to the positivist cause rejected the non (and even anti)-theoretical tendencies of its proponents. Karl Popper, for example, famously argued that a scientific hypothesis can never be verified (at least in the strong verifiable logical positivist sense) as scientists cannot test all possibilities in the universe, but are ‘falsifiable’ concerning the discovery of new facts (Popper, 1968; Popper, 1972). Scientific hypotheses must therefore be testable but as to whether or not they are demonstrably false, not true. As long as this demonstration has not occurred but it is possible to test for its falsity, then exploring and working with any hypothesis is seen by Popper as a legitimate part of scientific investigation – even if the hypothesis proves to be false at some later date. Clearly this, what I will now term a ‘non-naïve positivist position’, gives more credence to the importance of theory in factual investigations of the kind explored by Sweeney, than the naïve positivist position explored above, given various and competing theories can be used in these investigations.

Moreover, because of the above developments in debate it is now more or less commonly recognised, amongst academics at least, that facts do not simply ‘speak for themselves’ as at some point they require a theoretical interpretation (Lewins, 1992, 9–15). One of the main problems addressed in this collection is that the naïve perspective concerning the explanatory force of facts is often implicitly adhered to by practitioners and politicians who assert that establishing ‘what works’ as related to facts about an ‘individual case’ is all that is needed in being an effective practitioner. So, the slogan ‘What Works’ is a central part of the New Labour strategy for developing practice and training within the probation services. However, following from the above, the contention here is that this strategy (while at least acknowledging the potential effectiveness of probation work) tends to oversimplify the relationship between practice and theory, as it requires or expects the practitioner to test their practice against sets of ‘facts’ gathered (often via government research agencies) concerning how the offender is supposedly responding to intervention. This expectation of practitioners will be critically evaluated in Chapter 3 by Francis Cowe, John Deering, and Maurice Vanstone. Particular attention will be paid to the reasons why certain types of theoretical approaches historically are dominant over others, and as related to the increasingly perceived need to control and punish offenders. The methodological implications this has for the application of theory to practice across this profession are then explored, with the recommendation that ‘evidence-based’ practice should be worked-out and tested through what the authors call a ‘collaborative relationship’ between the academy and the professional agency which is both interdependent and critically reflexive.

The more general point I want to stress here is that because interpretations of facts are bound to generate different and competing theories of human behaviour and organisation, this necessitates putting theoretical speculation at the centre of any gathering of evidence and data analysis (including that which relates to policy and
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Therefore, theory is not just useful as a fall-back when there are gaps in the facts but it is an integral part of how facts are analysed even when all the facts are demonstrated or at least demonstrable. The non-naïve positivist still insists some theories would need to be adjusted or even abandoned in the light of discovering certain facts. Nevertheless, what has been conceded by the latter-day positivists is that the importance of theory is not simply dependent upon the paucity of facts to be remedied by a more developed science. Rather, it is found in its explanatory input and the many ways the same facts can often be both coherently but variously interpreted. This is particularly the case when social and political relations are a focus for study, which has an important bearing on how policy-making and practice is subsequently analysed. For example, the fact that women are under-represented in UK politics is undisputed. Nevertheless, it is a fact that can be explained and interpreted in different ways depending upon the application of specific theoretical frameworks. According to liberal feminists under-representation is symptomatic of inequalities in individual opportunity and realisable sets of rights afforded to women in politics. Whereas, according to more radical feminists the lack of opportunity and realisable individual rights is symptomatic of a deeper structural bias that tends to serve men’s interests (as a group) over women’s interests (as a group). In stark contrast with either of the above accounts, traditional conservative and/or socio-biological theories of behaviour will often explain and interpret the fact of under-representation by reference to the natural or biological role of men in leadership roles (also see Goodwin, 1994, 62–64).

The competing character of theory and its relation to practice is examined further in Chapter 4 by Sheila Spong. In short, she argues that the counsellor should hold in tension a belief needed for therapy to be effective, and the scepticism required to maintain openness to alternative interpretations of experience, especially those from the client. It is in this context that Spong argues for what she calls ‘theoretical scepticism’ – acting as a bulwark against a counsellor’s tendency to be authoritarian in her practice, and so helps prevent her impose her ‘expert’ interpretation of the world onto the client’s own narrative or ‘personal story’. In the process, the counsellor should also recognise that theories beyond counselling – for example, in social theory – can make valuable contributions to the understanding of her practice and how to more effectively critically reflect on it.

Lana Morris develops some of these themes further in Chapter 5, by exploring some of the methodological considerations in applying theory to the assessment role within care management. The focus is on the unified assessment process, and the identification of tensions between the eclecticism of theories offered to social work students and an assessment process which perpetuates, what she calls, a ‘reductionist functionalist’ position. For Morris, this position leads to an insufficient consideration of values and the critical evaluation of practice; devalues front-line knowledge to second place within the assessment process, and fails to account for social workers’ emotional experience of their relationship with service-users. She also considers how students utilise theory to support their development of creativity and expertise within care management in an attempt to move from this reductionist functionalist position, to one which is more likely to treat service-users holistically, and so take service-users’ understanding of their own needs seriously.
Following these themes in Chapters 4 and 5, my second main objection to the naïve positivist in defence of normative and theoretical analysis is again well-trodden but is more direct in that it explicitly highlights how fact-gathering and fact-analysis (as a basis for informing policy and practice) is not only theory-laden but value-laden. It is in this context that Gideon Calder in Chapter 6 examines the training of practitioners and in particular the problems of translating ethical theory into practice, exploring various issues arising from his teaching of ethics on vocational programmes in higher education. He argues that doing justice to both ethics and practice, and ethics in practice, requires providing a critique of what he sees as reductive and instrumentalist models of ‘learning outcomes’. For Calder, ethical theories cannot be taught and applied to practice in any straightforward way, but require students and practitioners to creatively engage in ethical practice – the latter understood as a personal as well as creative process, and is seen as distinct from learning a set of pre-established rules which then are supposedly applied to practice as ready-made formulas.

In a very different arena, but still exploring similar themes concerning the process of putting social and political ethics in practice, Alan Carling in Chapter 7 provides a detailed exegesis of the relationship between different social groups within the city of Bradford in West Yorkshire, during the aftermath of the Bradford riots in 2001. In response to various racial and ethnic tensions and divisions across the district, the Programme for a Peaceful City (PPC) was established, which sought to develop a network of concerned local academics, citizens and practitioners, who would reflect together on the situation, and think about strategies of fruitful intervention which would reduce polarisation across the city. Carling served as Chair of the PPC from July 2002 until June 2004, and this chapter is his accumulated reflections of these and other experiences, and more generally the relationship between theory and social and political practices. Amongst other things, he argues that, through collective deliberation, it is possible to converge on workable and substantive normative principles concerning these practices, but provided ‘safe spaces’ are allowed across disparate communities for constructive dialogue, interaction and mutual learning. He argues that it is through these types of social and political processes, in the context of assuming that knowledge and understanding is essentially progressive in character, that normative principles and practices can be converged upon, which are egalitarian, tolerant and democratic.

Following from the above, it might be concluded that the facts chosen for analysis in policy and practice-based research are always informed (to some degree at least) by normative judgements concerning how and why individuals and groups behave. Moreover, I would argue that denying the presence of these judgements is dishonest and misleading and (if held to) is a result of the policy-maker’s and practitioner’s positivist pretence of ‘objectivity’. That is, falsely assuming facts can be gathered and analysed from a morally neutral point of view.

However, it is within this latter context that much of ‘post-modernism’ makes its attacks on all value claims, including many ethical applications of the kind embarked upon in this collection. Consequently, various strands of ‘post-modernist’ thought has provided radical critiques of positivism and theoretical/normative analysis, and has become highly pertinent to debates within policy and practice.
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Post-modernism comes in a multitude of guises (see West, 1996, 189–220). However, one theme uniting post-modernist thought is the undermining of the ‘Enlightenment Project’ through a rejection of all ‘totalising’ or ‘grand’ theories, as misplaced attempts at discovering (and imposing) order and unity on the world through unitary explanations and ‘objective narratives’. Significantly, these grand theories could include positivism’s commitment to scientific explanation, and political theories and philosophies that attempt to access so-called normative ‘truths’ concerning human relations and behaviour. Given the above critique regarding the objectivity of positivism and value-commitment, what is left for the role of theorising and ethical analysis in policy and practice?

First, according to the critique this type of analysis cannot provide an objective account of what ought and ought not to be promoted through policy. This simply recreates the objectivity pretence but this time within the sphere of morality rather than scientific theory and data collection. The first job of normative or ethical analysis might therefore be to lay bare what value judgements are being made, but this should be kept separate from issues concerning what values ought to be promoted. Legitimate ‘reflexive questions’ can be raised and addressed in relation to, for example, the similarities and differences between the values contained within various policy and practice goals, how competing values are expressed within the same polices and practices, and the complex relationship between normative generality and specific policy instruments.

Indeed, it is within this latter context that Nadia Heredia in Chapter 8 explores the way language and discourse is used around disability, and the implications this might have for the above type of ‘reflexive questions’ for disabled people (most notably within Latin America). Particular attention is paid to how Eurocentric theory has interrelated with Latin American culture and the impact this has had on disabled people. The main argument being that the presence of dominant medical discourses and dialogue concerning the character of ‘The Other’ (as ‘disabled’ and ‘in need’) allow for oppressive mechanisms of social control of ‘the disabled’ being exercised through various health and welfare practices. According to Heredia, what is required are new ways of talking about disability that encourages what she calls ‘social responsibility’ – that is recognising ‘The Other’ as valuable to society and not a threat.

However, even if the above type of discourse analysis is ‘allowed in’ so as to provide radically alternative solutions to policy and practice, we are still left with the troubling problem that addressing ‘foundational questions’ concerning what values ought to be promoted are dismissed by the post-modernist as yet another expression of modernity’s aspiration to ‘totalise’ and devise grand theory. Simply put, foundational questions often assume there is a moral objective standpoint leading to universal imperatives that then can be accessed via rational enquiry or reflection. Kantian universalistic ethical positions typically reflect this assumption and can be expressed in, for example, human rights declarations, as well as in declarations found within policy and practice-based codes of ethics. That is, declarations conceived of as being legitimate or valid over and above the value-judgements made by particular cultures or societies, and including dominant oppressive discourses of the kind described above. However, the post-modern critique often seeks to substitute this commitment to objective and universal rights with ‘value-relativism’. So, the moral
significance of holding particular values is seen by many as being merely relative to
the ‘holder’ (whether conceived of individually or in respect to a named culture) and
is not therefore provided by any objective moral standpoint. In this way, the stress
is on differences between peoples and cultures and the subsequent lack of unity and
universal value commitments that are held between them.

But one obvious problem with post-modernism is that its critique of moral
objectivism as an attempt at grand theorising can be too indiscriminate and used as a
reductio ad absurdum against those who wield it. A radical critique, it might be argued,
must exist outside of the paradigmatic framework being critiqued and therefore is prone
to claiming a privileged position or vantage-point for seeing the world. Nevertheless,
claiming this objective privileged position is precisely what grand theorising is being
critiqued for. The dilemma faced by post-modern value-relativists is that to abandon
grand theorising and subsequently the moral objectivity pretence (as its aim) risks
abandoning the critique (as its method) (also see Habermas, 1990).

It is in the full glare of these post-modern debates that David Morgans in the
final Chapter 9 examines some of the limitations of using any theory to explain
social life. Using a Wittgensteinian approach to understanding the relation between
theory and practice, and seemingly alongside some elements of post-modernism,
he argues that the primary task is not that of finding the single, objective standpoint
from which to devise a final, true theory. However, he argues that neither is the task
to promote ‘value-relativism’ as a new post-modern theory. Instead, for Morgans
we need to create new ways of acting which then can be critically reflected upon
through identifying the ways in which ‘meaning making’ occurs through the social
use of language. Therefore, effective critical reflection is done, not through the
postulation of theory as representations of reality and words. Neither is it done
through an examination of the relationship between theory and practice, but rather
through reflecting on the minutia of the unique sensed responses of human beings to
the world(s) we live in, and our respective ‘forms of life’. That is, forms of life that
are acted out and ‘made sense of’ through our social relations.

Normative Generalisation and the Implementation of Social Policy

For my part (and by way of concluding this chapter), I will now briefly outline other
methodological issues that need to be recognised when considering more precisely
the relationship between normative generalisation and social policy implementation.
My main contention is that we need to be attentive not only to the ways in which
values conflict, amongst a set of ethical commitments held by particular policy
positions, but also to how persons themselves are viewed (in relation to their
environment, circumstances and their ‘personal identity’).

3 There is considerable dispute as to whether, or the degree to which, post-modernism
is necessarily value-relativist. For example, see West (1996, 197–201) and his exploration
of Jean-Francois Lyotard’s defence of the post-modern condition as an expression of radical
politics. Also, many of these and related issues are explored by Nadia Heredia in Chapter 8.
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**The Complex Relationship between Normative Generalisation and Specific Policy**

Even if the importance of normative analysis and ethical argument to policy debate is recognised in the ways explored above, there is no straightforward relationship between normative generalisation and how policy recommendation is developed. This I believe is for three main reasons, all of which have a bearing on the way policy is subsequently viewed and responded to:

1. The same policy may be susceptible to a range of different moral justifications. For example, political supporters of the New Labour policy in the UK to cut lone parent benefits tried to provide different justifications to those made by the previous Conservative Government regarding the same policy proposals. According to one Labour Member of Parliament (MP) the previous Government recommendations were made in order ‘…to save money and in response to a moral panic attack in the Conservative Party and some elements of the press about single parents.’ (*Hansard*, 10/12/97, c1051, para. 5). For this MP, the Conservative justification is in sharp contrast with the same policy being recommended by New Labour proposals. The latter were instead supposedly intended as part of modernising the welfare state and the wider goal of ‘getting people into work… the aim to create more employment opportunities and a fairer society.’ (*Hansard*, 01/12/97, c1052, para. 1). Of course, both the interpretation of previous Conservative Government proposals and its claims for an alternative justification from New Labour are open to question. However, whatever the accurateness of this particular interpretation it exposes the complex and varied ways in which the same policies can be justified by reference to different normative principles (also see Smith, 1999, 313–334);

2. Applying philosophical generality to policy-making often involves commitments to various values which may, to lesser or greater degrees, be held in tension by policy-makers. This tension within policies is produced partly because these commitments will come from a variety of different political pressures and influences. For example, I have argued elsewhere that UK Government training policy has often developed out of a response to political pressures – from Trade Unions, business interests, and public opinion (Smith, 1998, 201–213). However, often within one set of identifiable value commitments there exists tensions and conflicts that can be considered, in a more philosophical sense, as difficult or impossible to resolve. Philosophical ethical systems are often justified via pluralistic sets of values that in turn are hard to reconcile internally. This internal conflict of values will also I believe have a bearing on how policy and practice is developed and promoted;

3. Even if value-ends are agreed upon there may still be large conflicts over precisely how these ends are achieved via policy mechanisms. Again, in relation to policy debate over the payment of UK lone parent premiums, a number of defenders and critics of the cuts were in agreement over the value of encouraging paid work as a worthwhile policy aim. The disagreement was over which policy mechanism would be the best or most efficient means for achieving this end.
Quick-fixes and Utilitarianism

A quick ‘philosophical solution’ to the difficulties presented in 1) and 2) above is possible through a monistic commitment to utilitarianism. This would promote one highest principle allowing for a systematic adjudication between other lower or secondary policy aims (also see Gowans, 1987, 4–31). In relation to social policy, ‘maximising human welfare’ for utilitarians might be the yardstick for deciding which policy ought to be pursued. Other goals, such as the reduction of inequalities, would only act as a means to the end of serving the utilitarian principle. However, again I have argued elsewhere that whilst utilitarianism might appear superficially attractive providing a ‘solution’ of sorts to decision-making, it is an inadequate normative response to policy and practice debate for a number of reasons (Smith, 1997, 92–93; Smith, 1998, 214–262; Smith, 2005a, 77–79; Smith, 2005b, 556–559).

First, it may be that overall justifications for distributive policies can be subsumed under generalised higher principles such as ‘maximising human welfare is desirable’ or ‘social assistance is necessary to attain individual and social welfare’. Nevertheless, these principles (although are relatively uncontroversial at least in these generalised forms) are notably unhelpful when articulating and addressing questions that are extremely pertinent in relation to the justification of specific policy and practice. So, fulfilling the principle ‘maximising human welfare is desirable’ fails to address the moral question of who is responsible for delivering welfare, and more specifically what broad levels of state benefit should be paid, and what type. For example, in relation to the question of ‘who should be responsible’ for delivering welfare outcomes, an important distinction has been made within ethical debate between ‘states of affairs’ and ‘moral agency’ (Parfit, 1987, 430). So bringing about X state of affairs is not the same ethical question as who is responsible for bringing X about, and most ethical positions need to take account of both domains to make proper sense of the moral claims being made. However, the principle that ‘maximising human welfare is desirable’ risks merely referring to a particular state of affairs without necessarily taking into account issues relating to moral agency – such as who should deliver particular welfare outcomes. For example, in relation to questions concerning what type of benefit ought to be distributed, I (and Mike O’Neill) have explored why disabled people (according to the Disability Rights Movement) often prefer to be paid in ‘cash’ rather than ‘kind’ for the provision of social services such as home-helps. Our main argument being that this particular preference over which types of benefit be distributed, is usually implicitly justified by reference to promoting the value of individual autonomy and responsibility. This is then linked to a commitment to resource equality, operating as an independent value-commitment from references to, say, increases in the welfare of disabled people (Smith and O’Neill, 1997, 123–143).

My point here is that the above issues and complexities leave considerable room for non-utilitarian positions that might allow for diminishments in overall welfare. For example, higher levels of benefit (if paid to unemployed people) might well increase overall welfare considerably as the marginal utility gains of the worst-off more than compensate for the welfare losses of relatively rich tax-payers (who could be required to fund such an increase). However, this policy recommendation still
does not address the question of whether the relatively rich tax-payer ought to pay for higher rate benefits in any event – that is, whether or not non-payment or payment leads to reductions or increases in overall welfare.

Following from the above, further difficult normative questions arise, not only concerning who should pay and how wealth is initially accumulated, but also relating to the moral objections of the payers themselves. Consider the general question: are the normative objections of relatively rich tax-payers morally justifiable when (and if) their welfare is diminished as a result of paying higher taxes? Now include the fact that this might be implemented to increase the welfare of the least well-off (over and above the diminishment of welfare to the better-off) and yet it is also conceded that the wealth of tax-payers has been gained legitimately. In this scenario answers to the initial question will often be justified through referring to non-monistic value commitments. More specifically, the debate is complicated (and impossible to resolve through utilitarianism) because the value of making gains over others (producing inequalities) may be defended in some, but not necessarily all, forms. What might be termed, ‘limited gain-making’ then puts a moral brake on any commitment to utilitarian principles as, for example, property rights are respected (or at least taken into account in these moral calculations) despite this leading to an overall diminishment of welfare. This could be conceded even if some degree of priority is given to increasing the welfare of the worst-off over the better-off.

**Finer Distinctions in Policy and Value-Conflict**

I contend that it is at these finer and more difficult points of policy debate that philosophical discussions concerning value conflict can be readily applied. My main argument is that pluralistic value frameworks yield more morally relevant and politically realistic results than the monistic ‘solutions’ above, but these frameworks ought to be applied differently depending upon how situations and persons within these situations are specifically defined and viewed. For example, when faced with a multiple accident on a motorway, according to most people the principle of need fulfilment (alongside giving priority to the worst-off) provides sufficient justification for how victims of the accident ought to be treated. As raised above, this position still leaves open the question of who should pay for the treatment once it is made. However, in relation to how the treatment is in the first place distributed by any health service (whether this is, say, state or privately funded) need fulfilment, and priority to the worst-off would I believe be the most likely candidates consistent with our moral intuitions. In contrast, it seems radically inconsistent with our moral intuitions that the alternative principle of, say, treating people according to what they ‘deserve’ can play a normatively legitimate role in these circumstances. A desert principle, for example, could allow the person who is least to blame for the accident to be given priority for treatment. Whereas the person who is most to blame is treated last, even if the former happened to sustain the lesser injuries and the latter the greatest. Of course, it might be that in a road accident no one is to blame but in this particular instance what is being asked is what would happen when it is possible to attribute different levels of blame to individual drivers (which in practice is likely to be the case)?
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It is important to emphasise that the intuitive objection to the desert principle in this illustration is not for technical reasons. For example, envisage a sophisticated video monitoring system that is able to calculate what levels of responsibility might be ascribed to whom in regard to the cause of a motor vehicle accident, the results of which are then relayed to any desert paramedics arriving at the scene. I am therefore assuming that levels of desert can be decided upon. In this context, the contention is that the principles of need fulfilment and giving priority to the worst-off will tend to ‘trump’ any alternative decision not to treat victims.

Nevertheless, despite the above ‘trump-cards’ being used in motorway pile-ups I also argue that within different situations other principles are often seen as justifiably playing a more prominent role. For example, regular cash payments from the state allow much greater room for, say, desert and reciprocity principles. This is for a number of reasons. First, comparing relative needs often, by itself, seems morally significant. If someone is bleeding to death from a car accident then her needs are more urgent and acute than someone who is claiming, say, Child Benefit to supplement her other income. Therefore, it might be more reasonable to ask in the latter case whether the person deserves the benefit. Whereas in the former, appealing to desert seems less appropriate when it is conceded that the needs ought to be attended to as a matter of urgency because of their acuteness.

However, it is possible to make room for other principles without having to focus on the acuteness of needs. Although persuasive in the above circumstances given large disparities in urgency, it is not decisive when making a distinction between the above policies of health care and social security provision. It could be, for example, that the injuries sustained in a road accident (being relatively minor) generate less acute needs than that of, say, a poverty-stricken social security claimant. Yet it is often thought reasonable to meet the former’s needs without having to consider whether she deserves the treatment or not, and at the same time argue in the latter case that it is not reasonable to refuse the same consideration at least. This is not I contend because the road accident generates needs that, say, could be paid for by the victim, but that this position is morally justifiable whether the victim pays for her treatment or not. How is this plausible?

Again, I believe some of the explanation is found in the way values can be understood as being in conflict with each other. According to certain ethical positions, what the above situation might produce is a pro tanto moral dilemma (that is a dilemma that is not solved by any single philosophical system). Pro tanto dilemmas are those occurring after the philosophical arguments are ‘in’ so to speak. These can be contrasted with prima facie dilemmas that may appear at first sight as dilemmas but are solvable by reference to particular philosophical systems, leading

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4 This argument also raises questions about the meaning of responsibility and how this may (or may not) relate to issues of moral agency. See, for example, my arguments in Smith (2002a, 113–168). Suffice it to say here, the video monitoring system would be able to support a desert principle related to acts that are attached to persons but without implying a deeper moral culpability. The job of the desert paramedics would be one of translating the computation producing a priority list as to who should be treated first.
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to either only one choice being made or a number of choices being allowed but without producing a moral dilemma.

If pro tanto dilemmas occur in the above contexts then meeting the needs of a reckless driver (whether these needs are the result of serious or minor injuries) contains both moral gains and losses. The driver might be thought of as undeserving in relation to her behaviour whilst still having needs that ought to be met. It could also be argued that moral gains and losses are produced from not meeting the needs of an undeserving claimant. In either case, the principles of need and desert are understood as pulling in opposite directions and yet are both valued. According to some commentators the mature ethical response in relation to this dilemma is acknowledging that the ‘solution’ is not to jettison one principle in favour of the other, but to reject the idea that moral decision-making principles exist. Instead, both values are taken to each specific situation and intuitive judgements are made accordingly, the argument being that these values conflict at ‘ground-level’ and we should expect decision-making to reflect this (for example see Dancy, 1993, 109–115). Consequently, there is no monistic solution to these dilemmas – they are dilemmas that de facto occur and ought to be incorporated within the complex moral world human beings occupy.

The above incorporation can come in many different forms. At one end of the spectrum (that is the most soluble) values can be placed in a lexicographic ordering, exemplified in John Rawls’s, Theory of Justice (1971, especially see 42–5). The value of individual freedom is often understood as conflicting with the value of distributive equality. However, Rawls solves this by guaranteeing certain freedoms (acting as a first principle) after which a further distributive principle comes into play (acting as a second principle) but without having to refer to the first. Turning again to the desert paramedics example above, they might decide (if lexically inclined) that if everyone is equally to blame then treatment ought to be distributed according to need. This strategy is effectively placing desert as a first value after which (if fulfilled) need operates as a second independent principle.\footnote{5}{I still contend, however, that for most people this solution in this circumstance is no more morally persuasive than using desert to trump need altogether.}

At the other end of the spectrum (that is the least soluble) conflicting values are viewed as incommensurable. For Joseph Raz: ‘A and B are incommensurate if it is neither true that one is better than the other nor true that they are of equal value.’ (Raz, 1988, 332). Therefore, it is not possible to lexically rank values given they are not comparable. Instead, qualitatively different losses and gains are experienced depending upon what choices are made. Distributing according to desert or need could therefore be seen as based on values so different that it is not possible to even compare values and situations and make judgements accordingly. As with the strong intuitionists/dilemma proponents we are left with moral losses and gains whatever option we choose.

Finally, somewhere in the middle of the spectrum, it is possible to ‘trade-off’ values suggested by Barry for example (Barry, 1995, 5–7). Here, one value is diminished for the sake of another but without sacrificing entirely the first. Consequently, a
certain balance of conflicting values is achieved which again is intended to reflect our moral intuitions.

**Personal Identity and Policy Debate**

I have argued elsewhere that engaging in the above debates concerning dilemmas and value-conflict can throw considerable light on how social policy is variously justified (for example see Smith, 1998, 234–242; Smith, 2005b). However, part of the reason why and how dilemmas and value-conflict are produced, I believe is connected not only with the different ways values conflict, amongst a set of ethical commitments held by a particular position. It also concerns how persons themselves (in relation to their environment, circumstances and personal identity) are variously viewed. For example, one of the reasons we may decide to treat the victim of a road accident (regardless of whether she deserves the treatment in relation to her behaviour or not) is precisely because she is viewed as a victim. More specifically, being defined a victim then provides a reason to suspend judgment in relation to her deservedness. For example, as a victim it could make her an object of pity that then may readily lead to a sympathetic response ensuring that the meeting of her needs trump any desert claims.

Nevertheless, my final point is that although this latter position has considerable moral appeal in the road-accident case, there may be many other cases where it does not. The main contention is that the lack of appeal in these cases cannot only be argued for philosophically, but also accounts for why many groups who are usually classified as victims often militantly reject being defined in this way. Instead, these groups are keen to stress their ability to survive and thrive through particular conditions and circumstances – regardless of how they were caused (also see my arguments in Smith, 2002a; Smith, 2002b; Smith, 2005a). This, by implication, requires us to acknowledge two distinct but related sets of moral concerns and their derivation. First, acknowledging that the positive identity of those who belong to disadvantaged groups is derived from the moral significance of being different, and that this difference is a basis for personal development and making contributions to the welfare of others. Second, acknowledging that the fair or unfair treatment of such groups is derived from the moral significance of claiming just distributions, and that this requires a redistribution of resources from the better-off to the worst-off (also see Smith, 2002b, 47–60). I believe that recognising both these moral domains (as separate but related) has profound implications for how moral relations between persons are viewed and responded to, which in turn also has a profound impact on how policy and practice is, and ought to be, implemented.

**References**

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