

Viewpoint: Fineman and Vulnerability

This viewpoint piece will argue that the work of the American feminist political and legal philosopher, Martha Fineman can be the basis for a shift away from the proceduralism and managerialism that has come to dominate approaches to social work practice. Fineman's work calls for a radical rethinking of societal notions of concepts such as autonomy and vulnerability. One of the key features of the political and social dominance of neoliberalism has been the focus on individualism. Alongside the emphasis placed on the need for the introduction of market mechanisms into all areas of life, this is the essence of neoliberal philosophy. The concept of individualism raises important questions for professions such as social work that are explicitly concerned with broader notions of social justice. For neoliberalism, inequality is a fact of human life – put simply; we are not equal – not in terms of the law or civic rights, but in terms of skills and abilities. Social work in challenging discrimination, disadvantage and oppression has used political language and discourse that focuses on human rights of both individuals and groups. However, as Fraser (2013) has argued this discourse of individual rights has been taken up most effectively by neoliberalism. The effect is to empty the discourse of the broader concerns with social justice that were at the heart of the original challenge to the failings of the welfare state that were a feature of the

Radical writers of the 1970s such as Illich (1973). Giroux (2011) argues that neoliberalism has been successful in pushing out notions such as “social goods” or “community” from broader policy debates.

Vulnerability

It is a feature of all professional fields that those working within them use some forms of jargon or shorthand. This seems almost inevitable. It does serve to establish and maintain professional identities and boundaries. Social work appears to be particularly prone to bouts of this -for example struggling to agree even on a term for those who use services. Various terms -*service user, client, customer and expert by experience* have all been or continued to be used in various contexts (Mclaughlin, 2009). However, none of them is without fault and none really captures the complexity of social work relationships. The use of language is clearly vitally important. Beckett (2003) notes that social work practice is replete with metaphors drawn from the military and war. An approach that is encapsulated in the fact that the Fast Track scheme in children and families social work was given the title *Frontline* (www.frontline.org.uk). Wacquant in his discussion of the development of penal policy identifies what he terms "*doxa*" (Cummins, 2015). Doxa are terms that construct and limit the parameters of debates. In the penal field, they would include terms such as "*prison works*" and "*zero tolerance*". In any area, there will be a series of doxa. Wacquant argues that they become terms that are used almost unthinkingly. Critical perspectives and approaches require the interrogation of doxa.

Vulnerability has, I would argue, become one of the doxa of social work. Using Fineman's challenge to the term, we can deconstruct its current use as part of a radical reimagining of social state (Cummins, 2018). Vulnerability has become a term that is in increasingly common usage across the social welfare field. It is a term that is poorly defined. It is used in a variety of fields of settings. It is applied to individuals, communities and population groups. In social work, it is used in both adults and children's services. It is used in the context of abuse and/ or exploitation -

the role of agencies being to protect vulnerable individuals. This use of the term has been seen as overly paternalistic. For example, *No Secrets* defined a 'vulnerable adult' as a person: "who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation".

The Care Act 2014 has superseded this. The Care Act uses the term 'an adult at risk.' An adult at risk of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and because of their care needs -is unable to protect themselves. *No Secrets* and *the Care Act* are both based on an essentially individualised conception of vulnerability and risk. This can lead to a limited focus on the circumstances of an individual rather than a more community based or ecological approach, particularly in assessment processes. They, perhaps, unintentionally, focus on a deficit model looking at ways or circumstances, in which, individuals might be or become vulnerable. This approach also leads to the identification of vulnerable populations or groups.

The use of the term "vulnerability" has its roots in the biological and life sciences. In the 1980s, it was a term that was rarely used. It first appeared more widely in the 1990s but since 2000, there has been an explosion in the use of the term. The term originates in risk research that examines the causes and impacts of natural disasters. It was used as a way of examining the ways, in which, structures and institutions may prevent or add to the consequences of a natural disaster.

For example, an earthquake is a potential natural disaster. In considering the risks or vulnerability of a region, one would need to consider not only the likelihood of

such an event, alongside the impact of the size of the quake. In addition, the physical

In addition, social infrastructure will be a factor in the calculation of any potential impact.

This will include an analysis of the design of the buildings and their ability to resist shocks as well the state resources that would be available to respond to such an event.

Vulnerability is now a term that is central to psychology, sociology and social work (Spini et al 2013). The looseness of the definition means that it can be used across disciplines. One approach is to regard vulnerability as reflecting a broad terms, a lack of resources that individuals or communities possess. This means that individuals or groups are at increased risk of experiencing stress factors. They then face greater challenges in coping with these stressors or recovering from their impact. One can see the application of this model in the exploration of the links between poverty and mental health (Cummins, 2018) .The links between socio-economic factors and mental health play out in a number of complex ways. Psychosocial factors such as ongoing acute stress can have a detrimental impact on an individual's mental health (Wilkinson, 2017). People from marginalised groups, for example asylum seekers and refugees or those who have experienced other forms of trauma, are more vulnerable to the development of mental health problems. The stresses of the daily experiences and pressures of living in poverty such as debt worry about being able to cope with emergencies and precarious accommodation can all contribute to poor mental health (Elliott, 2016).

Fineman on autonomy and vulnerability

Fineman's work (2004 and 2008) challenges two deeply engrained but interrelated social and cultural tropes and ideas. The first is the notion of autonomy. In *The Autonomy Myth* (2004), Fineman argues that the cultural focus on individualism hides the social reality of our interconnectedness. In reality, we all need or will need some care at points in our lives. It is impossible to make to adulthood without being cared for by others. In adulthood, we do not when we might need some form of care and what our care needs might be. Fineman argues that political discourse and

welfare policy is based on the notion of the liberal subject. This is an idealised version of the individual citizen. Such citizens are independent, autonomous adults.

Many of the social arrangements and institutions that have the most profound impact on individual lives are regarded as private -i.e. beyond the state (Fineman 2004). There are complex issues involved here as clearly the state intervenes in family life in a wide range of ways. In addition, Fineman is writing largely in the context of the USA where the social state has not been as well established as it is in, for example, Social democratic systems. The limitation of state involvement in such private spheres is, Fineman (2004) argues, deeply entwined with other ideological perspectives, such as a belief in free market capitalism and the notion of meritocracy. Anti-statist ideas have become more widely adopted -by both the libertarian Right and Left. Liberty in this context being defined as freedom from government. Fineman (2004) suggests that the results are that liberty has become more highly valued than equality. Thus, role of the state in this model has become to decide between competing individual claims and ensure fair treatment. Vulnerability is different for different people. Fineman's (2008) use of the term is a basis for a politics of welfare based on reciprocity. Fineman's use of the term is radical different to the current usage across health and social care. In the current context, it is used in a much more paternalistic fashion -often denying agency and choice in contradiction of broader stated policy aims of empowerment and independence. In Fineman's work, it is the basis for a mutual understanding or reciprocity. The focus on individualism ignores or seeks to set aside the basic conditions of mutuality that are required for social systems to function. This is particularly the case in the provision of care, 'care' being used in its broadest sense here. Current systems privatise our collective responsibility for care.

As I was working on this, Mrs May danced on stage at the Tory Party conference and announced that austerity was at an end. It remains to be seen what this will mean. The implications of Brexit for health and social welfare services will be profound. It appears that there will be an increased involvement of the market in these areas. In addition, restrictions on movement will have potentially huge impacts on staffing and recruitment. It is depressing to note that the linking of high skills with high wages means that the vast majority who those who work in this sector supporting their fellow citizens are regarded as low skill workers because they earn under £50 thousand. In June 2016, the UN's Committee on Economic, Social and Cultural Rights published a damning report that stated that the impact of the government's policies of austerity and welfare reform amount to a breach of their obligations under human rights policies. In particular, they highlighted the fact that more people were reliant on food banks; high rates of unemployment; the poor provision of mental health care; an increase in homelessness and; increasing discrimination against migrants. The UN Committee highlighted the disproportionate adverse impact that austerity measures have on the most disadvantaged and marginalised individuals and groups.

Fineman's notion of vulnerability can be the starting point for challenging the notions of individualism and choice. This is not to say that we should not treat people as individuals or recognise that they have a right to exercise choices. It is rather a recognition of the limits of the ultimate utility of these concepts. Choices can only be exercised within a social context. This must include the resources available but also the social status of the individual making the choices. The right and power to make choices is not distributed evenly amongst individuals. Without economic rights then many groups are unable to exercise political and social rights. If we use Fineman's (2008) notion of vulnerability, we will see it as universal, constant and

deeply rooted in the human condition. We all share this quality. It is not a characteristic of particular individuals or groups. This approach leads to a positivist identification or the creation of vulnerable populations and groups. Fineman's focus is to argue that we are or should be seen as vulnerable subjects. She has argued that the notion of autonomy that underpins individualism is a myth. The cultural focus on individualism hides the social reality of our interconnectedness. We share what she terms a messy dependency. Social work acknowledges this. However, the rise of care management and other organisational approaches has seen the use of the discourse of rights and empowerment bolstering practices that are increasingly bureaucratic. The term "vulnerable" is subsumed in an organisational and professional culture that limits rather than extends rights. Fineman's use of the term is radically different. It is a basis for genuine reciprocity and a call for a more responsive state and equal society.

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