Look Away: How the Social Constructionist Approach to Social Problems Channels Attention Away from the Marginalized

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Abstract

This paper's thesis is that the constructionist approach to social problems unintentionally directs its practitioners' analytic attention toward "top-dog" claimsmakers while neglecting the claimsmaking of the marginalized. This neglect is the result of several common-sense assumptions about what social problems claims will look like and who they will be directed to. These assumptions include: 1) that institutional authorities are benign and trusted entities, 2) that claimsmakers have a right to freedom of expression and 3) that claims will be forwarded using words. Further, the need for constructionist analysts to be able to recognize the symbolic markers of a claim and to have access to those claims drives their attention toward claimsmakers who speak and act in ways that are familiar to them. Lastly, the paper examines how the inductive approach favored by constructionists exacerbates these issues by channeling its practitioners' attention toward activities that resemble the already existing model rather than ones that challenge it.

Keywords Social constructionism · Social problems · Claimsmaking · Marginalization Inequality Critique

The social constructionist approach to studying social problems suffers from a preoccupation with the claimsmaking of "top-dogs," those with a relative amount of respect, privilege and/or power. Attention to role of inequality, marginalization and power in the construction of social problems has been relatively light (Ibarra and Kitsuse 2003; Miller 2003). This state of affairs is puzzling given that, if you were to ask any social constructionist if the "social problems game" (Loseke 2003) is a fair one, the answer would likely be a resounding "no." Constructionists know, for instance, that the reach

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of a social problems claim is influenced by the mass media (Best 2017). Thus, those who share social networks with media gatekeepers or can afford public relations managers who do, will have an advantage when attempting to propagate their claims. Those who are politically connected will be more likely to get their problem recognized and their solutions funded by the government. The unfairness of the social problems game is also realized through more subtle and pernicious means. Cultural feeling rules, symbolic repertoires and emotion codes (Loseke 2003, 2009) distribute advantage and disadvantage in the social problems game unevenly across entire groups of people. Who is sympathy-worthy, who is more easily reviled, who is valorized, who is authoritative and who is untrustworthy cannot be disentangled from broader cultural feelings about age, race, gender, class and religion. The social problems game, like all other social processes, is a rigged game that reflects the inequalities found in the broader social context in which it is played. Given this state of affairs, it is curious that constructionists have paid little attention to unpacking how the game is rigged and the consequences of that rigging for how social problems claims are forwarded.

This paper proposes several reasons for this neglect. It argues that, through a combination of assumptions embedded in the constructionist model of social problems and practical choices on the part of constructionist analysts, the attention of constructionist researchers and theorists is subtly channelled toward a narrow band of meaning making activities engaged in by top-dog claimsmakers. The use of inductive theory building exacerbates this problem as it works to create a formula story of social problems that conditions constructionist researchers to look for certain markers that identify actions as social problems claims. As a result, those who exist at the margins and may play the social problems game in ways that do not fit the formula story are unlikely to catch the attention of constructionist analysts. The result is a model of social problems that is biased toward mainstream claimsmaking and cannot be assumed to be generalizable to contexts outside of the "respectable" social worlds of middle and upper class folks living in Western, liberal-democratic societies.

The core contribution of this paper is to make manifest the subtle pushes toward analyzing top-dog claimsmaking and, by doing so, provoke a reflexive moment among constructionists. Hopefully, this reflexive analysis will direct attention to the deficits in the constructionist model and critical thought to how we go about identifying the subjects of our study. By considering how the experience of inequality, marginalization and oppression shape the cognitive landscapes (Sampson and Wilson 2005) of claimsmakers, we are more likely to become attuned to claims that do not reflect what the current model leads us to expect. This provides rich ground for further development of the constructionist approach. More importantly, by addressing how claimsmaking unfolds on the "underside" (Miller 2003), constructionist social problems theory will finally offer something to those who experience marginalization and oppression by offering a model that reflects their lived experience.

In the sections that follow, I unpack several of constructionism's common-sense assumptions about what the construction of social problems looks like and discussing how they tend to point researchers toward studying the claimsmaking activities of those who likely benefit from various forms of privilege and power. These sedimented ways of thinking about social problems funnel attention away from those who issue "… demands, gripes and requests"

(Spector and Kitsuse 1977/1987) through means that fall outside the established formula story of social problems construction. This discussion is grouped into two broad thematic categories. The first theme addresses the assumptions, both implied and overt, regarding what claims look like and where we expect them to happen. These include an assumption that claimsmakers have a basic level of trust in authority, an assumption that claimsmakers enjoy the right to freedom of expression, and an assumption that claims will be forwarded through words. The second theme speaks to how the preconditions that must be met in order for constructionist analyses to proceed drive attention toward mainstream claimsmaking. These are: 1) recognizing that a social problems claim is being made and 2) attaining access to those claims. Following this, I discuss how these problems are exacerbated by the inductive approach favored by constructionists. Before beginning, however, a note regarding what this paper does not addressmust be given. Discussion of how concepts like power, inequality or marginalization should be conceptualized within the constructionist framework is minimized. Likewise, the discussion of solutions is brief. These are subjects for future discussion and elaboration by those who take up the opportunity for reflection and critical introspection offered here.

Assumption 1: Institutional Authority as a Benign Caretaker

The first assumption addressed speaks to the role of powerful organizations in social constructionist model of social problems. Institutional authorities such as government agencies, mass media outlets, corporate entities and professional organizations are treated as benign caretakers who referee the social problems game and come to the aid of those who earn their approval. The role of claimsmakers (who can sometimes be these very institutions) in this model is to choose a strategy that earns legitimation and redress from these institutional custodians. That these institutions may not be benign or that claimsmakers may distrust or even fear these institutions is strangely absent from the constructionist model. This is problematic. If claimsmakers' experiences with powerful institutions has been one of neglect, abuse, coercion or fear, who they choose to forward their claims to and how they choose to do it will likely be different from what the constructionist model leads us to expect.

One of the subtle ways that institutional authorities are cast as relatively benign, parental figures in the constructionist social problems model is found in discussions around how social problems are legitimated. In early constructionist writing, legitimacy is conferred by powerful authorities who act as referees, picking and choosing which claims will receive official endorsement. Blumer (1971) articulates this role:

> … a social problem must acquire social endorsement if it is to be taken seriously and move forward in its career. It must acquire a necessary degree of respectability which entitles it to consideration in the recognized arenas of public discussion. In our society such arenas are the press, other media of communication, the church, the school, civic organizations, legislative chambers, and the assembly places of officialdom. (p. 303)

Later, Spector and Kitsuse's (1977/1987) programmatic statement of the constructionist model would further enshrine the importance of "top-dog" institutional actors as judges who not only legitimate problems, but whose endorsement could be used as a measure of a claim's success or failure. Take, for example, the second stage of their natural history model:

> *Stage 2*: Recognition of the legitimacy of these group(s) [claims-makers] by some official organization, agency or institution. This may lead to an official investigation, proposals for reform, and the establishment of an agency to respond to those claims and demands. (p. 142)

Beyond legitimacy, the success of claimsmaking is measured by institutional response:

> Official governmental response to such activities has been conceived as the major criterion of their [claimsmakers'] effect and success so that social problems are commonly viewed as those conditions that are recognized as a formal part of the society's institutional agenda. (p. 155)

Without a doubt, the endorsement of institutional actors can have a profound effect on the life-course of a social problem and how seriously the problem is taken by some audiences. However, there is a generalized assumption that recognition by official organizations will be desired by claimsmakers, that those organizations themselves are viewed as legitimate and respectable by audiences, and that claimsmakers measure success in terms of institutional response.

"Legitimacy" and "success" are common-sense categories whose meaning can vary across individuals and groups. The legitimacy of a social problems claim and the influence institutions hold over the perception of what is and what is not legitimate is wholly dependent on whose point of view is being examined. Those who have no reason to trust or respect organizational authorities may not desire their endorsement. In some cases, claimsmakers may view such endorsements as damaging. Their constituencies may see such an endorsement as a sign of being co-opted by an illegitimate, corrupt or violent force in their lives.

Beyond treating institutional authority as a judge of the legitimacy of claims, these authorities have also been cast as a type of benign benefactor and repairperson. Fuller and Myers's (1941) formulation of the natural history of social problems positions institutional authority (both public and private) as paramount in fixing problems:

> Public action is represented in the machinery of government bodies, legislative, executive, and judicial; and in the delegated authority of administrative tribunals, special supervisory officers and boards. This is the institutionalized phase of the social problem in the sense that we have established policies carried out by publicly authorized policy-enforcing agencies. Reform may also be private in character, as witnessed by the activities of private clubs and organizations, private charities and other benevolent associations, and church groups. (p. 304)

Similarly, when Spector and Kitsuse (1977/1987) provide a list of the various actors who may become involved in the social problems process, those tasked with fixing the problem are all holders of institutional authority and power:

> . . . the officials or agencies to whom such complaints are directed; … commissions of inquiry; legislative bodies and executive or administrative agencies that respond to claims-making constituents, members of the helping professions, such as physicians, psychiatrists, social workers . . . (p. 79)

Further, Best's (2017) summary of the social problems model places "policymaking," primarily by the state, as the fourth step in the social problems process.

Near the end of the Constructing Social Problems, Spector and Kitsuse (1977/1987) attempt to walk back their focus on institutional authorities.

> Our own formulation also directs attention to reformers and crusaders on the one hand and to governmental response on the other . . . we have attempted to guard against the conception of social problems as limited to the activities of social movements and interest groups, legislative bodies and regulatory agencies. These groups and their activities represent just a segment of social problems, they do not exhaust the range of actors, activities, or sources of data on how social problems are defined. (p. 155)

Despite this statement, the positioning of institutional authorities as the agents responsible for picking and choosing which claims become legitimate and for instituting the changes needed to address the putative condition continues today. For instance, in his textbook on social problems Best (2017) states:

> Most claimsmakers hope to do more than simply draw attention to a troubling condition; they also want to change things . . . Toward this end, claimsmakers seek to change social policies, to alter how the society deals with the troubling conditions; and this means that their claims must reach those who have the power to make policy changes – the **policymakers** [emphasis in original]. (p. 199).

Similarly, the "Constructing Solutions" chapter of Loseke's (2003: 97–118) social problems textbook focuses on two primary ways for claimsmakers to seek redress 1) public policy and 2) cultural change. Among those options, 12 pages focus on public policy compared to 4 spent on cultural change.

Of course, none of this is inaccurate. The attention, validation, resources and action of powerful actors are very often the goals of claimsmakers. State agencies and professional organizations have the resources and legal authority to effect change. As Spector and Kitsuse (1977/1987) note, recognition by those with power impacts how claimsmaking unfolds:

> When governmental agencies or other official and influential institutions to which claims might be put respond to the complaints of some group the social problems activity undergoes a considerable transformation. This transformation begins when the agencies start to recognize a group and respond to its complaints. (p. 148)

The problem here is not one of validity, but one of completeness. Framing these institutions as relatively benign actors who are trusted by claimsmakers and whose interventions are desired channels analytic attention toward the claimsmaking activities of those who trust and respect these institutions.

Missing from this model are those who operate on the margins and underside of a society, those whose experiences have led them to be wary of those in positions of power and authority. For instance, the attitudes and values of "street families" in Anderson's (1999/2000) *Code of the Street* demonstrates the existence of such attitudes:

> In their view, policemen, public officials, and corporate heads are unworthy of respect and hold little moral authority. Highly alienated and embittered, they exude generalized contempt for the wider scheme of things and for a system they are sure has nothing but contempt for them. (p. 36)

Contrary to where our attention has been directed, those who seek change from the margins may expect those with power to be a threat. Marginalized and oppressed claimsmakers are unlikely to trust those who hold the reins of power. Some claimsmakers may not believe that policymakers will take them seriously or that they can be convinced to see things differently. Those who have reason to fear reprisal from institutional authorities for daring to challenge the status quo must actively avoid being heard by those in power. Advocating for gay rights in Iran, for instance, exposes one to serious risks from a regime where homosexuality is punished by death. Is it reasonable to expect claimsmakers there to seek out government policymakers to plead their case? Afghans who view NATO soldiers as an invading force risk being labeled terrorists and face the consequences of this label. Will they take their concerns to government policymakers who rely on those NATO troops to provide security? One need only think of the institutional responses to Occupy Wall Street, Black Lives Matter, the Dakota Access Pipeline protests and countless others to understand how those who operate on the outskirts of the mainstream often experience conventional authorities as oppressors rather than potential allies.

By prioritizing how claimsmakers go about gaining the attention and patronage of powerful institutions, constructionist theorizing on social problems is decidedly stilted toward the expectations and experiences of those living in the privileged mainstream of a liberal democracy. Moving forward, the goal of researchers of social problems should to understand how the marginalized go about expressing their "… demands, gripes and requests" (Spector and Kitsuse 1977/1987) and examining how their attitudes toward institutional authorities shape their strategies. Who do claimsmakers turn to to solve problems when they have been rejected, prosecuted and persecuted by these institutions? This requires a critical interrogation of how the relationship between claimsmakers and agents of authority is conceived of in the constructionist model of social problems. How marginalized and oppressed groups conceptualize and play the social problems game is likely very different from how those in the mainstream do. Their life-experiences may lead them to respect and trust different people than expected. Their social capital may extend into different social worlds than those in the mainstream. Rather than defining who has the power to make social change *a priori*, constructionists need to examine how claimsmakers themselves define who is and is

not a relevant authority and seek out those who do not fit the existing social problems model. The perceptions and common-sense reasoning of the claimsmaker should be centered and shape how the constructionist analyst conceives of the relevant "authority." How do they go about deciding who can get things done? Do claimsmakers trust the authorities? Are mainstream authorities and policymakers perceived as adversaries? If so, how do claimsmakers adapt the claimsmaking game to their understanding of their place in the larger power structure? Is help from alternative authorities such as a local gangs, militias, elders, etc. sought out? Rather than treating institutional assent as the marker of a claim's legitimacy, it is worth asking these claimsmakers "Whose opinion matters?" Asking such questions opens up rich avenues to develop constructionist theory by examining how claimsmakers themselves conceptualize the social problems claimsmaking arena.

Assumption 2: Freedom of Expression

Beyond framing institutional authorities as benign helpers, constructionist analysis is further driven toward the claims of "respectable" folk through the implication that people are free to make their claims public. In discussing the social problems process, constructionists refer to a metaphorical "social problems marketplace" (Best 1990; Benford and Hunt 2003) where various claims and counter-claims compete for attention. In this market, claimsmakers compete for market share. Consumers of these claims (the audiences) determine the winners and losers in the market. After establishing themselves in the market, claimsmakers will continually attempt to expand their share of the social problems market through "domain expansion" (Best 1990). The marketplace metaphor reflects the lived experience and assumptions of a worldview formed inside a free-market capitalist society. The belief that anyone can enter the market, forward their claim and let the market sort out the winners and losers of the claimsmaking game is a stark example of how constructionist theory reflects Western, capitalist, liberal democratic contexts and values (Christensen 2013). It assumes that all claimsmakers are more or less free to participate in the social problems market.

This raises questions about how social problems are constructed in situations where state and non-state actors use censorship, surveillance and violence to intimidate and silence claimsmakers. How does a state with influence or a monopoly over the media change the social problems game? How do we conceptualize violence and intimidation as a form of claimsmaking or counter-claimsmaking? How do non-state claimsmakers go about making and propagating claims in an environment where speaking out publicly carries a risk of punishment? Is an underground social-problems "black market" created? If so, how is it created? Who controls it and what are the politics of access to this underground market? How does the need to avoid detection by the state lead to innovation in claimsmaking strategies? Are the goals of claimsmakers in a totalitarian regime different than those who live in a democratic one?

Conversely, how institutional authority operates in these contexts is likely different from liberal democratic contexts. Since the support of the public does not carry much weight in this context, palace intrigue becomes an important consideration. How do claimsmakers on the "inside" marshal the support of members of the ruling regime? How are factions developed and played off one another? Are the rhetorical strategies

used in public claimsmaking similarly used in the much more intimate dealings of the power elite? How does status within the hierarchy come into play? These issues are, of course, relevant even in democratic countries, but the impact of the reduced importance of public perception and popular discontent are worth considering and raise several issues about how access to the social problems game is granted and the generalizability of the constructionist social problems model.

Assumption 3: Claims Will Use Words

When we recognize that claimsmakers may suffer retribution for their claims or that their capacity to forward claims may be curtailed by powerful others, the question of how claimsmakers adapt to these contexts becomes pertinent. Much of the research into the construction of social problems focuses on the use of words, written or spoken, to construct social problems. When one reads the examples of claims Spector and Kitsuse (1977/1987) give, the prominence, though not exclusivity, of words is apparent:

> … claims consist of demanding services, filling out forms, lodging complaints, filing lawsuits, calling press conferences, writing letters of protest, passing resolutions, publishing exposés, placing ads in newspapers, supporting or opposing some governmental practice or policy, setting up picket lines or boycotts. (pp. 78-79)

As such, those whose words are silenced are largely invisible in constructionist research. On the surface, this may seem appropriate. After all, if one cannot speak, one cannot make a social problem claim.

However, claims need not be understood as solely consisting of words. For instance, Loseke (2003: 26) defines a social problems claims as ".. . any verbal, *visual, or behavioral* [emphasis added] statement that seeks to persuade audience members to define a condition as a social problem." The bias toward favoring words may lie in the fact that constructionist theory was developed by academics living in democratic countries. Words are the stock-in-trade of our disciplines. We are committed to the idea that progress is made through rational debate and discourse using words. Words are the tool we use to keep our jobs and progress in our career. The consequence is that, we as a group, we are inclined toward words. Thus, it is not surprising that we have tended to focus on them in our research, believing that most other people are similarly inclined.

The inclination academics have toward words and the belief that they are the best tool for changing minds is also fostered by the liberal democratic tradition. Though we may make cynical jibes about what passes for debate within our respective democracies, there is no denying that deliberative debate, carried out through written and verbal discourse, is a hallmark of democracy and one of the prominent cultural themes in democratic nations. This theme suffuses the list of activities from the Spector and Kitsuse quote above. Discussion over issues is expected to be carried out publicly and through words. This normative assumption has been carried over into the analysis of the social problems process. This is odd given the understanding that emotional appeals are an effective method for persuading audiences to care about social problems.

Images, songs and performances are a powerful ways of demonstrating the consequences of a particular problem, provoking emotional responses and motivating action. As Loseke (1993) argues,

> . . . attending to members' ways of constructing emotions no doubt would require constructionists to stop privileging word-bound language and to begin developing methods for examining *visual images* as claims. In our postmodern world it might be that visual images do not merely "*alter* a claim" (Ibarra and Kitsuse); such images might *be* the claim. Stated otherwise, if a picture is worth a thousand words, a visual image organized around emotional themes might be worth a thousand word-bound claims. Because constructing such images is claims-making activity, deconstructing such images is sociological activity. (p. 214)

Further, emotional *displays* (or the lack thereof) can be a powerful tool for constructing victims and villains and eliciting sympathy or condemnation. In 2014, a photograph of two Canadian gay men breaking into tears as they held their newly born son (via a surrogate mother) for the first time spread rapidly through social media (Mangione 2014). The emotional display of the men serves as a powerful counterclaim to those who argue that the "natural" family structure consists of a heterosexual couple raising children. Their tears are the "natural" reaction North Americans expect, symbolizing the instantaneous bond between parent and child we expect of parents. Despite this, constructionist research provides little examination of the rhetorical value of images, art, video or non-verbal behavior in the social problems process.

The neglect of non-verbal claimsmaking is worrying not only because it represents an underexamined area of social problems construction, but because it may hint at a systematic exclusion of groups who are less inclined to or able to use words to express their claims. This may be due to variety of factors. There may be different cultural or organizational norms governing self-expression, favoring non-verbal expression over words. The words of some groups may be ignored, denigrated or supressed by more powerful others and as a result they may have turned to other ways of expressing their claims (such as through violence or subversion).

How Routine Prerequisites for Case Selection Creates a Top-Dog Focus

To this point, I have focused on how several assumptions made about the context claims occur in and the form claims will take directs the attention of constructionist analyses toward mainstream claimsmaking. However, the bias toward top-dog claimsmaking is also driven by two routine conditions necessary for constructionist analyses to proceed. These are: 1) actions must be recognized by the analyst as social problems claims and 2) the analyst must have access to those actions. The first of these conditions speaks to how constructionists sort out which actions are social problems claims and which are not. Making this decision requires the analyst to recognize the markers that signify an action's status as a claim. However, these markers are not universal. They vary according to cultural norms and local customs. Given this, constructionists will be blind to any claim signified by markers they are not attuned to. Instead, they will focus on those claims that use the symbolic repertoires they are familiar with. The second condition speaks to issues

of access. In order to apply constructionist thinking, one must have data to apply it to. Analyses will tend to focus on claims found in social arenas and mass-media that produce or transmit large amounts of claims to analyze. If any sort of filtering or gatekeeping by those who control these arenas occurs, the pool of available data to analyze will be biased toward the selection criteria used by those gatekeepers, which will likely reflect the rules and sensibilities of top-dogs.

To begin, it is useful to look at Spector and Kitsuse's discussion of the social problems claim as a common-sense category. Spector and Kitsuse (1977/1987: 78) defined claims as ".. . a demand made by one party to another that something be done about some putative condition." They also note that the specific form claims take is contingent upon rules of practice that belong to the groups who make them: ". . . claims are a common-sense category, understood by members of a society and often associated with such terms as demands, complaints, gripes, and requests" (Spector and Kitsuse 1977/1987: 79). Claims can take multitudinous forms so long as they are interpreted by other members as a "demand, complaint, gripe or request" that something be done about some condition. This understanding of a claim provides a robust and portable concept. Identifying an act as a social problems claims rests on its interpretation as a claim by others. Members determine when a claim is made through their common-sense knowledge (Schütz 1962). This knowledge, composed of a stock of typifications and general rules used to generate meaning in the world, is context sensitive and highly flexible. Thus, how claims are presented will vary depending on the local norms governing the expression of demands for change.

While this understanding of a claim is conceptually robust, it is challenging in practical terms. If claims are a common-sense category understood by members, recognizing a claim requires understanding the stock of knowledge and processes of common-sense reasoning utilized by claimsmakers and their audiences. The symbolic repertoires used to make sense of an act as a claim are not consistent between groups. Gripes, complaints, demands and requests may not be expressed similarly across socio-economic classes. How anger and despair is expressed varies between cultures. We cannot assume that the expression of discontent in a democracy will appear in a similar fashion in a dictatorship.

That marginality, oppression and inequality may change how claims are expressed and marked as social problems claims has been discussed previously by Ibarra and Kitsuse (2003) and Miller (2003). Ibarra and Kitsuse (2003: 38) state that "The matter of marginality in social problems discourse is a subject that greatly interests us" and later discuss how marginality may shape the claimsmaking styles used when forwarding claims:

Various segments of society – whether self-defined by class, race, ethnicity, gender sexual orientation, lifestyle or geographic location – tend to evolve unique or 'local' (Geertz 1983) ways of commenting on the larger social world, cryptic to 'outsiders' but appreciated in various registers by group members (Scott 1990). Such styles tend to have formed in isolation from 'dominant' or 'mainstream' cultures and thus will usually have a 'marginalized' history that informs its targets of address as well as a set of expressive devices that shape its appearance (Miller 2003). Because these styles can result in cryptic expression, we may find literary critics or social scientists brought in to 'translate' for the public the meaning

embedded in the representation or vouch for the integrity of the speech style itself. (p. 44)

Here, Ibarra and Kitsuse recognize that marginalization may play a role in how claims are forwarded, but the relationship between the two is not developed further.

Taking up Ibarra and Kitsuse's passing statements regarding marginalization, Miller (2003) presents one of the few attempts to integrate the relationship between marginalization and claimsmaking into the constructionist model of social problems. Miller frames marginalization in poststructuralist terms as the discrediting of certain ways of knowing. For those studying social problems, ".. . the question of marginalization takes the form, What counts as a (legitimate) way of talking problems?" (2003: 92). By framing the issue in this manner, Miller focuses on two issues: 1) how are marginalized claims set up to fail by denying marginalized talk access to the speech codes that mark them as claims and 2) the effect of marginalization on actors' choice of "claimsmaking styles" (Ibarra and Kitsuse 2003).

Miller's first focus revolves around how certain ways of knowing are marginalized and depoliticized. Here she advocates for examining what it means to produce a social problems claim that is recognized as one by audiences and, conversely, how talk that issues claims that are not recognized as such has been defused of its political character. The consequences of marginalization, she argues, are that subordinated groups are denied access to both the discourses that grant authority and to the symbolic codes that mark actions as claims:

> The poststructuralist insight forces us to re-examine the markers (some) communities use to identify claims and claimants, according to Ibarra and Kitsuse, and it suggests that such markers mark only those kinds of claims-making activities that achieve visibility within the terms of some dominant discourse or system of meaning. If the kinds of rhetorical figures described by these authors (loss, crisis, etc.) are the conventional ways of making claims visible as claims, then how are marginalized claims-making activities marked? What are the vernacular features of claims-making *from the underside?* P. 97

The marginalized are not treated as people articulating grievances by their audiences or by constructionists because the markers used to denote acts as social problems claims belong to discourses that they are denied access to. They cannot make claims because they have no language to do so. This, Miller (2003) argues, creates a gap in constructionist research that can only be corrected by becoming sensitized to the impact of depoliticization on the appearance of claims:

> A useful contribution is provided by British researchers whose theoretical interests in marginalized subjects requires them to 'take women's accounts seriously' (Brannen and Moss 1987: 12) – in our terms, to read their utterances as claims, albeit failed ones . . . By instructing us to read these 'muted responses' as interesting findings rather than as methodological obstacles (i.e. as unsuccessful claims rather than coding problems), the authors restore the talk's political character. Moreover, they imply that silence, contradiction and so on are, we might say, the conventional vernacular markers of marginalized claims, claims-

making 'from the underside.' Here we have the idea that the claimsmaking styles
of subordinate groups will display distinctive, describable features, for those who
are able to see them. (p. 101)

Thus, constructionist researchers must recognize that the vernacular constituents of
claims from the underside do not mirror those of the top-dogs. Rather than treating this
marginalized talk as something other than a claim, its political character needs to be
recognized and treated as "failed claims."

Beyond the marginalization of some forms of knowing, Miller (2003) also recog-
nizes that marginalized groups may develop their own markers for signifying claims.
These markers are meant to be read by others "in-the-know" while remaining hidden
from the mainstream:

The relationship between style and power becomes clear when we see how
historically marginalized styles can be adopted by subordinate groups as *strategies*
of influence. Such groups may use "underdog" styles (e.g. rapping) to press their
claims, whatever the topic, and this may include making (suppressing, concealing)
their readability *as* claims in the first place, since overt claims-making talk . . .
inevitably brings the struggle for power into the open. Accordingly, underdogs
may use particular styles to raise a concern while recessing its contentious
appearance . . . there are styles that can be artfully used . . . to make a claim
without overtly appearing to do so; in such cases "the peace kept" . . . (p. 108-109)

Here, Miller hints at, but never explicitly acknowledges, that claimsmaking can
carry risks and those risks must be managed. Making a claim exposes oneself
to the potential for harassment, violence, imprisonment and a spectrum of other
dangers. Of course, the odds of these potential risks are realized is not evenly
distributed and underdogs must be keenly aware of this if they are to forward
claims and survive. Thus, we would not expect someone who has experienced
systematic violence, whether at the hands of an intimate partner or agents of
the state to be forthright in their assertion of claims. To do so may risk more
violence. The claimsmaker who lives under threat of violence, who experiences
exploitation, who feels powerless, has experienced a different world from those
who claim from the top. They expect different consequences for their
claimsmaking and may adjust their "style" (Ibarra and Kitsuse 2003) to avoid
those consequences.

That underside claims may be encoded in ways to avoid detection by the
mainstream creates a situation ripe for undercoverage bias. Because the cultural
feeling rules, symbolic repertoires, and techniques of common-sense reasoning
of mainstream culture tends to be hegemonic, people are exposed to it regard-
less of whether they fit in the mainstream or operate on its margins. But
outside the mainstream, familiarity with a group's stock of knowledge and
common-sense reasoning generally arises from membership in the group. Aca-
demics are, generally, top-dogs, if for no other reason than the process of
academic credentialing is heavily tilted toward those who possess the social
and financial capital accorded to the upper echelons of society. As a conse-
quence, constructionists are less likely to be familiar with the vernacular

constituents of underside claimsmaking. They are effectively blind to these claims. Instead, their analytic focus will be placed on activities they can recognize as claims. It is no surprise then that the model of how social problems are constructed reflects the expectations and experiences of a caste of largely middle and upper class, Western academics who have grown up in varying forms of liberal democratic, market-based societies.

Beyond recognizing actions as claims, constructionists must be able to access claims in order to analyze them. As mentioned earlier, constructionists tend toward analyzing claims forwarded through words. As a consequence mass media, legal proceedings and political proceedings are consistent foci of constructionist research. These claimsmaking arenas are prolific, providing constructionists with ample fodder for pushing out case studies. Further, they are easily accessed, indexed and searched from one's office computer. Thus, the tendency toward examining claims through media analysis has a practical appeal. Working from an office with a multitude of data available within easy reach provides constructionists with an efficient and straightforward way to produce research. Yet those who are most prolific at producing texts are also likely to present and listen to "respectable" people. Those who claim from the margins, however, have less opportunity to create such readily available texts and less inclination to do so. As pointed out earlier, they may wish to cloak their claims making access difficult and time-consuming to obtain.

Even if access can be obtained, learning the common-sense reasoning of those unlike themselves requires engaging in deep and prolonged immersion with a group, witnessing the interpretations and meaning making processes they engage in as they go through their everyday lives. This manner of ethnographic engagement is time and resource intensive. Constructionists, like everyone else, are practical actors. Rather than engaging in long-term ethnography, it is far less demanding to study claims that one already recognizes as claims and that are likely to be available in copious quantities. The ease with which mainstream claimsmaking can be gathered draws attention away from underside claims.

When one considers these two conditions for analyzing claims, 1) understanding when a claim is being made and 2) having access to the claims, it becomes clear why constructionist analyses focus on top-dog claimsmakers. Constructionists need to understand when actions constitute claims. Doing so requires a sensitivity to the norms surrounding how actors signal that actions should be understood as claims. Constructionists, like anyone, will naturally tend toward identifying claims that use the signals they are familiar with. This is a practical and efficient approach. However constructionist analyses are done by academics and academics, at the risk of overgeneralizing, are generally top-dogs. They will be attuned to how those who claim from positions of relative privilege signal their claimsmaking. Consequently, the focus of constructionist analysis has been on top-dog claimsmaking that reflects the experiences and expectations of constructionist analysts. Further compounding this focus is the ease with which top-dog claimsmaking is accessed. The media, the courts and politicians provide claims that are easily analyzed from a distance. Each of these claimsmaking arenas are most likely to present and listen to those who are "respectable." They are the comfortable territory of top dog claimsmakers and, it would seem, for constructionist analysts.

The Perils of Inductive Approaches

The various assumptions and practices discussed to this point illustrate why social constructionist analyses of social problems tend toward examining mainstream claimsmaking. This channelling of attention reflects the risks inherent in inductive theorizing. The constructionist approach to social problems uses a melange of interpretivist theories including symbolic interactionism, phenomenology and ethnomethodology (Miller and Holstein 1989), while committing wholly to none of them. In line with these interpretivist roots, the constructionist model of social problems has largely been assembled using inductive reasoning and qualitative methods. While carrying many advantages, inductive approaches are susceptible to both undercoverage and confirmation bias stemming from the selection of cases for study.

Inductive theory building is an iterative process. After each new case, the theoretical model is either confirmed by the new case or refined to address any information that challenges the existing model. Building a robust and accurate theory through this method requires case studies to be drawn from across the entire spectrum of the phenomena under study. In light of this, the method used to identify potential cases for study is of paramount importance. Undercoverage presents a threat to the generalizability of the model. Failure to draw a rich variety of cases that encompasses the various forms and permutations of the phenomena can lead to overgeneralizing. In this situation, characteristics of the model that seem to be essential, present in all cases, may only appear so because a subset of cases with distinct characteristics has been omitted. The assumptions and case selection techniques that have already been discussed raise the concern that undercoverage may already be a problem for the existing model of social problems.

The hazard of confirmation bias emerges when the existing theoretical model is used to direct researchers to what the phenomena "looks like." In one sense, this can be understood as an advantage. By sensitizing researchers, the model makes it easier to recognize instances of the phenomena, rendering data collection and interpretation less overwhelming. The researcher does not have to start from scratch. However, this can also have the unintended consequence of channeling attention toward activities that resemble the existing body of research, leading researchers to select cases that confirm the current model and away from cases that challenge it.

Spector and Kitsuse (1977/1987) were aware of the potential for confirmation bias present in inductive methods:

> The data used to construct the individual histories set the limits for natural history analysis and interpretation. The common or generic elements of the collective history must be called or inferred from the individual cases. However, this is possible only if these individual histories have, in fact, been gathered according to a theory that specifies variables or characteristics that include the generic elements. There is, then, something of a catch in the unfolding of this research process. We may infer the generic elements of the natural histories from a sample of histories only if those elements are already present in the individual histories. If we must gather the individual histories first, how can we insure that these generic elements will be present rather than a hodgepodge of trivial, superficial and meaningless details? pp. 138-139

Here Spector and Kitsuse are caught between two desires. They want their natural history model to be derived through a grounded approach. Yet, at the same time, they wanted to ensure that the data selected for analysis would actually speak to the natural history of social problems. Their solution to this was to provide a speculative model of social problems built upon the earlier models proposed by Fuller and Myers (1941) and Blumer (1971) while simultaneously issuing a disclaimer about the model's accuracy: "We expect that much of this model – perhaps all of it – will disappear under the scrutiny of empirical material" (and Kitsuse 1977/1987: 141).

Despite this disclaimer, Spector and Kitsuse had constructed a situation ripe for confirmation bias. Their speculative model was presented as a method of *identifying* social problems cases. "Our discussion is an outline of what we think such histories should attend to. .. *to arm social problems researchers with a preliminary guide to amassing first cases.*" (Spector and Kitsuse 1977/1987: 140). By "priming the pump," as Spector and Kitsuse put it, they had primed researchers to seek out cases that fit their model. Unsurprisingly, subsequent constructionist studies found the model to be a good fit for the data. These studies sedimented the model, creating a positive reinforcement loop. New constructionists, after reading several constructionist analyses, get a sense of what a social problems claim looks like and, in beginning their own research, seek out similar looking activities. The result is a collection of studies filled with similar looking case studies that might make small adjustments (if any at all) to the theoretical model. In turn, each study reinforces the validity of the model, funneling attention toward the same type of activity. Acts that undoubtedly involve claims about problems yet do not "look like" what claims are expected to look like are unlikely to be recognized and given analytical attention. Again, this highlights the top-dog preference in case selection. Claims that do not follow the formula story are more likely to be found among marginalized and repressed populations who do not operate in the social worlds that our typical case studies examine. The result is a common-sense understanding of social problems construction that embodies the values and assumptions of those whose life-worlds exist, more-or-less, in the mainstream.

Discussion

To this point, I have argued that the framing of the constructionist approach to studying social problems channelled analytic attention toward a narrow band of meaning making activities found in the social worlds of mainstream and top-dog actors to the exclusion of other ways of "playing" the social problems game that emerge as a result of living at the margins. What has emerged is a model of social problems construction that largely fails to address how issues of power and marginalization shape how the social problems game is played. This leaves an important question open for inquiry: How do claimsmakers adapt their claimsmaking activity to the experiences of oppression, marginalization and structural constraints?

This question requires us to assess whose social worlds are represented by the constructionist model of social problems claimsmaking. The social problems model found in constructionist research can be understood as its own type of formula story, a readymade narrative used to organize what is being observed. Embedded within this formula story are the assumptions that institutional authority can be trusted, that

claimsmakers are free to express themselves, and choose to do so using words. Those who distrust authority and who seek to subvert, obstruct or destroy it are not the people the current model of the social problems process channels our attention toward. In fact, there is little recognition of resistance and revolution as possible objectives of the social problems campaign. Nor is there much discussion of alternative authorities, such as local gangs or militias, who are consulted when "legitimate" authorities are not trusted. The role of violence, whether to property or people, as a strategy in social problems claimsmaking and social problems work is underdeveloped. Social problems claimsmaking, as presented in most case studies, is the claimsmaking of people who are relatively invested in or content with most of the existing structural arrangements. They are "polite" reformers; people who want change, but not too radical of change; people who cause trouble, but not too much trouble. They speak and act in ways that fit the formula story of social problems claims the constructionist analyst has been primed to expect. The way forward, then, is to critically interrogate this formula story, to reflexively analyze whose social worlds have been embedded in the theory as generalizable truths rather than partial realities, and to consciously seek out case studies we expect to challenge the existing model rather than affirm it.

These issues have been addressed in isolated moments. As mentioned earlier, Ibarra and Kitsuse (2003) and Miller (2003) discussed this very issue. But these discussions provoked very little consideration within constructionist circles. Moving forward, one approach to ameliorate the matter would involve comparing research on top-dog claimsmakers with that of underdogs. Best (2015) points out that constructionists have failed to leverage the large number of constructionist case studies to draw larger generalizable statements about the construction of social problems. He argues in favor of a "meta-analytic" approach that attempts to draw connection between these case studies. Of course, the issue with this approach is the lack of constructionist case studies focusing on claimsmaking from the underside. As already noted, the inductive approach favored by constructionists has funnelled attention toward claimsmaking that fits the already existing model. To proceed, there are two options. The first is to wait for constructionists to develop case studies that are selected to attend to claimsmaking in the context of oppression. In the meantime, it would be useful to mine the existing body of ethnographic research dealing with oppressed and marginalized communities. In doing so, we are likely to find instances of social problems construction, though they are unlikely to be framed as such by the original researcher.

Mining ethnographic data does present problems. Every ethnographer must make choices around what to focus their attention on and what to include in their presentation of their work. Their choices are made in the context of analytic priorities, which is unlikely to reflect constructionist interests. As such, any data regarding claimsmaking may be incomplete. Even so, the rich body of existing ethnographic work presents an excellent opportunity for constructionists to break out of the constraints of their current thinking.

The problem associated with using the work of non-constructionists can be ameliorated by having constructionists conduct their own ethnographic work. To understand how the everyday lived reality of oppression informs how actors go about raising social problems, it would be useful to witness these activities firsthand. As was mentioned earlier, constructionists' love affair with words has led to a plethora of documentary analyses conducted after the fact. While this research has proven fruitful, the very

nature of this type of analysis will focus on those who have both the ability and desire to produce the documents being analyzed. Ethnographic work requiring constructionists to get the seat of their pants dirty with those who are making claims gives researchers the opportunity to examine how those on the ground conceptualize the social problems game and their strategies for playing it. One area where this type of on-the-ground, immersive work has been embraced by constructionists is in the area of social problems work (Miller and Holstein 1991), such as Holstein's (1993) study of involuntary commitment hearings. However, these studies tend to focus on the use of social problems definitions after the work of claimsmakers has been accepted.

Beyond ethnographic research, another way of addressing the top-dog bias can be found in the potential "internationalizing"[1] constructionism has for critically reconfiguring the constructionist approach. The potential of "internationalizing" constructionism is to reveal constructionism's bias toward conceptualizing the social problems process largely in terms of Western capitalist, middle class, liberal democratic tradition and force constructionist to attend to those who, whether due to choice or circumstance, play the "claimsmaking game" in radically different ways. As Adorjan and Yau (2015: 167) state in their study of claimsmaking among youth activists in Hong Kong, "The illiberal, post-colonial context of Hong Kong challenges what Western constructionists dub the 'natural history' of social problems claims-making salient in Western, liberal democracies." However, to realize this potential, the constructionist paradigm needs constructionists from around the world to demonstrate how the constructionist approach fails them. It needs scholars who are attracted to the idea of socially constructed social problems, but who are frustrated at the model's failure to reflect the social worlds they are familiar with. What is not needed is more case studies that simply transport the existing formula story to new locales. Applying the existing social problems model to new contexts, countries and cultures without challenging the existing theoretical framework is a waste of resources. The perspective needs those who are willing to challenge it rather than trying to make it fit.

Lastly, this paper raises questions about how power is conceptualized in constructionist theorizing about social problems. The concept of power, which conjures various Foucauldian nightmares, is too large of an issue to fully unpack here. However, the role of power in shaping the social problems game lurks under the surface of much of the model, tacitly acknowledged yet rarely explicitly theorized. When it occasionally comes to the surface, power is conceived of in terms of the capability to effect the desired change. For instance, Spector and Kitsuse (1973: 149) explicitly acknowledge the role of power in defining social problems in their discussion of "The Power of Groups:" "For power to become an active part of the process [of constructing social problems], it must be expressed through the claims of participating groups." For Spector and Kitsuse (1973: 149), power is understood as ".. . the ability of a group to realize the demands it makes on other groups, agencies and institutions." Here their definition of power seems tautological. The only way to know who is powerful seems to be by observing who has their demands met, thus the independent and dependent

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[1] I recognize this term is problematic and ethnocentric. What is "international" varies on the reference point of the speaker. Constructionism already is international, being used by researchers in several countries around the world. Further, Western, capitalist democracies are not a uniform, monolithic bloc. I use this term strictly for the sake of the parsimony it provides over continually referring to Western, capitalist democracies.

variable in this scenario have the same indicator. Further, their discussion of power depicts the social problems process as one where the goals are universally shared among all involved. That inequality and oppression might lead subaltern groups to orient themselves around a different set of goals is not considered. Nevertheless, though imperfect, Spector and Kitsuse's discussion of power drives home the point that some groups enjoy advantage in the social problems game while others have to be more adroit strategists or "fortuitous" in their efforts in order to have their demands heard and enacted. Further work is needed to fully conceptualize the constructionist understanding of power and its role in shaping claimsmaking.

In conclusion, this paper was an attempt to make explicit the tacit assumptions, habits and practices that drive constructionist attention toward top-dog claimsmaking and away from the claimsmaking by those who operate on the "underside." Calling attention to these matters is meant to provoke a reflexive analysis of why constructionists are drawn to analyze certain activities over others and understand how this has created a positive reinforcement loop that channels our attention toward the claimsmaking of the respectable mainstream. Hopefully, this reflexivity will lead to a broader, generalizable and valid model of social problems that addresses how power, marginalization, inequality and oppression shape the claimsmaking game. Reflecting on these issues provides us with a wider imagination for why claimsmakers may forward their claims with caution and in ways that do not follow the constructionist formula story of social problems.

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