

The strategic logics of professional justifications

Paper presented at the research seminar NL UU SOPINS 29-11-2010

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Introduction

This paper tries to contribute to the clarification of the problems concerning professional justifications from an ideal-typical point of view, which inevitably implies that it doesn't deal with real problems and their solutions. The starting point is Freidsons (2001) ideal-typical distinction between professionalism, market and bureaucracy. Abbotts (1988) analysis of professionalism will be used to convert Freidsons distinction of power into a distinction of expertise. By making use of Savornin Lohman & Raaff (2001) the distinction is extended by two more logics, the public and the private one. It will be shown that all five logics rest on different action values and that these differing values can cause serious misunderstandings concerning professional justifications.

Organizing work: market, bureaucracy and professionalism

Introduction. Although research on professionalism can rest on many different points of view, the most profound distinction in this respect seems to be made by Abbott (1988), who distinguishes between the functionalists and the monopolists (p. 6), who respectively hold that professionalism is grounded in expertise or power.

Freidsons point of view: power. Freidson distinguishes three ideal-typical logics: free market, hierarchical bureaucracy and autonomous professionalism. In his brief analysis six aspects can be discerned. **(1) Context: legal work.** The logics describe three different ways of organizing work. The context of his approach is "an official economy which defines work as a legal gainful activity" (p. 17). **(2) Common ground: high quality at low costs.** Freidsons description of the logics (pp. 1-3) shows that all three aim at products or services of high quality at low costs. Yet the balance can differ between the logics: while the free market focuses on the costs, professionalism regards the costs as a means for quality as the end. **(3) Fundamental differences: chief actor and regulatory principle.** Freidsons description of the three logics rests on two fundamental differences: the chief actor and the regulatory principle. On the free market the consumer is the chief actor. The regulatory principle is free (that is to say: unregulated and fully informed) competition. In the hierarchical bureaucracy the manager is the chief actor while efficiency (including planning and control, standardization, predictability) is supposed to be the regulatory principle. In autonomous professionalism the worker is the chief actor and autonomy ("the power to organize and control their own work"; pp. 1-2) is the regulatory principle. **(4) Perspective: power.** Freidsons distinction between the three logics rests on power.

The main question is: who's in charge? **(5) Secondary differences.** Freidson points at several secondary differences between the three logics. For instance, he refers to Lindbloms' "three elementary mechanisms for social control that all politico-economic systems employ" (p. 105): exchange, authority and persuasion. Needless to say that this distinction fits in perfectly with Freidsons logics. **(6) Incompatibility.** The three logics are incompatible: professional monopoly is incompatible with the free competition on the free market, whereas professional discretion is incompatible with the standardized efficiency in the hierarchical bureaucracy.

Evaluation. Freidsons distinction between three logics is convincingly in such a degree that it even seems to be used "avant la lettre". Lipsky (1980), for instance, analyses the tensions between the logics of professionalism and bureaucracy in his analysis of the street-level bureaucrat. Moreover, he distinguishes three kinds of accountability: through administrative controls, to consumers by recreating the conditions of a market, and to professional norms (p. 160). Yet there is a fundamental problem related to Freidsons focus on power. If professionalism is defined as "control of work" (cf. p. 5) then more control of work logically implies more professionalism: the more power an occupation gains, the more professional it is, a view which only makes sense in quite a critical and indeed cynical approach of professionalism. The plausibility of the three logics would be more useful if they could be related to expertise instead of power. Abbott (1988) offers the possibility to do so.

Abbotts point of view: expertise. Abbott (1988) states (p. 323):

Professionalism has been the main way of institutionalizing expertise in industrialized countries. There are [...] many alternatives [...]. But professionalism shares with these alternatives the quality of institutionalizing expertise in people. As I have repeatedly argued, expertise is also institutionalized in commodities and organizations. To ask why societies incorporate their knowledge in professions is thus not only to ask why societies have specialized, lifetime experts, but also why they place expertise in people rather than things or rules.

The parallel between Abbotts and Freidsons distinction is striking. **(1) Professionalism: people and practices.** Professionalism institutionalizes expertise in people, as Abbott explicitly states. Evidence for this view can for instance be found in Dutch social work, where it is stated that social professionals are their own instrument. It seems more correct to state that professionalism is also institutionalized in the practices which professionals share. **(2) Market: products and processes.** The institutionalization of expertise in commodities or things, on the other hand, seems to be typical for the free market. Mintzberg (1983), for instance, describes the production of cars as complex expertise that can fully be rationalized and thus translated into simple manual operations. Therefore, it is perhaps more adequate to state that the market institutionalizes expertise not only in the products as the results of work but also in the production as the process. **(3) Bureaucracy: protocols and procedures.** The institutionalization of expertise in organizations or rules characterizes the hierarchical bureaucracy. Bureaucracy is a kind of systemic intelligence (Van der Lans, 2008) that depends on protocols and procedures.

Different rationalities. The organization of work can thus be understood by distinguishing three different logics, which can be viewed from two different points of view. Looking from the point of view of expertise, it is possible to interpret Freidsons

logics as three different rationalities with three different action values. (1) *Autonomous professionalism: humanitarian rationality: effectiveness*. Freidson states that professions are devoted to “a transcendent value” (e.g. p. 122) and also to “the public good” (e.g. p. 131). This implies that they are focused on a specific humanitarian goal, as is shown by his characterization of the three traditional professions (the physician, the lawyer and the priest) by their core-values “Health, Justice, and Salvation” (p. 167). Therefore professionalism can be characterized as a humanitarian rationality. Professional activities aim at effectiveness, i.e. reaching the humanitarian goal. (2) *Free market: economic rationality: productivity*. The free market puts its trust in the rationality of the free play of economic forces, symbolized by Adam Smith’s “invisible hand”. This is basically an economic rationality. Market activities primarily aim at productivity. (3) *Hierarchical bureaucracy: institutional rationality: meticulousness*. The hierarchical bureaucracy is essentially an institutional rationality, as stated by Hegel in the foreword of his *Philosophy of Law* [1812]: “Was vernünftig ist, das ist wirklich; und was wirklich ist, das ist vernünftig.” Cf. Tonkens (2008): “De bureaucratie is het hart van de rechtsstaat.” Looking at bureaucracy from an expertise point of view shows that bureaucratic activities do not primarily aim at efficiency, as Freidson remarks, but at meticulousness.

Professional point of view. By discerning three different rationalities, is it possible to formulate in an ideal-typical sense the professional critique concerning the logics of the free market and the hierarchical bureaucracy. Since professionalism is a humanitarian rationality, its critique points primarily at the dehumanizing effects of market and bureaucracy. (1) *The egoistic market*. It seems obvious that the free market is based on freedom. Sartre (1943, p. 515), however, points at the intricate connections between freedom and force: “Être libre c’est être condamné à être libre.” This also is true on the free market: the consumer is condemned to freedom of choice: he has to choose, even if he doesn’t want to. Central to the free market is exchange, and the heart of this game is not maximizing freedom but maximizing profit or, to put it in other words, egoistic self-interest. This is contradictory to the humanitarian goal of professionalism, as is obvious from the ideal-typical difference between physicians and charlatans. (2) *The simplistic bureaucracy*. Bureaucracy can only deal with complexity which can be reduced to simplicity. Otherwise, it is impossible to develop procedures and protocols. This is contradictory to the complex and unique circumstances with which professionalism has to deal. Humanitarian rationality sees here “the banality of evil”, as described by Hannah Arendt in her report on the trial against Eichmann (1963/1964, pp. 289-290): “[...] perhaps the nature of every bureaucracy, is to make functionaries and mere cogs in the administrative machinery out of men, and thus to dehumanize them. [...] When Hitler said that a day would come in Germany when it would be considered a ‘disgrace’ to be a jurist, he was speaking with utter consistency of his dream of a perfect bureaucracy.”

Other logics: the public and the private domain

Introduction. Freidson’s logics are all three confined to legal work and in this sense it is so to speak a horizontal distinction. De Savornin Lohman & Raaff (2001), on the other hand, propose, figuratively speaking, a vertical positioning of professionalism. They

situate professionalism in an area of tension between the private and the public domain (p. 58), or, to put it in Habermas's words, between the "Lebenswelt" and the "System" (p. 40).

The logic of the public-political domain: the will of the people. The logic of the public-political domain (cf. Van der Lans, 2005, p. 15) is so to speak situated above the three occupational logics for here is decided which logic will prevail in which occupational activities. Van der Lans offers an adequate description of a democratic determination of this domain (2005, p. 17): "Democratie is niks meer dan een methode om particuliere en private meningen te weten te komen en tegen elkaar af te wegen [...]. Een democratie dient juist zo georganiseerd te zijn dat het particuliere en het publieke van elkaar gescheiden zijn, volgens het motto dat wat goed is voor de een, niet per definitie goed is voor ons allen." Van der Lans's distinction refers to Rousseau's distinction between the "volonté générale" as "le bien de tous" and the "volonté de tous" as the "somme de volontés particulières". In short: in democracy the public-political domain is (that is to say: should be) concerned with the public good.

The logic of the private domain: the wish of the individual. The private domain is the domain of the private wishes and desires, the "volontés particulières". Professionalism is concerned with the private domain in quite a different sense than the other two occupational logics. In bureaucracy the perspective of the private "Lebenswelt" is completely subsidiary to the formal and general rationality of the system. On the free market the "Lebenswelt" is only relevant in the sense of the individual needs of the potential consumers as a cause for an exchange. Professionalism, on the other hand, has an explicit relation with the "Lebenswelt" insofar specific humanitarian goals are concerned. Physicians, for example, are involved in the professional care for the personal health of their patients. Professionalism, however, does not merge with the private domain: the humanitarian goal requires a functional involvement which demands a certain distance from the patients and their needs

Conclusion. Professionalism is concerned with the public good of the public domain nor with the individual needs of the

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- Do professions do so in the right way?
- Make professions clear that they do the right things in the right way?

Standards. The only standard for a professional justification is effectiveness in reaching a specific humanitarian goal. This standard, however, conflicts with nonprofessional logics. The public logic in a democratic society is focused on the will of the people, but Freidson stresses that professionals can even be obliged to disobey the law (p. 221). The private logic focuses on the need of the individual, whereas Freidson states that professionals don't belong to a servant class; they belong to a service class which is dedicated to its substantive goal (p. 123). While the logic of the free market is directed towards the quantity of its productivity, professionalism is concerned with the quality of its effectiveness (cf. Freidson). Bureaucracy and professionalism are both concerned with carefulness, but from a different point of view: whereas bureaucracy meticulously cares for rules, professionalism scrupulously cares for values. The main problem of professional justifications as far as the content is concerned, is that the different actors most likely speak so to say different languages.

Efficiency. According to Freidson, the logics for the organization of labor are all interested in the highest quality at the lowest costs. Yet he stresses that efficiency can never be measured in an objective way but always is related to private interests. Abbott even states that focus on efficiency always shows a lack of expertise. If all this is true, professional efficiency should only be related to humanitarian goals and the state of the art. Other measures of efficiency don't make any sense from a professional point of view.

Transparency. Whereas justifications will fail unless they are transparent, a main characteristic of professional problems and professional activities is their complexity. Freidson therefore points out that professional activities can only be judged by professionals (pp. 83-84). Even if we restrict professional activities to evidence based practice most people will not be able to understand an adequate description of simple professional activities, for instance the role of statistical evidence in professional decisions and the limitations of the state of the art.

Conclusion. From an ideal-typical point of view professional justifications seem to be at the same time necessary and impossible. This ideal-typical contradiction leads to an empirical paradox: the less pure profession an occupation is, the easier a justification will be. A consoling thought could be that professionals are quite used to complex problems; they deal with paradoxes all the time and even have some experience in making the impossible come true.

References

- Abbott, A. (1988). *The System of Professions. An Essay on the Division of Expert Labor*. Chicago/London: University of Chicago Press.
- Arendt, Hannah [1963¹/1964^{2R}] (1994). *Eichmann in Jerusalem. A Report on the Banality of Evil*. New York: Penguin.
- Freidson, E. (2001). *Professionalism. The Third Logic*. Cambridge: Polity Press.
- Lans, J. van der (2005). *Koning Burger. Nederland als zelfbedieningszaak*. Antwerpen/Amsterdam: Augustus.
- Lans, J. van der (2008). *Ontregelen. De herovering van de werkvloer*. Antwerpen/Amsterdam: Augustus.
- Lipsky, M. (1980). *Street-Level Bureaucracy. Dilemma's of the Individual in Public Services*. New York: Sage.
- Mintzberg, H. (1983). *Structure in Fives. Designing Effective Organizations*. Englewood Cliffs: Prentice Hall.
- Savornin Lohman, J. de & Raaff, H. (2001). *In de frontlinie tussen hulp en recht*. Bussum: Coutinho.
- Tonkens, E. [2003] (2008^{4R}). *Mondige burgers, getemde professionals. Marktwerving en professionaliteit in de publieke sector*. Amsterdam: Van Genneep.