

ONLY RAPE!

An examination of the power of ideology
and discourse in the policy process
with a focus on policy pertaining to
refugee women.

Eileen Pittaway

A Thesis submitted for the award of
Ph.D. Management

University of Technology, Sydney

June 2001

STATEMENT OF ORIGINAL AUTHORSHIP

CERTIFICATE

I certify that this thesis has not already been submitted for any degree and is not being submitted as part of candidature for any other degree.

I also certify that the thesis has been written by me and that any help that I have received in preparing this thesis, and all sources used, have been acknowledged in this thesis.

Signature of Candidate

.....

STATEMENT OF CONFIDENTIAL AND RESTRICTED MATERIAL

In accordance with Paragraph 3.5.10.2 (a) and (b), UTS Calendar 1998, I wish to state that Chapter Five and Chapter Six of this thesis contain restricted and confidential material which may not be disclosed freely and which may be released to other persons only on the authorisation of the Registrar after consultation with the appropriate Responsible Academic Officer.

Signature of Candidate

.....

Signature of Reader

.....

ACKNOWLEDGMENTS

My heartfelt thanks go to Judi Tucker, for the constant support and for keeping me sane during the process of writing this thesis, and to Emma Pittaway for her pithy comments and for keeping me in order. I would like to thank my supervisor Mark Lyons for his help and guidance and Cynthia Hardy for invaluable comments and suggestions on an earlier version of this work. I would also like to thank Jenny Onyx for giving me the courage to believe in what I was attempting to achieve. Thanks to Margaret Wilkins, Julie Ponder, Sue Baigent and Wendy Hunt for editing the many versions. To Velvy Holden for being the “behind the scenes” support during the entire case study. To the ANCORW board for allowing me the freedom to act as I did, and for giving me the support I needed when a more conservative board would have pulled in the reigns. Most importantly, to the refugee women who shared their stories and their strength, and to whom I owe an eternal debt of gratitude and an obligation to work to stop the atrocities perpetrated against them.

STATEMENT OF ORIGINAL AUTHORSHIP	i
<i>CERTIFICATE</i>	<i>i</i>
STATEMENT OF CONFIDENTIAL AND RESTRICTED MATERIAL	ii
ACKNOWLEDGMENTS	iii
LIST OF FIGURES AND TABLES	xiv
ABBREVIATIONS	xiv
ABSTRACT	xvi
CHAPTER ONE - INTRODUCTION	1
<i>1.1 Background to the Study</i>	<i>1</i>
<i>1.2 The Case Study</i>	<i>1</i>
<i>1.3 The Purpose of the Study</i>	<i>4</i>
<i>1.4 Methodology</i>	<i>4</i>
<i>1.5 Theoretical Framework</i>	<i>5</i>
<i>1.6 Justification for the Research</i>	<i>5</i>
<i>1.7 Thesis Outline</i>	<i>6</i>
<i>1. 8 Scope and Key Assumptions</i>	<i>7</i>
CHAPTER TWO – LITERATURE REVIEW – SETTING THE THEORETICAL CONTEXTS	8
<i>2.1 AN INTRODUCTION TO THE LITERATURE REVIEW</i>	<i>8</i>
2.1.1 What the Literature Review Sets Out to Achieve	9
<i>2.2 DEFINITIONS</i>	<i>10</i>
2.2.1 Definition and Description of the Policy Process	11
<i>2.3 WRITINGS IN THE RATIONALIST FRAMEWORK</i>	<i>14</i>
2.3.1 Theoretical Assumptions Underpinning the Framework	15
2.3.2 Typical Methodology	15
2.3.3 The Exercise of Power and its Implications in the Framework	17
2.3.4 Tools	18
2.3.5 Agenda Setting, Problem/Need Definition, Implementation and Evaluation	20
2.3.6 Formal Policy Actors	22
2.3.7 External Actors	22
2.3.8 Discussion of the Usefulness of Writings in the Rational Framework	23

<i>2.4 WRITINGS IN THE POLITICAL FRAMEWORK</i>	24
2.4.1 Introduction to the Political Framework	25
2.4.2 Theoretical Assumptions	25
2.4.3 Typical Methodology	26
2.4.4 Tools	27
2.4.5 Power	28
2.4.6 Agenda Setting, Problem/Need Definition, Implementation and Evaluation	30
2.4.7 Policy Actors	33
2.4.8 External Actors	34
2.4.9 The Sacred and Profane View of the Policy Process	39
2.4.10 Applications for Practice	41
<i>2.5 WRITINGS IN THE CRITICAL FRAMEWORK</i>	42
2.5.1 Introduction	42
2.5.2 Theoretical Assumptions	44
2.5.3 Regarding Postmodernism and Post-structuralism	46
2.5.4 Methodologies	48
2.5.5 Tools	61
2.5.6 Power	62
2.5.7 Agenda Setting, Problem/Need Definition, Implementation and Evaluation	64
2.5.8 The Role of Actors	66
2.5.9 External Actors	66
2.5.10 Applications for Practice	67
2.5.11 An Overview of the Main Contribution from Each Framework	68
CHAPTER THREE - METHODOLOGY	69
<i>3.1 ACTION RESEARCH GROUNDED IN CRITICAL THEORY</i>	69
<i>3.2 ACTION RESEARCH AS A CASE STUDY</i>	74
<i>3.3 THEORY BUILDING FROM CASE STUDY RESEARCH</i>	76
<i>3.4 INTERPRETATION AS A VALID FORM OF ANALYSIS AND THEORY BUILDING</i>	77
<i>3.5 DISCOURSE ANALYSIS</i>	78
<i>3.6 METATRIANGULATION</i>	79
CHAPTER FOUR – RESEARCH METHOD	81
<i>4.1 INTRODUCTION</i>	81
<i>4.2 THE RESEARCH QUESTIONS</i>	81
<i>4.3 METHOD</i>	82
<i>4.4 RESEARCH METHODS USED</i>	86

4.4.1 Qualitative Research	86
4.4.2 Participant Observation by the Researcher	87
4.4.3 Key Informant Interviews	88
4.4.4 Analysis of Secondary Data	88
4.5 METHOD FOR ANALYSIS	88
4.6 FRAMING THE QUESTION	90
4.7 CONCLUSION	91
CHAPTER FIVE – A CONTEXT FOR THE CASE STUDY	92
5.1 INTRODUCTION	92
5.2 WHY WOMEN DESERVE SPECIAL ATTENTION IN REFUGEE POLICY PROVISION	92
5.2.1 The Experience of Refugee Women	93
5.2.2 Potential Effects of the Refugee Experience on Refugee Women, and Implications for Resettlement Services.	96
5.3 A HISTORY OF REFUGEE POLICY IN AUSTRALIA	97
5.4 AUSTRALIAN SETTLEMENT SERVICES	101
5.5 THE WOMEN AT RISK PROGRAM	104
5.6 UNDERSTANDING THE UNITED NATIONS	105
5.6.1 The Structure of the United Nations	106
CHAPTER SIX – ACTION RESEARCH STAGE 1 – THE ANCCORW RESEARCH PROJECT	110
6.1 BACKGROUND	110
6.2 PLANNING PHASE	111
6.3 ACTION PHASE	112
6.4 OBSERVATION PHASE	120
6.5 REFLECTIVE PHASE	121
6.5.1 The Rational Framework	121
6.5.2 Analysis in the Political Framework	125
6.5.3 Analysis in the Critical Framework	129
6.6 CONCLUSION	131
CHAPTER SEVEN – ACTION RESEARCH STAGE 2 – THE “NEVER ENDING JOURNEY” CONFERENCE AND COMMUNITY AWARENESS PROGRAM	132
7.1 PLANNING PHASE	132
7.2 ACTION PHASE	133

7.2.1 CSW 35 - The Conflict Continued	134
7.2.2 The 'Never Ending Journey' Conference	137
7.2.3 Raising Community Awareness	139
<i>7.3 OBSERVATION PHASE</i>	<i>141</i>
<i>7.4 REFLECTIVE PHASE- CRITICAL EVENT THREE, RECOGNITION BY GOVERNMENT THAT ANCCORW HAD ACTIVE NETWORKS AND INFLUENCE IN THE NATIONAL AND INTERNATIONAL REFUGEE DOMAINS</i>	<i>142</i>
7.4.1 Analysis of the Political framework	142
<i>7.5 ANALYSIS OF CRITICAL EVENT THREE IN THE CRITICAL FRAMEWORK</i>	<i>146</i>
<i>7.6 CONCLUSION</i>	<i>148</i>
CHAPTER EIGHT-ACTION RESEARCH STAGE 3 – EXPLORING The SIGNIFICANCE OF THE NONRECOGNITION OF TORTURE and TRAUMA AND THE CONSEQUENCE OF THIS ON THE FAILURE OF THE WOMEN AT RISK PROGRAM	150
<i>8.1 PLANNING PHASE</i>	<i>150</i>
<i>8.2 ACTION PHASE</i>	<i>152</i>
8.2.1 Advocacy and Lobbying Activities for the WaR Program	155
8.2.2 'Only Rape': The Key to the Problem	157
8.2.3 War in the Former Yugoslavia	161
<i>8.3 OBSERVATION PHASE</i>	<i>164</i>
<i>8.4 REFLECTIVE STAGE, CRITICAL EVENT FOUR - THE SIGNIFICANCE OF THE TERM 'ONLY RAPE'</i>	<i>166</i>
8.4.2 Analysis of Critical Event Four in the Political Framework	167
8.4.3 Analysis of Critical Event Four in the Critical Framework	170
<i>8.5 CONCLUSION</i>	<i>175</i>
CHAPTER NINE - ACTION RESEARCH STAGE 4 – WORKING AS PART OF REFUGEE POLICY NETWORKS AND COMMUNITY	176
<i>9.1 PLANNING PHASE</i>	<i>176</i>
<i>9.2 ACTION PHASE</i>	<i>177</i>
<i>9.3 OBSERVATION PHASE</i>	<i>181</i>
<i>9.4 REFLECTIVE PHASE: CRITICAL EVENT FIVE - UNIFIED ACTION BY ACTORS IN THE REFUGEE DOMAIN</i>	<i>182</i>
9.4.1. Analysis in the Political framework.	182
9.4.2 Analysis of Critical Event Five in the Critical framework.	186
<i>9.5 Conclusion</i>	<i>188</i>

CHAPTER TEN - ACTION RESEARCH STAGE 5 - USING THE FOURTH WORLD CONFERENCE ON WOMEN	189
<i>10.1 PLANNING PHASE</i>	<i>189</i>
<i>10.2 ACTION PHASE</i>	<i>191</i>
10.2.1 The Fourth World Conference On Women, Beijing 1995	198
<i>10.3 OBSERVATION PHASE</i>	<i>201</i>
<i>10.4 REFLECTIVE PHASE - CRITICAL EVENT 7 - USING THE BEIJING PROCESS TO INFLUENCE THE POLICY PROCESS</i>	<i>202</i>
10.4.1 Analysis in the Political Framework	202
10.4.2 Analysis in the Critical Framework	205
<i>10.5 CONCLUSION</i>	<i>208</i>
CHAPTER ELEVEN_FINAL ANALYSIS AND THEORY BUILDING	209
<i>11.1 INTRODUCTION</i>	<i>209</i>
<i>11.2 FINAL REFLECTIONS ON THE FIVE STAGES OF ACTION RESEARCH</i>	<i>209</i>
11.2.1 Stage 1	209
11.2.2 Stage 2	210
11.2.3 Stage 3	212
11.2.4 Stage 4	216
11.2.5 Stage 5	218
11.2.6 Summary reflections	219
<i>11.3 TESTING THE ABILITY OF WRITINGS IN THE THREE FRAMEWORKS TO EXPLAIN THE POLICY PROCESS</i>	<i>220</i>
<i>11.4 THEORY BUILDING – KNOWLEDGE GAINED</i>	<i>223</i>
<i>11.5 TRANSFERABILITY</i>	<i>225</i>
<i>11. 6 END NOTE</i>	<i>226</i>
POSTSCRIPT - CHANGES IN GOVERNMENT POLICY AFFECTING RESETTLEMENT AND IMMIGRATION POLICY	228
INCLUSION OF REFUGEE WOMEN AS A 'SPECIAL NEEDS' CATEGORY	229
COMMUNITY REFUGEE SETTLEMENT SCHEME (CRSS)	229
TORTURE AND TRAUMA SERVICES	229
THE GRANTS IN AID (GIA) SCHEME	229
THE ADULT MIGRANT EDUCATION SCHEME (AMES)	230
THE DEPARTMENT OF EDUCATION, EMPLOYMENT AND TRAINING (DEET)	231
TERTIARY EDUCATION	231
THE INTEGRATED SETTLEMENT STRATEGY	231

THE REFUGEE RESETTLEMENT ADVISORY COUNCIL	232
NSW HEALTH	232
CASE-MANAGEMENT	232
RESPONSE TO REFUGEE WOMEN FROM NON GOVERNMENT AGENCIES	233
<i>CHANGES IN IMMIGRATION POLICY IN AUSTRALIA RELATING TO REFUGEE WOMEN</i>	233
<i>RECOGNITION OF RAPE AND SEXUAL VIOLENCE AS A WAR CRIME, OCTOBER 1998</i>	235
<i>CONCLUSION</i>	235
APPENDIX 1 - GLOSSARY OF TERMS	237
<i>Asylum</i>	237
<i>Asylum Seeker</i>	237
<i>The Convention</i>	237
<i>Convention Definition</i>	238
<i>Determination Procedures</i>	238
<i>Displaced Persons</i>	238
<i>Durable Solutions</i>	238
<i>Economic Refugee</i>	239
<i>Family Reunion Program</i>	240
<i>First Asylum Country or Country of Temporary Refuge</i>	240
<i>Home Country</i>	240
<i>Non-Government Organisation (NGO)</i>	241
<i>The Protocol</i>	241
<i>Refoulement</i>	241
<i>Refugee</i>	242
<i>Refugee-Like Situations</i>	242
<i>Refugee 'sur-place'</i>	242
<i>Resettlement Country</i>	243
<i>Special Humanitarian Program</i>	243
<i>UNHCR</i>	243
APPENDIX 2 - TIME FRAME OF RESEARCHER/ANCCORW ACTIVITIES	244
<i>Date</i>	244

<i>National Activities</i>	244
<i>International Activities</i>	244
<i>Summary of Outcomes</i>	244
<i>1990</i>	244
<i>ANCCORW Research Project</i>	244
<i>United Nations expert group meeting, Vienna, Austria</i>	244
<i>Oslo and Oxford meetings</i>	244
<i>Identification of the extent of torture experienced by refugee women and the lack of recognition of this</i>	244
<i>1991</i>	244
<i>Targeting resettlement services in Australia</i>	244
<i>June – ‘Never Ending Journey’ Conference</i>	244
<i>March – CSW 35 , Vienna</i>	244
<i>Improved torture and trauma rehabilitation services in Australia</i>	244
<i>1992</i>	244
<i>All states lobbying and advocacy work – resettlement services</i>	244
<i>Involvement of ANCCORW in training overseas posts on gender issues in the context of refugee determination</i>	244
<i>1993</i>	244
<i>All states – combining lobbying on refugee issues with preparation for the Beijing Conference</i>	244
<i>New York USA -</i>	244
<i>London UK - British Refugee Council meetings</i>	244
<i>Toronto - Canada</i>	244
<i>Identification of gaps in human rights conventions and the lack of recognition of the sexual torture of refugee women.</i>	244
<i>1994</i>	245
<i>RRWG National Conference</i>	245
<i>Bangkok Thailand</i>	245
<i>Involvement of the broader women’s movement in issues relevant to refugee women both in Australia and internationally</i>	245
<i>1995</i>	245

<i>Preparation for the Fourth World Conference On Women, Beijing</i>	245
<i>Bangalore India</i>	245
<i>Inclusion of recommendation on a range of issues pertinent to refugee women in the Beijing Platform For Action, including the recognition of rape in a conflict situation as a war crime.</i>	245
<i>1996</i>	245
<i>Raising issues from the Beijing Platform For Action in other UN agencies</i>	245
<i>Improved resettlement services, gender guidelines for refugee determination issues for Australian determining officers;</i>	245
APPENDIX 3 - Public Documents used in thesis and held by researcher:	246
File:	246
UN Conventions	246
UN Policy on Refugee Women	247
UN Expert Group Policy Documents 1990	247
UN Commission on the Status of Women 35 1991	248
UN Documents on Refugee Women	248
UN Resettlement	248
UN Excom	249
Miscellaneous	249
ANCCORW	249
UNHCR	250
Canadian Consulate General	251
Adult Migrant Education Service (AMES)	251
DIMA Annual Reports	251
Other DIMA	251
Grant-in-Aid and CRSS	252
Appendix 4 - CONFIDENTIAL RECORDS	253
File One: Records of interviews with key informants	253
File Two: Meeting Notes	253
File Three: Notes from Conversations	253
File Four: Miscellaneous	253
APPENDIX 5 - Humanitarian Arrivals Chart	255
APPENDIX 6 - THE WOMEN AT RISK SCHEME	256
Women at Risk Scheme	256
Size of scheme	256
Nominations	256

Priority in processing	256
Eligibility and assessment	257
APPENDIX 7 - ANCCORW Activities 1990-95	259
1990 – 1991	259
1991 – 1992	259
1992 – 1993	260
1993 – 1994	260
1994 - 1995	261
1995 – 1996	261
APPENDIX 8 REFUGEE SPECIFIC EXCERPTS FROM THE BEIJING PLATFORM FOR ACTION	262
APPENDIX 9 PUBLICATIONS	266
Refereed Publications	266
Published Conference Papers	266
BIBLIOGRAPHY	268

LIST OF FIGURES AND TABLES

Figure 1 - Action Research Loops or Stages

Figure 2 - Action Research Process

Figure 3 - Timing and overlap of Five Stages of Action Research

Figure 4 - The Structure of the United Nations

Table 1 - Dimensions of the Three Policy Frameworks

ABBREVIATIONS

ACC – Australian Council of Churches
ACFOA – Australian Council for Overseas Aid
AIMA – Australian Institute of Multicultural Affairs
AMEP – Adult Migrant English Program
AMES – Adult Migrant Education Scheme
ANCORW – Australian National Committee on Refugee Women
ANCCORW – Australian National Consultative Committee on Refugee Women
AWHRC – Asian Women's Human Rights Council
BIMPR – Bureau of Immigration, Multiculturalism and Population Research
BIR – Bureau of Immigration Research
CAAIP – Committee to Advise on Australia's Immigration Policies
CAPOW! – Coalition of Australian Participating Organisations of Women
CPA – Comprehensive Plan of Action
CRSS – Community Refugee Settlement Scheme
CSS – Community Settlement Services
CSW – Commission for the Status of Women
DAWS – Division for the Advancement of Women
DEET – Department of Education, Employment and Training
DFAT – Department of Foreign Affairs and Trade
DIEA – Department of Immigration and Ethnic Affairs
DILGEA – Department of Immigration, Local Government and Ethnic Affairs
DIMA – Department of Immigration and Multicultural Affairs
ECOSOC – UN Economic and Social Council
ESCAP – Economic and Social Council of the Asia Pacific
EXCOM – Executive Committee of UNHCR
FOI – Freedom of Information Act
GIA – Grant in Aid
ICEM – Intergovernmental Commission for European Migration
IRO – International Refugee Organisation
MAPS – Migrant Access Program Scheme
NGO – Non-government Organisation
NUMAS – Numerical Multifactor Assessment System
ODP – Orderly Departure Program
OSW – Office for the Status of Women
PEAPS – Pilot Access and Equity Projects Scheme
PFA – Platform for Action

PPBS – Planning, Programming, Budgeting Systems
PTSD – Post Traumatic Stress Disorder
RCOA – Refugee Council of Australia
ROMAMPAS – Review of Migrant and Multicultural Programs and Services
RRWG – Refugee Resettlement Working Group
SHP – Special Humanitarian Program
UNHCR – Office of the United Nations High Commissioner for Refugees
UNRWA – United Nations Relief and Works Agency
WaR – Women at Risk
WILPF – Women’s International League for Peace and Freedom

ABSTRACT

During a long career as a policy analyst, I have noticed that government policy often fails to achieve its stated aims. This dissertation seeks to identify why this happens, and how actors external to government can intervene in the policy process and influence policy outcomes. The study focused on policy addressing the needs of refugee women. It involved my taking a leading role in an action research project which lasted for seven years. The aims of the project were to bring about change in government policy and outcomes in relation to refugee women, and to seek a theoretical understanding of the process in which I was involved. The project was undertaken with a small non government organisation, the Australian National Consultative Committee on Refugee Women and comprised five loops or cycles of action research. It involved working at both local and international levels as links were made between human rights instruments, international law, domestic legislation and refugee policy.

For the purpose of the thesis, policy literature was grouped into three conceptually discrete frameworks, the Rationalist, the Political and the Critical. At each stage of the action research project, writings from three frameworks of policy theory were tested to seek explanations for the activities described. Knowledge gained from theoretical analysis in each reflective phase was applied and used to inform the next stage of research. The outcomes of these five stages produced a theory of policy development and enactment which emerged from the progressive iterative reflections in each of the five cycles.

The theory proposed is that policy often fails to achieve its stated aims because policy actors do not have a discursive understanding of the policy process in which they are involved. It is argued that in order to achieve the level of understanding required to facilitate effective change, it is necessary to take a 'critical distance' from the policy process and identify the ideologically based assumptions which inform it, and how these impact on and shape the social reality of the policy actors involved. It is necessary to understand the power and role of discourse in structuring that reality. In order to bring about change, the discourses which produce and are produced by the policy process have to be challenged and new discourses introduced. The non-government sector can play an active and an informed role by identifying the dynamics driving the process, by using theoretical analysis as a tool to identify and to address the root causes of problems in the policy process, and by realising their power to effect change.

It is argued that the insights gained through the analysis of this action research project have established both guidelines for practice, and theoretical principles which are generalisable to a range of policy domains and policy analysis.

CHAPTER ONE

INTRODUCTION

Policy pertaining to refugee women contains the largest negative ratio between rhetoric and reality that it is possible to achieve.

(Ms Sellami-Meslem, Commission for the Status of Women, United Nations, 1990)

1.1 BACKGROUND TO THE STUDY

This study was undertaken in order to uncover a new theoretical understanding of the policy process and to apply this knowledge to a particular area of policy, that pertaining to refugee women. As the methodology used is that of action research, the study was also undertaken with the intent of influencing social change in this policy arena. I have had a long involvement in the field of policy analysis and social administration, as a community activist employed in lobbying and advocacy positions, as a senior policy analyst in a State Government department, and as an academic. The dissertation has grown out of frustration at the frequent failure of government policy to achieve its stated aims and to alleviate social disadvantage

This thesis is unashamedly subjective, written from the point of view of an activist situated outside the formal policy process. The action research methodology is grounded in radical humanist theory which is antithetical to objective functionalist social theories or rationalist theories of policy analysis. A challenge faced has been to ensure that the action research methodology is sufficiently academically rigorous to fulfil the requirements of a PhD thesis. I will argue that the subjective nature of the research and the methodologies chosen both for the research and for the theory building provide a unique and challenging perspective for the understanding of the policy process.

1.2 THE CASE STUDY

The study follows my work as researcher, employed by a small non-government organisation as a policy analyst in the field of refugee women. The opportunity to

undertake the study occurred when I was awarded a one-year research fellowship by the Australian National Consultative Committee on Refugee Women (ANCCORW) and the University of New South Wales. The fellowship was to investigate the resettlement needs of refugee women in Australia and an evaluation of how these needs were met by Australia's refugee policy. It was followed by four years of government funding to follow up the research findings. This provided the opportunity to explore a particular policy process in great depth and from the perspective of the non-government sector, instead of the more commonly documented method of policy analysis which tends to focus on government as the main player.

It is acknowledged that the length of the case study, which covers a seven year period, is considerably more than is usual for a PhD. This was decided for the following reasons. As the work on the particular policy area progressed, the major issue grew from a short national project which was completed in 1991, to an extended national project which continued until 1994, and an international project which ran until 1995. I was by then heavily involved with the international process and was appointed to several international committees which enabled me to continue the work. I contracted with my PhD supervisor that I would extend the period of my PhD study to incorporate my involvement in the United Nations Fourth World Conference on Women, Beijing, 1995, an international meeting which was a natural end point for the case study, and I would then complete the thesis. The University granted a five session non-enrolment period while the work was undertaken.

During this time, the then Minister for Immigration began to curtail funding to organisations which incorporated lobbying and advocacy as part of their work plans. ANCCORW was one of these and I was unable to continue in their employ. I was then employed as a government policy analyst for a three-year period, during which time I continued working on the refugee project in a voluntary capacity and as a member of the ANCCORW Board. In 1998 I was fortunate to secure an academic position, and this enabled me to finish the writing of the thesis. Thus, the period of study extended for a longer time frame than anticipated, but this was a result of my immersion in the work which is the basis for the case study.

The time span is 1990 to 1996 and the case study examines the process relating to two strands of Australian refugee policy. The first is that of resettlement policy, designed to address the settlement needs of migrants who enter Australia as part of the Refugee and Special Humanitarian intake. The second is the Women at Risk (WaR) Policy, a visa

category and migration program aimed at identifying refugee women at risk of violence in refugee camps or conflict situations, and fast-tracking their removal to safety in Australia.

Refugee women were identified by the United Nations High Commissioner for Refugees as a particularly vulnerable group during the International Decade for Women, 1975 – 1985, and governments were asked to take measures to address this issue. A group of Australian women founded a non-government organisation, ANCCORW, to lobby the Australian Government to acknowledge the special needs of refugee women accepted for resettlement in Australia. Subsequently, the Government established Women at Risk (WaR) program and funded ANCCORW to conduct research into the resettlement needs of refugee women.

The findings of the ANCCORW research project indicated that the needs of refugee women were poorly served by existing policy and service provision. An unexpected finding of the research was the very high percentage of women resettled in Australia who reported experiencing incidences of torture and/or severe trauma, in particular rape and sexual abuse, as part of the refugee experience. This experience was not acknowledged in policy and service provision. These findings were later accepted internationally as able to be generalised to the female refugee population.

The research also identified that the Australian immigration program, the WaR program designed to identify women at risk of violence in refugee situations and to fast-track them to Australia, was seriously under-utilised. In the first two years of implementation of the WaR policy, less than a third of the annual allocation of sixty visas were issued each year, despite an estimated 16 million refugee women and children worldwide at that time. Government officials expressed their concern at this policy failure, which they stated was due to the inability of personnel in overseas posts to locate women who fitted the criteria. This was in stark contrast to the research findings of extensive torture, rape and sexual abuse of refugee women.

On completion of the research, two tasks were identified by the researcher and the ANCCORW board. The first was to lobby to change Australian resettlement policy and practice relating to refugee women to reflect the needs identified in the research. The second task was to identify why the WaR scheme was not functioning effectively and to lobby for its successful implementation. This work took the researcher from Australia to the United Nations, as the important links between international law and human rights

conventions, domestic law, social policy and service provision became apparent. The work, which lasted for seven years, became the focus of the case study of this thesis.

1.3 THE PURPOSE OF THE STUDY

The study has two purposes. As action research, the major aim was to intervene in the policy process to achieve change, at first in implementation and at a later stage in the international legal framework which 'trickles down' to inform refugee policy in Australia. The second purpose was to provide a theoretical understanding of the process which occurred. The thesis is written from the view point of a community-based researcher seeking a theoretical explanation for a particular policy process in which she was involved. The aim is both to explain the individual case and to throw light on the common phenomenon of the apparent failure of public policy to achieve its stated goals and aims. While the thesis draws heavily on policy and social theory, it is not intended to be purely theoretical; the aim is to use theory to inform and explain policy practice.

While the policy examined relates to refugee women, it is argued that the analysis and the conclusion drawn can be applied equally to other policy arenas. This specific policy provided a manageable focus for testing theories from policy literature in order to obtain a fuller understanding of the policy process.

1.4 METHODOLOGY

The methodology is that of action research grounded in critical theory. The action research spiral which forms the core of this case study has five identifiable 'loops' or stages. They are described using the four phases of action research, those of planning, acting, observing and reflection. In each stage, a particular 'critical event' is identified in the process of observation and reflection, and this is used as the basis for critical analysis by theories from the three policy frameworks. This analysis then informs the planning and action phases of the next stage of the research. An iterative approach to theory building was used as the process was continually analysed over the seven-year period, identifying key critical events and seeking theoretical explanations for these from the policy literature. This methodology differs from more conventional methodologies, in which a core proposition, or theoretical position is constructed from the initial literature review, with empirical research then measured against this core proposition. When using an action research methodology based in critical theory the literature review is an integral part of the methodology, it is part of an ongoing process, which involves testing findings against theoretical positions in each stage of the action research. The theory

building is a continuous process and core propositions emerge only at the conclusion of the action research process. As researcher, I was advised that both the research methodology and the theory-building techniques selected for the thesis were 'risky' as they both push the boundaries of acceptable academic practice. However, as I became more subjectively involved in the case study, and searched more widely for theoretical explanations for events as they occurred, I identified academic writing and theoretical perspectives which began to throw light on phenomena for which I had been unable to find satisfactory explanations within the conventional limits of policy analysis.

1.5 THEORETICAL FRAMEWORK

The search for a theoretical explanation for the research problem which is the focus of the thesis in the vast body of literature on policy analysis involved grouping the writings into three policy frameworks: the Rational, the Political and the Critical. While sharing some areas of overlap, these frameworks are conceptually and theoretically distinct. A framework for analysis was adopted similar to that used by Allison (1971) in his work on the Cuban Missile Crisis, in which he grouped policy writings into three models and tested his findings against each. At each reflective stage of the action research process, findings from the case study were tested against theoretical writings in the different frameworks to test them for an explanation and to inform the building of a theory which addressed the research problem. A number of dimensions of the policy process were identified and explored in each of the frameworks. The literature review was not conducted independent of the collection of data, or prior to the development and recording of the case study. It was an integral part of the case study and methodology. In each stage of the five action research loops, different theoretical positions and writing were explored and tested in order to seek an explanation for the phenomena under examination. Some theoretical positions were considered as not being useful and were discarded. Others which offered useful insights were incorporated into the theory building process which culminated in the development of a theory to address the complex policy process under examination. The use of three frameworks in this dissertation demonstrates that the different conceptual frameworks not only generate different interpretations of events, and thus different answers, but also generate different research questions.

1.6 JUSTIFICATION FOR THE RESEARCH

During a career as a social policy administrator and researcher, I observed that government policy often fails to meet its stated aims and objectives. In the case study

presented in this thesis, the policy was apparently formulated with good intent, with an expectation that it would be successfully implemented. However, the outcomes were very different from the stated aims, as the needs of policy recipients were not met by the services and procedures which were the outcomes of the policies. Failures such as this lead to social hardship and deprivation. In previous academic work it was identified that much of the writing in the field of policy analysis has been unable to provide satisfactory explanations for policy failure. nor has it provided a practical or a theoretical structure for change. Frameworks within the Rational framework are mainly operational tools and strategies for the use of policy makers. They do not take into account the social structure in which the policy process takes place. Frameworks developed in the Political and Critical frameworks are, on the whole, observational and the knowledge which they generate is rarely applied operationally. The role played by activists in the policy process is seldom acknowledged.

Australian refugee policy provides an example of the apparent policy failure detailed above. The researcher had a unique opportunity to be totally immersed in the policy process for a significant period of time, and to use this 'lived experience' to explore in detail the many elements and dynamics which inform the policy process. The reflection and analysis at each stage of the action research built on to insights gained by testing the three conceptual frameworks of policy analysis to seek explanations for the events described. Together they contributed to a revised theory of policy development and enactment.

This study was an attempt to understand the process in order to retrieve and change the process for refugee women, and to offer suggestions for change to actors in the policy domain. The activities described in the case study made a significant contribution to the recognition of rape in a conflict situation as a war crime, by the Court of Rome, October 1998.

1.7 THESIS OUTLINE

The thesis is presented in eleven chapters. Chapter 2 contains the literature review, a presentation of the theoretical contexts used for analysis. Information about the methodology, the science of the method, and the method used for the research are presented in Chapters 3 and 4 of the thesis. They are presented separately because of the contentious nature of the methodology selected. The special needs of refugee women, and the history of immigration and refugee policy is presented in Chapter 5 to provide social and historical contexts for the case study. The case study is presented

sequentially in chapter 6 – 10, addressing the five discrete stages or loops of the action research. Each was analysed as it occurred. Chapter 11 presents the conclusions and implications for practice to be drawn from the study. It also discusses the implications of the analysis for theory and policy. For definitions of terms used in the thesis, please see Appendix 1.

1. 8 SCOPE AND KEY ASSUMPTIONS

This thesis only addresses policy pertinent to refugee women. The invisibility of women in the policy process and the special needs of this group are at the core of the research problem. The official time frame was from the start of the direct involvement of the researcher in the process in 1990 through to the Beijing Women's Conference, 1995. However, policy is a continuing process, and while this conference was a significant event in the process under examination and an end point to one particular course of action, subsequent outcomes are important and have been reported in the thesis.

A criticism of the method is that it is a study of a 'one off' occurrence, not directly comparable to another case study. It is difficult to replicate and dependent on the interpretation of one key player, the researcher. I want to argue that the subjectivity of the method is a strength rather than a weakness which provided the researcher with a rare and privileged opportunity to examine the minutiae of a policy process in a very detailed manner. Use of this method allowed an alternative view of the policy process from that usually presented by analysts who focus primarily on government activities.

CHAPTER TWO

LITERATURE REVIEW - SETTING THEORETICAL CONTEXTS

Policy is rather like an elephant – you recognise it when you see it but cannot easily define it (Cunningham, 1963, cited in Hill & Bramley, 1986, p. 229).

2.1 AN INTRODUCTION TO THE LITERATURE REVIEW

This thesis seeks a theoretical explanation for *why* a particular area of social policy was failing to fulfil its stated aims, and *how* non formal policy players were able to influence the policy process. The methodology is that of action research with the aim of achieving social change. It employs an iterative method of theory building which involves the constant testing of events against theoretical writings in the reflective stage of each action-research loop, in order to contribute to a theory academically rigorous enough to satisfy the requirements of a doctoral thesis. Thus the thesis describes a journey in which the case study and the exploration of policy theory occurred simultaneously. The testing of various theories and the application of knowledge gained through this process informed the actions taken. Therefore the literature review does not stand alone, as work done as a precursor to the case study, but rather is an integral part of it. The theory developed to address the phenomena undertaken is a result of this iterative process and of a constant exploration and testing of a wide range of theoretical propositions. It is an cohesive part of the development of the case study and the methodology employed and is only fully developed in the final stage of the action research process.

As the case study and literature review progressed, several key theoretical concepts were identified which were particularly relevant to the thesis. The models of policy analysis identified as most useful for building a theory to explain the phenomena under investigation are those loosely grouped under the heading of policy networks; the literature on policy entrepreneurs in the political framework; critical theory grounded in radical humanism; critical discourse analysis and feminist theory.

2.1.1 What the Literature Review Sets Out to Achieve

The case study closely examines the policy process as observed in one field of Australian social policy, that pertaining to refugee women, and from that analysis seeks to suggest a framework for understanding the policy process more generally. This is not a review of refugee policy, but a review of policy literature. The author is not a policy theorist, but a social activist seeking to find theoretical explanations in the policy literature for the phenomena under investigation. The challenge faced was to identify policy and social theory which would provide explanations for the research questions posed and which would also contribute to building a coherent theory to provide a useful contribution to the field of policy addressing refugee women, and also be transferable to other fields of social policy.

For the purpose of this dissertation, the researcher classified the policy literature into three frameworks which share similar assumptions and principles. These are referred to as the Rational, the Political and the Critical frameworks. This method is based on the work of Allison (1971) who identified that the unrecognised assumptions inherent in theoretical frameworks impact on the way we interpret events and shape the way in which theories are built to enable the understanding of phenomena. He applied the notion of using different 'conceptual lenses' and alternative frameworks to explore the Cuban Missile Crisis and demonstrated how alternative conceptual frameworks emphasise different aspects of events and issues. The term 'Critical' only loosely describes the third framework, as some models of analysis which can more correctly be described as 'postmodern' and 'post-structural' have been included. These have been used for analysis in the reflective stage of the action-research loops. At first reading it would appear that different frameworks of policy analysis are ideologically discrete and oppositional, but work has been done which suggests that they can be complementary (Schultz & Hatch, 1996). It was believed at the outset that the theoretical assumptions which underpin the three frameworks identified were inherently conflicting, but as the work progressed it was found that there is a complementarity between some models and theories in the Political and the Critical frameworks. Models from these two frameworks, which were perceived by the author as providing the best explanations for events in the case study, were used for theory building. In this thesis, the testing was an iterative process as the case study progressed. Other work has been done on the use, in analysis, of multiple frames, lenses or frameworks, which suggests that this method is

useful in identifying a fresh way of examining policy issues (Pal, 1995; Zahariadis, 1998; Lewis & Grimes, 1999).

A problem faced by the researcher in adopting this methodology was deciding on the terminology to be used. In the policy literature, different writers use the terms 'models', 'frames', 'frameworks' and 'paradigms' interchangeably and in different ways. For example, Allison uses the word 'model' as the primary descriptor of his three modes of analysis, which he defines as being conceptually discrete. However, he also uses the terms 'frame of reference', 'conceptual frames', 'alternative perspectives', and 'paradigms' interchangeably and without providing a clear definition of each term. Burrell (1996) discusses the problem posed by the lack of agreement over the meaning of terms over time, and many other writers have addressed this dilemma, in particular the use of the term 'paradigm' (Burrell & Morgan, 1979; Pfeffer, 1993; Howlett, 1994; Zundel, 1995; Bolman & Deal, 1997).

2.2 DEFINITIONS

Definitions are always to a degree ideological since they involve essentially contestable assertions about the causes, intentions and effects of policies (Hill & Bramley 1986, p. 18).

The term 'formal policy actor' has been used to describe those people who have a formal, sanctioned role in the policy process, such as bureaucrats and politicians. Some academics and other designated specialists are also co-opted into this role as government advisors. 'External actors' has been used to describe those who do not hold any sanctioned role, but who belong to interest and advocacy groups, policy communities or networks, and who work to effect change in social policy.

In order to describe their relationship to the three frameworks used in this thesis, the rather awkward phrase 'actors whose work is informed by writers or theorists in the particular framework' is used. This is to acknowledge that all actors have agency, and that the work of some actors is informed at different times by different frameworks. The frameworks have no particular agency of their own, although the writers influence policy actors, both formal and non formal, through their arguments, the tools which they produce, the activities they sponsor and the influence they have in producing policy (and social) discourse.

2.2.1 Definition and Description of the Policy Process

The term 'policy process' as used in this thesis describes the various steps which are grouped together to describe why and how social policy is made and the relationship of the policy to social life. The acknowledged steps include problem and need identification, policy formulation, policy implementation, and evaluation (Hogwood & Gunn, 1981). There is also an often unacknowledged stage when government decides whether it will or will not respond to an identified need. All of these steps are contestable. There is no one set formula for 'the policy process' and, as will be discussed in this thesis, different theoretical frameworks generate different understandings of how this process occurs. The term is most often used to describe the production of public policy, although management literature does acknowledge that large companies also produce policy to inform their work. The non-government sector, as well, lays claim to policy making, but this is more often in the context of proposed alternatives to government policy.

In order to examine writings in the three frameworks, a number of aspects or dimensions of the policy process have been identified as keys to exploring the differences between the frameworks and their ability to provide answers to the research questions. These are the theoretical assumptions most commonly present in the frameworks, which indicate the ways in which policy actors working within each framework view the world. Various aspects of policy practice undertaken by policy actors, whose work is informed by the theoretical underpinnings of the frameworks, are then examined. Those selected for this thesis are the typical methodologies used by actors whose work is informed by writers in each framework, and the tools generated to implement these methods. The view of agenda setting held by these actors is considered to be an important dimension, as is the way in which problems are defined and by whom. It includes theories of policy implementation and evaluation generated by writers whose work is informed by this theoretical framework. The way in which power is understood is examined, as are the roles and potential actions of formal policy actors, and informal actors external to the policy system. Each section concludes with an analysis of the application for practice of the various policy frameworks (see table 1).

Table 1 - DIMENSIONS OF THE THREE POLICY FRAMEWORKS

	Rational	Political	Critical
Theoretical assumptions inherent in the framework	Positivism, empiricism, rationalism, realism, objectivism, and determinism. The sociology of regulation.	Interpretivism, subjectivism, non rationalism, nominalism, voluntarism. The sociology of regulation grounded in hermeneutics. Regards will rather than intellect as the principal agency of action. Regards society as an emerging process.	Emancipatory, dialectical, subjectivism, feminism, structuration, radical humanism. Sociology of radical change. Social realities are socially constructed and shaped by ideologies embedded in ritual, symbol and speech.
Typical methodology used by writers in this framework	Normative, rational models of decision making based on observable facts. Prescriptive, based in welfare economics and social psychology. Maintenance of the status quo and social order through legislation and policy.	Focus on the contested nature of government policy, politics and power. Examines dynamics rather than rules. Uses observation and description. Examines values, assumptions, politics and power structures in which policy is developed.	Focus on inequality based on embedded ideologies and power structures. Uses action research to produce social change, maintains the status quo and social order through legislation and policy. Combines theoretical and sociological analysis at a practical level.
Tools generated by policy actors whose work is informed by this framework	Operational tools and strategies for government policy makers. Empirical research.	Models which incorporate political dynamics into the policy processes and consultative processes.	Critiques of social policy and structure. Tools for radical and social change. Uses feminist analysis, critical discourse analysis, and analysis of power to inform actions.
Power – who holds it and how is it exercised?	Top-down. Power held by elite policy actors who hold formal authority. Relates to observable and articulated conflict.	Bottom-up. Predicated on conflict and oppositional behaviour. Acknowledges formal and informal power. Power includes the decision <i>not</i> to act.	Power as ideological and discursively legitimate. Examines the power to determine wants and needs.
Problem /need definition – how are problems and needs defined and by whom?	Objective. Definition of needs and problems accepted as a given within the world view and by those with authority. Based on empirical fact.	A policy outcome in its own right, fiercely contested. Not objective, but a subjective reflection of the values and social definitions of policy actors.	Uncovers gender and class bias in problem and needs definition which is reflected in policy. Explores the power of discourse as a producer of concepts, objects and subjects, and needs.
View of agenda setting – who and what influences agenda setting?	Agendas set by the policy elite based on problems identified by proven fact.	Agendas set by crisis or focusing events. Agendas are political.	Agendas reflect inequalities enshrined in and reproduced by ideologies. Policy agendas shaped by dominant needs discourses.

Implementation	Putting policy intentions into practice. Outside political influence. Assumes agreed outcomes.	A process of continuous refinement, the translation of policy into procedure. Involves bargaining and compromise. Open to interpretation and subversion.	Implementation is a matter of interpretation which is informed by the ideological frameworks held by implementers. It is informed by the discourse used in the policy process.
Evaluation	An end point. Measurement of the difference between intended and actual consequences.	Evaluation of the whole and not just the component parts.	Challenges the validity of intended consequences and examines and seeks explanation for the occurrence of unintended consequences.
Role, function and influence of policy actors	To assist governments and organisations to operate more effectively and control aspects of the policy process through the production of prescriptive tools. Aims to identify problems and provide solutions.	Analysts seek to understand what governments do, why they do it, and what difference policy makes. They explore and map the dynamics of the policy process. Identify strategies and tactics through analysis to improve the effectiveness of the policy process.	Seeks to understand why things happen as they do. Identifies the ideologies which inform the policy process and dominant discourses which produce the concepts, subjects and objects which are the focus of policy. All policy actors are also actors in the process of creating the social structure which provides the context for the policy process.
Role, function and influence of external actors	No formal role – incidental to the process. Recognised in a pluralist system, but peripheral to the process, because they hold no power.	Identifies a role for policy activists. External actors are important players in the policy process. Roles of policy communities, policy networks, advocacy coalitions, policy entrepreneurs are explored and analysed.	External actors produce different discourses and problem/need definitions to policy actors and fight to have these accepted and their definitions and solutions placed on the policy agenda. Consciousness raising to achieve social change agents.
Applications for practice	Work in this framework provides concrete observable results and tools, which often have little impact in policy outcomes. Provides the rhetoric of mainstream policy practice.	Assists analysts to identify strategies and points of intervention in the policy process. Examines and acknowledges politics, values and the contested nature of the policy process. Assists both formal and external policy actors to work more effectively.	Understanding of how collective action produces discourse and social change allows analysts to take a critical distance from the social structure and ideology which informs it. Enables actors to bring discursive knowledge into the process of structuration. Informs the process of social and policy change.

In using these dimensions it is important to note that they do not stand alone. They are interdependent; for example, the theoretical assumptions and the ways in which power is conceived affects each of the other dimensions. As will be discussed below, in each of the frameworks, different dimensions assume a greater importance depending on the theoretical assumptions underpinning the writing included in the frameworks.

As stated above, the research methodology was iterative, and theory was not necessarily read and tested in the logical way in which it is presented below. It is presented as a conventional literature review covering three different frameworks of writings on policy analysis. In Chapter 11, Final Analysis and Theory Building, the process of testing the literature and the outcomes of this are presented in the context of critical events in the sequential action-research loops.

2.3 WRITINGS IN THE RATIONALIST FRAMEWORK

The critical distinguishing feature of organisation theories taking the rationalist perspective is the element of conscious, foresightful action, reasonably autonomously constructed to achieve some goal or value (Pfeffer, 1982, p. 7).

At the beginning of the literature review, writings in the Rational framework were not consulted, as, based on prior research, it was considered that these writings would not be able to throw any light on the phenomena under examination, nor assist in the action-research methodology. In fact, it is suggested that writings within this framework are antithetical to the critical theory in which action research is grounded (Burrell & Morgan, 1979).

However, as the case study progressed, it was found that a consideration of the writings and theoretical underpinnings of actors whose work is informed by the Rational framework was useful in the early action-research loops to explain the rhetoric of the major players, and the assumptions which were apparent in their actions and discourse. It is the 'language' of governments and major institutions, and in every day practice it is how policy is most usually 'talked'. It was not found to be useful to explain the complexities and dynamics of the case study as it developed, nor why the policy had failed.

Despite considerable criticism that rational/functionalist models of policy analysis have patently failed to improve policy practice and outcomes (Albury, 1983; Nakamura, 1987; Brunner, 1991; Fischer, 1998), models developed in the Rational policy framework are

still by far the most prolific and generally acknowledged models of policy analysis. Of the dimensions of the policy process identified for specific analysis in this thesis, those of the roles of the formal policy actors and tools generated are the most prominent in the Rational framework. This accords with the action-based orientation of the framework and the supremacy given to policy actors with mandated authority in the policy process.

2.3.1 Theoretical Assumptions Underpinning the Framework

Rational theorists have a long tradition in the policy field. Policy analysis developed in the early twentieth century with its intellectual traditions in both welfare economics and social psychology, and assumptions of positivism, empiricism and Enlightenment rationalism. It links empirically proven facts about the social world to policy formulation in order to provide answers to social problems. Grounded in realism, functionalism and the sociology of regulation, it addresses principles such as the preservation of the status quo, social order, cohesion and needs satisfaction (Burrell & Morgan, 1979). A major assumption in the Rationalist framework is that policy making is a rational process of decision making. Writers provide a logical, hierarchical model of policy analysis based in psychological behaviourism to explain how policy is formulated, implemented and evaluated. They regard analysis which is not informed by these assumptions and principles to be unscientific, subjective and therefore invalid (Lasswell & Kaplan, 1950; Bauer and Gergen 1968). Because it is practical and not speculative or theoretical, it lays claim to being free from personal bias and prejudice. Based in scientific empiricism, decision making is guided by proven fact and guided by scientific experiment. Everything can be understood as the result of antecedent condition; it is the exercise of reason (Burrell & Morgan, 1979; Macquarie Dictionary, 1997; Shulock, 1999). The theoretical underpinnings of the framework are evidenced in the early writings of Simon (1947), Dror (1968), who argue for the role of formative economic theory in the policy process. Bower (1971) puts the case for prescriptive and normative theories in decision making, and Lasswell (1971) states that the use of empirical criteria in policy science distinguishes between science and non science.

2.3.2 Typical Methodology

Rational methods of policy analysis have evolved over time and can broadly be grouped into three stages. The first is comprehensive rationality, which presents an 'ideal' and straightforward view of the function of policy. It is a sequential process involving a number of discrete steps in which policy is formulated to address an identified issue, or social problem, or some aspect of social life over which government has jurisdiction and

formal control. It usually involves the provision of a service or program to address the issue. Decisions on policy action or between policy alternatives are made based on empirical research and concrete observable results. A document is produced that describes the issue, the activity and the goal of the activity. The 'policy' is then implemented and evaluated. This model effectively denies any 'political' aspects of policy making (Lasswell & Kaplan, 1950; Pfeffer, 1982; Jennings, 1987). Broad acceptance of writings such as these led to the development of a methodology of policy making which in its purest form is referred to in policy literature as comprehensive rationality (Simon, 1947), or pure rationality (Dror, 1968).

As early as the 1940s, comprehensive rationalist models of policy formulation were questioned as analysts recognised limits to human rationality and the rational process. In 1947, Simon developed a second methodology, a model of 'bounded rationality', which acknowledged some limitations to the use of scientific method and rational decision making as analytical tools for organisational decision making. This time the complexity of the process of decision making was acknowledged as an essential element in the policy process. The importance of placing this decision-making process into a political context was recognised by Etzioni (1961) and others, who argued that the context in which decisions take place has to be reviewed if we are to understand how these decisions came to be made.

Next came perhaps the most important theory which modified the basic tenets of the Rational framework which was Lindblom's (1959) theory of incrementalism. A critic of the rigidly rationalist model of public policy making, Lindblom described a policy process which proceeded incrementally and which changed in response to external pressures. His theory of public policy, however, which underpins his theory of incrementalism, is summed up by Gregory (1989) as a process which contains little understanding of the relationships between variables, in which policy makers confine themselves to what suits them and what they know; and where policy making is a process that is impacted upon by different groups with different interests and is not intrinsically goal driven. This is a far cry from comprehensive rationality. These writers acknowledged that policy occurs in a political context and that this impacts on the decisions made by policy actors. The tools which they then developed were designed to control and constrain the political aspects of the policy process and the actions of policy actors.

In the 1970s further debate ensued about the validity of the assumptions and the principles which underpin writings in the Rational framework. 'Objective' science, on

which this framework is based, came under question by a number of eminent writers (Lakatos and Musgrave, 1974; Feyerabend, 1975; Charlesworth, 1982). In response to this debate, Lindblom (1979) developed his model of incrementalism into one of 'disjointed incrementalism', a complex process of analysis that takes into account many of the elements described above. Lindblom uses the term 'disjointed' to acknowledge the impossibility of methodically taking into account or even knowing all the elements which impact on the policy process. This framework, while substantially different from technical or economic rationalist models because of the recognition of the political interplay, is still essentially rationalist. It limits analysis to a deliberately identified set of strategies and is designed to simplify the policy process. These strategies are meant to control or neutralise the political elements of the policy process. At the time that he wrote, Lindblom's work was considered to be radical and even dangerous, challenging the rationalist version of policy making. In 1986, Hill and Bramley put a strong case for a more fluid interpretation of policy but they also placed quite solid boundaries around this interpretation. They reasoned that the design and execution of policy must be sensitive to the political and social environment, but not necessarily change it.

2.3.3 The Exercise of Power and its Implications in the Framework

The exercise of power as such is not generally acknowledged by writers in the Rational framework. Pfeffer (1981) suggests that, while most people experience power dynamics, they are very uncomfortable with the concept of power, especially power in the political context. This was addressed by early policy theorists by making a clear distinction between power and authority. Weber (1947) suggests that people with socially sanctioned authority are vested with the right to exercise power. In the Rational framework, this authority is vested in 'policy elites', who are assumed to hold a mandate via the democratic system of governance to make policy decisions on behalf of constituents. Public policies are actions and positions taken by the state in its legitimate role as the overriding collective decision maker. These decisions are political, about means and ends, and restricted to matters which are achievable and over which the state has authority (Hill & Bramley, 1986). Pfeffer (1981) suggested that this transformation of power into authority provided the validation of the institutionalisation of social control through institutional power. This process involves the legitimisation of 'top-down' power and the acceptance of the authority that this bestows on some actors in an arena by other actors. This acceptance of authority removes many potential issues and situations of conflict. It also takes away any legitimate role for external policy actors in the policy process.

In an influential analysis of power relations, Lukes (1974) develops three increasingly complex dimensions of power. His one dimensional view of power focuses on behaviour and observable conflict. This view is apparent in the writings in the Rational framework. It is straightforward and describes the actual, observable, articulated conflict between key players in which one player exercises power over another in order to win. It is based on the capacity of A to influence B and the likelihood of this happening successfully. Using this analysis, the persons or groups who get their way most often are perceived as being the most powerful. Focus is on the study of concrete, observable behaviour, where the concepts of power and influence can be used interchangeably. This dimension of power supports the power of elite, formally sanctioned decision-makers and the notion of top-down implementation.

As the pluralist nature of the policy process was gradually acknowledged by writers in the Rational framework (Pfeffer, 1981), the possibility of conflict and ensuing power play between policy actors was also accepted. The resource-dependency view of power, which links power to the ownership of scarce resources, was also acknowledged, but was not considered to be a major challenge to the power of the elites, as government policy actors are perceived to be resource rich in comparison to external players. In her analysis of power, Hardy (1994a) describes how in the first dimension of power, conflict is most frequently acknowledged in the decision-making process but is seen to be controlled by the resource dependency of informal players and the vested authority of policy makers. This formal power is exercised to mediate and control informal power play, which is perceived as dysfunctional by those who hold the authority. In their critique of the power process, Hardy and Phillips (1998) suggest that a rationalist view of collaboration and compliance values them as effective and productive behaviours, and sees contention and contestation as disruptive and nonproductive. Collaboration is regarded as good because it leads to control of extraneous variables, the reduction of uncertainty, and the achievement of previously agreed goals.

2.3.4 Tools

The Rationalist framework is 'action based' and prescriptive. This action orientation has led to the development of policy tools which both reflect the theoretical underpinnings of the framework, and through their use, reinforce this dominant model of policy making and analysis. These tools are designed to regulate, measure and control the policy process and to assist government and organisations to operate more effectively. They seek to remove 'politics' from government, indeed to remove politics from the whole policy

process. They include cost-benefit analysis, evaluation techniques, systems analysis, and recently, economic rationalism and new managerialism.

The following examples illustrate the way in which the theoretical assumptions are reflected in these tools. The Systems Approach was developed by David Easton (1965b). He described political activity as a system with interactive processes, inputs and outputs, which must balance each other if the system is to work. Policy is part of this process, in which inputs, such as needs and demands for services from authorities, lead to outputs for the community. The programmatic approach to policy making, described as 'instrumental rationality', is firmly based in economic management focused on policy making as decisions between sets of potential programs.

The most influential model developed in this genre is the Planning, Programming, Budgeting System (PPBS) used extensively in the 1970s, which provides a range of tools to assist in making economic decisions about programs designed to address identified needs. The decisions are based on purely rationalist criteria, such as competitive costs. PPBS is a tool designed to assist in rationalist decision making and does not pretend to address the political dynamics of the policy process. The model was not without its critics. Heclo (1971) identified a major problem with this model: that programs may be designed to address programs which have competing objectives. This makes rationalist choice impossible. The elevation of the programmatic approach to the most legitimate form of policy analysis at that time, led Wildavsky (1979) to declare that a rescue package was needed to save policy analysis. The political had to be brought into the picture.

As the permeable nature of the rational process began to be acknowledged, in response to the acknowledgement of political influence on the policy process, efforts were made to contain these 'rogue' elements in rationalist policy making. In 1966, Simon saw the increasing capabilities of the computer as providing the possibility for developing a complex mathematical model of decision making which could capture the many variables identified as impinging on the policy process. Models such as decision science, operational research and systems analysis were developed to assist policy makers (Bauer & Gergen, 1968). Through the use of clearly defined stages, tools and structures, these models seek to minimise the influence of individual players and to impose rational decision making at each stage of the process through the employment of empirical research and objective analysis. Needs-based analysis (Bradshaw, 1972) provides an objective method for determining social need and is designed to overcome the

subjectivity of individual interpretation. In the 1990's the notion of strategic planning has been borrowed from managerialist literature and incorporated into the policy debate as a potential tool to assist decision making and implementation, for example Bryson (1995).

2.3.5 Agenda Setting, Problem/Need Definition, Implementation and Evaluation

2.3.5.1 Agenda Setting

Policy agendas are not specifically mentioned in much of the writing in the Rational framework. There is an assumption, based on the rational logic of the framework, that policy agendas are set by the policy elite, based on problems identified by proven fact; policy agendas which legitimately service the current government agenda. Bolman and Deal (1991) cite Kanter (1983), Kotter (1988), and Smith (1988), who assert the importance of leaders having control of the policy agenda, reinforcing the notion of policy elites having formal authority to set policy agendas. Kanter does acknowledge the importance of those in authority consulting with others to ensure that the agenda will be responsive to their concerns, but the overall message is that the final decision about selecting agenda items rests with those with ultimate authority.

2.3.5.2 Problem and Need Identification

A rationalist view of problem and need definition is that they are the objective decisions of those with authority. Problem definition is based on empirical fact, in turn based on the theoretical frameworks of empirical research and known facts. There is little room for interpretation; facts are accepted as 'given' and unquestioned within the world view and value systems of those with authority. In relation to problem orientation, Lasswell (1971, p. 4) refers to policy scientists as 'being at home with the intellectual activities involved in clarifying goals, trends, conditions, projections and alternatives'. He also stresses the importance of 'expert assistance' in defining problems, and the importance of decision makers learning to base their decision making on available knowledge. He warns that legislators must not indulge in either inflation or deflation of problems, but must adhere to objective facts.

2.3.5.3 Implementation

In the Rational framework, policy failure is often blamed on implementation problems. Early rational thinking about policy implementation assumed that it was a process entirely separate from that of policy formulation. Implementation was considered to be

independent of political influence and to assume clear intended consequences and agreed outcomes from implementing actors. It was one of a series of steps, a process of management, putting a policy intention into practice (Nakamura, 1987). One of the consequences of this was that even after policy formulation and other parts of the policy process had been acknowledged as political, policy implementation was regarded as something outside political influence. Rationalist policy implementation theory developed a 'top-down' model, in which power flowed from elite decision makers down to grassroots implementers. It is an objective view in which 'policy' is accepted as a given, based on an assumption that the policy is feasible. The focus is on analysis of the quality of the work of the implementers. Solutions to implementation problems are achieved by those at the top gaining better control over the process.

In 1973, Pressman and Wildavsky wrote that the implementation of programs cannot start until policy has been formalised, legitimised and resourced by government process. It can be observed whether a policy has been successfully implemented by examining the difference between intended and actual consequences through evaluation. Based on this framework, much policy failure can be blamed on inaccurate or ill-informed resourcing or difficulties experienced in coordinating the tasks and agencies involved in implementation. Implementation is reduced to a series of actions to make operational a piece of written policy, and broken into a number of tasks to be undertaken by various actors and organisations. This involves coordination to ensure that all resources are available and prepared to work together (Wildavsky, 1979). This rationalist view assumes a clear set of intended consequences and agreement on the outcomes.

2.3.5.4 Evaluation

Evaluation is the endpoint of the process of implementation, when rationally designed tools measure the distance between intended and actual outcomes and outputs, and analysts use this information either to amend or to formulate new policy. Policy evaluation was described by Hogwood and Gunn (1981) as a discrete activity, another sequential part of the policy process, following on from implementation. They argued that in rationalist models of policy analysis, evaluation is not regarded as a political process. This contention was argued against by Braybrooke and Lindblom (1963), who suggested that the synoptic model has to be placed in a political context if it is to be useful in policy evaluation. In reality, evaluation of policy seldom occurs.

2.3.6 Formal Policy Actors

The role of the policy actor in the Rational framework is very clearly defined. It is action based, to assist governments and organisations to operate more effectively and to control aspects of the policy process. Policy actors are technicians who identify problems and provide solutions or tools for more effective policy outcomes. Their role is prescriptive. Elite policy actors hold the authority and the resources to formulate policy. Experts trained in 'proper' analytical techniques use these to evaluate, measure and predict policy consequences and use policy analysis to solve policy problems. To do this they employ rational choice, systematic thinking, and make choices between competing policies based on objective fact. Their role and function reduce uncertainty about the relation between policies and outcomes (Shulock, 1999). They evaluate the success or failure of policy, identify problems if policy goes wrong, and produce solutions, frameworks and tools for policy making. Analysts working for governments are employed to assist government to make rational decisions based on sound information, with the desired result being better and more economically effective policy. (Meltzer, 1976; Hogwood & Gunn, 1981; Ham & Hill, 1984). It is the role of those working under this authority to implement the policy. In this model, the assumption that human behaviour is goal orientated is axiomatic, and the policy problem is reduced to identifying the best, most 'rational' ways of fulfilling each policy goal. To achieve this, analysts must be honest and objective, and not let values, preferences or bias get in the way of the truth (Jennings, 1987). There is a notion of one correct way of doing policy, for example PPBS is described as having 'all the characteristics of a professional guild of craftsmen with an agreed intellectual framework' (Heclo, 1971, p. 98).

As comprehensive rationality was challenged and the role of politics began to be acknowledged by writers in the Rational framework, the role of the analyst and other policy actors expanded to include developing and implementing strategies and tools to control the political aspects of the policy process. The focus is still on those with formal authority and actors outside government are accorded little role in the policy process.

2.3.7 External Actors

In models of comprehensive rationality, external players are regarded as incidental to the process. Their activities, if recognised, are to be controlled. As challenges occurred to comprehensive rationality, a system of bounded pluralism developed and external actors

were recognised, although their role was perceived as minimal as they had little formal power or power over resources. However, in response to public pressure, governments began to introduce consultative mechanisms to gain the views of policy interest groups on matters of public policy. It was also recognised, at least rhetorically, that effective leaders should be seen to consider the opinions of their staff in the decision-making process, and actors in the lower levels of management started to be included in the consultative process.

The notion of consultation is used by analysts in both the Rational and the Political frameworks. The outcomes of the invitation and the actions of the players determine in which framework the act of consulting and being consulted should be placed. In the Rational framework, governments listen to external advice, but still retain the authority and expert knowledge either to accept or reject this. External actors have little expectation that their views will be taken into account if they differ from the views of those in authority, and governments tend to consult with only those external actors who share similar ideologies and views on policy (Maloney, Jordan & McLaughlin, 1994).

2.3.8 Discussion of the Usefulness of Writings in the Rational Framework

Mainstream policy analysis is grounded in the work of writers in the Rational framework which illustrates the assumptions and principles apparent in current policy practice. Rationality is attractive because it provides concrete, observable results, useful tools and clear direction. In his critique of theories in the Rational framework, Nakamura (1987) describes the development of what he calls the 'text book policy process', which classifies the stages of the policy process into a set of discrete components (Lasswell, 1956; Jones, 1977). He suggests that this 'text book' approach is useful to scholars and policy actors because it is compatible with the rationalist disciplines involved in policy research. It also provides a convenient language and fits well with the bureaucratic democratic framework of formal authority associated with public policy.

Despite the more liberal interpretations, adaptations and claims of fluidity made by writers in the Rational framework, and the fact that it is still the predominant framework used by governments, bureaucrats and policy makers (Lynn, 1999), the theoretical assumptions underpinning the framework have not changed. A defining feature of writers in the Rational framework is the notion of a system of bounded pluralism, a belief in rational methodologies and tools as a basis for decision making, and the absoluteness of rational empiricism, leaving little scope or place for interpretation. While recognising political influences, these are not seen to be critical to the decision-making process. Belief in the

rational methodology and tools, and the 'absoluteness' of rational empiricism leaves little scope for interpretation, or for acknowledgement of any real role for informal policy actors, unless they have been co-opted by the government into the formal policy process as part of the activity of 'information gathering' in order to inform their decision making.

Some rationalist writers explore the literature in other frameworks and dismiss such work with faint praise. Dror (1968), when reviewing a number of normative models of policy analysis, comes to the conclusion that while non normative models may have some value in analysing policy, only normative models are useful for evaluation and improving policy outcomes. Thirty-one years later, Lynn (1999, p. 411), when examining the potential contribution of interpretive and postmodern writings in the field of policy analysis, concedes that while they 'may make certain contributions to policy analysis, the traditional [rational] model is honourable, dedicated to improving the process of governance and works in the real world'. The typical early methodology and tools developed and used in the Rational framework suggest that the policy process takes place in a vacuum. Little formal recognition is given to the social context in which it takes place, or to the historical development of either the problem or the policy. There is a growing body of work which questions the usefulness of these writings and the action and outcomes which they inform. Nakamura (1987) makes the point that each component of these models is likely to have different meanings for different actors involved. This strips the models of any pretence of rationality and poses the question of whether rationalist models of policy process can in fact incorporate notions of fluidity.

A knowledge of writings in the Rational framework is useful to analysts who take an interpretive approach to policy analysis because such knowledge explains the rhetoric and actions of policy actors whose work is informed by writers in this framework, and provides a conceptual map of how they are likely to act in the future and the expectations they will have of other policy actors. Criticisms of the Rationalist framework began with the acknowledgement of the power of the political in the policy process. Criticisms discussed so far have centred mainly on attempts to capture and control this political element. An alternative framework, which seeks to incorporate the political into the policy process, will now be explored.

2.4 WRITINGS IN THE POLITICAL FRAMEWORK

[P]ublic policy analysis involves observing politics in action, tracing how economic and social forces, institutions, people, events and chance interact. It requires argument about cause and effect (Davis, Wanna, Warhurst & Weller, 1988, p.202).

2.4.1 Introduction to the Political Framework

Writings in the Political framework of policy analysis provide insights into both the problem areas identified in the case study, those of policy failure and problems in implementation of the Women at Risk policy. The acknowledgement of the political nature of the policy process and the validation of the role of a wide range of players, including external players, in that process provided a legitimization for the analysis of the loops in the action-research process. The literature on Policy Networks proved invaluable in providing a conceptual and theoretical framework for the role of the various groups of people, both in Australia and internationally, who came together to work on policy addressing refugee women. The notion of a 'policy entrepreneur' enabled the author to examine the role that she was taking as a 'participant/observer' in the case study. The literature also provided a conceptual framework for the historical development of immigration and refugee policy and the role that policy analysts had taken in that process.

2.4.2 Theoretical Assumptions

The term 'political' has been used to describe the work of writers who acknowledge the contested nature of government politics and policy and who argue that to make sense of it we must understand the political nature, power play and dynamics of the process (Eym, 1974; Barrett & Fudge, 1981; Davis et al., 1988). Grounded in hermeneutics, the theoretical assumptions in this framework are nominalist, voluntarist and interpretivist. It is speculative, with a focus on seeking meaning in the actions of the actors, and regards the will rather than the intellect as the fundamental agency or principle of these actions. It is also subjective, as it seeks to understand thought rather than the object of thought, and thought is regarded as real and substantial, worthy of consideration in its own right, and non rational. It rejects the notion of 'reason' as the basis of knowledge (Burrell & Morgan, 1979).

These assumptions generate a theoretical framework in which policy is not regarded as a constant, but the product of continuing interplay between groups. It is often based in politics that may not be specifically goal directed. Neat and rational links between policy and politics do not exist, problems are unpredictable, and issues are not addressed until they impact on the policy process. When launched, policies are usually incomplete, ambiguous and often contradictory. Those charged with the implementation of policy,

work with these ambiguities and frequently transform or subvert policies handed down to them. Therefore the complex process of actions and activities that have occurred between actors in the entire process determine outcomes on the ground. Major public policies are the outcomes of a complex game played by political actors with a vested interest in those outcomes. Rational or incremental processes have little part in that game (Stone, 1988; Considine, 1994). The complex interaction of values, often unacknowledged assumptions, categories, stories and language in the policy process is acknowledged as central to analysis in the Political framework (Yanow, 1987).

2.4.3 Typical Methodology

Theory in this paradigm is also grounded in the sociology of regulation, for it seeks to understand the dynamics of conflict, the subjective workings of the status quo, the social order, and the processes of consensus, in order to understand better the policy process and to produce more effective policy. Writers do not set out necessarily to challenge or change the status quo or to bring about radical social change through their analysis. Instead they seek to introduce policy change which addresses perceived needs or inequities within the existing status quo and social life. The purpose of their work is to subjectively understand the social world, not to challenge or change the social structure and the way it is produced. Policy change is therefore concerned with more effective needs satisfaction, preserving the status quo, social order, social integration and cohesion (Burrell & Morgan, 1979).

The way in which social reality is meaningfully constructed from the point of view of the actors involved is central to the framework (Linder & Peters, 1987). Theoretical models developed in the Political framework are based on observation, description and interpretation. Theorists seek to understand the political dimension, and develop ways to work with it. There is a focus on the contested nature of government policy, politics and power, and analysts examine dynamics rather than rules (Davis et al., 1988). The values underlying policy and the politics and power structures in which the policy process takes place are all examined in the quest for understanding (Jennings, 1987). Writers in this framework therefore regard qualitative research as equally scientifically valid when compared with rigorously quantitative empirical methods of gaining knowledge (Lin, 1998; de Leon, 1998). They questions 'reason' as the source of knowledge and argues that reason itself is a social construct (Burrell & Morgan, 1979).

Examples of the way that policy is conceptualised in this framework are provided by Considine (1994, p. 4), who describes the policy process as 'the continuing work done by groups of policy actors who use available public institutions to articulate and express the things they value'. He defines policy in three ways: as a clarification of public values and intentions; as a commitment of money and services to address a need identified by the bureaucracy; and as a granting of rights and entitlements which the public accepts as just (Considine, 1994, p. 3). Thus policy is conceptualised as emerging from identifiable patterns of interdependence between key actors, and it is the character and nature of these patterns that shape the process. These patterns reflect the character of the institutions and other structures in which the action occurs. This understanding provides the basis for methodologies which focus on identifying ways in which these three elements come into being, and the role of actors in their production.

Also important to methodologies engendered and employed in this framework is the notion that the policy process has to be examined in its historical and social context if it is to be understood (Hoffman, 1995). All policy has a history, and policy actors interact over time, often in conflict, to create new policy. When acknowledging the intrinsically political nature of the policy process, one must acknowledge the power structures, and the values and priorities of various actors who take part. The way in which actors interpret the world predetermines the way in which policy is developed and interpreted. If policy research does not question the political context in which it takes place, the research either neutralises or reifies the structure and therefore becomes an agent representing the status quo (Considine, 1994).

2.4.4 Tools

A number of writers in this framework have produced models or tools which endeavour to order, record and incorporate the political dynamics of the policy process into systems of analysis. Like analysts in the Rational framework, they are still involved in analysing policy to gauge its effectiveness and to improve the process of policy making. Their aim is to produce better policy, improve policy outcomes, and assist in effective policy implementation; to identify and unpack the problems, dynamics and political forces and to provide models to guide the analyst in their work. They seek to provide tools which acknowledge the political nature and dynamics of the policy process and explore how they can be either controlled or used. For example, Healey (1990) uses multivariate analysis to typify contexts and assess their appropriateness for different policy processes. From this analysis, sets of 'decision rules' which inform decision making can be identified. Through this process, the interests of the various actors who inform the

process become more apparent. Healey argues that this enables the role of the political in the policy process to become more explicit and planning to be better informed.

Considine (1994) proposes a list of 'innovative' strategies and tools to incorporate the political into the policy process. He includes authoritative agreements, clear leadership roles, supported networks, team work and incentives. He acknowledges that these will not be instant and magical solutions to the problems inherent in the policy process, but argues that they will 'ricochet through countless smaller policy changes, the dialectic producing feasible solutions' (Considine, 1994, p. 272).

2.4.5 Power

Writers who either work within or critique this framework have examined the use of power by the various actors in the policy process. As a wide range of players are acknowledged in the policy process, the exercise of power is a critical aspect of the dynamics between the various actors. The writers also assume that bias in a system can be mobilised, and associate power with observable conflict.

The concept of power in the Political framework recognises the power of elites to prevent those less powerful from participating in the decision-making process through the use of procedures and political routines (Hardy, 1994, p. 223). This builds on the work of Bachrach and Baratz (1962, cited in Lukes, 1974) who suggest that power is not only used to obtain an outcome, but also to prevent outcomes occurring. Lukes' second dimension of power examines both decision making and non decision making, and the crucial role which the latter can play in the policy process. Non decision making, or the power not to act, incorporates the questions of control over political agendas into the analysis of power relations. It can be used by dominant groups to maintain the status quo through supporting and reinforcing existing biases. People or groups can consciously or unconsciously create or reinforce barriers to the public airing of policy conflicts. In this way, some issues are 'organised in' to politics, while others are 'organised out'. This view of power involves the mobilisation of structural, organisational and personal bias into the 'power-over-policy debate'. It embraces coercion, influence, authority, force and manipulation (Hardy & Leiber-O'Sullivan, 1998).

Hardy and Phillips (1998) examine the exercise of power in organisational domains, which can be equated to policy communities and networks (see below). They describe four different strategies used in the exercise of power: those of collaboration, compliance, contention and contestation. Issues in collaboration, such as exploitation and repression

of smaller players by larger players and of the resource-poor by the resource-rich, are often ignored. When this occurs, collaboration can become a negative exercise of control by the strong players. These issues are crucial to understanding collaboration, especially when partners have different goals, beliefs and ideologies. While in the Rational framework, consensus is seen to be positive, Hardy and Phillips argue that this is not necessarily the case. The apparent cooperation may be the control of smaller players by big players, and the outcomes of this control may be to stifle creativity and to prevent change. Conversely, while often seen as destructive, conflict may bring about positive change and transform stagnant and ineffective systems.

Power analysis in the Political framework challenges the assumption that resources are always held by those with formal power. While formal power lies with authority, scarce resources, such as expertise and money, give substantial power to those who own them and these resources do not always lie with those who hold formal authority. This informal power allows actors to succeed within inter-organisational domains in which they have no formal power. Power is thus part of a dependency relationship between a range of different actors. Hardy (1994a, p. 221) discusses Pettigrew's (1973) assertion that it is not just the possession of scarce resources that confers power, but that this is dependent on the awareness of owning them, and political acumen to control and use them strategically. Discursive legitimacy is another potent form of power exercised by players in inter-organisational domains as they fight to have their vision accepted. This is the power of those groups who may not have any formal power within a particular domain, but who are perceived to be speaking legitimately on behalf of actors or policy recipients in that domain (Hardy & Phillips, 1998). They suggest that this can be one of the most potent forms of power. It can be effectively co-opted by lower order or informal players.

This analysis of power acknowledges that while legitimate power is still held by government authority, all players hold some power and have the opportunity to exercise it. Considine (1994) suggests that power is defined by rules established by actors in the structures that provide the context for the policy process. He contends that 'the ability to influence the setting of objectives is critical and this occurs within these defined rules' (Considine, 1994, p.174). To exercise influence over policy, actors identify who has formal power and make alliances to increase their authority in the policy arena. Government authority, which he describes as power harnessed by legitimacy, is therefore all-pervasive. Informal actors vie to gain access to and influence those with legitimate

power. This makes all relationships political and reorganises boundaries between the private and the political.

Mechanic (1962) reasons that even in situations of institutional hierarchy, lower order actors still have considerable power, through the possession of skills, knowledge, expertise and, most importantly, the power to withhold their labour. In summary, in the work of theorists in the Political framework of policy writings, power has to be seen as an integral part of each of the dimensions identified in this thesis. The exercise of power is part of the behaviour of all actors, a deliberate strategy used to achieve intended outcomes regardless of whether the actor holds legitimate authority or not (Hardy & Leiber-O'Sullivan, 1998).

2.4.6 Agenda Setting, Problem/Need Definition, Implementation and Evaluation

2.4.6.1 Agenda Setting

The power to set or to influence the policy agenda is a major influence in driving the policy process (Edelman, 1971; Cobb & Elder, 1972). In contrast to a concept of policy agendas as rational, government-determined and formal, Scherberle (1994) suggests that policy agendas are more often set by crises or focusing events. These events themselves are not enough to get an issue onto the policy agenda; also needed is the active participation of political policy makers and/or interest groups and public support. 'Windows of opportunity' occur when these events converge and the emergence of a policy entrepreneur at the moment of convergence is likely to increase the success of a policy community getting an issue onto the policy agenda (Davis, 1971; Considine, 1994). Sometimes pressure groups create these windows through their activities and precipitate a policy response from the government. Rationality is not employed in these instances, as immediate responses are required and action usually precedes policy making (Kingdon, 1984). This leads to a view of agenda setting which is ad hoc and reactive to political forces, open to manipulation by policy actors, both formal and informal, and seldom based in the rational decision making and sequential process described above.

2.4.6.2 Problem/Need Identification

The importance of problem definition in the policy process and the impact of the values held by actors in interpreting the nature of the problem have been discussed by a number of writers in the Political framework (Schattschneider, 1960; Kingdon, 1984; Stone, 1988; Weiss, 1989). They perceive that problem definition does not precede the policy process

but is central to it. Policy definitions legitimise some solutions over others. Policy definitions contribute to the creation of political realities and, in a circular fashion, problem definition is a policy outcome in its own right. It is an overture, a weapon and outcome that surfaces and resurfaces throughout the policy process as participants vie to have their definitions accepted as the dominant or valid view. Rochefort and Cobb (1993, p.57) describe problem definition as the most fundamental source of 'non rational' decision making and seek to 'examine the malleable nature of public issues on which problem definition depends'. They examine the implications of this for agenda access, policy design and implementation. The complex dynamics between interest groups who contribute to the social construction of issues are seen as pivotal to the ways in which problems are defined. The role of cultural values and ideology are acknowledged in the policy process as aids to understanding the complex dynamics between players and the impact of these dynamics on structuring the social process.

2.4.6.3 Implementation

Policy implementation is not conceptualised as a discrete sequential activity by writers in the Political framework. Barrett and Fudge (1981) describe it as a process of continuous refinement and translation of policy into specific procedures, and state that the interaction of all actors in this process must be examined to shed light on the process. Where policy making stops and policy implementation begins depends on one's view of what policy is. Barrett and Hill (1984) argue that policy often 'just happens' in response to a situation and that action often precedes policy. They remove the boundaries between the various components in the policy process and describe how policy is something mediated over time and is as likely to grow from action as to precede it. The notion of clearly defined, measurable goals in such a fluid system is not feasible. Linder and Peters (1987) and Palumbo (1987) argue that despite the vast amount of work done on policy implementation, we still have not produced a systematic, coherent body of knowledge on the subject. The work to date does not differentiate between policy failure due to poor implementation and policy failure for other reasons, such as formulation or design. The number of 'implementation failures' recorded in the early literature led to a narrow and negative attitude to policy implementation research, blame for failure often placed on middle level bureaucrats

Various writers have developed models to assist in the conceptualisation of the implementation process in the Political framework, in order to provide tools which can be used by analysts to explain and unpack the complex and subjective policy process. Barrett & Fudge (1981) suggested two such models. The first is policy as negotiation, a

process of bargaining and compromise between those who make policy and those who implement it. The second view is that of implementation as action and response. It is influenced by the scope for autonomy in the implementing agencies and the perceptions of key actors of the need for action and the type of action, and their values and motivation to act. This model is particularly applicable where the function of policy making and policy implementation is divided into different departments.

In seeking an alternative to the 'top-down' theory of implementation, Elmore (1980) has developed the concept of backward mapping, and Hjern and Hull (1982) developed the model of 'bottom-up' implementation. These models of implementation acknowledge the power of actors at different levels in the hierarchy. 'Bottom-uppers' view implementation in relative rather than objective terms. The meaning of the policy is socially defined and dependent on the perceptions of the contributors. This concept has been described as 'backward mapping' by Fiorino (1997), who argues that it is still a valid concept in the world of postmodern analysis because it enables analysis of players at all levels in a hierarchy, as 'it brings affected stakeholders into the process of designing and implementing reforms; proceeds incrementally to build a consensus for change; leads to proposals that allow for greater discretion and flexibility at the ground level' (Fiorino, 1997, p. 249). These criteria are grounded in the theoretical assumptions which define the political paradigm.

The role of the 'Street Level Bureaucrat', described by Lipsky (1980), explains the power of people working at the coalface, far from the elites who formulate policy, to interpret and implement policy as they see fit. Their actions are seldom monitored or evaluated, and their distance from the decision-making body and their relative autonomy in day-to-day work allow wide interpretation (or even ignoring) of policy directives.

When examining the various elements of policy implementation, Yanow (1987) argues that policy language is ambiguous and open to wide interpretation. Instructions are often ambivalent and decisions made 'on the ground' are built on a complex web of influences. Some policy is not implementable, sometimes it is totally 'un-doable'. Sometimes it is deliberate symbolic policy making on the part of politicians and senior bureaucrats. Many policies are framed without reference to the underlying forces that are likely to undermine them. These interpretations of policy making do not generally provide useful and useable models of policy making; rather they highlight the difficulties involved in doing so.

2.4.6.4 Evaluation

Evaluation theory as such does not play a prominent part in the Political framework. Its underlying assumption that the policy process is not rational, with clearly defined aims and objectives, makes it very difficult to devise models to measure policy outcomes. Rather, implicit in the interpretive work of the policy analyst there is an emphasis on evaluating the process in its entirety, and of constructing a complex evaluation of the validity of the policy and its origins.

Colebatch (1995) discusses how the notion of evaluation is understood differently by different actors, and that this informs the process of evaluation. The varied ways in which players interpret the meaning of policies are examined by Hoffman (1995). Such variety in turn dictates what and how different actors will evaluate, and this will produce different measures of 'success'.

In understanding the policy process as non-sequential and often ad hoc, evaluation is at best a nebulous concept, and can take place at any time during the process. Different actors will have different agendas and different planned outcomes for each phase of the evaluation.

2.4.7 Policy Actors

Theorists writing in the Political framework are subjective and explore the dynamics of the process rather than the rules and boundaries. Sometimes seen by writers as a framework of observation rather than action, writers question the notion of the power and authority of the elite policy makers and the rational processes which they promote. Often policy actors in this framework are referred to as players, because writers use a game analogy to describe the policy process. The role of the players is to devise strategies and tactics to enable them to win the game. The role of the analyst is to explore and map the dynamics of the game. Language is consciously used by actors as a professional tool, a shield, and a reflection of values and the policy environment (Considine, 1994).

A fundamental principle of the Political framework is that policy is a process that evolves over time. The process is unpredictable and policy is ad hoc, a complex game which does not occur incrementally (Davis et al., 1988). To understand that process, one has to understand the role of the actors in the action and the context in which action takes place. The role of the policy actor is often described as doing either analysis of policy,

that is understanding the process as it has occurred, or analysis *for* policy, to improve policy making (Ham & Hill, 1984). This distinction is inadequate. In the Political framework these are not mutually exclusive and most analysts perform both activities. The reasons for conducting policy analysis and the role that the analyst takes will differ depending upon who is employing the analyst. Many policy analysts are employed by government, others are academics, and governments will often co-opt academics to work with them in the policy arena. Large non-government organisations (NGOs) and peak bodies also employ policy analysts to assist them in influencing the policy process. Even small NGOs sometimes hire private consultants, often academics, as policy analysts. Academics are generally interested in broad theoretical understanding of the policy process, analysis of policy. Early writers in the field (Wildavsky, 1979) argued that academics should stay at that level and not confuse their work by involvement in policy advocacy. Fortunately they did not take his advice and there is a proud tradition of academic advocacy based on policy analysis (Fraser, 1989).

2.4.8 External Actors

The inclusion of external or informal actors in the policy process is seen as axiomatic by writers in the Political framework. The literature on policy networks, policy communities and policy entrepreneurs which falls within this framework provides some of the most exciting insights into the questions of how informal policy actors can influence the policy process. By the 1990s, early concepts of 'interest groups', their power circumscribed by bounded pluralism (Hall, Land, Parker & Webb, 1975), had evolved into a sophisticated analysis of what are variously called policy networks, issues networks, actor networks, policy communities, regimes, inter-organisational domains, policy domains, organised and under-organised domains, and advocacy coalitions. Whilst described differently by various writers, they all involve individuals and groups working together to influence the policy process. The term 'policy networks' will be used here as a generic term to describe these groups. However, as Howlett and Ramesh (1998) discuss, little as yet is understood about how these networks actually 'work'. We have yet to fully understand the implications of the differences observed within and between the different policy groupings, and how these differences impact on policy change. Blom-Hansen (1997) argues that 'policy networks', as an analytical concept, is still in its infancy and has to move beyond description and into the field of policy explanation. He argues that for this to happen it must be combined with a model of 'the actor', and use institutional theory to provide a framework and logic to explore explanations (Blom-Hansen, 1997, p. 669).

While acknowledging the debate surrounding the notion of policy networks, some of the descriptions or theories were explored and tested to determine if they could provide explanations for the case study presented in this thesis. Policy networks exhibit a wide range of different characteristics. Writers generally agree on two broad categories: those of formal communities and informal networks (Dearlove, 1973; Heclo, 1978; Kingdon, 1984; Sabatier, 1988) although these terms are also sometimes used differently. The concepts of formal policy communities including actor networks, of informal policy networks incorporating policy entrepreneurs, and of 'insider and outsider' groups (Maloney et al., 1994) have provided the richest sources of explanation for the case study and are presented below.

The distinguishing features of formal communities are that they are well established groups, with continuing involvement in all aspects of a particular focus of social policy, related through functional roles and resource dependencies. They are stable, restricted groups with centralised organisation and incremental goals, focusing on a common service area (Rhodes, 1990; Benson, 1982). Often they are given legitimate status by government. Despite their semi-permanent and 'anointed' status, as with any other social structure, the dynamics of policy communities are not static. They are self-producing systems of identification and recognition, which act upon themselves in the process of restructuring as they carry forward routines and habits of the past and construct new structures for the future. They have both advocacy and change functions, and inherent perceptions of need and preference dictate decision making (Considine, 1994).

Building on Rhodes (1990) and Benson (1982), Considine (1994) describes a number of different actor networks which come together in formal communities. These actors can belong to professional networks, producer networks, issues networks or inter-governmental networks. It can be difficult to classify players into one category, as an individual or group can fit into several at any point in time. The inter-organisational nature of actor networks, as seen by Considine (1994), gives them considerable power in the policy process. Howlett and Ramesh (1998) make the important point that even within these formal policy communities, 'elite' closed networks such as a small group of bureaucrats and business people, often wield an enormous amount of power.

In contrast 'informal networks' tend to come together for one-off change, working for a short time on a single-issue campaign. They target the public and grassroots movements to pressure government. Being radical and crisis driven, they often use disruptive

strategies to achieve policy change. They are seldom given legitimate status by government. The label of 'policy activists' can be used to describe these informal networks. Like any other group, they enact historical patterns of inclusion and exclusion, of gender, class, race and ideology. Considine (1994) describes networks as having functional, social or ideological bases. Functional networks focus on a task or transaction; social networks share bonds such as race, gender, class or other forms of shared identity. Groups based on ideology have a shared world-view and value system. He argues that this last group is most likely to have a strong influence on the policy process. It is this commonality of world view and values which provides the impetus for action and change. The logic of this argument is that as informal policy networks become more cohesive around a number of commonalities, there is an opportunity for them to transmogrify into policy communities. The calibre of the activists involved and the extent of the mobilisation that they can achieve are crucial to success in determining policy outcomes. In turn, these outcomes are determined by the ideologies held by the dominant participants.

Michaels (1992) explores the role that non-activists play as a target audience for activists. Drawing on Nelson (1984), she describes how policy networks act to have their issues placed on a range of agendas such as government, the popular agenda, that of the public at large, and, through the professional agenda, that of an informed public mobilised around an issue. It is often the support gathered from non-activists that gives activists the power to push for change. Coleman, Skogstad and Atkinson (1997) make the point that policy networks can effectively influence policy development for groups or a public which may not fully support it. Thus, a small group of effective activists can influence public policy even though they have few constituents.

In a complementary analysis, Maloney et al. (1994) use the concept of 'insider' and 'outsider' groups to examine the differing status of policy networks and the strategies which they use. Insider groups share at least some common values with the policy makers. The more commonality they share, the more likely they are to influence policy outcomes. Government tends to take more notice of insiders who offer expertise, stability and influence in the policy arena. Those with totally different ideologies or goals to the policy makers seldom gain insider status, and have to develop strategies to challenge the power of those in authority. Thus formal communities are more probably composed of insider groups, while informal networks seldom obtain this status.

Bureaucrats have an important role in deciding who has insider and who has outsider status in the formal governmental decision-making process. Consultation has become a hallmark of policy makers around the world, as governments recognise the potential power of interest groups and the knowledge and/or expertise which they might have to offer. Who is included in or excluded from these consultations is very significant in determining which groups are insiders and which are the outsiders. In a two-way process, outsider groups court policy makers, and policy makers court insider groups who can assist them in having policy change accepted by the broader policy domain. While many outsiders attempt to gain access so that they may influence the policy process, Maloney et al. (1994) contend that once outsiders are included as insiders by the policy makers, they are de-politicised. Thus consultation can be perceived as a manipulative tool, a mechanism for controlling interest groups. It is also used as a tool in both the Rational and the Political frameworks. The difference is in the motivation of the policy actors and the political acumen of the informal actors who are co-opted into the formal political process.

Even within formal communities and informal networks, 'politics' of power and control are played out amongst the various actors. Hardy (1994b) discusses how under-organised domains (policy networks) are much more permeable and likely to conflict. Through this conflict more creative solutions are likely to arise and less powerful stakeholders can contribute in ways not possible in more organised domains (formal communities). Under-organised domains (informal networks) provide greater opportunities for smaller players to shape the environment while organised domains try to control access of other players, in order to keep control of agendas.

In an interesting discussion, Mintrom and Vergari (1996) examine the role of policy actors, often individuals, who have been named 'policy entrepreneurs', in achieving change in the policy process. In developing the notion of a model of policy entrepreneurship, they acknowledge that while the role taken by these actors has been quite widely acknowledged since the 1970s, little has been done to analyse their role or to develop a model describing it, although this is beginning to emerge. Mintrom and Vergari describe policy entrepreneurs as fulfilling three functions. Policy entrepreneurs discover unfulfilled needs and suggest innovative means to satisfy them. They bear the reputational and emotional burden of pursuing actions which have uncertain consequences, and they work to solve problems by mobilising networks of people who have the talent and resources to effect change. Thus they are not sole players but integral to informal networks (Mintrom & Vergari, 1996, p.423). Mintrom and Vergari

further describe policy entrepreneurs as salespeople who use a range of strategies to attract attention to their ideas and to persuade networks and policy makers to adopt their strategies and solutions. They are often risk takers who exploit windows of opportunity and exploit crisis to achieve their ends. They network widely both within and outside government and use the resources of their networks to achieve results. A key tool of policy entrepreneurs is 'the ability to see the political logic in an emerging historical situation and to act on that insight' (Doig & Hargrove, 1990, cited in Mintrom & Vergari, 1996, p. 424). It is noted that often several years of work are put into planning and exploiting a particular window of opportunity. Portz (1996) also notes the importance of the policy entrepreneur both in the definition of need and in placing items on the policy agenda. In his analysis of the different roles taken by policy analysts, Snare (1996) describes policy advocates, who take a very similar role to that of the policy entrepreneur.

Many influential policy entrepreneurs function effectively by maintaining active 'insider' political networks, and by using 'windows of opportunity' to effect policy change from these insider positions (Mintrom & Vergari, 1996). They draw on the work on advocacy coalitions, similar in nature to formal policy communities, developed by Sabatier (1988) and Sabatier and Jenkins-Smith (1993), as useful for explaining periods of policy stability, while they use the concept of policy entrepreneurs, usually working in policy networks, to describe periods of dynamic change in the policy arena. Mintrom and Vergari suggest that the notion of 'windows of opportunity' should be added to this equation.

The sociology of regulation which underpins the Political framework is apparent in Considine's analysis of the role of policy communities and networks. He concludes that despite the conflict which occurs between groups who wish either to alter or confirm rules and programs devised by government, policy is primarily a joint action between various actors and groups. Participation is fundamental to good policy making and implementation. It facilitates rational deliberation, creates and communicates moral principles and expresses personal and group effects and needs. It generates solidarity and reconciles competing values. He believes that despite the conflict inherent in actor networks, policy is primarily the result of joint action by a complex group of actors, who seek to alter or confirm policy designed by government (Considine, 1994).

Other different and interesting concepts of policy networks have been developed. Borzel, (1998) suggests that Anglo-Saxon literature tends to treat the theories of policy networks as analytical or interpretive tools focusing on hierarchy and market, while German literature regards them as an alternative form of governance. In support of the 'alternative

governance' concept she argues that there is a 'functional interdependence' between public and private actors, and that governments have become increasingly dependant on the co-operation and resources of policy actors outside of their hierarchal control (Borzel, 1998, p. 260). Similar distinctions between various writings on policy networks are also used by Marsh (1998). Both Borzel and Marsh imply that the power of policy networks can be seen as undemocratic and needs to be contained.

Thus, writers within the Political paradigm assign a number of roles to informal policy actors, all of which illustrate the dynamic, fluid and political nature of the policy process as observed through this lens. To varying degrees, depending on the type of policy network, the power exercised by groups through their lobbying and advocacy, their calculated use of resources and their political activity enables them to influence the definition of needs and social problems, to place items on policy agendas and to have an impact on the implementation of public policy. This body of theory provides a theoretical framework in which to analyse the actions of the author and the policy networks and policy communities to which she belongs.

2.4.9 The Sacred and Profane View of the Policy Process

A useful model for exploring the difference between the Rational and the Political frameworks and the apparent paradox observed in the actions of some actors who use the rhetoric of the Rational framework yet act in an overtly political way was developed by Degeling (1980)¹. He describes two different ways in which actors experience and articulate the policy process, the *sacred* and the *profane*. The sacred is the formal, officially sanctioned view of reality, an ideal rationalist approach which does not acknowledge the political aspects of the process. It is how policy elites and many other actors in the domain talk publicly about policy, while away from the public domain they may use very different language. The profane view of the policy process, which is what actually happens, incorporates the politics and power dynamics of the policy process which are often not openly acknowledged, even by those who consciously use them. Degeling contends that many actors, in particular the policy elites, use the sacred version of reality as if it were the absolute truth while, in reality, their lived experience is the profane. Actors who believe in the veracity of the sacred feel very uncomfortable with the profane concept, seeing it as manipulation.

¹ This work was presented as lecture notes, Masters of Administration, UTS 1980. Permission was received by the author from P. Degeling to expand the notes for teaching purposes in 1984. Despite an extensive literature search and requests to Degeling, I have been unable to locate anything further he has written on this model.

Degeling uses the pyramid model of organisations as an example of the sacred view of the policy process. Power flows from the top down and access to the decision makers occurs upwards through the various levels of the hierarchy. Thus it is difficult for someone at the base of the pyramid, or an external actor, to have any power over decision making. The decision-making process is contained within the constructs of the pyramid and is impermeable to external influence. The profane version of organisational structure places any particular actor, regardless of her/his position in the official hierarchy, in the centre of a circle or network of other actors with whom s/he interacts. The better developed and stronger this network, the more likely an actor is able to influence decisions, often reaching decision makers through informal channels which would be denied to an actor if s/he adhered to the sacred version of reality and worked solely within the prescribed framework. This model is also permeable to influence from external actors.

These concepts are manifested in several ways in the policy domain. Some actors completely accept and believe in the sacred. They see their role as implementing the sacred, and controlling any actors who seek to question or subvert it. Degeling suggests that many actors such as politicians and bureaucrats, who apparently function in the Rational framework, are merely presenting the sacred view of government and policy to the world. They are really extremely political players, and their game is profane. Often they may be observed cynically using rationalist models as part of sacred discourse in their political activities as they seek to control a domain which does not pay due respect to the rationalist ideals. Insights from the Political framework are co-opted into the Rational framework to achieve this; for example, by developing and using tools such as formal consultation processes and appointing expert committees which are merely symbolic or tokenistic. Another example is provided by Hill and Bramley (1986), who discuss the notion of symbolic policy making. This is a policy activity undertaken by government for purposes of political contingency, whereby policy is formulated and made public in response to a politically sensitive 'demand or need', but which is never intended to be implemented. It is policy making as social control, the profane presented as the sacred. The intention is that the symbolic policy will quell the public outcry, and that people will forget or lose interest in the issue, believing that their demands have been met by the announcement of the policy. Thus an apparently rational policy process is consciously used by policy actors in a covertly political manner.

Other analysts completely dismiss the sacred and argue that to succeed in the policy domain, actors must thoroughly understand and adopt the profane concept of the

process. An important distinction can be made between those actors who identify as rationalist but who are discursively conscious that they are part of the profane process, and those who do not have this level of consciousness. The latter believe the sacred version of reality despite activities which are actually profane. These different concepts of the policy process provide insights which help explain some of the paradoxes evident in the application of the theories presented in the Rational and Political frameworks examined in this thesis, and in the actions of the actors in the case study.

2.4.10 Applications for Practice

Writers in the Political framework examine how the policy process works. They seek to understand and to improve the process and the policy outcomes. They do not challenge the social structure in which it occurs. They acknowledge the conflicts and contested nature of government policy. They take into account the politics and the vested interests of policy actors in all stages of the process. The exercise of power and political dynamics of the policy process are seen as crucial in gaining understanding of how the process works. This knowledge is useful in identifying strategies and points of intervention, in particular for external players. It provides explanations for the non-rational actions of government and addresses some of the paradox evident in the policy process.

Writers in this framework sometimes examine the role and influence of value systems, discourse and ideology in this process. They do not examine the deeper, embedded meanings in actions of the actors, which are structured by and in turn restructure the process. To explore this level of understanding, we must turn to the Critical framework.

The insights gained from the Political framework provided direction for the author in the action-research project by enabling an understanding of the role that she was taking in the process, and the importance of the actions of the networks and communities of which she was a part. It provided explanations for why resettlement policy had not been introduced and why the Women at Risk policy was not being implemented, but it did not provide answers as to why these things were not happening. Once answers had been identified from analysis undertaken using theory from the Critical framework, the insights gained in the Political framework were once again used to inform action dictated by the new insights.

2.5 WRITINGS IN THE CRITICAL FRAMEWORK

The obstinacy that comes from adhering to truth against all appearances has given way in contemporary philosophy to whimsy and uninhibited opportunism. Critical theory preserves obstinacy as a genuine quality of philosophical thought (Marcuse, 1968, p.143)

2.5.1 Introduction

It has been suggested by Bertelson that a scientific view of human beings as (policy) actors who know and understand why they act as they do is mistaken. Actors, in particular actors in informal or outsider networks, who accept this scientific view reflect several unquestioned assumptions concerning gender, patriarchal and other ideological forces which shape the nature of society, and 'which permeate the very hegemonic order they intend to oppose' (Bertelson, 1986, p.18). Therefore, to understand how 'policy is made' we must identify dominant ideologies and how they impact on all the actors in the arena, including the recipients of the policy outcomes. We need to understand the theoretical assumptions underpinning our analysis. It is necessary to examine how the interpretation of 'truth' occurs and becomes comfortable.

There are problems in our ability to do this objectively. Straker (1989) states that '[t]he difficulties of ever freeing oneself from operating within the categories inherent in a particular dominant ideology are highlighted by the author's [one's] own inevitable recourse to those very categories of which the validity is questioned' (Straker, 1989, p. 20). She argues that, because the rules and categories which dictate an ideology constrain the acceptable limits of action and thought, they tend to have the status of absolute truths; they are axiomatic. To develop a coherent argument against an ideological standpoint from within a particular ideological context, one has to take a critical distance from those structures and this is very difficult because the structures both form and inform the consciousness. A number of different social theories are examined in this section to explore possible ways of taking this 'critical distance' in the policy process.

The term 'critical' was chosen to identify the theories described in this framework because, as Burrell and Morgan argue (1979, p. 284), critical theory offers the possibility of combining theoretical and sociological analysis at a practical level: '...it stresses the need to follow the logic of one's philosophical and sociological analysis with practical action of a radical kind'. The ultimate aim of critical theorists is to effect social change. This framework would appear to offer some useful explanation for the phenomena addressed in the thesis.

As has been argued above, in each of the frameworks identified for this thesis, different dimensions of the policy process take prominence, reflecting the different views of theorists both about how the policy process works, and about the role and function of policy analysis. In the Critical framework, the theoretical assumptions take an overtly prominent role, as it is a conscious understanding of the world at this deep level which informs the analysis and the radical change which is its ultimate aim. Therefore, theoretical analysis has been discussed in this framework as a methodology. Because of the analytical focus of this framework, it is difficult in some instances to separate the dimensions of the policy process from the theoretical analysis.

Some theories which can be classified as 'postmodern' or 'post-structural' have been used to analyse events or phenomena which have occurred in the case history on which the thesis is based. The theoretical insights gained from this analysis have then informed actions in the 'action-research' methodology, grounded in critical theory, which provides a structure for the case study. In this framework, critical discourse analysis and a postmodern analysis of power are used *within* the critique of existing policy practice and structures for the purpose of changing them. It is action research with a policy development focus.

Three major bodies of theory considered important to the exploration of the research problem are examined. They are critical theory, feminist theory and critical discourse theory. Feminist theory was selected because the nature of the subject under examination in the case study requires the application of a feminist analysis to seek an explanation for the difference in treatment of male and female refugees in human rights instruments, law, policy and practice. Critical discourse analysis was identified as appropriate because a defining moment in the case study occurred when the researcher realised that the importance of the language being used to describe the experience of refugee women was central to the problem under examination. The literature explored so far has provided analysis of the ways in which policy communities, policy networks and policy entrepreneurs can influence the policy process. This thesis suggests that a consideration of these critical theories will enable us to reach a deeper understanding of why these groups are able to effect significant change in the policy process, and how these insights can be used to analyse the case study and for theory building. Neither feminism nor discourse analysis sit comfortably within the theoretical descriptor 'critical' because both suffer from clear paradigmatic identification. As Beilharz comments (1992), feminism has the choice to operate within the already existing sphere

of social theory, and also has the possibility to construct its own. Discourse analysis, in particular critical discourse analysis, suffers or enjoys a similar fate. Alvesson and Deetz (1996) argue that many feminist theorists whose work sits primarily in a postmodern analysis themselves turn to critical theory in order to facilitate change. Calas and Smircich (1996) suggest that feminism sits uneasily with postmodernism. Post-structuralism has been of more use to feminist theorists because writers in this paradigm make explicit the devaluation of the feminine in universal theories. However, theorists from both postmodern and post-structural paradigms depoliticise issues and prevent individuals from claiming agency. The luxury of working as an action researcher within a Critical framework is that one can use insights from a range of frameworks to facilitate social change. The challenge is to ensure that the use of these insights is coherent and rigorous in application.

2.5.2 Theoretical Assumptions

It is not the business of hegemony to remove powerlessness or redistribute either material or cultural advantages, but to rearrange perceptions in such a way as to secure consent (Bertelson, 1986, p. 18).

The work of theorists in the Critical framework, like those in the Political framework, is grounded in hermeneutics and subjectivism. However, a major assumption in Critical theory, which is a key component of this framework, is that of radical change. It is emancipatory and dialectical, and focuses on the ways in which social realities are formed. It is overtly political, not merely content to understand social life, but aims at changing it (Burrell & Morgan, 1979).

Critical theory critiques the means of social reproduction and argues for ways of emancipating human beings from the structures and ideologies which limit and prevent their potential for freeing themselves from domination (Abercrombie, Hill & Turner, 1994). It provides a framework in which to move away from a narrow focus on the policy process and to explore it in the light of two assumptions: firstly, that social realities are socially constructed, and secondly, that researchers and policy analysts are themselves actors in the process of creating the social structure which provides a context for the policy process. Issues such as exploitation, repression, unfairness and asymmetrical power relationships of gender, class and race are identified as targets for change. It is dialectical, in that it believes that this change can occur through debate between conflicting points of view, by the clash and resolution of oppositional tendencies (Alvesson & Deetz, 1996).

Radical humanism, which critiques the process whereby humans create the world in which they live, provides the grounding for critical theory. It has its roots in the work of Hegel and of Fichte, who identified the projection of individual consciousness, the process whereby individuals externalise their experience into a form of reality which is in turn reflected back on them. Individuals then become trapped in modes of consciousness which they create. These theorists argue that in creating and accepting this external world, humans alienate themselves from their true beings, and create a state of 'false consciousness' (Marshall, 1994). Thus individuals contribute to their own oppression. However, critical theory is dedicated to the potential of social change achieving 'enlightenment', a state which will be reached when human beings are fully cognisant of the roots of their oppression and no longer contribute to its production. This notion of 'enlightenment', based in modernism, is grounded in rational thought and a belief that truth, beauty and morality exist as objective realities (Johnson, 1995). Having identified the deep seated causes of oppression, early critical theorists argued that it is only through the acquisition of knowledge that humans can emancipate themselves from social structures which repress them to gain enlightenment, or true consciousness. This analysis is reflected in early Marxism which argues that individuals can create and change the society in which they live through consciousness and knowledge, in particular of their exploitation by the state and by dominant classes (Burrell & Morgan, 1979).

The work of Gramsci is also fundamental to critical theory. Gramsci developed the notion of ideological hegemony, 'a system of rule based on produced or educated consensus in the state' (Davidson, 1992, p.128). He described hegemony as a complex web of conceptual and material arrangements which underpin and define all aspects of everyday life and reinforce the dominant ideologies of the elite. The all pervasiveness of this ideologically based infrastructure and mode of communication is so great that the population does not realise that it is being controlled (Alvesson & Deetz, 1996). It suggests that the domination and exploitation of human beings is seated within human consciousness, shaped and enforced by ideologies embedded in the language of production, of education and religions, and of all social institutions. In this manner, ideology becomes 'taken for granted' and accepted as the norm by the people whom it dominates and oppresses (Gramsci, 1971). Despite the weight of hegemonic oppression, Gramsci also acknowledged the human potential for change and emancipation. He argues that individuals are never totally without the potential to challenge oppression. Individuals are their own theorists with capacity to challenge because of their individual experiences, and are thus able to acquire new knowledge, to

challenge the 'conventional wisdom' of ideologies imposed hegemonically, and thus to achieve change.

Habermas, a late modernist, and the key member of the group of philosophers who have come to be known as the Frankfurt School, is a more recent influential contributor to this body of theory. Habermas (1972) wrote that the more human beings understand about the springs of their own behaviour, and the social institutions in which that behaviour is involved, the more they are likely to be able to escape from constraints to which previously they were subject. However, this is not simply a question of providing knowledge to the people. Habermas examines some of the reasons why humans do not accept available knowledge into their world view. This can occur when self interest intervenes and distorts or adapts knowledge to fit what one wants to 'know'. Self interest is a product of ideology and hegemony, which controls people and stops them assimilating knowledge which could allow them to escape constraint. The challenge is to provide ways in which people can have access to and utilise this knowledge. This involves challenging the ideology and hegemony which constrain them.

Habermas also argued that understanding the structure, nature and use of language can provide many insights into the process of structuration (Habermas, 1970). In his later work, the role of language replaces the notion of consciousness. He writes of a notion of 'communicative competence', which 'links between political macro-structure and speech in a context of symbolic interaction' (Burrell & Morgan, 1979, p. 295). This causes a 'communicative distortion' which serves to trap people into a social reality which exploits and constrains them. This argument suggests that enlightenment will only occur when people can achieve 'ideal speech', and communication free from domination; a communicatively achieved understanding. Building on the Marxist idea that the consciousness of humankind is dominated by ideological superstructures with which the individual interacts, Habermas (1975) identified the increasing legitimization of the superstructure of the political system as a major force in the oppression of human beings.

2.5.3 Regarding Postmodernism and Post-structuralism

In order to argue for the inclusion of some postmodern and post-structural analysis, and to attempt to address the question of the contradiction of including post-everything into a Critical framework, it is necessary to provide a brief definition.

Unlike critical theorists, postmodern theorists do not believe in the objective realities of social life. It is totally subjective, there are no fixed entities and natural objects are

discursively produced (Johnson, 1995). People are born into a system of discourses which structure their world and themselves as a person in that world. The person is always a social construct first, the self coming a poor second. Thus many postmodern theorists argue that it is impossible for people to achieve emancipation, because their constructed nature does not enable them to escape. Such theorists dispute the contention that the acquisition of knowledge can produce a true consciousness, because even as people construct a new reality they become entrapped by it. It is impossible to separate power from knowledge as power is also located in the discursive structure. The twin 'Grand Theories' of Liberation and Truth are debunked as history shows them to be nothing but social and linguistic structures which serve to keep human beings oppressed and subjugated (Marshall, 1994).

However, the 'absoluteness' of this theoretical stance is challenged by many writers; the differences between critical theory and postmodernism are often contested and some researchers draw on both traditions. Alvesson & Deetz, (1996) argue that the 'critical edge' of postmodernism is able to challenge the status quo and support silenced or marginalised voices. As described above, postmodernism rejects the notion of a 'Grand Theory' or universal answers. However, Calas and Smircich (1996) suggest that while the search for an understanding of domination, and ways in which to change oppressive relationships might not create the 'grand narrative', it might usefully provide a series of 'little narratives' which do effect change at a given point in time. Jacobs (1998) also argues that many authors using discourse analysis have reformist agendas and are not merely seeking postmodern explanations of phenomena.

Work done by Alvesson and Deetz (1996), which examines the intersection and integration of critical theory and postmodernism into organisational studies, has validity for examining the policy process, as this takes place in organisational settings. They argue that using critical theory allows one to view organisations as political sites and seeks to provide an alternative understanding of power relations within them. It provides an avenue for exploring how cultural-ideological control operates within organisations. Postmodernism highlights the importance of understanding discourse and the way in which discourse structures the world. It acknowledges the validity of subjectivity and the power of discourse.

In their analysis, Alvesson and Deetz suggest a number of ways in which critical theory and postmodernism can be seen to be complementary. Both draw attention to the social, historical and political construction of knowledge, people and social relationships. Both

critique domination by deconstructing the concepts of naturalisation, universalisation and rationality, and both demonstrate the reliance of structures on instrumental reasoning, the privileging of means over ends and the perpetration of systematic power inequalities. While postmodernism overcomes the failure of critical theory to accommodate local politics and situated responsiveness, critical theory provides a political and practical agenda denied by the postmodern refusal to perpetrate relations of domination even through organised subversion. The possibilities suggested by Alvesson and Deetz include using both theories simultaneously without attempting synthesis, working with tensions and constructive images as one follows different theoretical streams. A second method is to allow space for both discrete voices; a third is to conduct multiple interpretations of the same phenomena; and lastly they suggest combining insights from both as inspiration for reflexivity. The method used in this thesis sits most comfortably with this last suggestion, as insights gained from postmodern analysis are used reflectively to guide action research grounded in a critical theory.

2.5.4 Methodologies

Reflections are worthless if expressed unreflectively
(Calas & Smircich, 1999, p. 652).

This section argues that theoretical analysis can be used as a methodology within the Critical framework and major theoretical concepts are used for this purpose as part of the action research methodology. With each theory there is academic debate about the status of the work described, as to whether it is a theory or an a theoretical tool. When appropriate, this debate has been included.

2.5.4.1 Feminist Analysis

There is a need to reshape dominant frameworks ... to develop research methodologies which are neither gender biased, nor gender blind (Hawkesworth, 1994, p. 97).

Feminist analysis of policy is providing new insights which can assist analysts to take the 'critical distance' recommended by Straker. It challenges the hidden assumptions of ideology, culture and hegemony which inform social practice. Feminist theory is broad and covers a wide range of ideological viewpoints, but common to all feminist theory is the principle of equality of men and women and the belief that this will only be achieved by challenging gender-based injustice in all aspects of social structure. However, Beilharz (1992) has identified that feminism is often difficult to classify paradigmatically.

A useful framework is provided by Calas and Smircich (1996), who explore the application of various streams of feminist thought to organisational studies. They contend that liberal feminist analysis exposes inequality on the basis of individualism, and describes the hierarchical division of labour and inequality on gender lines. Psychoanalytical feminism uses gender difference as an advantage and exploits female traits. Radical feminism moves beyond individual concerns to recognise the systematic nature of patriarchal organisation in society. It provides a vision of systems outside patriarchy, and calls for reform of both structures and institutions, and social, cultural and institutional discourses. Socialist feminism focuses on gender relations as a dynamic system of power relations that continually reproduce inequality. It seeks to resist oppression under patriarchy and capitalism, and to collapse the public/private dichotomy. It makes visible informal processes of segregation, such as how gender assumptions embedded in social expectations interact with organisational rules and practices. Post-structuralist feminism furthers the feminist critique, attempting to deconstruct the categories of 'social reality' and 'subjectivity' by locating them in language discourses with no objective claim to 'knowledge'.

While this analysis supports Beilharz's contention that feminist theory is difficult to place in particular theoretical frameworks, it also provides guidance for a workable classification. It can be seen that liberal feminism as described by Calas and Smircich would sit most comfortably in the Rational framework; psychoanalytical feminism in the Political framework; socialist feminism straddles both the Political and the Critical; while radical and poststructuralist feminism sit more comfortably in the Critical framework. These later schools of feminist thought are considered below in relation to the policy process.

Many of the gender inequalities which feminism seeks to eradicate are institutionalised and reflected in policies and laws which grant rights and privileges to men, but not to women. These inequalities are based on an historical invisibility of women in social life and institutions, and a false dichotomy of the differences between men and women based on women's reproductive capacity. This has the effect of confining women and women's interest to the domestic sphere. These differences are both enshrined in and reproduced by patriarchal ideology which informs much of our current legislation and policy.

Feminist analysis of policy demonstrates how gender power and sex role expectations impact on the policy process (Fraser, 1989; Newman, 1995). It explores the myth of 'gender neutrality' and the androcentricity of policy and law which perpetuate inequality

by ignoring the different realities of women's lives. Areas examined cover issues such as equal pay for equal work, childcare, taxation, property rights, divorce and custody issues, access to decision making, education, maternity leave and the feminisation of poverty. Both Fraser and Newman have explored the myth of 'gender neutrality' in policy, legislation and all forms of discursive materials. Their work has highlighted the gender blindness in all stages of the policy process, including problem definition, needs analysis and policy formulation, implementation and evaluation. They argue that if a feminist analysis is not used at each stage of the policy process, the outcome is most likely to reinforce the dominant ideology and accepted 'truths' about women's place in the social structure.

Hawkesworth (1994), building on work of Kaplan (1992), describes how government legitimates gender injustice by considering women's demands for justice as those of partisan interest groups rather than social justice issues. Government officials argue that they take a bipartisan approach to policy making, which considers the welfare of the whole community. By doing this, without acknowledging the inbuilt injustices in the structure, they fail to address the needs of significant groups whose needs are made invisible by the dominant ideology. Demands from such groups are considered to be for services additional to those received by the rest of the community, rather than as redress for inequalities built into the structure. Fraser (1989) argues that this will continue to happen until women's needs are taken out of the domestic sphere and recognised as genuine political issues.

Seeking for answers to why feminist analysis is so little reflected in social policy, Fraser examines the work of Foucault, Derrida, Rorty and Habermas, and questions some of their basic assumptions about the social structure using a gender analysis. She traces the way most male, left-wing, critical thinkers have paid little heed to modern feminist thinking. She is particularly critical of Habermas in this regard, arguing that his work reproduces 'andocentric bias' because he accepts rather than challenges the dualistic ways in which ideological constructs such as 'family and economy' and 'private and public sphere' are counterposed to the disadvantage of women. Such dichotomies, accepted at both a symbolic and a normative level, make issues difficult to identify, let alone to analyse. They are examples of the many ways in which we are limited in our ability to develop a feminist analysis by 'an approach to language and culture that interprets as more or less authentic reflections of preconceived reality or truth ... through which meanings are negotiated across various discursive practices at any given historical

moment' (Fraser, 1989, p. 9). This suggests that in order to bring a gender perspective to the policy process, we have to unpack and understand the discourses which inform it.

The dichotomies identified by Fraser are also evident in Human Rights Conventions and Protocols, which inform much of our domestic law and policy. Charlesworth (1994) proposes that the acknowledgement of gender as a specific issue in human rights law has the potential to transform human rights law generally. She outlines how human rights law has been defined and developed from male life experience. It relates to the public or the political sphere. Bhabha (1993) discusses the preoccupation of human rights law with public activities, focusing on the political, and the lack of attention to the private or domestic sphere, which is the sphere where the activities of the majority of women can be placed. Sexual issues are subsumed into the domestic sphere. She notes that the fact that many private activities also can be interpreted as political has not been acknowledged and that this contributes to the invisibility of human rights abuses experienced by women. Essentially women's issues are not covered by human rights conventions. Charlesworth argues that even the United Nations *Convention to Eliminate all Forms of Discrimination Against Women* is based on a male world view and a male value system. Because of anomalies such as these, it was only in 1993 that domestic violence was acknowledged as a violation of a woman's human rights.

Mainstream human rights bodies have not focused on this aspect of law. Instruments and structures dealing with the human rights of women have weaker obligations and procedures, and the bodies which are charged with monitoring them are generally under resourced in relation to other bodies. 'The very structure of the law has built on the silence of women. Women are in an inferior position because they have no real power in either the public or the private sphere, and human rights law reinforces this powerlessness' (Charlesworth, 1994, p. 60). She discusses the notion of conflicting rights, for example, how some 'cultural, family and religious rights in fact justify the oppression of women (P.60)'. She concludes that a women's rights discourse is needed to reverse this imbalance. Policies and procedures that contribute to women's inferior position must be identified and addressed in human rights law.

Principles inherent in human rights policy 'trickle down' to local policy through the process of governments signing human rights instruments. If women's needs are not acknowledged or are misinterpreted at the international level, the same 'trickle down' of the dominant ideology which informs the human rights instruments will be reflected at the local level.

Feminist critique of policy provides the opportunity to examine the process and structure which creates women and women's needs, and to use this knowledge to influence the policy process to address the gender injustice currently embedded therein. Fraser argues that current functionalist (political) critiques of the social structure merely acknowledge the role of hegemony in the formal process. This serves to reinforce the view of women as passive victims of patriarchal society. A critique is needed which acknowledges the power of women as evidenced in the informal process, such as activism and social movements, and how this can change social structure.

Feminist writers have for a long time been aware of the role of discourse in the creation of social reality and the need for a rigorous analysis of the dynamics of discourse and how discourse can be changed. Rixecker (1994) suggests the need for a bridge between policy discourse and feminist discourse because at present they do not communicate. Feminist epistemology challenges the traditional models of knowledge creation and provides alternate 'ways of knowing'. Rationalist epistemology separates the spheres of reason and emotion, whilst feminist epistemology combines the two as interdependent. Knowledge creation incorporates the use of both. Race, sex, gender construction, class and sexuality play a role in the creation of epistemological stances. Knowledge is never 'value free' and reflects the actors' interpretations of experience, including emotions. Thus, by using our knowledge of women's lives we can understand how dominant structures and ideologies marginalise people. If we ignore this situational reality, we render invisible a number of knowledge generating contexts. Truth is not absolute; it changes with time and reflects the tension of situational reality derived from situated knowledge.

2.5.4.2 Critical Discourse Analysis and the Policy Process

Critical discourse analysis played an important role in the analysis and understanding of events in the latter stages of the case study described in this thesis. The insights regarding the role of discourse came about in the reflective stage of the action-research methodology, when theory used and applied to date did not provide the key to understanding why the policy under consideration was not being implemented. The repeated use of the phrase, 'only rape', in relation to the experience of refugee women, and the more general ways in which refugee women were portrayed in both spoken language, text and pictures provided clues as to the root of the problem. The use of critical discourse analysis provided an explanation and the way forward in the case study.

Like 'feminism', 'discourse analysis' has a number of different definitions. We shall briefly examine some of the different ways in which writers conceptualise critical discourse analysis; how this analysis is useful to a policy analyst; some recent work examining potential analytical links between discourse analysis and social action; the use of discourse analysis to understand the role of policy networks; and the notion of discourse as a creator of concepts, objects and subjects. Tim Richardson (1996) brings the proposition that discourse analysis must be firmly grounded in theoretical debate if it is to escape being just another a theoretical tool. He draws on the work of Foucault and argues that this danger can be avoided by placing discourse into a wider social context and understanding that truth is socially produced. If this is not acknowledged, he argues that there is the potential imposition of normative values and manipulation in the policy process. It could perhaps be argued that in this thesis, critical discourse analysis has been used as a tool.

It is impossible to talk about 'discourse' as a unified concept, as there are so many ways in which the term is used. Analysts in the Critical framework address the unconscious use and power of discourse, and evaluate the role of discourse in producing social meaning. They focus on how spoken language and written text are structured by and restructure the social context in which the discourse occurs. The power of language to shape the way in which people experience and behave in the world through a range of different discourses is explored by Parker and Burman (1993). Rodger (1991) argues that discourse analysis is grounded in social relationships, and that it must include knowledge, myths and received ideas, as well as language. He states that a focus on language without a context is unable to generate any real meaning. Writers emphasise that social reality is not dominated by one discourse, but by the interplay of multiple discourses, some of which are more dominant than others, and that the pattern of dominance changes over time (Jacobs, 1998). A high degree of inter-discursivity, the bringing together of multiple discourses, is required to allow different actors to talk about an issue.

Fairclough (1992) considers that while the majority of discourses are produced and disseminated in texts, they are more than the sum of a text. '[Discourses] also include the structures and practices that underlie the texts and their production, transmission and reception' (Fairclough, 1992, p. 57). Texts are also socially constructed (Opie, 1993). Fairclough reasons that discourse is not an entity but something that we identify piece by piece from these structures and practices and put together to form a whole. His three-dimensional framework for discourse analysis incorporates discourse as text, discursive

practice (spoken discourse) and social practice. These dimensions enable us to analyse discourses within a context and as a dialectic process. They provide a useful framework with which to analyse the policy process.

It is argued that ambiguous events are structured into meaningful phenomena or realities through the process of discursive practice. Discourse is a dynamic process, in which meanings change over time as the discursive structure changes (Parker, 1992). Human beings are involved in an ongoing struggle which is reflected in the changing discourses. Thus the study of discourse is crucial to the study of the policy process, as we examine policy texts and the documents which support these, the way in which the policy process is 'spoken' by all the various actors and the social practice which both produces and is produced by a particular discourse.

An important contribution from Carter and Nunan (1993) is the notion of discourse as a communicative event in either written or oral language; it is the study of language in use. Text can be used to describe a communicative event, either written or oral. They argue that discourse is embedded in the context which has given rise to the discourse and at certain times, single words can function as complete texts. What is important is that the text at that time forms a meaningful whole. This analysis is very pertinent to the analysis of the term 'only rape' in the context of the case study presented in this thesis.

The ways in which discourse can make some forms of action possible and how collective action can transform the meaning and structure of discourse are discussed by Stephen Ellingson (1995). He focuses on the process by which the discursive arguments of one group gain dominance over others so that rival groups are forced to adopt a common discourse and he identifies how this is influenced by the approval or disapproval of the wider policy 'audience'. His work highlights how the discourse and ideological frameworks of actors define some actions as legitimate and others as illegitimate thus reproducing or challenging social structures and relations of power. He argues that events are shaped by ideologies and rules embedded in ritual, symbol or speech, and that they in turn transform cultural objects and social structures. Events are opportunities for change as they can be used to challenge and reconfigure meanings and modes of action. His work demonstrates how events are important for changing collective beliefs.

What Ellingson describes is a dialectic process, and he argues that this dialectic is the key to understanding how collective action produces discourse and social change. He states that an examination of this process will help us to understand how speakers and

audience interpret events, and why particular interpretations are adopted. Actors identify need, create diagnosis and solutions, implement actions and then incorporate this action into their particular discourses as the grounds for evaluating and reworking arguments or redefining the subject of the debate.

Rodger also supports the notion of the discursive process being dialectic, noting that discourse develops out of a conflict with other challenging or competing discourses (Rodger, 1991).

Parker (1992) identifies that while discursive practice contributes to reproducing society, at the same time, it is active in transforming society. He proposes that the relationship between discourse and social structure should be seen dialectically, to avoid over-emphasis of one compared with the other. This will enable analysts to recognise that both dynamics exist and that recognition of one does not negate the other. The use of discourse as a political tool and form of ideological practice challenges existent ideologies and power structures. It also places discourse analysis on the borders of critical theory.

An interesting debate has occurred in the 1990s around the use of discourse analysis in the social work profession. This debate is also useful in the examination of the case study. A number of writers in this field (Rodger, 1991; Opie, 1993; Ellingson, 1995; Healy & Mulholland, 1998) examine relationships in the use of discourse, in particular activists working along side the oppressed in the struggle for social justice. Their work focuses on the dialectical and constitutive nature of discourses and the usefulness of this understanding in analysing social problems. Ellingson notes that to date there is little empirical attention paid to how collective action might influence the construction of meaning. He argues that discourse makes some forms of action possible and legitimate, and that concretely, collective action transforms the meaning and structure of discourse. Healy and Mulholland (1998) claim that discourse analysis challenges activist theory which suggests that social reality is based in social superstructures such as capitalism and patriarchy, and brings the role of language and discourse in the construction of these social realities (and superstructures) to the fore. Of particular value to the analysis of activist practice are the possibilities for showing how power, powerlessness and empowerment are embodied in real-life social interaction and how the language adopted by workers and clients shapes the practices. They also make the very important point that it is not only the spoken words, of activists (and clients) which need to be recorded if we are to understand the power of discourse to shape events and structures. We also

need to take note of neuro linguistic messages and how these are exchanged, as they are also part of discourse.

Both Healy and Mulholland and Ellingson agree that there is a void in our understanding of the links between activism and discourse. Work to date has focused on the ideological and discursive work of movements without explaining how this work is related to collective action events. They suggest that we need to focus on questions such as: why do discourses change in the wake of collective events; how do these influence the construction of new discourses; and what strategies do actors employ to incorporate various audiences into the framework of meaning reflected in the new discourses (Ellingson, 1995). These writers conclude that discourse analysis can make a significant contribution in promoting change for social welfare clients. The challenges made by these writers influenced the analysis of the case study, in order to see if links between activism and discourse can be made.

Building on the understanding of the roles of policy networks developed in the Political framework, several writers explore the role of networks as producers of discourse. Howlett and Ramesh (1998) discuss how actors within policy communities collectively construct policy discourses. Jacobs (1998) suggests that policy is the result of discourses produced by networks in order to make certain phenomena understandable. Illustrating the dialectic nature of discourse production, Sabatier (1993) examines three levels of potential conflict within 'discourse coalitions' active in the production of policy discourse. They are disputes over minor details in small sections of policy, which are likely to change in light of argument and new data; differences in broad conceptual frameworks; and differences in epistemological, ethical and ideological positions.

Each level of conflict has the potential for different outcomes. It may be possible for actors to compromise over minor detail, at level one, and even to find some common ground within a broad conceptual framework, thus producing a new policy discourse acceptable to 'coalition' members, at level two. However, Sabatier contends that it is impossible for actors holding different epistemological, ethical and ideological stances to produce a common policy discourse. Different discourses lead to different action strategies and even small differences in discourse can result in important difference in political practice. Sabatier argues that, if NGOs wish to influence government, they have to learn the language of government discourse, and improve their packaging of information for government. This may be a compromise which they are not willing or able to make. This model assumes a level of discursive consciousness on the part of actors.

A theory of discourse which is useful to activists must account for the resistance to dominant discourse and politics involved in the production of knowledge.

2.5.4.3 Discourse as the Producer of Concepts, Objects and Subjects

In terms of this thesis, the following model has proved to be one of the most useful. In the social policy arena, one of the important functions of discursive activity is as the producer of concepts, objects and subjects, such as single mothers, victims of violence, and refugees (Chock, 1995; Phillips and Hardy, 1996; Healy & Mulholland, 1998; Wallbank, 1998). This occurs through both the strategic production of texts addressing the issues within the context of a particular organisational or political or professional discourse, and through the interaction of these and broader social discourses. These concepts, objects and subjects then become the focus of social policy. Given the dialectic nature of the policy process, these concepts, objects and subjects will change discursively over time, and contesting discourses will vie to have their concepts, objects and subjects recognised. Social policy will reflect the dominant ideology of government at any given time, and competing groups, both within government and external to the formal policy process, will attempt to bring about change through the use of competing discourses, or change their own discourse to accommodate the current policy. Examples of this are when community sector organisations either successfully lobby for policy change, or make major ideological shifts in service provision in order to receive government funding.

The notion that social realities are tenuous, subjective and socially constructed was explored by Chock (1995). He considers that policy discourse often reinforces the hegemonic ideology through the use of words and concepts which reinforce current belief systems. Discourse does not just describe an innocent set of objects. It translates these objects into images which fit the hegemonic ideology. Phillips and Hardy (1996) discuss how discourse within a particular institutional field occurs within the context of broader social discourses, such as the human rights discourse and the discourses of sovereignty and paternalism, and is interrelated with these. They examine how institutional discourse constrains and facilitates members of an institutional field, and they explore the discursive relationship within institutional fields in the broader social context.

Discourse analysis recognises the active role of discourse in the creation of social reality because it shapes the way that we understand the world through the production of concepts, objects and subject positions. Concepts are ideas which inform our cultural background and relationships, and theories which enable us to understand the world.

They are culturally and historically situated, sometimes accepted and sometimes contested by actors in a particular social situation. They depend on the ongoing construction of texts for meaning and these concepts change over time and differ between social groups. For example, Rodger (1991) discusses how concepts such as 'need', 'dignity', 'normal' and 'abnormal' are constructed by the theoretical language of social work.

Concepts are dependent on discourse and individual understanding of the world depends on concepts. Therefore, participation in discourse is a political act, because it leads to transformation of the world as concepts change through discourse. Discursive concepts carry notions of moral rightness, which are used as a discursive weapon in the battle to change concepts. Groups fight to change concepts through discourse and to have their 'moral right' accepted as the dominant concept. The discourse is shaped by the concept and also restructures the concept. Therefore, it can be argued that if discursive activity can change a concept, it can also change the broader discourse and affect the social relations of interorganisational actors with the producers of broader social discourse.

When concepts are used to make sense of social relations or physical objects, the discourse which has shaped the concept also produces the object. Concepts are ideas, objects exist in the real world. They would exist without the concept, but acceptance of the concept recreates them into an object. Changes in concepts result in changes in the way in which the object is treated and how people relate to it. Is it still a particular object, or is it a different one? Phillips and Hardy (1996) use the example of *people* who become *refugees*. 'Refugees' are objects produced through acceptance and use of the concept of 'refugees', and this definition affects the relationship between refugees and society. Healy & Mulholland (1998) discuss how young women who have experienced violence are similarly classified as 'victims' and how this impacts on policy provision for this group and their self-image as they internalise the victim concept and become the objects created by the discourse and the subjects of the social policy.

Phillips and Hardy (1996) identified that to understand how objects are defined by institutional fields, we need to understand both the discourse used in the field and the traditional source of power. The discursive process can challenge formal authority and resource dependency, which are used to control less powerful organisations in the field. The discursive process enables these organisations to modify or maintain the institutional framework through which traditional power is exercised, and this includes the power of defining objects. An example of this can be observed in the current debate between the

Australian Department of Immigration and refugee advocacy groups about the definition of asylum seekers in Australia. Are the 'illegal immigrants' economic refugees, as defined by government, or refugee asylum seekers as defined by the community sector? Each side is using a very different discourse and the advocacy groups are challenging the formal authority of government to make these decisions, often losing resources on which they depend in the process.

Throughout this process, discourse also produces subjects, a particular and accepted view of objects, constructed and restructured by discourse. Self is a discursive product growing out of social interaction. Subject positions are also created. Actors are forced to take up various subject positions, with statements which reinforce the subjects position within a particular discourse. Thus the refugee also becomes a subject, with needs, rights and responsibilities shaped by the way in which we treat the refugee as an object. Foucault (1973, 1984b) explored the notion that subjects are constrained by the language which created them when they talk, even about themselves, and this further reinforces their position as a 'subject' within a structure. No actor stands outside discursive activity. Subordinate populations are complicit in their own oppression through their incorporation of dominant discourses of normality accepted as 'common sense' (Leonard, 1996).

This illustrates the important notion of the power of ideology being all pervasive. It is not only consciously used by the elite; it unconsciously influences the actions of actors in all layers of society, including those at the top levels of authority. This can provide one explanation as to why policy in the situation of the case study was not successfully implemented even though all players, including the elite layer of formal policy players, apparently wanted it to succeed.

An analysis by Wallbank (1998) examines how 'single mothers' are also produced by this discursive process. She discusses how discourse theory facilitates the analysis of how a subject is discursively located in power relations to other subjects. She also reminds us that although the subject exists as an invention of socially and historically constructed discursive practices, the subjects (in this case single mothers) also exist as conscious people, who are both constituted and constitutive. They are not just voids waiting to be filled by discursive practices.

Within institutional fields, the discourse and discursive activity of the various institutions are produced through the construction of concepts, objects and subject positions which in turn produce the institutions, such as the refugee industry. As the concept of the refugee

as object and subject changes over time, in response to political imperative, so the discourse changes. This, in turn, transforms the institutions.

2.5.4.4 Structuration - Theory or Methodological Apparatus?

While Giddens labelled his work on structuration as a 'theory', Ross (1992) is critical of Giddens work, as inherently conservative, with a rationalist bias. Ross describes it as a methodological apparatus which 'lacks the ability to generate substantive concepts' (p.124) and therefore that it should not be classed as a theory. The debate about its epistemological status is beyond the scope of this thesis. It is nevertheless a useful concept for understanding the actions of actors in the case study and the roles which they have taken in the policy process as described, in so far as it is able to help explain the evolution of immigration and refugee policy, and the unexpected consequences of some of these policy decisions. The advice of Ross has therefore been heeded, and it has been placed in the methodological section of this review as it has been used as a method in the analysis of the case study in this thesis.

Theories of structuration provide a conceptual link between notions of action, institution and structure. Giddens' (1979) work on structure stresses the importance of the notion that social agents 'act' in the continual reproduction of structure and are not just 'acted upon'. Action and structure are interdependent and the action is seen in a 'time-space' continuum. Current action is conditioned by actions which came before it and, in turn, will condition future actions. His theory replaces the notion of dualisms between the individual and society, and between conscious and unconscious modes of cognition, with one single concept of structuration, which places actions within structures which are systems of interaction, rather than structures as external constraints. This alternative he calls duality. Duality provides an explanation of how 'the ways in which the system, via the application of generative rules and resources, and in the context of unintended outcomes, is produced and reproduced in interaction' (Giddens, 1979, p. 5).

Thus, the basis of 'duality' is that structure is not a barrier to action, but is essentially involved in the reproduction of action, just as action reproduces the structure. Actions and structure are inextricably linked, not just parallels, not constraints. Rules and resources are taken from the structure to facilitate action, which changes, reinforces and reproduces the social structure in a never ending process. An understanding of the relationship between action and structure is essential to understanding not just how government operates, but also to identify why various actors act as they do. Actors in the

policy process are both produced by and reproduce the structures in which the policy process takes place. The policy process is itself part of the process of social reproduction and the two should be studied together.

Two of the concepts explored by Giddens as central to his theory of structuration are the unacknowledged conditions of action and the unintended consequences of action. The unacknowledged conditions of action are those secondary, tactically known agendas of the players. Unintended consequences of action are things which happen as the consequences of action, but which are not expected or intended by the actors. Unintended consequences of action cause unplanned changes to occur in the social structure. Without them the future would be totally predictable; the control of those in power complete. They explain the unplanned changes which continually occur in the restructuring of structure. Unintended consequences of action can be seen at an individual level and at an organisational level, and are the outcomes of actions of actors at every level in the social hierarchy. The knowledge which actors bring to bear on their actions is bounded by previous unexpected consequences. Connell (1983), Janeway (1980) and Willis (1978) all identify a process similar to that of Giddens' unintended consequences of action in relation to the policy process.

2.5.5 Tools

A major tool in this framework is that of action research, a research methodology in which the researcher is subjectively involved in the research process, and which has as its objective to bring about radical change (for more detail see Chapter 3). Consciousness raising is an essential tool for both action researchers and activists or analysts wishing to liberate oppressed groups from the hegemony of ideology (Habermas, 1968). Strategies for social action based on understanding of modes of domination with the aim of liberating subjugated groups are also generated by these theorists (Alvesson & Deetz, 1996).

Writers also generate alternative critiques of social structure and social policy. Both feminist and discourse analysis can be described as tools used to gain understanding of the social phenomena under examination. It could also be argued that Straker's (1989) notion of 'taking critical distance' is a tool for actors whose work is informed by theorists writing in this framework.

2.5.6 Power

The notion of power is of particular interest for critical theorists who perceive power as invisible and embedded in the many layers of the structure of society. It relates to Gramsci's concept of the hegemony of ideology (Hardy, 1994a). What is perceived as legitimate power in the Rational framework is seen as domination by critical theorists, and action taken to challenge power embedded in the structure is viewed as resistance to those who hold the power. Hardy and Leiber-O'Sullivan (1998) describe how ideologically based power replaces visible forms of domination with invisible control, which produces apparent consensus and political acquiescence from the population.

Lukes' (1974) third dimension of power is grounded in critical theory. It involves a critique of the behavioural process inherent in the first and second dimensional views. The third dimension of power is associated with attempts by interest groups to legitimise their demands and delegitimise the demands of others by managing meaning. In the third dimension, power is exercised by policy makers through the act of determining the wants and needs of the population and by controlling thoughts and demands through the mass media and the process of socialisation. This view allows for consideration of the ways in which potential issues are kept out of politics, whether through the operation of social forces and institutional practices, or through individual decisions. Lukes contends that not only are some decisions not considered, but people are also manipulated through the shaping of their perceptions, so that they do not perceive themselves as having grievances. This exercise of power prevents the need for decisions to be made and can also prevent the occurrence of conflict, as people are not conscious of, or cannot articulate, issues which might conflict with the wishes of those who hold the power. The system is so pervasive that the needs that people are able to articulate may work against their real interests. This can occur when expressed needs are based on manipulation by those exercising power and limited discursive understanding of the social structure. These will prevent people from being conscious of what they might want and prefer if they had sufficient information and knowledge to make the choice. It effectively renders them powerless. A latent conflict and contradiction exists between the interest of those exercising power, and the real interest of those they exclude. If subordinate actors use the third dimension, it is to question the status quo and raise political consciousness (Hardy, 1994, p.226). Many writers (Lukes, 1974; Clegg, 1976; Giddens, 1979; Hardy, 1994a) have argued that the power to prevent conflict occurring through the unconscious acceptance of hidden cultural forms of domination is one of the most pervasive uses of

power. It enables the perpetuation of the status quo through the maintenance of social control and class mechanisms (Hardy & Leiber-O'Sullivan, 1998, p.456).

Lukes (1974) argues that there is a complex interaction between structuralist determinism and the exercise of power, and that powerful actors always have the power to act differently. They are not merely trapped into one course of action by the structure in which they function. Giddens believes that all power relations are two way, and that *all* actors have some power in any two-way relationship. He contends, however, that those in subordinate positions often exercise this power, and 'are frequently adept at converting whatever resources they possess into some degree of control over the conditions of reproduction of those social systems' (Giddens, 1979, p.6). Giddens argues that even the most powerful players are in some way dependent on those over whom power is exercised, and the apparently least powerful player is never totally without influence. The exercise of power is contingent on human agency (Giddens, 1979). The policy process is shaped by the power play between the various actors as they use their discursive knowledge to reproduce or alter the social system. Habermas (1972) also argues individuals can escape the constraints of power and control through the acquisition of knowledge.

Hardy and Leiber-O'Sullivan (1998) have developed a fourth dimension of power, based on earlier work of Hardy (1994a). It has as its basis a Foucauldian view of power which differs from critical theory, because while critical theorists suggest that one can escape the regimes of power through knowledge, the Foucauldian view denies that knowledge can ever be separated from the effects of power. Foucault sees power not as the prerogative of actors to possess or exercise, but rather as the result of a chain of actions. He contends that the pervasiveness of power relations makes them difficult to resist, much less to overturn. Prevailing discourses, which preserve and re-create the status quo, are experienced as reality, which makes alternative discourses difficult to conceive of, let alone enact (Dreyfus & Rabinow, 1982). Foucault examines how the subject is socially produced by both power and knowledge. He talks of sovereign power which is contained in a network of complex relationships. This network manifests both the advantages and disadvantages of the exercise of power on all actors in the network (Hardy, 1994a).

'Actors can neither control nor escape power relations even if they are advantaged by them' (Hardy & Leiber-O'Sullivan, 1998, p. 461). Within this dimension of power, the researcher is no disinterested observer but simply another product of the social and

historical positioning who can only produce knowledge already embedded in the power of those very frameworks. This notion that groups are either politically advantaged or disadvantaged without attributing the cause to the conscious use of power by specific groups of individuals is important to the analysis of the case history in this thesis. While the third dimension of power is the most useful for critical theorists, Hardy's fourth dimension provides explanations of the power of discourse to shape and control realities. The critical question for this thesis is whether the insights gained from this post-structural analysis can be used to achieve change, and, if so, how useful that change will be in emancipating oppressed peoples, if the very process serves only to trap them in a new, and by implication oppressive, discursive space.

2.5.7 Agenda Setting, Problem/Need Definition, Implementation and Evaluation

2.5.7.1 Agenda Setting

Theorists in this framework see agendas as contested domains, enshrined in and reproduced by ideologies. The discursive agenda of one group is to gain dominance over other groups and to have their own issues and solutions placed on the policy agenda (Howlett & Ramesh, 1998). Action researchers aim to influence policy agendas to achieve social change (Gatenby & Humphries, 2000). Opie (1993) discusses the definition of relevance in social work texts, and how the professional definitions take precedence. This can be extrapolated to agenda setting by professionals. Richardson (1996) describes the power of discourse to dominate decision making in the policy process, including decisions about which items will be placed on the policy agenda. She points out that this is often unacknowledged because of the subliminal nature of the exercise of power through ideology and the location of power within the discursively produced structure.

2.5.7.2 Problem Definition

Leonard (1996) describes the power of social practitioners to define the social world and to control and manage 'problem' populations. He argues that the needs of clients are constructed through professional discourse and that clients are then required to conform to these discourses. Danziger (1995) also discusses the power of hidden ideologies in professional language to frame policy problems, and from these to generate potential 'solutions'. Perhaps the most useful analysis of problem and need definition for this thesis is the feminist analysis of Fraser (1989) who quotes Foucault in saying '... need is also a political instrument, meticulously prepared, calculated and used' (p.161).

The institutionalised patterns and politics of need interpretation which reflect dominant ideologies prevent the acknowledgement of women's issues (Fraser, 1989). They also dominate the process by which welfare practices construct and structure women and women's needs. The welfare arena is full of gender-based assumptions which are reflected in policy. Fraser identifies the need for a broader, discourse-oriented feminist focus which can address political conflicts over the interpretation of women's needs. This involves analysis of the different types of needs talk – politically defined need as opposed to needs defined by individuals or groups. Much of the dialogue about women's welfare needs frames women as passive recipients in need of care and protection.

Another area which has to be examined and understood is the 'needs' versus 'rights' dialogue. For example, what responsibility does the modern capitalist state have to fulfil the 'needs' of its citizens, and at what stage do these needs become rights? Fraser's proposed approach is to shift the focus of inquiry from needs, which usually pertains to the fulfilment of specified needs, to discourses about needs which explore the politics of needs and need definition. 'The point is to shift our angle of vision on the politics of needs. Usually the politics of needs is understood as pertaining to the distribution of satisfactions. In my approach, by contrast, the focus is the politics of need interpretation' (Fraser, 1989, p. 9). For example, the way in which historically, women's 'need' for child care has been politically defined at any point in time by the demand for the participation of women in the paid work force.

She identifies at least three major 'needs' discourses. The first is 'expert needs discourses', those used by professionals such as social workers, welfare administrators etc. Secondly, 'oppositional needs discourses', which are those used by interest groups and lobbyists, and finally 'reprivatisation discourses', which seek to control and contain newly identified needs, for example governments faced with female unemployment using discourse on the important role of motherhood to encourage women out of the workforce. These needs discourses are used by actors to impose their world view on policy domains. They are contested and change over time.

2.5.7.3 Implementation

Policy actors whose work is informed by critical theory have no interest in implementing policy which they perceive as not having a social justice focus or taking a complicit role in existing policy processes. Their aim of radical policy change places them on the outside of the formal bureaucratic policy structure. Their interest is in action to produce radical change, which will address imbedded imbalances in social life and which will empower

people oppressed by the existing structures. Their interest in the formal process is to subvert and to overthrow the existing regime, not to assist implementation of oppressive practice (Burrell & Morgan, 1979).

2.5.7.4 Evaluation

While not a concept that sits comfortably in the Critical framework, because the entire framework can be seen as one of evaluation, the notion of evaluation is perhaps best addressed by using the idea of unintended consequences of policy action, as described by Janeway (1980) and Connell (1983). They discuss how policy formulated by policy makers whose world view sits in writings of the Rational framework fails to address its intended outcomes because it fails to take into account the ways in which the social reality of actors is structured. This generates policy consequences very different from those intended by the policy writers.

2.5.8 The Role of Actors

It is difficult to define a clear role for formal policy actors in the Critical framework, as it was difficult to define a role for external actors in the Rational framework. There really is not a formal role for actors dedicated to radical social change within the bureaucratic structure. Analysts working in the Critical framework are observers, seeking to understand why things happen as they do. They take their examination of the process to a deeper level than analysts working in the Political framework, seeking to identify the ideology which informs the policy process, the process of structuration of the social context in which it takes place, and the discourse which produces the concepts (Richardson 1996). Through this level of examination they seek to identify the embedded and often unconscious actions, and explanations of how policy works. However, this is often done to influence the policy process, and identify more effective ways of controlling the policy agenda.

2.5.9 External Actors

It is suggested by Howlett and Ramesh (1998) that activists (whom they describe as political actors) apparently have no role in the formal policy process, and are often overlooked in the empirical studies both overtly by exclusion, and covertly by the non-recognition of their role by positivist research methodologies. However, these activists often do influence the discourse, which in turn influences the policy process in a way which is not generally recognised or acknowledged.

The role of critical theorists is to achieve radical change. Actors use and produce problem and need definitions and fight to have these accepted and placed on policy agendas. Feminist analysts uncover gender bias in policy and work to remove this bias. Discourse analysts seek meaning in the discursive process and use this understanding to address situations of perceived oppression (Jacobs, 1998). Policy is the result of a creation of networks around a specific discourse and external actors play important roles in these networks.

Researchers are also products of the research process, and all research contributes to the production of those who are its subjects (Hardy & Phillips, 1998). Postmodern inquiry has argued that the subject is decentred, relative, socially constituted and socially recognised. This includes the researcher. This implies that the analysis of the research subject is bounded by the social constitution of the researcher as a subject. Alvesson and Deetz (1996) suggest that the critical researcher enters studies with very clearly defined political agendas, based on achieving change for particular social groups. Critical researchers aim to reform institutions with morally driven agendas.

2.5.10 Applications for Practice

Writers in the Critical framework suggest that analysis of the policy process involves taking a critical distance from the ideology which informs it. They suggest that actors take control of the discourse and take a conscious part in creating the objects, concepts and subjects which the policy addresses. This involves understanding power dynamics, bringing discursive knowledge into the process of structuration, and, if necessary, challenging this in a way that will be accepted by other players in the domain. It entails having discursive legitimacy and challenging 'taken-for-granted' assumptions in the policy process and the social world .

Different actors bring different interpretations of reality into the policy process. These interpretations are the product of a complex process of structuring and restructuring the social world in which the action takes place. They reflect the dominant ideology and provide explanations for the reasons why people, including government actors, act as they do. They are conveyed through discourse and discursive acts. The researcher needs to understand and contrast these different interpretations of reality, because they shape the way in which analysts conceptualise the questions as well as the answers. Thus, critical theorists are concerned with challenging social order and ending oppression. In relation to the policy process, this means that they strive to introduce policy change which challenges the status quo, challenges dominant ideologies, and

redresses inequities and deprivation which are embedded in the structure of society. They conceive of the possibility of change and strive for the ultimate enlightenment of human kind. It is a framework of hope, if somewhat utopian.

2.5.11 An Overview of the Main Contribution from Each Framework

It has been argued that the three frameworks used in this dissertation are conceptually discrete. Writings in the Rational framework are action oriented, while those in the Political and Critical frameworks are interpretive. There has been significant criticism of writers grouped as Political, or Critical by rationalists, who question the value of analysis which cannot be directly applied. However, because of the multiple roles identified above, paradoxes occur when writers whose work is apparently grounded in one theoretical framework employ strategies from another.

Writings in the Rational framework are based in social psychology and economics, focusing on rational choice behaviours. This framework is useful in understanding the rhetoric and actions of formal policy actors and those whose work is informed by the theoretical assumptions of the Rational framework, and to predict their actions and responses. It is of little use for examining the complexity of the case study.

Writings in the Political framework focus on the contested nature of government, politics and policy, on power and contending interests. They describe and analyse how the policy process occurs, the conscious roles and actions of actors, and the outcomes of the process. They provide clear explanations of the role and function of external policy actors.

Analysts in the Rational and Political frameworks focus on regulation and the preservation of the status quo, while writers in the Critical framework seek social change and believe that this is possible through enlightenment of the oppressed peoples. The writings grouped in the Critical framework analyse and evaluate the way in which the actions of actors are both structured by, and restructure, the social context in which the policy process takes place. They seek to identify the embedded ideology and power structures that inform the process. Postmodern and post-structural writers argue that we are all equally oppressed by the power of ideology, although some are more privileged than others. The value of using these insights in an action-research methodology will be explored below.

CHAPTER THREE

METHODOLOGY

3.1 ACTION RESEARCH GROUNDED IN CRITICAL THEORY

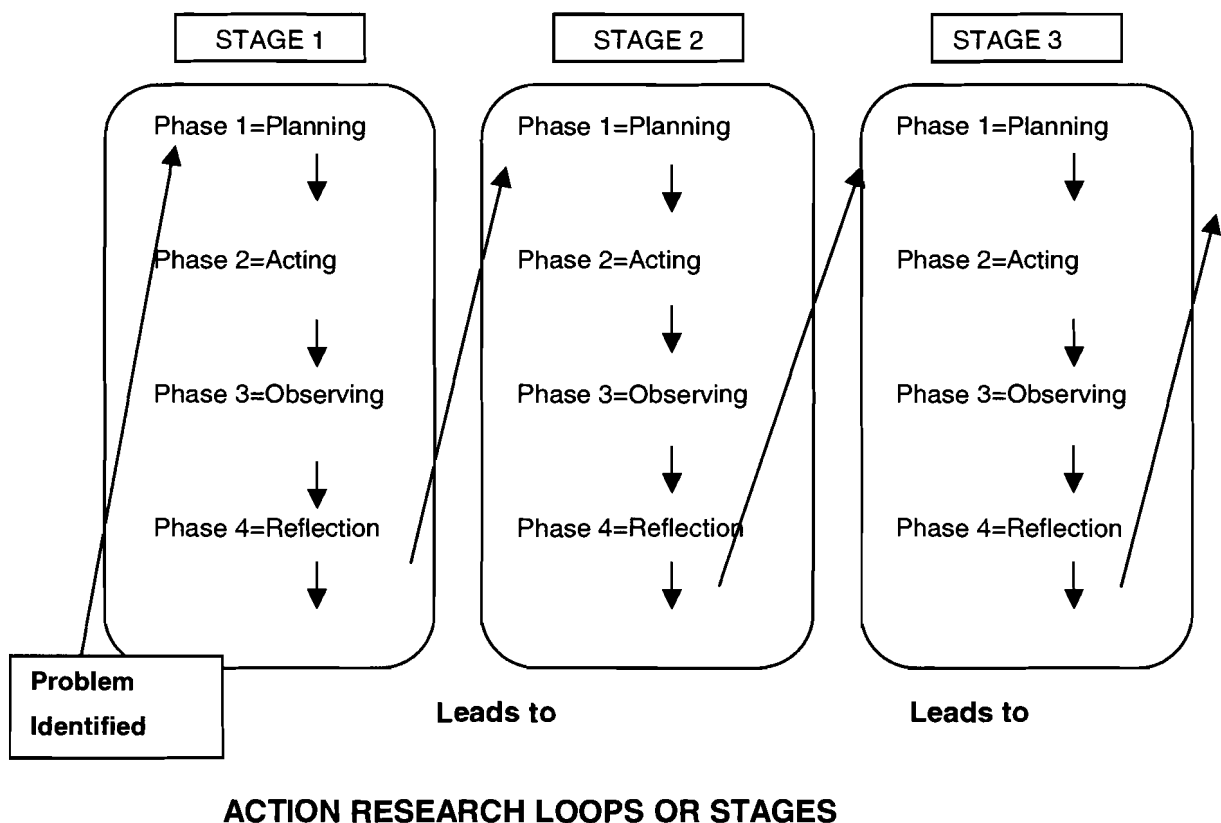
This chapter explores the science and logical principles underlying the conduct of action research as the methodology for a PhD study and thesis. The following chapter describes the application of the methodology in the case study. Action research is an unusual choice and there are several challenges to its application. Action research is criticised for being too subjective and therefore not empirically valid (Macpherson, Brooker & Ainsworth, 2000). It is said to be a methodology for activists and not for academics. However, Fraser (1989) argues that there is in any case an artificial dichotomy between the two roles, that in fact activism and academia should be linked. Detractors claim that the methodology lacks academic rigour as a method for theory building. Although the author does not necessarily agree with these criticisms, a number of steps have been taken to ensure the academic rigour of the analysis and theory building undertaken. In order to build a case to justify the choice of methodology, an examination of a number of research methodologies which are used as part of the action-research process has been undertaken. This chapter analyses the strengths and weaknesses of qualitative research, and building theory from case-study research and the use of metatriangulation, simultaneously using theories from different paradigms or frameworks as tools for analysis and theory building. The use of feminist and critical discourse analysis as tools in the reflective stages of action research and in theory building are explored to test their applicability.

Action research is an action-oriented research methodology, grounded in critical theory. It is a form of self-reflective inquiry, undertaken by participants in social situations in order to improve the rationality of their own social practices, and their understanding of these practices and the situations in which the practices are carried out. The researcher must demonstrate self-knowledge and the capacity to 'learn to learn', including learning about their own part in the research process (van Beinum, 1998). One of the earliest proponents of the methodology, Lewin (1944), defines it as participatory in character, democratic in impulse and simultaneously contributing to social science and social change. It is research put into practice by practitioners. The critical nature of the

undertaking is 'not concerned with considerations of scientific objectivity or with the neutrality of the researcher ... it is interested in participative "reconstructions" of social reality' (Macpherson et al., 2000, p. 51).

Building on the work of Lewin, Carr and Kemis (1983) describe the three conditions necessary for an action research project. Firstly, a project takes as its subject matter a social practice deemed susceptible to improvement. The project then proceeds through a spiral of cycles of planning, acting, observing and reflecting, and finally it involves those responsible for the practice in each of the actions in the cycles, widening participation to include others affected by, or with an interest in, the practice, and maintaining collaborative control of the process (Carr and Kemis, 1983). The spiral of cycles of planning, acting, observing and reflecting is crucial to the action-research process (see Figure 1).

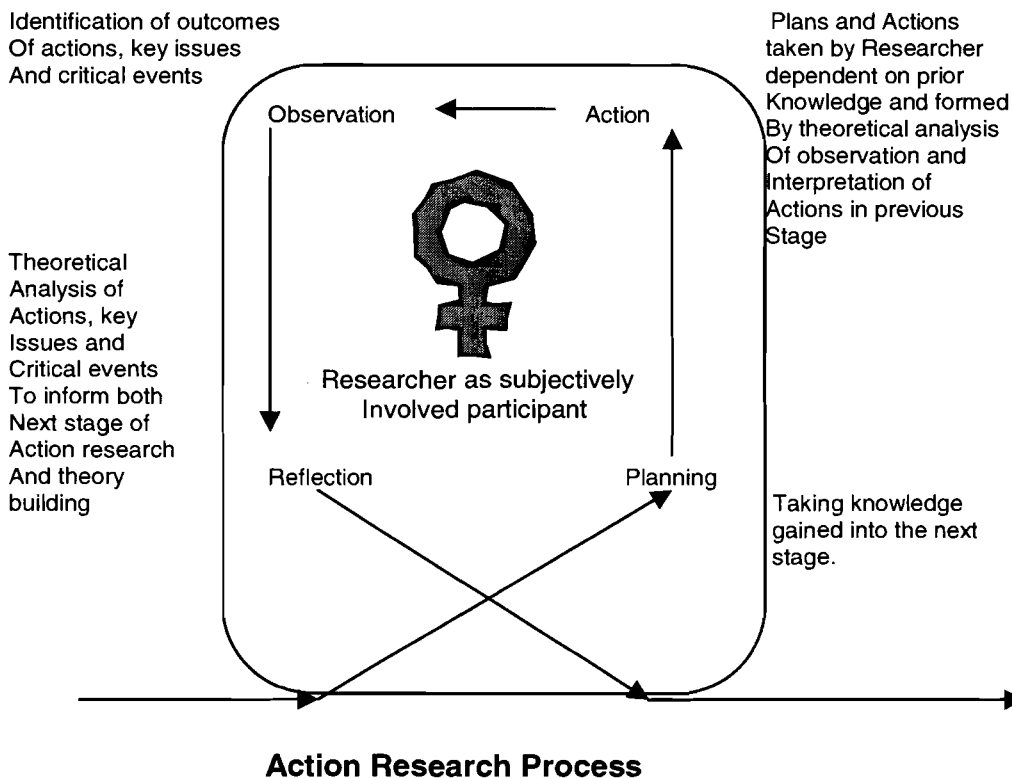
Figure 1



This involves identifying the essential problem to be regarded in relation to the spiral of action research, and systematically relating retrospective understanding of past action, observation and reflection to prospective action and plans for strategic action.

This procedure takes place at each stage of the process of action research. It bridges the gap between past and future in systematic learning. Carr and Kemis regard strategic action, which they defines as social practice, as constructed and essentially risky. It reconstructs past action on the basis of observation, and future action in the light of reflection. It does not treat the space between these polarities as empty, but as in a state of dynamic tension which is resolved by a living dialectic of action and reflection. It is this dialectic which has the potential to provide academic rigour, as the researcher uses the reflective stages to evaluate past action in the light of theoretical readings, and then uses this knowledge to inform future actions and academic theory building. Because it provides the opportunity for total immersion in a process of change, action research provides the researcher with the opportunity to examine notions of rationality, objectivity and truth in a way not usually available within the more conventional methods of 'objective' research (Carr and Kemis, 1983) (see Figure 2).

Figure 2



Action research incorporates reflexivity to enable the researcher to identify and analyse the dynamics of power, hegemony and ideology which inform both the case study and the research process. 'reflexivity allows us to recognise and acknowledge the complex circuits of power present in our work' (Hardy, Clegg & Phillips, 1997, p. 3). Tesch (1990) discusses reflection as a research tool. She likens it to 'intuition' or 'tacit knowledge'. It is introspective contemplation, at the confluence point of the social sciences and humanities, which draws upon a system of acceptances which are logically prior to our own assumptions (Tesch, 1990, p. 69). The immersion of the self in the process is the hallmark of heuristic research. It is implicit that the researcher is the research instrument, and requires 'a subjective process of reflecting, exploring, sifting and elucidating the nature of the phenomena under investigation' (Douglas & Moustakas, 1985, cited in Tesch, 1990, p. 70). It is an analysis of lived experience.

Since its early popularity in the 1970s and 1980s, action research has been relatively dormant, to a large extent because of the failure of the academic world to accept it as an empirically valid method of investigation. However, in the 1990s there has been a resurgence of interest and the development of variations of the methodology, particularly by academics interested in social change. It is also popular with researchers working in developing countries, who challenge the hegemony of western/rational models of enquiry (Andes, 2000). Participatory or emancipatory research are essentially action-research methods (Maguire, 1987; Gatenby & Humphries, 2000), and Hosking (1999) argues that the process of social construction or 'relational constructionalism' also builds on action-research approaches.

A primary principle of emancipatory action research is that while grounded in social practice, it goes beyond the development of the professional wisdom of individuals as it strives to develop a critical theory of society which aims at transformation of social practice. In the process of the investigation of a phenomenon, practitioners identify ideological and institutional patterns which seem to be to some extent responsible for maintaining inadequacies and contradictions. Emancipatory action research has the critical aim of challenging the conditions which limit the capacity of practitioners to attain more equitable and just social arrangements. The practice establishes the conditions under which it can identify and expose those aspects of the social orders which frustrate change, and provides a basis for action to overcome irrationality, injustice and domination. Emancipatory and participatory action research is described as 'knowledge-generation as an integration of inquiry with action' (Andes, 2000, pp. 3-4). Andes states that the goals of this methodology are to 'promote critical insights on contemporary

conditions, to generate new knowledge using the experiences of those typically excluded from conventional research, and to promote social change' (pp. 3-4).

Most importantly, Andes discusses how knowledge is gained and theory is built from these action-research processes. They give the researcher the opportunity to focus on and assess the 'plausibility of hypotheses and logic-in-use by participants or the group under study' (Andes, 2000, p. 9). These can then be tested theoretically. She notes that although the researcher might commence the study with an espoused theory, careful reflection is likely to modify or change this theory to one that is more applicable to the action observed. She describes this as 'knowing-in-action', a process which tries to make sense of the complexity of 'puzzling, troubling, or interesting' actions and events. Reflective practitioners will then use this process of making sense as the basis for analysis, restructuring and further action. They construct meaning within the inquiry process leading to social action, and reflect on action leading to the construction of new meanings.

Feminist scholars (Fraser, 1991; Mathrani, 1993; Gatenby & Humphries, 2000) have recognised the applicability of action research to feminist enquiry. Feminist research is inquiry for rather than about women. The key to the method is the way and the context in which the results of the research are used to answer substantive questions about the nature of oppressive social structures. Central to feminist research is the dialectic method which emphasises the process of constantly moving between concepts, data and concrete phenomena, and past and present issues to formulate hypotheses. It is based on a constant motion of deconstruction followed by reconstruction. Essential to this method of analysis is recognition of the gendered nature of social life, consciousness-raising as a specific methodological tool, and emphasis on the transformation of patriarchal social institutions through research (McCarl Nielsen, 1990). As Fraser states, 'feminists do need to make normative judgements and to offer emancipatory alternatives. We are not for 'anything goes'...Feminists need both deconstruction and reconstruction, destabilization of meaning and projection of utopian hope' (Fraser, 1991, p.175). Feminism is a perspective which requires that we rethink the validity of the research process as the creation of knowledge. It challenges the implicit gender blindness in traditional scientific research methods. Action research is described as honouring the lived experience and local knowledge of the people involved in the study, and as significant in emphasising the political aspects of knowledge production (Reason, 1994). It is research as praxis, and as such is of particular interest to feminists who wish to use their knowledge to bring about change which liberates disadvantaged groups from

oppression. Participatory action research (PAR) fits well with feminist research because of its emphasis on emancipation, participation and collaboration. It provides the scope for women's experience and knowledge to be acknowledged for the purpose of political action. However, PAR benefits from feminist critique, which identifies the presumed gender neutrality of PAR practice and therefore exposes its implication in the very oppression it seeks to challenge. In order to overcome this problem, Fals-Borda and Rahman (1991) argue that we must take risks and employ methods of action research which are often diverse and experimental. Reinhaarz (1992, cited in Gatenby & Humphries, 2000, p.2) makes the critical observation that doing participatory research inevitably changes the researcher, sometimes painfully, sometimes in exciting and sustaining ways. One cannot stand outside the process as an objective observer. As an active participant, the researcher responds to the process in a subjective and personal manner, and this in turn informs their actions. This can sometimes lead to the criticism of emotionalism on the part of the researcher, for emotion is traditionally seen to have no place in empirical research.

3.2 ACTION RESEARCH AS A CASE STUDY

Case study research is capable of creating thick descriptions and rich understandings of social contexts that have relevance and resonance across social sites. Furthermore, in its critical mode, as expressed in action research, it leads research participants to take a proactive role in shaping the policies that affect their social environments and to determine the norms and values that direct their social practices (Macpherson et al., 2000, p. 49).

Case-study research sits on the outer boundaries of research practice which is acceptable to mainstream quantitative social scientists. Its major perceived fault is that it is a purely qualitative methodology and thus thought to be unable to produce empirically valid data which can be generalised across social phenomena. This criticism is vigorously refuted by a number of researchers, such as those whose work is informed by the theories discussed in the Political and Critical frameworks of policy analysis. Macpherson et al. (2000) suggest that the two perspectives have very different aims and objectives. Quantitative research is 'reliable and valid, objective and clean... it purports to explain social phenomena by seeking out the fundamental principles to all human motivation' (Macpherson et al., 2000, p. 50). By contrast, qualitative research seeks to 'interpret social phenomena, to produce rich understanding of the complex structures of meaning that social actors construct in their specific social environments' (p. 50).

Several principles underpin the rationale for undertaking qualitative research. Hans van Beinum, 1998 identifies that one of these principles is the acceptance that reality is a concept and not an objective fact. People shape their realities in order to make sense and give order to their life experience. Qualitative methodologies view the social world as highly complex, with multiple layers of meaning. Perspectives are influenced strongly by the interaction between the environmental context and the subjective interpretations of the situational actors (Allen-Meares & Lane, 1990). A method which incorporates these principles assures that practice remains robust and open ended, and is alert to fresh insights and discoveries. It acknowledges the lived experience of individual actors, and gives value to and analyses anecdotal evidence and stories. Strauss and Corbin (1990) suggest that qualitative methods can be used explore and understand what lies behind phenomena of which little is yet known (p.19). They argue that use of this technique allows the researcher to draw on past experience and theoretical knowledge to enable them to take a critical distance from the situation under analysis.

The case study is defined by Yin (1991, p. 23) as 'an empirical inquiry that investigates a contemporary phenomenon within its real life context when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used'. He identifies the major criticism of the case study as the empirical ambiguity of the method. Single case studies are most rigorously criticised on the grounds that their capacity for generalisation is at best tenuous and at worst impossible. However, Yin argues that the single case study aims for analytical rather than statistical generalisation. Thus the goal is to expand and generalise theories, not enumerate frequencies. While it may not be generalisable to populations or universes, Yin asserts the single case study, if done well, can be generalisable to theoretical propositions.

Three rationales are discussed for the employment of this methodology. They justify (i) situations in which a critical case presents the opportunity for testing a well-formulated theory; (ii) when it represents a unique case; and (iii) when the researcher is presented with the opportunity to observe and analyse phenomena previously inaccessible to scientific investigation. Yin argues that in each case the single case study can make significant contributions to knowledge and theory building. He does, however, suggest the necessity for careful investigation and rigorous technique to 'minimise the clamour of the critics' (Yin, 1991). He cautions researchers to be flexible in their approach as the nature of the study is likely to shift during its course. Mintzberg (1979) maintains that while a single case study might not be statistically significant it provides valid data, as systematic data collection is supported by anecdotal evidence.

The question of whether single case studies can form the basis for generalisation across a range of contexts is addressed by Macpherson et al. (2000). They argue that the issue of generalisation in this form of research is about establishing theoretical linkages between various case studies. It is the richness of the detail provided by a well conducted case that develops insights which have resonance in other social sites, thereby allowing theoretical connections to be explored and established.

3.3 THEORY BUILDING FROM CASE STUDY RESEARCH

Theory building from case-study analysis includes analysis as an interactive part of the research process, not a separate activity undertaken once the research phase of a project is completed. Eisenhardt (1989) argues that by using this model, it is possible to develop testable, relevant and valid theory. She describes a process based on grounded theory-building techniques. 'Grounded theory is inductively derived from the study of the phenomena it represents...data collection, analysis and theory stand in reciprocal relationship with each other' (Strauss and Corbin 1990). Triangulating tools such as multiple data collection methods, archival research, interviews, questionnaires and observation can all be used as methods in this model. To provide comprehensive data, data collection and analysis must overlap. 'Within case' analysis provides preliminary theory generation and, as it emerges, the evidence is viewed through multiple lenses. Evidence of the 'why' behind relationships is essential to build internal validity, and the application of both conflicting and similar literature strengthens the theory development and construct definition (Eisenhardt, 1989, p. 533).

Eisenhardt acknowledges that early definition of both a research question and possible theoretical constructs help to place boundaries on research which can make the task more manageable. However, the major thrust of this theory building from case study research is that it comes as near as possible to not having these constraints at the onset. The strength of the iterative approach is that the questions and constructs develop and are tested, amended, added to and abandoned as the research progresses. This methodology avoids bringing pre-ordained connections between the research problem and theories into the process, allowing these to develop as part of the research process. It leaves the way open to expand the initial framework to pursue new and relevant data, either practical or theoretical. 'A key feature of theory-building case research is the freedom to make adjustments during the data collection process' (Eisenhardt, 1989, p. 539). This is described as controlled opportunism.

Within research there is sometimes a chasm between data and the theory developed from it. Eisenhardt argues that this is because there is often little space given to the discussion of the analysis. She argues that the 'within case analysis' generated by the iterative approach can help to address this problem. In case-study analysis it is important to present a detailed description of the case and to identify clearly the phenomena to be analysed and to which the theory is applied. Eisenhardt suggests that the shaping of hypotheses by testing data from cases against theory produces new insights and empirically valid theories. In case-study research, findings cannot be measured statistically. Detailed evidence is therefore required to substantiate the findings as well as rigorous examination of emerging concepts or theories in the context of existing theoretical constructs.

Building theory from case studies is likely to produce novel theories. It is sometimes argued that, in working with a single, or small number of cases, the researcher is open to the criticism of bias. In fact, the iterative process is more likely to free the mind of the researcher than more formal methods of theory building, because the researcher does not enter the process with preconceived ideas and is open to learning. Constructs are more easily testable, because they have already been measured during the research process. Validity is enhanced by the continued analysis of the data during its production. However, it is noted that the theories produced can be overly complex, in an attempt to cover every aspect of a multifaceted situation, or they may be very narrow and not generalisable. Case-study research is most applicable in situations where current perspectives do not explain the phenomena (Eisenhardt, 1989). In discussing the study of third sector organisations, (Considine (1998, p. 3) identifies 'the temptation to exaggerate the importance of the group being studied as they often present with a certain 'moral authority' which can be difficult to challenge'. This is noted in the analysis of the case study.

3.4 INTERPRETATION AS A VALID FORM OF ANALYSIS AND THEORY BUILDING

The research methodology not only determines the way in which the project is physically undertaken, but also the way in which the theory which informs the outcome is developed. In discussing the construction of theory, Weick (1989) argues for an imaginative use of theory building which is not hemmed in by the need for validation. The use of imagination, in a 'disciplined' way, will allow for the exploration of new ideas and the development of alternative applications and models.

Theory building is separate from problem solving, which is usually viewed as a rationalist linear process. They are often seen to be parallel processes, which Weick argues is a simplistic view, because at times the two merge and then separate, and at other times are woven together. Theory building involves the complex testing of conjectures brought about through systematic, iterative, trial-and-error thinking (Weick, 1989). This fluid model may be modified at different steps during the theory-building process. The need for 'validation' is itself problematic when used in the context of research methodologies. The concept is 'valid' only within a strictly positivist framework, and is open to question as soon as one steps outside this narrow but dominant way of understanding the world. Weick argues that it is only when we have the courage to step outside already established boundaries that better theory will emerge.

The use of paradox is explored by Poole and Van de Ven (1989), who also address the need for an imaginative approach to theory building. As analysts attempt to 'capture a multi-faceted reality' (Poole & Van de Ven, 1989, p. 562) within a rigorous theoretical framework, they tend either to ignore or explain away the paradoxes which inevitably arise. Poole and Van de Ven argue that if the theorist actually embraces and attempts to find answers to these paradoxes, they are more likely to develop a new and innovative theory, one which may be able to bridge the action/structure relationship and show the connections between the two.

Parker and Burman (1993) discuss how different actors bring different interpretations of reality into the policy process. These interpretations are the product of the complex process of restructuring of the social world in which the actions take place. In this particular case study, the interpretation of events by the researcher, based on theoretical analysis, informed her future actions.

3.5 DISCOURSE ANALYSIS

The use of discourse analysis as a research method faces many of the same methodological dilemmas and criticisms as case-study research. Parker and Burman (1993) note that it is labour intensive, lacks a sufficiently rigorous methodology, has dubious empirical validity, and confines analysis to specific texts, problematising conceptual moves to a wider context. They suggest that it faces the common qualitative research challenges of interpretation, power relations between researcher and the researched, and imposed meaning. In contrast, Zipin (1998) argues that discourse analysis studies institutions in terms of rule-bound sign systems which infuse activities and differentiate people in relation to cultural norms that constitute self-regulatory ways of

knowing. He states that 'rather than reify metafiction of a pre-constituted and constituent agency, [discourse analysis] historicizes how such fabrications become the underlying foundational principles in scientific and "commonsense" thought processes' (Zipin, 1998, p. 321).

For proponents of discourse analysis this definition captures its very strength. In what Zipin terms a 'strong break' from other critical traditions, discourse analysis seeks to subvert the humanist foundations of agency, and emphasises the 'discursivity' of practice and power, in order to avoid reifying it in the foundations of theory. But Zipin claims that such an approach fails to account for the reconstructive capacities that form the basis of other critical traditions, which necessarily imply a pre-constructed 'humanness'. When discourse analysis denies the existence of any human condition outside linguistic action, Zipin charges it with confounding the power that abides in social relationships among people with power both in and out of language.

Case-study research provides the opportunity to complement an analysis of the discursive positioning of power with a broader interpretation of real life practices and contexts understood as power relations between socially constituted subjectivities. This provides both the 'material interventions' and the 'micro-reduction to individual agency' suggested by Parker and Burman (1993), and relocates the human subject as a locus of explanatory investigation of social practice. Discourse analysis provides an alternative lens of interpretation to critical theories that usually underlie case-study analysis. Considering once more Yin's assertion that case studies endeavour to generalise theoretical propositions rather than employ empirically quantifiable frequencies, we can see that while the addition of discourse analysis may not mitigate the criticism of empiricists, it may in fact strengthen the validity of case-study research in its own terms.

3.6 METATRIANGULATION

A scientist can never argue from a position of neutrality because of the paradigm in which she/he is situated. (Kuhn, 1962, cited in Danziger, 1995, p. 436).

Within policy theory there is a lively debate around the use and usefulness of different theoretical paradigms. The debate is beyond the scope of this thesis, but in choosing to use three separate frameworks of policy analysis, some note must be taken of the literature concerned with working with multiple paradigms, and its relevance to this analysis.

The term *metatriangulation* is used by Lewis and Grimes (1999) to refer to building theory from multiple paradigms. They suggest that such 'multi-paradigm approaches aid the exploration of particularly complex and paradoxical phenomena by helping theorists employ disparate theoretical perspectives' (Lewis & Grimes, 1999, p. 672). They critique the work of Burrell and Morgan (1979) in attempting to characterise independent paradigms in interorganisational theory, which Lewis and Grimes assert resulted in the polarisation of interpretive positions and the inhibition of cross-paradigmatic discourse (p. 672). They argue that this has led to a situation in which the potential for multi-paradigm theories has not been realised. However, the use of multiple paradigms in analysis can at times provide the analyst with a more holistic view, one which identifies both the disparity and complementarity between different paradigms. Lewis and Grimes suggest metatriangulation as a methodology for achieving such outcomes, although they note that it is a 'messy and far from schematic process' (p. 676). Further, it is highly iterative, as the theorist moves between activities and analysis, although this can be managed by critical self-evaluation. The process they describe is similar to those described by Eisenhardt (1989) and Andes (2000), in which new insights are gained from different paradigms and tested against existing and emerging theory. Lewis and Grimes note that the different paradigms might pose different research questions, and if not acknowledged this can cause problems for the researcher.

Gioia and Pitre (1989) posit that all theory, including theory which informs policy analysis, is grounded in the tenets of the major social paradigms. The world view of the actors in the policy process, and the ideological framework in which the theory is grounded, have an important impact on the interpretation of the actions and events that constitute the policy process. This influences the understanding of the phenomena under investigation. Gioia and Pitre argue that narrow focus on just one paradigm will often produce incomplete analysis of these phenomena.

This discussion of action research and associated methodologies creates the context for the method used in the case study and analysis.

CHAPTER FOUR

RESEARCH METHOD

4.1 INTRODUCTION

The case history presented in this thesis is an examination of how a small NGO influenced change which occurred within the refugee domain. It is about a policy process which took place over a seven-year period from 1990 to 1996, and includes work undertaken with state and federal governments in Australia and in the United Nations (UN). Some policy changes, which occurred after the actions described in the case study took place, were influenced by activities which happened during this period. Events linked and overlapped; processes within Australia occurred simultaneously with those on the international stage (see Appendix 2). Outcomes can seldom be attributed to a single event or course of action, but to the process at a given point in time, and are dependent on the actions and interactions of the key actors in the process. Because of the complexity of the story, critical or focusing events have been highlighted and treated in greater detail. These critical events form the basis of the analysis of the case study.

4.2 THE RESEARCH QUESTIONS

The research problem which formed the basis for the action-research project for this case study was the apparent failure of two strands of Australian refugee policy which are closely interlinked. The first was policy addressing the resettlement needs of refugee women in Australia, and both the needs of the women and the effectiveness of the services provided were contested issues between government and the non-government sector. The second was policy informing the identification and emergency evacuation of refugee women and their children, at risk of violence from situations of danger, to resettlement in Australia. This policy apparently had the full support of government and non-government sectors and all levels of the bureaucracy, yet still failed to achieve its stated outcomes, an annual quota system of visa category entries to Australia.

The research questions seek to bring new knowledge to the broad questions of why so much social policy fails to meet its stated objectives, and the ways in which actors external to the formal policy community can influence the policy process. In addressing

the research problem, writings from three frameworks of policy analysis are tested in order to build a theory to explain two research questions: (a) why did refugee policy, apparently formulated with good intent, fail to meet the needs of refugee women? and (b) how were actors from the non-government sector able to intervene to bring about positive change in this area of policy formulation and implementation?

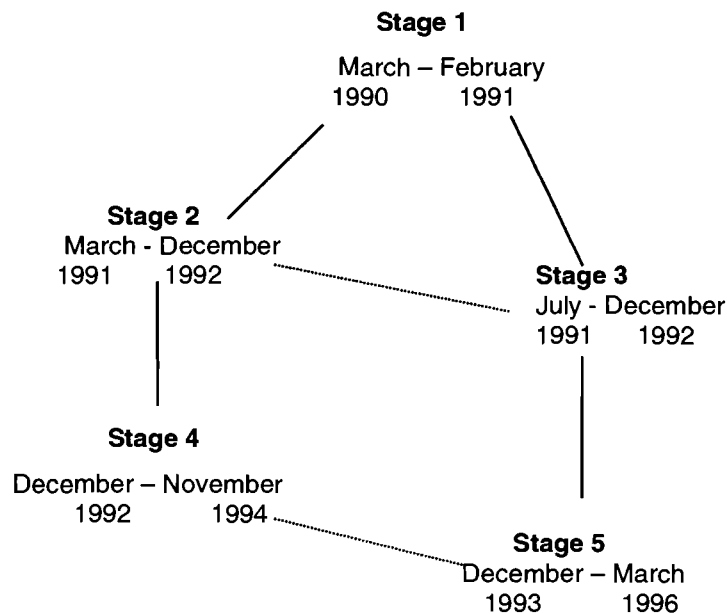
4.3 METHOD

The thesis uses policy theory as the major analytical tool in the observation and reflection stages of an action-research methodology. It is important to note that the analysis undertaken both informs the activities undertaken in the case study and also the deeper level examination and testing of theoretical material necessary for academic theory building. The research method used is a single case study in which the researcher played a key role in an action-research project. The researcher was employed first as a research fellow and subsequently as a policy analyst by the Australian National Consultative Committee on Refugee Women (ANCCORW), a small non-government refugee advocacy agency in Australia. The case study details the activities of the researcher and other actors from the refugee domain. It follows Australian policy processes as they relate to resettlement service provision and intake policy for refugee women from 1989, when the special needs of this group were first acknowledged by the Labor Government, until the change of government in March 1996. While the term 'case study' has been used to describe the series of events which have been examined and recorded, it is not a conventional case study. It is experimental and in order to use the opportunity of total immersion in a policy process, the researcher has taken a risk and used unusual research methods, as suggested by Fals-Borda (1991). A more conventional case study could have included interviews with all major actors involved to check their interpretations against those of the researcher.

The action-research process involved five distinct loops of planning, action, observation and reflection which sometimes overlapped (See Figure 3).

Figure 3

Timing and Overlap of Five stages Of Action Research



Rigorous theoretical analysis was applied at each reflective stage, and this analysis both informed the planning and activities in the next stage, and contributed to theory building. The purpose of the project was to bring about change in social policy and implementation relating to refugee women in Australia. As part of this project, a range of research methods was used to collect and classify a large quantity of rich and complex data on the policy process under observation. This involved observing and systematically recording events both formally and informally (Jones, 1996). The methodology used for analysis is that of theory building from case-study research. The data are examined within three different frameworks of policy analysis, those of the Rational, the Political and the Critical frameworks.

The case study began with the initial ANCCORW research, and follows the actions taken by the researcher and ANCCORW to have the findings of the research accepted by policy makers, and reflected in policy and service provision. This included work in Australia and on the international stage, in particular the United Nations, as the importance of the impact of international law on the domestic legislation and policy was realised. The researcher worked as an activist both in the United Nations High Commission for Refugees (UNHCR) and in the UN Commission for the Status of Women

(CSW), taking a prominent role in the process preceding the Fourth World Conference on Women.

A major trigger for this international activity was the use of the term 'only rape' by a number of key actors who held considerable power in determining policy pertaining to refugee women. The implication was that rape was not serious enough to warrant recognition as a refugee and the protection which this afforded. The search for an explanation of this apparent anomaly led the researcher to seek answers in human rights instruments and international law.

Seven 'critical or focusing events' were identified during the course of the action research. At the time of occurrence, these events were analysed in the reflective phase of the action-research loops and this analysis informed certain future actions of the researcher.² They are not meant to be understood as a single action or moment; rather they are acknowledgements of a significant point of understanding, when actions and ongoing analysis come together to provide insights and direction. If these focusing events had not occurred, then the subsequent stage of the action research would have been structured differently. This device enabled a detailed analysis, testing models from the three theoretical frameworks.

The focusing events are central to the analysis of each stage of the action research, although other important aspects are also considered. The social system which provides the context for the case study is the refugee system, incorporating both the Australian and the international refugee domains. Policy research is most often conducted by studying the actions and activities of government actors, validated by government documents, memoranda and press releases, and formal interviews with government officials. Based on the number of studies detailing the formal policy process and the small number of 'outsider' studies, an assumption would appear to exist that this privileged, 'insider' view of how the government policy process works provides the most valid version of events. Non-government actors are often considered to be on the periphery of the policy process. The case study presented in this dissertation challenges this assumption and emphasises 'outsider' interpretation from the viewpoint of a small non-government organisation (NGO).

See Case Study Notes, Reports to PhD Supervisor and PhD presentations, 1990 – 1995.

The research methodology is iterative rather than linear, and data collection, analysis and theory building did not occur as three discrete, sequential functions. The methodology was adjusted as data emerged which needed further exploration or which could not be explained within the theoretical framework being used by the researcher at the time. As possible theoretical constructs emerged they were tested and either rejected or incorporated into emerging theoretical analysis. Theory was developed through a recognised process of constantly testing theoretical frameworks against events, exploring new theories and testing those until a satisfactory explanation was identified (Eisenhardt, 1989). At the beginning of the case study, the focus was on resettlement services for refugee women, and the researcher first examined writings in the Rational and Political frameworks to seek answers to the research questions. As events unfolded and she became involved in a highly political situation, it became obvious that theory in the Rational framework was unable to offer explanations for the complexity of the process, and the Political framework could offer only partial solutions. Writings in the Critical framework were then explored. As the process evolved, an understanding of the power and hegemony of ideology embedded in the structure and the role of discourse in the process of structuration became clear. The analysis at each stage of the process was informed by literature which was currently available at the time and by the material which the researcher was currently using.

In the subsequent write up of the case study, more recent theoretical materials were consulted in order to deepen the examination, to test further the bodies of writing in the three frameworks, and to fulfil the level of analysis required for a PhD study. At times these provided a retrospective understanding of some of the events. The understanding gained from this additional research and analysis is elaborated in Chapter Eleven, which presents a further stage of reflection and discussion of what has been learned from this process.

The technique of testing critical events in the action-research process against policy models in the three different frameworks illustrates how the iterative use of theory informed the progress of the action research. It was identified that the three frameworks generated different questions as well as different answers (Lewis and Grimes, 1999), and questions were drafted which attempted to find answers to the research problem in the language/discourse of each framework. It must be noted that this iterative process did not always take place in the logical way in which it is presented!

4.4 RESEARCH METHODS USED

4.4.1 Qualitative Research

When building theory from case-study analysis, Eisenhardt (1989) and Bouma (1996) stress the importance of multiple data collection methods, rigorously documented. Data collection for the case study was undertaken systematically. Records of meetings and conversations were kept by the researcher, and formal data were documented in detailed reports to the ANCCORW management committee and funding bodies. Conference papers, journal articles, publications, policy documents, UN meeting notes, various annual reports and video clips relevant to the case study were collated and catalogued. A list of public documents and a record of interviews undertaken appear in Appendix 3. All public documents are held at the ANCCORW Cooperative Resource Library. These have been referenced using the Harvard system. All confidential records have been stored and labelled chronologically, in four major groups. These are File One, Key Informant Interviews (see Appendix 4 for details) and File Two, Informal Notes, taken either during meetings or written immediately following meetings. They have been referenced in the thesis by place and date. File Three, Informal Notes were taken during or following conversations and telephone calls as aide-mémoire for the researcher. File Four – Miscellaneous Papers and Memos are considered relevant to the case history but do not have a place in the ANCCORW archives. All private notes are numbered and catalogued, and are held in labelled boxes in a secure room to which access is limited, as they contain confidential information, including names. These are separate from formal minutes of meetings which are held in the ANCCORW Public Library, or ANCCORW Archives.

In places, the case study records personal details of some players. These minutiae, often overlooked in policy analysis, are crucial to the interpretation of events presented by the researcher, and are included to illustrate the impact of events and incidents external to the process on the evolution of policy. It is important to note that even without names it would be relatively easy to identify the major players in this case history. For this reason, a confidentiality agreement for the readers of the thesis has been included at the beginning of the thesis. It is acknowledged that before it is released publicly, some sections of the case study will have to be edited or withdrawn.

The interpretation of events by the researcher was continually checked with the ANCCORW management committee and colleagues in the field, and this input is acknowledged and referenced. Ms Velvy Holden and Ms Juliana Nkrumah, past

presidents of ANCCORW (who are willing to be referred to by name), and other ANCCORW board members played a major role in the case study. The interpretation was also tested against information received from other players in the domain, sometimes officially, in public documents, and sometimes informally, in the form of referenced interviews and conversations held by the researcher. The results of actions taken on the basis of interpretation often validate the accuracy of that interpretation. Occasionally, the interpretation proved to be incorrect and actions based on that interpretation were changed. It could be argued that a different interpretation might have produced different outcomes.

Some researchers have suggested that interpretive analysis lacks validity and is not objective (Lin, 1998). A less interpretive methodology would have included a more organised series of interviews with government actors and a thorough researching of government documents. It is argued that while these would have produced an alternative set of interpretations of the events, they would also have been subjective. Based on personal employment experience as a senior government policy advisor, the researcher is aware of the many strategies which can be used by government departments to prevent the release of information, including documents under the Freedom of Information Act. These include, for example, the maintenance or production of a parallel set of documents for release. Therefore, within the context of action research, based in critical theory, it is argued that further data collection would not have produced results which were any more certifiably objective. One of the aims of the project was to test the usefulness of the analysis of subjective data to produce results which are theoretically robust.

4.4.2 Participant Observation by the Researcher

Participant observation is based on observing and systematically recording things that happen, informally or formally interviewing all those who might have information pertinent to the events under study, and gathering relevant auxiliary information (Jones, 1996, p. 44).

In this qualitative methodology, the researcher takes part in the studied activity and is therefore both the observer and one of the observed (Mathrani, 1993). This case study is explained by the model of participatory research working within one's own subculture, as opposed to in an alien culture or working in a subculture of the dominant culture (Stacey, 1969). The researcher was actively involved in orchestrating change within the refugee domain in which she was employed, in keeping with the action-research methodology.

As detailed above, records were kept of all activities undertaken in relation to the case study. This material forms the basis for the detailed case study which is presented as the major research finding. At no stage does the researcher claim objectivity. The story is a subjective account of a complex and dynamic process. The method of analysis chosen acknowledges the subjective nature of the case study and tests the data in several ways in order to draw conclusions.

4.4.3 Key Informant Interviews

At different stages during the research process, semi-structured, key informant interviews were conducted with people who were either direct participants in the case study or were indirectly involved and had expertise and experience in the domain.

The purpose of the interviews with the first group was to check their interpretation of the situation at a given time and to test the observations and interpretations of the researcher. Interviews with the second group sought expert opinion and interpretations of specific situations. The interviews assisted the researcher to stay focused on the key themes emerging from the case study. In some instances they supported emerging findings and in others they pointed the researcher to a different understanding of events as they occurred.

4.4.4 Analysis of Secondary Data

A large volume of secondary data was accessed to provide background information and contextual understanding of the development of refugee policy in Australia. These data include documentation of refugee intake into Australia; the various policies under examination; previous research into the problem of refugee resettlement; the office of the United Nations High Commissioner for Refugees (UNHCR) policy and procedures and UNHCR statistics and Human Rights Conventions.

4.5 METHOD FOR ANALYSIS

The case study data have been analysed within three different frameworks of policy analysis to inform the building of a theory which addresses the research questions. The notion of using different 'conceptual lenses' and alternative frameworks to shape the way in which theories are built and to enable the understanding of phenomena was explored by Allison (1971). He demonstrated that the unrecognised assumptions inherent in these frameworks impact on the way we interpret phenomena and that alternative conceptual

frameworks emphasise different aspects of events and issues. Allison examined the Cuban Missile Crisis using three different conceptual frameworks or models. The first was the rationalist actor model, in which a unified government undertook purposive acts linked to clear goals. The second, the organisational process model, examined the behaviour of actors within the organisational and intraorganisational domains. These behaviours informed actions which were then partially coordinated by a unified leadership. This model moved away from the rigorously rationalist framework but could still accommodate the influence of individuals in a unified hierarchy. The third model, the governmental politics model, explored the political dimension of government action, focusing on the power dynamics within government as key actors bargained and manipulated action to suit their own agendas.

By examining the one situation using these three models, Allison generated quite different explanations of the phenomena. In considering the implications of this, he contends that this methodology takes away the need to choose between analytical frameworks, because some part of each is likely to be relevant. He argues that a richer analysis will be gained if appropriate insights can be garnered from a number of different sources. Gioia and Pitre (1989) also argue that there is no 'right' theory for theory building, but that there is often a 'best fit' depending on the phenomena under examination. They suggest that in analysing complex situations often the theory will cross more than one paradigm, and this should be acknowledged and incorporated into the theory building. The process of examining phenomena and developing theories grounded in different frameworks broadens the concepts developed and the ultimate understanding of the phenomena. It can contribute to theory and also produce a theory in its own right (Gioia & Pitre, 1989). The notion of interplay between paradigms is explored by Schultz and Hatch (1996). It differs from previous work on sequential or parallel strategies, which, they argue were intolerant of cross fertilisation between different paradigms. Instead, they argue that interplay allows the researcher to move back wards and forwards between paradigms, allowing for "cross fertilisation without demanding integration" (p.535)

In discussing Allison's methodology, Pfeffer (1981) that the different perspectives will lead to different predictions and conclusions, and that different recommendations will be needed to address these different conclusions. At some stage the analyst has to make a choice between the different frameworks.

While noting Pfeffer's concern, it was decided to use a similar methodology to Allison's for the analysis of the case study. Appropriating the model of building theory from a case

study, the researcher used various approaches of policy analysis and theoretical frameworks to determine and analyse the case study, and to contribute to the building of theory. This method can accommodate both the classification of the mass of complex data collected and the iterative testing which occurred concurrently.

In order to systematise the analysis, a number of dimensions of the policy process were identified, and these were applied to each of the three frameworks (see Chapter Two).

4.6 FRAMING THE QUESTION

The acceptance of theories as valid interpretations of reality can only seek to put blinkers on the analyst and prevent them from alternative understanding of the phenomena under observation. The deliberate use of contrasting theoretical viewpoints and frames of reference can enable the analyst to free their thinking from previously set boundaries (Hoffman, 1995, p.128)

The research questions addressed in this thesis are: *Why did refugee policy, apparently formulated with good intent, fail to meet the needs of refugee women?* and *How were actors from the non-government sector able to intervene to bring about positive change in this area of policy formulation and implementation?* In searching for a theoretical answer to the research problem, the researcher found that depending on the theoretical framework and paradigm applied, not only did the explanation change, but so did the questions. The questions framed in the three paradigms are listed below, and illustrate the different theoretical perspectives which underpin the paradigms.

The use of a framework from the rational paradigm will produce a functional analysis which takes policy as given, accepts the authority of government and other formal players, and seeks to identify which part of the policy is not working. The axiomatic goal of the policy makers is that policy be fully and properly implemented. Rationalist thinking would identify the problem as one of failed implementation. The main research questions would be: *Why was this policy not implemented properly and what changes were made to the implementation strategy to make it work?* Lindblom (1959) introduced the concept of incrementalism into policy making and identified the existence of a process, not just a single static event. Policy thinking shifted to account for a series of linked sequential events. Lindblom further recognised that external actors could influence the policy process. The questions would now change to: *What series of policy events have led to the failure to implement these policies?* and, *What influence did interest groups outside the formal decision-making channels have on this process?*

Even the acknowledgement of growth and process did not explain the consistent failure of policy to fulfil its stated aims, which was noted by many writers in the 1980s (Palumbo, 1987). Working from within the Political framework, Barrett and Fudge (1981) posed the controversial view that in fact policy implementation could not be viewed as an isolated event, but rather it is part of another non-linear process, the policy process, which shuttles back and forth between problem definition, policy formulation, implementation and evaluation. They also recognised the role of those other than the 'official' policy makers in this process. No longer is the organisation seen as the producer of action and outcomes. The role and influence of a wide range of actors in the policy process are acknowledged. The questions now become: *How did the policy evolve, which actors were involved and what impact did this process have on the failure of the policy to achieve its stated aims and policy outcomes?* and *How did the various actors in the policy domain exercise power to influence the outcomes of the policy process?*

The role of the hegemony of ideology on the actors and the structure within which the policy process takes place was introduced by writers such as Giddens (1979), Bertleson (1986), Straker (1989) and Fraser (1989). This generates the questions: *What impact did the ideology/hegemony, which structured the social context in which the policy process took place, have on the failure of the policy to achieve its stated aims and policy outcomes?* and, *How did individuals and groups impact on this structure to challenge the dominant ideologies?*

4.7 CONCLUSION

While every effort was made to 'hush the clamour of critics' (Yin, 1991) by the systematic collection and recording of data, observations, text and interviews, the methodology in this thesis is unashamedly subjective and interpretive. It is the record of the total immersion of an action researcher in a process of social change. The case history as presented is her particular version, and would undoubtedly read differently if it were presented by other actors involved. It is nevertheless the record of a complex series of events which did occur and which had specific and measurable outcomes. The detailed analysis of these events using theories and tools from three distinct frameworks of policy analysis has produced new ways of addressing the research problem and will produce new knowledge about the policy process, which, it will be argued, can be generalised as a theoretical proposition.

CHAPTER FIVE

A CONTEXT FOR THE CASE STUDY

Who is a refugee?

According to the 1951 Convention Relating to the Status of Refugees, a refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country'. (UN 1951)

5.1 INTRODUCTION

This chapter is comprised of three discrete sections which provide a context for the case study. The first section discusses the special needs of refugee women as they are the focus of the activities described in the case study. The second section is a history of Australia's immigration, refugee and resettlement policy, which provides a framework for the particular part of that policy under examination. The third section is an introduction to the structure of the United Nations. Much of the action described took place at a number of United Nations meetings in different parts of the world, leading to the Fourth World Conference on Women, Beijing, 1995. An understanding of the structure and processes of that organisation is important in understanding these activities.

5.2 WHY WOMEN DESERVE SPECIAL ATTENTION IN REFUGEE POLICY PROVISION

This section is presented in two parts. The first details the experience of many refugee women and presents the reasons why the need for the Women at Risk program (WaR) was considered necessary by the United Nations High Commissioner for Refugees (UNHCR). The WaR program is one of the policy strands examined in this thesis. The second section examines the potential impact of this experience on women and the implications for services when refugee women are resettled in countries such as

Australia. Resettlement service provision for refugee women is the second policy strand examined.

5.2.1 The Experience of Refugee Women

Refugee women and their dependent children constitute 80 percent of the world's refugees, estimated at sixteen million in 1990, twenty-one million in 2001. An additional twenty million are displaced within their own countries (UNHCR, 2001). The majority of families in refugee camps are headed by females. The men are often in military or paramilitary organisations, missing or dead. The experiences of refugees usually include life on the run, dangerous journeys with few resources and constant fear of the military and border guards, and refugee camps in which conditions range from bad to intolerable (UNHCR, 1990c). Women live through the experience of sitting, sometimes for years, waiting for the end of conflict – their only hope to return home to an unknown and uncertain future. Others wait for some third country to decide their fate by accepting or rejecting them for resettlement. They wait in substandard situations, divorced from their culture and watching their children grow without the education, training and socialisation necessary to equip them to deal with the world. Food, water and medical treatment are often in short supply (Martin, 1992).

In 1990, as part of an ANCCORW research project, the researcher interviewed 300 refugee women resettled in Australia from 18 countries, ranging from Latin America, the Middle East, Indo-China, Africa and Sri Lanka. It was found, with a 95% confidence limit, that between 67% and 80% of refugee women from those countries had survived a medium or high degree of torture and trauma. In this project, a high degree of torture was categorised by experiences such as severe physical abuse; rape and other forms of sexual abuse and exploitation, either in the country of origin, during flight, within countries of first refuge, or in refugee camps; being forced to witness the torture and/or killing of close family members; losing one's home and all one's possessions and being forced to flee for one's life and living in situations so bad that adults and children suffered severe malnutrition and sometimes died from lack of medical attention.

In our town, they killed 300 people and put the bodies on the rubbish tip. We had to scavenge like dogs for our brothers, our sisters – the soldiers watched, laughing, with guns. We thought that we would be next (Refugee woman from El Salvador, quoted in Pittaway, 1991, p.25).

Medium level torture was characterised by forced separation from close family members, including young children; physical abuse; having close family members detained in prisons or re-education camps where physical and psychological abuse were used; having lived for long periods in conditions dangerous to health and mental wellbeing without adequate support systems; having lived under constant harassment and threats from the military, or in combat zones.

Life was a nightmare. The children still wake at night screaming. They were kidnapped. One woman hid her baby in a cave for four days when they rounded up the children. It nearly died (Refugee woman from Chile, quoted in Pittaway, 1991, p. 26).

Loss of family members is perhaps the most common of all refugee experiences. The large proportion of women refugees illustrates the loss of male family members, either dead, presumed dead or merely 'disappeared'. Many refugee women have lost children as part of the refugee experience. In one Cambodian camp in Thailand, a survey found that 80% of the women had lost three out of four children in the four years prior to the survey (Freidman, 1992). In a survey conducted in Sudan in 1985, 34% of the women had lost at least one child in the previous four months (Bylund 1992). Loss of family members during war and political upheaval can leave people with feelings of guilt at having survived when others have not. Often, refugees also lose the social status which they once held in their communities and this is an additional source of grief.

For many refugee women, rape and sexual abuse are part of their everyday experience. UNHCR estimates that the majority of refugee women and many children are routinely raped and sexually abused (UNHCR, 1995). Women are raped to humiliate their husbands and fathers, and for reasons of cultural genocide. They are forced to trade sex for food for their children. They are raped by the military, by border guards and by the UN Peace-keeping forces sent to protect them. Rape and sexual abuse are the most common forms of systematised torture used against women, and this ranges from gang rape by groups of soldiers, to rape by trained dogs and the brutal mutilation of women's genitalia. Many children are born to refugee women as the result of rape (Martin, 1992).

Women who have suffered rape and sexual abuse report keeping this secret from determining (immigration) officers for fear of being labelled prostitutes and being denied refugee status or visas on moral grounds.

This is documented by UNHCR, Amnesty International, and many aid agencies working with women refugees³. UNHCR became so concerned at the extent of this problem in the 1980s that they launched a comprehensive campaign to try to provide a safer environment for refugee women. Their manual, *Sexual Violence Against Refugees, Guidelines on Prevention and Response* (UNHCR, 1995), outlines the scope of the problem and strategies for prevention. A conspiracy of silence still exists about the true extent of the problem and, until it is fully acknowledged, women will not receive the services which they deserve. Failure to acknowledge the extent of rape and sexual abuse belittles the experience of the women concerned and is detrimental to refugee women and their families. Many men are not able to accept that their wives have been raped. A Vietnamese saying, 'I will not put my chopsticks in the rice bowl where another man has eaten', typifies the attitude of many men to their wives who have been sexually abused. Instances of women being abandoned and their husband taking a mistress or another wife, have forced many women to stay silent about their experience, even to their closest family members.

A study conducted in Winnipeg, Canada, found that over 50% of refugee women who had been raped and 94% of other refugee sexual assault victims did not tell their refugee workers of their experience (Pope, 1990). Far more sought help for psychosomatic symptoms related to the experience. As the post traumatic symptoms, such as depression, loss of sleep, anger, fear of strangers, and feeling dirty, are similar to those of other traumas, the root of the problem often goes unrecognised and untreated. In the 1990s, television coverage of the horror of the camps in the former Yugoslavia highlighted the rape and sexual torture of refugee women. For many people this was the first time they had confronted this reality. Others working in the refugee arena were aware that many similar stories are told by Holocaust survivors. In the 1960s, Tibetan women suffered the same fate. Women from the Horn of Africa reported similar experiences in the 1970s, and in the 1980s and 1990s, women from Indo-China, Central and South America, Iran, Iraq, East Timor, Sri Lanka, Sierra Leone, Bougainville and other countries told the same story.

Most refugees suffer from discrimination in terms of access to information about their rights and the options available to them. The complex process in which they are involved is not explained, leading to confusion and serious mistakes being made, which in some

³ See United Nations Documents

Ref EXCOM Conclusions – No 39 (XXXV1) 1985
No 54 (XXXIX) 1988
No 64 (XLI) 1990
No 73 (XLIV) 1993, and

EC/SCP/67 Information Note on UNHCR's Guidelines on the Protection of Refugee Women.

cases, cost lives. However, for women the problems are exacerbated. Male officials are not sympathetic to gender based problems and women are ashamed and afraid to discuss sexual abuse with strange men. They are often afraid of being interviewed by men, especially if another woman is not present (Martin, 1990). Women who have suffered for long periods in camps learn to hide symptoms of trauma, as they observe that women and children displaying these symptoms are often overlooked by immigration officials or refused asylum in a third country (Mollica, 1988). The selection process for many resettlement countries discriminates against women. Selection officers look for educated, literate, healthy young migrants. Women who have had very little opportunity for education are excluded from selection. These experiences in themselves are traumatic and serve to heighten the anxiety and lower the self esteem of women (Pittaway, 1991).

5.2.2 Potential Effects of the Refugee Experience on Refugee Women, and Implications for Resettlement Services.

The responsibility for family survival often makes it difficult for refugee women to re-establish themselves in new situations. The feelings of relief in escaping from intolerable situations are soon replaced by the confusion of adjusting to a new environment and the effects of uprootedness, a feeling of never fully belonging, but not having the possibility of returning home. Constant worry about what is happening to those left behind makes coming to terms with the new environment even more difficult. The psychological consequences of being uprooted and historical dislocation which are the results of massive political dislocation are explored by Espin (1987), in relation to the mental health of refugee women. Many have lived in situations of constant danger and threat without always being consciously aware of it. Women learn to be constantly alert and to respond on behalf of themselves and their families without even realising that they have learned to function in this way. Even if the worst does not happen to them, they live with the constant knowledge that it might, and that they have to take the responsibility of trying to protect themselves and their families. The resulting strength of refugee women is why they and their children not only survive psychologically, despite the negative effects produced by violent events, but also how they develop and grow (Coles, 1986, Williams & Westermeyer, 1986). This largely unconscious response also makes it difficult for women to cease this behaviour once the threat and danger have passed, which can affect their ability to trust people or to believe in and invest energy in a stable better future. In the same largely unconscious way that refugee women and their families learn to live with constant danger, they also learn to live with the feeling of not fitting, or not being comfortable in the new environment (Espin, 1992).

As noted above, many women suffer torture or severe trauma. Torture often involves physical abuse which requires urgent and complex medical attention. Torture affects one's ability to trust other humans, especially those perceived to be in positions of power, such as bureaucratic officials. In the case of women who have been sexually abused, this distrust often extends to all men. The experience of torture tends to reduce self esteem and self respect, especially if it has been witnessed by other family members. Escape traumas can cause a range of symptoms such as anger, hostility and nightmares. If they are not addressed, the results are long lasting and debilitating, and compounded by the unwillingness of refugees from some ethnic backgrounds to seek or accept treatment for what they regard as mental illness. The attached stigma breeds shame and humiliation (Mollica, 1988).

Refugee women often sacrifice themselves for their children and families. In camps, mothers will go hungry and without medicine to feed and care for their children. In the resettlement process, mothers first concentrate on establishing their families, leaving their own needs to last (Martin, 1990). Many refugee women have traumatised children who may have witnessed torture and rape. Some have experienced it first hand. They have seen fathers, brothers, uncles killed, or have had them 'disappear'. Children have nightmares because they remember bombings and living on the run. Often, these children have missed years of schooling and need specialised help to adapt to a positive learning environment when they eventually have the opportunity to do so.

ANCCORW was formed to lobby for recognition of the special needs generated by these circumstances and for improved service provision to address them (Pittaway, 1998). Self citation has been used in this section because, at the time of the research, there was very little material available either nationally or internationally on the special needs of refugee women. Since 1991, a significant body of work has been generated regarding this experience. This strengthens and builds on to the work done by the author at that time.

5.3 A HISTORY OF REFUGEE POLICY IN AUSTRALIA

The United Nations High Commissioner for Refugees (UNHCR) has identified three 'Durable Solutions' to address the refugee situation. These are (i) settlement in a country of first asylum, which relates to situations when a person flees from persecution in their own country and seeks asylum under the protection of another country; (ii) resettlement in a third country, which refers to removal of a refugee from temporary protection in a country of asylum to permanent settlement in a third, usually developed, country; and (iii)

repatriation to the country of origin, which refers to the return of refugees from a country of first asylum once the danger is deemed to have discontinued. The policy under examination addresses the second of these.

About 11 000 people enter Australia annually on either Refugee or Special Humanitarian visas as part of the resettlement program. Others arrive from refugee or refugee-like situations as part of the Family Reunion Program. These entrants are part of Australia's annual immigration intake of approximately 125 000. They are selected from refugee camps and situations where they have previously sought asylum, and are screened prior to acceptances for resettlement to Australia, using criteria which are focused more on selecting refugees who have good indicators for successful resettlement than on humanitarian need (National Population Council, 1991). Once in Australia they are granted permanent residency status. Other people escape from situations of danger and seek asylum in Australia. Their experience is very different to those selected for resettlement overseas. This thesis does not address the issues of asylum seekers who apply for refugee status in Australia.

Australia has been involved in the international response to the refugee situation since 1921. The early response of the government was guarded and strongly influenced by the White Australia Policy which dominated Australia's immigration policy until 1975. Only 3 500 refugees were settled in Australia between 1921 and 1938 (Blakeney, 1985). In the mid 1930s, in response to events in Europe, Australia agreed to accept 15 000 Jewish refugees, but only 7 000 had been admitted before World War II broke out. When the Economic and Social Council of the United Nations (ECOSOC) established an International Refugee Organisation (IRO) in 1946, to deal with the European refugee crisis, Australia did not support the motion and refrained from voting in the United Nations General Assembly (UNGA). It was feared that this could involve accepting refugees from non Caucasian stock. However, with increasing paranoia in Australia about invasion by 'the yellow hordes' from the north following the war, the catch cry of 'populate or perish' was born. As migrants from the UK and its colonies could not be recruited fast enough to supply the demand, Minister Calwell 'became increasingly aware of the splendid human material to be found in the refugee camps' (Markus, 1984).

In 1947, Australia joined the IRO and agreed to accept 12 000 people per year for a three-year period. Between 1947 and 1952, 181 700 refugee and displaced persons entered Australia through this scheme and related non-government organisation (NGO) sponsorships. The stringent health requirements set by Australia earned the country the

international reputation of using refugees as 'grist for the labour mill'. The intake was seen to satisfy Australia's labour requirement rather than for humanitarian reasons and avoided responsibility for 'hard to place' refugees. This set the tone for Australia's future refugee policy. However, while the Australian Government gained a reputation for being intransigent in its attitude towards refugees, in contrast, Australian NGOs were recognised for a high level of involvement in the issues both at home and on the international stage. This included lobbying and advocacy on behalf of refugees and the establishment of overseas aid programs and resettlement programs in Australia (National Population Council, 1991, p. 67).

The Australian Government's attitude changed with the success of the settlement policy in assisting to fill the immigration needs of the country. Australia was actively involved in the establishment of UNHCR in 1950 and was one of the first nations to ratify the 1951 Convention on Refugees. This Convention was only applicable to persons who became refugees due to events which occurred before January 1, 1951. When the Intergovernmental Commission for European Migration (ICEM) was formed in 1952, Australia again became a major player and accepted 199 000 refugees through this program between 1953 and 1973. During this period, waves of refugees were generated from successive wars and conflicts. These people, however, were not protected by the 1951 Convention, which only applied to those who became refugees due to events prior to that date (UN, 1984). In 1967, a protocol was drawn up which removed the early geographic limitations from the 1951 Convention. Australia did not sign this protocol until 1973 (National Population Council, 1991).

During this period, Australian NGOs played an active role in refugee resettlement. They continually lobbied government for improved service delivery for refugees but received little response. In 1975, an Interdepartmental Committee on Refugees was established by the Australian Government and NGOs were invited to participate on that committee as recognised contributors to refugee resettlement. At that time, the author of this thesis was appointed to the Interdepartmental Committee as the representative of a major charitable organisation.

By far the largest intake of refugees to Australia since 1975 has been from Vietnam, with smaller intakes from Cambodia and Laos. The fall of Saigon in 1975 promoted the outflow of over one million Vietnamese, who fled in small boats to whichever neighbouring country would accept them. Some 2 077 of these people reached Australia

and were granted asylum here. Others went to Malaysia, Hong Kong and the Philippines (UNHCR, 1991a) (see Appendix 5 for Refugee Intake, 1947 to 1975).

In May 1977, a new refugee policy was announced, covering procedures for designating refugee situations, assessment of Australia's capacity to accept refugees, encouragement of voluntary agencies to participate in refugee resettlement, and the strengthening of the Department of Immigration and Ethnic Affairs' (DIEA) Refugee Unit (Bailey, 1977). As refugee numbers grew, increasing unease about the process resulted in an international conference being hosted by the UN in 1979 to seek a solution. An agreement, usually referred to as the Moratorium, was reached between the USA, UNHCR and the Socialist Republic of Vietnam, whereby guarantees of resettlement were given in return for commitments to contain the outflow of refugees and provide aid to countries of first asylum (Viviani, 1984).

The outflow of refugees from Indo-China led to an effort by UNHCR to establish a coordinated resettlement program for people living in the camps. A system of refugee selection was instigated and overseas posts were responsible for identifying those refugees considered to be most suitable for resettlement. 1979 also saw the negotiation of an Orderly Departure Program (ODP) between UNHCR and the Socialist Republic of Vietnam to promote the departure of migrants from Vietnam to countries of resettlement without the necessity of fleeing by boat. Australia expected that, if it received refugees from camps in Thailand and Malaysia, then those countries would not send refugees on to Australia in boats.

Australia, along with other resettlement countries, introduced a system of refugee selection in 1979. Australian officials visited refugee camps and centres, and along with officials from UNHCR, selected people to come to Australia. Government officials were urged to select those refugees most likely to resettle successfully in Australia. These were the young, the healthy, the well-educated, and people with a family support system already established. An active policy prevented selection of those with an obvious disability or those likely to require substantial social support. The many refugees who did not fit the stringent requirements of developed countries remained in the camps, often for years. The problems which had led to them not being accepted in the first place were usually exacerbated by the physically and mentally debilitating conditions of camp life (National Population Council, 1991). The majority of these were women.

By the mid 1980s a noticeable change of attitude occurred in the host countries about their ability to continue to accept Indo-Chinese refugees. This was exacerbated by a world-wide recession and the introduction of advanced technology, both of which contributed significantly to unemployment in host nations. In Australia, the situation was confused as the refugee intake had always been a part of the migrant quota for any given year. Debate raged about the level of migration needed to sustain economic growth and health, and the refugee issue was embroiled in that argument. Most Australians, including politicians from both major parties, consistently argued that refugees should be excluded from any cuts in the migrant intake numbers. However, this moral argument did not translate into practice and the average Australian demonstrated little tolerance of refugees in the community.

5.4 AUSTRALIAN SETTLEMENT SERVICES

Parallel to the changes in immigration and refugee policy, change also occurred in the provision of settlement services to these groups. From the beginning of the migration program at the end of the second World War, migrants arriving in Australia were offered settlement services in Migrant Hostels at key locations around Australia. It was expected that migrants would stay in these hostels for up to one year, and then move on to independent living. The Adult Migrant English Program (AMEP) was established in 1947, in recognition of the fact that English language acquisition was essential to assimilation. Little distinction in terms of service provision was made between those who entered as migrants and those who entered as refugees. These services were provided by the Department of Immigration. The majority of male refugees who entered Australia at this time were required to work for a number of years on the Snowy River Hydro Electric Scheme. Often families were separated while this occurred, leaving the women to care for the children and establish a home base in Australia. In the 1950s, assisted passages were offered to European migrants. Continuing economic downturn and consequent unemployment led to the cancellation of the assisted passage migration scheme in 1976 and a more structured and selective approach was adopted towards migration.

Over the years, a range of orientation services was offered by non-government agencies, mainly church based, which in an ad hoc fashion strived to improve the resettlement experience of refugees in the spirit of Christian charity. Assistance provided ranged from the provision of basic material aid, to financial and emotional support. In 1978, the Government established an Intersectorial Committee to coordinate the provision of material aid and 'on-arrival' assistance to refugees entering Australia. In recognition of the special needs of refugees, the Community Refugee Settlement Scheme (CRSS) was

established in 1979. This scheme, which was administered by DIEA, supported community groups to sponsor and assist refugee families to resettle in Australia. A small cash allowance was made available to each family resettled, via the CRSS group. An interest-free loan fund for refugees was also established at this time. However, 'these developments in settlement services for refugees in the 1970s, although significant, represented the provision of a cushion effect for new refugee arrivals, rather than a services-based, in-depth understanding of what refugees had been through' (Cox, 1996). Refugee policy was seen as gender neutral with no recognition that refugee women may have special and additional needs.

The major impact on resettlement services in this period came from the findings of the Galbally Report (Committee of Review of Post-Arrival Programs and Services for Migrants, 1978) which set in motion a major transformation of settlement service policy and provision. The report was written as a result of a review chaired by Galbally, which was established by Government to examine programs and services for migrants, including refugees. The review committee was established in response to a growing volume of debate in the 1970s. This debate acknowledged and began to come to terms with the changing nature of Australian society brought about by immigration policy and the concept of multiculturalism replacing the concepts of assimilation and integration. It also illustrated the growing recognition by Government of the power of the ethnic vote. The Report established four major principles: those of access and equity, respect for culture, special services to ensure access and equity, and a focus on consultation and self help (Committee of Review of Post-Arrival Programs and Services for Migrants, 1978, p. 4).

The types of services introduced and refined through the implementation of this report included specialist ethno-specific services such as Migrant Resource Centres, and the expansion of the Grant in Aid (GIA) scheme, first established in 1968. This GIA scheme funds welfare workers, preferably from a similar cultural and/or language group, to work specifically with migrants from identified ethnic or needs groups. Following the restructure of the migration program, migrant hostels were progressively closed as alternative on-arrival accommodation was offered to refugees in the form of short-term tenancies in Government-owned units. Those hostels which remained open became places of arrival for those entering on refugee visas and refugee resettlement services were based in these hostels. In 1980, the Australian Institute of Multicultural Affairs (AIMA) was established to act as a watchdog over the implementation of immigration policies.

In 1981, public concern was being expressed about the continuing influx of refugees, especially from Vietnam (National Population Council, 1991). In response to this situation, a review of the refugee program was announced, and stronger measures were introduced to prevent non-genuine refugees entering Australia. By 1982, in light of continuing concern over the entry of migrants and refugees, and in the face of overt racism rekindling old fears of an 'Asian invasion', the Australian Institute of Multicultural Affairs (AIMA) reviewed the Galbally Report. The AIMA Report (1982), while on the whole still supportive of Galbally's recommendations, placed great importance on English language acquisition and cultural maintenance. It was a political document which attempted to placate Anglo-Australia and, at the same time, respond to the important ethnic voting population. Recommendations from this report focused on initial resettlement services and stressed the importance of mainstreaming migration services. In 1983, the policy of mainstreaming migrant services was officially adopted by the Government.

During 1984, there was continued bitter public debate about Asian immigration. This was despite a report released by the Bureau of Immigration Research (BIR), which indicated that migration had not contributed to increased aggregate unemployment but had contributed positively to the Australian economy (DILGEA, 1989, p. 81). These events, plus the introduction of economic rationalism into the welfare debate, had a direct effect on resettlement services.

In 1985, the Access and Equity Program was introduced by DIEA, to 'improve the effectiveness of their activities and to ensure access and equity for migrants in the delivery of Federal Government Services and Programs' (DIEA, 1986, p. 90). At this time, a second major review of migrant services was undertaken and, in 1986, the Review of Migrant and Multicultural Programs and Services (ROMAMPAS) Report was presented to the Government. Unlike the AIMA Report, the ROMAMPAS Report noted that settlement is a lifetime process and that service provision should not be restricted to 'on-arrival services'. Response to the Report (ROMAMPAS, 1986) included the first DIEA (DILGEA) Corporate Plan. The Department's view was that initial settlement services comprised accommodation, income, orientation information, employment, English proficiency, social services and community support networks. A number of settlement issues were identified for particular attention. These included the comparative settlement needs of refugees (DILGEA, 1988a, 1988b).

Apart from the CRSS, this was the first time that refugees, both male and female, had been acknowledged as worthy of special attention in settlement policy. The implementation of the (DILGEA) Access and Equity program was strengthened to include more multi-lingual staff, better staff training and attention to detail at key public contact points. A further commissioned report on Australia's Immigration Policies, the CAAIP/Fitzgerald Report (CAAIP, 1988) also addressed settlement services. It reversed the trend of the ROMAMPAS report, defining settlement as a short-term process, and recommended that DILGEA should be involved in the provision of services for only the first two years. It argued that after this initial two-year period, migrants should be served by mainstream organisations.

The government response was to focus programs on service provision in the early years of settlement, without strictly adhering to the proposed two-year time limit. Increased emphasis was placed on the provision of English language, interpreter and translation services. Refugee women and youth were identified as target groups. The community sector argued strongly against the findings of the CAAIP Report, as its experience indicated that settlement is a lifetime experience, with different needs emerging at different times during the life cycle. An obvious example of this is the need for ethno-specific aged care. One positive outcome of the CAAIP review was the first acknowledgment that women immigrants, in particular those from a refugee background, may have special settlement needs.

Many of the findings of the decade were brought together in 1988, when the Ethnic Affairs and Settlement Committee of the National Population Council developed a broad strategy for the settlement of migrants in Australia. This strategy was guided by the social and economic goals of the migration program as detailed in the DILGEA Corporate Plan (Lukomskyj, 1992). The GIA scheme was positioned to focus more on new arrivals, and work programs were directed towards community development, rather than case work. Despite recognition in the CAAIP Report, no mention of the special needs of refugee women was included in policy addressing service provision.

5.5 THE WOMEN AT RISK PROGRAM

The Women at Risk program (WaR) is the major policy examined in this thesis. Following the UN Decade for Women, from 1975 to 1985, world attention began to focus on the plight of refugee women. Australia responded in 1989 by including a special category, 'Refugee Women At Risk' within its immigration program and policy (Appendix 6). The following extracts from the original policy document are central to the case study:

This scheme is designed to help refugee women in countries of first asylum who are at special risk and in urgent need of resettlement.

The scheme applies globally to cases referred by UNHCR or identified by overseas posts.

It provides opportunities for resettlement in Australia for refugee women and their dependants who are without the traditional male head of the household or other male support and may be in vulnerable situations and in desperate need.

It incorporates a strong post-arrival element including existing settlement services such as torture and trauma counselling, child care, English classes, women's health care, and the forms of support provided by the Community Refugee Resettlement Scheme (CRSS).

Up to 60 cases (about 240 people) will be accepted in the program year 1989/90, with the possibility of expansion in the following year (DILGEA 1989).

To summarise this section, the major points of relevance to the case study are the notion that Australia's refugee and special humanitarian program is part of the migration program, and that very few refugees claim asylum in Australia. The majority of Australia's refugees are selected from camps or other refugee situations and are offered permanent residence in Australia. Until the 1980s, resettlement services had been ad hoc and reactive. Refugee women were named in Government policy as a target group for resettlement service for the first time in 1988 and the ANCCORW Research grant was made in part to establish their service needs. The Women at Risk scheme was introduced in 1989, in response to a request from the United Nations. It was expected that the majority of women entering Australia under this scheme would be cared for under the auspices of the CRSS. It is also important to note that the NGO sector has historically played an important role in both service provision for refugees in Australia and in lobbying government for refugee intake and service provision. The effects of torture and trauma were first recognised in 1990, when a small trauma service was started in Sydney.

5.6 UNDERSTANDING THE UNITED NATIONS

As mentioned above, within months of starting the ANCCORW research project, the researcher became involved in working with a number of United Nations agencies. This involvement continued and became a major part of the case study. The UN is arguably

the most complex and cumbersome bureaucracy in the world. An important part of the work undertaken by the researcher was learning the complex structure and language peculiar to the UN. Understanding the process is daunting.

5.6.1 The Structure of the United Nations

The charter of the UN established six 'principal organs'. They are the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the Trusteeship Council, International Court of Justice and the Secretariat. Only the General Assembly and ECOSOC are of concern to this case study. In addition, there are a number specialised agencies, of which the Office of the United Nations High Commissioner for Refugees (UNHCR) is of particular relevance here. The role of UNHCR has to be taken into account when analysing the formulation of policy which addresses the needs of refugees in Australia.

The UN General Assembly (UNGA) is the main deliberative organ of the UN, and is linked to all other organs. It has wide-ranging powers, and recommendations made in other organs and agencies are taken to the regular sessions of the UNGA for discussion and adoption. To deal with the quantity of work at each UNGA meeting, six separate committees sit to debate specific issues. The work covered in this case study is considered in the third committee, ECOSOC, which covers social, humanitarian and cultural matters.

ECOSOC was established to coordinate the economic and social work of the UN and its specialised agencies, known as the UN family of organisation (UN, 1998). The council has seventeen subsidiary bodies, of which six are functional commissions. These include the Commission on the Status of Women which, amongst other areas of responsibility, organises the World Conferences on Women. Voting rights in CSW are rotational, with only forty countries holding this right at any given time. During the period described in the case study, the Australian Government held voting rights. ECOSOC has divided the world into five functional regions, Europe, including North America and Canada, Latin America and the Caribbean, Africa, West Asia and the Asia-Pacific. It has appointed economic and social councils in each of these. Australia is geographically situated in the Asia-Pacific Region, which extends from Pakistan to New Zealand, including Japan. The local secretariat is the Economic and Social Council of Asia-Pacific (ESCAP), located in Bangkok. Although geographically situated in this region, Australia has been placed historically in the European Region because of socio-economic ties.

Increasingly, and for the Fourth World Conference on Women, it was placed in the Asia-Pacific Region.

The term 'member states' is used to describe governments which are members of the United Nations. There are currently 189 member states. A number of NGOs are accredited to attend ECOSOC meetings, with an increasing trend for this level of civic involvement in activities of the UN system. The number of accredited NGOs has grown from 41 granted consultative status in 1948 to 1350 in 1998. Invitations can be extended to non-accredited NGOs by the meeting convenors. The role played by NGO lobbyists is acknowledged by the UN agencies and by other institutions. For example, the role of accredited NGOs in the Ottawa process which led to the adoption of the Convention Banning Anti-Personnel Land Mines was acknowledged by the Nobel Academy in 1997 (UN, 1998).

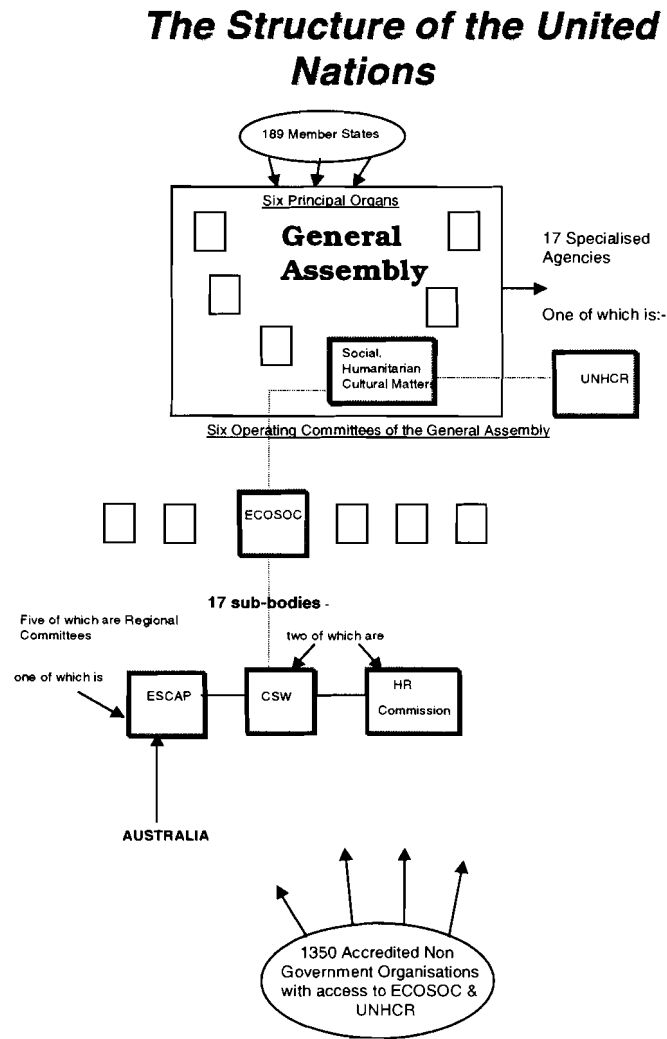
The UN agencies, such as the CSW and the UNHCR, hold annual, high level, government meetings at which they prepare recommendations to UNGA. These meetings are numbered, but these numbers do not correspond to the year in which they are held. For example, CSW 35 was held in 1991, CSW 36 in 1992. Nor is the numbering consistent across agencies, as they begin when the agencies were established, at different times in the history of the UN.

UN agencies often convene 'expert group meetings' of international specialists to prepare input into the annual meetings. Meetings of UN agencies have differing status, determined by the level of government representation. Most agency meetings are defined as 'high level government' meetings. It is expected that a senior bureaucrat attend these. It is seen as a mark of low commitment to the agency if the bureaucrat is from the local overseas post and does not travel from the member state to attend. The next level comprises Ministerial meetings and the top level Heads of Government meetings.

The process of UN meetings and the production of documents is extremely complex and can be quite tedious. For example, the word 'conference' in the Beijing Fourth World Conference on Women was not a conference as generally understood. The task of the Fourth World Conference on Women was the finalisation and endorsement of the 'Beijing Platform for Action' (BPFA), a blueprint for the improvement of the status of women to the year 2000 and beyond. This document was amended at successive meetings of CSW for four years prior to the Beijing conference.

The following chart illustrates the structure of the United Nations as it relates to this case study.

Figure 4



It is often argued that UN Conventions and Protocols are of little real value, because no machinery is in place to enforce international law. Governments can therefore sign and

then ignore these documents with relative impunity. Australia signs and ratifies most conventions but seldom incorporates the principles in the documents into domestic law. However, there is a moral imperative in human rights law, and few developed countries like to be accused publicly of transgressions.

This thesis addresses refugee policy, and while major responsibility for immigration and refugee policy is held by the Minister for Immigration, major responsibility for Australia's interface with the UN is through the Department of Foreign Affairs and Trade (DFAT). Government officers from DFAT have considerable influence in Australian delegations to UN meetings, even when the focus of the meetings is on immigration issues. The Department of Foreign Affairs and Trade has much higher status as a portfolio than does any portfolio containing immigration, and this is often reflected in the status accorded to the officers in those departments, both nationally and internationally.

Australia has always enjoyed the notion that it has high moral status on the world stage, both in the context of human rights and refugee intake. It has traded widely on its international reputation, and enjoys the status of a benevolent state in the UN. In fact, analysis reveals that Australia's refugee intake has always been self serving, and that much of the praise received for its humanitarian attitude towards refugees should be tempered with reality.

CHAPTER SIX

ACTION RESEARCH STAGE 1 - THE ANCCORW RESEARCH PROJECT

This stage covers a period from March 1990 to February 1991, during which time the author undertook a formal research project on behalf of the Australian National Consultative Committee on Refugee Women (ANCCORW). It includes a brief history of the project from 1989 - 1990 as part of the initial planning stage and to provide a context for the case study.

6.1 BACKGROUND

The events covered in this case study began in 1989, when a group of five Australian women, including three from refugee backgrounds, attended a meeting in Geneva, called by the World Council of Churches to develop strategies to follow up the United Nations Nairobi Third World Conference on Women with regard to refugee women. On their return to Australia, these women formed ANCCORW to act as an advocacy group with and on behalf of refugee women, with the specific aim of lobbying the Australian Government to fulfil the commitments made when it signed the Nairobi Forward Looking Strategy Document. They decided that an appropriate strategy for local action would be to conduct research into the resettlement needs of refugee women in Australia and an evaluation of how these needs were met by settlement service provision.⁴ Similar work had been done in the past (see Poussard, 1981; Viviani, 1984; Lewins & Ly, 1985) and they were concerned that the recommendations had been ignored. They also decided to seek funding for a worker to follow up the research findings. They applied to the Federal Government Bureau of Immigration Research (BIR) to fund the research, and to the Department of Immigration, Local Government and Ethnic Affairs⁵ (DILGEA) for a Grant in Aid (GIA) worker. The Australian Government responded to the refugee component of the Nairobi Forward Looking Strategies (see Chapter One) by funding both of the

⁴ ANCCORW Minutes October 1989.

⁵ During the period covered by the case study, the name of the Australian federal department with responsibility for immigration and refugees changed several times. From the mid eighties to 1992, it was called the Department of Immigration, Local Government and Ethnic Affairs (DILGEA); from 1992 to 1994, the Department of Immigration and Ethnic Affairs (DIEA); and from 1994 onwards, the Department of Immigration and Multicultural Affairs (DIMA). They are all essentially the same government department and for the purpose of this thesis can be read as such.

ANCCORW projects and by establishing a special Visa Category and entry scheme, the Women at Risk program (WaR).

6.2 PLANNING PHASE

Upon receipt of the grant from BIR, a fellowship was offered to the researcher in March 1990 by ANCCORW in conjunction with the School of Social Work, University of New South Wales, on the basis that she had demonstrated broad experience in the field of refugee resettlement, a commitment to women's issues and a background in social research. The researcher took a year's leave without pay from her position as a teacher in the Technical and Further Education (TAFE) system. A supervisory committee was appointed for the project, comprising the convener of ANCCORW, a female lecturer in social work who is a specialist in refugee issues, and a male professor of economics, a specialist in migration.

The fellowship was to conduct research into the needs of refugee women in their first two years in Australia. This time frame was based on the recommendations of a major report into settlement services, the CAAIP Fitzgerald Report (1988) which stated that resettlement services should last no longer than two years. If assistance was required following that period, migrants and refugees should then access mainstream services. The aim of the research was to evaluate how far current settlement service provision addressed the needs of refugee women and to have these needs acknowledged in government policy, and in service provision by the government and non-government welfare sectors. The original design of the research project was that of action research as the researcher was working directly with refugee women and with service providers who had entered Australia on refugee visas. This was considered to be too overtly political by the Director of the BIR who suggested that while maintaining its participatory nature, the research be referred to as 'social research'.⁶

The methodology was designed to address a number of concerns relating to research on women and minority groups. The research sample was taken as a representative proportion of refugee women arriving in Australia in the four financial years prior to the beginning of the research. In-depth interviews were recorded with 204 relatively newly arrived women, 35 key informants and 25 refugee women who had been in Australia for longer than five years and considered themselves to be successfully resettled. The women came from seventeen different countries, and represented all age groups, family

⁶ File Three Notes from Conversations, Telephone conversation, Director BIR Melbourne April 11, 1990.

types and social status. Bi-lingual workers, trained by the author, acted as interpreters and assisted in identifying women willing to participate in the project. The majority of these workers were ex-students of the researcher from a TAFE course in Ethnic Welfare. The relationship between the author and the ex-students enabled a degree of trust to be established between the interviewer and the interviewees and enabled access to women who would not normally be identified for research.

At all times in this case study, the researcher acted as a representative of ANCCORW with the support of the management committee. At times debate occurred amongst committee members about the direction of the research, but no actions were taken without consensus. Some members were actively involved in the research project and the subsequent events. Others were minor players. The convener of ANCCORW was pivotal, often taking a complementary role to that of the researcher.

The research was structured to encourage participation by refugee women in identifying their own needs and methods of needs fulfilment. The committee believed that by emphasising the notion of 'protection' of refugees, which is inherent in the 1951 Convention and 1967 Protocol, refugees, especially women, were disempowered by the implication of vulnerability. It was hoped that active involvement in identifying solutions to their problems would contribute to the empowerment of refugee women. The management committee of ANCCORW identified that at many levels the language addressing refugee women needed to be challenged.

6.3 ACTION PHASE

The research project commenced in March 1990 and data collection commenced in April. By late June, 1990 three distinct themes were emerging from the data. The first was that the extent of torture and trauma experienced by refugee women resettling in Australia was substantially higher than previously believed, and that much of this was of a sexual nature. The international literature survey and anecdotal evidence had suggested that approximately 30% of refugees had suffered from torture and severe forms of trauma, and yet indications from the sample of 70 women interviewed suggested that 80% of them had experienced either torture or trauma. The second finding was that resettlement services and the refugee intake process were not adequately addressing the needs of refugee women but, because of the extent of torture and trauma reported, the situation was more complex than previously thought. The third significant finding was that there was evidence of problems when processing refugee applications in Australian overseas

posts, in particular with regard to refugee women and the Women at Risk program(WaR).⁷

Because the torture and trauma findings were so much higher than those identified in the research literature survey, the methodology for collecting this information was rigorously examined, the sample size was increased and a classification for codifying torture and trauma was established for the project (Pittaway, 1991). Since the release of the research findings, both the methodology and the classification have been accepted and used in the refugee domain, both nationally and internationally.

At the time that these significant patterns were beginning to emerge, an expert group meeting on refugee and displaced women and children was convened at the United Nations, Vienna, by the Division for the Advancement of Women (DAW), a secretariat of the Commission on the Status of Women (CSW), from July 2–6, 1990. Participants comprised representatives from UNHCR, donor and host governments, and NGOs. A request was conveyed through the Australian Office of UNHCR that the researcher be invited to the meeting as a representative of ANCCORW and an invitation was extended by the Director of DAW to attend and present a short paper. The trip was funded by the Australian Council for Overseas Aid (ACFOA), as part of their response to the issues of refugee women.

The aide-mémoire regarding the meeting stated that 'in its resolution 1987/24 on the long-term programme of work of the Commission on the Status of Women (CSW) to the Year 2000, the Economic and Social Council determined that "Refugee and Displaced Women and Children" would be the priority theme under the rubric of Peace for the CSW at its thirty-fifth session in 1991' (UNHCR, 1990c). The purpose of the meeting was to provide substantive input to a paper to be submitted to CSW 35, March 1991, which would be presented for ratification by member states to the United Nations General Assembly (UNGA), September 1991. It was agreed that the paper should be prepared in full collaboration with the office of the UNHCR.

It was considered by ANCCORW and ACFOA that effective input into this meeting would influence the resolutions which CSW would submit at the forty-fifth session of the UNGA. While ratified documents do not have the full status of international law, they do carry a moral obligation to act for governments who are signatories. As a current voting member

⁷ First Official Report from the researcher to the Research Management Committee, June 25, 1990 (ANCCORW Archives).

of CSW (see Chapter Six) the Australian Government had a direct interest in submitting a workable and effective document of recommendations. The meeting therefore presented an opportunity for ANCCORW to influence the direction of the Australian Government's policy with regard to refugee women.

The stated objectives of the expert group meeting were to examine and assess problems faced by refugee and displaced women and children and to examine and assess the measures taken to assist refugee and displaced women and children, in particular relief assistance, special relief programmes which have been provided to returnees, displaced women and children and the adequacy of assistance given by the governments, United Nations' systems and non Governmental organisations (UNHCR, 1990c, p. 2).

The Expert Group meeting was comprised of 60 invited practitioners from around the world, plus government observers from many member states including Australia. On arrival, the researcher was appointed as the rapporteur, with responsibility for summarising the meeting outcomes. A presentation was made to the meeting which described the ANCCORW project and the preliminary findings on resettlement services and also on the high occurrence of rape and sexual torture of refugee women (Pittaway, 1990b). These findings were accepted by the meeting, with many experts present commenting that they confirmed trends which were emerging in other resettlement countries and supported evidence of these occurrences in refugee camps. At the end of the meeting, a report and recommendations were presented to the chair for submission to CSW 35.

Those recommendations from the report relevant to the work of ANCCORW included the involvement of refugees in defining and implementing solutions to the problem, including the formation of women's associations; recognition of the physical and sexual abuse of refugee women and children and a range of strategies both to prevent this and to provide more effective support and treatment; prioritising protection for women and children who have experienced physical and sexual abuse; improved equity and access to the determination process for refugee women, including women interviewers; an increase in the number of member states to adopt a WaR program; specialist health care, counselling and mental health services, especially for victims of torture, rape and other sexual abuse, trauma and physical violence; and adult education, training and employment opportunities for refugee women (UNHCR, 1990c).

While at the meeting, contacts were made which enabled the researcher to become part of a network of the major players in the international refugee domain. The head of the UNHCR Women's Bureau was impressed with the work of ANCCORW and an effective working relationship was developed with her. Her position was funded by the Canadian Government as part of its response to the Nairobi Forward Looking Strategies. This position in UNHCR was extremely difficult. Within the male dominated, bureaucratic structure of the UN, implementing strategies and policy targeting refugee women was problematic, and the head of the Bureau was looking for allies external to UNHCR who could access other UN meetings and agencies to advocate on behalf of refugee women. She suggested that the researcher, through ANCCORW, should join the international NGO caucus working to take refugee issues to the Fourth World Conference on Women, planned for 1995. The researcher also worked closely on refugee policy at the meeting with a woman from the United States Mission to the UN and through her was invited to dinner with the US Ambassador to the UN. This apparently trivial event had significant effects in a later stage of the case study when the Australian Government perceived the relationship of the researcher with the Ambassador to be more meaningful than it actually was.

The attendance of the researcher at this meeting also had ramifications for her relationship with government officials in Australia. Her participation had been arranged by UNHCR Australia, and DILGEA did not know that she was attending. There had been no official briefing and the researcher was not aware who would be representing the Australian Government. Two women from the Australian Government were present as observers, the Regional Director, Refugee and International Migration, and the Third Secretary from the Permanent Mission of Australia to the UN, Vienna. Both were surprised to find the researcher at the meeting, especially when she was appointed rapporteur.⁸

The researcher was invited to a breakfast briefing with the Australian Ambassador, lunch with the Ambassador's wife and drinks in the Embassy Mess. The unwritten agenda of these meetings was to find out what was going to be reported from the NGO sector, and to attempt to influence the position that would be taken. The researcher was reminded how good service provision was for refugees in Australia and of the positive response of government to refugee women.

⁸ File Three, Notes from Conversations, Conversation with Vienna Embassy Staff, July 3, 1990.

There was little immediate response from the Regional Director to the paper presented by the researcher, but the Third Secretary was privately very supportive and provided a number of contacts in Canberra who she thought would be useful to ANCCORW. The Third Secretary subsequently facilitated the attendance of the researcher at further international meetings. There were a number of outcomes from the meeting in Vienna. Firstly, the discussions confirmed the validity of the work being undertaken by ANCCORW and of the preliminary research findings. Secondly, there was considerable interest in the statistics of torture and trauma, which confirmed anecdotal stories of the rape and sexual abuse of refugee women from around the world. UNHCR had published documents which alluded to the occurrence, but described the difficulties in collecting accurate data due to the sensitivity of the issues (Pittaway, 1990).

The participation of the researcher at this meeting and, in particular, her role as rapporteur, placed ANCCORW as a player in the international domain, and was the beginning of a series of invitations to workshops, conferences both nationally and internationally, and work as a consultant to refugee projects around the world. Following the Expert group meeting, the researcher accepted an invitation to visit the Centre for Refugee Studies, Oxford University, on July 18, 1990, where a lecture was given on the work of ANCCORW; and an invitation to the Norwegian Refugee Council in Oslo, July 23, 1990, to take part in a seminar on refugee women. The purpose of speaking at these meetings was to persuade actors in the refugee domain to acknowledge that refugee women experienced high degrees of torture, trauma and sexual abuse and to recognise that this experience meant that they and their families had special needs over and above other migrants. This had not been adequately acknowledged in the past, either in policy or in service provision in Australia or overseas. The anticipated outcome was an improvement in service provision brought about by a reconceptualisation of the needs of refugee women.

On her return to Australia, the researcher was contacted by DILGEA to discuss the progress of the ANCCORW project with the head of resettlement services. They had received reports from Vienna and expressed concern that the final report might criticise service provision.⁹ On October 10–12, 1990, the researcher was invited to Melbourne to make a presentation on the research to BIR and invited academics. Both the methodology and the torture and trauma statistics and stories created significant interest. The project was the first piece of purely social research which BIR had funded and it did not have an economic focus, which was the most common research method used by the

⁹ File Two, Meeting Notes. Meeting with head of settlement services, DILGEA, July 30, 1990.

Bureau. The BIR research staff were more familiar with quantitative research techniques, and felt a level of unease about the methodology. The researcher was requested to run a session for BIR staff on social research methods. The report became the most reprinted and cited report ever produced by BIR, and at a BIR Conference two years later, the Director of BIR described the work as 'ground-breaking'.

In November 5–9, 1990, the researcher attended the first BIR Conference on Immigration in Melbourne. Whilst there, she gave a presentation at a function jointly hosted by RCOA and the Immigration Clearing House, which was attended by the Minister for Immigration and senior bureaucrats from DILGEA (November 5, 1990). Once again, the torture and trauma statistics gained most attention. These findings were analysed in relation to what this meant for resettlement service provision. This occasion was the first time that most board members of RCOA became aware of the project. Up to that time, ANCCORW had been mainly ignored by the predominantly male council, who seemed to believe that 'it ran charity stalls to raise money for refugees'.¹⁰ Realisation of the overtly political nature of the research alarmed some of the RCOA Board members. RCOA was at that time in conflict over a number of issues with their major sponsor who was threatening to withdraw financial support, and RCOA was seeking funding from the Federal Government.¹¹ There was therefore a level of unease about ANCCORW acting in a way which might prejudice government support.

During the course of the BIR Conference, the researcher was offered assistance by RCOA Board members to re-interpret the data, and assistance in write-up of the research findings. They had been informed that the Minister for Immigration and some senior bureaucrats were not pleased by draft findings, and the board were concerned that this would cause problems for RCOA and ANCCORW in the future.¹² The ANCCORW committee fully supported the researcher, as an independent academic, to interpret and present her interpretation of the research findings and the assistance from RCOA was declined. Two RCOA Board members complained that the focus on refugee women was detracting attention from the wider refugee concerns. It was later suggested that if RCOA did not receive core funding, then ANCCORW would cease to exist as RCOA was providing ANCCORW with office space. As ANCCORW had received three years of staff funding from the government and were confident of finding an alternate office, this was in fact an empty threat. RCOA also suggested that ANCCORW was dependent on the

¹⁰ File Three, Notes from Conversations, Conversation with Chair of RCOA and reports from two female board members, November 7, 1990.

¹¹ Minutes, RCOA and AUSTCARE 1990/1991.

¹² File Three, Notes from Conversations, Notes on conversations with RCOA Board members, November 8, 1990.

reputation of RCOA for survival, but ANCCORW decided that they were confident that they could survive on their own if necessary.¹³

The research report was completed and the first draft sent for consideration to BIR in December 1990. The report identified 'major procedural and administrative problems of service provision, both government and non-government' (Pittaway, 1991, p. xi). The women interviewees had identified seven priority areas as essential for successful resettlement in Australia: those of English language provision; secure affordable accommodation; income support; employment services; child-care; emotional support and therapy; and orientation and information services. Refugee women reported major problems in accessing these services which were either not available or unsuitable for this target population. The report identified the previously unacknowledged levels of torture and trauma experienced by refugee women prior to arrival in Australia, and the impact of this on the resettlement experience. It illustrated how existing services were unsuitable or inadequate for many of the women who had survived high levels of torture and trauma. Recommendations were made for the provision of new and amended services to address these special needs.

The report was forwarded to DILGEA Resettlement Branch, Canberra, for comment. The reaction from DILGEA management was extremely negative. They took exception to the criticism of services and demanded BIR withhold the report. The researcher was called to Canberra for discussion with the heads of the departments criticised in the report¹⁴. Discussion between the researcher and the bureaucrats centred on the validity of some of the reported evidence, both qualitative and quantitative. The bureaucrats focused on several policy areas where major problems had been experienced by refugee women. These were English language provision, on-arrival accommodation and settlement services. They argued that because the evidence reported practice which differed from stated policy, the evidence must be incorrect. Alternative interpretations were dismissed and it was suggested that an undue emphasis on the needs of refugee women deflected attention from refugee men. They also argued that the differences of experience between migrants and refugees were exaggerated.¹⁵ DILGEA objected to those parts of the report which referred to the conduct of officials at overseas posts, and several other areas not directly related to the original brief. The researcher acknowledged that, while insufficient detailed evidence existed upon which to base firm recommendations, similar

¹³ File Two, Meeting notes. ANCCORW Board Minutes December 1990, Notes from a meeting with two RCOA Board members, Adelaide February 16, 1991.

¹⁴ File Two, Meeting notes DILGEA personnel, Canberra, January 25 and February 12, 1991.

¹⁵ File Two, Meeting notes, DILGEA personnel, Canberra January 25, February 12, 1991.

problems had been reported by such a large number of interviewees that further research should be carried out into the allegations and concerns.

BIR was now supportive of ANCCORW and annoyed at what they perceived as interference by DILGEA in their sponsored research.¹⁶ However, they felt that the comments on overseas posts and the WaR program were outside the research brief, and reduced the likelihood of having the major findings accepted. It was agreed that these sections would be withdrawn and presented as an independent ANCCORW report to DILGEA at a later stage. No concessions were made on the findings relating to resettlement services. In February 1991, the final draft of the report was completed and submitted to BIR to be refereed and the researcher was offered a position with ANCCORW to follow up the research findings.

At the time the report was submitted, the most senior bureaucrat in DILGEA was male, and the two next senior were female. Both of these women had reputations as being strong feminists and committed to women's issues. Based on informal conversations, ANCCORW had expected that they would be supportive of most of the recommendations in the report, but this did not occur.¹⁷ Unofficial attempts were made to have ANCCORW reconsider its report.¹⁸ In April 1991, a meeting was held in Sydney between a senior bureaucrat and the researcher with two students on placement. The bureaucrat was a former ASIO agent. He arrived inebriated following a Prime Ministerial function and a conversation followed which varied between 'let's be pals' and scarcely veiled threats about what he might do if the report findings went forward unchanged. One of the comments was that 'we both know that the Grant in Aid (GIA) Scheme is just a sop to ethnic communities'. A threat was made that if we continued with our 'ridiculous assertion' about the extent of torture and trauma he would take action to discredit the whole research.

When the researcher refused to agree to his suggestions he became aggressive, and said, 'Listen, you just stop this nonsense. When I was an agent I just made up all those stories about refugee women being raped by pirates and fed it to the press in order to get national acceptance of the Vietnamese program'. (The rape of Vietnamese women is well documented through interviews with women held in the camps, in Australia, in Canada and other countries which accepted Vietnamese refugees for resettlement. The concern of UNHCR was that the problem was understated, rather than overstated

¹⁶ File Three, Notes from Conversations, Notes on Conversations with Head of BIR, March and April, 1991.

¹⁷ File Three, Notes from Conversations, DILGEA Staff, December 1990, and February 1991.

¹⁸ File Three, Notes from Conversations, Meeting with head of DILGEA Sydney, April 10 1991.

(UNHCR 1990c). Also, in full view of the students, he fondled the knee of the researcher during the meeting. It would appear that on return to Canberra, he must have recognised that the meeting had been a tactical error and that some of his statements may have been indiscreet. At a subsequent meeting in Sydney, one of the senior women players told the researcher that she had been instructed by the head of department to 'smooth things over' and set things right.¹⁹

6.4 OBSERVATION PHASE

The aim of this first stage of action research can be best described by using the notion of the 'sacred' policy as it is spoken, and the 'profane' policy as it is practised (Degeling, 1980), and raised the important point that this notion is equally applicable to policy actors in both the formal and the external policy arenas. The sacred aim of the ANCCORW research was to identify the resettlement needs of refugee women on arrival in Australia, and to evaluate existing services in terms of their effectiveness in fulfilling these needs. The profane aim was predicated on the knowledge that existing services were not fulfilling these needs and that the research must clearly highlight the problems and gaps, and provide a strong lobby document for the Grant in Aid worker. This aim was achieved, but the research also uncovered considerably more information than had been anticipated. The findings of torture and trauma and the implications of this for resettlement service provision were totally unexpected. While it was known that the WaR program was not fulfilling its annual quota, the information gathered during the course of the research about the functioning of the scheme at overseas posts was also unexpected. The ANCCORW Board felt that this validated the use of a qualitative methodology. The work at the international level had not been planned nor anticipated. It helped to give a very new and very small NGO a high profile at the national level in a short space of time.

Two critical or focusing events were identified from this stage of the action research project. The first was the lack of documentation and acknowledgement about the extent of rape and sexual torture of refugee women and the lack of recognition of this in the provision of settlement services. In previous work, the major differences between migrant and refugee women had focused on the trauma of forced relocation, and on loss of country and of family. The research also illustrated that rape and sexual torture were

¹⁹ File Three, Notes from Conversations, Notes on conversation with DILGEA officials, RCOA Symposium, YWCA, April 18 1991

not recognised in the implementation of the WaR program, and that this program was significantly failing to fulfil its annual quota.

The second critical event was the very adverse actions and reactions of the Australian Government to the research and the role of the researcher. This suggested that although they had funded the research project, they had not expected nor were prepared to accept adverse findings. They believed that the current settlement services were effective and adequate to the need and they regarded settlement policy and service provision as gender neutral, equally applicable to both male and female refugees. These critical events became the focus of the analysis in the reflective stage one of the action research and of stages two and three of the action research project.

6.5 REFLECTIVE PHASE

Critical event one, the reaction of the Australian government to the ANCCORW research findings and critical event two, the lack of recognition of the degree of torture and trauma experienced by refugee women.

6.5.1 The Rational Framework

As discussed above, the researcher admits to bias because, based on previous academic work, it was considered that an analysis using the Rational framework would be of little value in providing explanations for the complex political activities described in the case study. However, in order to provide an understanding of the way in which the formal policy actors both acted and reacted to the events described it proved to be a useful exercise. It accords with the sacred view of the policy process (Degeling, 1980), that is, policy as it is talked by policy makers, even though in fact they often act in a very different way.

If considered by policy actors whose work is informed by the Rational framework, the critical events above identified by the researcher as central would be considered peripheral to the policy process and the research problem (Lewis & Kaplan, 1950; Bolman and Deal, 1991). They would argue that the government response to problems experienced by refugee women was rational and logical. The needs of refugee women were identified and brought to the attention of the government through the United Nations process, and the government had responded in two ways: firstly by funding research into the settlement needs of refugee women and secondly, by adopting an immigration program designed to assist in fast-tracking refugee women in danger to Australia, the

WaR program. This was in accordance with the fact that the government had recently signed an international treaty in which they had committed Australia to taking positive action for refugee women. In taking these steps, government used its mandated authority as policy maker, making decisions based on the evidence presented by the UN (Pfeffer, 1982). These decisions would not be considered as political acts, despite lobbying from the refugee arena (Hill & Bramley, 1986).

The tools used by the policy actors were those of empirical research, which they funded ANCCORW to undertake, and needs analysis, which was an implicit part of the research program (Bradshaw, 1972). If the 'sacred', that is 'policy as it is talked' (Degeling, 1980), rational policy process had been followed, once the needs of refugee women and assessment of current modes of service delivery became known through the research results, actors whose practice was informed by theorists in the Rational framework would have designed and implemented new services and amended the delivery of current programs. It would have developed incrementally, building on generic refugee resettlement policy which had in turn grown incrementally from immigration policy (see Chapter Five). In fact, policy was formulated and implemented without reference to this information.

By applying comprehensive rationality based in scientific certitude and rational decision making to the problem (Lasswell & Kaplan, 1950), the explanation of the research problem would reside mainly in implementation problems, uncovered by empirical research and based on a lack of prior knowledge about the extent of torture and trauma experienced by refugee women. The need for resettlement service provision for refugees was defined by bureaucrats, informed by UN expert knowledge. Lasswell (1971) discusses the importance of decision makers seeking expert assistance to define problems. It was senior bureaucrats who determined that once refugees arrived in Australia, their needs were the same as other newly arrived migrants.

In the Rational framework, power is considered to be the province of governments, vested in them as formal mandated authority (Pfeffer, 1981), and in the events described above, the policy makers assumed that they had full control over the process underway. They did not accept the research methodology which they argued was not sufficiently empirical, despite triangulation of both qualitative and quantitative methods (Lasswell, 1971) and the fact that the research process had been supervised by one of their own senior bureaucrats, the Director of BIR. Senior bureaucrats disputed the finding that the resettlement needs of refugee women were not being met by existing service provisions.

They also had the power of resources as discussed by Hardy (1994) and attempted to use this to pressure ANCCORW through RCOA.

The policy agenda was set by the government (Bolman and Deal, 1991) who chose to respond to the problems of refugee women by using ANCCORW to conduct a needs analysis and evaluation of existing services. When research findings with which they disagreed were presented by ANCCORW, they attempted to use their formal legitimate power to withhold the publication of the ANCCORW report. If the government had succeeded it would have been an example of what Lukes (1974) describes as the first dimension of power. The report would have joined a thousand others gathering dust on the shelf. The government action would be justified on the rationalist assumption that the policy elites had the authority to control activities which impinge on the policy process.

The actions of policy makers whose work is informed by writers in this framework indicate their belief in their own authority and their ability to control the policy process (Pfeffer, 1981). External actors play a small role unless invited to participate by formal policy players. Apart from the role of researcher, funded by the government, ANCCORW had no place in the policy process. This view of external actors explains the reaction of the formal policy actors to the researcher, and her presence and activities at the United Nations meeting. Her presence was unwelcome and her conflictive behaviour had to be controlled. As described by Lasswell (1951), the community sector is regarded as the recipient of policy, with problems, needs and solutions defined by experts and implemented by professionals. It is not expected to act autonomously in the policy process.

The second critical or focusing event in this stage of the action research project was the degree and extent of torture and trauma experienced by refugee women. It was totally unpredicted and did not have a place in the rational rhetoric used by formal policy actors. This information challenged the status quo, neither equating with the accepted notion of women as innocent bystanders caught up in refugee situations nor with the internationally sacred notion of women being protected by men. However, if the work of the policy makers was grounded in the rationalist framework as their actions and language suggested, then an important part of their methodology would be to link empirically proven, scientific facts to policy formulation to provide answers to problems. Jennings (1987) noted that policy analysts must be objective and not let bias get in the way of truth. The research findings about the degree of torture and trauma experienced by refugee women were 'empirically proven, objective facts' and, as such, could be

addressed by policy if they were accepted. To disprove the findings and legitimise a lack of response to the issues, the senior bureaucrat did two things. The qualitative research methodology used was criticised as not producing the objective data required for decision making (Simon, 1966). The bureaucrat also 'disclosed' that he had manufactured evidence of torture and trauma. This is an example of what Degeling (1980) would describe as the profane view of the policy process, or 'policy as it happens'. Few, if any, of the writings in the Rationalist framework can provide an explanation of why torture and trauma had not been acknowledged in resettlement policy. The information had been available from UNHCR for at least eight years and from Australian research, although it was not specific as to the nature and extent of the occurrence.

The suppressing of the preliminary findings about the WaR program can also be explained as a rational response to data which was outside the funded research brief and therefore irrelevant to the decision-making process. As Bauer and Gergen (1968) describe, tools developed by analysts in the Rational framework seek to minimise the influence of both individual players and external influences. As the research program and the Women at Risk program were funded and administered by separate departments, they were considered as separate and discrete functions of government and no attempt was made to synchronise their activities (Jennings, 1987).

While this analysis using writing from the Rational framework does provide insight into a 'sacred' version of events, it leaves unanswered many more questions than it can answer. For example, why did government fail to acknowledge the problems in settlement services which had been identified previously and which should have been incorporated into the policy process if based on the process of incremental rationality? (Lindblom 1979). It cannot offer answers as to why the Director of BIR thought that an action research methodology was 'too political' for the project, yet covertly supported it, nor the support of the Third Secretary in Vienna. It does not fully explain the negative response to research findings which the government had itself funded, nor the attempts of the senior bureaucrat to have the research findings rewritten and the way in which he did this. It cannot explain the discrepancy between the interest shown in the torture and trauma figures from practitioners and middle level bureaucrats, and the denial by the heads of the bureaucracy. It does not explain the role of ANCCORW as an advocate for change, the role taken by the researcher at CSW, the importance for ANCCORW of joining an international network, or of the links made with senior officials in UNHCR and the USA bureaucracy. At this stage in the action research project it was decided that except as a point of reference to explain the action of some formal policy actors, the work

of theorists in the Rational framework would contribute little to providing answers to the research problem and questions posed in this thesis.

6.5.2 Analysis in the Political Framework

Work informed by theorists in the Political framework is interpretive, subjective and based on observation. Analysis of this stage of the action research project in the Political framework is dominated by the power dynamics which are apparent in all dimensions of the framework. As both formal and external policy actors come under scrutiny it enables an equal exploration of the actions and roles taken by the formal policy actors (the government officials), the researcher and the ANCCORW Board (Jennings, 1987).

Service provision for refugee women was based in the evolution of refugee policy over time, detailed in Chapter Five, which occurred in a reactive, unplanned manner (Davis, Wanna, Warhurst & Wella, 1988). Documentation over many years had shown its inadequacy in addressing the needs of refugees. The ANCCORW project management committee had not anticipated that the research project into the resettlement needs of refugee women would uncover anything new about resettlement services. Their aim was to fully document the situation, to define clearly the additional needs of refugee women and to use the research findings as a lobby tool in order to place these needs on the policy agenda (Stone, 1988). Their view was at variance with the evaluation of the government, who stated that they saw little problem with the recently amended resettlement policy, which in their estimation was fulfilling its stated goals (Rochefort & Cobb, 1993). At this stage, the government had not acknowledged that refugee women had special needs over and above those of migrant women; their policy was seen to be gender neutral and its goal was to service all refugees. The social reality of each group had been meaningfully constructed by the actors/players concerned (Linder & Peters, 1987). The unexpected findings of the research about the degree and extent of torture and trauma experienced by refugee women came as a surprise to both ANCCORW and the government alike.

Games analysis is a useful vehicle of analysis at this stage of the case study, with the government, the researcher, the ANCCORW Board and the RCOA all considered as players (Stone, 1988). Each group of players had an end point for the game and worked on strategies to achieve this. The case study can now be seen as a political contest between an NGO, ANCCORW, who were seeking to achieve change in a policy and service provision system which they believed was not fulfilling its stated aims, and a government department which had its own policy agenda (Davis et al., 1988).

Historically, NGOs have always played an active advocacy role on behalf of refugees (see Chapter Five). Policy was considered by government to be gender neutral while it was seen by ANCCORW as being unresponsive to the needs of refugee women. The policy process described must be examined in its historical and social context (Jennings, 1987). At this time, the effects of a declining economy and increasing racism were manifested and experienced as political realities by the government policy makers. It can be surmised that there was fear that acknowledgement of the problems experienced by refugee women would lead to the commitment of additional resources at a time when public sentiment was swinging against the refugee intake (see Chapter Five).

The action at this stage still fell under the assumption of social regulation, as ANCCORW wished only to improve policy and service provision within the existing social and policy structure (Burrell & Morgan, 1979). The government developed strategies to keep control of the policy process and to withhold the publication of a report which they perceived as challenging their policy agenda. They did this by attempting to influence the researcher, both directly at the CSW meeting, at the interview with the inebriated bureaucrat and indirectly through the RCOA Board. Their methods of doing this at first glance suggest the exercise of top-down power using procedures and political routines to stop the researcher participating in the research process. The concept of backward mapping (Elmore, 1980) and bottom-up implementation (Hjern & Hull, 1982) provides an alternative explanation, and indicates that they realised that ANCCORW and the researcher did have some power in the situation. Government used other tactics to curtail this power, such as coercion, and an attempt to co-opt the researcher into working with government. The use of resource power (Hardy 1985a) was also used as a strategy, as they implied that if they were displeased, they would withhold funding to RCOA. At this stage RCOA also brought its own resource power to bear on ANCCORW. However, the researcher and ANCCORW were determined that the report would be published as it stood, and resisted the attempts of RCOA and the government to influence the report. ANCCORW by this stage were becoming aware that they did have some power in the arena and were using their political acumen to use this power strategically (Pettigrew, 1973). The acceptance of the findings and the direction the researcher was taking at an international level gave her confidence to challenge the bureaucracy in Australia. She had agency to act in her own right to influence the policy process when attending the meeting at CSW. The support of the ANCCORW Board made the work possible. The sponsoring of the research and its findings by the Director of BIR and the support of the Third Secretary in Vienna also validated the role of ANCCORW as actors in the policy process. The researcher was able to resist the

pressure from the senior bureaucrat to change the findings and with ANCCORW was able to withstand pressure applied to ANCCORW through RCOA.

The actions taken by DILGEA to block the publication of the ANCCORW research report can be interpreted as a decision not to act on information. Government actors attempted to suppress the report by discrediting empirical research. They also used rhetoric informed by a rational analysis, arguing that the report was inaccurate, biased and did not give a true and objective portrayal of the situation. This can be seen as an application of Lukes' (1974) second dimension of power, as they tried to use their authority to prevent issues getting onto the policy agenda. The head of the Bureau of Immigration Research (BIR) was by now fully supportive of ANCCORW and became an important player in the game.

Agenda setting as described by theorists in the Political framework is overtly political. It relates the activities of a group of actors who deliberately set out to influence the government policy agenda (Edelman, 1971; Cobb & Elder, 1972). From the outset, ANCCORW did not merely 'perceive' that the needs of refugee women in Australia were not being met, they acted on this perception in order to achieve change by placing their concerns on the policy agenda. Once additional information about the ineffectiveness of the poor quality of services, the torture and trauma statistics and the failure of the WaR program were available to ANCCORW, the researcher and the management committee began action to have these items placed on the refugee policy agenda and the agenda item accepted by the refugee domain as described by Stone (1988).

The research findings indicated that implementation of current policy was failing to meet its stated aims, because it did not acknowledge the experiences of refugee women and the impact which these have on their service needs. It questioned the political context in which current policy took place (Davis et al., 1988). Needs definition underpinning refugee policy became a contested issue as ANCCORW and the government debated the needs of refugee women. It became central to the process as both parties sought to legitimise their solution to the perceived problem (Stone, 1988; Weiss, 1989).

Evaluation is not a discrete event at the end of a logical series of occurrences. It is part of the political process and does not occur in any logical way (Palumbo, 1987). ANCCORW began its involvement in this policy process in the belief that policy was not fulfilling its stated aims. The research project was a formalisation of that evaluation. There is no record that the government had built an evaluation process into the policy

implementation, and it was assumed that those charged with policy implementation accepted the views of the senior policy actors that the policy was working. A difference of opinion between ANCCORW and DILGEA over evaluation was therefore inevitable (Weiss, 1989). Evaluation is dependent on the fulfilment of a goal predicated on the definition of the problem (Hogwood & Gunn, 1981). As has been argued above, the findings of the ANCCORW research created a debate about the problem definition in the case study.

The political framework offered fewer answers to critical event two, the extent of torture and trauma experienced by refugee women, than it had to critical event one. It could be argued that the problem was simply one of lack of knowledge of the experience of the women. Neither ANCCORW nor the bureaucrats knew that it was occurring and therefore could not have responded to it. This is only partially true. In fact the researcher and members of the ANCCORW Board did know that many of the women with whom she had worked over the years had been raped as refugees. This knowledge had not ever been directly linked to generalised service provision. The funding of a small torture and trauma service by the Department of Health indicated that the government was at least partially aware of the problem.

To date the need for specialised services for refugee women based on their experience of torture and trauma had not been widely accepted, either by the community sector or by the government. There was a reluctance to acknowledge this in mainstream service provision, both government and community based. ANCCORW had been told both by the government and by RCOA that it was concentrating too much on the problems of refugee women at the expense of refugee men. Sexual torture and trauma of women had therefore not been placed on the policy agenda. The two small Torture and Trauma services then available in Australia (Sydney and Melbourne), each had more male than female staff and saw significantly more male than female clients. It is extremely unlikely that the detailed accounts of refugee experience would have been uncovered through the use of quantitative research methods. Allen-Meares and Lane (1990) argue that qualitative methods are as equally valid as quantitative research. In this case study they produced a rich and detailed view of the policy process which had direct implications for needs identification and policy formulation.

The 'disclosure' by the senior bureaucrat in DILGEA that he had 'made up' the stories of the rape of Vietnamese women was an attempt to discredit the findings of torture and trauma (Yanow, 1987). It is an example of Lukes' second dimension of power, whereby

manipulation is used to prevent outcomes occurring. If the bureaucrat had succeeded, the outcome in this case would have been that torture and trauma would not have been acknowledged, and therefore there would have been no need to respond to it.

Paradoxically, if the attempt of the senior bureaucrat had succeeded and been made public, it would have shown that other areas of policy making were not based on rationality, as he claimed he had used false information in order to gain public support for government policy. This is an example of the use of the sacred and the profane use of policy discourse as political tools (Degeling, 1980). The major role of the external actors, ANCCORW, at this stage of the process was to disclose and validate the extent of sexual abuse and torture.

Theorists writing in the Political framework suggest that all actors take a political role in the policy process, including those within the bureaucracy (Linder & Peters, 1987). In this first stage of the action research project there are examples of the Director of BIR, who actively contested the wishes of his colleagues within DILGEA about the publishing of the report findings. The Third Secretary in Vienna actively intervened to assist ANCCORW, contrary to the actions of her superiors. Pressure was put on both ANCCORW and RCOA by a number of bureaucrats wishing to have the findings withheld and members of the bureaucracy attempted to have the researcher change the report. All of these actions illustrate how formal policy actors are also driven by their own political agendas and work to fulfil these, even if this means at times working outside the framework of rationally accepted behaviour for policy actors (Barret & Fudge, 1981; Yanow, 1987).

The testing of theories in the political framework provided explanations for many of the political dimensions of the activities to date, and for the role that ANCCORW was taking in the policy process. However, it too still leaves many important questions unanswered, in particular why some issues which should be considered as central to the policy process were either ignored or not acknowledged.

6.5.3 Analysis in the Critical Framework

As discussed, action research had been identified as the methodology to be used for the project. Action research is grounded in critical theory and it was at this stage of the research project that a thorough examination of the literature on critical theory was undertaken. This immediately illustrated a contradiction between what ANCCORW stated it was doing and the methodology which it claimed to be following. Critical theory is about radical change, about challenging the social structure (Burrell and Morgan 1979).

At the outset, the work of ANCCORW could better be described as grounded in social regulation. Their dependence on RCOA had encouraged a more conservative approach. The research findings and the literature review challenged the ANCCORW board to reconsider the position they were taking and confirmed the decision to take a more overtly political stance, and to work to achieve the structural changes which would be necessary to address the problems identified. As Burrell and Morgan point out, social realities are socially constructed and both researchers and policy actors are active in the creation of the social structure which provides a context for the policy process.

At this early stage of the action research project and literature review, the researcher had a working knowledge of feminist theory, an understanding of the role of language as the conveyor of culture and ideology (Fraser, 1989) with the power to disenfranchise women, and awareness of the gender blindness of policy. The researcher had not begun to explore feminist policy theory, nor critical discourse analysis. Giddens' (1979) theory of structuration was found to be a useful tool to explain the actions and reactions of the major players to the research findings. These were recognised as unexpected consequences, which according to Giddens shape the actions of the actors, and in turn are restructured by these actions in a continual process. The research findings were an unexpected consequence of action on behalf of the government and ANCCORW (Giddens, 1979; Connell, 1983). These consequences in turn shaped the actions of the actors, as they helped to create a new social reality, one in which the experience and status of refugee women had to be reconceptualised. The ANCCORW research findings challenged the existing policy and service provision environments, which treated refugee women as similar to migrant women, but acknowledged as more vulnerable because of the loss which they had experienced.

The discursive knowledge of some actors involved in creating that structure enabled them to question why other actors acted as they did (Giddens, 1979). This analysis provided an explanation as to why the Director of BIR was uncomfortable with the notion of action research being openly discussed as he understood that it was likely to have far reaching effects on the policy process and that the government would not sanction or fund such a process.

The application of critical theory gave a context for the recognition of unfairness in policy provision for male survivors of torture and trauma as compared to female. Gender was recognised as a major issue in the case study. The reluctance of many major players to accept the findings of torture and trauma was identified as a recognition of the power of

ideology, in this case patriarchal views about the roles of women and men in society, to determine the ways in which actors conceptualised events and phenomena (Gramsci, 1971). It can be argued that this produced a state of 'false consciousness' about the experience and needs of refugee women.

6.6 CONCLUSION

Thus in the reflective stage of stage one of the action research project, the researcher used writings from the Rational framework to gain an understanding of the way in which the formal policy players and bureaucrats spoke about the policy process described and the ways in which this informed their actions. Writings from the Political framework were used to understand the political dimensions of the actions of all of the players in the game, including the formal actors and external actors, the ANCCORW board and the researcher. Theories from the Critical framework provided insights into the role of the researcher and ANCCORW in taking a conscious role in radical change, and in contributing towards the shaping of the social structure which provided the context for this change. It also provided an indication that the notion of false consciousness might provide an answer to the question of the non recognition of torture and trauma. This analysis helped in the planning of both the action in stage two of the project and also provided direction for the theoretical exploration needed to answer the research questions.

It provided a basis for the ANCCORW Board to plan its next stages in the action research project. Based on their understanding of the actions of the formal policy players, they decided to undertake two linked but discrete further stages of action research. The link was that of the rape and torture of refugee women. The next stage was to follow through on the findings with regard to resettlement services as they had an obligation to the refugee women with whom they were working to follow this through. In addition the ANCCORW Board decided that it would seek to identify why this form of torture had not been previously documented and acknowledged and to investigate if there was a link between this vacuum of knowledge and the failure of the WaR program. It was realised that in order to influence policy in this arena they would need to gain wide support, both from the community sector, particularly those in the refugee domain, and from the public at large. To do this they would also have to raise public awareness of the extent of rape and sexual torture and the additional needs of refugee women.

CHAPTER SEVEN

ACTION RESEARCH STAGE 2 – THE ‘NEVER ENDING JOURNEY’ CONFERENCE AND COMMUNITY AWARENESS PROGRAM

7.1 PLANNING PHASE

Stage two of the action research project ran from February 1991 until December 1992. Building on the outcomes of stage one of the action research, the ANCCORW Board decided that the next stage of its work would be to advocate and lobby for the implementation of the research findings and to lobby for change in refugee policy at both the local and the international levels.

Using the three-year funding provided by DILGEA, the ANCCORW Board employed the researcher to follow up the research findings. The focus of this next stage was a campaign of awareness raising both within the refugee arena and the broader community sector, in order to gain support for the required changes. Three strategies were identified. The first was to host an international conference, focusing on refugees and resettlement. The second was to continue to strengthen links with the international caucus on refugee women, and the third was a media and public speaking strategy. Stage three of the action research project also commenced in July 1991 and ran parallel with the community awareness program. The decision was made to pursue the two stages simultaneously due to the urgency of the Women at Risk (WaR) issues, and because funding was available.

The aims of hosting the conference were to pressure the government to release the ANCCORW report, to raise awareness within government and the community sector of the issues of refugee women, and to gain the support of the community sector and refugee groups in lobbying for change in refugee policy. The aim of strengthening the international network was twofold: firstly, to use pressure from the international

community to influence the Australian Government and secondly, to explore the lack of recognition of rape and sexual torture in conflict situations and to investigate possible links between this and the failure of the WaR program. The aim of the campaign of consciousness raising was to gain broad community support for these issues.

ANCCORW initiated the conference in collaboration with RCOA and in February 1991 obtained funding from the Bureau of Immigration Research (BIR), who also undertook to do the publicity for the launch. ANCCORW was still not constituted in its own right and so was dependent on the auspices of RCOA for applications for funding. The date of the conference was set for early June 1991. The head of the Women's Bureau, UNHCR accepted an invitation to write the preface for the ANCCORW report and to come to Australia to launch it. Because the members of RCOA had expressed concern that the work of ANCCORW was putting so great a focus on the needs of refugee women and their children that men were being left out of the picture, the conference encompassed resettlement services for male and female refugees.²⁰

7.2 ACTION PHASE

ANCCORW took the lead role in planning and conference administration. A conference committee was convened, comprising refugees, service providers and academics. The conference structure and call for papers were organised in February 1991. In March 1991, the researcher travelled to Vienna to take part in the meeting of the Commission on the Status of Women, CSW 35, at which the expert paper to which she had contributed would be presented for signature by members states before being passed on to the General Assembly. As part of the ANCCORW preparation for CSW 35²¹, a briefing was requested with the Australian delegation from Canberra. The chair of the ANCCORW Board was informed that staff from the Vienna post would represent the government and that representatives from Australia would not be attending. This was considered by a number of Australian NGOs to be a slight to the women of Australia, because at the UN, a government's commitment to an issue is often measured by the status of the delegation it sends to meetings. Australia was at that time a voting member of CSW and there were several important issues on the agenda in addition to that of refugee women. Prompted by the chair of ANCCORW, many NGOs complained to the Department of Foreign Affairs and Trade (DFAT) and the Office for the Status for Women (OSW) that this was not

²⁰ File Two, Meeting Notes, Meeting with SA RCOA Board member, Adelaide March 8, 1991, and File Three, Notes from Conversations, feedback on RCOA Board meeting February, 1991 from Executive Officer.

²¹ See Chapter 5, UN meetings are numbered sequentially, but these numbers do not parallel the year in which they are held.

adequate representation.²² Subsequently, it was announced that a male representative from DFAT, Canberra, would attend to represent Australian women. (Information from a contact within DFAT was that it was the male representative's 'turn for an overseas trip'.)²³

OSW, the government agency which represents women in Australia, is part of the Office of Prime Minister and Cabinet. The head of OSW is always a woman and, unusual for Canberra, there are many senior female bureaucrats in that Department. NGOs felt strongly that they preferred to be represented at CSW by the person who had direct responsibility for women's issues in Australia, and who was a woman. A second 'fax-in' from women's groups was organised by ANCCORW, requesting that Australian women be represented at this meeting by a female bureaucrat from Canberra.²⁴ One week before the meeting, it was decided that the head of OSW would lead the delegation.

7.2.1 CSW 35 - The Conflict Continued

The researcher was jointly funded to attend CSW 35 by the Australian Council for Overseas Aid (ACFOA) and AUSTCARE, a major Australian refugee organisation. A request was made to the Federal Government by ANCCORW that the researcher be included as a non-government representative on the government delegation. This request was refused and no briefing was given to ANCCORW. As ANCCORW at that time did not have NGO accreditation to UNHCR, a contingency plan had been prepared for the researcher to attend as an accredited member of an international NGO, the Women's International League for Peace and Freedom (WILPF). This proved unnecessary, as an invitation to attend the meeting as an observer was received direct from CSW through UNHCR.

The displeasure of DILGEA at the contents of the draft ANCCORW report, and of OSW and DFAT at the interference of the NGO lobby was felt by the researcher in Vienna. At first, the researcher was not privy to any government briefings or invited to meet with any ambassadorial staff. The Third Secretary who had been present at the expert group meeting was part of the official delegation and was helpful in an unofficial capacity, but could not secure an invitation for the researcher to the briefings. As an observer to the meeting, the researcher could not make a presentation to the Commission. However, the accredited member of the Women's International League for Peace and Freedom

²² File Four, Miscellaneous, Text of ANCCORW letter to OSW and DFAT, February 6, 1991.

²³ File Three, Notes from Conversations, Notes on conversation with DFAT staff member, February 27, 1991.

²⁴ File Four, Miscellaneous Text of ANCCORW fax to OSW and DFAT, February 20, 1991.

(WILPF) made an intervention on refugee women which she based on the work of ANCCORW and in which she commended the ANCCORW report and the work of the expert group meeting.²⁵

On the second day, the researcher met with the US Ambassador to the UN with whom she had dined at the expert group meeting. During the course of the conversation, the researcher mentioned her interest in attending the Vienna Opera. An invitation was extended to accompany the Ambassador in a box at the Vienna Opera House that evening. The majority of the official Australian delegation was in the stalls and could not fail to notice where the researcher was, and whom she was with. The effect was immediate. The next morning the researcher was rung at her hotel at 6.30 am and invited to join the morning briefings and other activities with the Australian delegation for the remainder of the meeting. This casual event changed her status from being marginalised by the government to that of one of the privileged insiders.

The official Australian statement to the meeting regarding refugee women was based on findings presented in the draft ANCCORW report, but contained some major inaccuracies. The most important of these were:

that Australia makes consultation with refugee and displaced women and children a compulsory pre-condition for funding voluntary agencies working with them.

This was only partially true and was never monitored.

In 1989, Australia responded to the High Commissioner's request for a special re-settlement program for refugee women in vulnerable situations, by establishing a Women at Risk Program.

No mention was made that at this stage Australia had not filled one-third of the annual quota in any year.

When they arrive in Australia, these women and their families receive additional settlement assistance to facilitate a successful adjustment to their new environment.

²⁵File Four, Miscellaneous, Intervention made by WILPF to CSW 35 1991, on behalf of ANCCORW.

While some refugee women were received by the Community Refugee Settlement Scheme (CRSS), many received no more than any other migrant entrant, and some not even basic resettlement services.²⁶

[R]efugee women are the major clients of the torture and trauma counselling services which have been set up in Australia to assist refugees reconstruct their lives.

This was patently untrue. At this stage there was one overstretched torture and trauma counselling service in NSW, with the majority of its clients male, and a small centre in Victoria. Other states were making urgent submissions to government for funds to establish torture and trauma treatment services, which were declined.

As mentioned in my [the speaker's] remarks on vulnerable women, migrant women and refugee women are two of the priority groups which are specifically targeted for assistance on their arrival in Australia. This assistance includes language assistance, child care measures to make their participation easier, training and dealing with domestic violence.

Again, this was a loose interpretation of the truth. As newly arrived migrants, refugee women were eligible for the limited settlement services available. As the findings of the ANCCORW report showed, these were not tailored to the special needs of refugee women, inadequate for existing demand and not accessible.

The forthcoming ANCCORW conference was announced as a conference on Refugee Women (Australian Statement to CSW 35, 1991)²⁷.

Although the government had received full briefings on the conference, including the fact that it was considering the resettlement needed for all refugees and was co-hosted by RCOA, they focused only on ANCCORW and refugee women.

At the end of the session, the researcher acquired a copy of the Australian speech. This was distributed widely in Australia to NGOs, and was used effectively as a lobby document by ANCCORW and other groups to gain funding for the services which Australia had committed to providing in the United Nations. It was particularly effective in

²⁶ File Four, Miscellaneous, Report from Anglicare Staff Member to DILGEA February 13 1991, (not a public document).

²⁷ File Four, Miscellaneous, Australian Statement to CSW 35, 1991 (This document was not included in the meeting outcomes)

assisting those groups seeking funding to establish and expand torture and trauma treatment centres in Victoria, South Australia, the Australian Capital Territory, Western Australia and New South Wales.

During CSW 35, planning commenced for the Fourth World Conference on Women. At that stage there were two contenders to host the Conference, Beijing and Amsterdam. Beijing was favoured because it was thought it might assist Chinese women to hold a conference focusing on women's human rights in their country, and that it might encourage the Chinese government to examine its own human rights practice. The head of the Women's Bureau, UNHCR, identified this conference as an ideal platform to encourage work focusing on refugee women, and requested that ANCCORW join the international caucus on refugee women in their work for the Beijing Conference.

The major outcomes of this trip were the further strengthening of international contacts and support for ANCCORW's work. International women's groups such as WILPF, the Girl Guides and the Young Women's Christian Association (YWCA) developed an interest in the issues of refugee women and contacted their Australian chapters, who in turn contacted ANCCORW and offered support. The request from the head of the UNHCR Women's Bureau to take a role in the Beijing women's conference, and the continuing support from UNHCR strengthened the position of ANCCORW with UNHCR Australia.

7.2.2 The 'Never Ending Journey' Conference

The major and public reason for hosting the international conference was to have a very public and high-profile launch of the ANCCORW Research Report. In February 1991, prior to attending the meeting in Vienna, the researcher submitted the final draft of the report to BIR. During her absence in Europe, despite two positive academic referee reports which suggested very minor changes, DILGEA continued to request BIR to withhold the report.²⁸ This must be seen in the context of a conflict situation which existed between the two agencies. While linked to DILGEA, BIR had an independent head, an ex-academic of high repute, who fiercely guarded the mandate of BIR for rigorous, unbiased research. Senior bureaucrats within DILGEA thought that they should

²⁸ File Three, Notes from Conversations, Conversations with the head of BIR, March/April, 1991.

have final control over the research agenda.²⁹ Members of RCOA were again approached to pressure the researcher to alter or withhold some findings.³⁰

In several long telephone calls from BIR to Vienna, the researcher was requested to withdraw or reinterpret various parts of the report and to change the title from 'Refugee Women – Still at Risk in Australia' to something less contentious. ANCCORW refused, having decided that they would prefer the report be withdrawn from publication rather than make the requested changes. By then wide support for the work, both nationally and internationally, gave them confidence that this would not happen. The ANCCORW convener began organising a media campaign as a contingency measure. Following the meeting of CSW, the Australian post in Vienna contacted the head of the UNHCR Women's Bureau on behalf of DILGEA and indicated that she should not come to Australia and launch the report, as the government did not approve of the findings.³¹ After seeking approval from UNHCR, the Director thanked them for their advice and informed them that she would still fulfil her commitment to ANCCORW. DILGEA reluctantly gave their approval for the publication of the report. In a gesture of goodwill, and as a complete surprise to the author, the Director of BIR broke the tradition of black and white covers for BIR reports and authorised a purple, green and white cover, the colours of the women's movement.

The international conference, 'The Never Ending Journey', at which the ANCCORW report was launched, took place in Sydney, June 1991. Attended by over 300 people, including fifty-two international participants, the conference focused on resettlement issues, and the problems with the WaR program. It was opened by the Minister for Immigration, Local Government and Ethnic Affairs and attended by a contingent of twelve senior bureaucrats from DILGEA. Over forty refugees were funded to attend the conference and others were self-funded.³²

In various workshops and discussions, senior government delegates took the opportunity to express their disagreement with the findings of the report, using rhetoric grounded in writings in the Rational framework.³³ They questioned the validity of the research findings and discounted the anecdotal evidence presented by refugees and communities. Their position was contested by the non-government sector who supported the report and

²⁹ File Three, Notes from Conversations, Conversations with senior bureaucrats, DILGEA February/March/April, 1991

³⁰ File Three, Notes from Conversations, Conversation with RCOA Director, March 19, 1991.

³¹ File Three, Notes from Conversations, Telephone conversation with Head of the Women's Bureau UNHCR, March 27, 1991.

³² Never Ending Journey Conference Planning Notes and Registrations, ANCCORW Archives.

³³ Never Ending Journey Conference Workshop notes – ANCCORW June, 1991.

its recommendations and brought many personal experiences as both service recipients and service providers to illustrate their arguments. A Conference Outcomes Document was produced³⁴ which expanded on the recommendations of the ANCCORW report. The obvious tension between the government and the NGO sectors was identified and fully exploited by the media.

The launch of the report at the conference and the focus on torture and trauma attracted significant media attention and generated great interest in refugee women within the welfare sector and the broader community. This interest was sustained for several years.

7.2.3 Raising Community Awareness

In the twelve months following the conference the researcher was invited and funded by BIR to speak to the report in all capital cities of Australia. There were many radio and TV appearances, newspaper and magazine articles. She wrote a chapter for a book on refugee resettlement, and gave papers on refugee women at a range of conferences, both in Australia and overseas (for a list of activities undertaken see Appendix 3). This lobbying activity centred on two issues, resettlement services, and the WaR program, which are closely interlinked.

Throughout the process, at both a national and an international level, the researcher exploited her public speaking and writing abilities to gain support for refugee women, by graphically describing some of their experiences and by involving audiences in understanding the injustice inherent in current refugee policy. The issues discussed and debated at this stage of the process were the torture and trauma and the sexual abuse of refugee women. These were constantly brought to the fore in any consideration of refugee issues.

Most people were surprised that the issues of refugee women were so poorly addressed in policy, and expressed a sense of moral outrage at what was happening, which was an impetus for them to support the push to bring about change. Public support was demonstrated in terms of donations to ANCCORW and increased membership. People were encouraged to write letters to local members of parliament and government ministers to express their concern. Comments from the Minister's office suggested that this was an effective strategy.³⁵ Work being done by groups in other parts of the world

³⁴ 'The Never Ending Journey' Conference Report, RCOA, July, 1991.

³⁵ File Three, Notes from Conversations, ILGEA Ministerial advisor, November 15, 1991.

supported and reinforced this position. ANCCORW was now clearly identified as an actor in the international caucus working on the issues of refugee women. They contributed regularly to the monthly news sheet of the Refugee Women's Working Group based in Geneva and a regular exchange of information was established between network members.

Good relations established at the conference with the NGO community were strengthened and a good working relationship was established. As ANCCORW began to work more collaboratively with the community sector, they were invited on to a number of NGO management committees and the researcher was appointed to the Grant in Aid Board in March 1992. Following the conference, in August a group of the refugee women who had been involved in the ANCCORW research formed a sub-committee to provide support for refugee women. This was based in the western suburbs of Sydney.

Despite the antagonism between some government actors and some NGOs at the conference, government also responded to research findings and the community interest in the issue. The researcher and other ANCCORW committee members became frequent visitors to Canberra, meeting ministers, heads of departments and directors of various special units. Invitations were also received to meet with representatives from state government departments involved in refugee resettlement, such as AMES, School Education, TAFE, Housing and Health. The researcher was invited on to departmental and inter-departmental committees and asked to provide information sessions to staff in a number of key government departments (see Appendix 7).

The purpose of ANCCORW at these meetings was to change the perceptions about refugee women as just another group of migrant women, to inform policy makers of their special needs, to have refugee women named as priority groups in government policies, and to have services adapted to be more accessible or to create new services when appropriate. The key to getting people to listen, both bureaucrats and NGOs, was to emphasise the experience of torture and trauma which most refugee women experience before coming to Australia. The researcher was aware of the danger of creating and furthering the stereotype of refugee women as damaged and in need of care. The strength and resilience of the women and their determination that their families succeed in Australia were expressly acknowledged, and the notion that they are survivors, not victims, was always stressed. These messages were given repeatedly and graphically illustrated with case studies and statistics.

While, on the one hand, the researcher had antagonised some sections of the Australian Government, in particular some DILGEA staff, support was building from other staff in the agency³⁶. Other NGOs joined ANCCORW in making refugee women a focus of their service provision and lobbying for improved service provision from the government. Refugee women became a priority issue within the refugee domain in Australia and the wider domain of migrant services. A further dynamic affected the policy process at this time. It was not publicly acknowledged at this time that the top level of DILGEA was experiencing internal conflict between major players over a number of issues relating to refugee policy, which was impacting on the formal policy process. This conflict also became an inter-departmental problem, with tensions between the Department of Foreign Affairs and Trade and DILGEA. Information of this was leaked to the NGO sector from various sources within the departments, but was not able to be used publicly.

7.3 OBSERVATION PHASE

By the end of 1992, the ANCCORW committee considered that the three aims of this stage of the action research had been fulfilled. The report had been launched and the follow-up work commenced; the refugee community in Sydney was supportive of ANCCORW in its advocacy role with regard to resettlement services; there was broad community support for refugee women and government was beginning to respond to community pressure. ANCCORW had consolidated its position on the international stage, and made plans for addressing the problems associated with the WaR program and the issue of non-recognition of torture and trauma of refugee women. The key points for analysis which emerged from the action phase of this stage of the action research are the impact which the role taken by ANCCORW in the international refugee domain, the conference and the public awareness campaign had on the relationship between ANCCORW and the government actors, and the continuing shift in the balance of power between the two. The internal conflict between government actors over a range of issues around refugee policy was also of interest. The relationship between ANCCORW, which was a very new player in the refugee game, and other major NGO players was strengthened and consolidated. There was also growing support at both national and international levels for the work of ANCCORW. For the first time the researcher consciously made the connection between work at the international level and domestic social policy. The substantial and fast public exposure, which ANCCORW achieved and was able to maintain because of the issue for which they were lobbying, provided the

File Three, Notes from Conversations. Records of phone calls with head of settlement services, second in charge of the WaR program and head of CRSS between September 1991 and December 1991. Note. One bureaucrat joined an ANCCORW support group as an individual and provided useful tips for lobbying.

context for the acceptance into and support of the refugee domain, and in turn, this support enabled further exposure of the issue.

7.4 REFLECTIVE PHASE- CRITICAL EVENT THREE, RECOGNITION BY GOVERNMENT THAT ANCCORW HAD ACTIVE NETWORKS AND INFLUENCE IN THE NATIONAL AND INTERNATIONAL REFUGEE DOMAINS

7.4.1 Analysis of the Political framework

Analysis of critical event three is informed mainly by the Political framework and focuses on the motivation and agency of the various actors. It examines the politics, power and dynamics of the policy process (Jennings, 1987) and illustrates the role of vested interest and value systems in public policy (Stone, 1988). This stage of the case study clearly shows the contested nature of government and policy as ANCCORW, joined by other policy players, challenged the normative power of the bureaucrats to control the policy agenda, and, despite attempts by government to control and disempower them, were able to continue challenging this 'taken-for-granted' control. Dissent about refugee policy also became apparent between government actors.

The analysis of the power accrued by ANCCORW in this stage of the project and an understanding of how they were able to exercise this power were again two of the most useful outcomes of this reflective phase. From the point of view of theorists in the Rational framework, ANCCORW had neither formal power nor resources. It barely covered the costs of the one worker and the office space was a 'grace and favour' cupboard under the stairs at the Refugee Council of Australia (RCOA), who received it rent free from AUSTCARE. However, by applying analysis from the Political framework, it can be seen that ANCCORW had a number of different forms of power, including expertise, and knowledge (Mechanic, 1962; Pfeffer, 1981).

In 1991, following the meeting of the Commission for the Status of Women (CSW), senior bureaucrats in both DILGEA and DFAT realised that ANCCORW, although small, had influence in both national and international refugee domains. The incident at the opera with the USA Ambassador had been a lucky coincidence. Nothing of note was discussed that evening but it was a very symbolic event. It made ANCCORW appear more powerful than it actually was at this early stage and government actors reacted to the perceived access and influence which ANCCORW held with the representative of the United States. The attitude of actors from the government changed markedly towards the researcher from that time. It appeared that the government formed the perception that the

researcher was on good terms with the representative of the major power block in the refugee domain, the US Government, with whom the Australian government needed to maintain good working relationships. This reaction can perhaps be explained by Linder and Peters' (1987) suggestion that social reality is meaningfully constructed from the point of view of the actors.

The relationship of the researcher with senior officials in UNHCR reinforced this position, which was further strengthened when the head of the Women's Bureau, UNHCR, refused the government request not to endorse and launch the ANCCORW Report at the 'Never Ending Journey' Conference.

The recognition of the status gained by ANCCORW was a key dynamic in the power play between the organisation and the government.

Another power realised at CSW was the power of 'being there', the knowledge which external actors can gain and use from attending fora such as these. It was identified as one of the links between international law, UN Declarations and domestic social policy. It was opportune that ANCCORW was present when the Australian Government representative made a statement in the UN about the services provided to refugee women on arrival in Australia. This was clearly policy rhetoric, of the type often used in international fora. At that time very few torture and trauma rehabilitation services were available. If the researcher had not been present at CSW it is unlikely that the refugee networks in Australia would have gained access to the paper given by the Australian Government which was used to such good effect to increase torture and trauma services in Australia. Pfeffer (1981) discusses the strategies and tactics used politically by actors to maximise their power in organisational settings. ANCCORW consciously acted in a political manner in this instance. The government could argue that its intent was in fact to increase services, but its formal response to the community sector before CSW was that it was a matter for the Department for Health not for DILGEA, and the Department for Health stated that they could not afford to allocate more resources for these services.³⁷ Hogwood and Gunn (1981) identify policy advocacy as the role of policy analysts which sits comfortably in the Political framework.

Government actors also became aware that ANCCORW was developing the ability to mobilise sections of the refugee community in support of their work. They knew that it

³⁷ Miscellaneous File. Correspondence from DILGEA, the Federal Department of Health and Community Services, and the Department of Health, South Australia, September 1990 – March, 1991.

was ANCCORW which had organised the two 'fax-ins' which had altered the composition of the Australian delegation to CSW. ANCCORW had also attracted high level support and significant numbers of major policy actors and service providers to a conference discussing refugee policy. In a circular fashion, this positive response to the conference from external actors had guaranteed increased participation from government actors who needed to be informed of the activities and discussion taking place in the broader refugee domain. This meant that often for the first time they were exposed to hearing first hand experiences from refugees. There was also evidence of increasing public support for changes in policy at the domestic level for refugee women.

Another tactic used by ANCCORW was that of compromise on one issue in order to gain power over another issue (Pfeffer, 1981). ANCCORW had compromised its position early in the process, by agreeing to withhold sections from the report about problems reported in overseas posts. Government gave permission for the report to be printed, because by then it realised that ANCCORW had enough national and international support, plus a strong moral stance, and that it would not hesitate to use the media if pushed. At a time when government was walking a narrow line between appeasing a public expressing concern about too many migrants, and a growing ethnic vote which they were courting (see Chapter Five), they could not afford to take the risk of adverse media publicity. This again highlighted the importance of placing the policy process in a social and political context (Davis et al., 1988) and also highlighted the impact that international influence can have on domestic policy.

In discussing the power dynamics in organisations, Pfeffer (1981) notes the role of political language and symbols. Another important source of power which ANCCORW developed was that of the use of language and symbol in the broader refugee domain. They developed the power of being seen to be speaking legitimately on issues even where there was no formal power. This was based on the issue of refugee women and their experience of torture and trauma, and was based on an assumption of common moral values. This legitimacy was recognised by the welfare sector, church groups, human rights groups, educational institutions and the wider public. Torture and trauma is an emotive issue, and easily attracts media coverage. It is very unlikely that ANCCORW would have been as successful if the issue over which it was fighting was not so sensational. Once the findings of the research were released, following the 'Never Ending Journey' Conference, they received substantial media coverage and this attention lasted for nearly two years. It was exploited thoroughly by the researcher and ANCCORW as they worked to have the special resettlement needs of refugee women

recognised and addressed. It gained public support for improved resettlement services, increased implementation and an expansion of the WaR program. A substantial and calculated amount of energy went into developing this 'moral discourse', which ANCCORW used to have their view of need and policy provision accepted. In seeking to identify how this information came to be recognised, a useful feature of the policy process as it is conceptualised in the Political framework is that unpredictable issues become 'flavour of the month' (Davis, 1972).

With this tool, ANCCORW created a window of opportunity. They were able to use the pliable nature of public issues to change the problem definition in relation to refugee women, and to take control of this particular agenda (Kingdon, 1986; Sabatier, 1988). Government was unlikely ever to have placed these issues on the policy agenda, but by the time ANCCORW had placed them in that position there was too much public support for government to ignore them. ANCCORW challenged the power of government to decide not to act on an issue (Lukes, 1994). In this case study, the absolute horror and blatant discrimination as presented by ANCCORW were sufficient to achieve this. ANCCORW were trading in moral righteousness. It would have taken a brave government to act overtly against this public sentiment. ANCCORW used its few resources to exploit fully this window of opportunity. Its success illustrates the importance of events which are apparently external to the formal policy process in influencing that process (Barrett & Fudge, 1981).

The recognition of the role being played by ANCCORW led to the many invitations and consultations with senior bureaucrats. Cobb and Elder 1972, reminds us that government has final legitimate power to act on policy issues, even if this is influenced by the activities of external players. It can be argued that the consultations and invitations from government to ANCCORW were a strategy of Government to maintain authority and control over the policy agenda. Kingdon (1984) and Weiss (1989) suggest that need definition is central to the policy process. The politicisation of the issue aimed at broad support for the redefinition of the needs of refugee women. These needs were placed firmly on the policy agenda by the launch of the research report by the head of the UNHCR Women's Bureau, and by the outcomes of the 'Never Ending Journey' Conference.

Changes in policy and service provision began to be made soon after the release of the report. As Barrett and Hill (1984) suggest, these were not carefully planned amendments, but rather knee-jerk reactions, which 'just happened' and grew from action

without any measurable goals (Linder & Peters, 1987). These events can be explained as a bottom-up process (Hjern & Hull, 1982) which recognised the power of actors in all parts of the bureaucracy. The acknowledgement of torture and trauma was not seen as a discrete event, which influenced one particular branch of service provision. There was no logical progression from problem identification to policy implementation. Barrett and Fudge (1981) identified that the policy process does not follow any logical sequence, it happens in response to often unexpected stimuli, as in this case. It was a case of implementation as 'action and response'.

It was argued by Davis et al. (1988) that to understand the policy process, one has to understand the role of actors in the action and the context in which it takes place. The role of the formal policy actors at this stage of the project was extremely interesting and clearly demonstrates the way in which personal agendas and the vested interest of both formal and external actors are an important part of the policy process. The contest within DILGEA between the director and the head of BIR was ultimately beneficial to ANCCORW because of the strong support from the latter. The role of the two senior female bureaucrats was interesting as it was discovered that their professional commitment, given verbally at the beginning of the process, was compromised by personal reasons as the case study proceeded. This was seen to be an example of the complex interaction of values, unacknowledged assumptions and stories as described by Yanow (1987). It reinforced the notion that all actors are political players with personal agendas and have to be regarded as such.

7.5 ANALYSIS OF CRITICAL EVENT THREE IN THE CRITICAL FRAMEWORK

Note: At this stage the researcher had still not explored either feminist theory or critical discourse analysis.

The researcher, with the ANCCORW Board, had by now identified that if they were going to achieve their aims in regard to policy for refugee women, structural change was necessary in refugee policy service provision and policy, and their strategies were designed to achieve such a change (Burrell & Morgan, 1979). It was recognised that all actors including the researcher were part of the construction of the social reality which provided the context for refugee policy and that the conflict between the various actors was part of the dialectic which could achieve change. They were therefore not concerned that for the first part of this stage of the action research they were in a state of contestation with many government actors, including those with decision-making power. The unacknowledged conditions of actions as described by Giddens (1979), and the

tactically known agendas which are part of the process of structuration can be seen in the actions of both parties. ANCCORW wished to challenge the oppression of refugee women by existing service provision and to create new forms of service provision which would empower the women. Government actors wished to maintain control of the policy agenda and the resources allocated to it, while also maintaining credibility in the eyes of the voting public.

While writings in the Political framework had provided an analysis of the complex power dynamics evident in the actions described, theorists in the Critical framework provided insights into the invisible control of ideologically based power (Bertelson, 1986).

Readings on the hegemony of ideology (Gramsci, 1971) provided explanations of the power of patriarchy, which was perceived to be a major component of the problem. This was evidenced by both the government and RCOA expressing concern that the work of ANCCORW was discriminating against refugee men, despite the fact that the majority of the refugee population were women and their dependent children and that UNHCR had also expressed concern that there was anecdotal evidence that the majority of refugee aid was still targeted towards the small number of refugee males (UNHCR, 1990c). This view was expressed by both men and women, demonstrating the pervasiveness of ideology and its power to influence even those it oppresses (Willmot, 1981).

Raising the consciousness of all actors, both formal and external, about the experiences of refugee women, was the major strategy used by ANCCORW to address this problem. It was believed that, as Habermas (1972) contends, once people become aware of the springs of their own consciousness they will relinquish false consciousness and adopt a more enlightened world view. All players are entrapped by the hegemony of ideology, including the elite policy actors, the decision makers. It was therefore important for ANCCORW to attempt to influence their perception of refugee women in order to influence policy change. Lukes (1974) argues that there is a complex interaction between structural determinism and power, and that powerful actors always have the power to act differently.

ANCCORW perceived that the position taken by government was that of domination, and that their ability to exercise this control was ideologically based and invisible. Without the knowledge to question implicit assumptions about refugee women, consensus around the government position had prevailed. ANCCORW was attempting to legitimise its demands about policy for refugee women and to de-legitimise the position of

government, by challenging meanings through the continual raising of awareness about the experience and needs of refugee women.

As Fraser (1989) points out, when taking a critical approach to policy analysis, the question of who defines the need addressed by policy and the way that they interpret that need becomes most important. Up to this point in the process, government had been in control of this interpretation, using an 'expert definition' of needs. In contrast, ANCCORW was using oppositional needs, and redefining the needs of refugee women in a way that challenged the social structure. It is an example of external actors using alternative problems and need definitions and fighting to secure consent, that is, to have such needs placed on the policy agenda (Bertelson, 1986). With their actions grounded in critical theory, ANCCORW was pushing for morally driven agendas.

7.6 CONCLUSION

Following the conference and the immediate work that was generated from the event, the ANCCORW Board evaluated the outcomes of the work to date. They felt that the conference had been a success and gained substantial support and recognition both for refugee women and for ANCCORW. There was still resistance from some sectors of the community in accepting that refugee women might have needs over and above refugee men or above other migrant women. The international links were definitely strengthened and the organisation was committed to involvement in the Beijing Conference process in 1994 and 1995. Broad community support for refugee women was growing and groups other than ANCCORW were now lobbying government for change in service provision. The recognition by some actors in the policy domain of the degree of torture and trauma experienced by refugee women was a significant step towards change, but recognition without action is of no value. Policy elites and policy makers also had to recognise and respond to the phenomenon; the danger was that the recognition would stay at the level of rhetoric.

During the course of stage two of the project, the role of ideology in the process became clear, in particular the role of patriarchy, but the reason why the torture and trauma of women was not recognised or acknowledged was had not been explained and the links between this lack of acknowledgement and the WaR program were still speculative. The lack of understanding and of progress in this area provided the impetus for stage three of the action research.

From this process of observation, reflection and analysis, ANCCORW more clearly identified the basis of the power that it currently held. It recognised the importance of broad support for its work, from the refugee arena both in Australia and internationally, but at this stage of the project it became apparent that government actors recognised that ANCCORW had gained legitimacy and influence and were not afraid to use this. Until this stage, ANCCORW had not particularly considered the idea of close cooperation with the refugee arena in Australia. They now realised that this was an important strategy to be pursued in their work. These understandings informed the planning of stage four of the action research project. There was significant overlap between stages three and four.

CHAPTER EIGHT

ACTION RESEARCH STAGE 3 – EXPLORING THE SIGNIFICANCE OF THE NONRECOGNITION OF TORTURE AND TRAUMA AND THE CONSEQUENCE OF THIS ON THE FAILURE OF THE WOMEN AT RISK PROGRAM

8.1 PLANNING PHASE

This stage of the action research began when the researcher had the opportunity to visit refugee camps in Hong Kong on her way back from the 35th meeting of the Commission on the Status of Women (CSW 35) in March 1991. The purpose of these visits was to investigate the implementation of the Women at Risk program (WaR) by officials of the United Nations High Commissioner for Refugees (UNHCR) and Australian officials based at the Australian post in Hong Kong who had responsibility for its administration. The information gathered during these visits provided the background and preparation for work that began in July 1991 and went through until late 1993. While, initially, the ANCCORW Committee had focused primarily on resettlement needs, they were extremely concerned at the lack of acknowledgement of the torture and trauma which had emerged in the research and the apparent failure of the Women at Risk program. It appeared that the issues might be linked. Some of the presentations made at the international conference, 'The Never Ending Journey', had also focused on problems experienced in all phases of the WaR program (Refugee Council of Australia 1991). Following the conference, ANCCORW decided that the major thrust of its work in the international sphere for the following year would be working towards the successful implementation of the WaR program.

At the time that the research report was submitted, two major problems had become apparent. The first was that the very low annual quota for the WaR program had not

been filled for 1989/90 or 1990/9³⁸. Women are identified for the WaR program through what is called the 'determination' process. This varies from country to country and is dependent upon available personnel. Generally, designated UNHCR officers and Australian determining officers working from Australian posts (local offices of Embassies or Consulates) interview asylum seekers in a country of first asylum, for example, a Vietnamese woman in Hong Kong applying for refugee status and possible resettlement from a refugee camp to Australia. They 'determine' the eligibility of the applicants to be accepted either as a refugee, or as part of the resettlement program. The WaR guidelines authorise the nomination of women perceived to be at risk of extreme physical violence and without the protection of a male to the WaR category at any stage during this process, and allow fast tracking of their removal to Australia. According to the guidelines, workers in camps and refugee situations have the authority to refer women to determining officers for consideration for the WaR program. Given the estimated twelve million refugee women and their dependent children in the world at that time and the general acceptance of the ANCCORW torture and trauma statistics, it was difficult to understand why the 60 cases could not be filled.

The second problem was that WaR is a visa category that is used to facilitate migration, but on arrival in Australia the risk was no longer officially recognised. Although women at risk have experienced situations of extreme danger and are likely to be the most vulnerable of new arrivals, this reality was not reflected in policy or service delivery on arrival in Australia. Whenever possible, WaR arrivals were assigned to Community Refugee Support Service (CRSS) groups on arrival, but this did not always happen. Community workers across Sydney reported trying to deal with cases who had entered Australia on this visa category and who were experiencing extreme difficulties in the settlement process³⁹. CRSS groups (community-based volunteer groups, see Chapter Five) reported that the training they received to take on this role did not equip them to deal with the magnitude of the emotional problems experienced by the women based on their pre-arrival experience. The small amount of money available for their resettlement was also inadequate to the needs of people who came literally with nothing.⁴⁰

³⁸ Throughout the period covered by the case study, and subsequently, the researcher experienced difficulty in obtaining consistent data from DILGEA/DIMA. In 1993, DILGEA quoted that 17 WaR visas had been issued in 1989/90, 22 in 1990/91 and 17 in 1991/92. Figures released in 1997 quote no figure for 1989/90, 2 for 1990/91 and 32 for 1991/2. Despite several attempts through different channels, more precise figures can not be obtained.

³⁹ File Two, Meeting Notes, Notes from Grant in Aid community workers training session, March 13, 1991.

⁴⁰ File Three, Miscellaneous. Letters to ANCCORW from CRSS groups in Brisbane, April, 1991 and Canberra, June, 1991.

The Grant in Aid funding given to ANCCORW was specifically to review and advocate for resettlement services for refugee women. However, the funding only covered four days salary per week for the researcher and by the end of the research project and the conference, she had accrued over three months of 'time in lieu'. It was decided that this time would be used to investigate the lack of recognition of the torture and trauma of refugee women, and the functioning of the WaR program, as well as for overseas travel. This could not officially be part of the GIA position, as the government argued that international events were not considered to be part of the duties of national-level positions, even though the pre-arrival experience of refugees is directly linked to on-arrival experience. This work was undertaken as part of the researcher's program of study for her PhD. The aim of ANCCORW in pursuing this action was to do all that it could to increase the effectiveness and intake of the WaR visa category and to ensure that the annual quotas were filled. The aim of the work in Australia was to have better on-arrival service provision for woman entering on WaR visas.

An unfortunate incident had occurred in February 1991 that confused the debate about the needs of WaR. A small group of women arrived from Hong Kong as part of the WaR program and were housed in units owned by the Australian Council of Churches (ACC), who had taken responsibility through the CRSS for the resettlement of some of the women entering on this program. A delegation of interested people from the ACC, the office of the United Nations High Commissioner for Refugees (UNHCR) and the Department of Immigration, Local Government and Ethnic Affairs (DILGEA) went out to interview them to learn about their experiences as women at risk. Two women present were members of the ANCCORW Board. Following the visit, the delegation reported that they did not believe that the women filled the criteria for WaR, and that they had been selected from the refugees in Hong Kong waiting for resettlement just so that the post appeared to be fulfilling its obligations to the program.⁴¹ Response to the criticism from the ACC had the effect of completely discouraging staff at the Australian post in Hong Kong from referring women to the WaR program. It was impossible to find out whether a directive to this effect was issued from Canberra or not. It also made some aid agencies suspicious of working with these women.

8.2 ACTION PHASE

As previously mentioned, in March 1991, the researcher visited Hong Kong as the guest of International Social Services, a non-government organisation working in Hong Kong

⁴¹ ANCCORW Minutes March, 1991.

refugee camps. In a four-day visit, she visited five refugee camps and detention centres and consulted with a number of NGO and middle-level UNHCR officials.⁴² The purpose of the visit was to learn the reasons why women in the camps were not being identified as women at risk and nominated for the program. Research identified that none of the grass-roots workers who were in a position to identify women at risk knew about the program. Grass-roots workers identified many women whom they considered eligible for the program and were given information to assist with referring these women to determination officers. However, despite the guidelines, provision was not in place for this to happen. Those officials working at senior levels, such as Australian post officials and UNHCR middle-level management, were either not aware of the program, or were not passing information down the line. Despite instructions from Canberra, it appeared that these senior staff were indifferent to the program.

On her return to Australia the researcher independently interviewed the women from Hong Kong previously visited by the group of Australian women, and came to different conclusions from those of the delegation. The women all reported incidences of rape and either actual or threatened forced prostitution.⁴³ Her assessment of the situation was that the Australian women who conducted the first interview, while well intentioned, had little understanding of cross-cultural issues and communication, and that the women interviewees had not felt free to disclose anything to them except gratitude for being allowed to come to Australia.

In June 1991, the researcher also interviewed women who had arrived as part of the WaR program in Sydney, Brisbane and Canberra to clarify further and document the experience of these women.⁴⁴ These interviews were conducted at the instigation of CRSS groups who were trying to assist the women but were overwhelmed by the magnitude of their problems, the lack of available support and the impact that the process had upon them. A history emerged of poor service provision, mismanagement and lack of support both overseas and on arrival in Australia.

In order to explore these issues further, the researcher devised a research project to examine implementation problems with the WaR program and organised a student placement unit of final year Honours Social Work students from Sydney University to undertake the work. This commenced in July 1991. The aim of the research was to identify the problems experienced by women in relation to the WaR program both

⁴² File One, Records of Interviews with Key Informants. See Interviews in Refugee Camps March, 1991.

⁴³ File One, Records of Interviews with Key Informants. ACC Housing Projects April, 1991.

⁴⁴ File One, Records of Interviews with Key Informants. WaR/CRSS Interviews June, 1991.

overseas and on arrival in Australia and to make recommendations for improvement. Two mature aged students, with demonstrated skills in research, and a sensitivity to the special needs of survivors of torture and trauma, were selected for the project. Their tasks were to investigate the failure of staff in overseas posts and UNHCR to access the program for women in danger, and the problems in the delivery of on-arrival services to women who entered Australia on the program.

One of the students travelled to Thailand and Hong Kong at her own expense to research the problems in refugee camps. The report, from which the following extracts are obtained, was compiled under the supervision of the researcher:

Problems were identified in the transmission of information about the program from Embassies and Consulates to field staff working with refugees. The program appeared to be given low priority by those not in direct contact with refugee women. Field workers were consistently surprised to learn of the WaR program and indicated that many of the women with whom they worked would probably be eligible. Lack of gender sensitivity was a major problem, both with UNHCR staff and officials from Australian posts. The mainly male interviewers with little understanding of the experience of refugee women were not likely to be approached by women experiencing or fearful of sexual violence. Women frequently did not disclose information which would have established their eligibility for the scheme to male determining officers.

Most importantly, despite the fact that the language of the Women at Risk program is clear, major problems existed in the interpretation of the eligibility criteria for the scheme. For example, one settlement officer in Hong Kong reported that 'he did not believe that there were any women at risk in a refugee camp in Hong Kong, because he understood that this meant that they were without male protection, and as women were free to marry under Hong Kong law, they should not be without male protection unless they want to be'. Problems such as these resulted in applicants not being recognised as potential applicants or submitted to overseas posts for approval as Women at Risk (Hayes & Winton, 1991pp13 - 18).⁴⁵

United Nations High Commissioner for Refugees (UNHCR) officials reported that in some places it was quicker and easier to get a woman in a situation of danger removed to other resettlement countries through the normal channels than to wait for Australia to use the

⁴⁵ This report was accepted and listed by UNHCR in their publications list.

supposed 'fast tracking'⁴⁶. Little concern had been shown by the government at the apparent inability of posts to fill the annual quota.

The results of this research were added to the findings from the original ANCCORW project and interviews undertaken with WaR visas holders and CRSS groups, and a report was submitted to DILGEA. The major findings of this report focused on a range of implementation problems at overseas posts and refugee camps, including lack of communication and training of on-site officials, and blockages in information flow from middle management to front-line workers. A range of recommendations were made to address these problems, including recommendations that non-government sector workers be given the power to refer women to the WaR program and that more women be recruited and trained as determining officers at Australian posts. Some note was taken of the recommendations and in 1992, ANCCORW was involved with DILGEA in designing new information brochures for staff at overseas posts and in providing gender training to officials going to work in overseas posts. Training for existing staff was provided on an ad hoc basis.

The lack of recognition of the additional needs likely to be experienced by women who had been selected for this program was addressed in a range of recommendations for improved on-arrival service delivery for this group. It was also recommended that despite the low take-up rate, the quota for women entering Australia on the WaR program should be increased as part of Australia's humanitarian response, as the need for the program was evident (Hayes & Winton, 1991;).

8.2.1 Advocacy and Lobbying Activities for the WaR Program

The report on the WaR program was used extensively as a lobbying document by ANCCORW and its member agencies. It was also used to support the ANCCORW / RCOA submission to the Minister for Immigration regarding the WaR component of the 1992/3 migrant intake (RCOA, 1992). Towards the end of this action research stage, the understanding of the impact of gender blindness in human rights instruments was incorporated into the discourse about refugee women and used in concert with the report.

At a consultative meeting held in Sydney in 1992 about refugee intake, the Minister pledged to double the number of cases in the quota for the WaR program and

⁴⁶ File Three Notes from Conversations, Telephone conversation with Head of Women's Bureau UNHCR, August 12, 1991.

commented to the researcher, 'I have such a strong personal commitment to this program that people will be bloody well crucified in Canberra if it doesn't work!!'.⁴⁷ In fact the quota was lifted to 200 places per year, with the promise that if more women were identified through UNHCR or Australian posts, there would be no restriction on their entry.

Despite this commitment the implementation did not go according to plan. The senior bureaucrat who had initial responsibility for the program gained promotion and was no longer responsible for the implementation of the program. In November 1992, a new woman assumed control of the WaR program and genuine cooperation developed between the department and the various lobby groups. Meetings were arranged to implement some of the recommendations of the report. A system of communication was set in place between the department and NGOs to monitor progress. Unfortunately, this monitoring activity did not take place, because early in 1993 the woman took study leave and was replaced in the position by an officer with little commitment to the WaR program. A further incident occurred at this point in time, which seriously slowed work by the government on the WaR program. Conflict over refugee determination, which had been apparent for some time, occurred between the Department of Foreign Affairs and Trade (DFAT) and DILGEA, came to a head, and ended in a closed court case. The result was that the head of DILGEA and a senior female colleague were dismissed from the public service. There are no public documents available on this matter.

Following the court case, a new departmental head and staff were appointed and they were much more amenable about working with the non-government sector to address the problem of WaR. However, in a government reshuffle, the Minister for Immigration resigned to take up advocacy work on behalf of refugees. The new Minister expressed public opposition to RCOA because of the stance it had adopted on the detention of asylum seekers in Australia, an issue not related to this case study.⁴⁸ Senior bureaucrats from Canberra informed ANCCORW that the Minister had stated that he would not fund RCOA and that he would like to see them closed. ANCCORW, as a sub-committee of RCOA, was advised to distance itself from RCOA.⁴⁹ The irony for RCOA was that, while it received criticism from the community sector for being too conservative, it was criticised by government for being too radical. At this stage, RCOA urgently needed government funding, as its major sponsor had withdrawn its support after two years in dispute. Eventually, following intensive lobbying from the churches and the international aid

⁴⁷ File Two, Meeting Notes. Quote from the Minister for Immigration, April 22, 1992.

⁴⁸ Refer RCOA Press Files, 1992,3,4 and confidential correspondence between RCOA and DILGEA.

⁴⁹ File Three, Notes from Conversations, Conversations with officer from DILGEA Canberra, May 3, 1993.

agencies, RCOA did receive minimal funding from the government, but this was project funding not core funding, with very strict conditions and monitoring procedures.⁵⁰ The role RCOA took on receipt of this funding further reinforced the view of the community sector that it was an arm of government.

Other old tensions came to a head and the new Minister also took issue with the head of BIMPR (formally BIR) who had been supportive of ANCCORW. The basis for this conflict was the continued independence and autonomy that BIMPR demanded as a research body. It is reported that the Minister stated at a departmental meeting that the role of those he either directed or funded was to follow and not to question instruction.⁵¹ Subsequently, the head of BIMPR was removed from his position, and the Bureau was downsized in 1994.

Despite the Minister's resistance to much of the direction being suggested by the community sector at this time, he was not opposed to the WaR program and publicly stated that he wanted the program to succeed.⁵² The number of visas awarded for the WaR category was carefully monitored by ANCCORW over the following months. By early 1993 it became obvious that despite the steps taken by government to address the implementation problems, to train overseas posts, and the preparation and dissemination of more comprehensive information, women were still not being selected for the program. The numbers of WaR entering Australia slowly began to increase, but only 64 of the new quota of 200 positions were filled in 1992/3.

8.2.2 'Only Rape': The Key to the Problem

Faced with disappointing results, the researcher revisited the research data to see if she could identify the root of the problem. She had begun to explore feminist literature and critical discourse analysis as potential sources of understanding of the still unexplained phenomena. The research identified the implementation problems inherent in the program but did not explain the underlying causes. With so much apparent good intent, why was the program not working? The root of the problem appeared to be *why* the torture and trauma experienced by so many refugee women was not recognised and acknowledged as grounds for protection under the WaR program. The re-evaluation of the data strongly suggested that the issue of interpretation was the crux of the matter. Until this was cleared up, other changes would be purely cosmetic.

⁵⁰ Refer RCOA Funding Agreements.

⁵¹ File Three, Notes from Conversations. Report from DILGEA official, Canberra, September 11, 1993.

⁵² File Two, Meeting Notes, DILGEA Intake Meeting, Sydney, February 18, 1994.

A potential key to the problem became clear after it was noted that a total of seven of twenty-two senior male officials in Australia, Thailand and Hong Kong interviewed for the project had all used the same phrase in relation to the difficulties of identifying refugee women at risk⁵³. The phrase was 'only rape', implying that rape or the likelihood of being raped was not sufficient grounds for considering a woman for the WaR program. This was in response to a question asking if they considered rape and sexual abuse as grounds for referring women to the WaR program.

Their argument was that if *all* the woman was complaining of was rape and sexual abuse, then she could not possibly be considered as a woman at risk. An official at Whitehead camp, Hong Kong, commented, 'if only rape was the criteria, I could send you most of the women in this camp, it happens all the time, especially to the young single women and we can't do much about it'. A UNHCR official in Hong Kong stated that rape was not grounds for refugee status, so therefore it could not be grounds for the WaR category, and that to qualify for this program a woman had to be experiencing extreme forms of violence and not only rape. An official in Site One Refugee Camp, Thailand said that it was so common it could not be considered as grounds for consideration, and anyway, it was how women got some extra food (from the guards who raped them), and was therefore hardly likely to be classified as 'extreme danger'. The worst comment from Site Two Camp, Thailand, was that often what happened was not really rape anyway, because some women 'exploited' their sexuality within the camp system in order to get favours from the guards. A camp manager at Site One stated that as it had often happened to women before they reached the camps anyway it was no longer an issue, and the final comment, from Manila, was 'that it happens so often to these women that they get used to it, sort of expect it, and they don't see it as violence like being beaten up or tortured'⁵⁴(Interview data, WaR Research Project 1991, ANCCORW).

The interviewees were asked if anyone talked to the women about the rape and sexual abuse. Most acknowledged that this did not happen because the women were too ashamed or shy to discuss issues such as these with male officers. It was apparent from the research that there was no treatment or support in camps for women who had been raped or sexually abused prior to arrival and little protection within the camps. Interviews with women and service providers in Hong Kong indicated that often camp security staff

⁵³ File One, Records of Interviews with Key Informants, Interviews in Hong Kong Camps, March 1991 and Research Data, WaR Project ANCCORW September, 1991, Interviews in Honk Kong, Philippine and Thai refugee camps.

⁵⁴ File One, Record of Interviews with Key Informants, Interviews in Hong Kong Camps, March 1991 and Research Data, WaR Project ANCCORW September, 1991, Interviews in Honk Kong, Philippine and Thai refugee camps.

perpetrated abuses within the camps.⁵⁵ These comments provided the first real clue as to why women were not being selected for the WaR program, and why the torture and trauma of so many of the refugee women who had resettled in Australia had gone unrecorded and unacknowledged.

It is worth noting that the interviews conducted with the refugee women in Australia and the women in camps indicated that the rape of refugee women was not just an opportunistic phenomenon when men found themselves in a position of power over vulnerable women. Much of the rape and sexual torture was planned and systematic. In camps it was institutionalised and a way of keeping control. These acts were undertaken with relative impunity. In situations of conflict, women were raped to shame communities, in an attempt to extract information from them and to destroy the social fabric. They were forcibly impregnated to destroy ethnic purity. They were often systematically tortured in a way that suggested the training of soldiers, for example, the cutting of nipples with wire cutters after rape, which has been reported across Indo-China and Indonesia. From Latin America came stories of genital mutilation with electric prods, with broken glass, and the use of trained dogs.⁵⁶

Apparently, despite much rhetoric about protecting refugee women, there was an unwillingness or inability by many men in positions of influence to accept rape and sexual torture in a conflict situation as a major problem. This has been well documented internationally (Hayes & Winton, 1991; Castel, 1992; Bhabha, 1993; Mahud, 1996). While the rape and sexual torture of women had been noted as a component of the problem at the time of the original ANCCORW research, it had not been recognised at the time that it might be the key. It was only on reflection and in an effort to re-interpret the data that the significance of the phrase 'only rape' became clear. An incident at a meeting in Sydney reinforced the importance of exploring further the meaning of this phenomenon. When informed of a case involving the pack rape of a refugee woman, a prominent cleric sitting on the board of a major overseas aid agency remarked, 'I hope she enjoyed it!'⁵⁷. Horrifying as this statement is, and perhaps expressed more blatantly than usual, this man expressed a very commonly held view of rape and sexual abuse.

⁵⁵ File One, Records of Interviews with Key Informants, Interviews with refugee women in Whitehead Refugee Camp, March, 1991, and with ISS Director, Hong Kong, March, 1991.

⁵⁶ At the time of conducting this research, apart from a few Amnesty International reports, very little written material was available on the sexual torture of women. The researcher had to wait until much later, following the Beijing Conference and the Rwanda War Crimes Tribunal before significant research and literature became available to support the evidence which she had collected. In fact the researcher was several times told that she was "overreacting".

⁵⁷ File Two, Meeting Notes, Planning Meeting, Refugee Week Committee April, 1991.

This attitude, while not overtly expressed, was reflected in the comments of determining officers and their superiors in discussions about the WaR program.⁵⁸

As refugee policy is strongly linked to international human rights instruments, it was hoped that a solution might be found by recourse to these instruments. The researcher, as part of the action phase of this stage, undertook a major literature survey in order to identify a solution to the problem of interpretation. It was found that the relevant human rights instruments did not adequately address the issues of torture and trauma of refugee women. Not only did these instruments not provide a solution, but they were also part of the problem. The issue was not only invisible in Australian policy, it was also silent in the rest of the world. Rape in conflict situations, which includes rape, systematic rape and premeditated sexual torture, was not considered as a crime against humanity, a war crime or grounds for refugee status.

The literature survey identified the gender blindness inherent in human rights instruments, blindness which is based upon the notion of 'public' and 'private' spheres in human rights. The 'public' addresses the political sphere, the sphere most often occupied by men, especially in the developing countries which are the biggest generators of refugee populations. The 'private' reflects the domestic sphere, including the sexual, the domain of most women, and as such is not addressed by human rights instruments. Because of anomalies in the human rights instruments, the rape and sexual abuse of women is seldom recognised as torture. The preamble of the Torture Convention acknowledges rape as torture, but the operating paragraphs in the directions to the UN Special Rapporteur on Torture refers to torture *and* rape. These semantics, these very minor changes in language provide the basis for the dismissal of rape as torture. Judges have declined to accept it as the grounds for refugee status because '[it] is the common experience of women everywhere' (Castel, 1992, p.39). Many cases of judges and officials discounting the rape of refugee women and refusing the protection of refugee status on these grounds have been identified in Haiti, Kashmir, Tibet, Peru, countries in the Horn of Africa and the former Yugoslavia. These cases are well documented; it is a universal problem (The Human Rights Watch Global Report on Women's Human Rights, 1995). It is best summed up by Williams (1993, cited in Bhabha, 1993, p.245).

Perhaps the most extreme example of the gender blindness of the Geneva Convention is the situation of refugee women who have been victims of organized rape by soldiers or government officials. They have faced difficulties because the authorities tend to view

⁵⁸ File One, Key Informant Interview, Interviews in Hong Kong Camps, March, 1991, and Research Data, WaR Project ANCCORW September, 1991, Interviews in Hong Kong, Philippine and Thai refugee camps.

rape as an apolitical, 'personalized' act of random violence against individuals rather than a component of a political strategy against persecuted groups. People tend to misunderstand the substantive function of rape; they see it as a sexual act, even think it's acceptable, a kind of morale booster or booty in war. They fail to see it is an act that's about power and about terror.

A classic case, cited by international human rights lawyers in their fight to bring about change in the legal recognition of the experience of refugee women illustrates the issue. A man was tied to a chair and forced at gunpoint to watch his common law wife being raped by soldiers. In determining the case for refugee status, he was deemed to have been tortured. His partner was not.⁵⁹

The understanding gained from the re-evaluation of the research findings and the literature survey provided a turning point for the researcher and ANCCORW committee members. It became apparent that, if the needs of refugee women were to be recognised and addressed, then change had to be made at an international level. The rape and sexual abuse of refugee women, in a situation of conflict, in flight or in refugee camps, had to be recognised as a war crime and as grounds for persecution, that is, as grounds for refugee status, and this had to be reflected in international law and conventions. Without this, domestic law and social policy designed to address the needs of these women and grounded in international law, would constantly fail to fulfil its goals. This not only explained the failure of the WaR program. It also explained why the experience of refugee women had not been acknowledged and reflected in domestic policy. The researcher and the ANCCORW convener joined with international human rights groups to fight for this recognition. During the course of this research, the researcher discovered that in addition to the International Caucus On Refugee Women based in Geneva, a Human Rights Caucus organised in New York was also working on this issue.

8.2.3 War in the Former Yugoslavia

Throughout 1993, international events also intervened to influence the direction of activities. In the 1980s and early 1990s, the majority of refugee women came from developing countries such as Indo-China, Africa, Iran, Iraq, the Horn of Africa, and Central and Southern America. They were the 'other' people of lesser international status than the major decision makers and power brokers in the world, subjects of pity

⁵⁹ From a presentation given by Donna Sullivan, International Human Rights Watch, AWHRC HR Training Course, Jakarta, 1994.

and charity, rather than people with equal rights. In 1990, war broke out in the former Yugoslavia. Because this area is part of Europe and accessible to western media, the international community from 1991 onwards learned more about that war than about any other in the world. The sexual abuse of the women, rape camps and the 'ethnic cleansing' through killing of males and impregnation of females in the three countries involved was nightly television news, inciting international outrage.

It is suggested that this outrage was intensified because the women were Caucasian, the villages and towns were obviously those of a developed country. The average person in the western world could identify with the women and their experience in a way that had not happened before. Similar treatment of refugee women from developing countries was well documented and reported in the past, but never received this level of response before. As an example of this reaction, AUSTCARE and UNHCR Australia started a major campaign to send 'comfort packages' to women in the former Yugoslavia. These contained sanitary napkins and other articles concerned with women's personal hygiene. QANTAS freighted the goods free of charge and it was reported as the most successful campaign that AUSTCARE had ever run. An African refugee, living in Australia and working with the researcher, wryly commented, 'there have been African women experiencing what those women are experiencing for many years. Do they think that we don't bleed?'.⁶⁰

Acceptance of the magnitude of the abuse taking place and the numbers of women being raped and sexually abused was difficult; the world then had to digest the fact that it was not just a handful of men perpetrating these atrocities. In the same way that it was difficult to accept that it was Caucasian women being raped, it was equally painful to realise that it was Caucasian men doing it (see Mladjenovic, 1993). This realisation challenged many men who in some way identified with the collective blame and women who had to accept the fact that many men, placed in situations of power, will treat women in this way. It was a strong statement about gender relations and was a difficult concept for many to contemplate. A partial solution to the dilemma was found by some Human Rights groups and the media, and taken up internationally.⁶¹ A new concept was introduced into the discourse. Rape in a conflict situation was identified as a 'weapon of war'.

The researcher disagreed strongly with this new language and argued that the acceptance of this language actually had the potential to undermine the campaign to

⁶⁰ File Three, Notes from Conversations, Juliana Nkrumah, October 17, 1993.

⁶¹ RCOA and ANCCORW Press Files.

have rape accepted as a war crime. The acceptance of the phrase “weapon of war” was an abdication from the collective responsibility for it happening (Pittaway, 1993). Rape is NOT a weapon - it is an action. Guns and missiles are weapons. They are used to inflict harm on other people. Shooting a gun is an action. A gun is an inanimate object, one which the perpetrator can disassociate from by putting it down. Often shooting is done from a long distance. If done at close quarters, it is usually in the name of self-defence or self-preservation. It is done to someone we believe is ‘the enemy’. In order to use a gun, service personnel are trained to obey orders unquestioningly and to accept definitions of morality very different from those normally accepted in peace time.

Rape is an intentional act, an act of violence, at least 98 percent of the time perpetrated by a man against a woman. To commit the act of rape, a man has to be both psychologically and physiologically prepared to do it. The major weapon is his own body. He cannot disassociate himself from the act. It cannot be done long distance. It is not done in self-defence. To claim that rape is a weapon of war is to give the action a dignity and a sanction which it must not have. Rape is a violent crime against an individual and a direct assault on the sexual identity of the woman concerned. To accept it as a ‘weapon of war’ is in many ways to sanction the action, to accept it as an inevitable part of the horror of the war experience.

The wide acceptance of the phrase ‘weapon of war’, which allowed people to distance themselves from the action and focus on the figurative weapon, was used by many groups lobbying to have rape classified as a war crime. In conceptualising women as victims of a weapon such as a landmine, it was then not necessary to examine the psycho-social implications, and therefore easier to accept. A weapon cannot be a crime. The result was the further objectification of refugee women as victims of circumstances beyond their control, and in need of protection rather than empowerment. The new language was both a powerful force for gaining wide public support for refugee women, but also posed a threat. The researcher and the international network of which she was part worked hard to play down the implications of the term “rape as a weapon” in both the media and in public documents. They constantly reinforced the concept of rape as a crime, and whenever possible challenged the notion of rape as a weapon of war⁶².

The experiences of the women from the former Yugoslavia brought about a major shift in the acknowledgement of the experiences of women in conflict situations. It brought the rape and sexual abuse of women in conflict situations to the public consciousness.

⁶² The term subsequently adopted in UN Documents is “rape as a strategy of war”

Because the women were Caucasian, the western world could identify with them. Because they had experienced similar forms of torture, other refugee women identified with them. This gave an impetus to the work of the International Refugee Caucus in their fight to have these issues addressed and many new players came into the field.⁶³ However, this consciousness was not sufficient at that stage to move beyond compassion to reparation. The majority of women raped and sexually abused in the conflict in the former Yugoslavia were never accorded refugee status. The majority of those who have entered Australia and other countries as the result of these atrocities came on Special Humanitarian Visas. The lack of recognition of their experience as a crime, that is, as sufficient to warrant full international protection, denied the gravity of the experience they had suffered.

The researcher was invited to York University, Canada, in May 1993, to be one of two Key Note speakers at an international conference on refugee women. In the paper which she presented, 'Protection, the Solution or Part of the Problem' (Pittaway, 1993), she used the dual themes of the fallacy of rape as a weapon of war and the use of the concept of protection of refugee women rather than empowerment and participation as examples of the hegemony of the discourse surrounding refugee women.

The paper was well received but caution was sounded by academics at the Centre for Refugee Studies, York University about challenging the notion of protection when the whole of the Convention on the Protection of Refugees and its amendments and protocols are predicated on this notion. They warned that while the international refugee domain might accept the work around gender, they would not accept any change to the notion of the protection of refugees, because it would be seen to challenge the principles underlying the refugee convention.⁶⁴

8.3 OBSERVATION PHASE

The realisation of the significance of the term 'only rape' was one of the major events in the case study and analysis. It reverberated in the mind and thoughts of the researcher

⁶³ Subsequent to the events described in the case study, much attention was paid to the debate about how the issue of rape in conflict situations should be addressed in international law, and to the issue of rape as a War Crime versus rape as a Crime against Humanity. (see Steiner & Alston, 1996; Goodwin-Gill, 1996; Spikerboer, 1994; Goldberg, 1995; Allen, 1996). This debate was further developed during the ad hoc War Crimes Tribunals for both Rwanda and Bosnia. It came to fruition in the establishment of the Statutes for the International Criminal Court, at the Court of Rome, October, 1998. At the time of the case study, this debate had only just started to occur and the documents mentioned had not been written. While acknowledging the importance of these writings for the final resolution of the phenomena under investigation, they are outside of the timeframe of the case study and were not available to inform the thinking of the researcher. A detailed analysis of this later legal argument is considered to be outside the scope of this thesis. What is presented here is the role played by the policy community in contributing to those events.

⁶⁴ File Four, Miscellaneous, Correspondence between the researcher and York University.

for nearly a year before the study of critical discourse and feminist analysis brought consciousness of what it really meant. It is impossible to write this section of the case study report in an academic manner, devoid of emotion. As Reinhaaz (1992) comments, doing participatory action research inevitably changes the researcher, sometimes painfully, sometimes in exciting and sustaining ways. She also comments that this can lead to criticism of emotionality on the part of the researcher. However, in the context of the case study, it was emotion evoked which provided the impetus for the next stage of the action research.

At first the situation was seen as an affront both to the researcher personally and to all women, most particularly the refugee women directly involved. This was followed by anger that any man dare dismiss this experience of rape so lightly and at the implications for all women in this dismissal. In particular it generated anger about the implications for women seeking to escape from and gain reparation for this crime against their person. It crystallised and gave shape to the anger which had built over a year of interviews with refugee women, which uncovered horror greater than many people could bear to hear about. During the course of the research, interpreters broke down as they struggled to convey the stories of the women. The researcher spoke fluent Spanish and, because of this, she felt the full impact of the stories of the women from South America. The official government editor of the ANCCORW report was unable to edit the major case study it contained, because she could not cope with the material, and a second editor had to be employed. It is difficult to describe the impact that hearing continual stories of torture and trauma has on a researcher or worker. It provided the fuel for the crusade undertaken by ANCCORW to address these issues.

Only after the anger on hearing the term 'only rape' had abated a little could the researcher process what it might mean. The realisation led to the examination of human rights conventions and to the decision to continue to work in the international arena. In examining the motivation of the researcher, at some level the work can be seen as therapeutic. Having uncovered so much pain and experienced what has now been identified in the analysis and categorisation of post traumatic stress disorder (PTSD) as secondary traumatisation, the researcher was impelled to act. Not to do so would be to ignore the pain and distress uncovered by the research and to exploit the suffering of those who had shared their stories. They had spoken in good faith, believing that revealing their experience would benefit refugee women in the future. The analysis uncovered an unconscious, structural and ideological reason for the dismissal of the rape

and sexual assault of refugee women. No amount of 'implementation strategies' would address this unless the root of the problem was challenged.

The fact that the phrase 'only rape' was used in the context of justifying why the sexual assault of women was not taken into account in refugee determination, the WaR program or even the classification of torture, provided a major clue to the conundrum. Rape in a conflict situation was not considered to be grounds for persecution in refugee law. Nor has it ever been considered as such. It was the inevitable, if inexcusable, consequence of the (male fought) war. This interpretation or perception of the root cause of the failure of the WaR program had two major ramifications. It made clear the link between the failure to recognise the torture and trauma of refugee women and the consequent failure to identify women for the WaR program. It also showed that the international link was not just a case of providing a larger forum for lobbying the Australian Government. The problem was based in international law which flowed down through domestic law to social policy. The task overseas was not just to lobby for the implementation of social policy, it was also to work to effect change in international law.

8.4 REFLECTIVE STAGE, CRITICAL EVENT FOUR - THE SIGNIFICANCE OF THE TERM 'ONLY RAPE'

There are three parts in the analysis of the activities undertaken in this stage of the action research. The first is the failure of the WaR program, the second is the search for the reason for the lack of acknowledgement of the rape and sexual torture of refugee women, and the third is the impact of the war in the former Yugoslavia.

8.4.1 Analysis of Critical Event Four in the Rational Framework

It was decided to use analysis based on writings in the Rational framework in this section, because although there is an apparent application, it clearly demonstrates why this body of literature is inadequate to explain the phenomena described. At a superficial examination the problems with the WaR program were those of implementation: ANCCORW had identified at least one implementation problem, that of poor dissemination of information to overseas posts, which enabled clearly related steps to right the problem. This was a top-down approach to policy implementation. The 'policy' itself was not questioned and the responsibility for correction was seen to be with the policy makers or elites (Linders & Peters, 1987). There was a taken-for-granted assumption that the goal of the policy as developed by government was to allocate

places for women at risk and to fulfil the quota. If something was preventing this happening, then it needed to be fixed. When it was identified that quotas were not being filled, the reason was perceived as a problem of implementation, the third of five accepted stages in the policy process classified by Jones (1977).

These stages accorded well with the bureaucratic framework in which this policy was grounded (Nakamura, 1987). They did not admit to any other part of the process, such as need definition or policy formulation, being wrong. Only the simple answer of the provision of more information materials and training was adopted from the ANCCORW report. There was a reliance on administrative procedures and technical solutions in which feasibility is seen as the dominant reason for policy success or failure. The initial response to the WaR report, to adjust written policy documents, provide new information materials, and to increase staff training, has the hallmarks of the programmatic approach to the policy process, making decisions according to the most economically effective way of fulfilling policy objectives (Heclo, 1971). This is the sacred view of the policy process.

Rational policy was easy to apply to the implementation problems apparent in the WaR program but was not able to explain why the changes instigated did not produce the desired results. It could not address either the effects of the war in the former Yugoslavia, nor the lack of recognition of the experience of so many refugee women.

8.4.2 Analysis of Critical Event Four in the Political Framework

An analysis of implementation in the Political framework provides a much deeper level of understanding. As Palumbo (1987) points out, policy is part of political process, which does not occur in any logical way. Policy often 'just happens' in response to a situation and action sometimes precedes policy. This was clearly the case with the WaR program which was introduced first and foremost as a visa category, and then had policy developed around it. The implementation of the policy was influenced by two government departments, DFAT and DILGEA, which had different, often conflicting, organisational cultures and philosophies towards refugees. Jennings (1987) discusses how the values and power structures inherent in organisations impact on the implementation of policy, and in this case these conflicting values caused conflict between the two departments which had a very negative impact on the implementation of the policy.

As Barrett and Fudge (1981, p.4) state, 'where policy making stops and implementation begins depends on where you are standing and which way you are looking'. The government had made the policy but no action was taken until NGOs identified a problem

and began a concerted program of action for change. At this stage there was no evaluation strategy for the program. Policy was subsequently amended and implementation strategies put in place, clearly demonstrating implementation as action and response (Barrett & Fudge, 1981). The bottom-up framework of implementation (Elmore, 1980) acknowledges the power of other players and a pluralism of perspectives.

The developing policy was significantly informed by 'outsider' actors in the policy network who were not subject to the direct authority of the policy makers, and worked to ensure that it was not purely symbolic (Barrett & Fudge, 1981). There is no evidence to suggest that the WaR program was purely symbolic policy making but also little evidence of any urgency to have overseas posts implement the policy. A profane view of this is that the goal of the policy activity was a political gesture by government to maintain its good reputation in the UN and to respond favourably to the push from the United States of America for a strong humanitarian response to the crisis in the region. The setting of quotas does not necessarily imply an intention to ensure that they are filled.

Insights into why the WaR policy was not implemented at overseas posts, despite an apparently strong commitment to the program by many senior actors in Canberra, is provided by Yanow (1987). She describes how implementation is often a matter of interpretation and that problems arise when policy makers and various implementers do not share the same policy culture. Even after some apparent commitment to the policy within Australia, at least from the Minister, the policy culture of those with the job of implementation, embedded in a rigid and conservative ideological framework, was dominant. This was the case with Australian posts and actors from UNHCR. The head of the Women's Bureau, UNHCR, consistently reported major problems in achieving change in the ideological framework which informs the work of UNHCR, despite that body taking the lead in the identification and dissemination of information about the problems of refugee women.

The actors in the overseas posts can be categorised as Lipsky's (1980) Street Level Bureaucrats, sufficiently removed from the originators of the policy to be able to bring their own cultural values to bear on organisational behaviour. The research in the case study identified that although the overseas middle level managers had access to the policy documents and information, in many cases they chose to ignore it, no doubt believing that they were far enough away from 'the capital' (Canberra) that it would not be noticed.

The issue of problem definition was also crucial in regard to the WaR policy and this was tied closely to the issue of implementation. The social reality of women was constructed differently by formal and external policy actors (Linder & Peter, 1987) and this influenced the interpretation of need and the ways in which policy was formulated and services provided (Yanow, 1987). Once this social reality was re-interpreted for officials through training, they were able to implement the policy a little more effectively. However, despite evidence from both UNHCR and research conducted by ANCCORW, there was an apparent inability by many people in decision-making positions to consider rape as sufficient grounds for refugee protection. This was observable both in the implementation of the policy overseas, and the failure of resettlement policy to address the needs of WaR in Australia.

The horrendous and very public treatment of women in the conflict in the former Yugoslavia had an enormous impact on the ability of the refugee domain to bring the situation of refugee women to public attention (Amnesty International, 1993; UNHCR, 1993). While totally unanticipated by ANCCORW or by the Women's Bureau of UNHCR, it was undoubtedly of immense value in reinforcing the message which they had already begun to propagate about refugee women in general and in gaining support for the strategies proposed to address the problems. Once again, it was an example of an unpredictable issue becoming 'flavour of the month' (Davis, 1972). For this to occur, wide public support is essential and the public tend to become involved in social issues as they emerge and make the news headlines.

The 'public' who were involved in the initial demands were surprised and outraged to find that rape in a conflict situation was not classified as a war crime, and that the majority of the women from the former Yugoslavia were not accorded refugee status. They expressed this outrage by writing to the Minister and other members of parliament, and expressing their concern that the issue be addressed. This not only highlights the need for activists to be ready to seize the moment when it is presented, but also to be prepared to stay involved and work through the process once access is gained through such a window of opportunity. Activists who look for quick solutions are those who do not understand public policy as a continual process. The policy process has to be understood in the context of interactions with the society in which it takes place (Barrett & Fudge, 1981), and the slow interactions with the member states of the UN are part of that process. The fact that the Australian Government responded to pressure at this time illustrates the intrinsic link between politics and the policy agenda (Cobb & Elder, 1972). Unfortunately, public involvement was not maintained once the media were not covering

the issues. It generated sufficient support to take the fight to the UN to have rape in a conflict situation recognised as a war crime, but not long enough to see the lengthy process through.

Analysis in the Political framework is able to provide some explanations for the failure of the WaR program, and the fact that rape and sexual torture had not been acknowledged in the process. It also provides some insights into the influence of the war in the former Yugoslavia in challenging that lack of acknowledgement. It does not, however, offer any explanation for the reasons why the experience of refugee women was not acknowledged by the actors concerned.

8.4.3 Analysis of Critical Event Four in the Critical Framework

Analysis undertaken in the Critical framework during this stage of the action research finally provided understanding for the silence surrounding rape and sexual torture. Barrett and Fudge (1981) discuss why the political struggle for power and influence over policy has to be seen in the broader context of ideologies and interactions with the society in which they take place. This positioning can explain how the policy process is constructed and maintained. The realisation of the ideological hegemony carried in the term 'only rape' provided the researcher with a major tool with which to strive for change in policy for refugee women. However, it was not easy, because ideology is not an easily identifiable, obvious opponent. As Straker (1989) argues, one has to take a 'critical distance' from the ideology which not only informs the phenomenon under examination, but also informs the social structure in which the phenomenon occurs, and of which the actor is both a producer and a product.

The notion that social realities are socially constructed and that researchers and policy analysts are themselves actors in the process of creating social reality is crucial in understanding the policy process under examination (Stone, 1988). The social reality of the refugee world and its relationship to the wider social structures are structured by the events which cause the generation of refugees and by the crucial role of UNHCR, appointed as an international arbitrator in the unregulated mass movement of people around the world. Much of the language and discourse about refugees originates from UNHCR and this discourse shapes the way that refugees experience the world (Burman & Parker, 1993). The social world is structured by the response of nation states, their interpretation of the UN regulations and their willingness to comply with these. It is also shaped by those nation states that use their power to influence the response of other states to accept refugees, as did the USA in relation to Indo-Chinese refugees. At a local

level, the social reality of refugees is shaped by government response and the policy process that addresses their needs. This response is shaped by unquestioned assumptions about gender and other ideological forces, which impact on all actors and in turn reinforce the social structure (Bertleson, 1986). The social reality of refugee women is configured by this structure (Willmott, 1981).

The critical moment in the research process was when the researcher realised the power of discourse in shaping the policy process relating to refugee women. This discourse was evident in texts including human rights instruments, international and domestic legislation and social policy. These texts are also socially produced (Opie, 1993). The realisation crystallised in the repeated use of the phrase 'only rape' in relation to the experience of refugee women. The gendered nature of the process, so blatantly identified and reinforced in this simple phrase, was the root of the problem. It became clear that until the discourse was changed and the ideology in which the policies were embedded was challenged, actors not conscious of the consequences of these actions would continue to restructure the structure to maintain their power.

Feminist writers have identified that race, sex and gender construction, class and sexuality all play a role in the epistemological stances which are conveyed by discourse (Kaplan, 1992; Fraser, 1989). Women have traditionally been invisible in language and this invisibility has been carried through discourse and ideology into the process of structuration where women are 'structured out' rather than 'structured in' to the process. The strength of this process of structuration is so great that the male theorists such as Habermas (1968) and Giddens (1979) have not addressed the gendered issues of structure, ideology and discourse and, by this omission, have reinforced the invisibility of women (Fraser, 1989). The lack of recognition of the special needs of refugee women is an example of the gender blindness demonstrated in policy, discussed by Fraser (1989), which perpetuates inequality and fails to take into account women's lived experience. The senior bureaucrat's attempts to discredit the findings about torture and trauma can be seen as a direct attempt to negate the experience of women, based on the gendered nature of the dominant ideology. While he might have had some discursive knowledge of the issue, it was more convenient for him to believe his own rhetoric because it fitted the course of policy action to which he was committed.

The hegemony of ideology has determined women's sexuality and their place in society, in particular in relation to men (Irigaray 1985). This is reflected in human rights instruments which, by separating the public from the private sphere, effectively deny

women certain human rights (Bhabha, 1993). This flows down to international and domestic legislation and social policy, and informs the social structure, which is also informed by the actions of actors who restructured the structure. If, as Giddens (1979) argues, all actors have some level of discursive penetration of the structure, then it has to be assumed that at some level, the policy elites choose not to recognise the gendered nature of the process. If the gendered nature of the policy and the embedded ideology was acknowledged it would threaten their positions of power as males. Recognition of refugee women as genuine and equal to refugee men has resource implications that the policy elites were not willing to face. It would also produce outcomes that could challenge existing social order. It therefore suited them well to leave these issues unacknowledged.

Bertelson (1986) states that it is the role of hegemony to secure consent. By accepting the prevailing human rights discourse and the notion of the private sphere, actors had given consent to the denial of the experience of refugee women and in doing so had taken a role in restructuring the structure in which this happens. Fraser (1989) argues that in order to address these issues, women's needs must be taken out of the domestic sphere and recognised as political issues. This was well illustrated by the case of the judge refusing refugee status to a woman on the grounds that 'rape is the experience of women everywhere'. It reiterates the power of language to limit, exclude, distort and manipulate perceptions (Straker, 1989).

As Clegg (1975) comments, power embedded in the structure of society preserves the status quo. Although some actors in the refugee domain had previously identified and named the problems peculiar to refugee women, these problems were not readily accepted by other players in the domain. No strong accepted discourse about refugee women existed to support the reality and it was not on the agenda of the refugee domain. In order to bring a gender perspective to the policy process, we have to unpack and understand the discourse within it (Fraser, 1989).

As noted above, the recognition of the extent of torture and trauma experienced by refugee women was an important step, but it was not until the researcher recognised the significance of the term 'only rape' that this crystallised into understanding. This enabled the researcher and ANCCORW to take a critical distance from the structure and the hidden assumptions of ideology, hegemony and culture that inform it. This was done using feminist and critical discourse analysis, allowing for the identification of ideologies embedded in the unconscious motivations of the actors (Yanow, 1987). The identification

of the phrase 'only rape' as a significant analytical concept was an action which challenged the hegemony of the ruling ideology and an overtly political claim (Stone, 1989).

What has been discussed so far can be analysed using the third dimension of power described by Lukes (1974) as that of invisible power embedded in the structure through the hegemony of ideology and the role of discourse in that process. A manifestation of power in this dimension is the power to keep issues out of politics through institutional practices. ANCCORW and, increasingly, the refugee community began to challenge some of these institutional practices, such as the creation of gender-blind policy. This implicit challenge to the power of government created conflict which was played out in a battle between the different discourses used by the protagonists as they fought to have their definition of the needs of refugee women accepted. The government and elites from the policy community used the expert needs discourse to debate the findings of the research, while oppositional discourse was used by ANCCORW to challenge this 'expert' view (Fraser, 1989).

Lukes states that people are manipulated through the shaping of their perceptions to the extent that people do not question the forces which oppress them, but accept them as the norm. This converges with the work of Gramsci (1971) on the hegemony of ideology which, he argues, is embedded in social institutions and practices, and has become so pervasive that it is not questioned by those it oppresses. This has occurred with regard to the role of women in society, to the extent that not only men but also many women do not question the ideological structures which shape their lives. This had flowed onto refugee policy and few people had questioned the portrayal of refugee women in policy and law, nor the assumptions which underpinned that portrayal. However, Parker (1992) sees discourse as a dynamic process which changes in meaning over time as discursive structures change, and Rodgers (1991) talks of the dialectic process whereby new discourses are born from conflict between competing discourses. This dialectic process has within it the power to challenge the hegemony of ideology and creates opportunity for change, which explains how the activities undertaken by the refugee domain were able to begin to challenge the existing policy structure.

Theorists in the Critical framework can also throw light onto the impact of the war in the former Yugoslavia on the policy process. It can be seen as an unexpected action (Giddens, 1979) which was influential in the process of structuration. The sheer scale and availability of the information forced a questioning of responses to situations which

were taken as 'givens' previously and caused a shift in the way in which both the policy community and the wider community regarded the situation. This was reflected in new discourses about refugee women, which acknowledged the rape and sexual torture. The introduction of the term "rape as a weapon of war" reinforced the importance, role and power of discourse in the policy debate, and highlighted the fact that new discourses compete for ascendancy. The situation in the former Yugoslavia reinforced the work of ANCCORW and gave weight to the push by the Women's Bureau, UNHCR for wider recognition of the needs of refugee women. It reinforced the discursive power of ANCCORW and gave moral weight to the push for improved service provision from the refugee network. It was obvious that an ideological shift was necessary to accommodate this phenomenon, and this produced two diverse outcomes. As Sabatier (1993) comments, discourse transforms society and this was seen, as a fundamental shift occurred in the way in which the 'refugee woman' was conceptualised. She was no longer a remote 'other' from the developing world (Irigaray 1985). Suddenly 'refugee woman' represented an abused Caucasian. It is interesting to note that, while this change occurred at the level of social policy⁶⁵, it took much longer for it to be accepted and incorporated into international law. There was still resistance to any changes that would result in a shift in the status quo.

The phenomenon also had another side, which many people found extremely threatening at a conscious level. To acknowledge rape as a war crime was a fundamental shift which produced two new ideas, that of the refugee woman as the victim of rape, and that of the soldier as rapist. This was uncomfortable and unacceptable to the majority of the population; it challenged the sacred view of the soldier. To allow for acceptance of the idea of the refugee woman as a victim of rape, the notion of rape as a weapon of war was introduced to replace the soldier as rapist. The focus was then removed from the soldier as rapist and shifted to rape as a weapon, an object, in the same way that a gun is an object. This was more acceptable. These events were a major impetus in the campaign which the researcher was involved in. They helped clarify her understanding of the dynamics of the situation and they also posed an unexpected threat to the work being undertaken. Fortunately, the discourse which developed around rape as a war crime was so strong that it was eventually accepted in the International Court. It was able to overthrow existing social arrangements by raising the level of practical consciousness and, in doing so, caused a shift in the current ideological stance in regard to the human rights of women. As Gramsci (1971) argued, individuals are never totally without the

⁶⁵ Australia, Canada, the UK and European countries all made special provisions for people fleeing from the former Yugoslavia, in particular women from the "Rape camps". In Australia, the "Special Consideration" Visa category was extended in 1993 to give access to people who would not normally be considered.

potential to challenge oppression.

8.5 CONCLUSION

Analysis in this stage of the action research was extremely productive. The use of feminist and critical discourse analysis provided explanations for the nonrecognition of the rape and sexual torture of refugee women. It made a clear link between the failure of the WaR program and this nonrecognition. This in turn provided an explanation for the failure of refugee policy to address the additional needs of WaR on arrival in Australia, because if their experience was not taken into consideration at an international level it was unlikely to be reflected in domestic service provision. This analysis also brought realisation of the important links between international law, domestic law and social policy.

These insights provided the framework for stage five of the action research project, which was taking these issues onto the international stage through the Fourth World Conference on Women. It provided the agenda for ANCCORW at this meeting, which was to address the gender blindness of relevant human rights instruments, the nonrecognition of rape in a conflict situation as a war crime; the nonrecognition of rape as torture; the gender blindness of human rights conventions and the need to acknowledge gender-related persecution as ground for refugee status.

CHAPTER NINE

ACTION RESEARCH STAGE 4 – WORKING AS PART OF REFUGEE POLICY NETWORKS AND COMMUNITY

9.1 PLANNING PHASE

Stage four of the action research covers the period from February 1993 until November 1994. During this time many changes to Australian policy on refugee women took place within the context of rivalry between different parts of the refugee domain. While ANCCORW enjoyed wide support from the community sector in its work with refugee women, it was by no means universal, nor constant. The ANCCORW Board itself had differences of opinion on both the direction being taken by ANCCORW and the types of service provision required for the refugee community.⁶⁶ DILGEA was commencing a program of closing the Migrant Hostels, which in latter years had provided a first base for resettlement for many people entering Australia on Refugee and special Humanitarian Visas (See Chapter Five). These hostels were being replaced with short-term, on-arrival accommodation in government-owned units, supported by community workers from local agencies.

This activity took place at the same time as the culmination of internal problems between DILGEA and DFAT regarding immigration policy, of which only limited, highly controversial material leaked out. This conflict had a negative effect on the morale of many of the middle-management bureaucrats who carry out the day-to-day work of the departments, and few decisions were made during this period. Formal responsiveness to the refugee network improved markedly once these problems were cleared up.

The need for the community sector to work together more cooperatively was acknowledged to be imperative for collective achievement of the aims of better service provision for the refugee communities, which the community sector claimed to represent. At this stage of the action research project, ANCCORW decided to actively seek ways in

⁶⁶ ANCCORW Minutes 1992 – 1994, ANCCORW Archives.

which to work together more effectively with the refugee policy networks in Australia, and strengthen the relationships made over the previous two years.

9.2 ACTION PHASE

A major task for ANCCORW and the researcher during the early part of this period was to address some of the points of concern raised by other groups working with refugee communities with reference to work which they were undertaking. At times ANCCORW experienced resistance from some sectors of the migrant domain in Australia to the creation of the concept of the refugee woman as a survivor of rape, as this was seen to shame both the woman and her community. This resistance came from communities who were of non-English-speaking backgrounds, but not refugees.⁶⁷ Based in their struggle to challenge the prevailing discourse of racism, they feared that negative stereotypes of refugee women as women with special service provision needs and therefore resource implications, would feed into this discourse. No resistance came from the refugee domain, where it was found that most women were relieved to have the issues out in the open. Naming in the discourse what they had lived through validated their experience and their claims to service provision.

To counteract a potentially negative stereotype of refugee women, care was taken to create the concept of, and to refer to women as, *survivors* of rape, the guardians of family and culture who bring great strength and experience to a new country, not as helpless *victims* who require protection and care.⁶⁸ The researcher worked closely with the ANCCORW refugee women's group in Sydney, which grew in strength and held functions for a number of different refugee groups during this period.⁶⁹ During 1992, ANCCORW committees of refugee women were formed in Melbourne, Adelaide, Darwin, Perth and Brisbane, and the researcher travelled extensively to these centres to work with the refugee women, and to identify issues of concern. The aim was to ensure that the voice of the women was heard, and not just the voice of the researcher.

Some of the large charities and church groups who were part of the refugee policy community were annoyed with ANCCORW, because they had been criticised by refugee women in the ANCCORW report on resettlement services. They saw themselves as an elite group who had exclusive right to talk with government on behalf of smaller agencies, and were not pleased when smaller agencies also claimed this right. They had

⁶⁷ File Two, Meeting Notes. Meeting with members of Immigrant Women's Speakout, March 25, 1993.

⁶⁸ ANCCORW Conference papers and publications 1992 – 1995, ANCCORW Library and Archives.

⁶⁹ Minutes, ANCCORW Subcommittee, Khmer Community Centre, Cabramatta, 1993/4, ANCCORW Archives.

resources, which they used to gain influence over policy and they were also more conservative in their views of refugee service provision than were the smaller community-based organisations. As the activities unfolded over the two-year period, at first they were reluctant to work with the broader refugee community. This changed as they perceived that the influence which ANCCORW had gained through its international activities was giving ANCCORW access to government, and that the issues which the actors in the refugee network were fighting for had gained substantial public support.⁷⁰ It was to their advantage to be seen to be part of the action.

As funding became available for projects for refugee women, rivalry occurred among different agencies in the migrant welfare domain about who had 'ownership' of refugee women. One particular adversary was an umbrella group representing non-English-speaking women. Their argument was based on the notion that Anglo Australians do not have the right to work with or represent women from non-English-speaking backgrounds. Their position was undermined by the many ethno-specific groups of refugee women who aligned themselves with ANCCORW.⁷¹ Despite many attempts by ANCCORW and other community groups, this conflict was not resolved during this stage of the action research.

A final problem which had to be addressed during this period was the relationship between RCOA and ANCCORW. RCOA board members became increasingly concerned that ANCCORW was achieving success for refugee women at the expense of refugee men, and tried to contain the work being done. Funded invitations to national and overseas conferences were coming personally to the researcher, not through RCOA, and they felt they should have more control over the researcher.⁷² On one occasion, UNHCR funded the researcher to an expert group meeting in Bangkok, but was unable to fund a nominee from RCOA.⁷³ This generated significant conflict between the two agencies, and the rivalry also created problems in the refugee domain. AUSTCARE was supportive of ANCCORW, which it saw as an effective organisation, with a high level of achievement. In contrast, RCOA was seen as less effective and a drain on AUSTCARE resources.⁷⁴ This battle was played out in the boardrooms of ANCCORW, RCOA and AUSTCARE, and was extremely unpleasant as each group sought to take control of the situation. ANCCORW had by this time received substantial government funding to run labour market programs for refugee women and in 1994 it was decided that it would be

⁷⁰ File Two Meetings. Notes from meetings of the Refugee Resettlement Committee, March, August, 1993, February, 1994, ANCCORW Archives.

File Three, Notes from Conversations, Conversations with Khmer, Nicaraguan, El Salvadorian, Vietnamese, Iranian, and Ghanaian community members, 1992 and 1993.

⁷² ANCCORW Minutes, September, 1993, ANCCORW Archives.

⁷³ UNHCR Partnership meeting, Bangkok September 11-18, 1992.

⁷⁴ File Three, Recorded Conversations, Conversations with head of Austcare, 1992, 1993.

preferable for ANCCORW to be constituted in its own right.⁷⁵ Following a heated dispute over the ownership of the name ANCCORW, the new body was renamed ANCORW Co-operative. This decision was supported by AUSTCARE.

An important part of the learning process from these various rivalries and shared concerns about the direction of service provision was the eventual coming together of the network in an uneasy, but extremely productive, truce. A committee called the Refugee Resettlement Working Group (RRWG) was formed in August 1993, following a meeting convened by the director of a Migrant Resource Centre in western Sydney.⁷⁶ The RRWG committee consisted of more than twenty representatives from major national and state charities, religious groups, community organisations, refugee groups and relevant government departments. The researcher was appointed chair of the committee in January 1994. The aim of the RRWG was to bring a coordinated approach to the issue of refugee resettlement and to present it to the government as a working document. The plan was to launch the document at a national conference which would provide the opportunity for dialogue between the government actors and the community sector. It was a rare collaboration: representatives from government and non-government agencies espousing a broad spectrum of ideologies worked together to come to an agreed model of refugee resettlement.

Over the two-year period from the beginning of the process until the final launch of the report at the conference, 'Resettlement: Let's Get it Right in Australia', in November 1994, a cooperative framework of working evolved, with actors actively collaborating together. During this time an interesting pattern of power emerged in the working group. Unlike in working parties convened by government, in this arena the NGO sector had control of the procedures. It was openly stated that if the government actors did not like the way in which things were proceeding, and did not contribute to the process, then they could leave the working group. Two things prevented this happening: firstly, most of the government players were in fact in full sympathy with the RRWG and wanted to see an effective outcome; and secondly, even if they did not agree with the proceedings, the RRWG had by this time brought together a broad enough combined power base to make the government nervous about being on the outside.

Despite the often stormy meetings, a comprehensive policy document was produced. Areas addressed were refugee women; refugee children; refugee minors; older refugees;

⁷⁵ See ANCCORW report to members, November, 1993, RCOA Management Consultants Report, November, 1994 and Mediators Report, November, 1994.

⁷⁶ Minutes RRWG August, 1993, ANCCORW Archives.

ethnic minorities; torture and trauma services; health services; English language provision; income support; housing and accommodation; employment and training; information services; and community education. The major thrust of the document was for an integrated, systematic approach to refugee resettlement, designed to ensure that each refugee and refugee family entering Australia had the opportunity to access the full range of services necessary for successful resettlement.

Once again the issue of the marginalisation of refugee men was discussed by the large charities and church groups. There was an expressed fear that if the focus on refugee women continued, men would be disadvantaged in service provision. They expressed a wish for a gender neutral document. This was hotly debated by the committee and contested mainly by smaller community groups, led by the researcher, and eventually a compromise position was reached. Refugee women were named as a vulnerable group in all sections of the document as well as a chapter of their own.

The Bureau of Immigration, Multiculturalism and Population Research (BIMPR), the renamed BIR, agreed to fund a national conference in November 1994 to facilitate broad-based discussion on, and input into, the document, and to print and distribute the final edition. The conference took place in Sydney, with 280 participants attending from around Australia. Representatives from DILGEA and other government departments attended the meeting, and, in contrast to the hostility experienced between government and the non-government sectors in the 1991 conference, there was an atmosphere of cooperation and a willingness to listen. Refugee women from each of the interstate committees attended. An ANCORW national meeting was held on the day prior to the conference and refugee women associated with ANCORW gave presentations in each of the workshops.

As a result of the intensive lobbying during 1992 from community-based groups, in 1993 the Minister for Immigration undertook further consultations on resettlement issues with service providers and community groups around Australia. In 1994, the Minister established an interdepartmental committee to develop cross-portfolio settlement strategies. This was the beginning of a restructuring of service provision to refugee and special humanitarian entrants, and much of the new policy was informed by the RRWG Report (see Chapter Eleven). At the beginning of the RRWG collaboration, there was considerable distrust between community actors and senior government actors as they lobbied government for change in refugee service provision. At the end of the process,

several of the RRWG community members were appointed as government advisors in the new interdepartmental, state and federal resettlement advisory bodies.

In September 1994, ANCORW, along with several other groups which had been funded to undertake advocacy work, learned that its funding would not be renewed. The sacred reasons given by the government for not funding the organisation were that advocacy groups were no longer necessary, that needs had been correctly identified and that available funding was to provide services to address these needs. The profane reason was that the Minister had vowed to crush the power base of the refugee lobby. Detailed information of the Minister's position was leaked to ANCORW by an extremely senior government official, who said to the researcher, 'use this information however you want to but, if I go down because of what you do, I will take you with me'.⁷⁷ Despite a coordinated national lobby campaign, including intercessions by the Head of DILGEA NSW on behalf of ANCORW, the Minister remained obdurate and began what was eventually a phasing out of all government funding to advocacy groups (excluding some National Peak Bodies). An anomalous situation occurred when the department which had defunded ANCORW because of its advocacy role, appointed the researcher to a federal resettlement advisory committee in October 1994. Sufficient funds were available to employ the researcher until March 1995, but she found alternative employment as a senior policy analyst with the NSW State Government in December 1994.

9.3 OBSERVATION PHASE

This phase of the action research was crucial for shaping the future identity of ANCORW. Up to this stage, ANCORW had regarded itself as a small newcomer in the refugee domain, although increasingly it had realised its power. It was also the time in which it established itself as a genuine national presence with branches in several states. The strength of working collectively with other agencies and lobby groups had been realised previously, but the researcher had not until this stage explored the literature on policy networks and policy communities. This body of theory provided the conceptual framework for understanding the role that ANCORW was taking in the refugee arena. The work done with the RRWG was considered to be extremely productive, although ANCORW did not always get its own way. It brought together NGO and government players in a rare collaboration. Conflict occurred but over the period of the life of the RRWG, much of this was resolved.

⁷⁷ File Three, Notes from Conversations, Conversation with former head of BIR, October 6, 1994.

It was also noted in this stage of the action research that the notion of the contested nature of the policy process does not only refer to the relative positions of the NGO sector (external players) and the government (formal policy actors). There is also conflict between the different NGO bodies and within government, and different groups of NGOs have differently structured relationships with government.

The split with RCOA, although difficult in some regards, was ultimately beneficial for ANCORW because the two groups were working from different ideological bases, and many of the community-based organisations were uncomfortable with what was perceived as the conservative position taken by RCOA. As noted above, this was in contrast with DILGEA, who saw RCOA as trouble makers because they did not always endorse the government position. Despite being defunded by DILGEA, ANCORW had sufficient funds to continue its role as a labour market service provider, and the board was committed to maintaining the lobbying and advocacy work on a voluntary basis. The relationship with RCOA had constrained its ability to work as an independent body and government funding always has some element of control. The researcher was able to find alternative employment which gave her the necessary freedom to complete the research project.

9.4 REFLECTIVE PHASE: CRITICAL EVENT FIVE - UNIFIED ACTION BY ACTORS IN THE REFUGEE DOMAIN

9.4.1. Analysis in the Political framework.

The most useful frameworks of policy analysis in the Political framework in relation to this stage of the action research are those grouped under the umbrella of policy networks. At the beginning of this stage of this action phase there were two distinct groups of policy actors who fitted into the broad categories of policy networks as described by a number of policy theorists (Heclo, 1978; Kingdon, 1984; Sabatier, 1988). One was the group of small community-based NGOs to which ANCORW belonged. The second was the more established formal policy community comprising the larger charities and religious groups. Lastly there were the middle-level government players who joined with the policy network to develop policy materials.

In the case study described, ANCORW was, at first, a maverick player in an informal network (Considine, 1994). ANCORW garnered support from a range of smaller agencies to lobby for issues related to refugee women. It wanted radical change and was prepared to use social action strategies such as media exposure, rallies and public

speaking to obtain this. The policy network was crucial to the action. In this case study, by identifying and opening a window of opportunity, the researcher and ANCORW were able to mobilise the power of the policy network (Considine, 1994) and place refugee women firmly on the agenda. Scherberle (1994) describes 'windows of opportunity' as times when the emergence of a policy entrepreneur at the moment of convergence between a focusing event and public support provides the optimum condition for getting issues onto the policy agenda. The proposed changes in government resettlement services presented such an opportunity.

Players such as the RCOA, AUSTCARE and the World Council of Churches constituted the formal, government-sanctioned part of the policy community. They fitted the criteria described by Benson (1982) and Rhodes (1990), which describe policy communities as well established groups with continuing involvement in all aspects of a particular policy arena. Stable and protective of membership, they are often given legitimate status by government. Considine (1994) describes how a number of different 'actor networks' can come together in policy communities, and this was apparent in the membership of the RRWG. They were brought together by a common interest and a need to maintain a position of power in the decision-making process. These actors, however, do not normally participate in social action. Their role is more that of consultation. At first they resisted working with ANCORW and the community agencies, offering at one stage to act as broker between the government and the policy network.⁷⁸ This was politely refused. As the network developed and government members joined the RRWG, the bigger players also started to participate.

The involvement of middle-level management from government departments in the RRWG groups was extremely interesting. It was unusual that they were actively involved in a process designed to change government policy from the outside. More usually government departments convene working groups and invite non-government organisations to take part. Their involvement could be seen as political contingency. Government knew it was happening, and thought that they had more chance of exerting influence from within the group than from outside. If this was the case, the appointment of middle-level management was a strategic mistake. Actors at this lower level have no direct decision-making authority within government structures. However, they often have vested and personal interests in better service delivery. In this case they were an invaluable source of information, and showed a commitment to pushing issues through bureaucratic channels.

⁷⁸ Minutes RRWG September, 1993, ANCCORW Archives.

The power of middle management in government departments is often unrecognised by those at the top, who, while playing extremely political games themselves, adhere to a rationalist belief of institutional structures which reflect a formal hierarchical power structure. They would have done well to heed Davis et al. (1988), who point out that to understand the policy process one has to understand the role of actors and the context in which the action takes place. The relative power of government and the NGO sector was quite freely discussed at the meetings and was an inversion of the normal power structure reference. The NGO members of the RRWG worked together because they could see the potential effect of their combined power base. ANCORW was able to maintain a lead role in this group because the researcher had access to senior government players and considerable power in the international domain. Power had become part of the dependency relationship between a range of different actors (Hardy, 1994b).

The power dynamic was ever present in the activities around the RRWG. Within the refugee network, ANCORW was given authority from other non-government actors (Pettigrew, 1973). The researcher was able to attract research and conference funding to the project which were necessary for a successful outcome. In obtaining funding for the conference at which to launch their report, the RRWG created a further window of opportunity through which to influence the policy process (Michaels, 1992). While the government held formal power over the process, the NGO participants of the RRWG controlled considerable resources which government needed for the resettlement program. Also, they were able to use discursive legitimacy to push for the introduction of the proposed new strategies and programs. The inability of the exercise of formal power to curb the refugee network was manifested when the Minister attempted to curtail the activities of ANCORW and other community advocacy groups by refusing to re-fund the GIA positions. He used his formal power to take away the funding but he was unable to disempower ANCORW and other players in the community sector. While funding is important, the ANCORW committee, the researcher and other community players were personally committed to the issues around which they were lobbying.

The unified action by actors in the refugee domain was a major impetus for influencing government and bringing about change. ANCORW was able to start the process alone but the broad support from the refugee network was essential for major change. It was the right time for the policy network, a convergence of interests (Michaels, 1994) for groups who were increasingly frustrated about poor quality resettlement services and responded to the need for concerted effort for change. Social reality is part of the

consciousness of individuals, who have a network of shared assumptions and intersubjectively shared meanings (Burrell & Morgan, 1979). The work of ANCORW presented a focus, and also a realisation that more proactive lobbying was likely to produce change. NGOs in the migrant and refugee fields had tended to be polite and unassertive, shackled by the need for government funding. They often confused formal access to bureaucrats and ministers with influence. The strategies used by ANCORW provided an alternative framework for working, though not one that was universally accepted. As an external actor, ANCORW opened up the policy community (Rhodes, 1990). They would not have been able to achieve this without a functional familiarity with historic knowledge and understanding of the arena in which the case study took place. Barrett and Fudge (1981) describe how policy interacts with broader society. They contend that the political struggle for power and influence over policy has to be seen in the context of ideologies and interactions with the society in which they take place. The network 'learned' as it tested old strategies and developed new ones and as it pushed the boundaries which institutions placed around policy issues. The actors from ANCORW were very capable activists fuelled by anger at a system which they perceived to be grounded in an ideological framework which was actively repressing the voice of women and, because of that, not hearing the needs of refugee women. The network was mobilised extremely effectively, the anger spread and many groups joined in the fight.

Within the membership of the RRWG, different actors operated from different ideological standpoints, some paternalistic and patriarchal, focusing on 'protection', others adopting a feminist ideology and focusing on empowerment issues. Collaboration occurred as part of the power played out between different actors focused on two common interests, those of refugee women and refugee resettlement. Actors in this particular network had both advocacy and change functions as described by Considine (1994). Powerful stakeholders used their veto either to allow or disallow less powerful players to participate. Collaboration can be repressive if resources are unevenly distributed amongst actors in the network (Pfeffer 1981). This was undoubtedly the case in the RRWG. However, while a difference existed in the level of resources the players could bring to service provision, members represented a wide range of settlement service types and all had a significant input into the process. Attempts by several of the bigger, more conservative players to take control were avoided by smaller groups recognising strength in numbers and banding together. Even those with the most resources realised that they would lose if they left the coalition.

The RRWG emerged from the actions and conflict of the activities undertaken by

ANCCORW and other players in the refugee domain. Several reasons are given for the coming together and collaboration of the group, but these are not the sacred views of collaboration openly expressed by the participants. Discursive coalitions also construct a discursive identity which dictates who gains access to available resources (Sabatier, 1993), in this case government funding, and this attracted several players to the table.

Relationships between the government, the policy network and the policy community changed significantly over the period of the RRWG. In their analysis of policy networks, Maloney, Jordan and McLaughlin (1994) describe how some groups are 'outsiders', lobbying government for change, and others are 'insiders', consulting with government about change. At the outset, the larger charities and religious groups could be described as insiders, while ANCCORW and the community sector were outsiders. During the two-year period this shifted and ANCCORW and many other groups became insiders. This was evidenced by a number of people from the community sector being appointed to resettlement Advisory Committees. It is sometimes suggested that once people become 'insiders' they are compromised by the relationship with government and disempowered. This was something that was considered by the ANCCORW Board as they accepted the nomination of the researcher.⁷⁹ Over this entire period, the researcher gained a degree of access to the Minister and senior bureaucrats, which is unusual for the representative of a small organisation. Not all of these meetings were instigated by ANCCORW. On several occasions the researcher was invited and funded by government to hold discussions on various aspects of resettlement policy. Her status definitely changed from that of 'outsider' to that of 'insider'.

9.4.2 Analysis of Critical Event Five in the Critical framework⁸⁰.

The coming together of actors in the domain to work in the RRWG was influential in persuading government to participate and work cooperatively with the policy network. However, the full participation of government actors came about, in part, because of the disarray at senior levels in the department. It is an unacknowledged consequence of action (Giddens, 1979), and the outcomes of this collaboration were certainly not intended by senior government officials. It was a 'praxis trap' as described by Connell (1983), in which the action of involvement by government to maintain control in fact gave

⁷⁹ ANCCORW Minutes, September, 1994. ANCCORW Archives.

⁸⁰ Subsequent to this stage of the action research significant work has been done analysing the role of power and ideology in refugee domains and the interactions of various actors (Hardy 1994, Phillips & Hardy, 1996). This has been used to complete analysis and theory building in Chapter 11. The analysis completed in this reflective stage is based on readings done by the researcher to date.

more power to the informal network.

The actors in the RRWG brought together a number of different discourses and produced a new policy discourse. This was possible because there was enough common epistemological, ethical and ideological ground between actors for this to occur. NGOs were also able to learn the public policy discourse of government, an essential step for working effectively with government (Sabatier, 1993). This was a further unintended consequence of collaboration with government. The result was a new, and much improved, discourse around refugee resettlement service provision.

A disappointing aspect of the collaboration was the insistence of the network on emphasising issues pertaining to refugee men, because they thought that men would be disadvantaged if too much attention was given to women. This demonstrates the hegemony of ideology (Bertelson, 1986) and resistance to change. Despite having been the prime movers in the activity, ANCORW failed to keep the focus of the activity purely on the needs of refugee women, even though evidence showed that these had been denied in the past. Actions such as this legitimise gender injustice by considering women's demands for equality in service provision as a partisan issue rather than a social justice issue (Kaplan, 1992). The refugee network, led by RCOA, was complicit in this action and the RRWG, while achieving some gains for refugee women, reinforced the dominant social structure, ideology and discourse.

Fraser (1989) describes this as the discourse of 'reprivatisation', as attempts were made to contain the focus on refugee women by putting women's issues back into the private sphere. If the needs of refugee women are openly acknowledged as over and above those of refugee men, this would pose a challenge with the potential to overthrow the limits of existing social arrangements, with implications far wider than the refugee domain. The interests of the actors who argued to 'protect' the rights of refugee men can be seen as reflecting the unconscious use of ideology to prevent conflict, and thus protecting the much broader status quo (Clegg, 1976; Lukes, 1974).

ANCORW made the decision to compromise on the issue of refugee men as it was considered that there would be greater gain for refugee women from continued collaboration than if ANCORW caused serious division in the RRWG, which may have led to failure to achieve the potential gains for resettlement services in general. While agreeing to compromise, ANCORW believed that the naming of refugee women in every

policy section of the RRWG document would ensure that they remain an active part of the discourse and thus, the process of structuration (Willmott, 1981).

9.5 CONCLUSION

The analysis of the activities undertaken in this stage of the action research provided insights into the role that ANCORW was taking in the refugee domain. It presented clarification of the often productive role of conflict, and for understanding the actions and interpretations of actors in various parts of the domain. The literature on policy communities and networks provided a theoretical explanation of the role that ANCORW was playing and the ways in which a small NGO can influence the policy process. It provided direction for the final phase of the action-research project, which involved taking this model of cooperation forward into the international arena in preparation for the Fourth World Conference on Women, Beijing.

CHAPTER TEN

ACTION RESEARCH STAGE 5

USING THE FOURTH WORLD CONFERENCE ON WOMEN

10.1 PLANNING PHASE

This is the last stage of the action-research project and one which builds on much of the work completed in the other stages. It ran from early 1993 until March 1996, when the final reports were written. It covers the involvement of the Australian National Committee on Refugee Women, ANCORW⁸¹ and the researcher in the series of meetings leading up to and including the United Nations Fourth World Conference on Women, September 1995. There were two distinct aims from the participation in the international forum. The first was to have the rape and sexual torture of refugee women acknowledged in the outcomes document of the Beijing Conference. While this document would not have the status of international law, it was to be presented to the United Nations General Assembly (UNGA) and would carry a considerable 'moral imperative' for governments to undertake actions based on a document which they had publicly endorsed and signed. A second important aim was to ensure that the Australian Government delegation would commit itself to domestic services at an international forum and in doing so put in place commitments from other governments to do the same.⁸²

As previously mentioned, the head of the Women's Bureau, UNHCR, had requested that ANCORW take an active role in the Fourth World Conference on Women to be held in Beijing in 1995. UNHCR was keen to use other agencies to assist in the fight for equity and social justice for refugee women. ANCORW saw this as an opportunity to lobby for changes in the international conventions and protocols which determined Australia's domestic law and social policy in relation to refugees. It was believed that if rape in a conflict situation was recognised as a war crime and form of torture at an international

The name of the Australian National Consultative Committee on Refugee Women, ANCCOW changed during the period covered in this chapter to the Australian National Committee on Refugee women, ANCORW. The acronym ANCORW has been used throughout this chapter to avoid confusion.

⁸² ANCCORW Minutes, February, 1992, ANCCORW Archives.

level, then this would flow down and be reflected in the determination of refugee status for women. This in turn would recommend action to have this recognition reflected in domestic law and social policy and would result in better service provision for refugee women. By this stage, enough was understood about the UN to know that such changes would take many years. It has been estimated by Judge Elizabeth Evatt that even quite minor changes in UN policy can take up to fifteen years.⁸³ However, it was also recognised that the process of change was important and provided numerous opportunities to influence outcomes for refugee women. The researcher was also keen to explore the ability of the non-government sector to influence international policy and to further examine the relationship between international law and human rights instruments, domestic law and social policy.

To do this, it was necessary for the researcher to join an international policy community who had the knowledge, expertise and access to do this. The ANCORW Board decided that it was important to take this step. The large amount of international travelling involved was costly and time consuming, and small non-government organisations (NGOs) cannot normally afford this level of activity. A combination of funding from a wide range of sources who saw the work as beneficial enabled it to take place.

Planning and discussion for the Fourth World Conference on Women began at the 35th meeting of the Commission on the Status of Women (CSW 35) in 1991,⁸⁴ and from 1993 until the conference in Beijing, in September 1995, a series of international meetings was held in preparation for the conference. The preparation for the conference and forum began in earnest in March 1993, at CSW 37. Prior to this, the UN had called for input from governments around the world into the first draft of the Platform for Action (PFA), the document of outcomes and direction to be produced from the Beijing Conference. A series of expert group meetings was also convened to gather information and data on key issues to inform the document. An officially sponsored international NGO committee was convened and a forum secretariat established at the UN. The five regions of the UN (see Chapter Five) were also requested to hold NGO forums and high level ministerial meetings in preparation for the Beijing Conference.⁸⁵

⁸³ Notes from a speech by Elizabeth Evatt at International Women's Development Agency Breakfast, March 8, 1992.

⁸⁴ ANCCORW report on CSW 35, 1991, ANCCORW Archives.

⁸⁵ File Four, Miscellaneous Ref UN Documents, ANCCORW Archives.

10.2 ACTION PHASE

The researcher represented ANCORW at all but one of the meetings in preparation for the Beijing Conference. Her attendance was funded variously by the Australian Council for Overseas Aid (ACFOA), AUSTCARE, the office of the United Nations High Commissioner for Refugees (UNHCR) and, towards the end of the process, by the Australian Federal Government, through the Office of the Status of Women (OSW), Department of Prime Minister and Cabinet. During this period, ANCORW gained accreditation to attend United Nations (UN) Economic and Social Council (ECOSOC) meetings in its own right.⁸⁶ The process of involvement in these meetings was very important in gaining both government and NGO support for the refugee issues. As part of her involvement in these meetings, the researcher took a lead role in the preparation and participation of Australian women's organisations in the Beijing process. In November 1993, she was elected as co-chair of the Coalition of Australian Participating Organisations of Women, CAPOW!,⁸⁷ a network of national women's organisations which had come together to prepare for the Beijing meeting. Because by this stage she had attended a number of United Nations meetings and was familiar with the process and had a network of contacts in the UN system, she was able to share her knowledge and to assist women's groups with lobby training.⁸⁸ The benefit of her involvement in these activities was that it provided a forum for the dissemination of information about refugee issues and gained wide support for the activities of ANCORW, both in Australia and on the international stage.

The first of the international meetings, the Asia-Pacific NGO Regional Planning Meeting, was held in Manila, November 1993. It was organised by a committee of NGOs appointed by the UN and the regional group, which in turn formed part of the international NGO working group. The members of the committee were predominantly the wives of prominent Asian political figures. They carried the authority of the UN and had control of the money allocated for regional representation. Both before and during the meeting there was friction between them and the grass-roots NGOs, who referred to them as the 'GOs', the government sponsored, and, by implication, government controlled, 'non-government' organisations. No representatives from Australia had been invited into this group. Meetings were held with them at Manila, to express our interest in involvement in the planning process, and an invitation was extended for Australian NGOs to nominate

⁸⁶ File Four, Miscellaneous ANCCORW Accreditation Letter, November 1994.

⁸⁷ CAPOW! Minutes, November, 1993, CAPOW! Archives, Canberra.

⁸⁸ See ANCCORW Activities file and Annual Reports 1994/5 for list of activities undertaken, ANCCORW Archives.

one or two representatives to the committee. The researcher was elected by the Coalition of Australian Participating Organisations of Women (CAPOW!) as one of two representatives on the regional NGO Committee.

There were over 600 participants at the meeting from right across the Asia-Pacific region, including forty representatives from Australia. The agenda for the meeting was for NGOs to identify common issues, to form caucuses and to formulate strategies to ensure that their voice was heard at the Beijing Conference. The researcher was identified as one of the regional 'refugee specialists' and worked closely with both the refugee and the human rights caucuses. ANCORW sponsored a number of refugee women to attend this meeting and a team method of working began to develop.

While in Manila, the researcher met and collaborated with the Asian Women's Human Rights Council (AWHRC), a group of women from 16 countries in South East Asia who work together on women's human rights issues in a loose alliance. It receives core funding from the Netherlands Government and project funding from the USA. At the end of the meeting, she was invited to join the Council as a permanent member focusing primarily on refugees and human rights. This gave her status and validity as an Anglo Australian working in the Asia-Pacific Region. The work done helped focus on the gender blindness of the Human Rights Conventions. A regional NGO position on refugee women was formulated, to lobby governments in preparation for the first Regional Ministerial meeting to be held in Jakarta, June 1994, in preparation for the Fourth World Conference on Women (ANCORW, 1994c).⁸⁹

On return to Australia, ANCORW undertook a further round of public speaking engagements focusing on refugee women in the context of the Fourth World Conference on Women.⁹⁰ At this stage various actors from the Australian Government also became involved in the Beijing process. While OSW is the government department which has responsibility for women's issues, the Department of Foreign Affairs and Trade (DFAT) is the government agency which has the official interface with the UN. Information about the Beijing meetings was often very slow to reach OSW and for nearly a year at the beginning of the process, ANCORW, through its international network, received information on the meetings considerably before OSW.⁹¹ As a gesture of goodwill, the researcher passed this information to OSW until they were able to establish direct links

⁸⁹ ANCCORW Report 1993, Manila NGO Meeting in preparation for Beijing, ANCCORW Archives.

⁹⁰ See List of ANCCORW Activities for Beijing, ANCCORW Archives.

⁹¹ ANCCORW Archives. Material received from the International working Group on Refugee women, Geneva.

with the conference organisers. This helped to establish a strong working relationship between ANCORW and OSW staff.

The researcher was invited to a number of meetings in Canberra to discuss both process and issues with the head of OSW.⁹² Travel to these meetings was funded by OSW. From a rather strained relationship at the outset, a closer cooperation began to develop. It is important to note that the majority of the bureaucrats involved from agencies other than DFAT also had little or no experience in UN meetings. This meant that ANCORW had considerable knowledge of process and procedure which was useful to representatives of OSW and Department of Immigration, Local Government, and Ethnic Affairs (DILGEA).

In February 1994, the researcher, with other members of the ANCORW Board, was invited to Canberra to discuss the various issues of concern to the refugee domain which could be addressed at the international level. A special meeting of refugee lobby groups was also convened to brief the government. The fact that gender (and gender-related persecution, including sexual violence and rape) was not recognised as grounds for persecution in refugee law was one issue which was identified as fundamental to all the other necessary changes. The government, after much debate, agreed that they would support this stance at the regional and international meetings.

Financial support was provided through OSW to train and support Australian women to participate in the Beijing Conference. ANCCORW received the sum of \$40 000 to assist in the preparation, the second largest grant to an Australian women's organisation, capped only by that received by the Young Women's Christian Association (YWCA).⁹³ This enabled ANCCORW to increase its staff from one to one and a half for a year and to prepare information in community languages for refugee women. In response to strong lobbying from national women's groups and to the improvement in relationships, OSW agreed to include NGO members on government delegations for future CSW and Beijing-related meetings. A call was made for nominations to sit on the government delegation at CSW 35, March 1994. Although a direct invitation was issued, following discussion with the ANCCORW Board the decision was made that the researcher would not nominate for this position or for future delegations. It was felt that, while symbolic, NGO government delegates were extremely restricted in their lobbying and unlikely to exert

⁹² File Two, Meeting notes. Meeting with Director OSW December 12, 1993, January 8, 1994.

⁹³ OSW Grants to Women's Organizations, March 1994, Department of Prime Minister and Cabinet, Canberra.

major influence on the delegation from the inside. In UN meetings, NGOs have much more power as 'free agents'.

The researcher developed a training package for women wishing to participate in the UN meetings and used this when making presentations to various women's groups.⁹⁴ In this training, she used the work of ANCCORW with refugee women as an example of how women's groups could mobilise for the Beijing process. In learning the process, women's groups also learned about refugee issues and many gave their support to the work of ANCCORW.

In February 1994, the UN convened a regional expert group meeting on women's issues in preparation for the Jakarta Economic and Social Council of the Asia-Pacific (ESCAP) meeting. The head of OSW was appointed to attend that meeting. Through connections with the regional NGO working group, the researcher also received an invitation to attend and used the opportunity to ensure that the issues concerning refugee women went forward onto the regional agenda (ANCCORW, 1994b).

While in Bangkok, the researcher also attended a regional meeting of UNHCR, funded by them. At that meeting, she argued for rape in a conflict situation to be recognised as a war crime and reinforced the need to acknowledge gender as grounds for persecution in refugee law. This position was accepted by the regional meeting and went forward to the next annual national meeting of UNHCR. This was important, as part of the strategy of using the Beijing process to highlight these issues was to gain support for changes proposed to UNHCR policy and, ultimately, changes in various conventions.⁹⁵

The first international NGO planning meeting for the NGO Forum to be held in Beijing concurrently with the Fourth World Conference on Women, was in New York, prior to the annual meeting of CSW 38, in March 1994. The main agenda item on the CSW meeting was the planning of the UN Conference. The researcher attended the planning meeting and the UN meeting as an observer/lobbyist representing both ANCCORW and AWHRC. At these meetings, an alliance was formed with an international human rights group, who were also working on the issues of refugee women as one of their key concerns. This group had many prominent human rights lawyers as members. From working with this group, the researcher gained a much deeper understanding of the intricacies of working

⁹⁴ 'Using the Beijing Process' ANCCORW 1994, Beijing Archives.

⁹⁵ Report on UNHCR Partnership Meeting, February, 1994, ANCCORW Archives.

within the UN lobbying system and the importance of using tried and tested legal language to couch arguments and in lobbying.⁹⁶

A strong international caucus was formed to plan lobbying strategies leading up to and including the Beijing Conference. The importance of the UN regional ministerial meetings was identified. Regional reports have a life of their own and there is a 'moral imperative', to implement agreements, placed on governments who have signed off on these agreements which represent the common good of a particular geographic region. History has shown that governments are more likely to sign off on issues at international meetings if they have debated them previously at the regional level. A regional caucus was identified for each region and a common set of goals was identified for refugee women.⁹⁷

The focus of the lobby was to support measures which would address the issues of rape and sexual abuse of refugee women and to have gender-related persecution acknowledged in international law. The head of the Women's Bureau, UNHCR, urged the refugee caucus to stay with these issues and not be side-tracked into a focus on service provision in refugee camps and the protection of refugee women. She needed the support of NGOs and governments to assist her work within UNHCR. She reported that the mainly male hierarchy supported protection and improved service provision as the answer, rather than acknowledgement of the problem.⁹⁸

Ties were strengthened between the official NGO working group and the researcher, who led the Asia-Pacific regional caucus on refugee issues. Because of the work being done as part of the women's movement in Australia, substantial support was gained for this caucus from women's groups which previously had little to do with refugee issues, such as the YWCA, the Girl Guides, Women with a Disability, and Soroptimists. In turn, members of the refugee caucus supported the issues of these other groups. The method of Australian NGOs working cooperatively at international meetings continued and was refined. The NGO representative on the government delegation was a member of CAPOW! and worked closely with other NGOs as a conduit for information between the groups. Following the meeting, the government delegation expressed appreciation for the input of NGOs and of the cooperative style of working.⁹⁹

⁹⁶ Report of CSW 38, ANCCORW Archives.

⁹⁷ International Caucus On Refugee Women Position Statement for Beijing, March, 1994, ANCCORW Archives.

⁹⁸ File Two, Meeting Notes, Meeting with Anne Brazeau, Bangkok, September, 1993.

⁹⁹ Radio interview with Head of the Office of Status of Women OSW ABC Radio, August 19, 1994.

Following quickly on CSW 38, in June 1994, the regional ministerial meeting for the Beijing Conference was held. The purpose of this meeting was to produce a regional governmental document which would outline commitments to improve the status of women in this region and to provide an agreed regional input into the Beijing Platform for Action.

Prior to the ministerial meeting, the AWHRC held a seven-day intensive workshop on human rights lobbying in Jakarta. Two prominent international human rights lawyers ran the workshop, which went from eight am until ten pm each day. It focused on the use of legal language in UN documents and understanding UN processes. As part of the workshops, correct legal/UN language, complementary to the documents to be discussed, was identified for each of the areas to be lobbied by the AWHRC members, including refugee issues. At the Ministerial Conference, AWHRC was provided with a room and was able to work strategically with the majority of governments present, not only talking about the issues in the document, but also providing legally correct and acceptable language for governments to use and support. The strategy was extremely successful. The researcher was able to make a presentation on refugee women to the full plenary session on the first day of the conference, a strategically good time to present.

The reputation gained at CSW also held the researcher in good stead when she embarked on the Beijing process and attended UN meetings. The same government departments, DFAT, OSW and DILGEA, were involved and she was respected, if not liked, by actors in all three, who made comments such as, 'oh yes, have we got a file on you!'¹⁰⁰ A solid body of support had also been built up with some bureaucrats who were supportive of the direction which ANCCORW was taking and were happy to facilitate access to key players for the researcher and at times, to leak information to the researcher, whom they trusted not to disclose her sources.¹⁰¹

At the Jakarta meeting, the Australian Government delegation was impressed with the quality of the work done by the NGO lobby and incorporated much of the language prepared by them into the Jakarta Declaration.¹⁰² The government NGO delegate was the same person who had been in New York, and a similar positive relationship continued between the NGOs and the government. On several occasions, the researcher was

¹⁰⁰ File Three, Notes from Conversations, Comment from DFAT Delegate at Jakarta meeting, June, 1993.

¹⁰¹ File Three, Notes from Conversations, DILGEA, DFAT and OSW staff, Canberra, and DILGEA staff, Sydney, 1994/5.

¹⁰² Correspondence from OSW to CAPOW!, 1994, CAPOW! Files, Canberra.

invited to work with the government delegation and with representatives from other governments as issues were discussed and positions reached.¹⁰³ A system of daily briefings was instigated between the Australian Government delegation and the NGOs, to ensure a flow of information and strategies between the two groups. On two occasions, the government recruited NGOs to negotiate unofficially with other governments over issues when diplomatically they could not make a direct approach.¹⁰⁴ One Pacific Island nation recruited the researcher and another NGO representative to assist in drafting their entire response to the meeting, as they were not familiar with the language process. The Jakarta Declaration contained a commitment recognising gender as grounds for persecution, rape as a war crime and support for improved recognition of the needs of refugee women (UN, 1994).

Following the meeting, the Australian Government delegation was public in its praise of the NGOs who had completed the AWHRC Human Rights and International Law training and worked together as a lobby team at the meeting. Their expertise in both the subject matter and the process, was acknowledged. CAPOW! was also delighted with the lobbying success at the Jakarta meeting and instigated additional preparation and training for its members. The international network was further strengthened by participation in these meetings.

The most important outcome of this meeting for the refugee domain was that the Australian Government decided to act on the Jakarta Declaration prior to going to Beijing. Important changes were made to policy addressing the entrance of refugee women to Australia, both as part of the WaR program and in other categories (see Postscript). It was suggested by some NGO representatives from the Refugee Resettlement Working Group (RRWG) that this was done to enable the Australian Government to present a good profile at the Beijing conference.¹⁰⁵

A final meeting of the Regional NGO Working Group was held in Bangkok, in November 1994. This meeting officially coordinated the role and input of regional NGOs in the Fourth World Conference on Women. The official regional position on refugee women was presented by the researcher and included in the Regional NGO lobby document. The researcher was not able to attend CSW 39, March 1995, focussing on planning for the Beijing conference NGO Forum, due to the defunding of ANCORW. However, refugee women were unlikely to be a major issue at this meeting as many other sections

¹⁰³ ANCCORW Reports on Jakarta NGO Meetings, 1994, ANCCORW Archives.

¹⁰⁴ Report on Jakarta Ministerial Meeting, June, 1994, ANCCORW Archives.

¹⁰⁵ File Two, Meeting Notes, RRWG meeting, RCOA, October 31, 1994.

of the documents were much more contentious, and yet undecided. It was deemed more important that the researcher attend the Beijing Conference. Other women from Australia and the international caucus attended, and followed through on refugee issues to ensure that gains that had been made were not lost.¹⁰⁶

This meeting reinforced the importance of women being familiar with the language and the UN process and having properly prepared material to lobby governments. Between March and August 1995, representatives of women's groups who gained accreditation to the Beijing conference were trained to use the legal language and process. A Compendium of Language was compiled by Australian women's groups, covering all language still in square brackets (that is, still in contention between governments) following CSW 39 (CAPOW!, 1995). This was presented to the Australian Government, as an indication of the preferred positions of Australian NGOs towards issues still to be decided in the Beijing BPFA. Once again, commitment was given by the Australian Government to support the provisions suggested for refugee women by the non-government sector, including the acknowledgement of rape in a conflict situation as a war crime. Other training on cultural issues and the NGO Forum was funded and delivered by OSW. Westpac Bank agreed to fund a daily meeting of Australian NGOs to be held in a large hotel in Beijing every evening of the conference. The purpose of these meetings was for Australian women who were not accredited to attend the UN Conference to be informed of the process and to integrate issues from the NGO Forum. In her capacity as Chair of CAPOW! the researcher hosted these meetings.¹⁰⁷

10.2.1 The Fourth World Conference On Women, Beijing 1995

The major events of the four-year Beijing process, and the only ones which achieved international media coverage, were the two meetings in Beijing, China, in September 1995: the Fourth World Conference on Women and the NGO Forum. In some ways, apart from the theatre of the events and the impact on the many women who attended the NGO forum, the actual conference was only one important step, the catalyst for all the lobbying and process which had occurred to date. Many outcomes from this process had already been achieved, but the conference provided an important document, the Beijing Platform for Action (BPFA) for future lobbying. The forum provided a venue for information exchange, consciousness raising and education for the many thousands of women who attended it.

¹⁰⁶ ACFOA/CAPOW! Report on CSW 39, ANCCORW Beijing Archives.

¹⁰⁷ Minutes of planning meetings, CAPOW! /ANCORW and Publicity Material, 1995, ANCORW Beijing archives.

The BPFA had been continually amended and refined during the four-year preparatory process. It contains input from government reports, expert groups meetings, the five UN regions of the world, both government and NGOs, and three meetings of the CSW. Amendment was through a process referred to as 'Square Brackets' and 'Language' sessions. At each meeting of CSW, representatives from member states discussed the document paragraph by paragraph and agreed on certain language. If agreement could not be reached on parts of the document, they were placed in 'square brackets' until the following meeting. The task of the Beijing Conference was resolution of the language still in square brackets. To fully and effectively participate in this complex process, NGOs need to be trained in the process and be familiar with the system of square brackets and the use of UN language.

Fundraising had ensured that a team of six women would represent ANCORW at the UN Conference. Four were refugee women resettled in Australia, one the researcher who at that stage was chair of the board, and one the previous convener who was now director of the organisation. This team was well trained and coordinated. They had prepared the 'language' which they used to lobby in Australia and had the wording checked by an international lawyer.¹⁰⁸

ANCORW members were very active at both the forum and the conference. They ran workshops at the forum, and took part in many activities in the 'Refugee Tent'. The researcher presented the Pacific Report to the Forum on behalf of Australia, New Zealand and the Pacific Island States.

They were most active and effective at the conference, where they worked as a lobby group, systematically targeting other governments and influential NGOs. The spread of spoken languages in the group assisted in this process and networks established at previous meetings were used to facilitate the process.

At first, the ANCORW team worked with the refugee caucus which was sponsored by UNHCR and with the human rights caucus, but the allegiance of many organisations in the refugee caucus with the conservative mainstream within UNHCR eventually caused a split. The researcher and ANCORW team left the more conservative refugee caucus and worked exclusively with the refugee committee of the human rights caucus. This caucus was extremely well organised and effective. Once again, even at this late stage of

¹⁰⁸ Donna Sullivan, International Human Rights Watch, New York.

finalising the document, many governments were pleased to have 'language' presented to them.

Mainly through the work of this group and with support from the Australian Government delegation, wording around rape as a war crime and as a crime against humanity, and gender as ground for persecution was inserted into the Beijing PFA and signed off by governments. On several occasions, the researcher was invited by members of the Australian Government to participate in drafting language for the final document. Issues concerning the successful resettlement of refugee women, in particular, refugee women at risk, were constantly raised with government delegates who spoke very strongly on refugee issues at the Beijing Conference. The hard work, strategic planning and the learning undertaken by the ANCORW team paid off.¹⁰⁹

Much of the wording prepared by the Refugee Committee of the Human Rights Caucus of which ANCORW was a part, was incorporated into the BPFA. In all, fourteen paragraphs of the document relate to refugee women and girls (Appendix 8). For the purpose of this thesis, the most important is paragraph 145D, that Governments shall:

Reaffirm that rape in the conduct of armed conflict constitutes a war crime and under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention of the Prevention and Punishment of the Crime of Genocide: 27, take all measures required for the protection of women and children from such acts and strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice (CSW, 1995 p.18).

The Australian Government signed the Beijing BPFA without reservation.

Both before and during the Beijing conference, ANCORW made extensive use of the media which involved raising the consciousness and gaining support of a wide range of interest groups not normally associated with the refugee domain.¹¹⁰ For example, the researcher and the Australian Broadcasting Commission Special Broadcasting Service (SBS TV) produced a 30-minute current affairs program on the issues of rape as a war crime. The first 25 minutes was compiled prior to the Beijing Conference and comprised conflict scenes from around the world, interspersed with commentary from the researcher. The last five minutes were recorded live by telephone interview with the researcher from Beijing, announcing the inclusion of rape as a war crime into the Beijing

¹⁰⁹ Report of the Beijing Fourth World Conference on Women, 1996, ANCCORW Archives.

¹¹⁰ See ANCCORW Beijing Media File, ANCCORW Archives.

PFA; the program was screened the night that this happened. These strategies not only gained support for the work before the conference, but helped push for implementation after the event.

10.3 OBSERVATION PHASE

During the course of both the work with the RRWG described in stage four and the work completed at the international level stage five of the action research, the status of the researcher in relation to various Australian Government departments changed significantly from that of an 'outsider' to that of an 'insider'. The process presented an unprecedented opportunity to work closely with senior representatives from the Department of Immigration and Ethnic Affairs (DIEA, formerly DILGEO), DFAT, and OSW, which has the responsibility of monitoring government policy across all portfolios to ensure gender sensitivity and acknowledgement of women's identified needs. A major factor in this shift was the power gained by ANCORW and the researcher from their knowledge and familiarity with the complex UN system and the power of being part of a strong and well-respected international network.

It also should be noted that the close proximity and intensity of the work at UN meetings, the late nights, often running to 2 and 3am, and the snatched meals and drinks, substantially break down barriers between groups which normally preserve distance from each other, such as senior bureaucrats and NGOs. NGOs bring knowledge and information to the government players, who in turn sponsor 'language' into the document on behalf of NGOs. This is very different to the relationships between the groups back on home ground.

As stages four and five progressed, it was found that they were more closely linked than had been anticipated. The work of the RRWG informed the lobbying done at the UN for domestic service provision. The same NGOs also supported the need for recognition of rape as a war crime, using their networks to lobby government to support this issue at the Beijing Conference.

This stage of work also highlighted the importance of regarding policy as a process and not as an event or a document. While the Beijing meeting was a critical event at which many commitments were made, including to refugee women, other important commitments and changes both to resettlement and intake refugee policy were made during the process of preparation for the conference, and some of the outcomes did not

occur for several years afterwards. Policy changes both before and after the Beijing Conference were influenced by the actions generated from the conference process.

At the end of this process, the fact that ANCORW was no longer funded by DIEA gave the researcher a degree of freedom to lobby overtly for change in government policy both nationally and internationally. There was an anomaly in the fact that, while on the one hand DIEA had defunded ANCORW because it was a lobby and advocacy group, another government department funded it to undertake this role in relation to the Beijing process. In the course of this process, other government departments actively supported the work of ANCORW in lobbying for change in DIEA policy. Some of these events can be explained by policy theory and others can not, yet they are important factors in the ability of ANCORW to influence policy for refugee women. Analysis of this final stage of the action research process focuses around four themes. They are (i) the relationship of ANCORW with the Australian Government, (ii) the place of ANCORW in the world policy community, (iii) the role of the researcher in the process and the links between the international and domestic policy arenas, and (iv) the roles of ideology in shaping both national and international policy and law.

10.4 REFLECTIVE PHASE - CRITICAL EVENT 7 - USING THE BEIJING PROCESS TO INFLUENCE THE POLICY PROCESS

10.4.1 Analysis in the Political Framework

Once again, the analysis in this stage of the process focuses on the role and power of external players to take a proactive role in the policy process. Many of the things that happened during the Beijing process come under the broad umbrella of the notion of policy as a complex game (Stone, 1988; Considine, 1987) and as a result of the complex interactions of values, assumptions, stories and language which form the context for the game (Yanow, 1987). Considine (1994) also notes that the character and nature of patterns of behaviours shape the policy process and that could also be observed in the developing relationship between ANCORW and various government actors, as ANCORW deliberately made alliances to increase their authority in the policy arena.

Power was a crucial issue. While the government always had formal control of the process, the researcher also controlled a number of key resources which were of interest to government. These included access to information from international sources, which she could make available to government, influence with major players in the international domain, detailed knowledge about the problems experienced by refugee women,

knowledge about the actions of other actors in the international domain, informal actions with players which the government could not formally access, and expertise in working in the UN system. Giddens (1979) noted that the policy process is shaped by power plays between actors as they use their discursive knowledge to reproduce or change the social system. In the final year of the process, the fact that ANCORW was no longer funded by DIEA gave the researcher a degree of freedom to take this role and to lobby overtly for change in government policy both nationally and internationally. This illustrates the political nature of policy and the interactive nature of power dynamics, often focusing around resources, as discussed by Linder and Peters (1987), Davis et al. (1988) and Hardy (1994).

ANCORW used participation in the Beijing process in several ways. It was able to use its position in the refugee domain and in the broader women's domain to exert influence on the Australian Government to respond to the needs of refugee women, in a very public forum. As Pfeffer (1983) notes, it consciously used the power it had to challenge those with formal authority. The 'camaraderie' which developed between NGOs and government actors at these meetings was also an important element in the success of the lobbying. These close working relationships influence agenda setting and take away the pretence of 'reason' in the policy planning process (Burrell & Morgan, 1979). The NGOs who are willing to put in the long hours and stay with the process are those who get their issues into the documents.

Policy response to these activities was particularly noticeable following the Jakarta regional meeting and the Beijing Conference, during which NGOs were able to use both their discursive legitimacy and their knowledge and understanding to influence the process. The researcher and the ANCORW team, working with the larger and extremely knowledgeable international policy community, played a role in shaping the social reality of the Australian participation in this conference. To a lesser extent, through participation with AWHCR, they had a significant impact on the response of other member states who accepted and voted for the language submitted by this group.

The place that ANCORW took in the international community was important in the success that it achieved in fulfilling the original goals of the project. Without joining this community, ANCORW could not have taken its voice independently to the UN and if it had not done this it would not have achieved the gains that it did at the national level. It was a parallel process to that which occurred at the national level and it suggests that the body of theory which has developed around policy communities at a local level is also

applicable to international policy networks. In the international arena there are formal policy communities as described by Benson (1982) and Rhodes (1990), such as the UN appointed NGO advisory bodies, and established and funded groups such as AWHRC. Policy networks such as those described by Considine (1994) and Sabatier (1988) also come together to focus on a single issue at specific events, such as the Beijing Conference. Sabatier (1993) has identified the potential for conflict in discourse coalitions around ideological, ethical and epistemological positions.

Through these international networks, the researcher and other ANCORW participants had learned about the process of lobbying at the United Nations, about using a Human Rights framework and how to prepare and use formal UN language. These skills gave ANCORW power because they were a scarce resource (Hardy, 1994). When combined with expert knowledge about refugee issues, which was provided in part by the close cooperation of the UNHCR Women's Bureau, they were extremely useful tools, and allowed ANCORW to take a proactive role in placing refugee policy on both the domestic and the international agendas.

What did become clear towards the end of this stage was that much of the work done in the name of ANCORW was done by the researcher. She had taken on the role described in policy literature as that of a 'policy entrepreneur' (Stone, 1988). While acting in the capacity of policy analyst, employed by ANCORW, increasingly it became clear that many appointments and invitations were made to her on a personal basis. This was at times quite open, as seen in the invitation from UNHCR to participate in the regional meeting, in her appointment to UN expert group meetings, and her appointment as an AWHRC council member. These were individual appointments independent of organisational affiliation, although the work done on behalf of ANCORW had placed her in the position to be considered for these appointments. At other times it was less openly apparent, and without the full status of ANCORW the researcher would not have been in the position to be nominated to important positions, such as the Co-Chair of CAPOW! and the head of the Regional Refugee Caucus.

The analysis of the structure and dynamics of policy networks which developed in stage four of the action research also informed the work done in this stage. The notion of insider and outsider groups was also apparent at the international level, the refugee caucus taking the role of a more established policy community, working closely with UNHCR, while the human rights caucus had more of the attributes of an informal network (Maloney et al., 1994). There were parallels between the ways in which different groups

worked together at the national level, and cooperation at the international level. In recent years work has been done on the work of trans-national advocacy groups (Keek and Sikkink, 1999; McDevitt, 1997), but this was not available to inform the analysis at this point in time. The broad range of Australian NGOs who worked collectively at these meetings played an important role in this work. They took the role of policy advocates as described by Hogwood and Gunn (1981). A number of caucuses with similar world views but lobbying for different areas of social policy worked cooperatively to support the work of the whole team. All the informal actors involved took an overtly political stance, using caucuses and knowledge to influence the formal decision makers to accept their point of view. This involved a degree of understanding of political processes and power dynamics, not merely taking the part of observers. It involved negotiation, compromise and the trading of objectives, as NGOs worked with government to reach solutions which would be acceptable to all member states. Australian refugee policy was developed and amended in response to the continued activities and interplay between government and NGOs (Barrett & Fudge, 1981).

Considine (1994) describes how policy actors use available public institutions to articulate and express the things they value. The UN, through the Beijing Conference process, provided an ideal institutional platform for the international refugee caucus to fight their case. It was the logical place to continue working to achieve the necessary changes in international law, which could then flow down into domestic law and social policy.

10.4.2 Analysis in the Critical Framework

The mission statement and stated aim of the Beijing Conference were to improve the status of women in the world. Incorporated in this sacred view are the assumptions that this can be achieved within the framework of existing social structures and ideologies, and that status of women in a men's world can be changed without changing the fundamental nature of that world. Many women who attended the conference as lobbyists believed that if the outcomes of the conference were to significantly improve the status of women, the world order would have to be completely restructured.

As Abercrombie and Hill (1994) describe, a critical theory framework critiques the ways in which structures and ideologies limit and prevent people from freeing themselves from domination. Policy in a vacuum, based on a UN document, can not achieve this freedom unless the means of social reproduction which had produced the oppression are also examined. Policy has to be seen as an integral part of the social structure. The issues discussed at the conference were based on notions of equity and equality, but gender

inequalities are institutionalised and reflected in policies and laws which grant rights and privileges to men, but not to women (Charlesworth, 1994). Andocentric, institutionalised patterns of needs interpretation reflect dominant ideologies which prevent the acknowledgement of women's issues (Fraser, 1989). If the outcomes of the conference are to improve the status of women, these major issues have to be addressed. This is extremely difficult when the hegemony of ideology is so strong that often people are not consciously aware of the discrimination and injustice inherent in the structure which shapes their lives (Gramsci, 1971; Lukes, 1974).

There was, of course, resistance from governments and from some right-wing women's groups at the conference to making changes which challenge the existing world order. All actors involved had some level of knowledge of the agendas of the conference (Giddens, 1979), and the major battles which were played out were about changes which required a major shift in ideological positions. Despite many women at the conference representing governments, they were still representing patriarchal systems of governance, and had no power or authority to challenge this. Disappointment has been expressed about the effectiveness of the recommendations to address institutionalised inequality. Many are structured so that they can be accommodated into existing social structures. This is indicative of the power of the prevailing ideology and the difficulties of achieving change. Hawkesworth (1994) contends that in order to achieve change we need to reshape dominant frameworks, and in many cases during the Beijing process this did not occur. However, despite the mechanisms to control and contain the advancement of women, it can be anticipated that some of these changes will have unintended consequences, which may go on to influence change in basic social structure (Giddens, 1979; Willmott, 1981). Despite the conflict between many governments, some recommendations were accepted which do challenge the status quo across the world, in some countries more than others. Whether they are implemented or not will only be known in the course of time.

The demand for recognition of rape and sexual abuse in a conflict situation as a war crime challenged embedded gender-based injustices and challenged the institutionalised and historic invisibility of women and their confinement to the private (domestic) sphere. The demand for recognition challenged the myth of gender neutrality and the inbuilt social injustice in human rights instruments, international and domestic law and social policy (Fraser, 1989; Newman, 1995). That human rights law is built on male definitions and world views is well documented by Charlesworth (1994), and this was identified as a major factor in the case study. Fraser (1991) argues that this resistance makes the

issues difficult to identify, never mind to challenge. However, this case study demonstrates that once an issue has been identified, it is possible to raise both practical and discursive consciousness to affect radical change (Giddens, 1979). These realisations reinforced the need for ANCORW to continue to work in the international arena, as it was obvious that the ideology embedded in the human rights instruments was reflected in the policy informed by them. To change policy at a local level, it was also necessary to strive for changes in the international legislation and conventions.

It was within the context of the Beijing process that the researcher was able to operationalise the insights gained in the recognition of the power of discourse in the policy process. Through their activities during this process, ANCORW, as part of the Human Rights Caucus, assisted in placing a new concept of refugee women firmly on the agenda of the Australian Government, and of the Beijing Conference. The prevailing refugee discourse of the government allowed them to maintain their sovereignty as a nation state and to control the entry of foreign nationals (Giddens, 1985). Widening of the criteria for entrance through acknowledgement of new groups in the refugee policy, such as tortured and traumatised women, posed a challenge to that sovereignty. The researcher questioned the prevailing ideologies which informed issues pertaining to refugee women and, by gaining discursive legitimacy, made it difficult for other actors to publicly argue against this position. The use of this process by the refugee domain challenged the power embedded in the social structure, the power, rule and domination exercised by governments over NGOs and the population (Burrell & Morgan, 1979).

UNHCR and the Australian Government had, until this time, been using the established symbol of the refugee woman as innocent bystander to promote their refugee policy agendas (Edelman, 1971). It was carefully constructed through the use of texts, images in the media, posters and other materials widely distributed to the public. This symbol of the refugee woman, usually from a rural area of a developing country, and in need of protection through paternalistic policies, reinforced the existing social structure and was used to gain public acceptance of their actions. ANCORW, working with national and the international refugee networks, challenged this symbol by creating new concepts of refugee women, both as women who had survived rape and sexual torture, and thus needed specific service provision, and as strong women survivors of conflict situations. They challenged the government's problem definition relating to refugee women, and manipulated public opinion to gain wide support for their definition of the problem, which they then imposed onto the agenda. Weiss (1989) argues that policy definition depends on the pliant nature of public issues. An interesting relationship was that with the

Women's Bureau of UNHCR. The director clearly understood the value of NGO intervention to challenge the definition of refugee women's needs which had been identified by the UNHCR bureaucracy as additional protection and service provision, instead of recognising the root cause of the problem, the lack of recognition of rape in conflict situations and working to have that addressed (Fraser, 1989).

At the beginning of the process, the importance of discourse and discursive activity was not consciously acknowledged by the researcher. It was later, following the realisation of the significance of the phrase 'only rape', that it was understood at a level of practical consciousness and then actively used to challenge existing discourse and to introduce a new discourse about refugee women. The major challenge was to create new language, new discourse, concepts and objects to address refugee women, which would validate their experience, empower them and enable them to take more control of their lives. This meant challenging the male-oriented language of human rights, international and domestic law and social policy to make women visible in this language (Hawkesworth, 1994). It had to confront the sacred misconception that policy is gender neutral. It was a dialectic process, in which the act of participating in the process and using the new discourse gradually caused the structures to change. Once something has been adopted into the current discourse it is difficult to go back.

10.5 CONCLUSION

The final stage of the action research process reached its symbolic ending at the Beijing Conference in September 1995. Report writing and immediate follow-up continued into March 1996, and as ANCORW continued as an organisation, a new program of work was developed, to follow up the Beijing Conference. The understanding gained during this final stage informed that work. At the risk of self-congratulation, the researcher and the ANCORW Board are proud of what they achieved through this marathon project, much of which was undertaken on a voluntary basis and at significant financial cost to the actors involved. It was driven by a strong belief in what they had set out to achieve, assisted by the refugee domain in which they worked and by their position in the international arena. It is acknowledged that what they achieved would probably not have occurred as effectively as it did without the constant theoretical analysis which guided the activities. This is brought together in the final chapter of the thesis.

CHAPTER ELEVEN

FINAL ANALYSIS AND THEORY BUILDING

11.1 INTRODUCTION

In this chapter, analysis from the five stages of the action research is brought together into a final reflective stage. At each stage of the project, writings from three frameworks of policy theory were tested to seek explanations for the activities described. Knowledge gained from theoretical analysis in each reflective phase was applied and used to inform the next stage of research. The outcomes of these five stages produced a theory of policy development and enactment which emerged from the progressive iterative reflections in each of the five cycles. This theory is informed by, but additional to, the insights provided by the three conceptual frames.

11.2 FINAL REFLECTIONS ON THE FIVE STAGES OF ACTION RESEARCH

In the final stage of completing the PhD thesis, additional reading and reflection were undertaken to test further the conclusions reached at the various stages of the project. Current literature was applied retrospectively to provide a deeper understanding and for the purpose of theory building and producing new knowledge on the policy process. This additional material is presented below in the context of each of the five stages of the case study.

11.2.1 Stage 1

In stage one of the action research, the writings of theorists in the rational framework were useful in enabling the researcher to analyse the way in which the formal government players 'talked' and conceptualised the policy process. This body of theory was only used again briefly in stage three of the research to illustrate the inability of rational analysis to provide answers to the complex process under examination. Despite the misgivings by the researcher about the usefulness of writings in the rational framework, Lynn (1999) argues that models influenced by them are still those most frequently used by governments and that they have value because they are concrete and

objective. Shulock (1999) contends that the expert role and function of elite actors reduce uncertainties between policy and outcomes. This was not borne out in this case study. The use of the concept of a sacred and a profane view of the policy process was extremely useful in identifying the difference between the way in which formal actors talk the process and the way in which they often act (Degeling, 1980). As the case study progressed it was noted that at times this is acknowledged and at other times the sacred view is adhered to if this is felt to be politically expedient at the time.

11.2.2 Stage 2

Stage two focused particularly on power dynamics, and the motivation and agency of different actors to have their definition of need on the agenda. Writings in the political paradigm provided understanding of the contested nature of the policy process which was evident in the case study, and the importance of understanding the complex power dynamics involved was identified. The magnitude of problem and need identification became evident, as part of the struggle between the various policy actors was to have new definitions of need placed on the policy agenda. In the final stages of reflection, when further theoretical research was undertaken, this understanding was strengthened. The notion of bottom-up implementation was reinforced by the notion of backward mapping (Fiorina, 1997). The contest between external players and formal policy actors was clearly identified, and the role of ideology in the policy process became apparent. Hoffman (1995) highlighted the importance of placing the policy process in a social and political context. The work of Considine (1994) provided further insights into the political nature of the policy process, which explain many of the dynamics of the often adversarial relationship between ANCCORW and the policy actors in the government, and the strategies used by each party in the political games being played. Considine also explores how 'needs' become 'rights' as the policy process changes value systems in institutions. The gradual acceptance of the experience of refugee women began the process of changing 'needs' for torture and trauma services into 'rights'. The government's announcement in the UN that eligible refugee women entering Australia had the right to receive torture and trauma rehabilitation services is an example of this.

The way in which the bureaucrats evoked professional language as a tool and shield in their denial of the ANCCORW research is also explained by Considine (1994). Further elucidation on the role of the Director of the Bureau of Immigration Research in his support of the ANCCORW project can be gained from the work of Michaels (1992), who suggested that actors are predominantly involved in the policy process for career reasons rather than the sacred reason of commitment to a cause. It can be argued that these are

at least equal motivators and that this argument could be applied to the researcher, who has gained a place in the international arena because of her participation in the activities described in the case study.

Theorists whose work sits predominantly in the Political framework sometimes acknowledged the role of language, discourse and ideology in the policy process in shaping social reality and as part of the political dynamics, without exploring the power that these have to shape the social context of the policy process. This is different to the approach taken by theorists whose work sits more comfortably in the Critical framework, who regard the role of ideology and discourse as central to the understanding of the policy process and explore the role it takes in the structuring of social reality and the actions of policy actors.

Writings from the Critical framework add depth to the understanding of the activities which took place and explain at a theoretical level things which had been partially explained by readings to date and partly understood at an intuitive level. At this stage of the action research, the researcher, with the ANCORW Board, had identified that if they were going to achieve their aims in regard to policy for refugee women, structural change was necessary in refugee policy and service provision, and their strategies were designed to achieve such a change (Abercrombie, Hill & Turner, 1994). The denial by government of the special resettlement needs of refugee women typifies what Hawkesworth (1994) has identified as governments legitimating gender injustice by considering women's demands for justice as those of a partisan interest group, rather than as social justice issues. It was recognised that all actors including the researcher were part of the construction of the social reality which provided the context for refugee policy and that the conflict between the various actors was part of the dialectic which could achieve change (Alvesson & Deetz, 1996). The Board were therefore not concerned that for the first part of this stage of the action research they were in a state of contestation with many government actors, including those with decision-making power. It was a clash of oppositional tendencies as described by Alvesson and Deetz.

The ANCORW Board discovered that they held an important source of power, that of discursive legitimacy, the power of being seen to be speaking legitimately on issues even where there is no formal power (Phillips and Hardy, 1996). They had recognised this power at the time as the power of moral argumentation, without identifying it as discursive power. Working with board members, the researcher also began the mobilisation of structural, organisational and personal bias into power over policy and the tactics that

they used could be described at times as coercion and manipulation. It was not only the bureaucrats who were playing games; it was a contest between groups with different types of power at their disposal. Towards the end of this stage of the action research the relationship between ANCCORW and the government shifted away from that of contestation and moved much more closely towards collaboration, as ANCCORW worked with departments on developing amended or new resettlement policy (Hardy & Phillips, 1998).

11.2.3 Stage 3

In stage three of the action research, additional reading of theorists writing in the Political framework suggest that all actors take a political role in the policy process, including those within the bureaucracy (Hoffman, 1995). The motivation behind the actions of the senior bureaucrat who accosted the researcher when he was inebriated could be interpreted as an attempt to suppress research findings which would involve the allocation of resources. Considine (1994) describes one function of policy as a commitment of money and services to a need identified by the bureaucracy. Paradoxically, if the attempt of the senior bureaucrat had succeeded and been made public, it would have shown that other areas of policy making were not based on rationality, as he claimed he had used false information in order to gain public support for government policy. It also illustrates what Rochefort and Cobb (1993) describe as the malleable nature of public issues on which problem definition depends.

More recent readings also brought understanding of the role of feminist and discourse analysis, in particular, in explaining the role and transmission of ideology and how this affects the policy process. The work of Newman (1995) further discusses the myth of gender neutrality in policy and law, which she argues, perpetuates inequality by ignoring the different realities of women's lives. This was very apparent in the refugee arena. Gatenby and Humphries (2000) argue that the use of feminist research provides a key to substantive questions about the oppressive nature of some social structures, and McCarl Nielson (1990) argues that consciousness raising about the gendered nature of social life is a specific methodological tool to aid the transformation of patriarchal institutes through research. Rixecker (1994) has argued that a bridge is needed between policy discourse and feminist discourse and this need was clearly illustrated in this case study. Healey and Mulholland (1998) has described how language is adopted by workers and clients, and reflects the embodiment of power and powerlessness in social interaction as well as in social superstructures such as the patriarchy, the former reinforcing the power of the

latter. This again was evident in the way that the language adopted by the service providers influenced the implementation of the policies under examination.

Additional reading into discourse analysis provided a much deeper level of understanding of the role which it played in this case study. Richardson (1996) argues that discourse analysis must be placed in a wider social context if it is to escape being just another theoretical tool. While it has been used as a tool in this thesis, it can also be argued that it has assisted in producing a theory of policy analysis which address some aspects of the policy process which have not been adequately explained in the past. Jacobs (1998) reminds us that social reality is informed by the interplay of multiple discourses and that the pattern of dominance changes over time. This is clearly evident in this case history as discourse about refugee women changes in response to discourse about torture and trauma, race and ethnicity, the protection versus the empowerment needs of refugee women, human rights discourses and the range of competing feminist discourses. Fairclough (1992) discusses the dialectic nature of discourse, which complements the dialectic nature of action research grounded in critical theory. In each case, the hegemony of prevailing ideology is challenged by the dialectic of contesting discourses.

The notion, introduced by Carter and Nunan (1993), of discourse as a communicative event in either written or oral language was important in identifying the key to the problem. Most importantly, they argue that at times single words can function as complete texts, which form a meaningful whole. The use of the term 'only rape' is an example of this. These two words formed a complete text which informed an analysis which provided the key to the problem under examination.

As Danziger (1995) notes, the highest truth for people is what they believe it to be. This can explain how so many actors pay lip service to the sacred version of reality, while taking an active role in the profane manipulation of events. To understand this dynamic, Danziger (1995) argues that two epistemologies are necessary, the hidden ideologies embedded in the everyday language of the social world, and those embedded in professional language, which is the language of policy. Both of these are both evident in the words, 'only rape'. The dual truths are that men who used the words regard the rape of a woman as being of little consequence and that this is sanctioned by a world view and dominant ideology which place women as second class citizens, whose lived experience is considered not as important as that of men. That these experiences are not addressed in the language of policy indicates that issues which fall in the private sphere are not

worthy of note in human rights instruments or any of the legislation and policy informed by them, including eligibility for the WaR program.

Phillips and Hardy (1996) identified how discourse creates concepts, objects and subjects. They use the example of the refugee domain to describe how actors, through discursive power, use concepts to produce objects and subsequently subjects that are consistent with their interests. Dominant discourses, such as those used by UNHCR, had produced refugee women as objects of pity, in need of protection, and generally peripheral to conflict situations. Torture and trauma are concepts, which in turn produce objects and subjects, such as tortured refugee women. Until the ANCCORW research was completed, the concept of torture had been applied mainly to refugee men. Tortured and traumatised refugee women were not a recognised object because the discourse around conflict and refugees had not presented this choice. Stone (1988) suggests that concepts are political claims and that the analysis of these claims involves ideological, political and rhetorical choice. Building on the work of Considine (1994) on needs and rights, it can be argued that policy elites chose not to acknowledge the concept of tortured women because doing so would present a political claim, which they did not wish to acknowledge. Phillips and Hardy (1996) suggest that once subjects are acknowledged, they acquire rights, in this case the right to torture and trauma rehabilitation services.

By introducing new discourse about refugee women, the informal policy network was able to influence the acknowledgement of the torture and trauma of refugee women in the Australian refugee domain and then, in the international domain. This was a major contribution to the creation of a new concept of refugee women, from that of the passive partners of refugee men to that of refugee women as persecuted in their own right, survivors of torture and trauma, most of it rape and sexual abuse. Once the concept is changed, it alters the way in which the object is perceived and how people relate to it. The new discourse was a challenge to the dominant ideology and created significant resistance from government and policy community actors keen to preserve the status quo. The role of the existing discourse addressing refugee women was to translate objects into images which fitted the hegemonic ideology (Chock, 1995). The new discourse posed a threat to that hegemony.

The challenge to the dominant discourse was achieved through the production of texts, the dissemination of information and the interpretation and reinterpretation of the prevailing discourse. Discourse is produced within texts; it conveys the structures and ideologies which inform the text, often at an unconscious level (Fairclough, 1992). It is a

very powerful tool, as through this function it normalises power relationships. The act of creating and disseminating texts is a highly political act and underlies the struggle for power and control (Phillips & Hardy, 1996). ANCCORW and the informal policy network became extremely effective in using this tool, as can be seen by ANCCORW's substantial output of publications, conference papers and use of the media (see Appendix 9).

The activity of research also contributes to the production of those who are its subjects, which is a particular and accepted view of objects, constructed and restructured by discourse (Phillips & Hardy, 1996). The research also produced 'the researcher' as a subject. Subject positions are a function of the discourse and, to be able to speak within a discourse, actors have to take up a subject position. Strategically invoking discourse has consequences for the speaker, as she or he becomes written into the discourse. It has implications for individuals, for example the researcher became 'the expert on rape and sexual abuse of refugee women', building her career and reputation on their misfortune and thus open to accusations of bias and self-aggrandisement. Strategically invoking discourse also related to organisational identities, for example, ANCCORW became 'the organisation for refugee women' in Australia and still has a reputation in the international field which is much larger than its reality. The creation of these subjects caused problems when other actors and organisations who had positioned themselves as 'the experts' found that there were new subjects in this position, and as subjects have both rights and legitimacy, this created conflict. All actors in the refugee domain are created as objects and subjects, including bureaucrats and politicians. These are independent of other identities which they may hold external to the domain. For example, the researcher as 'expert on refugee women' has different identities, that is, she was a different object and subject in other domains with different discourses. Some of these intersected with the refugee domain and some were totally independent of this arena. The interrelatedness of discourse in a particular field and broader social discourses, such as the wider human rights discourses, racism and paternalism, as identified by Hardy and Phillips (1996), is well illustrated in this case.

Throughout the activity described in the case study, the researcher noted that despite the lack of implementation, and the resistance and contestation between the government and the NGOs, apart from the inebriated bureaucrat there was always a notion a good intent from politicians and bureaucrats about the Women at Risk program. This was most clearly articulated by the Minister who threatened to 'crucify people' if implementation did not improve. Such a subjective and intangible impression was difficult to explain with any

of the theories explored. Alvesson and Deetz (1996) describe the role of ideology as being so pervasive that populations do not realise they are being controlled. Hardy and Leiber-O'Sullivan (1998) discuss how ideologically driven power replaces visible forms of domination, and this unconscious acceptance of hidden cultural forms of domination, in this case patriarchal ideology, in gender-blind conventions and law perpetuates the status quo. They propose a fourth dimension of power, based on the work of Foucault, whereby actors can neither control nor escape power relations, even if they are advantaged by them. This could explain how actors were trapped within this ideological framework which did not allow them to understand what was happening despite their good intent. It does not, however, explain how some sectors of the NGO community were able to claim to take 'critical distance' from the power of the ideology and challenge it. To do this we may have to go to the work of those writers who challenge the 'absoluteness' of postmodern theory and argue that it also can be used in a process of change, such as Calas and Smircich (1996), Jacobs (1998), and Alvesson and Deetz (1996).

11.2.4 Stage 4

Stage four provided explanations of the role and value of policy networks in influencing the policy process. The formation of the Refugee Resettlement Working Group (RRWG) and the conference on resettlement were focusing events as described by Scherberle (1994) which brought the policy domain together. This work fell to the activists who had used the wave of public outrage as a 'window of opportunity' to precipitate the initial action (Scherberle, 1994). The success of the external policy network in influencing policy and service provision supports Considine's description of policy as clarification of public values and intention, and the granting of rights and entitlement which the public accepts as just (Considine, 1994). He describes how the continuing work of policy actors who use public institutions to articulate and express the things they value is part of the policy process. The suggestion of Maloney et al. (1994), that those NGOs who cross from being 'outsiders' to take on the role of 'insiders' and then become de-politicised and by implication less effective, is challenged by the activities undertaken in the case history. In fact, it is argued that if aware of the possibility of this happening, and if the NGOs concerned have sufficient power to feel confident about taking independent positions, then it is possible to work inside the system without co-option to a weaker 'government' position. The government used expert discourse, which supported the dominant ideology, to normalise the relationships with the policy community. The policy network, as stakeholders in the process, challenged that hegemony through the use of an alternative discourse and produced change in the structure (Chock, 1995). Although

working closely with bureaucrats on the inside, ANCCORW continued to challenge the prevailing discourse and ideology with reference to refugee women.

The work of Considine (1994), which suggests that a number of sometimes diverse and sometimes overlapping actor networks come together in policy communities, was very evident in the RRWG. Blom-Hansen (1997) discusses the fact that our examination of policy networks is still descriptive, and does not provide a policy explanation, and Howlett and Ramesh (1998) comment that we still do not know how networks work, or the real difference between groups. Diverse and seemingly contradictory forces were evident in the dynamics of the RRWG group. Howlett and Ramesh comment that often 'elite' external players can wield enormous power in policy communities such as these, and this dynamic was very evident, especially once the group had crossed the line from being an 'outsider' group when it was formed, to having 'insider' status (Maloney et al., 1994). However, it must be noted that when the group first came together in a loose coalition it could be accurately described as an 'under-organised domain' (Hardy, 1994b). It experienced considerable conflict, was very creative and smaller players did have the opportunity to control agendas. While most of the German literature on policy networks as alternative forms of governance (Borzel 1998, Marsh 1998) were not accessible to the researcher, it is interesting to consider the notion that the Refugee Resettlement Working Group had assumed such a role. In this particular case and time they had a very strong influence on refugee policy and there was a clear resource interdependence between DILGEA and the organisations which were part of the RRWG.

One lesson learned from this analysis is that there is no absolute policy explanation for the role of policy networks. They are fluid, dialectic in nature and volatile; groups change role, composition and the degrees and types of power which they can utilise in response to the changing social structure in which they are operating. They have to be examined in context. Work on third sector organisations undertaken by Considine (1998) indicates that external actors and policy networks have varying degrees of success, usually low, in influencing the policy process and that those who stay engaged longest are most likely to have some measure of success. This was certainly the case in the process described: the policy community was engaged with government in the debate over resettlement policy and WaR for so long it became difficult in the end to divide the separate roles and influences, as they were so interlinked, either through consensus or contestation. Influence was both overt and covert, and played out and acknowledged differently in different fora, in particular on the national and international stages, and privately and publicly.

Danziger (1995) argues that the public are often excluded from the policy process, and asks what can be done to include them. It was without doubt the media coverage of the situation of women in the former Yugoslavia which involved the public in a very direct way in the policy process. It also demonstrated that it is easier to gain political support for issues with which people can personally identify. The horror of torture and trauma overcame for most people the fear of a 'refugee invasion' (see Chapter Five) and public sympathy lay, at least superficially, with women who had been abused. Michaels (1992) describes how policy communities can sometimes attract non-activists to mobilise around an issue and this was evident in this case.

11.2.5 Stage 5

In stage five the insights gained in stages three and four were applied to using the United Nations process. The notion of a policy entrepreneur had been noted while researching theoretical materials on policy networks in stage four; and in reading further during stage five, it had occurred to the researcher that this might be a role she was taking. It was not, however, until further research and reflection took place in order to complete the thesis that this understanding finally took shape. The role assumed in the various policy networks and communities, appointments to chair the RRWG and CAPOW!, and to sit on various committees such as the regional organising committee for Beijing, positioned the researcher as a leader in the Beijing process, and as an actor in the international refugee community. This caused resentment amongst some people who had been working in these arenas for longer periods of time. However, there was support for the role that she was taking, not only from the ANCORW Board but also from the broader women's movement in Australia and from some senior bureaucrats in the Australian Government. Many of these relationships were reciprocal. The researcher was able to share the knowledge and expertise she had gained from attending previous UN meetings with new players preparing for Beijing. She gained both prestige and funding for ANCORW, and was able to trade information with the Federal Government.

Since 1995 significant new work has been done around identifying the role of the policy entrepreneur. In addition to the more obvious activities undertaken by the researcher, such as 'salesperson' in using windows of opportunity to place items on the policy agenda, Mintrom and Vergari (1996) also describe the work of entrepreneurs as identifying innovative means of achieving ends. They are not sole players but people who mobilise communities and networks, and work both within and outside government to achieve their ends. They are described as actors who are prepared to take the emotional and reputational burden of pursuing actions which have uncertain outcomes

(Portz, 1996). Significantly, they can see the political importance of emerging events and are prepared to act on that insight, often planning activities over a period of years (Doig & Hargrove, 1990). Fals-Borda (1991) argues that we must take risks in action research, and the researcher was put into the position of taking risks many times over the course of the case study, in particular once she recognised the role that she was taking as a policy entrepreneur, and the resentment that was causing in some quarters. These activities established the researcher as a 'policy entrepreneur' with the power of expertise, knowledge and connections at the international level with people of at least equal power to the government actors (Stone, 1988).

The use of the Fourth World Conference on Women also demonstrates the power of discourse to challenge and change concepts, and the power of actors including activists to shape the structure in which they operate. This then can lead to modifications in the institutional frameworks where traditional power is exercised (Hardy & Phillips, 1998). This was how ANCCORW was able to influence the policy process. There was a gradual acceptance of a shift in ideological assumptions which allowed government to respond to the issues without appearing to challenge the status quo. Ellingson (1995) describes how the discursive arguments of one group gain dominance over rival groups who then adopt a common language. This was seen in the contest between the more conservative refugee caucus and the human rights caucus, and between NGOs and governments at the Beijing Conference. The event of the Beijing Conference was purposefully used by the refugee policy networks as an opportunity for change. In a discussion on how collective action can transform meaning and structure, Ellingson argues that events are important for changing collective beliefs and reconfiguring meaning and modes of action. The rate at which this happens is influenced by the approval or disapproval of a wider policy audience. It can be said that the support of the general public was a critical element in the acceptance of this policy shift. The very act of using new discourse can help embed it in the structure, until it is challenged again by the actions of the actors involved (Ellingson, 1995). The Beijing process provided the ideal platform for this to occur.

11.2.6 Summary reflections

The work of several writers helped to draw the many and diverse strands of the project and the analysis together. In 1996, 1997 and 1998, Hardy and Phillips published a number of articles analysing the refugee systems in Britain, Canada and Denmark, articles which described and analysed the relationships between the policy players in these domains and contributed significantly to the researcher's understanding of the

process in which she had been involved. These articles describe the role of the discursive process as different organisations vie to establish their definition of a refugee, the struggles between stakeholders in the refugee systems, the dynamic of power and the usefulness of strategies including collaboration and contestation.

Ellingson (1995) acknowledges the dialectic and constitutive nature of discourse and how it is used by activists to analyse social problems. He describes how collective action can transform the structure and meaning of discourse. The analysis of discourse has been described as a tool for activists, and the dialectic and constitutive nature of discourse in understanding and analysing social problems has been recognised by Opie (1993). Healy and Mulholland (1998) explore the role of language and discourse in the construction of social realities and the social superstructures which dominate our ability to take critical distance. They argue that activists identify the power and the powerlessness embedded in social interaction and challenge the dominance of social superstructures through this analysis. Jacobs (1998) discusses how policy networks construct policy discourse to make certain phenomena understandable, and Howlett and Ramesh (1998) comment that the role of activists in shaping discourse which in turn influences the policy process is often overlooked.

Abercrombie, Hill and Turner (1994) state that social realities are socially constructed and that this results in exploitation, repression and asymmetrical power relations, such as gender and class. These are targets of change by activists, which occurs through the dialectic nature of the contest between competing discourses and ideologies. Hardy and Leiber-O'Sullivan's (1998) discussion of how all actors exercise power as a deliberate strategy to achieve outcomes regardless of their legitimate authority to do so explains the actions of many of the actors involved, in particular the researcher who in the latter stages of the project did this consciously. Alvesson and Deetz (1996) state that research is socially constituted with clearly defined political and morally driven agendas with the purpose of achieving change. This body of theory helps describe and explain the actions undertaken by ANCORW, by the researcher, and by the wider policy networks and communities within which she operated. It facilitated the theory building which elucidates the process undertaken.

11.3 TESTING THE ABILITY OF WRITINGS IN THE THREE FRAMEWORKS TO EXPLAIN THE POLICY PROCESS

The method of analysis used is complex. In order to examine the writings of each of the three conceptual frameworks, as noted in chapter two, ten dimensions of the policy

process were identified. The dimensions provided a guide of how the theoretical writings in the frameworks addressed the research questions. They provided reference points for understanding and responding to the actions of the actors in the case study. These came together to inform a comprehensive analysis. Not all of the dimensions of the policy process, nor the theoretical material in each framework, were equally applicable at each stage in the action research.

The research problem was the apparent failure of two strands of Australian Refugee Policy. In seeking answers to the research problem, writings from three frameworks of policy analysis, the Rational framework, the Political framework and the Critical framework were tested in order to answer two research questions: (a) why did refugee policy, apparently formulated with good intent, fail to meet the needs of refugee women? and, (b) how were actors from the non-government sector able to intervene to bring about positive change in this area of policy formulation and implementation?

In testing the writings in the three frameworks in order to identify answers to the questions, it was found that when applying the theories developed in each framework, not only did the explanation change, but so did the questions. The questions framed in the three frameworks in Chapter Four are listed below, and illustrate the different theoretical perspectives which underpin the paradigms.

In the Rational framework the questions might be: *Why was this policy not implemented properly and what changes were made to the implementation strategy to make it work? What series of policy events have led to the failure to implement these policies?* and, *What influence did interest groups outside the formal decision-making channels have on this process?* When using analysis based in the Rational framework, the problem would appear to be one of implementation. However, when this theory was tested it failed: actions informed by this analysis did not produce significant change and the theory could not provide explanations as to why change did not happen. The role of external actors was acknowledged in later writings in the framework, but the power which they were able to utilise was not acknowledged. The social context of the policy process and the production of social meaning were not considered at any level. It is argued that the Rational framework produced a functional analysis which provided a blueprint for the way in which actors whose work was informed by the rationalist writings and theory would talk about the policy process, and the way they would expect it to occur. Many of the issues described in the case study would not even be considered as part of the policy process.

In the Political framework questions could be framed as: *How did the policy evolve? Which actors were involved? What impact did this process have on the failure of the policy to achieve its stated aims and policy outcomes? How did the various actors in the policy domain exercise power to influence the outcomes of the policy process?* These questions did in fact provide an important part of the explanation of the research problem. They facilitated exploration of the contested nature of the policy process. In the writings in this framework, the role of the formal actors, the government and bureaucrats; and of external actors, ANCCORW, the researcher, and the broader policy community, were all acknowledged. An explanation was provided for the roles which they took and outcomes accomplished. Games analysis which identified actors in complex games was useful in describing and understanding the roles of these various actors. The aim of the game for each group of players was to use whatever power they had strategically to establish their interpretation of both the problem and need, and the policy solution, and have these accepted onto the policy agenda. The implementation of these policies was also a matter of contestation and the power of actors to influence this part of the process was also acknowledged. The notion of policy evaluation is often rhetorical, but the concept was used by both formal and informal policy actors in their games to have their definition of social reality accepted as the dominant driver in the policy process. Understanding the role of policy networks and entrepreneurs was crucial to the theory developed as it provided insights into the role being played by the researcher and by ANCCORW, and their relationships with policy networks, policy communities and with government.

Questions in the Critical framework change into: *What impact did the ideology/hegemony, which structured the social context in which the policy process took place, have on the failure of the policy to achieve its stated aims and policy outcomes? What was the role of discourse in this process? How did individuals and groups impact on this structure to challenge the dominant ideologies and contribute to social change?* Theorists in the Critical framework provided understanding of the role of ideology in informing the actions of the actors described in the political framework and its role in the structuring of the social reality of the actors involved. It clarified the role of discourse as a purveyor of ideology and a creator of concepts, objects and subjects. It enabled explanations of the roles taken by external actors and the types of power they were able to use to influence the policy process. The role of ideology and discourse are apparent in all of the dimensions in the critical framework

Lewis and Grime (1999) argue for the value of meta triangulation of alternative theoretical paradigms. While it is not suggested that the frameworks used have the characteristics

of paradigms, they are conceptually different. The research questions could not have been adequately answered by theoretical material from any one of the frameworks presented. Writings in the Rational framework were unable to provide effective explanation for any aspects of the phenomena under investigation. It was the bringing together of insights from both the Political and the Critical frameworks which provided solutions to the research problem. The answer to the first question, that of why the policy was failing, was identified in the Critical framework, while the answer to the second question is best explained by theoretical material from the Political framework. Separately, it is unlikely that either of these insights would have produced the outcomes which transpired. It was the coming together of the understanding from the two policy frameworks which enabled the researcher to achieve what she did and produced the theory presented here.

11.4 THEORY BUILDING – KNOWLEDGE GAINED

The definition of *theory* adopted here is that of a coherent group of general propositions used as principles of explanation for a phenomenon, in this case the policy process (Macquarie Dictionary, 1997). Theory is also described as conjecture and opinion, and given the subjective nature of the case study and the use of postmodern writings in the analysis, this definition could also be said to apply. The theory was built sequentially, as in each stage of the action research process, different theoretical propositions were tested to gauge their effectiveness in explaining the policy process under examination. The theory proposed is the result of weaving together the strands of knowledge gained at each stage of that process. The theory is therefore an end point, an outcome of the total action research methodology, rather than a conceptual framework developed from a prior literature review against which the case-study was analysed.

The theory built, or central proposition of the thesis, is that policy often fails to achieve its stated aims because policy actors do not have a discursive understanding of the policy process in which they are involved. It is argued that in order to achieve the level of understanding required to facilitate effective change, it is necessary to take a 'critical distance' from the policy process and identify the ideologically based assumptions which inform it, and how these impact on and shape the social reality of the policy actors involved. It is necessary to understand the power and role of discourse in structuring that reality. In order to bring about change, the discourses which produce and are produced by the policy process have to be challenged and new discourses introduced. The non-government sector can play an active and an informed role by identifying the dynamics driving the process, by using theoretical analysis as a tool to identify and to address the

root causes of oppressive tendencies in the policy process, and by realising their own power to effect change.

The major bodies of theory used to analyse the case study were those of critical theory, which informed the action-research method selected for the project; feminist analysis, which uncovered the hegemony of patriarchal ideology and gender blindness in human rights instruments, domestic law and social policy; and critical discourse analysis, which illustrated how discourse reflects and reinforces practice, creates and maintains social reality and impacts on policy formulation and implementation. Lessons learned from writings on policy networks and the different dimensions of power explained and informed actions aimed at achieving social change. External actors can identify the power that they hold in the policy domain and consciously use this power to influence the policy process. However, without the understanding of the hegemony of ideology in the policy process examined in the case study, this power would not have been used as effectively as it was. In this case it was the understanding of the role of the ideology and discourse which informed the activities undertaken by the policy networks. What is new in this theory is the bringing together of the use of critical theory, incorporating analysis of the role of ideology on the structuring of social reality, the use of critical discourse analysis with the theories of policy communities, informal policy networks and policy entrepreneurs.

Applying this theory to the research questions posed in the thesis supports the explanation that failure in both strands of policy formulated to meet the needs of refugee women occurred because they were informed by ideology which served to keep the policy gender blind. In doing so it prevented the specific needs of refugee women being acknowledged and addressed by formal policy actors. ANCCORW, as part of a policy network, was able to contribute to policy change because it identified the role of ideology in the policy process. In joining with refugee networks at a national and an international level they were able to realise the powers that they held and to challenge the impact of the dominant ideology by introducing contesting discourses and fighting to have these accepted by different sections of the refugee community and the wider policy domain and the public.

As well as these major findings, other insights were gained during the course of this case study. The strong and practical links between international law and conventions, domestic law and policy are seldom discussed in the policy literature, and the notion of using the international stage as a platform for policy change at a local level has not been

explored before in relation to refugee policy. The value of applying the literature on policy networks to the international community is only just being recognised in the literature on transnational advocacy groups. This thesis also demonstrated that no change is necessarily permanent. Gains won by any actor or group of actors can also be lost. Discourse and perceptions of social reality are fluid and constantly change. The strength of the ideological shift and the acceptance of the discourse will determine the long-term effects of policy shift. It has been suggested that there is a void in our understanding of the links between activism and discourse. This thesis may provide a small contribution to this understanding.

11.5 TRANSFERABILITY

This analysis has provided a framework for examining complex multifaceted cases for which comparative case study analysis is either impossible because there is no exactly parallel process to examine, or because a comparative study is not feasible because of scale or resources. The major findings are not those pertinent to changes in policy for refugee women, but how these came about. It also illustrates the usefulness of an iterative approach to data collection and analysis.

The major limitation of this model of research is that it can never be exactly replicated. It is a 'one-off' case; there is no similar study with which to compare it. The process was lengthy and expensive, and it is unlikely that another researcher would find either the funding or the opportunity to be so involved in a process for so long. The activity described was very dependent on one person, the researcher, and it can be argued that it is therefore open to bias. A further criticism is that the results are subjective, being mainly the account of one person and her interpretation of a case study which involved literally hundreds of people. This was addressed extensively in the methodology, and Eisenhardt (1989) argues that it is the very fact of this 'total emersion' in a situation which is the strength of this type of model. The insights gained from the analysis of this case study may help make sense of other policy initiatives. Policy with regard to people with a disability and single parents are two very obvious cases in point. Yin (1991) has argued that while single case studies are not generalisable, the theoretical propositions which they produce are. While acknowledging the limitations outlined above, it is argued that many of the key principles identified in the analysis are generalisable. Policy analysts may wish to test some of these principles in further research.

At the outset of study, the applicability of action research as a suitable method for a PhD thesis was discussed and the potential problems acknowledged. The thesis is an

example of what Fraser (1989) describes as linking activism to academia. The aim of the work undertaken was to bring about change in social practice or social structures which cause the oppression of some part of the population. In the case in point those who were oppressed by the social structures reflected in human rights conventions, law and the policy informed by these, were refugee women. The methodology contributes both to social science and social change (Lewin, 1944). The total immersion in the subject matter of the case study and the subjectivity of the research process allowed the researcher the opportunity to examine notions of rationality, objectivity and truth, and to understand the policy process from both a sacred and profane standpoint. The reflective stage allowed her to recognise the complex power dynamics of which she was a part. The process was iterative, with the researcher learning and demonstrating self-knowledge at each stage of theoretical analysis completed (van Beinum, 1998).

The outcomes of the research affirmed the use of qualitative research as part of the methodology used. It is extremely unlikely that the detailed stories of refugee experience, nor the intricacies of the policy process would have been uncovered through the use of quantitative research methods. Lin (1998) and de Leon (1998) both argue that qualitative methods are equally as valid as quantitative research and for many aspects of policy research provide a more 'rich' and detailed view of the policy process. This was the case in this project, and the research identified information which had direct implications for needs definition and policy formulation. At the conclusion of the study, the researcher feels confident not only in defending this method as suitable for a study of this type but also in arguing that the method selected added value to the case study under consideration and the outcomes achieved, both as a tool for action and as a tool for analysis. Using the action-research process as a case study allowed the researcher to 'interpret social phenomena to produce a rich understanding of the complex structures of meaning that social actors construct in their specific social environments' (Macpherson et al., 2000, p. 50). It has been shown how insights gained at each stage of the action-research project both explained actions undertaken and informed future actions. This allowed the development of a theory which has applicability both to policy and to practice.

11. 6 END NOTE

Involvement in this case study provided the researcher with an invaluable opportunity, based on 'lived experience', to explore the research questions and to seek an explanation for the research problem, something with which she had been fascinated during years of practice as a social administrator and researcher. The search for

answers has provided a rich analysis of policy theory and the way it can be used to understand the policy process. The initial aim of the ANCCORW research was to make policy in Australia more responsive to the needs of refugee women. An unintended consequence of this early work was involvement in the process which led to the recognition of rape in a conflict situation as a war crime. The theoretical knowledge gained during this course of study was essential in making that involvement effective.

In the final stage of writing the thesis, the researcher had the opportunity to talk with six of the original key actors, four from the NGO sector, and two senior government officials. She took the opportunity to ask them all what they thought of the role that ANCCORW had taken in the changes described above, and in retrospect, what were their impressions of the Refugee Resettlement Working Group (RRWG)¹¹¹.

They reported that in their opinion, ANCCORW was pivotal to the actions which had taken place, and had acted as the catalyst for the involvement of the other actors and organisations. The experience of working in the RRWG was described as the most successful collaboration that any of them had ever taken part in, and regret was expressed by five of those interviewed that the network was not still operational. ANCCORW was seen as a prime mover in the Beijing process, an authority on refugee women in Australia and one of the leaders in the international arena. It was a confirming and positive view of events, which validated the thesis presented here.

¹¹¹File Three, Informal interviews with key players from the RRWG, completed between March and May, 1999.

POSTSCRIPT

CHANGES IN GOVERNMENT POLICY AFFECTING RESETTLEMENT AND IMMIGRATION POLICY

The following changes in government policy and service provision occurred between 1991 and 1998. While it is not claimed that they may not have occurred without the actions undertaken by ANCCORW, it is argued that the activities described in the case study influenced the policy process and contributed to these changes.¹¹²

The Beijing Platform For Action (BPFA) was used, and still continues to be used, as an important lobby tool by NGOs in the Refugee domain. Outcomes that have occurred since the Beijing Conference which can be linked to the work done in the process leading up to the event have been included in the report. Eight months after the Beijing conference, Australia had a change of government and many of the gains made by the Women's Movement in the previous decade were overturned.¹¹³ The discourse about women used by the government has subsequently changed. Interestingly, gains made for refugee women have remained reasonably untouched. The rhetoric about immigration often self-consciously excludes debate about our refugee intake. Our perception of ourselves as a generous philanthropic state, with a strong commitment to human rights is a counter-balance to racist attitudes. While the Women at Risk Program (WaR) program is undoubtedly more effective than it was at the beginning of the process, there are still questions over the selection of women for the program and the way in which the Government records numbers of entrants in this Visa category. Lobbying still continues in this area. Resettlement services have been greatly improved since the beginning of the case study but they are under threat from the current government.

Gender is still not recognised as grounds for persecution but a loop hole has been opened in the convention and this has now been used successfully several times by international lawyers hopefully setting a precedent for refugee women. As stated at the beginning of the thesis, the issue of the mandatory detention of asylum seekers in Australia is still not being addressed.

During this period, the name of the Australian federal department with responsibility for immigration and refugees changed several times. Until 1988, it was called the Department of Immigration and Ethnic Affairs (DIEA), from 1988-1994 it was called the Department of Immigration, Local Government and Ethnic Affairs (DILGEA), and from 1994 onwards, the Department of Immigration and Multicultural Affairs (DIMA).

¹¹³ File Four, Miscellaneous, Australian Non Government Report to CEDAW 1997

Inclusion of Refugee Women as a 'Special Needs' Category

The most important policy change has been the inclusion of refugee women as a 'special needs' category in many areas of social policy. It is unrealistic to expect that specific policy would be written for one sub group but, by naming refugee women, their special needs are acknowledged across a range of policy areas, Government departments are encouraged to provide specialist services and funding is made available to community groups for projects targeting refugee women. The ANCCORW Report is cited in many of these Government documents.¹¹⁴

Community Refugee Settlement Scheme (CRSS)

The majority of women arriving as part of the WaR are referred to CRSS schemes for assistance. Improved training and support is made available to CRSS groups and more women are referred to torture and trauma rehabilitation services by these groups.¹¹⁵

Torture and Trauma Services

Torture and Trauma Centres across Australia receive substantially higher levels of recognition and funding, and a concerted effort is made to provide training for mental health and other professionals likely to come into contact with refugees, to enable them to offer a more effective service. There has been a particular push to address the needs of refugee women, and special groups for women are run at centres around Australia.¹¹⁶

The Grants In Aid (GIA) Scheme

This Department of Immigration and Multicultural Affairs (DIMA) program funds migrant workers, with a focus on resettlement. The number of Grants in Aid awarded has been increased and is specifically targeted towards refugee resettlement, with a strong focus on ethno-specific groups of refugee women and new arrivals. Groups established specifically to assist women refugees are targeted for funding in several states. ANCCORW was very active in establishing and assisting organisations in South Australia and Western Australia to set up support networks for refugee women, using funding available from government for this purpose. For several years, some GIA workers have

¹¹⁴ Includes DILGEA Annual Report 1991/2; DEET Annual Report 1992/3; Report on Torture and Trauma Services, Federal Department of Community Services and Health, 1993; AMES Women's Strategy, 1996; NSW Health Refugee Policy 1997

¹¹⁵ DILGEA Annual Report, 1994/5

¹¹⁶ File Four, Miscellaneous, Various Reports, the Refugee Support Network

been designated Community Settlement Services (CSS) officers, with a specific emphasis on new arrivals. Improved training is provided for GIA workers to raise consciousness about the refugee experience and its possible consequences. ANCCORW was funded by the Department of Immigration, Local Government and Ethnic Affairs (DILGEA) NSW to provide this training for a period of two years, 1992 and 1993. Organisations affiliated with ANCCORW in other states provide a similar service at a local level.¹¹⁷

Number of Grants Awarded under GIA Scheme by Financial Year

FINANCIAL YEAR	NUMBERS OF GRANTS
1990/91	245
1992/92	261
1992/93	305.5
1993/94	348
1994/95	362
1995/96	361

Department of Immigration and Multicultural Affairs
Annual Reports, Canberra, Act 23/2/98

The Adult Migrant Education Scheme (AMES)

AMES was one of the first government departments to respond positively to refugee women. Initially extremely annoyed by the negative portrayal of AMES services in the report, they quickly moved to provide training for their staff and to structure some special services to meet the needs of refugee women. In recognition of the special needs of refugees the Adult Migrant English Program, (AMEP as it was renamed in 1997) offers special preparatory programs for refugees and humanitarian entrants in community settings as a preparation for mainstream tuition. These programs particularly target survivors of torture and trauma. For example, ANCORW is paid to provide English classes in a mosque to a group of Sudanese refugee women. Humanitarian entrants whose English is below functional level are entitled to 510 hours of free English tuition. Initially, this had to be undertaken in the first year of residency. This timeframe was impossible for many refugee women, struggling to overcome trauma and settle their families in Australia. This time restriction has now been extended to five years.¹¹⁸

¹¹⁷ File Five DILGEA Annual Reports 1990 – 1996/7

¹¹⁸ File Five, DIMA Annual Report, 1996/7

The Department of Education, Employment and Training (DEET)

The most successful response to refugee women came from DEET. In 1991 DEET approached ANCCORW with an invitation to take a 'Jobskills' labour market brokerage, specifically tailored to the needs of refugee women. ANCCORW accepted the offer and since then has provided a range of extremely successful labour market programs for refugee women. Affiliated organisations in Victoria and South Australia also offered labour market programs to refugee women. Funding to these programs was cut in 1997 as labour market programs were 'mainstreamed'.

Tertiary Education

Universities and TAFE Colleges around Australia have developed and included modules on refugee women in courses as diverse as medicine, social work, welfare work and community management. A range of course materials and simulation games has been developed for this purpose.¹¹⁹ Many secondary schools are now including similar material in their Social Issues classes. ANCCORW participated in the preparation of many of these materials.¹²⁰

The Integrated Settlement Strategy

This strategy acknowledged that resettlement encompasses far more than on-arrival accommodation and short term support. It provides a framework which has the potential to address all aspects of resettlement needs. In late 1991, an interdepartmental committee was established to develop cross-portfolio settlement strategies, and the Minister, Gerry Hand, conducted extensive consultations with service providers around Australia. This resulted in the announcement of the National Integrated Settlement Strategy in 1992. Planning began at a Federal level in late 1993, although State Settlement Plans were not prepared until 1995. This strategy acknowledged that a range of government departments have responsibility for the resettlement of refugees, not just DILGEA. Community input into the process was established through the mechanism of a Settlement Advisory Committee. It recognised the importance of the initial resettlement period. Emphasis was placed on pre and post arrival settlement information, community based funding programs and community development. Services which were brought

¹¹⁹ "*Being There*", a refugee simulation game written and developed by E. Pittaway, launched 1995, marketed by ANCCORW

¹²⁰ Including School of Community Medicine, UNSW, School of Social Work, UNSW, Sydney Technical College Network, Welfare Courses, TAFE Outreach NSW, Social Welfare, Charles Sturt University, School of Medicine, Adelaide University, School of Political Science Deakin University, NSW Catholic Schools

together under the strategy were: AMEP, Translating and Interpreter services, National Language Services Arrangements, Information and Orientation, GIA scheme, Migrant Access Projects Scheme (MAPS), Pilot Access and Equity Projects Scheme (PEAPS), Settlement Services for Refugees, Ethnic Affairs.

The Refugee Resettlement Advisory Council

Formal and regular input from NGOs to Government is now organised through State and Federal Resettlement Advisory Councils and Committees which were established in 1993. These resulted in the preparation and release of the National Integrated Settlement Strategy for each State in 1994/5, first flagged in 1992. This strategy acknowledged that a range of Government department have responsibility for the resettlement of refugees. Community input into the process was through the Settlement Advisory Council which is comprised of individuals with expertise in the resettlement of migrants and refugees. State Advisory Committees were also established as state plans were finalised.

NSW Health

In 1997, NSW Department of Health released a comprehensive and far-reaching Policy Statement on Refugee Health. Other states are working on similar statements.

Case-Management

Following a major recommendation of the Refugee Resettlement Working Group (RRWG) (1994), an innovative strategy was introduced in 1997, as part of the Integrated Settlement Strategy of DIMA. Individual case managers are assigned to all new arrivals in the refugee and special humanitarian visa categories to assess their resettlement needs and to ensure that they access the range of services available across government departments and from NGOs. Case management is an attempt to view new arrivals holistically, and ensure that services are available to those who wish to take advantage of them. The service is not only available to those who use on arrival accommodation and CRSS, but also aims to provide a safety net for those entrants who are not eligible for these schemes but need extra assistance settling into the community (DIMA, 1997, p. 33) It is too early to evaluate the effectiveness of the strategy.

Response to Refugee Women from Non Government Agencies

Parallel to the government response, non Government services increased their targeted service delivery to refugee women. Some of this work was directly government funded, for example GIA scheme projects to provide services to ethno specific groups of refugee women, such as Vietnamese, Khmer, Baha'i, Kurdish, Bosnian and Armenian. This continues in the form of a direct response to new refugee groups arriving in Australia, such as the Somali and Sudanese women. Mainstream organisations such as St Vincent de Paul, Centre Care, the Generals' Superior of Catholic Religious orders and the Association of non English Speaking Women have taken an active role in lobbying and the provision of services for refugee women. The Refugee Council of Australia (RCOA) convened a national network of Refugee women's groups, which formed the Refugee Women's Education Network. The Refugee Advice and Casework service developed their capacity to process the asylum claims of women in Australia on gender-based grounds.

CHANGES IN IMMIGRATION POLICY IN AUSTRALIA RELATING TO REFUGEE WOMEN

- In 1992, the WaR was broadened to include women and their dependants who are 'persons of concern' according to the office of the United Nations High Commissioner for Refugees (UNHCR). A gender sensitisation component was introduced into the training provided for staff in overseas posts. Slowly but surely WaR entrance numbers increased.

Settler Arrival by Women at Risk Visa Category by Financial Year

FINANCIAL YEAR	WOMEN AT RISK	ACCOMPANYING (dependants)	NOT STATED
1990/91	2	0	25
1991/92	32	59	42
1992/93	64	90	0
1993/94	149	194	10
1994/95	122	258	3
1995/96	224	291	9
1996/97	211	300	5

(DIMA, 1997)

- In 1993, a consultant was engaged to promote the use of 'plain English' in forms used by DILGEA, to improve access to application forms for refugees.
- Also in 1993, the Humanitarian program was separated from the Migration program. For the first time, people arriving from a refugee or special humanitarian background were considered as a category in their own right.
- Policy analysis was carried out in 1994 to clarify a range of issues related to the granting of protection visas. Most important of these for refugee women was an analysis of the refugee law term 'particular social group'. In some cases this has been used to grant a protection visa to women, on the grounds that they are a member of a particular social group likely to suffer persecution, for example, women likely to be submitted to unwanted female genital mutilation, or women forced by culture and religion to forgo education and work and to wear restrictive clothing, as in some Muslim countries. This is still a contentious issue but it is moving in a positive direction.
- In 1994, women who entered Australia in the WaR visa category were granted the right to claim Supporting Parents Benefit on arrival if they were eligible. Prior to that, despite single parenthood being a major criteria for the category, they had only been eligible for Unemployment Benefit for their first two years in Australia. This had caused substantial additional trauma.
- In 1995, there was a lull in activity while the new Government settled into place. In 1996, the Migration regulations were amended to enable all members of a family unit to be granted protection visas where one applicant meets refugee criteria.
- In 1996, comprehensive gender guidelines were released to guide decision-makers working on gender based claims for refugee status to enable them to make sensitive and consistent decisions.
- A Domestic Violence provision was introduced in 1996 to enable eligible applicants to be granted permanent residence on the basis of domestic violence ending their primary relationship.

Many of the changes in resettlement services listed above were influenced by activity in preparation for the Beijing Conference.

RECOGNITION OF RAPE AND SEXUAL VIOLENCE AS A WAR CRIME, OCTOBER 1998

At the Fifty Third Session of United Nations General Assembly (UNGA), 1998, it was announced that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation and other forms of sexual violence of comparable gravity had been designated as crimes against humanity and war crimes under article 7 and 8 of the Rome Statute of the International Criminal Court.

It was noted that the recognition of rape and sexual violence had begun to reverse the climate of impunity that sexual crimes in war have long enjoyed. This comment was made in the context of consideration of the implementation of the Fourth World Conference on Women (UN, 1998a).

This result was achieved because of the coordinated efforts of the international refugee network. ANCCORW was a major actor in having these changes supported from the Asia Pacific region. At the international level, ANCCORW was one of a number of actors who worked as a strong refugee caucus. In January 1999, the researcher was invited to represent AWHRC as a monitor at the Commission to establish the rules of evidence and procedures for the identification of criminal acts at the International Criminal Court. Her brief is to ensure that gender issues are properly addressed, so that issues such as rape in a conflict situation are fully covered by the procedures of the court.

CONCLUSION

ANCCORW/ANCORW has not succeeded in achieving all the changes which it hoped for in policy addressing refugee women. Gender related persecution is still not generally accepted as grounds for refugee status. ANCCORW did, however, make a significant contribution to some of the positive change which has occurred for refugee women, and in some situations was a catalyst for action. ANCORW had knowledge which was respected and a level of power which was independent of government. It could embarrass the government, it had knowledge which the government sometimes did not have and access to some of the best international lawyers in the world. The Australian Government is proud of its international Human Rights reputation and refugee resettlement program. ANCCORW was able to exploit this pride and work with Government on many common issues. Also, through NGO caucuses it was able to influence other governments to work with the Australian Government.

This level of influence would not have been possible if ANCCORW had not been part of a strong policy network which enabled the policy discourse to reflect and incorporate the special needs of refugee women. Since the change of Government in 1996, the Government discourse around women has changed and now reflects discourses of a previous era. The discourse about refugee women has suffered a similar fate but not all gains have been lost. Refugee women remain an area of critical concern, and are still recognised in government rhetoric and policy.

APPENDIX 1

GLOSSARY OF TERMS

ASYLUM

Asylum is the protection a state grants an individual by allowing that person to remain in its territory (*territorial asylum*) or by providing protection under its jurisdiction but outside its territory (*extra-territorial asylum*). A rare form of extraterritorial asylum may be granted on diplomatic premises (*diplomatic asylum*).

Political asylum is a concept which has no universally accepted international definition, and allows the grant of asylum (either territorial or extra-territorial) by a political decision of a sovereign government. Political asylum is unrelated to refugee status, and its grant is a sovereign prerogative of a government. As an uncodified concept, political asylum has flexibility which does not apply to refugee status - it can be granted at the absolute discretion of a sovereign government, if and when that government decides that it is desirable to do so and regardless of the circumstances of the grantee.

ASYLUM SEEKER

An asylum seeker is any person who moves to another country for the purpose of claiming asylum. Upon further investigation of reasons for asylum requests, a population of asylum seekers in any given country is generally found to contain, in various proportions, some refugees, some 'economic refugees' (see *Economic Refugee*), some displaced persons (see *Displaced Persons*) and persons who have left their home countries for other reasons.

THE CONVENTION

1951 United Nations Convention relating to the Status of Refugees, signed by Australia and 107 other nations. The Convention provides a definition of a refugee and sets out obligations of signatories towards refugees. The main Convention obligation is that of non-refoulement (see *Refoulement*). The Convention also specifies categories of persons and circumstances where the Convention obligations are not involved. It was

limited to persecution as a result of events occurring before 1 January 1951, and provided the option of a geographic limitation (either 'in Europe' or 'in Europe or elsewhere'). The Convention was modified by a 1967 Protocol which removed the 1 January 1951 dateline (see *The Protocol*).

CONVENTION DEFINITION

The definition of a refugee used by Australia and 101 other signatories to the Convention and/or the Protocol is set out in the Convention:

A refugee is a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his habitual residence is unable or owing to such fear is unwilling to return to it.

DETERMINATION PROCEDURES

Sovereign governments are free to set their own criteria and procedures for assessing whether a person comes within the Convention definition of a refugee. Recognition as a refugee by one signatory of the Convention may or may not be accepted by another, but all governments generally insist, as a matter of principle, on their own assessment of refugee claims. The UNHCR has, however, issued a Handbook containing guidelines for determination procedures.

DISPLACED PERSONS

Persons fleeing conflict, human-made or natural disasters either within their own country (internally displaced) or across national boundaries (externally displaced) may be deemed displaced persons. When they move to another country they may become 'of concern to UNHCR' under the authority of the mandate of the High Commissioner for Refugees. Displaced persons are not necessarily or automatically refugees.

DURABLE SOLUTIONS

UNHCR and the international community endorse three 'durable solutions' for refugees. These are:

Voluntary Repatriation: A refugee, once recognised as such by a sovereign government or UNHCR, may be permitted to stay temporarily in the country which has recognised him/her as a refugee, with a view to his/her repatriation to his/her home country when a threat to his/her well-being ceases - provided he/she agrees to this course of action.

Voluntary repatriation of refugees requires consular acceptance by the source country. It also assumes suitable diplomatic guarantees of safety and non-discrimination of returnees by the home country.

The UNHCR aim in voluntary repatriation programs is a 'return with safety and dignity'.

Only persons who have been recognised as Convention or mandate refugees can avail themselves of voluntary repatriation arrangements. Return of persons who have not been so recognised (that is, non-refugees) to their home countries is a matter for the returning government to decide and may be with or without the returnees' consent. Neither the concept of voluntary repatriation nor the UNHCR are necessarily engaged in such circumstances.

Local Integration: A refugee, once recognised as such, may be permitted to stay permanently in the country that has so recognised him/her and be allowed to integrate into the local community. Locally integrated refugees become in time constituent members of the community in the country of first asylum (see *First Asylum Country*).

Third Country Resettlement: A refugee, once recognised as such, may be resettled in a third country, provided that country is satisfied the person has been correctly recognised as a refugee, and is prepared to accept him/her for resettlement purposes (see *Resettlement Country*).

ECONOMIC REFUGEE

A non-defined popular term used to describe people who make a decision to leave their country with the aim of achieving a better living standard. Such persons are not motivated by fear of persecution but by their desire for economic or social improvement and would not suffer persecution if they returned home.

The use of the term 'economic refugee' is (often intentionally) misleading as claims made by persons in that category fall well short of what is expected of persons seeking refugee

status under the Convention. Economic refugees are not refugees within the meaning of the Convention.

FAMILY REUNION PROGRAM

This is a selective Australian Visa category which allows members of families of already settled migrants to enter Australia as residents, even though these additional family members might not normally fulfil eligibility criteria. This visa category is often used to admit the families of refugees to settle in Australia.

FIRST ASYLUM COUNTRY OR COUNTRY OF TEMPORARY REFUGE

A country that grants permission to refugees and people in refugee-like situations to remain in it, at least in the short term.

Australia is a first asylum country to those who claim refugee status in Australia pending determination of that claim.

The first asylum country has three long-term options:

- to provide temporary residence until such time as it is feasible and acceptable for the individuals to return to their own country, often in conjunction with the source country and UNHCR under internationally agreed conditions (see *Durable Solutions, Voluntary Repatriation*).
- to provide long-term permanent residence, possibly leading to local integration (see *Durable Solutions, Local integration*).
- to provide first asylum or temporary refuge and negotiate with third countries and UNHCR for permanent resettlement of individuals elsewhere (see *Durable Solutions - Third Country Resettlement*).

HOME COUNTRY

A country of nationality and/or former habitual residence of a refugee or an asylum seeker. Also referred to as source country and country of origin.

NON-GOVERNMENT ORGANISATION (NGO)

A term used by the United Nations to describe community-based, voluntary, non-profit organisations which are accredited to attend meetings of the United Nations. This term has also been used in this thesis to describe non-profit organisations in the refugee domain in Australia.

THE PROTOCOL

1967 United Nations Protocol relating to the Status of Refugees, signed by Australia and 98 other nations.

The 1951 Convention limited the definition of a refugee to persons who had a well-founded fear of being persecuted as a result of events occurring either (a) in Europe or (b) in Europe or elsewhere, before 1 January 1951. The date originated due to the wish of the then signatories to limit their obligations to refugee situations that were known to exist at the time or to those which might arise from events that had already occurred. With the passage of time and the emergence of new refugee situations, the need arose to make the Convention applicable to such new refugees.

By accession to the 1967 Protocol the signatories have undertaken to apply the 1951 Convention to refugees as defined in the Convention but without the 1 January 1951 dateline. Ninety-nine States are party to the 1967 Protocol. Ninety-six of these are party to both the 1951 Convention and the 1967 Protocol (1989).

REFOULEMENT

A specialist international law term in the Convention (from the French *refouler*) denoting expulsion or return of a refugee to the frontiers or territories where his/her life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

Refoulement is prohibited under Article 33 of the Convention. This provision, however, does not apply to refugees who can be reasonably regarded as a danger to national security or who have been convicted of a particularly serious crime and constitute a danger to the community.

REFUGEE

A refugee is a person who meets the Convention definition (whether or not this has been formally determined) and is recognised as such either by a sovereign government (see *Convention Refugees*) or the UNHCR (see *Mandate Refugees*). A refugee is by definition a person outside his/her own country.

Convention Refugees: Convention refugee status is granted to a person by a sovereign government of a country that is a signatory to the Convention and/or the Protocol. A Convention refugee is by definition a person outside his/her own country. Granting Convention refugee status is a sovereign prerogative of governments. Convention refugee status granted by one of the Convention signatories is not automatically binding on all other signatories. Since the grant of Convention refugee status means that the granting government assumes certain obligations under the Convention towards the grantee, all governments insist on their sovereign right to determine applications for Convention refugee status in their own determination processes (see *Determination Procedures*).

Mandate Refugees: Mandate refugee status is granted by UNHCR under the authority of the Mandate provided to the High Commissioner for Refugees by the initiating UN General Assembly resolution. It is usually granted when the country in which the person is located is not a signatory to the Convention and/or the Protocol. A Mandate refugee is by definition a person outside his/her own country.

REFUGEE-LIKE SITUATIONS

A term which has come into common usage and is used to describe situations which cause people to undergo persecution similar to that of mandated refugees, but who for a range of reasons, mainly political, are not accorded this status.

REFUGEE 'SUR-PLACE'

A specialist international law term denoting persons who are not refugees (do not meet the Convention definition) at the time of leaving their home country, but become refugees at a later date, due to circumstances arising in the home country during their absence.

In certain circumstances the concept of refugees 'sur-place' may apply to persons who become refugees as a result of their own actions (for example, associating with other refugees, expressing political views disallowed by the home country).

RESETTLEMENT COUNTRY

A country which admits for resettlement persons from a first asylum country (as opposed to allowing asylum seekers within its territory to remain permanently, which is referred to as local integration).

SPECIAL HUMANITARIAN PROGRAM

The visa category and immigration program under which Australia accepts entrants who come from refugee-like situations, but who are not mandated refugees.

UNHCR

The United Nations High Commissioner for Refugees - often referred to as the Office of the UN High Commissioner for Refugees. UNHCR's Headquarters is located in Geneva. UNHCR has offices in some 40 countries around the world including Australia.

(Major Source, National Population Council 1988)

APPENDIX 2

TIME FRAME OF RESEARCHER/ANCCORW ACTIVITIES

Date	National Activities	International Activities	Summary of Outcomes
1990	ANCCORW Research Project BIR Conference on Immigration	United Nations expertgroup meeting, Vienna, Austria Oslo and Oxford meetings	Identification of the extent of torture experienced by refugee women and the lack of recognition of this International acceptance of ANCCORW findings
1991	Targeting resettlement services in Australia June – ‘Never Ending Journey’ Conference Report Launch by UNHCR Commencement of WaR program Campaign	March – CSW 35 , Vienna Further visits to Oslo and Oxford Visits to Refugee Camps in SE Asia	Improved torture and trauma rehabilitation services in Australia Recognition by Australian Government of international status of ANCCORW Some improved service provision for refugee women
1992	All states lobbying and advocacy work – resettlement services Tension between RCOA and Government re asylum seekers	Commencement of involvement in Beijing Conference process	Involvement of ANCCORW in training overseas posts on gender issues in the context of refugee determination
1993	All states – combining lobbying on refugee issues with preparation for the Beijing Conference Establishment of Refugee Resettlement working group (RRWG)	New York USA - CSW 37 London UK - British Refugee Council meetings Toronto - Canada Key note speaker – International Conference on Refugee Women Manila Philippines Regional meeting of non-government organisations in preparation for Beijing	Identification of gaps in human rights conventions and the lack of recognition of the sexual torture of refugee women. Coming together of Australian refugee network to lobby for improved resettlement services and better implementation of the Women at Risk program

1994	RRWG National Conference "Resettlement – Let's get it right in Australia" Continued lobbying and advocacy on behalf of refugee women. ANCCORW funded by government as service provider to refugee women. ANCCORW splits from Refugee Council and becomes ANCORW	Bangkok Thailand expert group meeting on Regional Women's issues and UNHCR Partnership meeting Jakarta - Indonesia Human Rights Law Training and Regional Governmental Meeting in preparation for Beijing Bangkok - Thailand Regional NGO Planning meeting Phnom Penh Cambodia - Council meeting Asian Women's Human Rights Council(AWHRC)	Involvement of the broader women's movement in issues relevant to refugee women both in Australia and internationally Positive response to the RRWG from the Australian Government Preparation for Beijing Conference - International push for the improvement of the Women at Risk program and the recognition of rape in a conflict situation as a war crime
1995	Preparation for the Fourth World Conference On Women, Beijing	Bangalore India Women Human Rights Court, and AWHRC Council Meeting The Fourth World Conference on Women, Beijing, China	Inclusion of recommendation on a range of issues pertinent to refugee women in the Beijing Platform For Action, including the recognition of rape in a conflict situation as a war crime.
1996	Continued lobbying focusing on the evaluation of government performance in relation to the Beijing Platform for Action	Raising issues from the Beijing Platform For Action in other UN agencies	Improved resettlement services, gender guidelines for refugee determination issues for Australian determining officers; Recognition in the International Court of Rome that rape and sexual torture in a conflict situation is a war crime (October 1997); Invitation to the researcher to monitor the establishment of the International Criminal Court to ensure the inclusion of gender issues, in particular relating to sexual crimes.

APPENDIX 3

PUBLIC DOCUMENTS USED IN THESIS AND HELD BY RESEARCHER:

File:

UN Conventions
UN Policy on Refugee Women
UN Expert Group Policy Documents 1990
UN Commission on the Status of Women 35 1991
UN Documents on Refugee Women
UN Resettlement
UN Excom
Miscellaneous
ANCCORW
UNHCR
Canadian Consulate General
AMES
DIMA Annual Reports
Other DIMA
Grant-in-Aid and CRSS

UN Conventions

Convention on the Rights of the Child (1991), United Nations, New York
The International Bill of Human Rights (1993), United Nations, New York
Discrimination Against Women: The Convention and the Committee (1993), World Conference on Human Rights, Vienna
Opening Doors with CEDAW (1993), National Women's Consultative Council, Canberra
The United Nations Questions and Answers (1995), United Nations Association of Australia Inc., A.C.T.
General Recommendations made by CEDAW (1995)
'Text of the Convention on the Elimination of All Forms of Discrimination Against Women' (undated), Appendix 1 in *Women in Australia Convention and Protocol Relating to the Status of Refugees* (undated), UNHCR

UN Policy on Refugee Women

Note on Refugee Women and International Protection (1990), Executive Committee of the High Commissioner's Programme, 41st session

Information Note on UNHCR's Guidelines on the Protection of Refugee Women (1991), Executive Committee of the High Commissioner's Programme, 42nd session

Guidelines on the Protection of Refugee Women (1991), UNHCR, Geneva

Progress Report on Implementation of the UNHCR Guidelines on the Protection of Refugee Women (1992), Executive Committee of the High Commissioner's Programme, 43rd session

Refugee Protection and Sexual Violence (1993), The Executive Committee, UNHCR
UNHCR Policy on Refugee Women (undated), Executive Committee of the High Commissioner's Programme

'Application of the "Framework" to Refugee Emergency Situations', in *A Framework for People Oriented Planning in Refugee Situations* (undated), UNHCR *UNHCR and Refugee Women* (undated), *UNHCR Women Refugees* (undated), UNHCR Action, Geneva

UN Expert Group Policy Documents 1990

Policy Framework, Version 6 (1990)

Draft Recommendations: Introduction and International Protection (undated)

Working Group 1: Protection, Policy Framework, Version 4 (undated)

Working Group 2: Assistance, Version 2 (undated)

Working Group 3: Refugee and Displaced Children, Draft Recommendations – revised version (undated)

Draft Recommendations: Introduction and International Protection, Version 3 (undated)

Lists of Participants, Expert Group Meeting on Refugee and Displaced Women and Children (1990), Vienna

Composition of Working Groups for 5/7/90, Expert Group Meeting on Refugee and Displaced Women and Children (1990), Vienna

Draft Recommendations: Components of a Policy Framework Assistance, Version 1 (1990)

Further Conclusions on Assistance from Various Papers (1990)

International Policy Framework (undated)

Conclusions on Assistance Drawn from Various Papers as a Basis for Discussion on Recommendations (undated)

Refugee and Displaced Children: A UNICEF Discussion Paper (1990)

UN Commission on the Status of Women 35 1991

Monitoring the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1991), UN Economic and Social Council, CSW, 35th session
Statement of Australia (1991), under Priority Themes: Equality, Development and Peace, CSW, 35th session

Proposed Resolution on Refugee Women (1991), UNHCR, CSW, 35th session

Note on Certain Aspects of Sexual Violence Against Refugee Women (1993), Executive Committee of the High Commissioner's Programme

Request for Comments on Draft Guidelines on Sexual Violence in Refugee Situations (1994), UNHCR

A Framework for People- Oriented Planning in Refugee Situations (undated), Anderson, M. B. and the UNHCR Senior Coordinator for Refugee Women

Draft Declaration on the Elimination of Violence Against Women (undated), Appendix 1, source unknown

UN Documents on Refugee Women

World Conference to Review and Appraise the Achievements of the UN Decade for Women: Equality, Development and Peace (1985), report of the Secretary General
Report on Refugee Women (1989), Executive Committee of the High Commissioner's Programme, 40th session

Note on Refugee Women and International Protection (1990), Executive Committee of the High Commissioner's Programme, 41st session

NGO Working Group on Refugee Women (undated), Special Committee of International NGOs on Human Rights, Geneva

Refugee and Displaced Women (undated), UN General Assembly Resolution, 35th session from UNHCR Report 'The Situation of Refugee Women the World Over'

UN Resettlement

Assessment of Global Resettlement Needs for Refugees in 1993 (1992), UNHCR, Geneva

UN Excom

Refugee Women and International Protection (1985), Executive Committee of the High Commissioner's Programme, No. 39

Refugee Women (1988), Executive Committee of the High Commissioner's Programme, No. 54

Refugee Women (1989), Executive Committee of the High Commissioner's Programme, No. 60

Refugee Women and International Protection (1990), Executive Committee of the High Commissioner's Programme, No. 64

Miscellaneous

Second Review and Appraisal of the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1994), UN General Assembly, 39th session
Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission Alternative Approaches and Ways and Means Within the United Nations System for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms (1994), UN, Commission on Human Rights, 50th session

Resolution Adopted by the General Assembly – Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1995), UN General Assembly, 49th session

Resolution Adopted by the General Assembly – Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1994), UN, CSW, 48th session

Preparations for the 4th World Conference on Women: Action for Equality, Development and Peace: Review and Appraisal of the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1995), UN, CSW, 49th session

Monitoring the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (1995), UN, CSW, 39th session

ANCCORW

ANCCORW Annual Report 1995

ANCCORW Annual Report 1996

ANCCORW Newsletter, December 1994

ANCCORW Report, November 1991-February 1992

ANCCORW Report, November 1991-June 1992
RCOA Annual Report 1991/ 92, 'ANCCORW Report'
RCOA Annual Report 1992/ 93, 'ANCCORW Report'
RCOA Annual Report 1993/ 94, 'ANCCORW Report'
RCOA Newsletter, 'News from ANCCORW', Summer 1993
RCOA Newsletter, 'News from ANCCORW', Winter 1993
RCOA Newsletter, 'ANCCORW Report', Autumn 1994
RCOA Newsletter, 'ANCCORW News', Winter 1994

UNHCR

The Convention against Torture and Other Cruel, Inhuman or Degrading
Treatment or Punishment:

The Committee Against Torture, Human Rights Facts Sheet No. 17

Operating Principles for the Special Rapporteur on Torture:

1985/ 33 – Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
General Assembly Resolutions, Commission on Human Rights

Methods of Combating Torture, Human Rights Facts Sheet No. 4

General Assembly Resolutions on Refugee Women:

Resolutions Adopted on the Reports of the Third Committee (1993), General Assembly,
48th Session

Resolutions Adopted on the Reports of the Third Committee (1994), General Assembly,
49th Session

Resolutions Adopted on the Reports of the Third Committee (1995), General Assembly,
50th Session

United Nations Comment on 'Rape as a War Crime' and 'Rape as a Weapon of War':

*Preliminary Report of the Special Rapporteur on the Situation of Systematic Rape,
Sexual Slavery and Slavery-Like Practises During Periods of Armed Conflict* (1996),

Ms.Linda Chavez, UN Economic and Social Council, 48th Session

Rape and Abuse of Women in the Areas of Armed Conflict in the Former Yugoslavia,
(1995) report of the Secretary General, UN General Assembly, 50th Session

*Second Interim Report of the Commission of Experts Established Pursuant to Security
Council Resolution 780, 1992* (1993), UN Security Council

*Working Paper on the Situation of Systematic Rape, Sexual Slavery and Slavery-Like
Practises During War time, Including Internal Armed Conflict* (1995), Ms. Linda Chavez,
UN Economic and Social Council, 47th Session

Canadian Consulate General

Canadian Charter of Rights and Freedoms

Canadian Constitution Act 1981

Immigration and Refugee Board of Canada

Adult Migrant Education Service (AMES)

Letter from Felicity Vacchini 1992 – information on extra English classes for refugees

Breakdown of data relating to women in the Humanitarian Program participating in Adult Migrant Education Program (AMEP) 1992

AMES Annual Report 1995

AMES Women's Strategy Nov. 1996

AMES Activity Summary 1996

DIMA Annual Reports

DILGEA Annual Report 1990/91

DILGEA Annual Report 1991/92

DIEA Annual Report 1992/93

DIEA Annual Report 1993/94

DIMA Annual Report 1994/95

DIMA Annual Report 1995/96

DIMA Annual Report 1996/97

Other DIMA

Facts Sheet no. 42 – *Refugee and Humanitarian Resettlement*

Facts Sheet no. 43 – *Settlement Assistance for Refugees and Humanitarian Program Entrants*

Facts Sheet no. 44 – *CRSS*

Federal Budget Report on Settlement Assistance for Refugees

Refugee and Humanitarian Intake Numbers 1991-1996, by Country

Outline of Australia's Refugee Resettlement Programs 1988

Outline of Australia's Refugee Resettlement Programs 1991

Australia's Refugee and Humanitarian Initiatives 1992

Letter from Andrew Endrey – publications that may be helpful with this research

Settlement numbers by visa class and Women at Risk intake numbers

Grant-in-Aid and CRSS

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1990/91

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1991/92

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1992/93

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1993/94

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1994/95

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1995/96

Grant-in-Aid & CRSS Annual Report in DIMA Annual Report 1996/97

Information on the CRSS

Guidelines for Applicants for the GIA and MAP Schemes 1997

Guidelines for Funded Organisations under the Community Settlement Services Scheme
1997

Community Settlement Services Workers and Migrant Resource Centres 1997

APPENDIX 4

CONFIDENTIAL RECORDS

All records of interviews, meetings and conversations are held in a series of files locked in a cabinet in a secure room. They have been labelled and stored chronologically in four categories, which are:

File One: Records of interviews with key informants

These files contain records of formal interviews with key informants over the period of the case study. They include annual semi-structured interviews with Velvy Holden and Juliana Nkrumah, past Chairpersons of ANCCORW, interviews with other members of the ANCCORW Board, some of whom prefer not to be named, interviews with the past Director, Refugee Council of Australia, the past Director, Bureau of Immigration Research, the past Director of Austcare, all of whom were in office during the period of the case study. An interview with a past Head of DILGEA Canberra and a past head DILGEA NSW. It also contains interviews with eight members of the Refugee Resettlement Working Group, and interview with the past Head of the Women's Bureau, UNHCR Geneva. The interviewees were all promised confidentiality as they disclose material which was not available in the public domain.

File Two: Meeting Notes

These files contain notes taken during meetings which are additional to formal minutes of those meetings.

File Three: Notes from Conversations

These files contain notes made following conversations with key actors.

File Four: Miscellaneous

These files contain documents deemed relevant to the case study, for example, correspondence, memos, and facsimile copies

NB With regard to files three and four. Whenever possible permission was obtained for the recording of these notes. This was not always the case, for example, when the conversation was antagonistic. Every attempt was made to provide some level of verification. For example, the interviews with Velvy Holden and Juliana Nkrumah, who have given permission for their names to be used in the thesis, were held regularly to

check their recall and interpretation of events at which they were present. The incident with the inebriated bureaucrat was witnessed by an employee who could verify the facts.

APPENDIX 5

HUMANITARIAN ARRIVALS CHART

Financial Year	Refugee Program Arrivals	Special Humanitarian Program Arrivals (a)	Special Assistance Category Arrivals (b)	Total Humanitarian Arrivals
Estimated (c) assisted refugees (1947-48 to 1974-75)	264 053	na	na	264 053
Estimated unassisted refugees (1947-48 to 1974-75)	33 000	na	na	33 000
1975-76	4 374	na	na	4 374
1976-77	8 124	na	na	8 124
1977-78	9 597	na	na	9 597
1978-79	13 450	na	na	13 450
1979-80	19 954	na	na	19 954
1980-81	21 847	na	na	21 847
1981-82	20 216	1 701	na	21 917
1982-83	16 193	861	na	17 054
1983-84	12 330	2 439	na	14 769
1984-85	9 680	5 170	na	14 850
1985-86	7 837	4 003	na	11 840
1986-87	5 990	5 111	na	11 101
1987-88	5 304	5 772	na	11 076
1988-89	3 623	7 264	na	10 887
1989-90	1 537	10 411	na	11 948
1990-91	1 267	6 478	na	7 745
1991-92	2 385	4 320	452	7 157
1992-93	2 688	3 169	5 082	10 939
1993-94	3 845	2 563	4 942	11 350
1994-5	4 006	3 774	5 852	13 632
Total	471 300	63 036	16 328	550 664

Notes: (a) Special Humanitarian Program (introduced late 1981).

(b) Special Assistance Category (introduced 1991).

(c) Includes an estimated 170 700 displaced persons who arrived between 1947 and 1954.

Source: Bureau of Immigration, Multicultural and Population Research (unpublished tabulations).

APPENDIX 6

THE WOMEN AT RISK SCHEME

The following fact sheet was issued by the Department of Immigration, Local Government, and Ethnic Affairs (DILGEA) in 1989.

Women at Risk Scheme

- This scheme is designed to help refugee women in countries of first asylum who are at special risk and in urgent need of resettlement.
- The scheme applies globally to cases referred by UNHCR or identified by overseas posts.
- It provides opportunities for resettlement in Australia for refugee women and their dependants who are without the traditional male head of the household or other male support and may be in vulnerable situations and in desperate need.
- It incorporates a strong post-arrival element including existing settlement services such as torture and trauma counselling, child care, English classes, women's health care, and the forms of support provided by the Community Refugee Resettlement Scheme (CRSS).

2. Refugee women who are without the traditional family support system and are facing the necessity of conforming with a new set of social norms for survival in countries of first asylum may experience protection problems. This is particularly evident in cultural groups where it is not customary for women to be the providers. Very often there is no cultural acceptance for their changed status within their own community and protection provided by the United Nations High Commissioner for Refugees (UNHCR) plus resettlement in another country may be the only solution.

Size of scheme

3. Up to 60 cases (about 240 people) will be accepted in the program year 1989/90, with the possibility of expansion in the following year.

Nominations

4. While links with Australia would be of benefit in the early settlement process, cases may be accepted without nominations or links with Australia.

Priority in processing

5. Women identified as falling into the 'at risk' category are to be given priority for interview over normal cases on the waiting list.

Eligibility and assessment

6. All cases must be mandated refugees or of concern to UNHCR.

7. Posts identifying cases themselves should discuss them in the first instance with UNHCR to obtain their view on whether they should be included in the scheme. If there is no local UNHCR representative, posts should obtain advice from an appropriated international agency.

8. To be considered under these procedures, refugee women should be without male support and be heads of families, alone or accompanied by minors and/or aged persons; or unmarried mothers, widows, or separated, divorced or abandoned; an in need of protection and identified as being at risk in that they have suffered or are likely to suffer from any of the following - violence, sexual abuse, extortion, exploitation, discrimination, unlawful detention; and likely to be precluded from regular selection due to

- difficulties they face in gaining refugee status without male support; and
- poor settlement prospects because of poor work skills and dependent family members.

9. While applicants will be assessed individually against normal refugee criteria, an assessment should also be made of the degree of risk: the greater the need for protection, the lower the threshold of criteria which the applicant should have to meet for entry to Australia.

10. In weighing the merits of the case, officers should bear in mind that an objective of the scheme is to facilitate entry of deserving refugee women who, because they have no male partner or other male support to provide primary grounds for acceptance, may have difficulty in fully supporting refugee claims in their own right. Additionally, these cases may not normally gain acceptance against settlement criteria as, without the eligibility provided a male, it is considered their ability to settle is hampered through poor job skills and dependent children.

11. Decisions to accept cases under these procedures may be made by DILGEA officers ASO 6 and above.

12. Because of their status, their limited employment prospects and family disposition, this group can experience extreme difficulties with settlement, particularly in the early

post-arrival stages. Accordingly, initial settlement for refugee women entering under these procedures should be restricted to Enterprise and Westbridge Migrant Centres and migrant flats in Queensland, where appropriated post-arrival services are available.

13. Approved applicants are to be identified on nominal rolls by the letters WR at the end of the relevant entry so that Migrant Centre Directors will be able to arrange immediate attention. Details about the women's circumstances and experiences must not be included in cables. It should be forwarded separately, marked "personal " to the relevant centre Director or, in the case of Queensland, to the Director, On Arrival Services, DILGEA Brisbane.

14. New arrivals are to be interviewed by a social worker to help determine the type of assistance required in the settlement process.

15. State or regional officers in the State in which accommodation is provided are responsible for co-ordinating services for people within this group and for ensuring that access is available to gender and ethno specific programs and community organisations. They are also responsible for monitoring and evaluating programs to determine their usefulness in aiding the individual or family move towards self-sufficiency.

16. To facilitate a smooth transition from on-arrival accommodation to the broader community, some refugee women and their families may need a support network for up to two years after their arrival. They will be eligible to receive support and access programs on the same basis as all other refugee arrivals.

First Assistant Secretary
Development and Systems Division (1989)

APPENDIX 7

ANCCORW ACTIVITIES 1990-95

1990 – 1991

- July – The Policy Analyst represented ANCCORW at the Expert Group Meeting on Refugee Women, Commission on the Status of Women, United Nations, Vienna
- August – The Policy Analyst ran a session at a summer school in the Centre for Refugee Studies, Oxford, UK
- August – The Policy Analyst ran a workshop for the Norwegian Refugee Council, Oslo
- October – The Policy Analyst ran a training session for BIR Melbourne
- November – The Policy Analyst spoke at a Refugee Council of Australia Seminar, Melbourne
- November – ANCCORW hosted a Seminar on Refugee Women in Sydney

1991 – 1992

- March – The Policy Analyst was keynote speaker at a Scandinavian conference on refugee resettlement, Oslo
- March – The Policy Analyst represented ANCCORW at the meeting of the Commission on the Status of Women, Vienna
- March – The Policy Analyst gave a guest lecture at the Centre for Refugee Studies, Oxford University, UK
- April – The Policy Analyst visited refugee camps in Hong Kong
- June – The Policy Analyst (ANCCORW) hosted the international 'Never Ending Journey' Conference
- June – Research Report 'Women Refugees Still at Risk in Australia' launched by the Head of the Women's Section, UNHCR
- August – Proceedings of 'Never Ending Journey' Conference printed and launched by Senator Olive Zacharov
- December – established groups of Iranian and Khmer women to address resettlement needs
- January – established groups of Eritrean women to address resettlement needs
- February – established groups of South American women to address resettlement needs
- The Policy Officer worked on AMES reference group
- ANCCORW part of Westbridge Review Group, consulting with the Department of Social Security & Immigration

The Policy Officer presented a paper to the NSW Consultation on National Housing strategy and was invited to Canberra for further talks

ANCCORW invited to attend government review of Resettlement Services

ANCCORW worked to establish policy on refugee women in Sydney Hospitals

ANCCORW worked to establish policy on refugee women in the Catholic Church and other Non-Government Organisations

January – June 92 The Policy Officer gave talks at 18 conferences

29th February 92 – The Policy Officer met Jewel Lafontant, the US Roving Ambassador on Refugee Issues

The Policy Officer represented ANCCORW at 12 events during Refugee Week 92 in Sydney, ACT & Western Australia

Evaluation of Women At Risk Scheme completed (mid 92) – talks held with Ann-Marie Martens & Wendy Fetin (Minister assisting the PM on Women's Affairs)

1992 – 1993

The Policy Officer appointed to AMES Women's Advisory Task Force

The Policy Officer reappointed to the Grant in Aid Cooperative Board

The Policy Officer appointed Assistant Director of the Australian Vietnamese Buddhist Women's Association

November 92 – The Policy Officer represented ANCCORW at the UN Non Governmental Organisation Symposium, Manila

Liv Ullman (Ambassador for Refugees) invited ANCCORW to join Commission for Refugee Women based in USA

May 93 - The Policy Officer visited Canada for Gender & Refugees Conference at York University

The Policy Officer participated in 3-day seminar at Canadian Refugee Council

The Policy Officer was appointed Chair for the Refugee Resettlement Policy Working Group and Secretary to the Refugee Consultative Conference

May 93 – The Policy Officer visited the British Refugee Council

The Policy Officer spoke in South Australia for Refugee Week

1993 – 1994

The Policy Officer became National Convener of CAPOW!

The Policy Officer joined Asian Women's Rights Council

CAPOW! conference, Canberra

The Policy Officer and a group of refugee women met twice with Liv Ullman during Refugee Week

December 93 – Refugee Resettlement Working Group Conference

February 94 – The Policy Officer attended ‘Partnership in Action’ meeting held by UNHCR in Bangkok

February 94 - The Policy Officer attended ESCAP regional Expert Group Meeting in Bangkok

February 94 – The Policy Officer conducted sessions at the Australian Council of Churches training seminar on Refugee Protection

March 94 – The Policy Officer attended International Planning Meeting in New York for the Beijing Women's Conference

1994 - 1995

March – The Policy Analyst attended the Commission for the Status of Women 94

June – The Policy Analyst attended the ESCAP ministerial meeting 94, Jakarta
ANCCORW & APWAN intensive training in lobbying techniques, international law & human rights (in Jakarta)

Refugee Week June 94 – The Policy Officer spoke in Darwin, Brisbane & Adelaide

August – The Policy Officer addressed the Evatt Foundation Conference

August-December – The Policy Officer trained women in preparation for the Beijing Women's Conference in all capital and regional cities in Australia

1995 – 1996

4th World Conference on Women - Beijing

APPENDIX 8

REFUGEE SPECIFIC EXCERPTS FROM THE BEIJING PLATFORM FOR ACTION

While many sections of the Platform for Action (PFA) addressing issues of violence against women and women in situations of armed conflict are relevant to refugee women, the following sections are particular to that group.

Governments shall:

143C

Take action to investigate and punish members of the police, security and armed forces and others who perpetrate acts of violence against women, violations of international humanitarian law and violations of human rights of women in situations of armed conflict.

145B

Respect fully the norms of international humanitarian law in armed conflicts and take all measures required for the protection of women and children, in particular against rape, forced prostitution and any other form of indecent assault. Urge the identification and condemnation of the systematic practice of rape and other forms of inhuman and degrading treatment of women as a deliberate instrument of war and ethnic cleansing and take steps to ensure that full assistance is provided to the victims of such abuse for their physical and mental rehabilitation.

145D

Reaffirm that rape in the conduct of armed conflict constitutes a war crime and under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide:²⁷ take all measures required for the protection of women and children from such acts and strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice.

145E

Uphold and reinforce standards set out in international humanitarian law and international human rights instruments to prevent all acts of violence against women in situations of armed and other conflicts, undertake a full investigation of all acts of violence against women committed during war, including rape, in particular, systematic rape, forced prostitution and other forms of indecent assault and sexual slavery; prosecute all criminals responsible for war crimes against women and provide full redress to women victims.

145G

Take into account gender-sensitive concerns in developing training programmes for all relevant personnel on international humanitarian law and human rights awareness and recommend such training for those involved in United Nations peace-keeping and humanitarian aid, with a view to preventing violence against women in particular.

147F

Ensure that the international community and its international organisations provide financial and other resources for emergency relief and other longer-term assistance that takes into account the specific needs, resources and potentials of refugee women, other displaced women in need of international protection and internally displaced women; in the provision of protection and assistance, take all appropriate measures to eliminate discrimination against women and girls in order to ensure equal access to appropriate and adequate food, water and shelter, education, and social health services, including reproductive health care and maternity care and services to combat tropical diseases.

147H

Apply international norms to ensure equal access and equal treatment of women and men in refugee determination procedures and the gaining of asylum, including full respect and strict observation of the principle on non-refoulement through, inter alia, bringing national immigration regulations into conformity with relevant international instruments, and consider recognising as refugees those women whose claim to refugee status is based on the well-founded fear of persecution for reasons enumerated in the 1951 Convention and the 1967 Protocol relating to the status of refugees, including persecution, and provide access to specially trained officers, including female officers to interview women regarding sensitive or painful experience, such as sexual assault.

147J

Promote the self-reliant capacities of refugee women, other displaced women in need of international protection and internally displaced women; provide programmes for women, particularly young women, in leadership and decision-making in refugee and returnee communities.

147K

Ensure the human rights of refugees and displaced women are protected and displaced women are made aware of these rights, ensure that the vital importance of family reunification is recognised.

147M

Raise public awareness of the contribution made by refugee women to their countries of resettlement, promote understanding of their human rights needs and abilities and encourage mutual understanding of and acceptance through educational programmes promoting cross-cultural and interracial harmony.

148B

Protect women and children who migrate as family members from abuse and denial of their human rights by sponsors and consider extending their stay should the family relationship dissolve, within limits of national legislation.

124E

Work actively to ratify and/or implement international human rights norms and instruments as they relate to violence against women, including those contained in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

124N

Create, improve or develop as appropriate, and fund training programmes for judicial, legal, medical, social, educational and police and immigration personnel in order to avoid the abuse of power leading to violence against women and sensitise such personnel to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured.

125B Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence.

APPENDIX 9

PUBLICATIONS

Refereed Publications

Pittaway E. (1990) If you really want us to succeed.... An examination of the resettlement needs of refugee women in Australia. REFUGEES, July 1990 UNHCR Geneva

Pittaway E. (1990), in P. Hosking (ed.) , Practical Solutions, in Hope After Horror Sydney: Uniya

Pittaway E. (1991) Refugee Women - Still at Risk in Australia Melbourne: BIR, AGPS

Pittaway E. (1991) Refugee Women - The Neglected Majority in Migration Action, Vol. X111 Number 2, Melbourne: Ecumenical Migration Centre.

The above article was selected by Professor James Jupp, ANU for a special edition of Migration Action, 'Ten of the Best' published 1993

Published Conference Papers

July 1990	Commission For The Status Of Women, United Nations, Vienna <i>' If you really want us to succeed'</i>
July 1990	Norwegian Refugee Council Seminar, Oslo, Norway <i>'Refugee Women in Australia'</i>
March 1991	International Working Group on Refugee Women, Oslo, Norway <i>'Refugee Women - The Neglected Majority'</i>
June 1991	'The Never Ending Journey' - Refugee Council of Australia <i>'The Failure of Protection'</i>
July 1991	'Ecology, Socialism and Human Survival' Conference of Socialist Scholars, Deakin University

'Refugees - a Major Colonial Export'

August 1991	National Population Council, Population Issues and Women Workshop, Sydney <i>'The Place of Refugee Women in the National Population'</i>
September 1991	'The Social Impact of Immigration', Bureau of Immigration Research, Sydney <i>'From Charity to Rights and Back Again'</i>
November 1991	National Conference of Majors Superior of the Catholic Church, Sydney <i>'Service Needs of Refugee Women in Australia'</i>
June 1992	National Catholic Bishops Conference in conjunction with the Australian Council of Churches <i>'Empowerment versus Protection'</i>
June 1992	University of Perth <i>'Managing Diversity'</i>
September 1992	Network for Inter Cultural Communication, Canberra <i>'Ethical Issues in Cross Cultural Communication'</i>
May 1993	York University, Toronto. Refugee and Gender Conference <i>'Protection, the Solution or the Problem?'</i>
November 1993	Tresillian International Conference, Sydney <i>'Child Survivors of Torture and Trauma'</i>
December 1993	Refugee Resettlement in Australia, Sydney

BIBLIOGRAPHY

- Abercrombie, N., Hill, S. & Turner, B. S. (1994), *The Penguin Dictionary of Sociology*, 3rd edition, London, Victoria: Penguin
- ABS Queensland, Population Census and Demography Subsection (1990), *The Economic Status of Migrants in Australia*, Canberra: AGPS
- ABS Queensland, Bureau of Immigration and Population Research (BIPR), (1994), *The Social Characteristics of Immigrants in Australia*, Canberra: AGPS
- Ackland, R. & Williams, L. S. (1992), *Immigrants and the Australian Labour Market: The Experience of Three Recessions*, Bureau of Immigration Research (BIR), Canberra: AGPS
- AIMA (Australian Institute of Multicultural Affairs), (1982), *Evaluation of Post-Arrival Programs and Services*, Melbourne: AIMA
- Albury, R. (1983), *The Politics of Objectivity*, Victoria: Deakin University Press
- Allen-Meares, P. & Lane, B. (1990), "Social Work Practice: Integrating Qualitative and Quantitative Data Collection Techniques", *Social Work*, 35 (1): 452-458
- Allison, G. T. (1971), *Essence of Decision*, Boston: Little Brown
- Altheide, D. L. (1988), "Mediating Cutbacks in Human Services: A Case Study in the Negotiated Order," *Sociological Quarterly*, 29 (3): 339-35
- Alter, C. (1990), "An Exploratory Study of Conflict and Coordination in Interorganizational Service Delivery Systems," *Academy of Management Journal*, 33: 478-502
- Alter, C. & Hage, J. (1993), *Organizations Working Together*, Newbury Park, CA: Sage
- Alvesson, M. (1996), *Communication, Power and Organisation*, Berlin: De Gruyter
- Alvesson, M. & Deetz, S. (1996), "Critical Theory and Postmodernism Approaches to Organisational Studies", in S. Clegg, C. Hardy & W. Nord (eds.), *Handbook of Organisation Studies*, London: Sage
- American Council for Voluntary International Action (1989), *Comments and Recommendations of the Voluntary Agencies Active in Refugee Resettlement Concerning Refugee Admission in FY 1990*, New York
- Amnesty International. (1993), *BOSNIA-HERZEGOVINA, Rape and sexual abuse by armed forces*, London: Amnesty
- ANCCORW (1994a), *Recommendation to the International Working Group on Refugee Women 1994*, working paper

- ANCCORW (1994b), *Report on ESCAP Expert Group Meeting on the Status of Women, Bangkok, February 1994*
- ANCCORW (1994c), *Report on Manila NGO Forum, in preparation for Beijing*
- Andes, N. (2000), "Logic and Methodology of Empirical Inference: Emancipatory and Participatory Research Transforming Current Research Practices", *paper presented at the International Sociological Association's 2000 Research Council Conference*
- Angus Reid Group (1989), *Immigration to Canada: Aspects of Public Opinion, Employment and Immigration*, Ottawa
- Appleyard, R. (ed.), (1989), *The Impact of International Migration on Developing Countries*, Paris: OECD
- Appleyard, R. (ed.), (1988), *International Migration Today*, UNESCO and University of Western Australia, Paris: UNESCO
- Arnaout, G. M. (1989), "Human Rights and Refugees", *Refugees*, August, 1989
- Ashley, D. (1990), "Habermas and the Completion of 'the Project of Modernity'", in B.S. Turner, (ed.), *Theories of Modernity and Post Modernity*, London: Sage
- Astley, W. G. (1984), "Toward an Appreciation of Collective Strategy," *Academy of Management Review*, 9 (3): 526-535
- Astley, W. G. & Sachdeva, P. S. (1984), "Structural Sources of Intraorganizational Power: A Theoretical Synthesis," *Academy of Management Review*, 9 (1): 104-113
- Atkinson, M. M. & Coleman, W. D. (1992), "Policy Communities, Policy Networks and the Problem of Governance", *Governance*, 5: 154-180
- Austcare & RCOA (Refugee Council of Australia), (1989), *Refugees: Who Do You Think We Are?*, Sydney: RCOA
- Australian Council of Churches, Refugee and Migrant Services, (1994), *Old Problems, New Directions*, Sydney: Australian Council of Churches
- Australian Housing Research Council, (1985), *Multicultural Housing Preferences*, Australia: Canberra Publishing & Printing Co.
- Austrian Government, (1990), *The New Migration of the Peoples: Reflections on Austria's Refugee, Asylum and Migration Policy in the Nineties*, Vienna: unpublished paper
- Bacchi, C. L. (1999), *Women, Policy and Politics: The Construction of Policy Problems*, London : Sage
- Bachrach, P. & Baratz, M. S. (1962), "The Two Faces of Power", *American Political Science Review*, 56: 947-952
- Bailey, P. H. (chairman), (1977), *Proposals for Change in the Administration and Delivery of Programs and Services*, first report of the Task Force on Coordination in Welfare and

Health, Canberra: AGPS

- Ball, W. J. (1995), "Policy Analysis methods: Two Alternative Approaches and One Polemic", *Policy Studies Journal*, 23 (4): 712 - 715
- Bardach, E. (1977), *The Implementation Game*, Cambridge MA: MIT Press
- Barrett, S. & Fudge, C. (1981), "Examining the Policy-Action Relationship", in S. Barrett & C. Fudge (eds.), *Policy and Action*, London: Methuen
- Barrett, S. & Hill, M. (1984), "Policy, Bargaining and Structure in Implementation Theory: Towards an Integrated Perspective", *Policy and Politics*, 12 (3): 219-240
- Bauer, R. A. & Gergen, K. J. (eds.) (1968), *The Study of Policy Formation*, New York: Free Press
- Bauman, Z. (1976), *Towards a Critical Sociology: An Essay on Commonsense and Emancipation*, London: Routledge and Kegan Paul
- Beilharz, P. (1992), "Introduction", in P. Beilharz (ed.), *Social Theory: A Guide to Central Thinkers*, Sydney: Allen & Unwin
- Benard, C. (1986), "Politics and the Refugee Experience", *Political Science Quarterly*, 101 (4): 617-636
- Benson, J. K. (1977), "The Interorganizational Network as a Political Economy", *Administrative Science Quarterly*, 20: 229-249
- Benson, J. K. (1978), "Reply to Maines", *Sociological Quarterly*, 19: 497-499
- Benson, J. K. (1982), "A Framework for Policy Analysis", in D. L. Rogers & D. A. Whetten (eds.), *Interorganizational Coordination: Theory, Research and Implementation*, Ames: Iowa State University
- Benyei, L. (1960), "Greek and South Slav Immigrants in Melbourne", in C. A. Price (ed.), *The Study of Immigrants in Australia*, Canberra: Australian National University
- Berger, P. L. & Luckmann, T. (1966), *The Social Construction of Reality*, Garden City, New York: Doubleday
- Bertelson, E. (1986), *The Unspeakable in Pursuit of the Unbeatable*, paper presented at Africa Seminar, University of Cape Town
- Bhabha, J. (1993), "Legal Problems of Women Refugees", *Women: A Cultural Review*, 4 (3): 240-249
- Birnbaum, N. (1971), *Towards a Critical Sociology*, New York: Oxford University Press
- Birrell, R. (ed.), (1979), *Refugees, Resources and Reunion*, Melbourne: ACTA Press
- Blake, A. (1992), *Refugee Women Australian Policy*, Position Paper ANCCORW, Sydney: ANCCORW

- Blakeney, M. (1985), *Australia and the Jewish Refugees, 1933-1948*, Croom: Helm
- Blom-Hansen, J. (1997), "A 'New Institutional' Perspective on Policy Networks", *Public Administration*, 75: 669-693
- Bloom, B. S. & Krathowl, D. R. (1956), *Taxonomy of Educational Objectives*, New York: McKay & Co.
- Blumer, H. (1971), "Social Problems as Collective Behaviour," *Social Problems*, 19: 298-306
- Bolman, L. G. & Deal, T. E. (1991), *Reframing Organisations: Artistry, Choice and Leadership*, 1st ed., San Fransisco: Jossey-Bass
- Bolman, L. G. & Deal, T. E. (1997), *Reframing Organisations: Artistry, Choice and Leadership*, 2nd ed., San Fransisco: Jossey-Bass
- Borthwick, J. (1987), *Life Chances: A Report on the Welfare Needs of Indo-Chinese Youth in Australia*, Sydney: Indo-Chinese Refugee Association
- Borzel, T. (1998), "Organising Babylon – On the Different Conceptions of Policy Networks", *Public Administration*, 76: 253-273
- Bouma, G. D. (1996), *The Research Process*, 3rd ed., South Melbourne: Oxford University Press
- Bourdieu, P. (1993) *Sociology in Question*, London: Sage
- Bower, T. (1971), "Formal and Rational Authority: Some Notes, Hypotheses and Applications", *Kansas Journal of Sociology*, 7 (3/4): 135-141
- Boyd, M.(1999), "Gender, Refugee Status and Permanent Settlement", *Gender Issues*, 17,1, 5-25
- Bradshaw, J. (1972), "The Concept of Social Need", *New Society*, 30: 640-643
- Braybrooke, D. & Lindblom, C. E. (1963), *A Strategy of Decision: Policy Evaluation as a Social Process*, New York: The Free Press
- Bresnick, R. (1995), "Bearing Children: The Right to Decide: Amend Definition of Refugee to include 'reproductive ability' among the qualified grounds of persecution", *Human Rights*, 22: 22-25
- Bresser, R. K. (1988), "Matching Collective and Competitive Strategies," *Strategic Management Journal*, 9: 375-385
- Bresser, R. K. & Harl, J. E. (1986), "Collective Strategy: Vice or Virtue?" *Academy of Management Review*, 11: 408-427
- Brown, L. D. (1983), *Managing Conflict At Organizational Interfaces*, Reading, MA: Addison-Wesley

- Brunner, R. D. (1991), "The Policy Movement as a Policy Problem", *Policy Sciences*, 24: 65-98
- Bryson, J.M. (1995), *Strategic Planning for public and nonprofit organizations: a guide to strengthening and sustaining organizational achievement*. San Francisco: Jossey Bass
- Bureau of Immigration Research (BIR), (1989), *Immigration Update*, Canberra: AGPS
- Burrell, G. (1996), "Normal Science, Paradigms, Metaphors, Discourses and Genealogies of Analysis", in S. R. Clegg, C. Hardy & W. Nord (eds.), *Handbook of Organisation Studies*, London: Sage
- Burrell, G. & Morgan, G. (1979), *Sociological Paradigms and Organisational Analysis: Elements of the Sociology of Corporate Life*, London: Heinemann
- Bylund, M. (1992), "Women in Exile and their Children", in E. Collie, O. M. Espin & E. D. Rothblum (eds.), *Refugee Women and their Mental Health: Shattered Societies, Shattered Lives*, New York: The Haworth Press
- CAAIP (Committee to Advise on Australia's Immigration Policies), (1988), *Immigration: A Commitment to Australia*, Report of the Committee to Advise on Australia's Immigration Policies, (FitzGerald Report), Canberra: AGPS
- Calas, M. B. & Smircich, L. (1996), "From 'The Woman's' Point of View: Feminist Approaches to Organisation Studies", in S. Clegg, C. Hardy & W. Nord, *Handbook of Organisation Studies*, London: Sage
- Calas, M. B. & Smircich, L. (1999), "Past Postmodernism? Reflections and Tentative Directions", *Academy of Management Review*, 24 (4): 649 - 671
- Callon, M. (1986), "Some Elements of a Sociology of Translation: Domestication of the Scallops and the Fisherman of St. Brieuc Bay", in J. Law (ed.), *Power, Action and Belief*, London: Routledge
- Canadian Immigration and Refugee Board (1990a), *Annual Report 1989*, Ottawa: Canadian Immigration and Refugee Board
- Canadian Immigration and Refugee Board, (1990b), *Review of Convention Refugee Determination Division Activities*, Ottawa: Canadian Immigration and Refugee Board
- CAPOW! (1995) *Lobby Document for the Fourth World Conference on Women, Beijing 1995*, CAPOW!:Canberra
- Carney, M. G. (1987), "The Strategy and Structure of Collective Action," *Organization Studies*, 8 (4): 341-362
- Carr, W. & Kemmis, S. (1983), *Becoming Critical, Knowing Through Action and Research*, Victoria: Deakin University Press
- Carter, R. & Nunan, D. (1993), *Introducing Discourse Analysis*, London: Penguin
- Castel, J. R. (1992), "Rape, Sexual Assault and the Meaning of Persecution", *International*

Journal of Refugee Law, 4 (1): 39-56

Castles, I. (1988), cat. no. 3222.0, *Projections of the Populations of Australia, 1987-2031*, Canberra: ABS

Centre for International Economics (1990), *Immigration and Economic Management: Short Term Economic Consequences of Minor Variations in Immigration*, Canberra: AGPS

Charlesworth, H. (1994), "What are 'Women's International Human Rights'?", in R. J. Cook (ed.), *Human Rights of Women: National and International Perspectives*, Philadelphia: University of Pennsylvania Press

Charlesworth, M. (1982), *Science, Non-Science and Pseudo-Science: Bacon, Popper, Lakatos, Kuhn and Feyerabend on Defining Science*, Victoria: Deakin University Press

Chih Lin, A. (1998), "Bridging Positivist and Interpretivist Approaches to Qualitative Methods" *Policy Studies Journal*, 26 (1):162 - 180

Chock, P. P. (1995), "Ambiguity in Policy Discourse: Congressional Talk about Immigration", *Policy Sciences*, 28: 165-184

Clegg, S. R. (1975), *Power, Rule and Domination*, London: Routledge & Kegan Paul

Clegg, S. R. (1976), "A Sociological Critique of an Organisational Theory of Power", *Mens en Maatschappij*, 51 (5): 54-69

Clegg, S. R. (1989), *Frameworks of Power*, London: Sage

Cobb, R. W. & Elder, C. D. (1972), "Individual Orientations in the Study of Political Symbolism", *Social Science Quarterly*, 53 (1), 79-90

Cohen, R. (1994), *Frontiers of Identity: The British and the Others*, London: Longman

Colebatch, H. K. (1998), *Policy*, Buckingham: Open University Press

Colebatch, H. K. (1995), "Organisational Meanings of Program Evaluation", *Policy Sciences*, 28 (2): 149-164

Coleman, W. D. & Skogstad, G. (1990), "Policy Communities and Policy Networks: A Structural Approach", in W. D. Coleman & G. Skogstad (eds.), *Policy Communities and Public Policy in Canada*, Mississauga: Copp Clark Pitman

Coleman, W. D., Skogstad, G. D. & Atkinson, M. M. (1997), "Paradigm Shifts and Policy Networks: Cumulative Change in Agriculture", *Journal of Public Policy*, 16 (3): 273-301

Coles, G. (1989), *Solutions to the Problems of Refugees and the Protection of Refugees*, UNHCR paper, Geneva: UNHCR

Coles, G. (1990), *Placing the Refugee Issue on the New International Agenda*, UNHCR paper, Geneva: UNHCR

Coles, R. (1986), *The Political Life of Children*, New York: Atlantic Monthly

- Committee for the Coordination of Services to Displaced Persons in Thailand, (1990), *Back to a Future? Voluntary Repatriation of Indo-Chinese Refugees and Displaced Persons from Thailand*, Bangkok: Committee for the Coordination of Services to Displaced Persons in Thailand
- Committee for the Coordination of Services to Displaced Persons in Thailand, (1989), *Voluntary Repatriation, Implications for Voluntary Agency Programmes and Liaison between Thai/ Cambodian Border Relief Agencies and NGOs Working Inside Cambodia*, Final Report, Bangkok: Committee for the Coordination of Services to Displaced Persons in Thailand
- Committee of Review of Post-Arrival Programs and Services for Migrants, (1978), *Migrant Services and Programs*, Report of the Review (Galbally Report), Canberra: AGPS
- Connell, R. W. (1983), *Which Way is Up? Essays on Class, Sex and Culture*, North Sydney: George, Allen and Unwin
- Considine, M. (1994), *Public Policy: A Critical Approach*, Melbourne: Macmillan
- Considine, M. (1998), *Governance at Ground Level: Third Sector Interests and the Problem of 'Voice' and 'Valence'*, paper presented at the Australian and New Zealand Third Sector Conference, Deakin University Australia
- Cook, R. J. (1994), "Women's International Human Rights Law: The Way Forward", in R. Cook (ed.), *Human Rights of Women: National and International Perspectives*, Philadelphia: University of Pennsylvania Press
- Council of Europe, (1980), *European Agreement on Transfer of Responsibility for Refugees*, Strasbourg: Council of Europe
- Cox, D. R. (1983), "Welfare Services in a Multicultural Society", *Australian Social Work*, 36: 10-17
- Cox, D. R. (1987), *Migration and Welfare: An Australian Perspective*, Sydney: Prentice Hall
- Cox, D. R. (1987), *Which Refugees Should Australia Settle?*, paper presented to the RCOA, Sydney: RCOA
- Cox, D. R. (1989), *Welfare Practise in a Multicultural Society*, Sydney: Prentice Hall
- Cox, D. R. (1996), *Understanding Australian Settlement Services*, Canberra: AGPS
- Crawford, V. & Hyndman, P. (1989), "Three Heresies in the Application of the Refugee Convention", *International Journal of Refugee Law*, 1 (2):
- Dang, K. & Alcorso, C. (1990), *Better on Your Own? A Survey of Domestic Violence Victims in the Vietnamese, Khmer and Lao Communities*, Lidcombe, NSW: Vietnamese Women's Association
- Danish Refugee Council, (1987), *A Guide to the Danish Refugee Council*, Copenhagen: Danish Refugee Council

- Danish Refugee Council, (1985), *Agreement of Understanding between the Danish Refugee Council and the UNHCR*, Copenhagen: Danish Refugee Council
- Danish Refugee Council, (1988), *Current Asylum Policy and Humanitarian Principles*, Copenhagen: Danish Refugee Council
- Danziger, M. (1995), "Policy Analysis Postmodernized: Some Political and Pedagogical Ramifications", *Policy Studies Journal*, 23 (3): 435-450
- Davidson, A. (1992), "Antonion Gramsci", in P. Beilharz (ed.), *Social Theory: A Guide to Central Thinkers*, North Sydney: Allen & Unwin
- Davis, M. W. (1972), "That's Interesting", *Philosophy of the Social Sciences*, 1: 309-344
- Davis, G., Wanna, J., Warhurst, J. & Weller, P. (1988), *Public Policy in Australia*, Sydney: Allen & Unwin
- Day, R. & Day, J. (1977), "A Review of the Current State of Negotiated Order Theory: An Appreciation and a Critique," *Sociological Quarterly*, 18: 126-142
- Day, R. & Day, J. (1978), "Reply to Maines," *Sociological Quarterly*, 19: 499-501
- Dearlove, J. (1973), *The Politics of Policy in Local Government*, Cambridge: Cambridge University Press
- Degeling, P. (1980), *Organisational Arenas and the Practice of Management*, unpublished lecture notes, Kuringai College of Advanced Education
- deLeon, P. (1988), *Advice and Consent: The Development of the Policy Sciences*, New York: Russell Sage
- deLeon, P. (1998), "Models of Policy Discourse: Insights versus Prediction", *Policy Studies Journal*, 26 (1): 147-161
- DIEA (Department of Immigration and Ethnic Affairs), (1986), *Review '86: Annual Report 1985-86*, Canberra: AGPS
- DILGEA (Department of Immigration, Local Government and Ethnic Affairs), (1988a), *Australia and Immigration 1788-1988*, Canberra: AGPS
- DILGEA (1988b), *Corporate Plan*, Canberra: AGPS
- DILGEA (1988c), *Review '88: Annual Report 1987-88*, Canberra: AGPS
- DILGEA (1989), *Policy Control Instruction*, no. PC1616, file no. 8, Canberra: AGPS
- DILGEA (1990), *Refugee and Humanitarian Visas 7: Women at Risk (Class 204)*, Canberra: AGPS
- DIMA (Department of Immigration and Multicultural Affairs), (1993a), *Annual Report 1992-93*, Canberra: AGPS

- DIMA (1993b), *Population Flows: Immigration Aspects*, Canberra: AGPS
- DIMA (1994), *Annual Report 1993-94*, Canberra: AGPS
- DIMA (1995), *Annual Report 1994-95*, Canberra: AGPS
- DIMA (1997), *Refugee and Humanitarian Issues: Australia's Response*, Canberra: Union Offset Co Pty Ltd
- Dowding, K. (1995), "Model or metaphor: A Critical Review of the Policy Network Approach", *Political Studies*, 43, 136-158
- Dowty, A. (1987), *Closed Borders: The Contemporary Assault on Freedom of Movement*, New Haven: Yale University Press
- Dreyfus, H. L. & Rabinow, P. (1982), *Michel Foucault: Beyond Structuration and Hermeneutics*, Chicago: University of Chicago Press
- Dror, Y. (1968), *Public Policymaking Reexamined*, San Francisco: Chandler Pub. Co.
- Dupuy, F. & Thoenig, J. C. (1979), "Public Transportation Policy Making in France as an Implementation Problem", *Policy Sciences*, 11: 1-18
- Durning, D. (1999), "The Transition from Traditional to Postpositivist Policy Analysis: A Role for Q-Methodology", *Journal of Policy Analysis and Management*, 18 (3): 389-410
- Dutton, J. E. & Duncan, R. B. (1987), "The Creation of Momentum for Change Through the Process of Strategic Issue Diagnosis," *Strategic Management Journal*, 8: 279-295
- Easton, D. (1965a), *A Framework for Political Analysis*, Englewood Cliffs, New Jersey: Prentice Hall
- Easton, D. (1965b), *A Systems Analysis of Political Life*, New York: Wiley
- ECRE (European Consultation on Refugees and Exiles), (1989a), *Procedures at Borders: Asylum Seekers at International Airports*, unpublished paper
- ECRE (1989b), *Refugee Policy in a Unifying Europe*, Netherlands: unpublished paper
- Edelman, M. (1971), *Politics as Symbolic Action*, Institute for Research on Poverty Monograph Series, Chicago: Markham
- Edelman, M. (1985), *The Symbolic Uses of Politics*, Urbana: University of Illinois Press
- Eisenhardt, K. M. (1989) "Building Theories from Case Study Research", *Academy of Management Review*, 14 (3): 532-550
- Eliadis, M., Colenero, R. & Roussos, P. (undated), *Issues for Non-English Speaking Women in Multicultural Australia*, Canberra: Office of Multicultural Affairs, Department of the Prime Minister and Cabinet

- Ellingson, S. (1995), "Understanding the Dialectic of Discourse and Collective Action: Public Debate and Rioting in Antebellum Cincinnati", *American Journal of Sociology*, 101 (1): 100-44
- Elmore, R. (1980), "Backward Mapping: Implementation Research and Policy Decisions", *Political Science Quarterly*, 94 (4): 601-616
- Elsbach, K. D. & Sutton, R. I. (1992), "Acquiring Organizational Legitimacy Through Illegitimate Actions: A Marriage of Institutional and Impression Management Theories," *The Academy of Management Journal*, 35 (4): 699-738
- Emy, H. V. (1974), *The Politics of Australian Democracy: An Introduction to Political Science*, South Melbourne: Macmillan
- Endrey, A. (1990), *Developments in International Refugee Law and Conventions*, Department of Immigration, Local Government and Ethnic Affairs, Canberra: unpublished paper
- Espin, O. M. (1987), "Psychological Impact of Migration on Latinas: Implications for Psychotherapeutic Practice", *Psychology of Women Quarterly*, 11: 489-503
- Espin, O. M. (1992), "Roots Uprooted: The Psychological Impact of Historical/Political Dislocation", in E. Collie, O. M. Espin & E. D. Rothblum (eds.), *Refugee Women and Their Mental Health: Shattered Societies, Shattered Lives*, New York: The Haworth Press
- Etzioni, A. (1961), *A Comparative Analysis of Complex Organisations*, Glencoe, Ill.: Free Press
- Exile (1991), *Newsletter of the Refugee Council*, #51, Sydney: RCOA
- Fairclough, N. (1992), *Discourse and Social Change*, Cambridge, UK: Polity Press
- Fals Borda, O. & Rahman, M. A. (eds.), (1991), *Action and Knowledge: Breaking the Monopoly with Participatory Action Research*, New York: Intermediate Technology/ Apex
- Feyerabend, P. K. (1975), *Against Method: Outline of an Anarchist Theory of Knowledge*, London: New Left Books
- Fiorino, D. J. (1997), "Strategies for Regulatory Reform: Forward Compared to Backward Mapping", *Policy Studies Journal*, 25 (2): 249 - 265
- Fischer, F. (1989), "Beyond the Rationality Project: Policy Analysis and the Postpositivist Challenge", *Policy Studies Journal*, 17 (4):, 941-951
- Fischer, F. (1998a), "Beyond Empiricism: Policy Inquiry in Postpositivist Perspective", *Policy Studies Journal*, 26 (1): 129-146
- Fischer, L. (1998b), *NGO Discourse and Practice: Continuing Northern Hegemony*, International Sociological Association

- Flyberg, B. (1998), *Rationalism and Power*, Denmark: Aalston University Press
- Foucault, M. (1972), *The Archaeology of Knowledge and the Discourse on Language*, trans. A. M. Sheridan Smith, New York: Pantheon Books
- Foucault, M. (1973), *The Order of Things: An Archaeology of the Human Sciences*, New York: Vintage Books
- Foucault, M. (1979), *Discipline and Punish: The Birth of the Prison*, trans. A. M. Sheridan Smith, New York: Vintage Books
- Foucault, M. (1984a), *The Foucault Reader* edited by Paul Rabinow, New York: Pantheon Press
- Foucault, M. (1984b), *The History of Sexuality: An Introduction*, Harmondsworth: Penguin
- Fraser, N. (1989), *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*, Minneapolis: University of Minnesota Press
- Fraser, N. (1991), "False Antithesis: A Response to Seyla Benhabib and Judith Butler", *Praxis International*, 11 (2): 166-177
- Freidman, A. R. (1992), "Rape and Domestic Violence: The Experience of Refugee Women", in E. Collie, O. M. Espin & E. D. Rothblum (eds.), *Refugee Women and Their Mental Health: Shattered Societies, Shattered Lives*, New York: The Haworth Press
- French, J. R. P. & Raven, B. (1968), "The Bases of Social Power," in D. Cartwright & A. Zander (eds.), *Group Dynamics*, New York: Harper and Row
- Frost, P. J. (1987), "Power, Politics and Influence," in F. M. Tablin, J.L. Putnam, K. H. Roberts, and L. W. Porter (eds.), *Handbook of Organizational Communications: An Interdisciplinary Perspective*, London: Sage
- Gallagher, D. (1989), "The Evolution of the International Refugee System", *International Migration Review*, 23 (3): 579-599
- Gallagher, D. (ed.), (1986), "Refugees: Issues and Directions", Special Issue of *International Migration Review*, 20:
- Gardner, R., Neville, H. & Snell, J. (1983), "Vietnamese Resettlement in Springvale", in F. Fisher (ed.), *Environmental Report No. 14*, Victoria: Monash University Graduate School of Environmental Science
- Garza-Guerrero, C. A. (1974), "Culture Shock: Its Mourning and the Vicissitudes of Identity", *Journal of the American Psychoanalytic Association*, 22: 408-429
- Gatenby, B. & Humphries, M. (2000), "Feminist Participatory Action Research: Methodological and Ethical Issues", *Women Studies International Forum*, 23 (1): 89-105
- Giddens, A. (1979), *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*, London: Macmillan

- Giddens, A. (1985), *The Nation-State and Violence*, Cambridge: Polity
- Gioia, D. A. & Pitre, E. (1989), "Multiparadigm Perspectives on Theory Building", *Academy of Management Review*, 15 (4): 584-602
- Goodwin-Gill, G. (1986), "International Law and the Detention of Refugees and Asylum Seekers", in *Gallagher*, Op. Cit.
- Goodwin-Gill, G. (1989), "Voluntary Repatriation: Legal and Policy Issues", in *Loescher & Monahan*, Op. Cit.
- Goodwin-Gill, G. (1989), "International Law and Human Rights: Trends Concerning International Migrants and Refugees", *International Migration Review*, 23 (3): 526-547
- Gramsci, A. (1971), *Selections from the Prison Notebooks of Antonio Gramsci* edited and translated by Q. Hoare & G. N. Smith, London: Lawrence & Wishart
- Grant, W. (1978), "Insider Groups, Outsider Groups and Interest Group Strategies in Britain", *University of Warwick Department of Politics Working Party no. 19*
- Gray, B. (1985), "Conditions Facilitating Interorganizational Collaboration," *Human Relations*, 38: 911-936
- Gray, B. (1989), *Collaborating*, San Francisco: Jossey-Bass
- Gray, B. & Hay, T. M. (1986), "Political Limits to Interorganizational Consensus and Change," *Journal of Applied Behavioural Science*, 22: 95-112
- Gregory, R. (1989), "Political Rationality or 'Incrementalism'? Charles E. Lindblom's Enduring Contribution to Public Policy Making Theory", *Policy and Politics*, 17 (2): 139-153
- Gricar, B. & Brown, L. D. (1981), "Conflict, Power and Organization in a Changing Community", *Human Relations*, 34: 877-893
- Groves, R. (1989), *The Special Needs of Refugee Women*, Canberra: UNHCR
- Habermas, J. (1968), *Knowledge and Human Interests*, London: Heinemann
- Habermas, J. (1970), *Towards a Rational Society: Student Protest, Science and Politics*, Boston: Beacon Press
- Habermas, J. (1972), *Knowledge and Human Interests*, London: Heinemann Educational
- Habermas, J. (1975), *Legitimation Crisis*, translated by Thomas McCarthy, Boston: Beacon Press
- Hale, D. (1988), "Just What is a Policy, Anyway? And Who's Supposed to Make It?", *Administration and Society*, 19: 423-452
- Hall, P. M. & Spencer-Hall, D. A. (1982), "The Social Conditions of the Negotiated Order,"

Urban Life, 11 (3): 328-349

Hall, P., Land, H., Parker, R. & Webb, A. (1975), *Change, Choice and Conflict in Social Policy*, Gateshead, Great Britain: Northumberland Press Ltd.

Ham, C. & Hill, M. (1984), *The Policy Process in the Modern Capitalist State*, Great Britain: Wheatsheaf Books

Hammer, D., Bleiman, J. & Park, K. (1999), "Between Positivism and Postmodernism: Hannah Arendt on the Formulation of Policy Judgments", *Policy Studies Review*, 16: 148-181

Hardy, C. (undated), *"Power and the Production of a Refugee: Refugee Systems as Systems of Foucauldian Power"*, unpublished paper

Hardy, C. (1985a), "The Nature of Unobtrusive Power," *Journal of Management Studies*, 22 (4): 384-399

Hardy, C. (1985b), *Managing Organizational Closure*, Aldershot, England: Gower Press

Hardy, C. (1994a), *Managing Strategic Action: Mobilising Change*, London: Sage

Hardy, C. (1994b), "Underorganized Interorganization Domains: The Case of Refugee Systems," *Journal of Applied Behavioural Science*, 30 (3): 278-296

Hardy, C. & Clegg, S. (1996), "Some Dare Call It Power," in C. Hardy & S. Clegg (eds.), *Handbook of Organization Studies*, London: Sage

Hardy, C., Clegg, S. & Phillips, N. (1997), *Refugees, Representation and Reflexivity: Translating the Controls of Organization Studies*, Keele University: Submission to the Actor Network and After Workshop Centre for Social Theory and Technology

Hardy, C. & Leiba-O'Sullivan, S. (1998), "The Power Behind Empowerment: Implications for Research and Practice", *Human Relations*, 51 (4): 451 - 483

Hardy, C. & Phillips, N. (1998), "Strategies of Engagement: Lessons from the Critical Examination of Collaboration and Conflict in an Interorganizational Domain", *Organization Science*, Vol 9 (2): 217 - 230

Harrell-Bond, B. E. (1986), *Imposing Aid: Emergency Assistance to Refugees*, New York: Oxford University Press

Harrigan, K. R. (1985), *Strategies for Joint Ventures*, Lexington, MA: D.C. Heath/Lexington Books

Hartley, R. (1995), *Families and Cultural Diversity in Australia*, Melbourne: Allen and Unwin in association with the Australian Institute of Family Studies (AIFS)

Hartmann, H. (1964), *Essays on Ego Psychology*, New York: International Universities Press

Hasenfeld, Y. & Chesler, M. A. (1989), "Client Empowerment in the Human Services:

- Personal and Professional Agenda," *Journal of Applied Behavioural Science*, 25: 499-521
- Hastedt, G. P. & Knickrehm, K. M. (1988), "Domestic Violence Refugee Flows and International Tension: The Case of El Salvador", *Journal of Refugee Studies*, 1 (3/4): 260-276
- Hawkesworth, M. (1994), "Policy Studies with a Feminist Frame", *Policy Sciences*, 27: 97-118
- Hawthorne, L. (1982), *Refugee: The Vietnamese Experience*, Melbourne: Oxford University Press
- Hayes, D. & Winton, S. (1991), *An Evaluation of the Women at Risk Scheme*, Sydney: ANCCORW
- Hazen, M. A. (1994), "A Radical Humanist Perspective of Interorganizational Relationships," *Human Relations*, 47 (4): 393-415
- Healy, K. & Mulholland, J. (1998), "Discourse Analysis and Activist Social Work: Investigating Practice Processes", *Journal of Sociology and Social Welfare*, 25 (3): 3-27
- Healey, P. (1990), "Policy Processing in Planning", *Policy and Politics*, 18 (1): 89-102
- Heclo, H. (1971), "Review Article: Policy Analysis", *British Journal of Political Science*, 2: 83-108
- Heclo, H. (1978), "Issue Networks and the Executive Establishment", in A. King (ed.), *The New American Political System*, Washington DC: American Enterprise Institute
- Heidenheimer, A. J. (1986), "Politics, Policy and Policy as Concepts in English and Continental Languages: An Attempt to Explain Divergences", *Review of Politics*, 48: 3-30
- Hickson, D. J., Hinings, C. R., Lee, C. A., Schneck, R. E. & Pennings, J. M. (1971), "A Strategic Contingencies Theory of Intraorganizational Power," *Administrative Science Quarterly*, 16 (2): 216-229
- Hill, M. (1997), "Implementation Theory: Yesterday's Issue?", *Policy and Politics*, Special Issue, 25 (4): 375-385
- Hill, M. & Bramley, G. (1986), *Analysing Social Policy*, Oxford, UK: Basil Blackwell Ltd.
- Hjern, B. & Hull, C. (1982), "Implementation Research as Empirical Constitutionalism", *European Journal of Political Research*, 10: 105-115
- Hocke, J. (1990), "Beyond Humanitarianism: The Need for Political Will to Resolve Today's Refugee Problem", in *Loescher and Monahan*, Op. Cit.
- Hofferbert, R. I. & Hofferbert, M. R. (1992), "Policy Analysis Priorities in Poorer Countries: Basic Needs and the Barefoot Evaluator", *Policy Studies Review*, 11 (3/ 4): 329-346

- Hoffman, J. (1995), "Implicit Theories in Policy Discourse: An Inquiry into the Interpretations of Reality in German Technology Policy", *Policy Sciences*, 28: 127-148
- Hogwood, B. W. & Gunn, L. A. (1981), *Policy Analysis for the Real World*, Oxford: Oxford University Press
- Home Office (1991/2), *Annual Report*, London: HMSO
- Hosking, D. M. (1999), "Social Construction as Process: Some New Possibilities for Research and Development", *Concepts and Transformation*, 4 (2): 117-132
- Hosking, P. (1990), "The Drama of Dislocation", in P. Hosking (ed.), *Hope After Horror*, Sydney: UNIYA
- Howlett, M. (1994), "Policy Paradigms and Policy Change: Lessons from the Old and New Canadian Policies Towards Aboriginal Peoples", *Policy Studies Journal*, 22 (4): 631-640
- Howlett, M. & Ramesh, M. (1998), "Policy Subsystem Configurations and Policy Change: Operationalising the Postpositivist Analysis of the Politics of the Policy Process", *Policy Studies Journal*, 26 (1): 466-481
- Human Rights Watch (1995), *The Human Rights Watch Global Report on Women's Human Rights*, USA: Human Rights Watch
- Hyndman, J. (1998), "Managing Difference: Gender and Culture in Humanitarian Emergencies", *Gender, Place and Culture*, 5 (3): 241-260
- Hyndman, P. (1990), *Developing International Refugee Law in the Asian Pacific Region*, University of NSW, Sydney: unpublished paper
- ICRC (1989), *The Red Cross and Refugees*, Geneva: Geneva International Council of Voluntary Agencies, Working Group on Refugees and Migration
- International Institute of Humanitarian Law and International Organisation for Migration (1990), Report on San Remo Meeting, *Round Table on the Movement of People: New Developments*, San Remo: unpublished paper
- IOM (1989), *Constitution of the IOM*, Geneva: IOM
- Iredale, R. (1992), *Women Refugees in the Australian Labour Market: How do they Fare?*, CMS: University of Wollongong
- Iredale, R., Mitchell, C., Rogelia, P. P. & Pittaway, E. (1996), *Ambivalent Welcome: The Settlement Experiences of Humanitarian Entrant Families in Australia*, Canberra: Department of Immigration & Multicultural Affairs
- Irigaray, L. (1985), *Speculum of the Other Woman*, translated by G. C. Gill, Ithica, New York: Cornell University Press
- Jacobs, D. (1998), "Discourse Politics and Policy: The Dutch Parliamentary Debate about Voting Rights for Foreign Residents", *International Migration Review*, 32 (2): 350 - 373

- Jackson, J. A. (ed.), (1969), *Migration*, Cambridge: Cambridge University Press
- Jacobsen, K. (1996), "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influx", *International Migration Review*, 30 (3): 655 - 678
- Jaques, L. (1992), *Refugee Children in Australia*, position paper for ANCCORW, Sydney: ANCCORW
- Janeway, E. (1980), *Powers of the Weak*, New York: Knots
- Jennings, B. (1987), "Interpretation and the Practice of Policy Analysis", in F. Fischer & J. Forester (eds.), *Confronting Values in Policy Analysis: The Politics of Criteria*, Newbury Park, CA: Sage
- Johnson, A. G. (1995), *The Blackwell Dictionary of Sociology: A User's Guide to Sociological Language*, Cambridge Mass: Blackwell
- Jones, C. (1977), *An Introduction to the Study of Public Policy*, Belmont, CA: Wadsworth
- Jones, R. (1996), *Research Methods in the Social and Behavioural Sciences (2nd ed.)*, Massachusetts: Sinauer Assoc. Inc.
- Jupp, J. (ed.), (1989), *The Challenge of Diversity: Policy Options for a Multicultural Australia*, Office of Multicultural Affairs, Canberra: AGPS
- Kanter, R. M. (1990), "When Giants Learn Cooperative Strategies," *Planning Review*, 18 (1): 15-25
- Kaplan, G. (1992), *Contemporary Western European Feminism*, New York: New York University Press
- Keck, M. E and Sikkink, K. (1999). Transnational advocacy networks in international and regional politics. *International Social Science Journal*, 51, 1 (159), 89-101
- Khosbbin, J. (1992), *On-Shore Asylum-Seeking Women*, Position Paper for the Australian National Consultative Committee on Refugee Women, Sydney: ANCCORW
- Khuong, D. T. (1987), chapters 1 and 2 in D. Miserez (ed.), *Refugees: The Trauma of Exile, the Humanitarian Role of the Red Cross and Red Crescent*, Switzerland: Martinus Nijhoff Publishers
- Kilduff, M. & Mehra, A. (1997), "Postmodernism and Organisational Research" *Academy of Management Review*, 22 (2): 453 - 481
- Kingdon, J. W. (1984), *Agendas, Alternatives and Public Policies*, Boston, MA: Little Brown
- Klijn, E. H., Koppenjan, J. & Termeer, K. (1995), "Managing Networks in the Public Sector: A Theoretical Study of Management Strategies in Policy Networks", *Public Administration*, 73: 437-454
- Knights, D., Murray, F., & Willmott, H. (1993), "Networking as Knowledge Work: A Study of Strategic Interorganizational Development in the Financial Services Industry", *Journal of*

Management Studies, 30 (6): 975-995

Knoepfel, P. & Weidner, H. (1982), "Formulation and Implementation of Air Quality Control Programmes: Patterns of Interest Consideration", *Policy and Politics*, 10 (1): 85-109

Knoke, D. (1990), *Organizing for Collective Action*, Berlin: De Gruyter

Kritz, M. M., Keely, C. B. & Tomasi, S. M. (eds), (1981), *Global Trends in Migration: Theory and Research on international Population Movements*, New York: Centre for Migration Studies

Kunz, E. (1988), *Displaced Persons: Calwell's New Australians*, Canberra: Australian National University

Laclau, E. & Mouffe, C. (1987), *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, London: Verso

Lakatos, I. (1970), "Falsification and the Methodology of Research Programmes", in I. Lakatos & A. Musgrave (eds.), *Criticism and the Growth of Knowledge*, Cambridge: Cambridge University Press

Langer, B. (1990), "The Continuing Trauma of Refugee Settlement", in P. Hosking (ed.), *Hope After Horror*, Sydney: UNIYA

Lasswell, H. D. (1936), *Politics: Who Gets What, When and How*, Cleveland OH: Meridian Books

Lasswell, H. D. (1951), "The Policy Orientation", in D. Lerner & H. D. Lasswell (eds.), *The Policy Sciences*, Stanford, CA: Stanford University Press

Lasswell, H. D. (1956), *The Decision Process*, College Park: University of Maryland

Lasswell, H. D. (1971), *A Preview of Policy Sciences*, New York: American Elsevier Pub. Co.

Lasswell, H. D. & Kaplan, A. (1950), *Power and Society: A Framework for Political Inquiry*, New Haven: Yale University Press

Latour, B. (1987), *Science in Action: How to Follow Scientists and Engineers Through Society*, Cambridge, MA: Harvard University Press

Laumann, E. O. & Knoke D. (1987), *The Organizational State*, Madison: University of Wisconsin Press

Lawyers Committee for Human Rights, (1989), *Inhumane Deterance: Treatment of Vietnamese Boat People in Hong Kong*, New York: Lawyers Committee for Human Rights

Lawyers Committee for Human Rights, (1990), *Refugee Refoulement: The Forced Return of Haitians*, New York: Lawyers Committee for Human Rights

Lee, P. & Hardy, L. (1990), "Sea Changes", *Development Dossier*, 25, Canberra:

Australian Council for Overseas Aid

- Leonard, P. (1996), "Discourses on Practice: A Postmodern Re-appraisal", *Journal of Sociology and Social Welfare*, 23 (2): 7-26
- Levy, J. A. (1982), "The Staging of Negotiations Between Hospice and Medical Institutions," *Urban Life*, 11 (3): 293-311
- Lewin, K. (1985), "Group Decisions and Social Change", in G. E. Swanson, T. M. Newcomb & F. E. Hartley (eds.), *Readings in Social Psychology*, New York: Holt
- Lewins, F. & Ly, J. (1985), *The First Wave: The Settlement of Australia's First Vietnamese Refugees in Sydney*, Sydney: Allen and Unwin
- Lewis, M. W. & Grimes, A. J. (1999), "Metatriangulation: Building Theory from Multiple Paradigms", *Academy of Management Review*, 24 (4): 672-690
- Lindblom, C. E. (1959), "The Science of Muddling Through", *Public Administration Review*, 19: 78-88
- Lindblom, C. E. (1979), "Still Muddling, Not Yet Through", *Public Administration Review*, 39: 517-526
- Lindblom, C. E. (1980), *The Policy Making Process*, 2nd ed., Englewood Cliffs, New Jersey: Prentice Hall
- Lindblom, C. E. & Woodhouse, E. J. (1993), *The Policy Making Process*, Englewood Cliffs, New Jersey: Prentice Hall
- Linder, S. H. & Peters, B. G. (1987), "Relativism, Contingency, and the Definition of Success in Implementation Research", *Policy Studies Review*, 7 (1): 116-127
- Lin, A. C. (1998), "Bridging Positivist and Interpretivist Approaches to Qualitative Methods", *Policy Studies Journal*, 26 (1): 162-180
- Lippman, W. (1965), *Public Opinion*, New York: The Free Press
- Lipsky, M. (1980), *Street-level Bureaucracy*, New York: Russell Sage
- Loescher, G. & Monahan, L. (eds), (1990), *Refugees and International Relations*, Oxford: Clarendon Press
- Lowi, T. (1970), "Decision Making vs. Policy Making: Toward an Antidote for Technology", *Public Administration Review*, 30 (3): 314-326
- Lukes, S. (1974), *Power: A Radical View*, London: Macmillan
- Lukomskyj, O. (1992), *An Overview of Australian Government Settlement Policy 1945-1992*, Canberra: BIR
- Lynn Jr., L. E. (1999), "A Place at the Table: Policy Analysis, Its Postpositivist Critics, and the Future of Practice", *Journal of Policy Analysis and Management*, 18 (3): 411-424

- Machado, N. & Burns, T. R. (1998), "Complex Social Organisation: Multiple Organising Modes, Structural Incongruence, and Mechanisms of Integration", *Public Administration*, 76: 355 - 386
- Mackellar, M. J. R. (1977), *Refugee Policy and Mechanisms*, Policy Statement by Minister for Immigration, Parliamentary Debates, Canberra: DIEA
- Macklin, A. (1995), "Refugee Women and the Imperative of Categories", *Human Rights Quarterly*, 17 (2): 213 – 277
- Macpherson, I., Brooker, R. & Ainsworth, P. (2000), "Case Study in the Contemporary World of Research: Using Notions of Purpose, Place, Process and Product to Develop Some Principles for Practice", *International Journal of Social Research Methodology*, 3 (1): 49-61
- Macquarie Dictionary (1997), *The Macquarie Dictionary, Third Edition*, Sydney: The Macquarie Library Pty Ltd
- Macvean, R. (1995), "Changing Agendas: Empowering Women Refugees", *Issues in Global Development*, 5, Melbourne: World Vision Australia, Research and Policy Unit
- Maguire, P. (1987), *Doing Participatory Research*, The Center for International Education, University of Massachusetts: Massachusetts, USA
- Mahmud, N. (1996), "Crimes Against Honour: Women in International Refugee Law", *Journal of Refugee Studies*, 9 (4): 367-382
- Majika, M. (1991), *Into the 1990s: The Needs of Refugee-Based Organizations and Refugees in Britain*, Oxford: Refugee Studies Program
- Maloney, W. A., Jordan, G. & McLaughlin, A. M. (1994), "Interest Groups and Public Policy: The Insider/Outsider Model Revisited", *Journal of Public Policy*, 14 (1): 17-38
- Manderson, L., Kelaher, M., Markovic, M. & McManus, K. (1998), "A Woman without a Man is a Woman at Risk: Women at Risk in Australian Humanitarian Programs", *Journal of Refugee Studies*, 11 (3): 267 - 283
- Marcuse, H. (1968), *Negations*, Victoria: Penguin Books
- Markus (1984) cited in National Population Council (NPC), (1988), *A Proposed Settlement Strategy*, Canberra: AGPS
- Marsh, J. G. & Rhodes, R. A. W. (eds.), (1992), *Policy Networks in British Government*, Oxford: Clarendon Press
- Marsh, D. (1998), "The Development of the Policy Network Approach", in D. Marsh (ed), *Comparing Policy Networks*, Philadelphia: Open University Press
- Marshall, G. (1994), *The Concise Oxford Dictionary of Sociology*, Oxford, New York: Oxford University Press
- Martin, S. (1992), *Refugee Women*, New York: Zed Books Ltd.

- Martin-Baro, I. (1989), *Organised Violence as Systematic State Terrorism*, conference paper
- Mathews, J. (undated), *Education Needs Of Young Refugees: Strategies to Assist*, Sydney: Fairfield council/ Indo-Chinese Refugee Association
- Mathrani, V. (1993), "Participatory Research: A Potential for In-Depth Understanding", *The Indian Journal of Social Work*, 54 (3), 345 -353
- May, P. J. (1991), "Reconsidering Policy Design: Policies and Publics", *Journal of Public Policy*, 11 (2): 187-206
- Mazmanian, D. A. & Sabatier, P. A. (1981), "The Implementation of Public Policy: A Framework of Analysis", in D. A. Mazmanian & P. A. Sabatier (eds.), *Effective Policy Implementation*, Lexington, MA: D. C. Heath
- McCann, J.E. (1983), "Design Guidelines for Social Problem-Solving Interventions," *Journal of Applied Behavioural Science*, 19: 177-189
- McCarl Nielsen, J. (ed.), (1990), *Feminist Research Methods*, Colorado: Westview Press
- McDevitt, S. (1997). Social work in community development: a cross-national comparison. *International Social Work*, 40: 341-357
- McGuire, J.B. (1988), "A Dialectical Analysis of Interorganizational Networks," *Journal of Management*, 14: 109-124
- Mechanic, D. (1962), "Sources of Power of Lower Participants in Complex Organisations", *Administrative Science Quarterly*, 7 (3): 349-364
- Mehelt, T. N. (1980), *Women's Counselling at Songkhla Refugee Camp*, unpublished paper
- Melander, G. (1986), "Responsibility for Examining an Asylum Request", in *Gallagher*, Op. Cit.
- Meltsner, A. J. (1976), *Policy Analysts in the Bureaucracy*, Berkeley, CA: University of California
- Michaels, S. (1992), "Issue Networks and Activism", *Policy Studies Review*, 11 (3/ 4): 241-258
- Mintrom, M. & Vergari, S. (1996), "Advocacy Coalitions, Policy Entrepreneurs, and Policy Change", *Policy Studies Journal*, 24 (3): 420 – 434
- Mintzberg, H. (1979), "An Emerging Strategy of 'Direct' Research", *Administrative Science Quarterly*, 24 (4): 582-589
- Mitchell, J. (1988), "The Limits of Positivism: Case Studies of Values in Science", *Policy Studies Journal*, 17 (1): 215-220
- Mladjenovic, I. (1993), "Rape in War", *New Internationalist*, Nov.

- Mollica, R. (1988), "The Trauma Story: The Psychiatric Care of Refugee Survivors of Violence and Torture", in F. Ochberg (ed.), *Post Traumatic Therapy and Victims of Violence*, New York: Brunner/Mazel
- Montero, D. (1979), *Vietnamese Americans: Patterns of Resettlement and Socioeconomic Adaptation in the United States*, USA: Westview Press
- Montgomery, J. D. (1999), " Fifty Years of Human Rights: An Emergent Global Regime", *Policy Sciences*, 32 (1): 79 - 94
- Moussa, H. (1995), "The Blue Room: Trauma and Testimony among Refugee Women: A Psycho- Social Exploration", *Resources for Feminist Research*, 24 (1-2): 40 – 41
- Moussa, H.(1998/99), "Violence against Refugee Women: Gender Oppression, Canadian Policy and the International Struggle for Human Rights", *Resources for Feminist Research*, 26 (3-4): 79-112
- Morgan, S. & Colson, E. (eds.), (1987), *People in Upheaval*, New York: Centre for Migration Studies
- Mumby, D. & Stohl, C. (1991), "Power and Discourse in Organization Studies: Absence and the Dialectic of Control," *Discourse and Society*, 2 (3): 313-332
- Nakamura, R. T. (1987), "The Textbook Policy Process and Implementation Research", *Policy Studies Review*, 7 (1): 142-154
- Nathan, M. L. & Mitroff, I. I. (1991), "The Use of Negotiated Order Theory as a Tool for the Analysis and Development of an Interorganizational Field," *Journal of Applied Behavioural Science*, 27: 163-180
- National Population Council (NPC), (1988), *A Proposed Settlement Strategy*, Canberra: AGPS
- National Population Council (1991), *The National Population Council's Refugee Review July 1991*, Canberra: AGPS
- Nelson, B. (1984), "Women's Poverty and Women's Citizenship: Some Political Consequences of Economic Marginality", *Signs: Journal of Women in Culture and Society*, 10 (2): 209-231
- Newman, M. A. (1995), "The Gendered Nature of Lowi's Typology: Or Who Would Guess You Could Find Gender Here?", in G. Duerst-Lahti & R. M. Kelly (eds.), *Gender, Power, Leadership and Governance*, Ann Arbor: University of Michigan Press
- Newton, K. (1976), *Second City Politics*, Oxford: Clarendon Press
- Nyland, J. (1995), "Issue Networks and Nonprofit Organizations", *Policy Studies Review*, 14 (1/ 2): 195-204
- Occelli, P. (1992), *Unaccompanied Refugee Minors*, Position Paper for the Australian National Consultative Committee on Refugee Women, Sydney: ANCCORW

- Olson, M. (1965), *The Logic of Collective Action*, Cambridge, Massachusetts: Harvard University Press
- Opie, A. (1993), "The Discursive Shaping of Social Work Records: Organisational Change, Professionalism, and Client Empowerment", *Revue Internationale de Sociologie*, 3: 167-189
- Ostrom, E. (1986), "An Agenda for the Study of Institutions", *Public Choice*, 48: 3-25
- O'Toole, L. J. Jr. (1995), "Rational Choice and Policy Implementation: Implications for Interorganisational Network Management", *American Review of Public Administration*, 25: 43-57
- O'Toole, R. & O'Toole, A. W. (1981), "Negotiating Interorganizational Orders," *Sociological Quarterly*, 22 (1): 29-41
- Pal, L. A. (1995), "Competing Paradigms in Policy Discourse: The Case of International Human Rights", *Policy Sciences*, 28: 185-207
- Palumbo, D. J. (1987), Introduction to D. J. Palumbo & D. J. Calista, "Symposium: Implementation: What We have Learned and Still Need to Know", *Policy Studies Review*, 7 (1): 91-102
- Palumbo, D. J. & Calista, D. J. (1990), *Implementation and the Policy Process: Opening Up the Black Box*, New York: Greenwood Press
- Parker, I. (1992), *Discourse Dynamics*, London: Routledge
- Parker, I. & Burman, E. (1993) "Against Discursive Imperialism, Empiricism and Constructionism: Thirty-Two Problems with Discourse Analysis", in *Discourse, Action and the Research Process*,
- Perry, C. (1996), *A Structured Approach to Presenting PhD Theses: Notes for Candidates and their Supervisors*, paper presented to the ANZ Doctoral Colloquium, University of Sydney
- Pettigrew, A. M. (1973), *The Politics of Organizational Decision Making*, London: Tavistock
- Pettigrew, A. M. (1979), "On studying Organizational Cultures," *Administrative Science Quarterly*, 24: 570-81
- Pfeffer, J. (1981), *Power in Organizations*, Marshfield, MA: Pitman Publishing
- Pfeffer, J. (1982), *Organizations and Organization Theory*, Marshfield, MA: Pitman Publishing
- Pfeffer, J. (1993), "Barriers to the Advance of Organisational Science: Paradigm Development as a Dependent Variable", *Academy of Management Review*, 18 (4): 599-620
- Pfeffer, J. & Salancik, G. R. (1978), *The External Control of Organizations*, New York: Harper and Row

- Phillips, N. & Brown, J. (1993), "Analysing Communication In and Around Organizations: A Critical Hermeneutic Approach," *The Academy of Management Journal*, 36 (6): 1547-1576
- Phillips, N. & Hardy, C. (1997), Managing Multiple Identities: Discourse, Legitimacy and Resources in the UK Refugee System, *Organization*, 4(2), 159-185
- Phillips, N., Lawrence, T. & Hardy, C. (1996), *Understanding Collaboration in Context: The Dynamic of Institutional Fields and Interorganizational Domains*, McGill University, Montreal: unpublished paper
- Pittaway, E. (1986), *The Solution or Part of the Problem? An Examination of the Impact of Ethnic Welfare Workers in Fulfilling the Aims of Multiculturalism*, NSW: Kuring-gai CAE
- Pittaway, E. (1990a), in P. Hosking (ed.), *Hope after Horror: Helping Survivors of Torture and Trauma*, Sydney: UNIYA
- Pittaway, E. (1990b), "We Want Help, Not Charity": Refugee Women in Australia Speak about their own Resettlement Needs, paper for the 1990 Expert Group Meeting on Refugee and Displaced Women and Children, UN, Melbourne: BIR, DILGEA
- Pittaway, E. (1991), *Refugee Women: Still at Risk in Australia*, Canberra: Bureau of Immigration Research (BIR)
- Pittaway, E. (1993), *Protection: The Solution or Part of the Problem?*, paper presented at Gender Issues and Refugees: Developmental Implications, York University, Canada
- Pittaway, E. (1998), *Refugee Women: Unsung Heroes*, Centre for Crosscultural Mental Health, Monograph, DoH:Sydney
- Plein, L. C. (1994), "Agenda Setting, Problem Definition, and Policy Studies", *Policy Studies Journal*, 22, 4, 701-704
- Polish Welfare and Information Bureau in NSW, (1984), *Ageing in Australia: Polish Aged Needs and Services*, Sydney: Department of Youth and Community Services
- Poole, M. S. & Van de Ven, A. H. (1989), "Using Paradox to Build Management and Organisation Theories", *Academy of Management Review*, 14, 4, 562-578
- Pope, L. (1990), "Refugee Protection and Determination: Women Claimants", *Summary of Comments made at the CRDD Working Group on Women Refugee Claimants: Training Workshop for Members*, Toronto, Canada
- Portz, J. (1996), "Problem Definitions and Policy Agendas: Shaping the Education Agenda in Boston", *Policy Studies Journal*, 24 (3): 371 - 386
- Postman, N. (1992), *Technopoly: The Surrender of Culture to Technology*, New York: Knopf
- Potter, J. & Wetherell, M. (1994), "Analysing Discourse", London: Routledge
- Poussard, W. (1981), *Today is a Real Day: Indo-Chinese Refugees in Australia*, Victoria:

Dove Publications

- Pressman, J. & Wildavsky, A. (1973), *Implementation*, Berkeley: University of California Press
- Purcell, S. M. (1990), *Address to Centre for Migration Studies Annual Conference*, Washington: unpublished paper
- Radin, B. A. (1997) "Presidential Address: The Evolution of the Policy Analysis Field: From Conversation to Conversation", *Journal of Policy Analysis and Management*, 16 (2): 204-218
- Randall, G. R. & Lutz, E. L. (1991), *Serving Survivors of Torture*, Washington DC: American Academy for the Advancement of Science
- Reason, P. (1994), "Three Approaches to Participative Inquiry", in N. K. Denzin & Y. S. Lincoln (eds.), *Handbook of Qualitative Research*, pp. 324-39, California: Sage
- Reid, J. & Strong, T. (1987), *The Health Care Needs of Victims of Torture in NSW*, NSW: Cumberland College, Department of Health
- Refugee Council of Australia (RCOA), (1990), *Annual Report 1990*, Sydney: RCOA
- Refugee Council of Australia, (1989), *Australia's Refugee Intake Today and Tomorrow*, Sydney: RCOA
- Refugee Council of Australia, (1991), *The Never Ending Journey Conference Outcomes Document*, Sydney:RCOA
- Refugee Council of Australia (1992), *Australia's Refugee Intake and Related Issues*, draft submission to Ministers for Foreign Affairs, Trade and Aid, and Immigration, Local Government and Ethnic Affairs
- Refugee Council of Australia, (1993), *Refugees and Unemployment*, Discussion Paper, Sydney: RCOA
- Refugee Policy Group, (1989), Discussion Paper, *The North American-European Dialogue on Political Migration, Emigration, Immigration and Changing East-West Relations*, Washington: unpublished paper
- Rhodes, R. A. W. (1986), "Power Dependence Theories of Central-Local Relations: A Critical Assessment", in M. Goldsmith (ed.), *New Research in Central-Local Relations*, Aldershot: Gower
- Rhodes, R. A. W. (1990), "Policy Networks. A British Perspective", *Journal of Theoretical Politics*, 2: 293-317
- Rhodes, R. A. W. & Marsh, D. (1992), "New Directions in the Study of Policy Networks", *European Journal of Political Research*, 21: 181-205
- Richardson, T. (1996), "Foucauldian Discourse: Power and Truth in Urban and Regional Policy Making", *European Planning Studies*, 4 (3): 279-292

- Richmond, A. H. (1999), "Citizens, Denizens and Exiles", *Citizenship Studies*, 3 (1): 151 - 155
- Ring, P. S. & Van de Ven, A. (1994), "Developmental Processes of Cooperative Interorganizational Relationships," *Academy of Management Review*, 19: 90-118
- Rivett, K. (1987), *How Many Refugees Should Come?*, Sydney: Refugee Council of Australia
- Rixecker, S. S. (1994), "Expanding the Discursive Context of Policy Design: A Matter of Feminist Standpoint Epistemology", *Policy Sciences*, 27: 119-142
- Rocheffort, D. A. & Cobb, R. W. (1993), "Problem Definition, Agenda Access, and Policy Choice", *Policy Studies Journal*, 21 (1): 56-71
- Rodger, J. J. (1991), "Discourse Analysis and Social Relationships in Social Work", *British Journal of Social Work*, 21: 63-79
- Rogers, D. L. & Whetten, D. A. (1982), *Interorganizational Coordination: Theory, Research and Implementation*, Ames, Iowa: Iowa State University Press
- ROMAMPAS (Committee of Review of Migrant and Multicultural Programs and Services), (1986), *Don't Settle for Less*, Report of the Committee for Stage 1 of the Review of Migrant and Multicultural Programs and Services, (Jupp Report), Canberra: AGPS
- Rose, S. M. & Black, B. L. (1985), *Advocacy and Empowerment: Mental Health Care in the Community*, Boston: Routledge & Kegan Paul
- Ross, D. (1992), "Anthony Giddens", in P. Beilharz (ed.), *Social Theory: A Guide to Central Thinkers*, North Sydney: Allen & Unwin
- Sabatier, P. A. (1988), "An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein", *Policy Sciences*, 21: 129-168
- Sabatier, P. A. (1993), "Policy Change over a Decade", in P. A. Sabatier & H. C. Jenkins-Smith (eds.), *Policy Change and Learning: An Advocacy Coalition Approach*, Boulder, CO: Westview Press
- Sabatier, P. A. & Jenkins-Smith, H. C. (1988), "Symposium Editors' Introduction", *Policy Sciences*, 21: 123-127
- Sabatier, P. A. & Mazmanian, D. (1979), "The Conditions of Effective Implementation: A Guide to Accomplishing Policy Objectives", *Policy Analysis*, vol 2, 481-504
- Saikal, A. & Maley, W. (eds.), (1989), *The Soviet Withdrawal from Afghanistan*, Cambridge: Cambridge University Press
- Salinas, M., Pritchard, D. & Kibedi, A. (1987), *Refugee-Based Organizations: Their Function and Importance for the Refugee in Britain*, Oxford: Refugee Studies Program
- Sarantakos, S. (1998), *Social Research*, 2nd ed., Melbourne: Macmillan Education Australia

- Sawicki, J. (1991), *Disciplining Foucault*, London: Routledge
- Schattschneider, E. E. (1960), *The Semi-Sovereign People*, New York, Holt: Rinehart & Winston
- Scherberle, D. (1994), "Radon and Asbestos: A Study of Agenda Setting and Casual Stories", *Policy Studies Journal*, 22 (1): 74-86
- Schram, S. F. (1993), "Postmodern Policy Analysis: Discourse and Identity in Welfare Policy", *Policy Sciences*, 26: 249-270
- Schultz, M. & Hatch, M. J. (1996), "Living with Multiple Paradigms: The Case of Paradigm interplay in Organisational Culture Studies", *Academy of Management Review*, 21 (2): 529 - 557
- Schutz, A. (1967), *The Phenomenology of the Social World*, Illinois: Northwest University Press
- Seitz, A. (1989), "Non-English Speaking Background Immigrant Women: Some Issues and Concerns", *Migration Action*, 11 (3), Melbourne: Ecumenical Migration Centre
- Sellami-Meslem, C. (1990), United Nations Meeting Notes, *Statement to the Expert Group Meeting on Refugee and Displaced Women and Children*, Vienna: United Nations
- Selznick, P. (1966), *TVA and the Grass Roots*, Berkeley: University of California Press
- Senate Standing Committee on Foreign Affairs and Defence, (1976), *Australia and the Refugee Problem*, Canberra: AGPS
- Shaffer, M. B. (1995), "The Internal Dynamics of Environmental Organizations: Movement Interest Groups, Communal Advocacy Groups, and the Policy Process", *Policy Studies Review*, 14 (1/ 2): 183-194
- Shaffer, M. B. & College, M. (1995), "The Internal Dynamics of Environmental Organisations: Movement Interest Groups, Communal Advocacy Groups, and the Policy Process", *Policy Studies Review*, 14 (1/ 2): 183-194
- Shea, N. (1993), Refugees, Parish Kit, *Refugee and Migrant Services*, Sydney: Australian Council of Churches
- Shergold, P. & Nicolaou, L. (1986), "Why Don't They Ask Us? We're Not Dumb!", *Consultancy Reports to the Review of Migrant and Multicultural Program and Services*, 1, Canberra: DILGEA
- Shulock, N. (1999), "The Paradox of Policy Analysis: If It Is Not Used, Why Do We Produce So Much of It?", *Journal of Policy Analysis and Management*, 18 (2): 226-244
- Sianni, A. (1992), *Shelter for Refugees: A New Perspective*, Sydney: Australian Council of Churches
- Simon, H. A. (1947), *Administrative Behaviour*, Illinois: Free Press

- Simon, H. A. (1957), *Administrative Behaviour: A Study of Decision Making Processes in Administrative Organisation*, 2nd ed., New York: Collier/Macmillan
- Simon, H. A. (1966), "Political Research: The Decision Making Framework", in D. Cason (ed.), *Varieties of Political Theory*, New Jersey: Prentice Hall
- Simmons, S., Vaughan, P. & Gunn, S. W. (eds.), (1983), *Refugee Community Health Care*, New York: Oxford University Press
- Smircich, L. & Morgan, G. (1982), "Leadership: The Management of Meaning", *Journal of Applied Behavioural Science*, 18 (3): 257-273
- Smith, M. J. (1991), "From Policy Community to Issue Network: Salmonella in Eggs and the New Politics of Food", *Public Administration*, 69: 235-255
- Snare, C. E. (1996), "Windows of Opportunity: When and How Can the Policy Analyst Influence the Policymaker During the Policy Process", *Policy Studies Review*, 14 (3): 4, 407-430
- Stacey, M. (1969), *Methods of Social Research*, Oxford: Pergamon Press
- Stein, B. (1986), Durable Solutions for Developing Country Refugees, in *Gallagher*, Op. Cit.
- Stone, D. A. (1988), *Policy, Paradox and Political Reason*, Glenview, IL: Scott, Foresman & Co.
- Storer, D. (ed.), (1985), *Ethnic Family Values in Australia*, Sydney: Prentice Hall
- Straker, G. (1989), "From Victim to Villain: A 'Slight' of Speech? Media Representations of Township Youth", *South African Journal of Psychology*, 19 (1): 20-27
- Strauss, A., Corbin, J. (1990), *Basics of Qualitative Research, Grounded Theory Procedures and Techniques*, Newbury Park: Sage
- Strauss, A., Schatzman, L., Ehrlich, D., Bucher, R. & Sabshin, M. (1963), "The Hospital and It's Negotiated Order", in E. Freidson (ed.), *The Hospital in Modern Society*, London: Collier-Macmillan
- Strizhak, E. F. & Harries, C. (1993), *Sex, Lies and International Law*, New York: International Rescue Committee
- Swedish Ministry of Labour, (1990), *A Comprehensive Refugee and Immigration Policy: Outline from an Inter-Departmental Study Group*, Stockholm: Swedish Ministry of Labour
- Taylor, R. C. (1969), "Migration and Motivation: A Study of Determinants and Types", in *Jackson*, Op. Cit.
- Tesch, R. (1990), *Qualitative Research: Analysis Types and Software Tools: Social Sciences, Research, Qualitative Methods*, Bristol: The Falmer Press
- Trist, E. (1983), "Referent Organizations and the Development of Interorganizational

- Domains," *Human Relations*, 36: 269-284
- Thompson, J. B. (1990), *Ideology and Modern Culture*, Stanford, CA: Stanford University Press
- Throgmorton, J. A. (1991), "The Rhetorics of Policy Analysis", *Policy Sciences*, 24: 153-179
- United Kingdom Immigrants Advisory Service, (1989), *Annual Report*, London: United Kingdom Immigrants Advisory Service
- UN (United Nations), (1950), *Status of the Office of the UNHCR*, n.p.: UN
- UN (1951), *Convention Relating to the Status of Refugees*, n.p.: UN
- UN (1968), *Convention and Protocol Relating to the Status of Refugees*, n.p.: UN
- UN (1984), *Report of the International Conference on Population*, New York: UN
- UN (1988), *Economic and Social Council Resolution 1987/24*, New York: UN
- UN (1989), *Draft Declaration and Comprehensive Plan of Action Approved by Preparatory Meeting*, International Conference on Indo-Chinese Refugees, Geneva: UN
- UN (1994), *The Jakarta Declaration, ESCAP Regional Ministerial Meeting in preparation for the Fourth World Conference on Women, Beijing*, ESCAP: Bangkok
- UN (1995), *First draft, approved document, Beijing Platform for Action*, New York: CSW
- UN (1998a), *Press Release GA/SHC/3473*, press release from the 3rd Committee, 53rd Session of the UN General Assembly, Geneva: UN
- UN (1998b), *The Structure of the United Nations*,
<http://www.geocities.com/CapitolHill/Lobby/344//structure.num>
- UNHCR (United Nations High Commissioner for Refugees), (1975), *Article 1 General Assembly Resolution 3452*, n.p.: UNHCR
- UNHCR (1984), *Convention Against Torture*, Washington DC: UNHCR
- UNHCR (1986), *Notes on International Protection*, Geneva: UNHCR
- UNHCR (1987), *Notes on International Protection*, Geneva: UNHCR
- UNHCR (1988), *Notes on International Protection*, Geneva: UNHCR
- UNHCR (1989a), *Assessment of Global Resettlement Needs and Priorities for Refugees in 1990*, Geneva: UNHCR
- UNHCR (1989b), *Commissioner's Opening Statement to Fortieth Session of EXCOM*, Geneva: UNHCR

- UNHCR (1989c), *Handbook on Procedures for the Determination of Refugee Status under International Instruments*, paper to EXCOM, Geneva: UNHCR
- UNHCR (1989d), *Notes on International Protection*, Geneva: UNHCR
- UNHCR (1989e), *Note on Procedures for the Determination of Refugee Status under International Instruments*, paper to EXCOM, Geneva: UNHCR
- UNHCR (1989f), *Report on Refugee Children*, Geneva: UNHCR
- UNHCR (1990a), *Convention Determining the State Responsible for Examining Applications for Asylum Lodged in one of the Members States of the European Communities*, Geneva: unpublished paper
- UNHCR (1990b), *Preliminary Draft Survey on the Functioning of Asylum Procedures in States in Europe and North America*, paper to Evian Conference, Geneva: UNHCR
- UNHCR (1990c), *Statement by UN High Commissioner for Refugees to the Extraordinary Session of the Executive Committee*, Geneva: UNHCR
- UNHCR (1990d), *Up-date of UNHCR Programmes and Budget and of the Financial Status*, paper to EXCOM, Geneva: UNHCR
- UNHCR (1991a), *Briefing Notes on Regional Developments*, paper for the Executive Committee, Geneva: UNHCR
- UNHCR (1991b), *Guidelines on the Protection of Refugee Women*, Geneva: UNHCR
- UNHCR (1991c), *Handbook on Procedures and Criteria for Determining Refugee Status*, Geneva: UNHCR
- UNHCR (1991d), *Human Rights of Internally Displaced Persons*, Geneva: UNHCR
- UNHCR (1992), *Assessment of Global Resettlement Needs for Refugees in 1993*, Geneva: UNHCR
- UNHCR (1993), *Note on Certain Aspects of Sexual Violence Against Refugee Women*, UNHCR Executive Committee, Subcommittee on International Protection, 22nd meeting
- UNHCR (1995), *Sexual Violence Against Refugees: Guidelines on Prevention and Response*, Geneva: UNHCR
- UNHCR (1998), *Note on Refugee Women and International Protection*, Geneva: UNHCR
- UNHCR (2001) *Note on Refugee Flow*, Geneva: UNHCR
- US Committee for Refugees, (1990), *World Refugee Survey: 1989 in Review*, USA: US Committee for Refugees
- van Beinum, H. (1998), "On the Practice of Action Research", *Concepts and Transformations*, 3 (1/2): 1-29

- Vivani, N. (1984), *The Long Journey: Vietnamese Migration and Settlement in Australia*, Melbourne: Melbourne University Press
- Vivani, N. (1992), *The Abolition of the White Australia Policy: The Immigration Reform Movement Revisited*, Papers for the Centre for the Study of Australia-Asia Relations, 65, Queensland: Griffith University
- Waddock, S. A. (1989), "Understanding Social Partnerships: An Evolutionary Model of Partnership Organizations," *Administration and Society*, 21: 78-100
- Walker, J. L. (1991), *Mobilising Interest Groups in America*, Michigan: Ann Arbor
- Wallbank, J. (1998), "An Unlikely Match? Foucault and the Lone Mother", *Law and Critique*, 9 (1): 59-88
- Waring, M. (1997), *Three Masquerades: Essays on Equality, Work and Human Rights*, Sydney: Allen & Unwin
- Warren, R., Rose, S. & Bergunder, A. (1974), *The Structure of Urban Reform*, Lexington, MA, DC: Heath
- Weber, M. (1947), *Essays in Sociology*, London: Routledge & Kegan Paul
- Weedon, C. (1987), *Feminist Practice and Poststructuralist Theory*, Oxford: Basil Blackwell
- Weick, K. E. (1989), "Theory Construction as Disciplined Imagination", *Academy of Management Review*, 14 (4): 516-531
- Weiss, J. A. (1989), "The Powers of Problem Definition: The Case of Government Paperwork", *Policy Sciences*, 22: 97-121
- Westley, F. (1995), "Governing Design: The Management of Social Systems and Ecosystems Management", in L. Gunderson, C. S. Holling, & S. Light, (eds.), *Barriers and Bridges to the Renewal of Ecosystems and Institutions*, Ithaca: Columbia University Press
- Westley, F. & Vredenburg, H. (1991), "Strategic Bridging: The Collaboration Between Environmentalists and Business in the Marketing of Green Products," *Journal of Applied Behavioral Science*, 27: 65-90
- Wicks, G. (1990), "Demographic Behaviour and Intergenerational Change and Migrants in Australia", *Ethnic Groups, Migration*, 76, Canberra: DILGEA
- Widgren, J. (1989), "Asylum-Seekers in Europe in the Context of the South-North Movements", *International Migration Review*, 23 (3): 599-606
- Widgren, J. (1990), "Europe and International Migration in the Future: The Necessity for Merging Migration, Refugee and Development Policies", in *Loescher and Monahan*, Op. Cit.
- Wildavsky, A. (1979), *The Art and Craft of Policy Analysis*, London: Macmillan
- Willette, C. (1998), *Practical Discourse as Policy Making: An Application of Habermas'*

- Discourse Ethics within a community Mental Health Setting", *Canadian Journal of Community Mental Health*, 17 (2): 27 - 38
- Williams, C. & Westmeyer, J. (1986), *Refugee Mental Health in Resettlement Countries*, Washington D. C.: Hemisphere
- Williamson, H. (1995), "Women's Movement: Women under Immigration Nationality and Refugee Law", *European Journal of Intercultural Studies*, 5 (3): 63 - 64
- Willis, P. (1978), *Learning to Labour*, Westmead, England: Saxon House, Teakfield Ltd.
- Willmott, H. (1981), "The Structuring of Organisational Structure: A Note", *Administrative Science Quarterly*, 26: 470-474
- Wilson, J. P. (1990), *Trauma, Transformation and Healing*, New York: Brunner/ Mazel
- Wiseman, J. P. (1979), "Toward a Theory of Policy Intervention in Social Problems", *Social Problems*, 27 (1): 3-18
- Wooden, M., Holton, R., Hugo, G. & Sloan, J., (1990), *Australian Immigration: A Survey of the Issues*, Canberra: AGPS
- World Medical Association (1975), *Tokyo Declaration*, n.p.: World Medical Association
- Yanow, D. (1987), "Towards a Policy Culture Approach to Implementation", *Policy Studies Review*, 7 (1): 103-115
- Yanow, D. (1993), "The Communication of Policy Meanings: Implementation as Interpretation and Text", *Policy Sciences*, 26: 41-61
- Yanow, D. (1995), "Practices of Policy Interpretation", *Policy Sciences*, 28: 111-126
- Yin, R. (1991), *Case Study Research: Designs and Methods*, Newbury Park, CA: Sage
- Zahariadis, N. (1995), "Comparing Lenses in Comparative Public Policy", *Policy Studies Journal*, 23 (2): 378 – 382
- Zahariadis, N. (1998), "Comparing Three Lenses of Policy Choice", *Policy Studies Journal*, 26 (3): 434 - 448
- Zetter, R. (1988), "Refugees, Repatriation and Root Causes", *Journal of Refugee Studies*, 1 (2): 99-106
- Zipin, L. (1998), "Looking for Sentient Life in Discursive Practices: The Question of Human Agency in Critical Theories and School Research", in T.S. Popkewitz and M. Brennan (eds.), *Foucault's Challenge: Discourse, Knowledge and Power in Education*, New York: Teachers Coll Press
- Zolberg, A., Suhrke, A. & Aguayo, S. (1986), "International Factors in the Formation of Refugee Movements", in *Gallagher*, Op. Cit.

- Zucker, N. L. & Zucker, N. F. (1989), "The Uneasy Troika in US Refugee Policy: Foreign Policy, Pressure Groups and Resettlement Costs", *Journal of Refugee Studies*, 2 (3): 358-372
- Zundel, A. (1995), "Policy Frames and Ethical Traditions: The Case of Homeownership for the Poor", *Policy Studies Journal*, 23 (3): 423-434
- Zwingmann, C. A. & Pfister-Amende, M. (1973), *Uprooting and After*, New York: Springer-Verlag