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The Field of Social Regulation: How the State Creates a Profession

Abstract: This article describes the process of professionalisation in the field of social regulation in Sweden. The aim is to analyse how the state by legislation created the (semi)profession of social workers for local social services and thus for social regulation by public administration. This role was based on one originally created for the legal professions involving tasks performed by volunteers. Through the development of new organisations, social workers developed an important role as employed social investigators. Even though changes in legislation have made room for professional development, the legal professions were not given the central role in the field. In the 1960s and '70s, more social workers were educated, the importance of social investigation was highlighted, and volunteers became subordinated to paid social workers. In these ways, social workers grew as an organizational occupation that gained (semi)professional status in the 1980s.

Keywords: Legal professions, social regulation, social workers, organizational occupations, governmentality, social investigation

Social control is a basic property of every community and society, and it is formalised in the regulation of how members of the community lead their lives and especially of deviance and normality. The field of social regulation deals with formalised social control, that is, discipline through coercion, punishment, super-vision, and correction. A famous description of different penal styles, and thus of different types of social control, was Michel Foucault's *Discipline and Punish* (1979), contrasting the gruesome public execution of Damiens in Paris in 1757 and the ordered time-table of activities for young prisoners at Mettray Penal Colony eighty years later. In this study, Foucault showed how punishment as a public spectacle was transformed into a disciplinary practice in new kinds of institutions. Prisons and other closed institutions became training camps for many professional groups. Foucault described this field and its institutions as practices where "the psychologists and the minor civil servants of moral orthopaedics proliferate on the wound it leaves" (1979, p.10).

Social regulation concerns how the state controls the population. The population consists of individuals that organize their lives primarily through families in which children are socialized. Regulating the lives of families, especially children, allows the state to practice social control with the aim of maintaining social unity through social order. This article shows how this goal generates institutions and organisations with specific tasks. These organisations need people to perform these tasks, people who need to be trained and qualified.

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They are engaged to do the practical work, but, as Flexner (2001/1915) stated, even if professions definitely are practical, they are also intellectual and learned. When the number of professionals in a certain group grows parallel to the process by which their tasks become more and more precise, then such a group can claim professional authority and the interaction between the state, organisations, and professionals forms a continuous process. Suddaby and Viale (2011) have highlighted the professional project as an endogenous mechanism of institutional change. They argue that professions play a central role in the development of organisations, based on the idea that professional expertise, social capital, rules and standards, as well as the ability to reproduce these factors contributes to changes in organisations. We have a similar standpoint—organisations and professions develop through interchange—but our perspective in this article is that the professions of social regulation are primarily formed by the organisations in the field, even if there still is an interchange.

Punishment is the extreme end of social regulation. Most often, social regulation is not practiced as punishment, but as a discipline formed in order to avoid punishment (cf. Foucault, 1979, 1991; Rose, 1991). In the disciplinary practices, the professions of social regulation emerge as representatives of the power of the state. In the welfare state, this control is managed by officials of the state, while professionals act as agents for organisations of public administration. In Sweden, as in other welfare states, the line between care and coercion is blurred. Coercion and punishment do not necessarily mean exclusion in a welfare state, since the aim is to normalise deviants based on the idea of the welfare state as a state that takes care of its citizens.

With a specific focus on the legal and social professions, this article seeks to discuss the professionalisation of the field of social regulation, by showing how social workers came to be experts in the field through their proficiency in social investigation. Additionally, a large number of established professionals, including teachers, doctors, psychologists, etc., support the field through their competence in adjacent fields. In this article, however, the focus is on the core professions—social workers and the associated legal professions—that made way for and facilitated the development of modern social work as a field of social regulation. Besides these two groups, the police and other occupational groups, such as treatment staff, prison officers, etc., also play an important role in the interplay between occupations in this field. Their tasks, however, are somewhat different as they are merely questions of executing decisions taken by others. We will here highlight the process whereby the legal professions made way for social workers through specific organisational positions, and how the state supported a professionalisation of social work, by referring specific tasks to this group. Social workers are a significant example of how professionalisation in Sweden has been highly influenced and governed by the welfare state during the 20th century (cf. Brante's introduction in this volume).

The empirical basis for the article is secondary data, specifically texts about the development of professions in the field of social regulation in the context of Sweden and the development of the welfare state. This includes literature on how social issues are understood as well as on how the tasks in the field have developed. Some periods of time and some issues of professionalisation have been thoroughly studied by other scholars, making it possible to relate to their results. Other aspects

have been studied less thoroughly; in those cases, we have mainly used governmental material, since the focus is on how the state has acted. This study is, as all studies presented in this volume, part of a larger project, *Carriers of Knowledge Society: A Study of the Historical Emergence and Contemporary Importance of the Swedish,* funded by The Swedish Research Council (VR). In the project, we work with both "between case analysis" and "within case analysis" (George and Bennet 2005). This specific study is a "within case analysis" using a method that George and Bennet (2005) call "process tracing." Working with process tracing means, in this case, following the process where professions develop parallel to the development of the welfare state and its organisations and aiming to pinpoint some of the mechanisms in the process. Due to the long period of time that is described, the focus is on the development of the professions, which mean that the development of the welfare state is merely mentioned briefly to give a picture of central processes in specific periods.

We will start with a description of the development of the field of social regulation and of the professionalisation process for the legal professions and social workers within this field. Thereafter, the role of a central task in the field, of social investigation, is discussed as well as the relation between organisations and professions.

Prehistory

The early process of professionalisation in this field could be said to have been started with the employment of county sheriffs (in Swedish: länsman) in the 17th century. These were persons appointed by the county chiefs and chosen as being trusted resident farmers. They had the task of maintaining law and order in the local environment, as well as administering the well-being of the population and distributing elementary poor relief. In the early 19th century, demands for the specialisation of this occupational group arose, starting with a statement that one should have some general knowledge in areas such as reading, writing, and counting, as well as specific verifiable knowledge of laws, rules, and regulations (Furuhagen 2009). By this time, the legal professions were already well established and there had long been commissions given to trusted citizens by the church and the local community. However, these commissions were not occupations and it all had begun a long time before.

The development of the legal professions came from a need to consolidate legal issues and to legitimise legal decisions, which led to a demand for a centralised organisation for the judiciary. The incipient centralisation of the courts made way for the profession of judges, the most renowned of the legal professions, which demonstrates the close connection between a centralised judiciary and education in law. In the 16th century, legislation became more centralised and in laws from 1540 we can find the first signs of the idea that punishment should aim for correction and reformation (Eriksson, 1995). In 1614, a statute required courts to have educated and legally qualified judges, but the nobility still governed in courts and power was granted by birth, not education, and still very few could be educated in law. With a few exceptions, social regulation was practiced within a framework of religion and merely an issue for the local community under some supervision from

persons with commissions from the church, the state, and the regional government established in the 18th century. During the 18th century, Swedish society changed in such a way that the central organisation of courts and legislation became more prominent. We can also see how influence granted by birth was altered step by step so that education gained higher prominence. In 1749, legislation stated that the right to be a judge in court depended on holding an exam in legal studies (Ställvik, 2009).

The year 1809 is an important one in the history of how social regulation became an issue for the state in Sweden; from this year on, the nation state Sweden as we know it today began the process of forming and reforming. A governmental committee was put to work preparing a new Penal Code focusing on correction and reformation of offenders and a more specific requirement for educated judges. When this process started, some steps had already been taken towards a constitution of the field of social regulation as a central issue for the state. However, at this point in time, we cannot yet talk about any professionals in the field, but we can say that a generalised cultural value had been created—the idea that social regulation could govern the population.

Formation of the field, 1809-1902

The 19th century became the century of early industrialisation in Sweden and for explicitly defining social regulation as an issue for the state. This involved disciplinary legislation and techniques as tools, specific institutions for execution of punishment and control, and specific occupational and private groups as executors. The influences came from the UK, continental Europe, and North America, where industrialisation had started earlier and where differentiated institutions already had been established (cf. Pettersson, 2001). This century has been described as a century when the "rehabilitative ideal" and the correction of "delinquent" children and adolescents came into focus and there was a growth of professionalism in corrections work (Platt, 1977). During this century, large correctional institutions were built, bearing similarities to the large factories built in the same period. In both cases, large buildings framed the practices through their divisions of space and time and through a defined system for the practice (Rusche and Kirschheimer, 1939). In correctional institutions, this practice was structured by schedules similar to the one described by Foucault (1979). Foucault argued that the kind of discipline that developed in this context is not readily apparent because it is a complex web of techniques for examination, hierarchical observation, and the normalisation of judgement. Foucault describes these techniques as mechanisms in discipline that are learned and developed in large institutions like prisons, but also in hospitals, mental hospitals, youth institutions, schools, and other institutions for various groups. When learned and developed, they are also used as techniques for discipline in society and social regulation by occupational groups that started to form their practices in and around these institutions in the 19th century.

Between 1846 and 1862, new correctional prisons were built in every county in Sweden. Here, the differentiation of the prisoners became possible and, through that, the techniques could develop; prisoners could be assessed, categorized, and separated in different wings, and at the extreme were isolated one by one in a cell.

In addition to the prisons, non-governmental associations were formed by royal decree and under regional governmental administration. In these associations, men and women from the growing bourgeoisie engaged themselves in supporting and advising prisoners and their families (Svensson, 2001). The practice was thus formed by the prisons and the techniques were developed there; however, this was also performed extensively outside the prison walls by employed as well as voluntarily engaged citizens. The prison population was, from a Swedish perspective, huge in the mid-19th century; there were about 150-190 prisoners per 100 000 citizens, a number that in other times in Sweden has been only a third or half as high (Snare 1992). The main reason for imprisonment was vagrancy, a sign of the importance of a population being made ready for industrial work. The idea of punishment was to control the population, lead them in to the new way of working, and maintain order in a new way in a new society (Snare, 1992; Wieselgren, 1895).

This new form of governing the population demanded specialised executors with specific competencies for observing, analysing, assessing, adjusting, and correcting (Beronius, 1994), but this is still far too early to talk about the professionalisation of the field. We can though talk about the constitution of the field, since there was a cognitive basis in the ideas of correction, a place to train and execute correction in the large institutions, and a growing accuracy in legislation. A new Penal Code was enacted in 1864 and laws on poor relief came in 1834, 1847, and 1871.

The only occupational group that could claim professionalism in this time was the judges. They had their specific jurisdiction, their specific education, and influence over the inflow and access to the occupation. In 1849, the Lawyers Association was founded, followed by the Swedish Bar Association in 1887, and it became successively possible to start talking about the legal professions in the plural, and not just judges as professionals. The progress of the legal professions could also be found in the evolving industrialism as factories and commerce demanded a coherent legal system and an objective application of the law so that it could be predictable. Parallel to this, a bureaucracy started to grow, built on what Weber calls a legalistic rationality and authority, rather than traditional or charismatic. A bureaucracy that demanded both civil servants and courts, strengthening the legal professions' position and power.

At the turn of the century, the field was constituted mainly by its organisations and institutions, but also by the presence of the legal professions and groups of citizens organised for doing the work, using disciplinary techniques that had started to be practiced and trained with the idea that interventions should aim to reach children through their families in order to secure the development of society. The idea of civil servants in public administration laid ground for a new development.

Consolidation, from 1902 to 1960

When we get into the 20th century, there was only one group of professionals in the field of social regulation, the legal professionals. This means that we could have talked about a professionalised field, or at least about a field with a profession (cf. Brante's introduction to this volume). But this profession had a peripheral role in the sense that this group did not have the tools to perform discipline, only to

make decisions about it. The cognitive basis for the legal professions is knowledge of legislation, and because of that those in it have a central role in judging and governing. The execution of discipline has always been carried out by others than those in the legal professions, mainly by groups with their cognitive basis in knowledge about "the social", which is a moral field of normality and normalisation (Lundkvist, 1997). Here the non-governmental organisations and associations that had started to form during the 19th century came to have an important role parallel to the idea of having employed civil servants in the organisations, a position mainly filled with representatives of the legal professions at this time.

In the early 20th century, "the social" came into focus and an important step in the development of professionalisation of social regulation was taken. In 1902, a Child Care Act began to be enforced. Here children were separated from the Penal Code and special provisions were arranged for children and youth so that they were separated from prisons. Now new institutions developed. They had the assessment of delinquency as one of their central tasks, which made room for new occupational groups to develop.

Since the mid-19th century, there had been some institutions for children, but they did not fully carry the liberal ideas of social regulation as discipline through support and reformation (Abukhanfusa, 1987). In the early 20th century, the ideal of the bourgeoisie formed the ideas of family, which also conceptualised normality (Ambjörnsson, 1978). This notion of the normal family was in contrast to the reality the poor families that moved into the cities to work in the growing number of factories and lived under poor conditions in small overcrowded homes. Even if this period of time was characterised by change, growth, and development in Swedish society, there was also a large and poor under-class. On the one hand, the emigration of poor Swedes to North America slowed while, on the other hand, poor families from the countryside moved into the cities looking for work in the new factories. Here, before the welfare state, the situation for the poor was totally different from that of the middle and upper classes. The latter had experienced a boom in technological and cultural innovations, but there was a mutual interest in social issues, underlying the ideas behind both the workers movements and the liberal ideas of social assistance to the poor.

A large number of associations were started at the turn of the century and in the early 20th century. Parallel to the establishment of workers' unions and other bodies for occupational groups, liberal, philanthropic, and social associations were organised. Some of these organisations aimed at specific social problems, such as the temperance movement, while others had a more general mission such as poor relief and concern for the rising generation, and the future. From these organisations, the concept of social work arose and became established through the National Association for Social Work that was organized in 1903 (Lundquist 1997). The National Association promoted education for social workers, but also encouraged volunteers to continue engaging in social work, proposing a model in which the educated and employed worked together with volunteers. This model gave room for both a personal and a professional dimension of social work, opening a process of professionalisation without discouraging volunteers from the field. Parallel to the engagement from the organisations, the state continued to form new, more specific laws. In 1924, a new Child Care Act was passed. This legis-

lation made it mandatory for municipalities to organise child welfare committees and specified the rules, but there were not yet any professionals at this point to execute the practice (Lundström, 1993). The only professionals in the field were still from the legal professions, and they did not deal with preparation for or execution of the decisions taken in courts. This was thus far a task for civil society, i.e. volunteers, trusted citizens, and local politicians.

Education for social workers started in 1921, and it would take over twenty years until there was more than one school of social work in Sweden. The Child Care Act continued to mainly be implemented by volunteers and local politicians, supported by ideas from professions from other fields. Lundström (1993) describes the period from the 1920s to the 1950s as a period when the practical work was performed in a "the pre-institutionalised style" that overlaps the period of "the bureaucratic style" from the 1930s. The bureaucracy consisted of standardisation and regulation of documents and forms with an outer form of objectivity where the life of the families were documented and their homes described. Over the period, the document came to be structured as narratives based on the caseworkers' observations. The medical corps influenced the practice through their perspective on delinquent behavior and psychopathology with a focus on those who already had developed deviant behavior. Instruments for classification and diagnosis were being developed for working with this group. Very young children or maltreated and abused children were not discussed (Lundström, 1993).

In the 1940s, three more schools of social work opened. The teachers at these schools came from, on the one hand, social work practice to teach methods and practice and, on the other hand, from the universities to teach in law, economics, psychology, and other theoretical aspects of social work. From the beginning, this education was built on an obvious connection between social work practice and research in social sciences. At the same time, a part of the education was about the legal regulation of social work, leaving some influence from a bureaucratic perspective that dominated the cognitive base of the legal profession.

Professionalisation, 1960-

As Brante puts it in the introduction to this volume, a process of professionalisation can be seen when, among other aspects, occupations are relating to scientific research, have systematic education and training, and get legitimacy and autonomy from the state. The field of social regulation arises at this point in the 1960s and '70s, as seen from the number of employed social workers in municipalities, but also through the discretion given to this group by legislation. The field does not however get any profession with requirements of formal credentials to practice, neither in this period nor yet today.

When we here talk about professionalisation, we relate to a semiprofession. A semiprofession besides relying on scientific social research, also bases its practice on moral and political standpoints. It is also a semiprofession in that it is subordinated to other professions, specifically the legal professions, in decision making. In any case, we see a process of professionalisation where social workers become more independent of the legal professions and where their discretion increases so that they reach a (semi)professional status. In this way, they came to be the occupational group with the greatest knowledge in the domain of social investigations.

In the early 1950s, a governmental committee investigated the possibility of creating a shorter education for the legal professions in order to meet the needs of lower officials in public administration. The committee argued that this need could be met through education in the schools of social work, and that this education could increase instead of forming a new short education in law (SOU 1953:15). The idea of social workers as working with the implementation of legal rules can also be seen through the fact that social work education expands with new legislation. The third, and most obvious, expansion in the education of social workers came in the 1960s and '70s at a time when there had been essential changes in the Child Welfare Act of 1960. The act now emphasized prevention, while also establishing the need for proper legal review and documentation (Lundström, 1993). Other laws in the field were also changed in this time; the Penal Code changed in 1965 and focused on treatment and disciplinary forms of punishment outside of prison, especially for young offenders.

Educated social workers became employed in the public administration that grew in the 1960s and '70s, particularly in municipalities, but also in the field of criminal justice.[1] In municipalities, they were employed to take care of poor relief, child welfare, and family issues, including caring for the elderly and issues of alcohol and drug abuse. Here, in local public administration, decisions were still to a large extent made by local politicians, or if more coercive interventions were appropriate, judges in courts. The tasks for social workers became to examine, counsel, and support individuals and families parallel to having the task of controlling citizens in the local community. Volunteers were still present in everyday practice, primarily as those who performed the day-to-day work in the interventions. Social workers had an assessment and coordination role.

In practical social work, the moral model that had dominated the Child Care Act from 1924 was replaced with a model based on the influence of psychology and psychiatry in the revised Act of 1960. Here, assessment and social investigation were given an essential role. Investigations were to be made in specified ways and a system of control of the work was implemented so that the pre-institutionalised style of work came to be replaced by a bureaucratic model (Lundström, 1993). This model demanded civil servants, not volunteers, and thereby we can see that law and regulations assisted the establishment of social workers in municipal governmental employment where they were combining legal rationality with social knowledge as a basis for social regulation.

The number of social workers came to be far greater than the number of legal professionals in municipalities. In 1969, there were 3,352 social workers and 210 legal professionals in municipalities. Despite the more and more precise statutes, rules, and documentation, social workers, not legal professionals, were employed (Åström, 1995). There was no struggle over positions or power; the new positions that were created were given to social workers, but the legal professions did not explicitly lose power. From the 1970s on, social workers took many of the growing number of positions in municipalities and had a specific area of expertise: knowledge of individuals in society and proficiency in assessing, investigating, and documenting people's lives.

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[1] Social workers were also employed in organizations where the focus on social regulation was not significant. In this period, the number of social workers in health care and mental health care also grew (see Johnsson and Svensson's article in this volume).

In 1967, a governmental committee had been put to work in order to revise legislation in the social field. Their work led to the Social Service Act of 1980 that had a holistic perspective and incorporated the former laws on poor relief, child care, and care of the elderly and of alcohol and drug abusers. The new law shifted, to some extent, the focus from legal rationality to goal-oriented rationality in terms of decision-making. This shift gave more room for social workers' professional independence and for the development of social practice expertise in order to fulfill legally defined goals. The idea behind the new Act was that there should be a local and public social service that could cover all social problems and that also could have an integrated and integrative perspective. The underlying values were more about voluntary service, integrity, and self-determination than about explicit control. Social workers were mentioned in committee papers as professionals that could help individuals find solutions to their problems. The former ways of working were said to have had far too much emphasis on investigations and too little on treatment. Treatment was here a concept of progress towards social inclusion. Investigations and assessments were still to be made, and there were accurate rules for documentation, but the idea was now that the investigated person or family should have more influence (Lundström, 1993).

When the Social Service Act was passed, a framework for far-reaching ideas of self-discipline was established in the field of social work. Deviance would be prevented and controlled by social workers, and when they found maltreated or abused children or delinquent youth, they would start by motivating those involved to change their way of living. Social workers were regarded by the state, and also more and more by the public, as a professional group with expertise and discretion. The new legislation made room for an extended area of expertise and discretion in doing assessments and investigations.

The change in how social regulation was to be performed meant a more developed way of implementing discipline and work towards self-discipline in a way that has more of the characteristics of governmentality (Foucault, 1991; Rose, 1999). This is a more complicated task than the earlier forms of social work as the boundaries of different perspectives and interests are blurred. Now, it was not only the need for proper documentation that laid the groundwork for educated social workers. Now the demand on the social workers also included the ability to encourage, motivate, and supervise individuals and families' normality. And to do that, they needed a framework of knowledge based on social and behavioral sciences as well as a professional approach, being conscious of their personal reactions so as not to interfere (Lundström, 1993).

In the consolidation of the field, and of the social professions generally, the legal professions have had the same position throughout the 20th century. The consolidation of the field materialised through the emergence of this new occupational group, social workers. The examination through social assessment and investigation was implemented by legislation and made room for the establishment of the education of social workers that philanthropic and social associations had demanded starting in the early 20th century. Gradually, and through revised statutes and local rules, documentation and investigation became so specific that employed social workers came to get the preferential right of interpretation of social issues. By including law as a field of knowledge in social education, social workers were partly made responsible for executing a due legal

process in terms of rule and law and legal certainty. As social workers became more professionalised, volunteers came to be subordinated to the social workers, and the role of the legal professions became more peripheral, even if they still had their role in both forming the legislation and making decisions in specific cases when judgment by social workers were appealed.

Through this development it could be argued that social workers had grown into be a profession, since it has a jurisdiction after their quantitative take off in the 1960s and '70s. But this group did not have, and do still not have, any influence on access to practicing in the field. The title of social worker is not protected in Sweden, and there is no requirement for having social workers qualified for specific tasks. Social workers in the field of social work are still dominated and governed by the legal professions in terms of professional autonomy, as well as by political decisions, both on the local level and in specific cases. The process of professionalisation for social workers has led to a division of labour between social workers and volunteers, and a specific area of expertise: the social investigation. However, social workers have neither professional autonomy nor influence over access to the field.

The ideals of social work from the early 20th century are still valid, but the practice has changed. Lundström (1993) argues that there are many similarities in the structure of the organizations for social work from the early phase of formation in the 1920s and the 1980s. In the roots of social work, we can find ideas about, on the one hand, working with families and groups in the community and to support and counsel them on how to live their lives and, on the other hand, ideas about "social diagnosis", to investigate and assess the lives and behavior of individuals and families. These two traditions of supportive social regulation originate from two American pioneers, Jane Addams and Mary Richmond. There are many other pioneers from the same period—some of them from Sweden—but these two, and their written works, have had an influence on social work development in many countries, including Sweden.

The Social Service Act underwent reformation in 1998 and 2001 where the early emphasis on holistic perspective, generic social work practice, and social workers' participation in community became less emphasized and specific target groups came more in focus, which meant that social work became more focused on individuals and families than on the community. And thus it also has become more focused on assessment and investigation in case work, in line with Mary Douglas' (1917) description of Social Diagnosis. Or to put it in Foucauldian terms, it became more focused on observation, judgment, and examination. Here social workers can claim expertise in being the only profession that has knowledge and tools for assessing individuals and families in relation to their social context.

The field is professional: The social investigation as a hub

After focusing on the development of the professions in this field, examination—or the social investigation—will in this section be elaborated as a hub for the field of social regulation as well as a hub for the professions in the field. It will also be regarded as an artifact, an object around which the practice is organized. As Foucault (1979) says, examination is central for discipline. Examination has a dual

connotation, on the one hand to investigate, and on the other hand to assess. Assessment presupposes investigation. In the field of social regulation, social workers perform investigations and assessments of individuals and families. In some cases they also provide interventions based on the assessment. But in more explicit coercive measures, and in measures where the authority of the state is more evident, the legal professions still have a central task.

In decisions on coercive measures for individuals, as in child care, lawyers and judges are involved and decisions are taken by judges in courts. The child and the family have the right to be represented by lawyers, and when it comes to decisions made by social workers and politicians in the local social service, the child and family have the option of appealing to the court, where judges have the right to change decisions made by social workers and politicians.

The practice is thus organised so that the legal professions have the preferential right of interpretation and decision making, but local politicians are responsible for the local practice. Social workers are subordinated to both politicians and legal professionals in a way that their discretion depends on both the legal framework and professions, and the politically governed frame of the state and the public interest represented by the politicians.

Social workers could therefore be regarded as a powerless occupational group that is highly dependent on its organisations and on another profession as well as the public administration and the state through politicians. But their expertise in and knowledge of social investigation have given them a domain of competence, and their importance in delivering information to decision-makers makes them central in the field. Lawyers and judges argue that they make decisions, but they could not do so without the expert investigation by social workers (Ponnert 2007). Thus, the examination becomes the hub for this practice with a web of professionals, organisations, and influence from the state through public administration.

The disciplinary mechanisms are spread on different entities under the control of the state. Foucault (1979) argues "'Discipline' may be identified neither with an institution nor with an apparatus; it is a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets; it is a 'physics' or an 'anatomy' of power, a technology" (p. 215). In this technology, examination has a crucial role, and in that examination, social workers have a crucial role. Which leads us to the question whether we should regard social work mainly as a professional or organisational practice?

The process of professionalisation shows that the most accurate would be to acknowledge both, social work is an organisational practice performed by social workers as a profession. The professional practice is framed by organisational setting and by legislation, but still, the practice as such acquires educated professionals with certain skills that could be applicable to many different organisations and are therefore not specific organisational skills. From the perspective of practice, social work can be considered as a profession and it is credible to argue that the field of social regulation is professionalised, even if social regulation is performed through organisations.

Social work, an organisational profession

In the last section, we argued that examination, in the form of the social investigation, takes a central position in the field of social regulation as well as in the professionalisation of social work. Here we will continue the discussion by going into the fact that all social investigations are created within specific organisational settings. The specific investigation is carried out as a task for the organisation. The professionals contribute their skills and expertise and come in to the scene when given the task by the organisation. In doing the investigation, social workers act as representatives of the organisation, and then, in some cases, judges decide as representatives of their organisation, the courts. Both social workers and legal professionals fulfil tasks that would not have the same weight if they were made by professionals without the organisational mandate, or by organisations without professionals. The role of the organisation is however different for the different professions in the field.

The influence of legal professionals over their organisation is strong. Their bodies for controlling access to the field developed in the 19th century and beyond. Further, their professional organisations and representatives are integral in forming legislation and the practice develops and evolves through praxis. We could therefore not say that the legal professions are dominated by other organizations than the ones they are part of forming.

When focusing on the legal professions, we could though argue that those who operate in the field of social regulation belong to a marginalised group within the community of legal professionals. Margareta Bertilsson (1989) argued that the legal professions lost influence as social issues came more and more into focus, and she described it as "the interest in prognostic knowledge" taking over traditional legal interests. Åström (1995) showed that more legal issues have been transferred to local government at the municipal level during the late 20th century, as social services and the number of employed social workers have grown without a corresponding increase in legal professionals in the administration.

The role of social workers has changed so that they handle more legal issues. Changes in the legal framework from the 1980s onwards have confirmed and supported this change by making prognostic knowledge the central base of material legal norms. In turn, this means that goal rationality has been the major rationality of decision making, although norm rationality still is important.

When discussing the position of social workers in municipal administration, the starting point is that they are employed as civil servants in a public administration. They act in the name of the organisation, not in the name of their profession. This is also how the legislation is written; the obligations are on the municipal organisation, not on any profession

Professions need recognition from the state to develop, as well as from the public, according to Friedson (2001). Here, in the field of social regulation, the professions are not only recognized by the state, they are formed by the state. Evetts (2010) highlights that most professional work takes place in organisations and conceptualises this phenomenon as a new professionalism or as an organisational professionalism in contrast to occupational professionalism. Contrary to Friedson's arguments about professionalism as a third logic, besides the logics of the market and of organizations, she argued that professionalism now is organisationally defined and includes both the other logics. Evetts conception of

the relation between professions and organisations is compelling, but when going in to details, we have to consider that Evetts' argument concerns established professions. She does not expound upon the possibility of developing as a profession from a position within an organisation, which is the case when a profession is created as part of the welfare state administration. However, her conception of the importance of professional values could still be applicable since she points out that these values create a shared professional identity beyond the borders of the organisation. In the case of social work, it could be argued that this shared value is what unites social workers in different organisations, not only in the field of social regulation, but also in the field of social integration (see Johnsson and Svensson's article in this volume). Flexner (2001/1915), who doubted that social workers could be regarded as professionals, also said that "… after all, what matters most is professional spirit" and claimed that social work appealed strongly to "the humanitarian and spiritual element. It holds out no inducement to the worldly, neither comfort, glory, nor money."

In this way, social workers were to be understood as different from the economic and legal professions. The idea that social workers´ professional spirit of humanitarian concern connects them is one dimension in the work they perform in the organisations. This value is essential for practicing the caring power that lies within the task of controlling the population through individual assessment (Svensson 2001), a caring power that mediates discipline and supports a governmentality that is essential for regulation of the free will of the individual.

The values of social work are combined with the expertise in doing social investigations and assessments, and we find that the task itself, and the knowledge needed to perform it, is specific to social work. Investigating and assessing social situations and the life of individuals and families are however performed in an organisational setting and on the grounds of specific legislations and regulations. But social workers are employed in different organisations and they can adjust their expertise to the different organisations' statutes, regulations, and demands. And still, the expertise of doing investigations lies within the profession.

Abbott (1988) gave examples in detail when he connected professions to their specific tasks and focused on the division of expert labour. He argued that jurisdiction is an essential component in the formation of professions and that there is an on-going competition between professions. Abbott also showed that even if each profession has its jurisdiction, it does not mean that they are fully in control; that control can be subordinated to another group, as when social workers' practice of doing assessments in social investigations in a framework of legislation is subordinated to the legal professions' preferential right of interpretation.

Conclusions

Professions are complex and exist in complex contexts; in order to understand their development, focusing on specific tasks facilitates understanding. To understand the professions of social regulation, we have focused on examination—the social investigation—in order to gain some perspective on the division of labour in the field of social regulation as well as the process whereby social workers in this field developed as a professional group formed by the state through the organisations in the Swedish welfare state.

We returned to the long process of how the state has organized the field of social regulation and showed how ideas and moral standpoints throughout this time have been accompanied by the creation of legislation and organisations, as well as tasks for handling discipline in various forms. Parallel to this, there has also been the development of occupational groups that, on the one hand, get tasks from the organisation and, on the other hand, developed expertise and to some extent also developed professional associations.

During the 19th century, the field was constituted and the legal professions, which already had been informally established, became the only professions in the field. In the 20th century during the consolidation of the field, social work was established as an occupation parallel to voluntary work and advanced in a process that made them experts within the jurisdiction of examining individuals and families. This was possible because the development was accompanied by, or led by, legislation. Legislation in this field emphasized the importance of social investigation, and after a revised legislation in 1960, the process of professionalisation accelerated and the number of social workers grew. Through legislation and the formation of organizations for the execution of the legislation, the state not only made room for a profession to develop, but also set up the framework for their discretion.

Initially, the legal professions were the only profession in the field, but the role of legal professionals diminished. Now, in the 21st century, the legal professions still have jurisdiction to make decisive decisions. Since the knowledge of assessment of social situations has grown with increasing research in social sciences, and specifically within research in social work, it is no longer evident that the legal professions dominate the field. It is not even evident that there is in the 21st century any professional dominance in the field; but in this article, we discussed only how the Swedish welfare state created a profession, and not the development of the contemporary situation.

The field of social regulation is a professionalised field. This can be stated even if we can see that the profession is closely connected to its organisations and that there is still a strong influence from the state as well as from civil society through volunteers and local politicians as decision-makers. By focusing on legislation, a periodisation has been made, even if the complicated web of actors, organisations, and tasks in the disciplinary system makes it hard to distinguish professionals and professionalism or when the field became professionalised. These complications are part of the web and of the indistinct aspects inhabiting the field of social regulation, where ambiguity is essential for discretion and governmentality.

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