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Exploring the transdisciplinary trajectory of suggestibility

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Abstract

Traditionally considered a deficiency in will power and rationality, suggestibility has proven a troublesome concept for psychology. It was forgotten, rediscovered, denounced, undermined experimentation and recently became the ambiguous issue at the centre of concern about child witness' credibility in sexual abuse cases.

This paper traces the history of suggestibility to show how it raises the 'paradox of the psychosocial'. Drawing on the work of Deleuze and Stengers, and on interviews with legal practitioners, this paper demonstrates how suggestibility carries this paradox into theory, research and legal practice. It thereby opens up a transdisciplinary perspective, allowing for questions of power and knowledge to be asked as performative questions. In the spirit of a process centred ontology for psychology, I argue that suggestibility constitutes a 'rhythm of problematisation', a folding, offering a subversive insight into dynamics of subjectification and application, and offering new perspectives towards issues of children's credibility and protection.

Introduction

"...in the case of a suggestion an idea is aroused in another person's brain which is not examined in regard to its origin but is accepted just as though it had arisen spontaneously in that brain." (Freud, S. 1888, quote as: Jahoda, G. 1989, p. 255).

"It is only suggestion!" (...) As if we understood what is being condemned!" (Chertok & Stengers 1992, p. xvii).

Initially a key topic for the emerging discipline of psychology, suggestibility has been forgotten, rediscovered, trivialised, denounced and discounted. It played a key role for asserting the difference between assumed primitive, immature, inferior forms of thinking (variously associated with for example women and children), and the superior forces of

reasoning attributed to the 'civilised autonomous subject' that was to form the prototype of man the young discipline was modelled around. On closer inspection we can see that throughout its history suggestibility has also continued to evade definition and undermine experimentation; more recently it triggered epistemological short-circuits when ambiguously relating psychological questions of memory, childhood and scientificity, with specific legal issues around child witness' credibility, the disclosure of sexual abuse and the use of psychological expertise in courts of law.

This paper will trace the trajectory of suggestibility through history, theory, research and practice, in order to explore its efficacy at the intersection of psychology and law. Drawing on the work of Stengers (1997, 2000), Foucault (1997) and Deleuze (1969, 2006), I will demonstrate how suggestibility, through raising the 'paradox of the psychosocial', challenges disciplinary power by undermining assumptions about the 'origin of thought' and the autonomy of the self and agency. It thereby opens up a transdisciplinary mode of inquiry that offers new perspectives towards the problem of the application of knowledge, as well as that of children as court witnesses.

Transdisciplinarity is not a closely defined concept and the term has been used differently in various contexts. My analysis draws on a version of transdisciplinarity similar to the one underpinning Chertok & Stengers' (1992) work, or the one elaborated by Stenner (2007) and Stenner & Taylor (2008), who develop it as the necessary 'mode of thought' for a process oriented approach to Psychosocial Studies. While multi- and interdisciplinarity represent different ways of combining positive knowledge from different disciplines, transdisciplinarity is "concerned with the space between, across and beyond existing disciplines" (Stenner & Taylor, 2008, p. 430). Here, in a broadly Foucaultian spirit, emphasis is placed on critical awareness for the mechanisms of knowledge, power and exclusion operating within disciplines, and our own and others' inevitable implication within- and relation to disciplines; but at the same time a space is opened up between disciplines that allows to examine the limitations of particular ways of knowing and being (attending to the situated and personal as well as the abstract dimension). Herein transdisciplinarity carves out a positive space for recognising and taking seriously that which escapes disciplinary knowledge. So "...if interdisciplinarity were the careful setting up of trade-routes between pre-established

disciplines, then transdisciplinarity would be the invention of new spaces of knowledge and practice that transform the existing territory by opening it up to the new.” (Stenner & Taylor, 2008, p. 431). I will demonstrate how suggestibility escapes disciplinary power and situates us at once between disciplines.

In focussing on the efficacies of suggestibility my analysis resonates with recent work on questions of affect, relationality and the body (cf. Despret, 2004; Latour, 2004, Blackman, 2007, 2008); furthermore it unfolds in the spirit of shaping a process oriented psychosocial agenda for psychology (Stenner 2007; Brown & Stenner 2009)¹.

The analysis undertaken here follows from a larger research project titled ‘Cross-Examining Suggestibility: Memory, Childhood, Expertise’ (Motzkau 2006). The study compared child witness practice in England/Wales and Germany, focussing on cases of alleged sexual abuse and the impact of psychological expertise in legal practice. Based on a genealogy of suggestibility research, the study combined an ethnography of English-Welsh and German legal practice with data collected in interviews with legal and psychological practitioners and researchers. So the present analysis unfolds on the background of the very concrete challenges of child witness practice. Since 1990 legislators in England and Wales have continued to make significant changes to legal procedure to ensure access to justice particularly for child victims of sexual violence (Wescott, 2006). This effort however, stands in stark contrast to the fact that conviction rates for cases of rape and sexual abuse in England and Wales have dropped from 32% in 1977 to an all time low of 5.5% in 2002 (Kelly et al 2005), and 6% in 2005/2006 (Feist et al 2007). With this England and Wales (alongside Northern Ireland) continue to register the lowest conviction rates in Europe (Kelly et al 2005). The seeming failure of newly improved child witness practice in England and Wales to deliver access to justice for victims of child sexual abuse exemplifies one of the concrete and pressing issues that drive the theoretical argument developed here. While this article cannot cover current concerns of child witness practice in detail (see Motzkau, 2006, 2007, 2009, in press), some of these practice issues will inevitably be foregrounded as the analysis unfolds.

1 Situating the problem: the paradox of the psychosocial

Since suggestibility first featured as a distinct topic in the nascent discipline of psychology during the late 19th century it inspired a paradox. On the one hand *being suggestible* was considered an expression of manipulability and irrationality. William McDougall, like many of his contemporaries, defined that “Suggestion is a process of communication resulting in the acceptance with conviction of the communicated proposition in the absence of logically adequate grounds for its acceptance.” (McDougall, 1911, p. 97). On the other hand, and in stark contrast to such assertions of irrationality, the *ability to be suggestible* was considered the most fundamental characteristic of the human mind accounting for the possibility of learning, affection and social cohesion, in short the sine qua non of human existence (Baudoin 1921; Sidis & James, 1919). Interestingly, McDougall also embraced this positive aspect of suggestibility, attributing children’s ability to “absorb knowledge, beliefs, and especially the sentiments of their social environment” to the “virtue largely of their suggestibility” (McDougall, 1911, p. 100). How could suggestibility be a personal deficit of reasoning as well as the ‘vital force’ of human existence?

I term this paradox emerging around suggestibility the ‘paradox of the psychosocial’, because it captures and expresses the essence of what was to become the lasting dilemma of understanding the relation between the psychological and the social at a time when their split into separate entities was only just occurring.

Stenner & Taylor (2008) describe the broader disciplinary dimension of such developments, noting that in the late 19th century the social and the psychological sciences faced a ‘grounding paradox’, because they “came into being as a result of this relation between ‘society’ and ‘subject’” (Stenner & Taylor, 2008, p. 418) but by functionally specialising each on just one side of this relation, they served to obscure this relation, ultimately thinking the psychic and the social in separation.

Blackman (2008) captures such paradox developments as the riddle of “what makes us both ‘one and many’” (Blackman, 2008, p. 24), that occupied much of the theorising about individuation and social unity in the late 19th century. In this context Blackman (2007) highlights the crucial, yet long neglected contribution of Gabriel Tarde. Tarde (1903) embraced the paradox emerging around suggestibility by underlining the importance of imitation, and thus suggestibility, as a dynamic constituent of the self as the social. Yet, Blackman elaborates, at the time Tarde’s work was co-opted and impoverished, because the idea of suggestion as an ontology of the social implied a possibility of limitless personal

change and interrelation that sat uncomfortably with the existing hierarchical social order and the ideal of the autonomous individual. Contemporaries of Tarde, such as Ross (1909) and McDougall (1911) ultimately resolved the paradox by clearly characterising the effects of suggestion as mindless imitation, which meant that openness to social influence, suggestibility, became identifiable as a feature of inferior, primitive, immature reasoning and lack of will power. This helped assert the autonomous, rationally thinking man as the prototype against which for example women, children, the working classes or colonial subjects could be disqualified as having inferior, primitive reasoning powers, thus warranting the need to guide and control them, and justifying their exclusion from certain political and legal practices (Blackman 2007). We will see at what cost the dominant discourse of developmental psychology (to some extent still) perpetuates assumptions of children's immature reasoning and thus diminished credibility.

Taking an even closer look at the paradox of the psychosocial as it emerges around suggestibility, I would argue that suggestibility ambiguously raises two inseparable questions. Firstly, resonating with Blackman's (2007) point, suggestibility raises the question of self-other relationality, i.e. 'how can we relate while also being separate'? Secondly, it also raises the question of the characteristics of knowledge/knowing, and thus draws attention to the practices of reason operating at once in personal *and* disciplinary scientific contexts, i.e. how do we 'know', how can we trust our knowledge, or indeed memory, while continuously having to express and perform this knowing and thus re-assessing its origin and value in relation to ourselves and others? Herein suggestibility, via the paradox of the psychosocial, collapses the 'personal' into the 'scientific', undermining the constitutive division of scientific self and thought. Following the historic developments, we could see that this paradox, which enables the subject yet appears to confound it with its social environment, is effectively buried beneath assumptions and performances of individual psychological autonomy. I argue however, that as such the question of suggestibility has never been successfully contained or eliminated. Suggestibility summons circumstances in which the paradox is let loose and directly communicates itself to (scientific) reasoning, pitching the reasoning forces of the discipline against themselves. I will demonstrate how suggestibility carries the 'paradox of the psychosocial' into the ordering disciplinary structures of psychological and legal theory and practice, challenging their disciplinary power.

Deleuze's concept of the 'fold' (Deleuze, 1986) has a strong resonance with the paradox of the psychosocial, allowing that subject and environment are never fully separated and, further, that the self to self relationship, often thought to underpin memory, psychological continuity and responsibility for self, retains simultaneous connections to the extra-psychic even as it is used to define pure interiority. I will show how the theoretical figure of the 'fold', capturing the demarcations of self and thought as a movement, as a process of subjectification, resonates closely with the way suggestibility problematises disciplinary practices. In this sense suggestibility constitutes what can be called a 'rhythm of problematisation', offering a subversive insight into the paradox processes of application, agency and subjectification.

In the following I will trace the transdisciplinary trajectory of suggestibility via three interrelated perspectives, in order to explore an exemplary series of the paradoxes or voids the notion, phenomenon, concept of suggestibility triggers and creates throughout history, theory, research and practice.

Firstly, I will trace the discontinuous research history of suggestibility as it is forgotten and re-remembered, defies definition and re-merges as part of the history of child sexual abuse. Secondly, examining the efficacy of suggestibility we will see how it spills over the experimental framework, ultimately feeding back into public perception and legal practice with uncontrollable effects. Thirdly, drawing on data from an interview with an English criminal court judge, I will trace suggestibility into the concrete dynamics of legal practice, to examine what it means to apply knowledge about suggestibility.

2. Suggestibility defies definition and merges with the history of child sexual abuse

Specific interest in suggestibility emerged during the late 19th century and suggestibility soon enjoyed "an enormous vogue" (Jahoda, 1989 p. 255) within the wider arena of the social sciences, where it was drawn on to explain the most diverse social phenomena, such as crime, war or religion, the nature of mobs, or the success of charismatic leaders (Le Bon 1895; McDougall, 1911; James, 1890; Tarde 1903; Sidis & James, 1919). Scientists now seen as the founding figures of psychology, such as Wundt (1892), Binet (1900) or Freud (1919),

also regarded suggestibility, alongside memory, as one of the central topics for the emerging discipline.

Within the clinical field however, the fascination with suggestibility was accompanied by persistent problems defining the phenomenon under investigation. H. Bernheim (1887) took it to be a normal psychological phenomenon that could be used in therapy to achieve curative effects, while the Parisian neurologist Charcot (1887) insisted suggestibility, just as other hypnotic phenomena, was a sign of psychopathology, namely hysteria. Famously, suggestibility played a central and ambiguous role for Freud, who had initially endorsed Bernheim's approach and used suggestion within his new 'talking cure'. Yet Freud soon reversed his position towards suggestion. In the context of recanting his seduction theory in 1897, only a year after its publication in the "Aetiology of Hysteria" (Freud, 1896), he declared that he had erroneously taken for true his patients' reports of early childhood sexual victimisation (and considered this trauma a cause of hysteria), and that these were more likely to have been the result of fantasies or suggestion (Masson 1984). Freud abandoned suggestion as a therapeutic technique, because he could not control its impact; suggestion was 'impure', it put the possibility of a truth about experiences, the truth of memory, in question. Simultaneously Freud observed that suggestion dangerously blurred the boundary between therapist and patient, leading to potentially uncontrollable affective transferences onto the therapist (Chertok & Stengers 1992). He sought to exclude suggestion because ultimately it obscured the kind of rational analytic insight that was going to become paramount for the psychoanalytic technique Freud aimed to develop (Freud, 1919). Chertok & Stengers (1992) highlight how in application though Freud could never quite prove that he was able to rule out or control suggestion. It continued to re-emerge within therapeutic practice as a doubt undermining the scientific rationale of his technique. It is in this sense that suggestibility, raising the paradox of the psychosocial, challenges the possibility of ascertaining the truth of memory and experience, and the possibility of a strictly scientific (controlled) relation yet division between therapist and client.

From an experimental psychological perspective serious concerns about definitions, and about the operationalisability of suggestibility, were voiced early on by Binet (1900) and Stern (1904). Interestingly however, this work of Binet and Stern was largely ignored and remained so until very recently. At the time experimental work in the field gained pace regardless and central figures such as Hull (1933) and Eysenck (1945), sought to promote

what they considered strictly scientific approaches to suggestibility. Hull was particularly keen to counteract what he considered the disquieting influence of psychoanalysis, and aimed to de-mystify suggestibility by demonstrating that it was accessible to strictly scientific experimental methods. His experiments yielded plentiful but ambiguous results and Hull had to concede that the phenomenon remained evasive, with difficulties being so great that he warned that “to enter seriously on a program of investigation in this field is a little like tempting fate; it is almost to court scientific disaster. Small wonder that orthodox scientists have usually avoided the subject!” (Hull, 1933, p. 403).

In a similar vein Eysenck (1945) describes fundamental problems in devising clear cut concepts for the phenomena he observed. He finally he concluded that suggestibility does not exist at all, or that there may be many different, uncorrelated, types of suggestibility (Eysenck 1991). Such conceptual multiplication suggests that there could ultimately be as many suggestibilities as there are instants of suggesting, implying what could be termed a form of ‘process epistemology’ (i.e. every single occurrence would then constitute a concept, meaning the rules for establishing knowledge, epistemology, are continuously constituted, they are essentially process). Deleuze (1968) might call such a dynamic an individuation or an event. While this is probably not what Eysenck had in mind, within the experimental field there is evidence of the efficacy of such conceptual multiplications, underlining the ambiguity suggestibility injects into the relationship between concepts and phenomena. In various ways suggestibility was considered to be related to such diverse concepts as hypnosis, imitation, social contagion, conformity, compliance, decision making, imagination, changes in attitude, bias, expectancy, self-fulfilling prophecy, placebo, dissociation, coping and defence, to name just a few. Within the field this was, and is, perceived as a serious problem, and experimental psychologists have only recently called for more ‘logical hygiene’ (Gheorghiu, 2000) around suggestibility, after finding themselves in the peculiar situation where the number of theoretical concepts to explain suggestibility (often contradicting each other), by far exceeded the number of observable phenomena (Gheorghiu, 1989).

Here I can only offer a broad sketch of suggestibility’s early trajectory. Still, the varied declarations of defiance issued by the researchers, underline how suggestibility challenges the conceptual and scientific self-confidence of early clinical and experimental psychology(ists). While other phenomena and concepts, such as those around memory, are continuously and

successfully re-aligned with newly emerging sub-disciplines and paradigm-shifts (Schacter 1995), suggestibility, despite attracting much attention, seems too unwieldy for such co-option, proving an almost paradoxical obsession.

(...) suggestion has become a kind of obsession for the experimental psychologist as well as for the Freudian therapist: for both suggestion puts the 'truth' in question, that is, it problematises the possibility of constructing a theory on the basis of experiment or experience. Suggestion is impure; it is the uncontrollable par excellence." (Chertok & Stengers 1992, p. xvii).

It is then not surprising maybe that suggestibility vanished from the research agendas towards the middle of the 20th century. While memory was established as one of the central topics for psychology, specific interest in suggestibility waned and between the 1950s and the mid 1970's there was hardly any research at all.

Looking at the trajectory so far it is clear that the challenge of suggestibility is directed at the underlying assumption of a rational autonomous and independently thinking and acting subject, a concept that initially informed the agenda of both the psychoanalytic and the experimental project as they emerged around the later 19th century. Suggestibility turns research into vivid demonstrations of participant's and researchers' lack of control over the phenomena and concepts they summon; it disputes the subject's autonomy and boundaries, illustrating researchers' and participants' multiple inter-relatedness and permeability to the effects of their own research. The following will offer more detailed examples for this dynamic.

In the mid 1970s phenomena related to suggestibility played a role in ongoing memory research (Loftus, 1980). Yet, suggestibility as a central research topic only fully re-emerged in the mid 1980's when due to a growing awareness for sexual violence against women and children in many northern American and European countries, legal changes resulted in a growing number of children being admitted as court witnesses in child abuse cases (Haaken, 1998). During the 1980s courts in Northern America and parts of Europe (e.g. England and Germany) saw a number of high profile miscarriages of justice in child abuse cases that hinged on evidence given by children, who, as proven in some cases, had been questioned in a highly suggestive manner by overzealous investigators and/or parents (Ceci & Bruck, 1995; Bell, 1988; Bull, 1998; Steller, 2000; Lee, 1999). These cases sparked an intense research

interest in children's suggestibility. This heightened concern about children's reliability as witnesses, now framed as the fear of their suggestibility, echoes a long standing generalised wariness about children's memory and their ability to serve as court witnesses, that had in many jurisdictions virtually excluded them from giving evidence for centuries (Motzkau 2006; Spencer & Flin 2001).

When suggestibility re-emerged in the mid 80s there was little reference to earlier research and conceptual and definitional problems were not addressed systematically. As a result of the forensic practice impetus, modern suggestibility research featured exclusively as a very circumscribed area of forensic experimental child psychology, taking its phenomenological cues and the inspiration for experimental set ups directly from problems encountered in legal practice. This meant that vague operational definitions prevailed in this field, so inclusive they explicitly attribute suggestibility to the paradoxical space between the psychological and the social. "...[suggestibility (JFM)] concerns the degree to which children's encoding, storage, retrieval, and reporting of events can be influenced by a range of social and psychological factors." (Ceci & Bruck, 1993, p. 404).

Echoing suggestibility's earlier association with 'immature reasoning', this focus on children produced the impression that suggestibility was largely a problem concerning children; a conclusion that resonated with already existing assumptions about their developmentally deficient reasoning (Walkerdine, 1988). Further, based on the predominant research focus, the phenomenon of suggestibility now appeared to be almost synonymous with the problem of children falsely reporting events (e.g. sexual abuse) that had not happened. This highlights an interesting omission: the equally plausible reverse case, i.e. sexually abused children being coached (e.g. by the abuser) into reporting (or even believing) they had not been abused, hardly featured in research until fairly recently (Lyon & Saywitz, 2006; Pope, 1996).

While around 1900 research had considered suggestibility to be related to a multitude of phenomena, it re-emerged as a very narrowly framed topic that was now tied into the complex societal issue of sexual abuse. Reminiscent of Freud's ill-fated encounter with patients' reports of sexual abuse, the history of suggestibility now merged directly with the history of child sexual abuse. Hereby the history of suggestibility also became an explicit part of the gendered history of psychology with its implicit marginalisation of women and children (Burman, 1997; Walkerdine, 1988; Motzkau 2009, in press).

By explicitly occupying the intersection of psychology and law issues surrounding suggestibility gained very public ‘real life’ relevance. This put an added spin on the efficacy of suggestibility as an ‘itinerant scientific disaster’, as I will illustrate in the next section.

3. Suggestibility spills over the experimental framework with uncontrollable effects

“Isn’t it absurd that, with respect to suggestion, which has always been the symptom that we are perhaps not in control of ourselves, we have remained at the level of judgements whose Manichaeic naïveté returns us to the era of witch-hunts?” (Stengers, 1997, p. 106).

Even though experimental research in this area was generally helpful in alerting practitioners to the necessity of unbiased and careful interviewing, and by demonstrating that children can be good witnesses, modern suggestibility research had unwittingly inherited the perpetual lack of clarity about the phenomenon under investigation. It is then not surprising to find that this research was riddled with ambiguity.

A study by Erdmann (2001) provides a good example for the ambiguity emerging around suggestibility. Taking its cue directly from the high profile miscarriages of justice, this study aimed to examine whether it was possible to implant entirely fictitious memories, ‘false events’, into children by repeatedly interviewing them about such false events in a suggestive manner. 67 primary school children were submitted to 4 interviews, each time prompting them to report four specific events from their past. Two of the prompts referred to true events, but the other two prompts hinted at ‘false events’ that had been invented specifically by researchers and parents for each child.

While successfully demonstrating that in a final fifth interview an impressive 58% of the children delivered detailed accounts of false events, the experiment also produced a peculiar side effect: With some children the narratives of false events had grown so detailed, that the researchers suspected the ‘false memory’ cues might have elicited true memories of real events. To clarify the researchers sought confirmation from the parents. Remarkably, even though parents had initially assisted inventing these ‘false events’, when confronted with their children’s narratives some parents now said they also remembered the events, and others were unable to disconfirm, leaving the matter unresolved. Either these narratives did refer to true memories (possibly ‘recovered’), or the accounts of ‘false memories’ had been enriched with an unknown amount of details from real events, or, after all, parents and

researchers had fallen suggestible to the result of their own suggestions, now believing that the ‘false events’, they had implanted, truly were memories of real events.

Here suggestibility undermines the logic of experimentation by spilling over into the meta-framework of the experimental set up. It travels beyond the experimental setting and directly into the relations between children, parents and researchers. The experiment itself becomes suggestive, and rather than controlling it, researchers are transformed into unwilling protagonists of the set up they engineered.

Suggestibility summons the paradox of the psychosocial within the setting, explicitly playing out the impasse of the ‘subject’ and of ‘knowledge’: how can those involved be separate, yet relate; who initiates or controls the direction and meaning this relationship takes on, and who holds the key to ascertaining the truth or falsehood of memory and how can this truth be anchored within these relationships? In this case the hierarchical organisation of roles and the clear separation of subjects that the experimental set up relies on, has broken down. Rather than ‘subjects’ or ‘agents’ in an experimental setting, we can see multidirectional dynamics of relating, flows of affecting, while the external truth criteria, carefully laid down by the experimenters, have collapsed into an ambiguous multi-referential dynamic. Clearly, the experiment cannot control the forces, the phenomena, it has summoned. Interestingly this communicates itself to the researchers who cannot completely ignore the side-effects that have afflicted the experiment.

Understood in this way the experiment reveals less about the possibility of ‘suggesting false memories’, and more but about the power relations and practices of reason that form the basis of experimental procedures. I would argue that it is in this sense that suggestibility plays out, folds, the constitutive force of experimental practice against itself and its authors: experimental practice encounters its own limits as being manifest within its own constitutive rules. It affects and implies researchers personally by touching on, and highlighting the relevance of their own (and their participants’) lived personal experiences, memories and relationships.

Suggestibility research now relates directly to legal practice, so the effects triggered by this research can have even wider implications, feeding back into public perception and legal practice with uncontrollable effects.

Stephen Ceci's work provides an interesting example for the way suggestibility spills over into public opinion and legal practice. Ceci (Ceci et al 1994) conducted an experiment very similar to the one described above, investigating the impact of neutral but repetitive questioning by repeatedly asking children whether or not they had experienced four specific events (again, two false and two true events). The experiment not only successfully demonstrated that children would, in a final interview, assent to having experienced 34% of the fictitious events, but there was a side-effect again. 27% of the children assenting to false events, persistently clung to their assent after being de-briefed, and could not even be dissuaded by their parents. As a result of this unexpected outcome, Ceci et al (1994) claimed they had, for the first time, managed to show that it was possible to implant false memories into children. The study sparked huge public and media interest, and formed the centre of a heated international debate.

Within his field Ceci was attacked on ethical grounds, for what the critics considered a violation of children's right to form their 'own memory' (Herrman & Yoder, 1998). Other researchers highlighted methodological and experimental inaccuracies, pointing to unfounded or vastly overstated results and incomplete statistics (Erdmann, 2001). Goodman et al (1998) directly rejected Ceci's claim, pointing out that children may just have assented, played along with the task, or tried to save face (see also Ceci, 1998). Crucially, Goodman et al (1998) highlighted that much of the more public debate was based on superficially reported experiments, third hand references and scandalised media reports. This is a pertinent point because the debate and its media coverage fuelled a simplistic understanding of suggestibility research in the public, fostering an exaggerated fear of children's vulnerability to suggestion. This fear was seen to filter directly into legal practice and decision-making, reinstating a general atmosphere of disbelief in children's testimony (Greuel, 2001, Goodman et al 1998). This atmosphere is also thought to have discouraged children and parents from reporting abuse, and to dispose jury members against child witnesses (ibid.). Similar net-effects could be seen in several European countries (Motzkau, 2005). In England and Wales for example, the judicial studies board adopted a film about Ceci's implanted memory research for judges' training (Westcott, 1998). Academics in the field harshly criticised this measure, pointing out that the film provided an unfounded and biased demonstration of the unreliability of children's evidence, giving the impression their accounts of abuse were often false (Plotnikoff & Woolfson, 2002).

Once more we can see an experiment summoning phenomena it cannot control. Here suggestibility does not just spill over into the experimental meta-framework, but having migrated into the legal context it becomes a very public matter, spreading into the interdisciplinary and international context with tangible effects for specific real life court cases. Here the unease of finding they had become very personally entangled in the problem they were trying to solve, motivates some researchers in this field to enter into the flurry of public self-positionings, self-reflection, sometimes even playing down own and others' research results, as exemplified by Goodman et al's (1998) response.

We could say that suggestibility has created circumstances under which researchers in this field cannot ignore that research has turned from an abstract conceptual, into a very personal, legal as well as public matter. This is particularly true when considering that researchers are often directly reabsorbed into the adversarial dynamic of the legal context, either as experts in court, or when serving as an authority to bolster or discredit a certain claim. Here the credibility and authority of the discipline, and that of the expert, to make their claims matter to a specific case, are exposed to the scrutiny of the adversarial practices of reason and evidence operating in the courtroom. This at once turns an abstract question of scientific practice, into a very personal dilemma for those concerned, as Ceci seems to acknowledge. "What it [suggestibility research (JFM)] suggests is that the biases of researchers rather than the credibility of children should be investigated." (Ceci et al 1993, p. 133).

Ceci is unlikely to have intended this connotation, but his remark implies that the ones examining the phenomenon are themselves subject to it. They are themselves in permanent danger of being afflicted by a lack of 'rational' judgement, they are 'not in control of themselves' as Stengers (1997) puts it, and easily swayed by the societal dynamics surrounding them. Understood in this way suggestibility itself is suggestive; it has come full circle, folding the disciplinary power of experimental psychology against itself, as researchers have to problematise their own personal practice as a result of being drawn into the wider societal dynamics produced by the efficacy of their work. Suggestibility inserts researchers into the ambiguous space between disciplines, beyond disciplinary power, and exposes them to the multiple layers of reality at work there. And again we can see how the efficacy of suggestibility folds the 'personal' into the 'scientific' it folds the abstract rules of scientific

examination into the lived experience of those involved, problematising the way these two dimensions matter to one another.

4. The rhythm of problematisation

While tracing this series of paradoxes through history, theory and practice, it has become clear that the paradoxes and the resulting voids opened up by suggestibility are transient but recurring phenomena; they are part of an ongoing process. The paradox of the psychosocial expresses itself via the specific operations of researchers and practitioners as and when they have to negotiate and operate with suggestibility in the context of their specific practice (e.g. research or legal). This is why suggestibility has not 'overthrown' modern suggestibility research as such or made legal decisions 'impossible'. Courts do adjudicate and modern suggestibility research continues to thrive in its own particular way. Hence re-considering the trajectory as the dynamic result of an ongoing process, we could say that suggestibility initiates a 'rhythm of problematisation', a recurring series of paradoxes that form a transient, yet recurring pattern of problematisation within and through practice (research and legal), as it is performed (or occurs). This 'rhythm of problematisation' communicates itself to practitioners as an inevitable, yet perplexing, feature of application. But then, what exactly is application?

For applied experimental psychology, application usually means, firstly, for the effects produced in studies to be extrapolated to comment on the intended real-world phenomenon (here, children's propensity to succumb to the suggestion they had been sexually abused) and, secondly, for this to systematically inform case decisions in legal practice. Yet, we could see that research struggles to get a firm grasp of either of these two aspects; neither the 'effects produced in studies' nor the 'intended real life phenomena' are particularly clear cut. Furthermore, it is difficult to say who is the 'agent' of these 'applications'. Looking at the trajectory of suggestibility it seems suggestibility is prone to 'extrapolating itself', it 'applies itself' producing its very own critical commentary on practices and their real life effects.

Understood in this way application is not such a straightforward matter. On the background of this analysis we have to suspect that practitioners themselves become unwilling transdisciplinary operators at nodes of complexity, because they are forced to simultaneously

relate to, handle, negotiate and apply the ambiguous and shifting knowledge about suggestibility and thus children's credibility to- and within practice (Motzkau, 2006).

So what happens at the moment of application? How and at what cost does legal practice give children access to justice while having to systematically distrust their ability to satisfy the 'legal call to truth'?

5. The paradox of application:

Judge2: there's a great distrust of experts ((yea)) HA! HA! (*laughing*) y'know PSYCHOLOGISTS! (*humorous contempt*) an' there is I then there you know and we only need Ceci's lecture I mean then in a way to make you undermine your own faith in your own judgement (1) but you know we tend to think as well a' oh no well you know show me ahh later I'll I'll sort it out [...]²

Over the past two decades the English-Welsh legal system has answered the challenge of suggestibility and child protection by introducing special measures for child witnesses, e.g. children can give evidence via CCTV-link (Home Office, 1999), but also by educating legal practitioners about interviewing techniques and suggestibility, e.g. the controversial decision to use a film about Ceci's research to educate judges (Plotnikoff & Woolfson, 2002).

The short interview excerpt quoted above illustrates the reaction of an English criminal court judge when asked generally about the role of psychological experts and expertise in court. Initially reflecting the general distrust against scientific expertise that is characteristic for English legal tradition, he directly moves on to comment on Ceci's film ('lecture') as an example for the uncertainty this knowledge carries, by undermining "your own faith in your own judgement". Yet, he enigmatically concludes, show me a case and "I'll 'sort it out'". In the interview the judge illustrates this uncertainty by describing a clip from the film that showed a witness, a young girl, being interviewed suggestively by a police officer. The judge reports to have concluded her account was false, a result of suggestion, only to be proven wrong by the film, which later shows the accused, her father, who has confessed, confirming everything the girl said. How can this case, and thereby Ceci's research, relate to the judge's practice and decisions? Even though this clip seems to tell a very specific story about the fact

that even an unconvincing child witness, exposed to suggestion, could be telling the truth, it simultaneously carries the double-edgedness that is so characteristic for the paradox of the psychosocial introduced by suggestibility. While generally alerting us to the fact that suggestion exists, in relation to the concrete case, this research also implies the opposite message: indicators of suggestion may coincide with a true statement. So clearly, application cannot be based on an abstract movement of extrapolation from research or even from other case examples. Application seems to operate on the basis of entirely different parameters. Strictly speaking scientific findings (as presented by Ceci) cannot be ‘applied’, they have no abstract way of their own to relate to the concrete. Application operates on the principle, or the practice epistemology, of “I’ll sort it out”, to use the judge’s own words. Whatever this means in any given moment, it is this personal work, this specific operation of ‘sorting it out’, that constitutes application, and that in this sense entertains an inherently paradoxical relationship towards the research or expert knowledge that is supposed to inform it. But what exactly constitutes this ‘paradox personal operation’?

In English-Welsh criminal courts it is the jury and not judges who will decide about the credibility of a witness. Yet, as it is impossible to gain direct access to a jury’s movements of application, the judge’s considerations offer the most specific insight available. The following excerpt illustrates the dynamics at work within the paradox of application in more detail. During the same interview this judge explains that he is advised, where child witnesses are concerned, to give a special direction to the jury, warning them to take particular care with the evidence of a young child.

1 Judge2: [...] but I think that’s quite a difficult one when you have to when you say (.) and I will
 2 sometimes say it depends how it feels LOOK this case depends on the evidence of a nine
 3 year old boy now you you know you all know children ahhhm nine year olds can lie nine
 4 year olds can tell the truth but this this was a nine year old you are dealing with here
 5 ((hmm)) ahhhm but wh’ wha’ what that actually says I’m never quite su:hu:re (*chuckling*
 6 *through ‘sure’*)³

Looking only at the information conveyed in this direction (lines 2-4), we would have to agree with the judge’s perplexed amusement as he delivers this self-confessed tautology adding he was never quite sure what it actually said (5). But if this direction is ‘self-annulling’, why would the judge present it as a “difficult one” (1)?

The way the 'expert knowledge' (about children) turns paradoxical when related directly to a case illustrates the paradox of application. The knowledge cannot operate directly upon the case, it turns paradoxical, implying that judge and jury, as nodes of these practice operations, have to perform or facilitate specific transformations to make it work, to fill the void it presents. This inherent volatility, this openness and need for concrete transformation, exposes a potential point of change within this practice. At the specific moment the multiple implications, signs and issues carried along by the entangled histories of suggestibility and child sexual abuse, are all summoned at once, opening up multiple paths, lines of flight (Deleuze & Guattari, 1980). Here the disciplinary power of psychology and the dominant discourses about childhood and credibility are just as prominent as the problematising ambiguity introduced by suggestibility, that seems to communicate itself to the judge as he laughs about the paradoxicality of his direction.

With a critical eye on the dominant discourses around childhood and suggestibility, we can see that this purportedly 'neutral' direction is likely to undermine children's voice in court. What the judge summons for the jury, by reminding them to draw on their 'common sense' knowledge about children ("you all know children" 3), is the longstanding wariness about children's credibility as such. As pointed out earlier, this wariness is perpetuated by the implications of the dominant discourse of developmental psychology (for detailed discussion see Motzkau 2009; Burman, 2007; Morss, 1996). Following this implication a jury is likely to make perfect sense of this direction. They fill the gap opened by the paradox with implicit assumptions about children's immature and thus inferior memory and reasoning, thus concluding that their evidence is unreliable. Clearly, we can only speculate about the impact of the direction in this specific case, but conviction rates and anecdotal evidence by legal practitioners confirm that juries are often reluctant to convict on the evidence of children (Motzkau, 2006; Westcott, 2006).

In contrast to this, looking directly at the judge's utterance as a reflection of the way he 'applies' the direction, we can see the subversive, problematising side to the paradox of application as it unfolds. The way the judge presents the paradox and then laughs it away, saying he was never quite sure what it meant (5), opens an instant void in the ordering structure of both, psychological knowledge and legal structure. What is expressed here, and what possibly expresses itself to the judge as he gives this direction, is the fact that the instructive, representative power of psychological expertise (here about children's

credibility), as well as that of the law, are utterly irrelevant for what is at stake at this moment in this case. At this moment it is abundantly clear that the age of this particular boy will not tell us whether he is lying or not, or whether he has been coached. In this concrete moment of application the directive disciplinary power of psychology, as well as that of the law, have lost their dominance, they are suspended, paradox, or at best hilarious. What is allowed to matter, at this specific moment, is the volatility, the void itself, summoning an abundance of conflicting implications and signs void of direction; an excess of meaning about true and false memories, childhood, suggestibility and sexual abuse; as if a condensed history of suggestibility emerged at once in this moment. These are the signs or meanings the judge has to inhabit abstractly as he makes this utterance. Yet, this does not imply that (or how) he is personally aware of this. At this point in the analysis, considering the micro-dynamics of application, he features not so much a separate person or an agent, but he becomes visible as part of a dynamic process of inter-relating; he is realised as the singular point, a node, through which the multiple abstract yet specific signs relate to this specific event (the case) at this moment. As such he dissolves into the context while also constituting the transient yet dynamic limits of this process (a folding), because this occurrence is inherently defined, or framed, through his utterance. In this way the dynamic illustrates what Deleuze describes as the process of subjectification.

“A process of subjectification, that is, the production of a way of existing, can’t be equated with a subject, unless we divest the subject of any interiority and even any identity. Subjectification isn’t even anything to do with a ‘person’: it’s a specific or collective individuation relating to an event (a time of day, a river, a wind, a life...). It’s a mode of intensity, not a personal subject. It’s a specific dimension without which we can’t go beyond knowledge or resist power.” (Deleuze, G. 1990 [1995] p. 99).

Subjectification is the process of folding as a movement of simultaneous inclusion-exclusion. It is a movement tracing a limit, “For what the fold presents as a limit on the sheet as pure outside is, in its being, a movement of the sheet itself” (Badiou, 2000, p. 89), thus pure interiority, and as such expressing an ‘ontic process’.

In the light of the challenge posed by suggestibility we can see that neither self (nor ‘subject’), nor knowledge can be grasped as a state, or stable entity; they are fundamentally

emergent from the dynamic self-reference of forces, constituted through a continuous process of relating, and as such the discernible matter of a 'process ontology'.

This does not mean we have 'done away' with the 'person'. Moving out of this dimension of the micro-analysis of application, we can see an element of personal experience resonating within this occurrence. Given the judge's laughter, we may speculate that his repeated exposure to the discrepancy between the myriad of different details and issues arising in each of the many cases he has seen, and the ever same direction he gives for all of those cases, alerts him to this void (in a way a jury is unlikely to perceive, because jury members will rarely experience more than one such case). So for him experiencing the void may constitute an integral accumulating doubt, and potentially the strange sense of what we could call an 'experienced individuation'.

6. Concluding the transdisciplinary trajectory of suggestibility: matters of application

“...we think the challenge of the 'false witnesses' of hypnosis and suggestion could be met by the practice of a 'transdisciplinary' research identifying its participants as perplexed authors and not as representatives of their respective disciplines' authority.” (Chertok & Stengers 1992, p. 277).

Despite having been set up as the constitutive 'other' of the dominant model of the 'rational subject', suggestibility has persistently operated as a search engine for epistemological problems, opening up a transdisciplinary perspective. Suggestibility escapes disciplinary power and situates us at once between disciplines, forcing us to attend to the shifts, movements and the multiply interlaced realities exposed where the *limitations* of particular (disciplinary) ways of knowing are expressed and experienced. It thereby presents researchers and practitioners as 'perplexed authors' and 'uncertain operators' of the phenomena they summon. Yet, it also communicates itself to those 'perplexed authors', by tracing the epistemological problems into the very concrete fabric of application. Suggestibility initiates a rhythm of problematisation, a groove of 'untimely' dynamics continually invoking

something that is outside of the disciplinary discourses of science as well as history, an anti-memory (Deleuze, 1990).

Clearly, the movement of application itself constitutes a problematising, disruptive element, as it continually exposes the volatility of the dominant concepts and disciplines that guide practice. It is a form of ‘folding’, a playing out of force against force that opens up the void within which an excess of abstract-concrete signs and issues can come to matter. In this sense application should be conceptualised as a matter of ‘ap-pli-cation’; as the generative activity of folding (pli), the movement, or dynamic of ‘making matter’ (in both senses) while relaying knowledge into practice (Foucault, 1977); thereby dissolving the subject/agent and making them part of a process within which multiple, dominant and previously excluded issues can come to matter (Stengers, 2008).

“Crossing the line of force, going beyond power, involves as it were bending force, making it impinge on itself rather than on other forces: a ‘fold’, in Foucault’s terms, force playing on itself. It’s a question of the doubling of the play of forces, of a self relation that allows us to resist, to elude power, to turn life and death against power.” (Deleuze, G. 1990 [1995] p. 98).

Yet again, this being a movement, the problematising effect is always transient, and the direction of ‘mattering’ always open for potential recuperation. For example the judge might well move on and gloss over what could post-hoc be seen as uncertainty or even unprofessional conduct. Crucially however, the instances exemplified here recur; they can be observed across child witness practice, as the incisions marking the transdisciplinary trajectory of suggestibility.

We need to examine these incisions in more detail by exploring the micro-dynamics of ap-pli-cation within practices, in order to systematically grasp the generative and critical potential emergent where the dynamic of ‘ap-pli-cation’ constitutes a subjectification. This could on the one hand form part of an agenda for a ‘process oriented’ psychology; on the other hand it would mean to take seriously those ‘perplexed authors’ (researchers and practitioners) in order to rally them around the constitutive doubts they continuously encounter within their practices. This could open up ‘inventive’ spaces for thought around the complex and often polarised issues surrounding child witness practice and child protection more generally.

With this outlook my project follows in the spirit of those who have in various ways highlighted the timeliness of suggestibility, demanding for us to take seriously the questions suggestibility allows us to ask (cf. Chertok & Stengers 1992, Despret 2004), and those questions, I would add, suggestibility asks us.

Notes:

- 1 Stenner (2007) draws on the work of process philosophers such as Whitehead and Bergson to argue for the need to develop what he calls a relational and process centred ontology for psychology. Criticising the formulaic anti-scientism of some critical approaches in psychology, he argues that a process centred approach could allow for a profound version of constructivism which does not reduce the universe to 'discourse' or 'subjective meaning', and a deepened empiricism which does not reduce nature to meaningless materiality. Working on the basis of a process centred ontology means to grasp the world as constituted through a continuous succession of instantaneous configurations of matter. Here mind, self and matter are not seen as separate 'states' or 'substances', but are equally considered to be founded in ongoing processes and practices of relating (see also Brown & Stenner 2009).
- 2 Judge2: 788-807. The data quoted in this article was collected in 2004 by the author as part of a larger research project comparing child witness practice in England and Germany (Motzkau 2006).
- 3 Judge2: 945-951

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