

Course of Action is Defined by Juridical Field in a Case Study of Young Professionals

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Abstract

This case study, based on Bourdieu's conceptual framework, tested the theory that individuals would in a manner consistent with the juridical field of their profession, and would do so without conscious recognition of the pull of the juridical field. Four subjects were selected to represent a professional group, and were interviewed to examine to influence of juridical field on responses. Careful qualitative analysis revealed that each subject was influenced by the internal culture of each of the professions they were asked to represent. Each subject, as predicted in the original hypothesis, remained consistent with the identified juridical field in the process of determination of appropriate course of action to the scenario presented. Unanticipated outcomes are discussed within the framework of legal scholarship as it applied to the outlying data.

1. 0 Introduction

Rules, regulations, professional protocol, and office politics play an integral role in the daily life of employed individuals, regardless of their job title. Bourdieu (1987) attempted to delineate professional dynamics, and to establish a language with which to discuss the processes of professional dynamics. According to Bourdieu (1987) all professions have a set of rules, values, assumptions and protocols. Each has its own "legal culture", unique to their own field. In these unique cultures, decision-making processes are guided by the assumptions, values, and internal regulations established within the field.

1.1 Literature Review

The “legal universe” of a profession is a reflection of the constructed traditions, education, and daily experiences of a professional within a field (Bourdieu, 1987). Each legal universe has customs and a language that is developed to allow for ease of communication and interaction. Professional usage of the internal code and language develops a sense of being within the profession. It also serves to determine those outside of the profession.

“Habitus” is the term that Bourdieu (1987) utilizes to encapsulate professional characteristics of an individual field. Habitus gives a group consistency. Each profession has an established sense of identity, self-recognition and a mechanism for self-reproduction with its habitus. The habitus for a field will remain stable overtime.

Following the establishment of the in-group and out-group, each profession develops what Bourdieu (1987) identified as the “professional field”. A field is defined as an area of structured, socially patterned activity. A field and its practices are “disciplinarily and professionally defined” and any field, whether it is social or juridical in nature, has its own unique language or linguistic code, psychological tradition, economic structure, and social practice, singularly identified by the profession.

The term “juridical field”, according to Bourdieu (1987), is similar to a magnet, in that all individuals, regardless of in-group or out-group identification, conform to the force of the professional field when they come within its range. Once the force of the juridical field has come into play, individuals are not consciously aware of the force as it influences affect, behavior and cognition. Individuals take on the characteristics of the juridical field with little awareness and, while perhaps not unwillingly, certainly it could be argued that this influence acts without the choice of the individual within its range.

1.2 Theoretical Base

A juridical field, as defined by the members of the profession subsumed within the field, determines its own focus of practice. In contrast to the concept of mutual respect for experts in other professional fields, each juridical field is in competition with other juridical fields (Bourdieu, 1987). Bourdieu describes this process as the juxtaposition of groups with differential professional prestige. Each juridical field determines its own focus of practice and each field competes with other fields to determine the professional guidelines that will take precedence over the others with respect to procedural function. The most effective field in this competition will determine the linguistic code, as well as the psychological, economic and social practice to be used by all professionals in a proscribed setting. As a result, all professionals must acquiesce to the power of the winning juridical field. The competition between juridical fields determines the overarching professional rules, and all others must succumb to the power and tradition of one juridical field.

Bourdieu theorized that the force of law is in the intersection of the locus of control of different professions (Bourdieu, 1987). Juridical fields conflict in their traditions, and do so in a resistive manner to the law. In this way, law takes on the power of form, which then formalizes and codifies everything within its gaze. It is along the lines of intersection that principles of division are determined. The principles of division allow various groups to distinguish themselves from others, particularly in terms of in-group and out-group. Distribution of resources occurs along the lines of distinction. As previously suggested, there is an element of coercive power in the juridical field, and Bourdieu suggests that there is “symbolic violence” wherein the principles of division impose limitations on recipients who likely have little choice in their place in the division. Bourdieu ultimately suggests that the struggles for power between juridical fields are supported by the coercive power of the state, and without the state, differential professional prestige might well establish a more cooperative rather than oppositional interaction between juridical fields.

1.3 Purpose

Based on the model proposed by Bourdieu (1987), this study was developed to explore the impact that juridical field has on the response of professionals to a proposed situation, and to capture the conflict between and within each of the disciplines represented: journalism, law enforcement, and mental health. Bourdieu's theory would predict that the individuals interviewed for this study would respond in a manner consistent with their own juridical field. Furthermore, each would respond in a manner demonstrating the superiority of their own juridical field, and critical of the other fields identified in the questions presented to the participants. It would also be expected that the subjects would operate with little recognition of the force of juridical field as it influenced behavior, cognition, and affect.

It should be noted that during the initial stages of the development of this study, three highly publicized incidents underscored the changes in the process of development in response to this historical event, and may have influenced participant responses. A professional football player, Ray Rice, caused open discussion of domestic violence, particularly with regard to an abused woman staying in a relationship with her abuser (Belson, 2014). A well-known and beloved comedian, Robin Williams, committed suicide, leading journalists to evaluate the manner in which they deal with mental illness (Itzkoff, 2014). The actions of a law enforcement officer in Ferguson, Missouri, triggered an aggressive evaluation of the rules of engagement between citizens and police (Bosman & Fitzsimmons, 2014). The impact of these well-publicized events is considered in discussion of the study results.

2.0 Method

2.1 Design and Sample

This quasi-experimental case study made use of a standardized hypothetical scenario with standardized follow-up questions presented in live interview. A convenience sample of four subjects was selected, with three of the subjects representing professional fields relevant to the scenario: journalism, law enforcement, and mental health. An additional selection criterion was lack of exposure to the historical event upon which the scenario was based. A control subject was selected to take on the role of neighbor of the scenario victim. This participant did not belong to any professional field.

2.2 Procedure

The scenario presented to subjects was developed from news reports of an historical event that occurred more than a decade ago in which a woman died under ambiguous circumstances. Janey's story was broadcast on television, written about in the local newspaper and discussed openly throughout the community. Notice of privacy practices associated with The Health Insurance Portability and Accountability Act of 1996 Privacy, Security and Breach Notification Rules (HIPAA) did not exist in 2003 (U.S. Department of Health & Human Services, 2015). Traffic alerts through Twitter were not mainstream media, and no traffic cameras monitored traffic flow in Des Moines, as they had not yet been mounted. Polk County did not alert the Mobile Crisis Team when police were contacted about a potentially suicidal individual as the crisis team was developed after 2003. Clearly the event was handled much differently in 2003 than it would be in the current day.

The scenario presented to each participant in this study was drawn nearly verbatim from news coverage of the historical event. The headline news story was entitled, "Ex-husband Unsure If Woman Fell or Jumped From Bridge" (Tom, 2003). Names were changed in deference to the individuals involved in the event. Dates were changed to improve the salience of the event for the individuals interviewed.

The standardized scenario was presented to each of the individuals interviewed for this study (see appendix A). Standardized questions were given to each participant. The questions included prompts that

guided each person to identify with the profession or role they represented in the study (see appendix B). Each participant was then interviewed, with prompts given to elicit responses that shed light on both views and process.

2.3 Limitations

The limitations of this research design include a lack of generalizability due to the small sample size. Validity and reliability are limited due to the homogeneity of the participants, who were all single Caucasian females below the age of 25. Due to their youth, the participants possessed a lack of professional experience. Their youth and inexperience is also considered a strength in this research design, however. Because of their lack of experience, or what some might refer to as “seasoning,” they lack the cynicism or resolve to their own constraints related to their ability or inability to make things happen and affect an outcome.

2.4 Data Analysis

Results of the interviews were analyzed using content theme analysis. Responses were examined initially for consistency within each juridical field, with evaluation of evidence of Bourdieu’s theoretical framework in action. A comparative analysis across and between fields was also conducted. Discussion will consider responses both within and across juridical fields, and will flesh out how the subjects processed the scenario in unexpected ways.

3.0 Results and Discussion

The analysis of individual responses revealed that each of the four subjects reflected their process and the influence of juridical field. Each individual offered unique processes, and while much support for Bourdieu’s (1987) theory was apparent in responses, some responses might be better framed by other legal scholarship. The individual interview data analysis is presented for the journalist, the law enforcement officer, the neighbor of the victim, and the mental health care provider.

3.1 The Journalist

The journalist frequently noted the habitus of journalism, repeating the phrase “boundaries” as she attempted to establish what was and what was not appropriate behavior for a journalist in response to the scenario. The first question elicited a response that included the rules of the field of journalism, and she referred to the journalist’s “code of ethics” throughout the interview.

She also noted the competition between journalists to be the first to report details of a story, which is a portrayal of journalistic habitus. One of her stated greatest concerns was to avoid being intrusive, which she acknowledged as a perception of those outside of the journalist juridical. Her statements suggested that she was trying to avoid intrusiveness as she does not like that behavior in journalists, and that she might be violating habitus by refusing to be intrusive. Her hesitance in accepting this aspect of the journalist’s legal universe seemed to trouble her, and eventually she stated that she did not want to work in broadcast news for her lifetime, as she was afraid that by remaining in the field, she might give in to the pull of the field, and behave in a manner she found to be personally undesirable. She stated that she wanted to cover the story in a manner that would “do it justice.”

The journalist also addressed the conflict between juridical fields, stating, “No matter what you do, someone is gonna be offended.” The competitive nature of juridical fields was clearly captured.

In terms of the competition between juridical fields, she specifically identified aspects that were likely to cause conflict between her purposes and the purposes of others involved in the scenario. She noted that the police would be helpful and cooperative. She also noted that the coercive power of the state would

undercut the law enforcement juridical field because, “everything the police have is public record.” She also noted that she would acquiesce to the law, in that she would not violate the privacy of anyone involved because that would be blatant disregard of the law, again suggesting impact of state based power.

When evaluating who might attempt to assert juridical field prowess regarding her ability to cover the story, she noted that she believed that friends and family might get “aggressive” in their attempts to keep her from covering the story. She suspected that those close to the victim might ask questions about why this was her business, or why she would care about what had happened to this unfortunate woman. She also saw a conflict in juridical field with mental health advocacy groups and mental health care providers. While she seemed to feel that mental health care providers would want the information about the suicide to be publicized in order to prevent other suicides, she detailed ways in which she might work to suppress release of information regarding a number of individuals in the scenario.

This participant also expressed an element of competition within her own juridical field. While the majority of her answers suggested her desire to follow her personal ethical standard of minimizing harm to those involved, she struggled with an issue that did not fit with this almost protective stance. She commented that she was worried about the children, and did not wish to cause them further harm. Yet as she worked through her process, she concluded there was a need to broadcast why the children were in foster care. This seemed uncharacteristic and inconsistent with her focus on causing no harm to anyone already struggling with the situation.

The journalist made no comments that could be interpreted as consciously recognizing the pull of her own juridical field.

It was quite interesting that her responses specifically intimated the death of Robin Williams (Itzkoff, 2014) and the circumstances of Ferguson, Missouri (Bosman & Fitzsimmons, 2014). She talked about the approach she might use in dealing with the unexpected death of a famous person. She also talked about the way she approaches murder and public accidents. In her concluding statements she explained that she had approached the questions as a means of self exploration, and her thoughtful reflection influenced by recent events were apparent in her responses.

It was also curious that she started by noting the comments of the ex-husband, but seemed from that point forward to discount his importance in shaping the story as she might report it. This general disregard of the ex-husband as a source of information might suggest the impact of the Ray Rice (Belson, 2014) situation in formulation of her process.

3.2 The Law Enforcement Officer

The juridical field of law enforcement reflects a habitus of attention to rules and regulations. In processing the scenario, the law enforcement officer noted that the victim likely disregarded many rules and regulations. She referred to the victim as engaged in “deviance” and stated, “generally, you know you can fall” when climbing on a bridge. She proposed that there should have been signs, safety devices, and warnings not to climb or jump from the bridge. She referenced city regulations about bridge safety. She also stated that it is an unwritten rule that people should not climb or jump from bridges.

Perhaps predictably, the law enforcement officer responded to the questions from a highly litigious perspective. Emphasis on rules, regulations, and law were noted in every component of the process of analysis of the scenario. This subject also seemed to see the situation as a puzzle to be solved, looking for clues, asking questions, and responding strongly to the scenario throughout the entire interview. To a number of questions, she shook her head, repeating in an exasperated tone, “I don’t understand.”

The most concise characterization of the officer’s responses to the questions proposed would be an overwhelming indictment of the system. She continually looked for blame as she processed the questions.

She was critical of law enforcement responses described in the scenario, suggesting that the habitus of law enforcement is one of quick response to threat. She noted calls to police reporting a woman on the bridge, and stated that there is an expectation for law enforcement to respond and intervene in situations where illegal action is suspected. As a component of habitus, each professional field maintains a distinct understanding of economy. It was within the field of law enforcement that this element of habitus was directly addressed. When considering the fate of the woman on the bridge, the law enforcement officer discussed economy. She stated, “it is a cost benefit analysis,” with regard to the interpretation of the behavior of individuals. Word choice, psychological reaction, and even direct acknowledgement of economy were part of the interview results for the law enforcement juridical field. While consistent with the juridical field, it was interesting that law enforcement addressed the economy involved in decision-making processes.

Competition between juridical fields was evident in the officer’s responses. Law enforcement as a juridical field was consistently depicted as superior, and the questions focused responsibility for the outcome on a variety of other juridical fields. She was quite critical of the mental health care juridical, stating the mental health services including doctors, psychologists, foster care workers, and hospital-based psychiatric care providers had failed in their duty to keep the victim safe when she had repeatedly been identified and treated for mental illness. She noted that the victim’s husband reported Janey’s history of psychiatric care, and stated her belief that he also had a duty to protect and intervene when she was struggling with symptoms of her mental illness.

In the competition of juridical field superiority, law enforcement acknowledged the competition with mental health care, and was almost matter-of-fact about law enforcement being the more powerful field. In the discussing privacy practices, the law enforcement officer stated that the therapist might have issues about privacy law, but stated, “This is about a crime,” signaling the belief that if a crime is involved, no amount of privacy need be afforded the therapist or the patient. She also suggested that while a direct query might not lead to the desired release of information, more covert options would be successful. “All those privacy policies, we would have to go around them,” she said. At this intersection of the force of law, law enforcement would have superior resources and mental health care professionals would provide the information law enforcement requested.

While the juridical field of law enforcement was followed with almost perfect action within the juridical field, there seemed to be complete failure to recognize the juridical pull. There were no responses that reflected either an awareness of the pull of the juridical field or the conformity of her responses to the culture of her field.

It was notable that the law enforcement officer, more than any other juridical field representative, was clearly convinced that this woman was in a harmful relationship with her exhusband. As if she were sitting discussing the circumstances of the Ray Rice (Belson, 2014) news story, she contemplated a number of ways that this man might have directly or indirectly caused the distress that made the option of jumping off a bridge viable. There was no doubt in her mind that this ex-husband was somehow a factor in the final disposition of the victim.

3.3 The Neighbor of Janey

The interview with the participant representing Janey’s neighbor was the most brief, but was unequivocally the most emotionally intense. The strong emotional response to the situation, however, was not matched with emotional expression. The neighbor maintained a calm and thoughtful demeanor throughout the interview, and was quite pleasant and cooperative. The interview with the neighbor is discussed before the interview with the mental health care worker interview for two reasons.

Chronologically, the interviews with the media and law enforcement officer subjects were completed before the control subject, and the mental health care professional interview was completed last. The formulation of each interview was influenced by the preceding interviews. As a result, the process of data collection was impacted as a function of data collection itself. The first author also recognized a personal bias toward the mental health care juridical field, and attempted to limit the impact this might have on the study. In retrospect, the neighbor interview did take on a richness of data that would not have been attained had it been completed after the mental health interview. The neighbor served as a robust source of normative control perspective, and contributed to the framing of the mental health interview as a result. While presentation of the interviews in this order may seem counterintuitive, interpretation of the data is best served in this somewhat illogical order. The roles of law enforcement, mental healthcare, and media juridical fields were each explicitly addressed by the neighbor. She stated that she did not believe that the neighbor had an identified role in the scenario, suggesting that her responses would serve as a reliable normative control subject for the study. It is notable that why she was clearly aware of the juridical fields of the other participants, she specifically delineated her responses as being outside of any of those fields. Her responses seemed genuinely separate from any juridical field, and she went to great lengths to maintain responses that were those of a neighbor, not a professional, thus maintaining a responses set outside of a specific juridical field.

The interview with Janey's neighbor was framed by the participant's assumption that Janey lived a contentious life marked with violence and unpredictability. At the conclusion of the interview she asked if her assumption that Janey beat her children was an accurate one. When asked if child abuse would ultimately impact her responses, the neighbor communicated that the fact the Janey's children were in foster care meant that Janey had already damaged the children. She further suggested that with or without physical abuse, the children were already victimized, so her responses would remain the same. The role of the circumstances of Ray Rice (Belson, 2014), Robin Williams (Itzkoff, 2014), and the violence in Ferguson, Missouri (Bosman & Fitzsimmons, 2014), seem to have played a role in her response to the scenario.

Janey's neighbor discussed the relative strength of the juridical fields on an individual outside of any specified profession. She acknowledged the role of mental health care providers as being central to Janey's life, going so far as to call Janey, "bat shit crazy." She continued to talk about the role mental illness played in her response to Janey, stating, "having a mom like that can fuck a kid up." She noted, however, that the mental health care juridical field had no pull for her personally because they should not talk with her as they managed this situation. Her recognition of privacy practices as habitus for mental health professionals and the power of form was, therefore, not applicable to her.

Janey's neighbor was clearly outside of the juridical field with respect to the media, as well. She reflected her elementary understanding of the media juridical field, stating, "Media will tell a story." She did not seem to pass judgment about the accuracy of the information presented by the media. She felt no pull into the field, and therefore, did not feel compelled to interact with the media at all. Her judgment of the comparative strength of the media juridical field was one of weakness. Only those individuals interested in being influenced by the power of form of the media would be affected by its habitus.

While solidly outside a juridical field herself, Janey's neighbor recognized the competition between juridical fields. Her perspective of the mental health juridical was that it was very powerful and all other professions would have to acquiesce to the practices of privacy within this juridical field.

She also presented a consistent pattern of responses that demonstrated the power of law enforcement over those involved in the scenario. She identified herself as a "law abiding citizen" who would cooperate with law enforcement if it were deemed necessary by law enforcement officials. She characterized Janey as

being “prone to violence” because of threats of harm to her psychologist and to herself. She indicated that this characterization was also based on her assumption of her harmful behavior with her children. Her view of Janey, and the aspects of Janey’s life that she deemed to fall in law enforcement’s legal universe suggest that much of her reaction to this scenario was, in fact, based within the law enforcement juridical field.

3.4 Mental Health Care Provider

While the interview with the mental health provider was the most verbose, it seemed to have the least variability in responses. The mental health care juridical field was presented as having a powerful habitus with very tightly defined protocols for action.

This participant discussed the trauma of the scenario, and said that “everyone” would be impacted by this event. Responses were highly rule based, and habitus of the mental health care profession was marked with large numbers of legal terms and labels. Mental health was depicted as being highly influenced by a coercive state-based control. Mandatory reporter status, HIPAA, and privacy practices were considered in all of the responses by the mental health care provider. She was particularly uncomfortable with the ambiguity of the scenario and questions, and sought direction and reassurance throughout the interview.

Intervention, assessment, and provision of services were mentioned as being a key feature of the mental health legal universe. Discussion of cooperation between providers hinted at the competition between and among health care agencies, similar to those noted in the journalist’s interview.

The mental health professional clearly believed that her profession had the most powerful and broad-based juridical field. In the theoretical competition between the various juridical fields, while the mental health professional used the word “threat” to describe law enforcement in this scenario, it appeared that this subject clearly felt immune to the power of any other field. She was much more concerned about the actions within the power of form in mental health care than any intersection with other fields. She redefined the scenario in a manner not utilized by any other subject. She suggested that with the guidance of the mental health care juridical field, all agencies could work together for the purposes of acting in the best interests of those harmed by the event, particularly the children and the driver of the car.

The complexity of the scenario did not escape the mental health care provider. She referred to the fact that it is not “one layer” and that dealing with each element of the scenario increased the complexity of the additional elements. She was also openly suspicious of the husband, intimating that he was attempting to deflect any suspicion of himself by suggesting that he did not blame the driver of the car for the accident. Her answers suggested the engagement of features of the Ray Rice (Belson, 2014) situation in formulation of her answers.

3.5 Comparative Analysis and Alternative Perspectives

Thorsen (2010) emphasized a neoliberal perspective, focusing on the role of choices and consequences in the assessment of legal behavior. The journalist hinted at a somewhat neoliberal perspective, saying that the public should know that, “she chose to end it this way,” if the facts indicated that this had been a suicide. In contrast to other subjects, the journalist was far less neoliberalistic about choices and consequences of action, which could be interpreted as a nod to fact-based journalism within the habitus of journalism as a whole.

The law enforcement officer reflected a neoliberalist evaluation repeatedly throughout her discussion of the scenario. Choices and consequences of action were a major theme in the law enforcement officer’s interview.

Ethical and fair behavior, on a personal level, was desirable to the subject representing Janey’s neighbor. Yet she was vociferously critical of Janey. She used harsh language, called herself

“unsympathetic”, and referred to Janey’s suicide in a disconnected and aloof manner. She stated that she believed that Janey “didn’t have a life” but rather an “existence.” She asserted that the driver of the car that struck Janey “did the world a favor”, as if Janey’s death was a good thing rather than a tragic one. Her tone supported the neoliberal perspective that suicide was a “decision that she (Janey) made.”

It is interesting to contrast the journalist’s perspective of journalism with the perspective of all the other subjects toward journalism’s juridical field. While the journalist’s responses were compassionate and sensitive toward the victim throughout the interview process, all of the other subjects defined journalism’s juridical field as intrusive, invasive, insensitive, and cold. This particular depiction fully supported Bourdieu’s (1987) theory. It is interesting to note just how disparate these views were. “I hate the media, “ proclaimed the law enforcement representative. The neighbor, while not suggesting a malicious intent, was uncomfortable with the harmful nature of information about the victim’s death that could be released to her children. She remarked, “Journalists would stress me out.” The failure of the media to recognize the harm they could cause seemed to be a particular sticking point for the neighbor. In their book *Distorting the Law: Politics, Media and the Litigation Crisis* Haltom and McCann (2004) use scientific method to review the impact of mass media coverage of the use of the legal system in the United States on public perception. Their conclusion proposed that journalistic standards regarding what makes a story worth covering, give the public a skewed view of events. Furthermore, they proposed that media coverage of legal issues tends to be unsympathetic toward private citizens, and presents news stories including an angle of blame and culpability. Rather than interpreting the data according to juridical fields or a neoliberalist perspective, emphasis on legal consciousness as it is informed by media coverage is the basis of interpretation for Haltom and McCann. Given our specific attention to media involvement as an aspect of this case study, reviewing the current data from their vantage point appears warranted. Haltom and McCann’s frame of reference regarding the accuracy and authenticity of media content is supported by participant responses in this study. The journalist suggested that advocacy groups might present the facts of the scenario in a specific manner for the media, in order to frame its impact on a specific audience. The law enforcement officer suggested that the media would selectively present data for the purpose of sensationalizing it. The mental health care provider initially suggested her sense that the media would “pry”, or seek information that was beyond the level necessary for the general public. She also emphasized the power of word choice in terms of the negative impact that it could have on those receiving information from the media. The mental health care provider said that the media would “make me mad” with their attempts to acquire information.

All of the participants in this study addressed the degree of blame that might be placed on the driver who hit Janey. Each addressed the possibility of the driver being charged with a crime. In the consideration of the scenario as it was presented, all seemed to eventually conclude that the driver might be charged, though they each believed that she should not be charged with a crime. All participants independently came to the conclusion that they would take some kind of action to assist or protect the driver if charges were leveled against her.

All of the participants seemed to believe that the most important issue to be addressed was whether this was a suicide death by jumping from a bridge or an accidental death by falling from a bridge. While there were aspects about the death that each focused on with differing intensity, each wanted a conclusion about what happened to Janey. All responded to the ambiguity of the depiction of the incident, and the lack of a definitive answer brought each to draw their own conclusion. It was clear that even if they did not explicitly state it, each of the four individuals concluded that this was a suicide. Perhaps the most salient feature of the unanimous conclusion that suicide was the cause of death was that each of the four participants concluded a reason for suicide that fit within the scope of their own juridical field. The

journalist concluded that the suicide was a result of events in her life. The law enforcement officer concluded that the suicide was the result of criminal activity. The mental health professional concluded that the suicide was the result of mental illness. The neighbor concluded that the suicide was a function of events in the home.

4.0 Summary and Conclusions

The results of the interviews supported the basic premises of Bourdieu's (1987) theory of juridical field. Each of the four individuals responded to interview questions in a manner strongly consistent with their own juridical field. Each participant depicted their own internal struggle between the juridical field and the disciplinary power within and between fields as they processed the scenario. The development of the responses offered insight into the manner each would employ in a similar situation to balance professional prestige between juridical fields. Each respondent noted the competition between juridical fields, but also shared emotions consistent with a desire to limit their own coercive power from their individual perspectives. Consistent with Bourdieu's theory, they showed little to no awareness of the pull of their own juridical field.

There were some interesting and unexpected nuances that added richness to the data. de Sousa Santos (1995, pp. 570-571) accurately captured the complexity of responses from the subjects in this study with his critique of Foucault, related to the mutually exclusive nature of juridical and disciplinary power. He said, "Foucault overstates the mutual incompatibility of juridical power and disciplinary power and overlooks the deep interpenetrations between them". The subjects all seemed to struggle with disciplinary power associated with their conceptualization of appropriate action. While this was at times related to disciplinary power as part of each juridical field, each also seemed to have disciplinary components active during their process with a genesis located outside of their juridical field.

As a final note, there was a particularly interesting disclosure at the conclusion of the final interview in this research process. The mental health care provider, who was a very young child at the time of the historical event, had encountered one of Janey's children in a professional capacity many years later. Although she insisted that knowledge of the situation did not alter her responses to the questions, it is hard to imagine that previous exposure to the circumstances had no impact on her. It is unclear whether it heightened her awareness of this type of situation at the time, and as a result, served as a foundation to her interpretation of similar situation on a general level. Her exposure may have circumstantially triggered memories of protocol in such a situation. The strength of her responses seemed consistent with previous learning. Her understanding of her own habitus, and the juridical field within which she functions were clearly defined, more so than would be expected of someone with a similar level of training and experience in her profession.

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Appendix A: The standardized scenario

It is approximately 7:45 pm on a rainy Monday in autumn. You have just been provided with details of a situation, and in your job, you must determine an appropriate course of action. You will be asked to answer questions related to your response. Spend a few moments now to familiarize yourself with these details. When you feel adequately prepared, indicate that you are ready to address the interview questions.

Janey Marquette has a history of suicidal ideation, intent and plan. Approximately 14 months ago, she publicly announced that she was planning to shoot herself in front of her psychologist. Within the last few hours she either jumped or fell from an overpass into oncoming traffic on I-235. She was struck by a motor vehicle and Janey, age 34, died at the scene.

“We liked to go for walks and climb up on things, but normally we didn’t do anything like this.” Bob Marquette, Janey’s ex-husband told authorities at the scene. “She was normal, but maybe a little extra quiet today,” he said. Although divorced, the couple still live together. “So you don’t get the wrong idea, most of the time she was happy,” he added. But family issues boiled over periodically. Her two daughters, Bella, 8, and Alex, 5, currently are in foster care. You know that police dispatchers began receiving calls that a woman was climbing on the fencing of the overpass during rush hour, about half way through the evening local newscast on television. At some point, Janey dropped to the pavement. Within moments she was struck by a car driven by Catherine Evans.

“We don’t blame her at all. She just happened to be driving by at the time,” Marquette said of Evans. “We sure don’t want her to feel bad.” A statement read by Evans’ husband, Todd Evans of Urbandale, said, “It’s a tragedy for the victim’s family and our thoughts and prayers are with them. It was a horrible accident. It’s very difficult for Cathy, too.”

Bob Marquette still isn’t sure if his ex-wife fell or jumped. Marquette said his ex-wife was “pretty daring. We walked a lot of places and climbed a lot of things. The bridge might have intrigued her to try and get up there. This could have been an accident.” I guess we’ll never know that,” he said. “She had a good, kind heart. But depression sometimes just overtook her.” Janey Marquette was admitted to a hospital last year after she took an unknown number of pills. In April 2011, police were notified that she wanted to kill herself and that she could probably be found near the Des Moines River. Officers found her near Birdland Marina, sitting on the riverbank. She seemed distraught and had a package of razors with her. She agreed to commit herself to a hospital for a mental evaluation.

Appendix B: The Questions

1. It is important that you consider this scenario based on your experience as a (law enforcement officer, journalist, mental healthcare provider, neighbor). What are your initial thoughts about this event?
2. What would you first consider when formulating your course of action?
3. Do you believe that there are rules, regulations, guidelines, or laws that apply to you in responding appropriately?
4. What would be the overriding principles you would consider in responding to this situation? 5. Is there someone or something that you would depend on to help you in dealing with this situation?
6. There are likely to be other professionals involved in this situation including family, friends, care providers, law enforcement and journalists. From your perspective, how might these other professionals impact your response?
7. Do you feel that there are individuals or groups that will inhibit or restrict your efficacy in dealing with this situation?
8. What makes you the most uncomfortable about this scenario?
9. What aspects of this scenario are the most important to you?
10.
 - a. Mental Healthcare provider – If you are asked to tell the children currently in foster care that their mother is dead, what do you think you need to consider in order to carry out the task requested of you?
 - b. Law Enforcement Officer – If you are asked to transport the woman found on the riverbank to the hospital, what do you think you need to consider in order to carry out the task requested of you?
 - c. Journalist - If you are asked to provide information to the public about the event, what do you think you need to consider in order to carry out the task requested of you?
 - d. If you are asked to determine what information to discuss with other neighbors, what do you think you need to consider in order to carry out the task requested of you?
11. Is there anything you would like to ask about this scenario or about this interview process?