Habermas and the lifeworld of the principal in the lawful governance of inclusion in schools

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Abstract

In this paper, Habermas’s concepts of lifeworld and systems world are introduced and related to the principal’s governance of inclusion in school settings and the requirements of the disability discrimination legislation. The lifeworld relates to the known body of cultural knowledge that the principal is able to access to make decisions about inclusion. The systems world, on the other hand, includes strategic, external and imposed influences such as the legislative requirements of the disability discrimination legislation, in particular, the Australian Disability Discrimination Act (Cth.) 1992 or DDA. Considered together, the lifeworld of the principal and systems world of the disability discrimination legislation create tensions that impinge on the way that principals make decisions about inclusion in school settings. A lifeworld model that has been adapted from Habermas (1987, p 127) is proposed in this paper to illustrate the conceptual representation of the lifeworld of a principal in an inclusive setting. The proposed lifeworld model brings into sharp focus the tensions that exist between the DDA and the principal’s governance of inclusion.
Introduction

A comprehensive analysis of disability discrimination case law in Australia clearly shows that disability discrimination in schools occurs at the administrative level of school governance (Keeffe-Martin, 2001). In each instance of disability discrimination case law a vast amount of information is carefully scrutinized and reported as findings in the state and Commonwealth courts and tribunals. The reported findings from case law that relate to disability discrimination identify competing influences that impinge on the way that principals make decisions about the governance of inclusion for students with disabilities in regular school settings (http://www.austlii.edu.au). Even so, the direct requirements of the Disability Discrimination Act (1992) and the valuable information generated from case law that comprehensively interprets the requirements of the DDA are not effective in reducing or eliminating the incidence of disability discrimination in schools. A comprehensive study conducted by the National Children and Youth’s Law Centre (sic) found disability discrimination was pervasive in Australian schools (Flynn, 1997). Clearly, factors that impinge on the way that principals in schools make decisions about the governance of inclusion are becoming increasingly complex.

Tensions exist between the principal’s governance of inclusion and the requirements of the disability discrimination legislation. Habermas’s theories of lifeworld and systems world provide a strategic framework to explore the tensions between the principal’s lifeworld and the systems world of the law.

Habermas (1996) suggests the strategic function of legal systems is considered to guide social action. As such, compliance with legal requirements ensures the maintenance and progress of ethical standards and behaviours that relate to disability discrimination, for example, within social structures such as schools. The tensions that exist between the principal’s lifeworld and the systems world of the DDA are seen to contribute to increasing rates of litigation in the area of education particularly in relation to disability discrimination. It is proposed in this paper that the strategic requirements of the DDA do not translate into discrimination free administrative actions in schools and do not provide guidance for principals in the management of complex issues that relate to disability.

The focus of this paper is to explore the tensions that exist between the DDA and the way that principals govern inclusion. Habermas’s theory of lifeworld is adapted to describe the lifeworld of the school principal, first, as the complex network of personal contexts from which all communications, interactions and decisions are made about inclusion in school contexts. According to Habermas (1987), each person interacts within a uniquely familiar lifeworld from which all experiences in life are conceptualised. Second, strategic and influencing nature of the systems world, the legal system in particular, is examined as proposed by Habermas’s theory. Next, the dichotomy between the theories of the principal’s lifeworld and the DDA’s systems world are contextualized in the governance of inclusion in school settings. This section explores the tensions that exist between the inherent familiarity of the lifeworld of the principal and the externally imposed systems world of the DDA. Finally, a model of the lifeworld components is proposed to
conceptualize the exploration of the principal’s lifeworld and the systems world in order to propose a paradigm to translate the requirements of the DDA to decision-making in the governance of inclusion. This paradigm has the intention to reduce the incidence of disability discrimination in school settings.

**Lifeworld theory - Habermas**

Habermas claims the lifeworld is: “represented by a culturally transmitted and linguistically organized stock of interpretive patterns” (1987, p.124). The lifeworld includes the realm of cultural experiences and communicative interactions that are essentially knowable and inherently familiar. These cultural experiences and communicative interactions are the basis from which all life experiences are conceived and interpreted. From a phenomenological perspective Schutz and Luckman (cited in Habermas, 1987, p.131) describe the features of the lifeworld as: “the unquestioned ground of everything given in my experience and the unquestionable frame in which all the problems I have to deal with are located”.

The horizons of the lifeworld flex and move in the same way that we push the boundaries of our understanding of complex issues. As new perspectives in a situation are raised from such diverse contexts such as various action plans, creative dialogues or material limitations the boundaries or horizons of the lifeworld are identified and extended to interpret complex situations. In some circumstances the horizons of the lifeworld may shrink, particularly when situations are predictable and less problematic or when options considered for action are reduced. Familiar or predictable situations are those that have been substantively interpreted and incorporated or rejected within the language and cultural perspectives of the lifeworld. Whether familiar or complex and different, the culture and language in the lifeworld make it possible for each person to intersubjectively share their understandings of a situation with the aim of reaching consensus.

The process of communicative action or working towards consensual and shared understandings that relates to the interpretation of a given situation is a recurring test of boundaries and validity claims. Situations are clarified as speakers and listeners define and redefine their understanding through dialogue. Habermas explains that this is a process of defining the boundaries of the lifeworld and aligning them with personal perspectives such as values and beliefs. Cycles of argumentation that are characteristic of the dynamic and vital process of reaching consensus ensure that all perspectives are considered. Subjective and social values and beliefs are also swayed by the interactions between stakeholders. Intersubjective communications that occur within and between each person within the lifeworld form the basis of communicative actions in each situation. In his theory of communicative action that overarches the lifeworld and systems world theories, Habermas emphasises that all stakeholders have a mutual need to understand a situation so that the options for action in each situation may be most relevant and valid for everyone concerned. Relevance and validity in communications are tested through communicative validity claims.
Validity claims are used by all stakeholders in communicative interactions to challenge the authenticity or truthfulness of the stock of cultural knowledge in the lifeworld. The principal in a school, for example, may access validity claims to settle disagreements, resolve issues, clarify contexts, identify expectations, make decisions, formulate opinions or explore values. Habermas claims that validity claims contribute in varying degrees to the shared understanding that develops when an issue is raised (1987, p. 120). The process of sharing understandings, however, is by no means a neat or linear progression from understanding a situation to reaching consensus. Instead, proposing, challenging and validating speech acts for each person in each situation requires co-operation, an ability to view situations from another’s perspective, a willingness to reach shared understandings and background knowledge of the cultural expectations and strategic influences affecting a situation.

In summary, Habermas describes the lifeworld as inherently familiar and knowable. Communication and collaboration to reach shared understandings of complex and diverse social situations contribute to the creation of socio-cultural understandings within the lifeworld. As the interactions within society become more sophisticated, however, formal and strategic structures are established that are not based on the social interactions of lifeworld actors. The legal system is an example of a strategic structure that develops from the increasingly complex demands of the lifeworld. Systems and strategic structures such as the law maintain social cohesion particularly in times of rapid change and diversity. In the next part of this paper, the validity of the belief that “the lifeworld remains the subsystem that defines the pattern of the social system as a whole” (Habermas, 1987, p. 154) is challenged by the strategic influence of the systems world of the law.

### Systems world theory – Habermas

Unlike the inherently familiar and knowable lifeworld, the systems world is strategic, imposed and external. Features of the systems world become increasingly complex and Habermas (1987) suggests that the systems world uncouples from the lifeworld. To be effective as a systems entity, however, the systems world must be embedded in the values, beliefs and interactions of the lifeworld. Diagram one in the section following, illustrates the differentiation between the qualities and components of the lifeworld and of the systems world. The differential aspects of the two worlds create tensions even when the systems world functions are embedded within the lifeworld values and beliefs.

Habermas argues that, historically, systems such as the law were part of the lifeworld of every person (1987, p. 157). Boundaries between systems world and lifeworlds in tribal societies, for example, are more likely to be established through cultural experiences such as kinship requirements and rules of marriage than formal systemic structures (1987, p. 175). As societies expand through complexity and pluralization, however, social integration becomes more difficult to achieve. Systems such as the legal system eventually form and organize around the political and socially integrative force of the state organizations, primarily to facilitate and supervise transactions of power and exchange (Habermas, 1987, pp.119-152). As transactions become more complex, systems such as the legal system gradually
become more exclusive, specialized and differentiated from the lifeworld. Each stage of differentiation of the systems world results in an increased capacity of the system to integrate more complex or ambiguous transactions (Habermas, 1987, pp.153-197).

Gradually the systems world uncouples or separates from the lifeworld as the horizons of the lifeworld are no longer able to contain increasingly complex systemic requirements. Legal processes, for example are specialized social processes that orchestrate increasingly complex exchanges of power or money. In the development of complex social processes, aspects of the lifeworld that previously relied on communicative understandings are objectified. Habermas suggests that the law: “develops into an external force, imposed from without, to such an extent that modern compulsory law, sanctioned by the state, becomes an institution detached from the ethical motivations of the legal person and dependent upon abstract obedience to the law. This development is part of the differentiation of the lifeworld” (Habermas, 1987, p. 174).

Diagram 1. Structural differentiations of the Lifeworld and the Systems world in a social change context.

<table>
<thead>
<tr>
<th>The Lifeworld</th>
<th>The Systems World</th>
</tr>
</thead>
<tbody>
<tr>
<td>The principal in an inclusive school setting</td>
<td>The Disability Discrimination Act (Cth.,) 1992</td>
</tr>
<tr>
<td>Intuitive</td>
<td>Strategic</td>
</tr>
<tr>
<td>Personal</td>
<td>Imposed</td>
</tr>
<tr>
<td>Internal</td>
<td>External</td>
</tr>
<tr>
<td>Intersubjective</td>
<td>Objective</td>
</tr>
<tr>
<td>Moral reasoning</td>
<td>Obedience/Compliance</td>
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<tr>
<td>Collaboration/cooperation</td>
<td>Competition</td>
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<tr>
<td>Shared understandings</td>
<td>Social norms</td>
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<td>Power with</td>
<td>Power over</td>
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<td>Reintegration</td>
<td>Colonization</td>
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From Habermas’s theory an interpretation can be made that a degree of social integration is essential if the law is to postulate order in social action. To do this Habermas (1987) concedes that the systems world of the law must be anchored within the lifeworld and that interactions between the two must overcome the structural differentiations described above. Habermas goes further to explain how the systems world reintegrates or colonizes the lifeworld to maintain social cohesion and order through strategic, systems world requirements. When the systems world of the law colonizes the lifeworld it acts as a formal and objective requirement rather than an intersubjective, dialogic part of the lifeworld. Because of the
discordance between the lifeworld and the systems world, the requirements of the systems world do not translate directly into administrative action in the lifeworld. Instead, systems world requirements are translated through policy documents and procedural recommendations. This translation, in their turn, presents tensions irrespective of the social change situations in which the processes occur.

**Contentions in theory**

The optimistic and idealistic view described in Habermas’s theory of collaboration and of reaching shared understandings of complex situations is critiqued by Evers and Lakomski (1991). They find the concept of the lifeworld problematic when diverse personal goals (or individual action plans) and strong personalities influence the possibility of reaching a shared understanding, particularly when issues of power in bureaucratic settings such as schools are underestimated. In response to accusations of the misrepresentation of power in communicative actions, Habermas explains that strategic actions and individual action plans are predictable components of the argumentation process and he agrees these processes influence the degree to which stakeholders reach shared understandings. However, Habermas insists that reaching a shared, consensual understanding of a situation is the ideal outcome for all stakeholders.

Similarly, in a series of essays on contemporary European philosophy Dews (1995) also raises a number of concerns about lifeworld theory. He argues that Habermas has not adequately identified whether there is one single lifeworld in which all humans share all experiences or whether there are multiple lifeworlds that may tend to overlap. He contends that one large lifeworld would render the powerful intersubjectivity of the lifeworld irrelevant because the lifeworld itself would become the purpose or end product of communicative action or social change and not the sphere from which interpersonal interactions are sourced. Despite claims made by authors such as Evers and Lakomski (1991) and Dews (1995), Habermas (1999) insists that autonomy and familiarity are bound by the complex, intersubjective process of harmonizing numerous perspectives to promote positive social change and this happens irrespective of single, multiple or overlapping lifeworlds.

In his more recent text “On the Pragmatics of Communication” (1999) Habermas responds to his critics and expands his ideas of both the practical applications and the philosophical implications of his communication theory. Again, Habermas argues that the lifeworld is inherently complex and that each individual has the choice of harmonizing or ignoring numerous perspectives in accordance with the desirability of reaching a consensual understanding with others. The pragmatics of the rationalization of choices made by each stakeholder, including validity claims, action plans, argumentation, lifeworld and systems worlds, form the basis of social interactions that are essential for positive social change. Essentially, these communicative processes also provide a framework to judge the standards of the quality of communication and the ethics of the decisions made without recourse to value-laden pre-emptive assumptions. Habermas thus explains that his theories of communicative action, lifeworld and systems world extend beyond the simple
analysis of semantics or sociolinguistics that may be analysed in a linguistic framework as Dews suggests and looks at “universal competencies that are involved when social actors interact with the aim of achieving mutual understanding (Verständigung)” (Cook, 2002, p. 2).

Despite claims made by Evers and Lakomski (1991) and Dews (1995), Habermas (1999) convincingly contends that the theories of communicative action, lifeworld and systems world can inform an understanding of complex social change situations. The governance of inclusion in school contexts, in this paper, is viewed as a complex social change situation for principals governing inclusion. Tensions that exist between principal’s governance of inclusion in Australian schools and the DDA can be understood with greater clarity through the socio-critical lens of Habermas’s theory of lifeworld and systems world.

**Implications for principals governing inclusion**

The differentiation between the systems world of the disability discrimination legislation and the lifeworld of the principal in the governance of inclusion is problematic. Despite the inherent tensions, the two systems must integrate and cooperate to maintain social cohesion within social change situations. Diagram two below shows the systems world requirements of the DDA embedded within the lifeworld of the principal governing inclusion. In the case of principals’ governance of inclusion in school settings, differentiation results in a distanced attitude or lack of familiarity with the DDA and an increased reliance on policies and procedures that relate directly to administrative actions (Keeffe, 2003). It is suggested here, that colonization creates discordance between the systems world of the law and the lifeworld of the principal on a number of different levels. Discordance, in turn, creates difficulties for principals in the interpretation of the requirements of the disability discrimination legislation. The implications caused by tensions of differentiation for principals in schools governing inclusion are now discussed.

According to Habermas, the systems world is characterized by strategic functions that are imposed on the personalized and intuitive experiences within the lifeworld of each individual. The law, specifically as it relates to the DDA in this paper, is an example of a systemic structure within society in which the legislation strategically imposes expectations for ethical behaviour on principals in schools in the area of disability discrimination. Obedience to the requirements of the objectives of the DDA are sanctioned by compliance clauses in the legislation that are based on broad social norms rather than collaborated, shared understandings such as those within the lifeworld of the principal proposed earlier in this paper.

It is important to note that the decoupling of the system of the law does not diminish the organizational power and logic of the lifeworld. On the contrary, each level of differentiation of the system requires a corresponding maturity within the lifeworld to rationalize these changes. Habermas equates levels of moral reasoning with the differentiation of legal concepts from the lifeworld and explains how higher levels of moral reasoning are an indication of social progress from colonization to the reintegration of social consensus back into the lifeworld. Gradually, for example,
the intent of the disability discrimination legislation is internalised to the extent that lawful, moral reasoning occurs consistently by the principal within the lifeworld governance of inclusion.

Diagram 2. Conceptual representation of the lifeworld of a principal in an inclusive setting

Adapted from J. Habermas (1987, p127) to include contexts identified in Ed.D thesis (unpublished), “Principals’ perspectives on inclusion and the law” (Keeffe, 2003).

The lifeworld of the principal governing inclusion in the school consists of a complex web of interactions and experiences. The principal intersubjectively shares culture and communication with all stakeholders and gains a mutual understanding of the expectations and experiences of everyone involved in the context of a situation. Stakeholders discuss, argue and clarify different perspectives until shared
understandings are reached about objective, subjective or social contexts. The management of inclusion, like all other issues within the school and the principal’s lifeworld, is therefore a dialogic experience in which speech acts are verified or rejected through validity claims and counter claims.

A conceptual representation of the lifeworld of the principal in an inclusive setting is illustrated in Diagram 2. The intent of the DDA, that disability discrimination should be reduced or eliminated within school settings is embedded within the lifeworld values and beliefs of all stakeholders. The stated requirements of the DDA and their interpretations within policy documents are colonized within the objective world of the principal. The subjective world of the principal and all stakeholders may include issues such as curriculum, safety, behaviour management, disability issues and inclusivity. The complex phenomenon of inclusion encapsulates a range of diverse contexts that require processes for understanding and administrative actions. The social world is an internal world filled with values, beliefs, interests and action plans. All stakeholders have contexts from the objective, subjective and social worlds that merge and interact both, within each stakeholder and between each stakeholder. Habermas (1987) refers to this as the intersubjectivity of the lifeworld. Diagram 2 shows how the interactions between the objective, subjective and social worlds for the principal as person one (P1) and all other stakeholders as person two (P2) intersubjectively interact to create new and shared understandings of complex situations. Communication and collaboration, therefore contribute to the culture and language of the lifeworld as shared understandings become part of the culture of the inclusive school.

Communicative actions are also identified as the process by which all stakeholders access the valuable stock of cultural knowledge within the lifeworld to resolve difficulties. In an ideal situation, communicative actions between the principal and the stakeholder, for example, aim to reach a shared consensus about the definition of the situation. The intersubjectivity of the combination of all contexts from the external and internal worlds of all stakeholders impinge on the communications between the principal and the parent as part of a domain of relevant contexts from which shared understandings are negotiated. The success, or otherwise, of the communicative interactions inform the inclusive culture of the school so that progressively more complex issues may be addressed or understood within the horizons of the lifeworld.

In terms of the governance of inclusion, principals in schools empower parents, students, staff and all stakeholders to share and discuss understandings about issues that relate to disability. Informed by the objective, subjective and social contexts of issues that are raised by all stakeholders the principal is in a position to identify and reduce the barriers to collaboration and communicative action. In the process, value-laden assumptions that lead to stereotyping and unlawful decisions are reduced. As the school culture becomes sensitised to the complex issues that are associated with disability, the stock of cultural knowledge that the principal and stakeholders access to understand diverse situations expands. Ultimately and ideally, the action plans of all participants are harmonized and the foundations for social change are established.
The tensions that exist between the lifeworld of the principal and the systems world of the DDA have already been explained, theoretically, in this paper. It is now important to understand how the tensions created by the differentiation of the lifeworld and systems world impinge on the way that principals make decisions about inclusion. For example, in the area of education the requirements of the DDA, section 22 clearly state:

(1) It is unlawful for an educational authority to discriminate against a person on the ground of the person's disability or a disability of any of the other person's associates:
(a) by refusing or failing to accept the person's application for admission as a student; or
(b) in the terms or conditions on which it is prepared to admit the person as a student.

and

(2) It is unlawful for an educational authority to discriminate against a student on the ground of the student's disability or a disability of any of the student's associates:
(a) by denying the student access, or limiting the student's access, to any benefit provided by the educational authority; or
(b) by expelling the student; or
(c) by subjecting the student to any other detriment.

(Disability Discrimination Act, 1992, section 22.1 and 22.2)

To achieve these requirements and the higher objective that schools act as discrimination free role models for the remainder of society procedural protocols for natural justice and collaboration are required. However, these fundamental processes of communicative action are not stated as a priority within the disability discrimination legislation. The strategic requirements of the DDA do not provide the administrative guidance for school principals to implement collaborative decision-making. The communicative needs of the lifeworld are subordinated to the restricted ethical, systems world requirements of the legislation. It has been stated already that this encourages unreliable and inconsistent decisions based on obedience and compliance rather than decisions that are based on a higher level of moral reasoning that involves a collaborative understanding of the complexity of disability issues.

At the level of interpretation of the legislation, for example, tensions between the requirements of the DDA and interpretations made by principals in democratic, inclusive school settings can be seen in the objective statements in the DDA that relate to direct discrimination of a student with a disability.

(1) For the purposes of this Act, a person (discriminator) discriminates against another person (aggrieved person) on the ground of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

(Disability Discrimination Act, 1992, section 5.1)
In these statements, the term “less favourable treatment” is essential in a legal determination of direct discrimination. In this instance, the legislation requires a comparative analysis of the treatment of disabled and non-disabled persons. In effect, the process emphasizes disability as the factor causing differential treatment and reinforces the sense of “otherness” that forms the foundation of stereotypical attitudes and beliefs (Minow, 1990). It is problematic that investigations about compliance with the DDA should condone differential treatment as an integral part of the systemic requirements of the legislation rather than encourage a more collaborative problem-solving model for the enculturation of schools in which all students with disabilities are free from discrimination.

At still another level, lifeworld and systems world tensions in the inclusive school setting occur when stakeholders in the lifeworld act strategically to influence the preferential implementation of their point of view or their action plan. Traditional governance in school settings may have a lifeworld culture that rejects diversity and decisions may be based on stereotypical assumptions. In such a case the boundaries of the lifeworld are inflexible as historically entrenched discriminatory decisions serve to maintain the conservative power of the dominant culture of the school and society. Habermas (1996) would suggest that the increasing incidence of strategic actions within the lifeworld legitimises the role of the law. The replication of discriminatory structures that have existed in schools for many decades needs a strategic influence such as the DDA to challenge and change socially entrenched patterns of behaviour that are discriminatory. Tensions are created when dominant culture ideology refuses to acknowledge the emancipatory effect of including students with disabilities and their parents or carers in collaborative understandings of disability and difference within the school culture.

Conclusion

In summary, this article applies Habermas’s theory of lifeworld and systems world to expose the tensions between principals and the law in the context of the governance of inclusion in school settings and the requirements of the DDA. The theory of communicative action in relation to lifeworld theory is described to explain social consensus and collaborative processes that occur in the lifeworld. The importance of the process of collaboration in reaching shared understandings about complex issues within communicative action as this relates to disability is emphasized. The process of reaching consensus is particularly important when shared understandings contribute to the cultural knowledge that the school can access to resolve dilemmas such as those that arise in the governance of inclusion. It is suggested that the intersubjectivity of the lifeworld provide a valuable resource base from which the principal can resolve complex issues in the governance of inclusion in school settings as illustrated in the proposed lifeworld model of interactions within the lifeworld of the principal in an inclusive setting (Diagram 2).

The systems world that includes the DDA is described as distinct from the lifeworld. It is strategic in influence (1987). The systems world lacks the intuitive, collaborative consensus of the lifeworld. The systems world relies on a legally imposed obedience and compliance from people in the lifeworld and this causes
tension in socio-cultural change situations such as the governance of inclusion. The differential characteristics of the lifeworld and systems world are compared in this paper and applied to the context of the governance of inclusion in schools. Explanations are proposed for the tensions that occurs when the systems world of the DDA and the lifeworld of the principal governing inclusion.

It is suggested that traditional governance structures in schools that rely on strategic actions (force) to influence decisions also need the requirements of the DDA for compliance and obedience in socially integrating the principles of disability discrimination. Most importantly, it is also suggested in this paper that the governance of inclusion in schools requires more administrative guidance from the DDA on collaborative processes that are required to reach consensual understandings of disability issues if disability discrimination is to be reduced or eliminated in the area of education.


