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Against Morality: A Critical Realist Examination of a History of Western Sexual Normativity. An Appeal for Emancipation and Explanation through Emergentist Social Science

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Abstract

A model of reality derived from critical realism and historical sociology provides a sufficient account of Christian sexual morality and shows that powerful human agents are responsible for the normative regulation of non-procreative forms of sexual activity in the West.

If we are to understand the *sui generis* powers of human agents, sociology must engage with a model of reality which adequately conceptualises an entwining synchronic and diachronic realm. It is only here, in a connexion of the theoretical and empirical, that an essential grasp of social phenomena at depth can be reached and a true appreciation of hegemony and resistance can be rendered explicit for the purposes of emancipatory social science.

'Emancipation through explanation; explanation through emergence' (Bhaskar, 2009, p.103); this model of reality shows that Christian sexual codes are based on an untenable moral positioning which confuses biological sequence with a social construction. Human dignity is not derived from procreative sex; social scientific inquiry shows that these moral truths are based on unsound normative avowals. Through a history of 'norm circles' (Elder-Vass, 2010, p.115), it is reasoned that the historical preservation of (hetero)sexuality is tantamount to the protection of Christian ecclesiastical norms. Morality should not be rendered on a biological sequence of occurrences and it is irresponsible to base human sexual codes on testimony that can be retroduced as a product of irrational human collectivities.

There is nothing divine about the persecution on the basis of *difference*; it is the emergent consequence of a hegemonic history of ideas. This project traces that history and those groups whose normative proclamations break with prejudice and intolerance. Therefore, the power of political action must not be misjudged. If nothing else, it is where the sui generis powers of human agency are most lucid: a causal force which yields, in its own way, the argument that all forms of sexuality are moral.

Against Morality: A Critical Realist Examination of a History of Western Sexual Normativity.

An Appeal for Emancipation and Explanation through Emergentist Social Science.

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Contents

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Introduction

> "Society can and does execute its own mandates; and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practices a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself". (Mill, 2005, p.7)

The social construction of sexual morality is one such mandate and this project is a *critical realist* investigation into the creation of sexual moral law. It is an inquiry which draws on a number of existing traditions of thought, most significantly the philosophical conceptualisations of emergent realism and causality. These traditions with respect to critical realism can provide a model for social reality if they are properly imbued with an empirical history. It is from this juxtaposition that a sociologist can elucidate the conditions for a *science* of social reality (Bhaskar, 1989).

The arguments of a critical realist philosophy citing the work of Roy Bhaskar (1989, 1998; 2008; 2009; 2011) offer a plausible explanatory programme to sociological phenomena viz. the philosophical claims of emergence when combined with 'historical sociology' (Abrams, 1982).

In particular, Dave Elder-Vass (2005; 2007a; 2007b; 2007c; 2010) has developed Bhaskar's notion of 'real causal powers' to forward an 'emergentist' solution to the problem of structure and agency. This solution is significant for a social science of sexual morality, one which renders explicit the sui generis powers of human agency; that is to say, it can show *how* human agents can be causally effective. This is necessary for a project which is concerned with those practices or structural forces which give rise to hegemonic experiences (Cresswell, Karimova and Brock, forthcoming). For it offers a plausible means to answer some important sociological

questions, like *'who* is doing what to *whom* and *when* and *why'* (Carter, 2002, p.138; emphasis added). It is also essential for a project which is interested in resistance and forms of social change. For it offers a means to conceptualise the causal powers of human agents – like social movement activists – who want to challenge oppressive systems of thought and practice. In viewing the social world as comprising of not only human agents, but also of normative relations or structures, then, this emergent philosophy can show how sexual morality is 'entwined in a multiply determined dialectic of the diachronic and synchronic, of hegemony and resistance… resistance and hegemony' (Cresswell, Karimova and Brock, forthcoming).

This project argues that, in exploring human history, a sociologist can render explicit the resilient nature of human agency to hegemonic experiences. The capacity of an individual or a group to rule-resist and challenge a normative element of life which predisposes their oppressive experiences is a captivating aspect of sociological inquiry. It is the sui generis powers of human agency or that essence of being which 'makes' change happen. More particularly, it is in groups of individuals, those who move beyond aspects of social reality as simply irrational, that we see how human agency can respond to hegemonic experiences. These experiences becoming a signpost in how to rule-resist and how to challenge the problems they face. Those who have experienced oppression know what it is like to be subjugated – to be 'held down' - against a power or authority. In experiencing problems, obstacles, challenges and frustrations in their social worlds, individuals turn to activism in order to galvanise pressure for social change. These collectivities 'seek to develop political practices ('activism') that make it possible to respond to such challenges effectively' (Cox and Nilsen, 2005). Experience, then, is the point-of-departure for the development of social movement activism *but* it is also the point-of-departure for sociological knowledge about it. Thus social movement activists, those who wish to take part in intentional action to bring about change, are well-suited to political action for they have *lived* in a very material way, real oppression and constraint. Yet, this leads to a *very* important question – what about the sociologist who has had

nothing to do with these 'lived experiences' or social changes or activism? What can I offer?

The sui generis powers of human agency are an example of knowledge which an intellectual can search for. In doing so, the 'intellectual' can 'enrich public debate about moral and political issues… [and can] by infusing them with sociological theory and research' (Burawoy, 2004, p.1603). Of course, experience cannot be used to solely explain what is happening in the world or 'what is to be done' (Lenin, 1973) to confront various oppressions. Yet, by giving prominence to the causes of hegemonic experiences, critical realism offers a plausible explanatory programme for understanding the sui generis powers of human agents. To do this, critical realism must give explanatory primacy to questions of social ontology, the nature of social *being*, before performing epistemological inquiries, the nature of social *knowing*. This is not novel, however. It informs the ontological claims of both Karl Marx and Emile Durkheim; two visionaries whose representations of social life – whilst different – together offer utility to Roy Bhaskar's (2009) emancipatory vision of critical realism. There is also a political motivation to this project, then. What is shown to be a synthesis of concerns not only with social theory and religious pedagogy but also the standpoint of the sociologist in the 21st Century.

This project argues that Western sexuality is the historical construction of the normative values of powerful groups of individuals. Sexual morality – or at least the normative values which make up moral stipulations - is viewed as an emergent property of hegemonic social groups: those human agents whose synchronic organisation on the basis of normative relations has given rise to particular diachronic impacts within human history. These social groups are responsible for preserving and adjudicating the ecumenical, biblical, historical and legal background to moral and ethical judgments that have regulated procreative and non-procreative forms of sexual activity for approximately two millennia.

This project is augmented by a belief that is fundamentally at odds with these ideas of morality as fashioned by religious Dogmatists or those of moral relativists. Morality, I feel, should be a sphere of *human inquiry*, not simply a product of cultural tradition or ecclesiastical sermonising.[1] Rather, I believe, that moral truth transcends these contingencies of culture, and that in some circumstances human beings can converge in their moral judgements.[2] This is in contradistinction to secular liberals or cultural relativists who justify certain moral behaviours on the basis of a particular cultural code.[3] In many ways, I echo Sam Harris' (2010, p.5) position,

> "Knowing what the Creator of the Universe believes about right and wrong inspires religious conservatives to enforce this vision in the public sphere at almost any cost; not knowing what is right – or that anything can ever be *truly* right – often leads secular liberals to surrender their intellectual standards and political freedoms with both hands".

Sexuality is just one example of a moral truth. Not only is it not right or moral to condemn on the basis of sexual orientation but it is a damning indictment to the ineptitude of human moral reasoning when morality is relativised or left to Dogmatic purview. That a sexual code can be the cause of deaths, mutilations or chemical experimentation can only lie beyond reason. There are many examples which echo this point but a brief look at British history makes what I am arguing quite lucid.

In 1954, the British mathematician Alan Turing, a candidate along with John von Neumann for the title of 'father of the computer' committed suicide after being convicted under Section 11 of the Criminal Law Amendment Act 1885 for 'gross indecency' with regards to 'homosexual acts'. Turing was considered a 'pivot' in breaking the German Enigma codes, and arguably made a greater contribution to defeating the Nazis than Eisenhower or Churchill (Dawkins, 2007). Yet, found guilty of the same crime which saw Oscar Wilde convicted some fifty years earlier, Turing was offered a 'choice' between two years punitive justice or a course of 'treatment-

therapy' through hormonal injection. These injections of oestrogen can be considered tantamount to 'chemical castration', and would have undoubtedly caused Turing to grow breasts. Turing, making his own final choice, ate an apple which he had injected with cyanide (Hodges, 1983 cited in Dawkins, 2007, p.327).

It is disquieting that an 'eccentric genius' like Turing was left no other choice but to take his life for an activity which was committed in private and that harmed nobody (Dawkins, 2007, p.327). Yet, even the most superficial look at a history of Christianity shows that Turing's crime is the consequence of a faith-based system of normative relations. A system which is premised on the value-judgments assigned non-procreative forms of sexual activity, as seen in Scripture (the Old and New Testament) and the preservation of moral judgements by groups of individuals (Theologians, Priests and Lawyers). What is truly alarming is that these normative relations – on which Turing's crime and presumably his social shame were based – are a consequence of Christian moral truth. Mark Twain (1972) as cited in Hitchens (2007, p.117) makes the point well,

> "Let us try to think the unthinkable: let us try to imagine a Man of a sort willing to invent the fly; that is to say, a man destitute of feeling; a man willing to wantonly torture and harass and persecute myriads of creatures who had never done him any harm and could not if they wanted to… in a word, let us try to imagine a man with so singular and so lumbering a code of morals as this: that it is fair and right to send affliction upon the *just*".

I am not arguing, here, that followers of Christianity wish death on all homosexuals, the *vast majority* do not, unless of course they take scripture *literally* (Leviticus, 18: 22; 20: 13; Romans, 1: 27 ESV). What I am arguing is that Christians base moral truth on fallible normative assumptions. In particular, the argument that human organisation is based on procreative sex – or Right Reason. It is a teleological argument which stipulates that procreative sex is of the highest good and is God's Will – it is considered a true reflection of natural order. Turing's crime, then, is

considered the diachronic impact of this belief system. For example, a history of sexual morality will show the persistent prevalence of these ideas within British statute.[4]

This project argues that Christianity will always base its sexual code on a naturalistic fallacy if it is to continue to stipulate a moral basis in 'natural sex'. Historically, where same-sex sexual activity has been conceived as unnatural, it is because of an obfuscated programme of normative relations: an essentialist set of norms, values and beliefs which are predicated on the argument that a moral duty can be rendered from biological order. This is what is meant by a naturalistic fallacy: an ethical statement cannot simply be deduced from a biological fact. Human inquiry is necessary. It is, therefore, the responsibility of social science to make explicit Christianity's historical persecution of all forms of *non*-procreative sex and *same*-sex sexual activity. Through a history of its normative relations social science can render Christianity's moral precedence *untenable*. Where religious moral truth obscures biological order with issues in morality and ethics, I am prepared to use human inquiry to expose these moral truths as hegemonic normative constructions. Social science can show how these truths refer to nothing but a normative belief concerning social order – an order imposed through conformity. What is said to be 'natural sex', then, is 'made' through elements which have nothing to do with ethics. And as long as an appeal is made to natural sexuality, same-sex sexuality will always be considered pathological under Christianity's pedagogical curriculum – an instruction which has influenced human beings through the course of civilisation.

It has been Christianity's position that human dignity can be derived from reproductive norms. This, I argue, is untenable in the 21st Century. A moral 'duty' should not be derived from an obligation to engage in procreative sex when it is argued that *choice* – or freedom to choose – is a democratic principle. To paraphrase Sam Harris (2010, p.3), if anything, it should be a universal moral obligation to protect psychological and physiological human *well-being* – or in a sociological

context – minimise what is deemed as hegemonic experience (Cresswell, Karimova and Brock, forthcoming).[5] Where previously, biological facts have been confused and exploited under the premise of morality, human inquiry can *show* the 'irrationality' which lies behind these normative judgments. There are 'moral peaks' (Harris, 2010, p.77) to discover in society, and the irrational condemnation of same-sex sexual practices isn't one of them. Yet, there are still those who continue to consider these practices as 'offensive' or 'wrong', individuals or groups who are considered 'homophobic', that is to say, they have an 'irrational aversion to homosexuality' (Oxford Dictionaries, 2012). Yet, where does this irrationality come from*?* What exists – in terms of ontological 'depth' (Bhaskar, 1989, p.20) – underneath? It are these sorts of questions – the *how* and the *why* – which motivate this project. Questions which are to be answered on the basis of what Bhaskar calls 'explanatory critique' (Bhaskar, 2009, p.179).

Explanatory critique is the ontological basis for the rejection of a *sharp* separation of fact and value. This is generally associated with 'Hume's law': the argument that an 'ought' (morality) cannot be derived from an 'is' (fact) (Hartwig, 2007, p.196). Or, as reasoned earlier, that an ethical statement cannot simply be deduced from a biological fact – i.e. the naturalistic fallacy in the arguments of Right Reason. However, I do maintain that such judgments are still possible but only through rational human inquiry. I take a view closer to ethical naturalism, then, or the 'moral peaks' argument seen in Sam Harris (2010, p.77). In contrast to Hume, Bhaskar also maintains this position: from factual proposals as expressed in theory (i.e. an ethical critique of structure in established social science), value judgments may follow. It is reasonable to assume that knowledge of the causes of false beliefs (sexual norms and codes) or knowledge of the causes of persistent 'social ills', when *exposed*, can inform emancipatory practices in important ways for an ill can be removed if its causes are challenged (Hartwig, 2007, p.197). To this extent, Bhaskar (2009, p.169) claims that explanatory critique has 'far-reaching' philosophical implications as the social sciences intrinsically bear an 'emancipatory impulse'. This point can be taken

up in a comparison of perspectives: where philosopher and psychologist Jerry Fodor (cited in Harris, 2010, p.11) argues,

> "Science is about facts, not norms; it might tell us how we are, but it couldn't tell us what is wrong with how we are. There couldn't be a science of the human condition".

It is up to sociologists to disagree. A social science of morality and its conditions is possible. I feel, and to some extent, this project is a move in this direction. For Michael Burawoy (2005, p.5), the whole point of sociology is to show how the world 'does not need to be the way it is', and it is within this moral framework that the 'object' of social science becomes civil society. In line with Bhaskar (2009), then, I feel that sociology can be an authority on meaning, values and morality – especially when the supposed harbinger of moral truth – religion - is shown to be the cause of persistent social ills. To this extent, I not only endorse Bhaskar's (2009, p.103) claim that 'emancipation depends upon explanation', but I attempt to show that such explanation is indeed possible although dependent upon historical examples of emergence.

To achieve this, the project is split into two main sections which mirror the synchronic and diachronic elements of social reality. The first three sections deal with social theory; from critical realism to historical materialism and the role of the intellectual going forward. The subsequent four sections then deal with *a history of sexuality*[6]; from the beginning of Christianity to 20th Century British statute and the forms of resistance and reform which emerge along the way. In the final chapter I re-capture those central arguments of the project and reflect on how critical realism comes to explain a dialectically entwined social reality in hope of emancipatory knowledge.

The first chapter deals with critical realism as a model of social reality. It argues that critical realism renders explicit a central ontological question for sociology: *what*

must reality be like for the sui generis powers of human agents to exist? Reality, it is argued, is made up of 'mechanisms', 'structures' and 'powers' which cause social events to occur. In society, these 'structures' can be understood as social groups or 'norm circles' (Elder-Vass, 2010, p.115); constituent entities whose synchronic organisation is based on shared norms, beliefs and values. These 'norms circles' are considered to have an emergent property or *causal power* which arises because of their organisation. This is called a 'social institution' known as 'normativity' or 'normative social institution' (Elder-Vass, 2010, p.122). This institution is considered to have a diachronic effect either through enforcing conformity within the group or encouraging conformity external to the group itself (Bowker and Star, 1999, cited in Carter and New, 2004, p.7). The chapter argues that this model of reality provides an account of social entities that a Humean 'covering law' model cannot; entities which are subject to 'spatial disarticulation' (Elder-Vass, 2010, p.199) and so must be studied within an open system which is subject to human interruption and intervention (Bhaskar, 2008). The anthropocentric philosophy of hermeneutics is also proved to be insufficient. Not only does it fail to account for the causal powers of social structure i.e. 'norm circles', but a single focus on 'powerful particulars' is rendered politically limited. Harré, in particular, purifies the political sphere into a 'space' for simple bi-lateral exchanges in conversation. Not only is this impractical but the diachronic effect of institutions renders this argument implausible in terms of hegemonic experience and social movement activism. Alternatively, critical realism appreciates the sui generis causal powers of human agents; powers which animate hegemony and resistance. Indeed, it is within hegemonic experience that this social theory finds a point-of-departure. Not only in terms of the identification of what is deemed 'hegemonic norm circles' but for the formation of 'norm circles of resistance' whose experiences are considered the raison d'être of 'rule-resistance' (Cresswell, Karimova and Brock, forthcoming).

These diachronic features of hegemonic experience and resistance can only be brought to life by way of historical and empirical investigation. Where a synchronic-

only account of social reality possesses the explanatory power to account for normative structures, it is insufficient to bring about 'rich' examples of historical change. Therefore, in the second chapter, historical materialism is explored as an ontological perspective which situates experience at the forefront of sociological knowledge. It is here, in elucidating the diachronic features of constituent entities that it becomes apparent that sociology can account for the temporal features of causal powers: that which generates historical events. It is within the methodological prescriptions of E.P. Thompson that the chapter argues that historical research can render hegemonic experiences explicit. Historical research provides a comprehensive means of navigating sociology in the direction of diachrony and it is through what Thompson (1995, p.52) calls 'historical logic' that the sociologist can provide the 'raw materials', 'real' and 'historical' (Thompson, 1991, p.8); the lived experience of human agents. Yet, Thompson's central notion of human experience, which is ostensibly drawn from a purely diachronic reading of the social world, requires closer scrutiny and critique. The valorisation of experience in Thompson's work comes at a cost – an insufficient understanding of social structure. In exploring the arguments of William H. Sewell Jnr, it becomes apparent that Thompson's historiography and his core category of 'experience' presupposes the synchronic primacy of the economic base along the lines of the base-superstructure model of classical Marxism (Marx, 1859 cited in Ritzer, 2008, p.65). In portraying a picture of pure diachrony, 'Thompson paradoxically presupposes the very theory of structure which he is at pains to deny elsewhere' (Sewell, 1986, p.6) – in particular within the vigorous polemic pursued against Louis Althusser in 'The Poverty of Theory'. Thus, it is argued that this diachronic feature of historiography needs to be supplemented synchronically, and it is on the basis of 'historical sociology' (Abrams, 1982) that the chapter finds 'common ground' between critical realism and historical research. What is left is a strong overall theoretical framework which is both persuasively synchronic and persuasively diachronic.

This theoretical endeavour – a balance of synchrony and diachrony – means that a history of sexual morality becomes more than a record of historical events; it becomes an attempt to recover the movement of agency as 'process' and 'change' (Abrams, 1980, p.8). This effort is homogenous with the arguments of grassroots movement activists and academic commentators, Martin Geoghegan, Laurence Cox, Colin Barker and Alf Nilsen (Barker and Cox, 2002; Cox and Nilsen, 2005, 2006; Geoghegan and Cox, 2001). The theoretical framework they advance is not only similar in scope, i.e. with reference to the work of E.P Thompson, but they also consider theory as an integral part of social movement activism for it allows activists to transcend their immediate experiences and contemplate the 'bigger picture'. Informed by Gramsci's (1971) theory of the intellectual, these commentators argue, that the production of theory is not necessarily just a scholastic exercise. In fact, these commentators consider that such an endeavour is a cause for concern as knowledge claims of the academic community are considered often 'parasitic' on movement activism. These critics of the academy, through the lens of Gramsci's (1971) theory, have questioned what scholars do with the space available to them when theorising social movements. The third chapter, then, takes this position as its point-of-departure and challenges the claim that the academic functions as Gramsci's 'traditional' intellectual. What Geoghegan et al miss is that there is a fundamental distinction between 'intellectual labour' and the category of the 'intellectual'. The intellectual is not necessarily the neo-liberal 'knowledge-worker' or 'expert' (Dowling, 2008) but can be a scholar, who speaks truth to power and is often an outspoken critic of the state (Furedi, 2004, p.36). I argue that this *engaged* intellectual can provide knowledge *for* and, tentatively, *within* movement activism by means of critical realism and historical sociology. Engaged intellectuals can explore historical knowledge, they can consider why agents have 'stood-off' against oppression *without actually living it themselves*. Whilst I cannot inhabit the minutiae of experience which is central to transformational change i.e. homophobia or other hegemonic experiences. I can explore the diachronic – what has happened – and the synchronic – why it has happened – but exactly how and why will always remain the

privileged possession of grassroots activists. The role and function of the engaged intellectual, then, is to search for truth, make generalisable claims and disseminate these declarations publically as well as to social movement activists. In maintaining this commitment to objectivity the engaged intellectual can be considered idealistic, but it is important to note that their motivation to the truth is for the purpose of making a positive impact on public life and not to further develop a particular specialisation.

With the perspective of the engaged intellectual in mind, the fourth chapter offers a historical narrative of the normative sexual values that have shaped modern understandings of heterosexuality and homosexuality. It considers a history of norms, values and beliefs which are shown to have shaped human action. The aetiology of these values exist within the foundations of Judeo-Christian pedagogy, and their prevalence in Modern-day Europe can be attributed to the preservation of theologians, priests, scholastics, lawyers, jurors and governments. The chapter argues that, as this 'history of ideas' continues in an increasingly secular society, the less explicit Judeo-Christian teaching becomes. Yet, the normative understandings of 'natural order' by procreative sex become implicit in the consciousness of general society, often by way of its omnipresence in criminal law and the medical sciences. The literature presented in the chapter is consistent with the political project outlined earlier: sexuality is 'made' or socially constructed rather than manifesting itself as a biological 'given'. Where dominant (hetero)sexual norms have been established, they have been guarded, often by way of Scripture. Behind each illustration, theological or otherwise, lies a sociological context in which an individual is 'made' or constructed as divergent from the norm; whether associated with 'earthquakes' and 'pestilence' or whether their illness is considered 'congenital' or 'acquired'. The need to define or align with a particular sexuality is considered a late 19th, early 20th Century phenomenon. In an increasingly secular society, an invocation is placed upon individuals to define their sexuality and, as such, the medical definitions of heterosexuality and homosexuality emerge (Bray, 1995). Where same-sex sexual

activity was once considered sin, it is now also considered a form of sickness. Homosexuality is assessed for its particularly deviant characteristics – illicit desire is conceptualised as abhorrent movement – and the notion of deviancy situates itself at the heart of the idea of perversion (Dollimore, 2001, xvii). What is most interesting is that new pressures to define sexuality, in a medical and criminal context, also give rise to questions of identity; terms like 'gay', 'queer', 'lesbian' and 'dyke' emerge as individuals and collectivities reflexively explore sexuality within an increasingly liberal state system.

As a continuation upon these themes, the fifth chapter argues that the sexual potentialities of the human body have been regulated throughout history. The Christian tradition is at the centre of this history, where it stipulates a set of values, penances and Judgments about the fundamental (sexual) orientation of human beings. The preeminent framework of natural order by procreation – also known as Right Reason – effectively stipulates that same-sex sexual activities have become an everlasting sign of the devastating effect of sin. In this chapter, these moral concerns are traced to 19th and 20th Century Britain through the permeability of a framework devised as 'Naturalness' – a collective of normative assertions (ecclesiastical doctrine, state law and psycho-sexual science) – which share in a moral judgement that homosexuality is *different*. This framework remains underpinned by essentialist beliefs based on procreative reasoning. Proper sexual functioning is considered a factor in 'good' health, and so abnormal sexual variations are considered 'ill-health'. It argues that the normative beliefs of Christianity have never veered far from the operation of the state, and also permeate the understandings of psychology and psychiatry. That the medical sciences take on the normative realisations of the Christian church only becomes more and more apparent in the use of the term abnormal and unnatural. Where it might be considered that science is a descriptive, value-neutral means of explanation for sexuality, this chapter argues that what is considered biologically functional, here, is normative. Discussions about abnormality soon descend into texts referring to disease, social deviation and immoral behaviour

(Pronk, 1993). In the end, deviations from life's natural (procreative) end are given scientific-backing, that is, they are medicalised in the 19th and 20th centuries. As such, it is argued that the naturalness of heterosexuality remains in the foreground of public and private consciousness. This is seen in a number of British Parliamentary debates whose bifurcated reform strategy is considered a normative attempt to 'shore up' the ontological boundaries of 'heterosexuality against its other' (Fuss, 1991 cited in McGhee, 2001, p.134). In what can be deemed as a thesis of protection, Parliament secures the means to protect latent forms of heterosexuality against forms of indulgence and vice. This is also made lucid through moral anxieties about of fears of homosexual spread – the *modus operandi* of a naturalness framework which is troubled by difference.

Oppression is not without its resistance (Weeks, 1990, p.26),[7] however. Indeed, power and resistance can be considered to exist in constant flux: where oppression *forces* the conditions on which change is built. So where the narrative has previously dealt with the enmeshment of normative devices up until the end of the 20th Century, it now begins to consider what resistance exists and how challenges to a two-thousand year old normative device were initiated. The sixth chapter, then, begins with early forms of resistance. The Gay Liberation Front (GLF); The Campaign for Homosexual Equality (CHE); and the Homosexual Law Reform Society (HLRS) are all examples of early attempts to address the ideological and legislative regulation of homosexuality. Yet, it was the GLF who was considered the most radical. For instance, the term 'gay' emerged as a linguistic device to stress the defiant and self-active (Weeks, 1990, p.185) nature of those individuals and their hegemonic experiences. As such, the GLF has been considered an example of resistance which not only recognised the deep-seated nature of homosexual oppression but responded. For example, the process of 'coming out' has been considered an open rejection of two thousand years of guilt and hatred at the hands of morality and ethics (Weeks, 1990, p.185-186). Only active for a few short years, the GLF encouraged society-wide condemnation of regulatory morals through collective self-awareness and

agential reflexivity. This position was to be taken up by activists in organisations Stonewall and OutRage! towards the end of the 20th Century: two groups who emerged with a clear normative purpose to disrupt the 'Moral Right' and redress those institutions which harbored oppressive values. This becomes particularly clear in the case of OutRage! – a group who, I argue, target the naturalness framework most directly through their political actions. It is through their *public politics* that the normative assumptions of procreative reasoning and the morality of the Church of England are brought into critical public purview. Yet, it is exactly this form of publicity which provokes tensions between these two activist groups who, ultimately, are bound by different normative beliefs on how to challenge hegemonic experience. This difference is brought to life most explicitly in a case study and analysis of 'outing'.

The 'outing' of an individual's *private* sexual orientation into *public* space has been considered a most controversial form of political action. The seventh chapter considers this form of activism – prompted by hegemonic experiences – and argues that an emergent critical realist model of 'outing' can provide the 'epistemic access' (Boyd, 1993, p.511) required to understand the emergent causal powers of such activism (Elder-Vass, 2010). 'Outing', I argue, seems to reference a contradiction in 'social space' (Bourdieu, 1989) which is of both political and theoretical interest. It is argued that 'outing', exposes a contradiction between a person's private sexuality and their homophobic public utterances - a contradiction therefore obtaining between public and private space. Empirical examples of 'outing', as a form of direct action, and the space of political possibility which thus emerged are then considered. Yet, how is this contradiction best understood? Using archival examples, the chapter argues that 'outing' rather than evincing a logical contradiction, demonstrates, instead a dialectical contradiction at the level of social behaviour. This dialectical contradiction possesses the following features: i) oppositional tendencies (i.e. 'gay' sexuality in private versus public 'homophobia'), the contradictions of which are then intensified by social movement activism via ii) a process of public exposure.

However, contra the tenets of 'classical' Marxism (Tse-tung, 1967), this contradiction is not resolved via this process of intensification, i.e. through revolution[8] but, rather 'opens up' a space of possibility for future political action. 'Outing' is considered to reference both a synchronic dimension – its occurrence in the form of direct action, in the 'here and now' – but it also references a diachronic dimension in that such events were caused by normative social institutions acting in *time*. In addressing the *hypocrisy* in the activities of senior clergymen, 'outing' renders hollow the moral assertions of the Church of England. It is considered an 'apposite form of rebuttal' (Reynolds, 1999, p.269) to the normative relations which bind constituent entities and their emergent normative social institutions together. Thus, the political action of 'outing' is considered to give way to the emergence of a transformational and reactionary 'space' (Bourdieu, 1989) in British history. I argue that it opens up a space in the dialectical contradiction – a dialectical contradiction which has shaped the boundaries of this 'public/private dichotomy'. Yet, what becomes apparent is that this is a dialectical contradiction which has emerged because of a wider normative institution – naturalness. In redressing this contradiction, through a process of *public exposure*, this particular tactical repertoire (Tilly, 1978) renders explicit the causes of hegemonic experience by challenging the normative values which maintained oppressive norm circles and their emergent institutions.

The final chapter provides an opportunity to further explore this relationship between emergent realism and a history of norm circles. In synthesising the arguments of the previous chapters, it argues that there is now a prospect of offering a model for the political and social philosophy of an engaged intellectual. In the combining of critical realism and social constructionism, it reasons against the ecclesiastical beliefs of Christian thought and it takes the opportunity to redress the institutional discrimination of the Church of England in particular. Yet, it argues that it can only hope to do these things by reflecting on the 'progressive evolution of the people' (Engels, 1877). And so the chapter is split into an evaluation of two 'hegemonic

norm circles' and one 'norm circle of resistance' (Cresswell, Karimova and Brock, forthcoming). It argues that 'hegemonic norm circles' are responsible for the emergent normative social institutions of Right Reason and the 'protection of latent heterosexuality' (adapted from McGhee, 2001, p.125). These institutions emerge from the endorsement and enforcement of norms and values which casually impact upon human experience, often expressed in the form of legal enactments, violent episodes and other forms of regulation. Yet, when something as abstract as a normative social institution is involved it is better, politically, to retroduce *who* is responsible, *when* their beliefs form and *why* they believe what they do. This can be said true of both 'hegemonic norm circles' and 'norm circles of resistance' - those groups of people who can be charged with the making and breaking of regulation and discrimination in social life. In exploring a history of norm circles, it becomes apparent that intersecting norm circles can give rise to a 'hegemonic social institution' – such as naturalness – which provides an ensemble of normative justification of a natural view of man. However, this construction and its hollow nature is brought to the fore when these intersecting circles are no longer allowed to 'colonise' the 'fields of experience' as a consequence of the activities of 'norm circles of resistance' (Cresswell, Karimova and Brock, forthcoming). Here, it is argued that public politics exposes the normative beliefs of 'hegemonic norm circles' to public scrutiny and evaluation making the position untenable or at least increasingly unenforceable in the public domain. As such, I argue that through a productive synthesis[9] of critical realism and historical sociology, social science has shown the contradictory nature of religious belief and its impetus in law.

> "Morality is of the highest importance – but for us, not for God". (Albert Einstein cited in Dukas and Hoffman, 1981)

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[1] Christopher Hitchens (2007, xvii) makes this point much more forcefully: "religion invents a problem where none exists by describing the wicked as also made in the image of god and the sexually nonconformist as existing in a state of incurable moral sin that can incidentally cause floods and earthquakes".

[2] In speaking of 'moral truth', I am saying that there must be facts about human well-being which we can discover – which we have been ignorant or mistaken about in the past.

[3] Sam Harris (2010, p.7) provides a thought-provoking example of cultural relativism in a senior bioethics fellow who condones the ritual blinding of children on the basis of 'cultural tradition'.

[4] It is not necessary to discuss all the different 'types' of religious believer, i.e. moderate, fundamentalist and orthodox. For any 'believer' may choose to adopt the argument of Right Reason as it features in the teachings of Jesus Christ through the Gospels (Romans, 1: 18-32; 3: 9-18; Matthew, 13: 41-50; John, 19: 17-37; Mark, 7: 14-23 ESV).

[5] Harris makes a similar argument but about the case of corporal punishment in US schools. Here, Harries argues that it should be a universal moral obligation to protect children. Teachers should not be allowed to justify the 'beating' of children under corporal punishment guidelines. That religious scripture encourages this 'morality' is truly astonishing – "Whoever spares the rod hates his son, but he who loves him is diligent to discipline him" (Proverbs, 13: 24; 20: 30; 23: 13-14 ESV) - what poet Samuel Butler (1662) referred to as "spare the rod, lest we spoil the child".

[6] There is ample evidence of academic engagement with the work of Michel Foucault. Indeed, the argument that sexuality is a social construct can be accredited to his constructivist ontology and his theory of 'discursive power' as presented in The History of Sexuality Vol. I. Yet, I have chosen not to directly engage with this *magnum opus* for a number of important reasons. First, I want this project to engage in a history of sexual morality which is constrained by neither Foucault's use of the term 'power', which I find ambiguous, nor his term 'discourse', which I find sociologically opaque. Rather, through the deployment of 'norm circles', I hope to identify the mechanism which confers hegemonic experiences onto human agents. Indeed, I argue that in 'excavating' (Elder-Vass, 2011) challenges to social movement activism 'power' can be presented not as 'omnipresent' but as the emergent property of social groups whose normativity can be effectively resisted. In addition to these concerns, I am also attempting to 'synthesise' critical realism and social constructionism (Elder-Vass, 2010). For this reason, I am slightly at odds with Foucault's 'genealogical' method, especially where Foucault emphasises elements of randomness in the history of sexuality. Here, I feel compelled to argue that Western sexual morality isn't a product of random sequence but is, in fact, and in large part, due to Christian sexual mores and the social events which seemingly emerge from them. This is not to deny *scientia sexualis* but to argue that the 'will' to such knowledge is *more* than chance; it has become part of a wider normative process that classifies the sexual transgressor. I am closer to Foucault in that he suggests 'discursive formations' can have 'regularity in dispersion' but I feel that 'norm circles' still provide a much more penetrating account of causal powers and mechanisms through a process of 'retroduction'. Finally, as I have already discussed, there is an important distinction between biological regularity and moral juncture but one which I feel Foucault's ontological position relativises. This is a concern because I feel that Foucault ultimately negates the moral responsibility human agents have to accept diversity. By arguing that 'sexual instinct' is in no way related to human consciousness or social being, Foucault removes rational inquiry into moral decisions and is in danger of leaving such moral positioning in the hands of 'faith'.

[7] As Michel Foucault once famously exclaimed, 'Where there is power, there is resistance'. (Foucault, 1998, p.95)

[8] "The contradictions of the social world explain why people invent religion. They must be resolved by revolution". (Marx, 1888)

[9] Elder-Vass (2011, p.155) uses the term 'productive synthesis' to refer to the complimentary aspects of his theory of norm circles and Foucault's understanding of discourse.

Chapter One

Realism, Emergence and Social Movements I

Introduction

The claim that social structures have 'causal powers' depends on a realist philosophical ontology of causal powers as 'relationally emergent properties of things' (Elder-Vass, 2010, p.192). This chapter is concerned with this chief ontological claim and the impetus it has for the study of social movements. The chapter elucidates the arguments of a critical realist philosophy citing the work of Roy Bhaskar alongside adaptations made by Margaret Archer (1995), Andrew Sayer (2000), Berth Danermark, Mats Ekstrom, Liselotte Jakobsen and Jan Ch. Karlsson (2002) and Bob Carter and Caroline New (2004). In particular, Dave Elder-Vass (2010) has developed Bhaskar's notion of 'real causal powers' to forward the realist 'emergentist' philosophy seen here.

Critical realism is a model of reality. In this model, reality is understood to be populated by entities, each of which is in turn composed of other such entities. These entities may be understood as a set of parts composed within a hierarchical structure or a whole. These entities are understood to have a particular 'synchronic' organisation which gives rise to a particular 'diachronic' causal impact. This concept of 'emergence' is essential to an understanding of how these social structures and their causal powers relate to the study of social movement activism.

This chapter argues that an emergentist philosophy can appreciate the sui generis (unique) powers of human agents that emerge as part of the structure-agency process. It argues that these powers are not only implicit in the practices of oppressive

structural forces but also in the practices of social change. These practices are developed by social movement activists.

It is an emergentist philosophy that underpins the argument that social structures and human individuals are entities with emergent properties, which 'can interact to co-determine social events' (Elder-Vass, 2010, p.193). This is also a methodological framework which examines the relationship between a whole and its parts or, more particularly, between social structure and its human agents.[1] 'The mechanisms through which human action is determined provide opportunities for action to be influenced by both social structures… but also by our own uniquely human powers of conscious reflexive thinking' (Elder-Vass, 2010, p.194). Human beings are understood as 'entities with emergent causal powers', but those who 'do not have this power uniquely'. Rather, social events are always the outcome of many interacting factors of which our 'agential input is only one'. These factors can 'diachronically affect our beliefs and dispositions' which 'then feed into a process of action determination that may proceed without our conscious awareness' (Elder-Vass, 2010, p.194).[2] To paraphrase Elder-Vass (2010, p.194), 'in providing an explanation of *how* human agents can be causally effective' (and here I refer to both oppressive and resistant examples of human agency), this chapter considers the ways in which human causal powers interact with social structures to cause social events. The chapter argues that this interaction is facilitated by a particular social phenomenon, 'normativity', and a particular social structure, normative social institutions.

Conventional sociological accounts of normative social institutions have tended to assume that normativity is produced by society – a nebulous concept in itself. This chapter argues that these institutions are 'the causal power – emergent properties – of social groups or norm circles' (Hodgson, 2007 cited in Elder-Vass, 2010, p.115). These norm circles are responsible for the causal powers of normative institutions. Institutions which tend to encourage the sanctioning of practices. These causal

powers, however, can only be made explicit by way of elucidating the nature of social groups or the norm circle.

A norm circle is an entity whose parts are the people who are committed to 'endorsing and enforcing a particular norm'. 'Norms' may be preliminarily understood as social 'rules' which may be explicitly instantiated (e.g. as the codifications of 'black letter' law) or implicitly instantiated (i.e. unconsciously in the form of a disposition or 'habitus' (Bourdieu, 1990). Functioning through its constituent parts, or its members, 'a norm circle has the casual power to influence people to observe the norm concerned' (Elder-Vass, 2010, p.195). This emergent *causal power* is called a mechanism when members become 'conscious' of the 'normative environment' (not just specific to individuals) that will 'sanction their behaviour' and so, 'tend to create a disposition in them to conform to the norm concerned' (Elder-Vass, 2010, p.123). The consequence of subscribing to a norm then is that members of a norm circle 'face a systematic incentive to enact the practice' (Elder-Vass, 2010, p.124). The normative social institution, then, *emerges* as a set of belief systems which tend to encourage and 'influences members of norm circles to behave in prescribed ways'. This causal power does not determine behaviour but rather 'contribute causally' to its governing effect 'often alongside other casual powers' (Elder-Vass, 2010, p.122). These dispositions can be offset by 'countervailing influences' (Elder-Vass, 2010, p.195), for instance, other norm circles. The implication of Elder-Vass' argument is that 'when an individual acts on behalf of a norm circle, then it is the norm circle that acts and not just the individual'. In these cases, social structure is understood as acting 'by virtue of' the individual, the individual is not acting alone. A significant feature of this structure is its 'intersectionality': 'any given individual will belong to a large number of norm circles and, although these may tend to cluster, there is no necessity that they should all be congruent with each other and no necessity that they should all share the same membership' (Elder-Vass, 2010, p.195).

In this thesis the analysis of social structure ends with normative social institutions, whereas Elder-Vass's (2010, p.144) theoretical framework also analyses a second-type of social structure: 'organisations'. This chapter argues that the norm circle and normative social institution are sufficient conceptual tools for an analysis of the structure and agency process, particularly as it is manifested in social movement activism. Norm circles and normative social institutions constitute the theoretical building blocks of an effective, elegant and parsimonious theory. It is necessary to acknowledge, though, that individuals who make up norm circles behave quite differently than they would if they were not parts of this structural process. The effect of this behaviour has been seen as a causal effect of the norm circle itself and not of the individual qua individual. Elder-Vass (2010, p.195) considers norm circles as having 'the causal powers of less formal associations and interaction groups'. This chapter considers norm circles as a type of social structure, like normative social institutions - both constitute a causally influential type of social structure. The connections within a norm circle are merely less formal than a normative social institution because of *intersectionality*.

The difference between a norm circle and a normative social institution is this: a norm circle can have a causal effect on individual beliefs, that is, if an individual endorses or enforces a particular norm. This causal effect is considered a mechanism when beliefs, ideologies and values are responsible for the emergence of an environment of normative beliefs and dispositions which 'tend to produce the corresponding practice through the influence it [norm circle] exerts on its members' – a normative social institution (Elder-Vass, 2010, p.123). The causal power of norm circle, then, rests in the development of normative social institutions. Where a norm circle can 'directly affect human behaviour', it often does so because of the sanctioning of practices (a causal power) of the normative institution, which can 'change beliefs so that the individuals will be inclined to behave in a different way' (Elder-Vass, 2010, p.125). Normative institutions also effect motivation, so at a *later* point in time, human action is affected. This point echoes the work of Margaret

Archer (1995 cited in Elder-Vass, 2010, p.125) who argues that 'structure and agency operate over different time periods'. Normative institutions develop and then human action is motivated to change later. There are, thus, significant synchronic and diachronic features of normative institutions. This chapter deals theoretically with the synchronic features; the following chapter turns to a consideration of the diachronic features.

Causal Powers and the Social World

This account of social structure does not cede ground to either methodological individualists or collectivists/holists. The account developed here recognises that social structures do not entirely determine human behaviour or visa-versa. There are no upwards or downwards conflations. Human behaviour is co-determined in conjunction with the causal powers of a great many other entities. Furthermore, emergentist philosophy encourages an analysis of properties well beyond the scope of positivism because it considers how properties in the social world can be explained beyond phenomenal experience, looking to those lower-level entities or parts in the process.

The inter-relations between social structure and agency are complex. This chapter elucidates these complexities in order to consider the nature of sui generis powers and what they have done for the political actions of social movement activists. These sui generis powers are necessary for the conditions which bring about movement activism as much as they are in resisting the oppressive structural forces these powers have historically represented. To expound these complexities, the chapter considers the ontological question: *what must reality be like for the sui generis powers of human agents to exist*?

This, however, first requires a discussion of causal powers. It also requires a discussion of how reality is represented or, at the very least, a consideration of the relationship between the natural and social sciences. In dealing with critical realism, it is important to recognise that sociology is dealing with a philosophy of science.

There are elements of critical realist philosophy which could be mistaken for having an affinity towards natural scientific explanations. This is certainly apparent in the early work of Rom Harré and Edward Madden (1975) and Roy Bhaskar (2008) on causal powers. Dave Elder-Vass (Elder-Vass, 2010, p.196-202), similarly, presents a case for 'naturalism'. However, his emergentist philosophy also presents a significant step in bridging realist explanations to the cause of social events by way of groups of individuals. There remains a key difference between the social and natural world, a difference which hinders a naturalistic approach to social science, Elder-Vass argues. This difference he calls, 'the *spatial disarticulation* of social structures' (Elder-Vass, 2010, p.199; emphasis added). The philosophy of critical realism requires some adaptation when being applied for the purposes of sociological research. This point is elucidated further when discussing the significance of historical materialism and diachrony for sociological research in chapter two.

For Elder-Vass, the entities studied by the natural sciences depend upon a relatively *fixed* spatial relationship between their parts. These relationships are either 'static arrangements or stable dynamic relationships, such as elliptical orbit, or the physiological structure of a body' (Elder-Vass, 2010, p.200). Natural entities often have clear spatial boundaries that distinguish their internal parts from their 'external environments' (Elder-Vass, 2010, p.200). Social entities are not dependent on this *kind* of spatial fixity, groups or organisations often have 'loose' spatial relationships, for instance. They are inherently flexible and extend, in certain cases, globally (Elder-Vass, 2010, p.200). For Elder-Vass, much of this is possible as a result of social structures. Social structures do not require a significant spatial (physical) relationship between entities to produce causal powers (Elder-Vass, 2010, p.200).

These social entities depend, rather, on beliefs and dispositions of human agents (their parts) to produce causal powers.

> "The effectiveness of these beliefs and dispositions in regulating the interactions between human parts [agents] is *not* dependent on those people being in specific spatial relations to each other". (Elder-Vass, 2010, p.196-202)

Elder-Vass argues, then, that such structures are '*spatially disarticulated*', that is, they can 'operate in the absence of any specific set of spatial relations between their parts' (Elder-Vass, 2010, p.200). This is an important argument - entities in the social world cannot be assembled and examined in the same way as natural entities. The 'disarticulation' of social structures means that social entities are often 'dynamic', 'not static' and 'do not always have identifiable boundaries' (Elder-Vass, 2010, p.200).

Social entities, then, cannot be studied in the same way as natural entities. The emergentist philosophy of Elder-Vass goes some way in recognising these differences and provides an ontological framework upon which to construct a sociological argument for the causal powers of human agents. It is at this point that the chapter turns to consider critical realism as a model of reality.

A Model of Reality

> "A model is a metaphor of historical process. It indicates not only the significant parts of this process but the way in which they are interrelated and the way in which they change. In one sense, history remains irreducible: it remains *all* that happened. In another sense, history does not become history until there is a model: at the moment at which the most elementary notion of causation, process, or cultural patterning intrudes, then some model is assumed". (Thompson, 1965, p.349-350)

What E.P. Thompson presents here is an ontological argument for the social sciences. When sociological research starts to make assumptions about the social world it implies a model of this world. In the same way, this research must begin with an ontological perspective on social structure and human interaction. In turning to critical realism, a particular model of reality is adopted. Based on the philosophy of Roy Bhaskar (2008) and his arguments as seen in A Realist Theory of Science, critical realism contains a number of ontological premises:

i) 'Intransitivity': reality consists of independent and enduring objects, structures and mechanisms. These mechanisms are generative, that is, they are active and endure in open-systems that exist outside the environment of the laboratory i.e. in the social world.

ii) 'Transfactuality': causal laws are universal, real and irreducible. They hold with necessity and operate independently of the closed systems in which they are probed.

iii) 'Stratification': reality is differentiated and layered; the causal mechanisms that operate at each level are self-sustaining and not necessarily reducible to lower-level mechanisms. Reductionist thinkers have often argued that 'if we can explain how a causal power works in terms of lower-level forces, the original power itself becomes redundant'.

(Elder-Vass, 2010, p.6)

These premises address E.P. Thompson's argument about modelling reality. They assume a model of reality in which 'sociological research identifies such capabilities as the real casual power of things or *entities*' (Elder-Vass, 2010, p.64). Concepts like 'social structure', 'human agency' and 'mechanism' possess causal referents, which have causal effects on the social world. These premises argue that reality is

constituted in such a way that sociological research can identify the causal powers which generate social events.

These causal powers are the emergent properties of social entities (Mumford, 2008 cited in Elder-Vass, 2010, p.45). In line with an emergentist philosophy, a causal power can be ascribed 'to the organisation of its 'parts' into a particular kind of 'whole'' (Kaideosoja, 2009 cited in Elder-Vass, 2010, p.45). Bhaskar, similarly, argues that explanation 'depends upon emergence' (Bhaskar, 2009, p.104) and this is particularly so 'if emancipation is to be possible' (Bhaskar, 1989, p.114). These social entities are typically understood as social structures, but this concept is both 'diverse' and 'ambiguous' (Fleetwood, 2008). It becomes apparent that these social structures or social entities are best understood as the causal powers of groups of individuals. A point also alluded to by Bhaskar (1989, p.60) and it is what Elder-Vass (2010, p.122) calls 'norm circles'.

In order to understand the social world we require an emergentist philosophy which can provide the necessary foundations of understanding how causal forces operate. A synthesis of this philosophy with critical realism presents a much stronger understanding of how these forces act than the 'covering law' model advocated by David Hume and Carl Hempel.

The essence of causality is based on the notion that causal influences demonstrate similar outcomes across relatively similar cases – they are generic. Causality operates on a basic understanding of consistent regularities (Bhaskar, 1989, p.15-16). These regularities provide an opportunity to disentangle the causal influences that affect the social world and (possibly) where to 'look' for these causal mechanisms (Sayer, 2000, p.14). The 'covering law' model of cause was founded in Humean thought. For Hume (1977 cited in Elder-Vass, 2010, p.40), all we see is 'constant conjunctions' of events when we observe cause in action. For this 'successionist' account of cause one event (A) is always followed by another (B). Hempel later

developed this through his 'deductive-nomological' account of cause (Hempel, 1968 cited in Elder-Vass, 2010, p.40). This account, like Hume's, is based on constant conjunctions, the difference being that we can deduce that when an event (A) occurs, another (B) will follow. For this reason an event can be predicted. Like Hume, Hempel rests his case on the claim that cause remains nothing more than the empirical regularity itself; 'the law is simply that the regularity will continue' (Elder-Vass, 2010, p.41).

Bhaskar has been most vocal about the problems pervading the 'covering law' model of causality,

> "From Hume onwards philosophers have thus allowed, for the sake of avoiding ontology, a particular concept of our knowledge of reality, which they may wish to explicitly reject, to inform and implicitly define their concept of the reality known by science". (Bhaskar, 1989, p.18)

Bhaskar argues that the 'covering law' model makes the error of reducing ontology to the category of 'objects of experience viz. atomistic events, and their relations, viz. constant conjunctions' (Bhaskar, 2008, p.16). It is for this reason that Humean theory of causal laws 'carries with it commitment to a (false) general account of the world' (Bhaskar, 1989, p.150). These regularities are developed in 'closed systems' often by way of 'laboratory' experiments. In the past, this position has been exemplified in the methodological frameworks of the natural sciences (Bhaskar, 1989, p.62-63). The social sciences, alternatively, study 'open systems' due to the nature of human interruption and interference within that system and the lack of 'experimental control'. Science, Bhaskar argues, would be '...unintelligible (and indeed pointless) if the regularities that scientists uncovered in closed systems were of no relevance to the outside world' (Bhaskar, 2008 cited in Elder-Vass, 2010, p.43). Whereas it is true that these regularities may be 'disrupted' in open systems, Bhaskar argues, it is not actually the empirical regularities themselves that scientists are studying. 'What they

are seeking is to identify the causal mechanisms that produce the regularity' (Elder-Vass, 2010, p.43).

Critical realism accounts for these underlying mechanisms in a way that the Humean model of reality cannot (Danermark et al., 2002, p.8). For Bhaskar, the intelligibility of science rests on 'the truth of the belief that these causal mechanisms continue to operate in open systems' (Elder-Vass, 2010, p.43). 'The Humean idea of causality as 'constant conjunctions' is untenable because causality continues to operate in the absence of the conditions imposed by 'closed systems'' (Bhaskar, 1975 cited in Elder-Vass, 2010, p.43). Furthermore, its 'anti-historical impetus… is however [made] explicit by way of the 'deductive-nomological conception of explanation', argues Bhaskar (1989, p.63). If mechanisms do not continue in open systems then scientific experiments would have no value for the world at large (Bhaskar, 1989, p.63). Whilst observing a particular entity 'may strengthen confidence about its existence' the existence of that entity 'is not dependent upon this observation' (Collier, 1994). Its application to the social world is best understood as the concept of *absence*.[3] If one only looks to observe regularities in human agents, i.e. at their decision-making processes, then one will not glean those unobservable occurrences ('absences') which may alter or factor in final choices.

Bhaskar's causal powers theory offers another way of understanding causality. It states that 'causal relations are relations of natural or metaphysical necessity rather than of contingent sequence' (Groff, 2008 cited in Elder-Vass, 2010, p.43). For Elder-Vass, (2010, p.43), 'this necessity arises from the nature of the objects involved in those causal relations'. Bhaskar's causal powers, then, are 'relatively enduring' in that they continue in open systems but are 'nothing other than the ways of acting of things' (Bhaskar, 2008, p.14). In the social world, then, causal powers are the 'ways of acting' of social entities (social structures) or more plainly, 'emergent properties'. Bhaskar outlines three ontological domains to aid this explanation of causal powers: the 'empirical', the 'actual' and the 'real' (Bhaskar,

2008). The 'empirical' domain is the world that we experience through 'sense-perception'; the 'actual' domain includes events 'which occur whether or not anyone is there to observe them'; and the 'real' domain consists of 'the processes that generate events in the actual' (Blaikie, 2007, p.16). The 'empirical' domain is 'superficial', not in the sense of being unimportant, but in the sense of being only concerned with what can be experienced. The 'real' domain is 'substantial' as it refers to the structures and powers of objects. The 'actual' domain refers 'to what happens if and when those powers are activated, to what they do and what eventuates when they do' (Sayer, 2000, p.12).

This stratification is complex and beyond this simple beginning these hierarchical metaphors can be misleading. All three domains are important in an analysis of the sui generis powers of human agents. But it is better to suggest that the social world is understood as comprising 'sets of nested structures' and its effects on actors as 'a plurality of interpenetrating constraints deriving from many recognisable 'levels' looping back and around each other' (Dyke, 1988 cited in Carter and New, 2004, p.8).

For the sociologist, human experience, discourse and theory can also belong to the transitive realm. Sociological *research* has an object of study and this object is the phenomenon that sociological theories seek to explain. This point centres on an important contextual distinction between the transitive and intransitive realm for critical realists. As Danermark et al., (2002, p.22-23) remarks,

> "Science itself, or the scientific results, always consists of a set of theories of this independent [intransitive] reality. These theories – not reality – constitute the 'raw material' (Collier, 1994: 51) that science uses in the practical work, and science continually tries to transform the theories into a deeper knowledge of reality. Theories thus are the *transitive* objects of science; they constitute the dimension that indirectly connects science with reality".

Human experience, discourse and theory, then, form part of the transitive realm for the sociological researcher. For Bhaskar (2008, p.21), this is 'one-side of knowledge' where 'men in their social activity produce knowledge which is a social product much like any other'. Yet, it is distinct because of the nature of the object of study. For the other knowledge is '*of*' things which are not produced by men at all: '…the specific gravity of mercury, the process of electrolysis or the mechanism of light propagation'. These objects of knowledge do not depend on human activity. They are real things; they are structures, mechanisms and processes and they exist within the realm of intransitive objects.

There is an important distinction to be drawn here, then, between the sociological researcher and the philosopher of science. The sociologist's object of study is the phenomenon that their theory seeks to explain in the transitive realm. This is distinct from the philosopher of science, for whom scientific theories may be the object of study, but make up part of the intransitive realm and exist independently of the philosopher.

> "Such insight tends to bring about cognitive relativism. However, this does not follow by necessity. What follows is only that we understand a little more how scientific theories can take such different positions on the reality they comment on. They may even adopt the position that no science or knowledge of reality is possible…None of this can change the fact that theories deal with *something* that is independent of the theories themselves" (Danermark et al., 2002, p.24)

This is what is meant by the term 'ontological depth' (Bhaskar, 1989, p. 20-21): 'that reality exists in levels beneath the world of phenomenal appearances (i.e. directly observable events)' (Lewis, 1996, p.487). These claims of critical realism do not deny the reality or real consequences of the 'world-as-it-appears' in experience; rather, critical realism's claim is that reality cannot be reduced to one structure or level. Neither does critical realism 'deny the value-laden character of our knowledge

of the world' (Wainwright, 1994, p.104; cf. Weber, 1977, p. 69-98). The focus of critical realism, then, is on how to make explicit the mechanisms by which social entities come into existence and the causal powers by which social events transpire. The focus is also on how to make explicit the powers social entities possess and how we can make these powers possible objects of knowledge (Cox and Nilsen, 2005).

The inter-relations between human beings and social structures make it extremely challenging to disentangle the entities and powers involved in the social world. If sociology's task is to explain what constitutes social entities, their mechanisms, their causal powers and the effects they have on human agents then a methodological framework is required. To explain specific events sociological research must set out to identify the mechanisms of an entity with underlying emergent properties – a process that critical realists have labelled 'retroduction' (Lawson, 1997 cited in Carter and New, 2004, p.9-10). Retroduction is a mode of inference characterised 'by the move from knowledge of some phenomenon existing at any one level of reality, to knowledge of mechanisms, at a deeper level or stratum of reality, which contributed to the generation of the original phenomenon of interest' (Lawson, 1997 cited in Carter and New, 2004, p.9-10).

> "Typically the construction of an explanation for, that is the production of the knowledge of the mechanisms of the production of, some identified phenomenon will involve the building of a model, utilizing antecedently existing cognitive resources (not already employed in the description of the domain in question) and operating under the control of something like a logic of analogy and metaphor, of a mechanism, which *if* it were to exist and act in the postulated way would account for the phenomenon in question (a movement of thought which, following Hanson, may be called 'retroduction'". (Bhaskar, 1989, p.19)

Alternatively, in order to explain social events, 'we must also identify the set of causal powers that interacted to produce them and how they affected each other'

(Elder-Vass, 2010, p.48) - a process that critical realists have called 'retrodiction' (Lawson, 1997 cited in Elder-Vass, 2010, p.48).[4]

It is, however, impossible to identify mechanisms without an idea of the entity to be explained or the relationship that exists between an entities parts and the whole of which it is a part. This is why 'ontological rigour' (Elder-Vass, 2010, p.64) is necessary in addressing the conceptual flaws in too nebulous a notion of social structure. Elder-Vass argues that these conceptual flaws are addressed by the idea of a norm circle because the relationship between its parts and its whole are made clear. Furthermore, by moving to a norm circle as an example of social structure, sociology can identify the real causal referents that exist behind this concept. The ontological confusion about causal referents implicit in the use of sociological concepts is addressed by Elder-Vass when he discusses the importance of ontological rigour in the social sciences.

To claim that causal powers belong to groups of individuals requires justifying the mechanism by which they are enabled to do so. There are a number of ways of retroducing the mechanisms of an entity, including both qualitative and quantitative techniques (Elder-Vass, 2010, p.71-76). This thesis uses historical archival material to retroduce a particular claim that a concept represents an entity, mechanism or causal power. It also uses archival material to retroduce claims that a particular social entity has the parts on which an entity or mechanism depends. It argues that the mechanism by which norm circles are sustained is the ideological beliefs and values of individuals and groups. These normative beliefs are responsible for developing a collectivity on which a norm circle is based. The causal power of these social entities can be viewed in the normative social institutions they develop and the impact these social structures have on individuals that make up their parts. It is noteworthy that these individuals have different effects on the social world than they could have as individuals outside the structure and it may be possible to retroduce the social events which they cause (Elder-Vass, 2010, p.195).

Sociological explanations should always explicate the meeting of social structure and human agency. It is necessary to note, however, that it will never be possible in a thesis to identify all the co-acting mechanisms that give rise to social entities or their causal powers: 'some, perhaps the most constant, become 'context', the stuff of 'in *ceteris paribus*' clauses' (Carter and New, 2004, p.11). For instance, in sociology, 'psychological structures are often taken for granted, treated as wholly predictable' (Carter and New, 2004, p.11). It is important to accept, then, 'the co-acting of psychological, cultural and social structures that people encounter, use and embody; structures which position them, motivate them, circumscribe their options and their capacity to respond [resist power]' (Carter and New, 2004, p.11).

The Problem of Structure and Agency

The relationship between a critical realist model of reality and the rigorous use of conceptual terminology is clear. It is in recognising the nature of reality and in the models we appropriate that we are better enabled to exhibit rigour in the concepts we use. Critical realism often invites the use of concepts such as, social structure, mechanism, causal powers and human agency. These terms are often used to describe the causal relationships that exist between particular social entities. However, for Elder-Vass (2010, p.64),

> "...concepts are frequently pressed into service in these disciplines without even the most cursory attempt to establish what their real referents are".

It is important to understand 'what range of entities these concepts refer to, what they are made of, how their 'parts' are structured… and how these entities come into existence' (Elder-Vass, 2010, p.64). For Elder-Vass, there is a presumption in the social sciences that 'we can usefully analyse the social role of such concepts whilst utterly disregarding their ontological basis' (Elder-Vass, 2010, p.64). This point

brings about a necessary reflection upon the explanatory significance of these concepts. This reflection is often denied or the concepts capability to affect the social world is taken for granted. The ontological underpinnings of referents are indispensable in producing knowledge and understanding – 'a point which the general framework of critical realism echoes' (Elder-Vass, 2010, p.64-5).

The need for ontological rigour is most present in debates concerning social structure and human agency. It is here that the explanatory significance of concepts needs to be made explicit by means of establishing what their causal referents are. The concept of social structure remains particularly diverse and often ambiguous. This has left it challenged and a subject of continuing debate (Fleetwood, 2008; Harré, 2002a, 2002b; Varela and Harré, 1996).

Ever since Karl Marx wrote, 'it is not the consciousness of men that determines their being, but, on the contrary, their social being determines their consciousness' (Marx, 1859); or, alternatively, that '[m]en make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past' (Marx, 1852 cited in Elder-Vass, 2010), there has been a motivation to address the relationship between structure and agency. The debate is 'widely acknowledged to lie at the heart of sociological theorizing' (Archer, 2000 cited in Carter and New, 2004, p.3). It can be summarised like this: people as agents and actors are influenced, though not determined, by their structural situations; 'people choose what they do, but they make their choices from a structurally and culturally generated range of options – which they do *not* choose' (Carter and New, 2004, p.3). The debate occupies such a salient position because of the fundamental nature of the relationship it seeks to examine and there are a number of possible ways in which the relations between structure and agency may be interpreted.

The most prominent two positions lend themselves to a polemical expression: 'Structuralism' vs. 'Hermeneutics'. A structuralist or 'methodological collectivist' account of the debate is one in which a structural entity – be it the state or the economic 'base' - has become 'an agent of protean omniscience' (Carter and New, 2004, p.4). The state (and/or the economy) 'penetrating in profound ways every aspect of social life, leaving little scope for the possibility even of social action to challenge or modify' the state (Carter and New, 2004, p.4). It could be argued that sociology is founded on a structuralist account in the works of two of its founding figures – Marx and Durkheim. The belief that our behaviour is causally influenced, that is, that it is mainly 'social structural factors' that determine our actions is a mantra of polemical structuralism (Marx, 1852 and Durkheim, 1897 cited in Elder-Vass, 2010, p.1). Conventionally, these social factors have been understood as the concept of 'social structure' and continue to be used in this way in sociological research (Elder-Vass, 2010, p.1).

Expressed polemically, this view diminishes the role of human agency. But by way of contrast, hermeneutics or a 'methodological individualist' account of the debate 'reverses the direction of the explanatory flow' (Carter and New, 2004, p.4). 'Causal primacy in explaining the social world now goes to human beings and social structures are seen as being derived from people's thoughts… or from their habits and feelings' (Carter and New, 2004, p.4). In polemical versions of methodological individualism, the role of agency 'is accompanied by an impoverished view of social structures', in which 'social relations are plastic and only flimsily resistant to human reworking' (Carter and New, 2004, p.4).

In both paradigms there is a 'conflation' of structure and agent (Archer, 1995): in the 'social fact' (structuralist) paradigm there is a 'downwards conflation', in that agency is envisaged as merging with structure (Danermark et al., 2002, p.179). People become 'epiphenomena' of the social structure and 'cannot be distinguished as individuals who possess autonomous powers'. In the 'agency' (hermeneutics)

paradigm a corresponding conflation takes place 'upwards', in that the structures only become the 'unintended consequence' of the actions of agents. It is social structures that now become 'epiphenomena' of social agents for they cannot be distinguished as independent phenomena with autonomous causal powers (Danermark et al., 2002, p. 179).

More recently, a third view of the structure-agency relation has been developed by Giddens in his 'structuration theory' (Giddens, 1984; 1987 cited in Carter and New, 2004, p.4-5). According to this perspective, 'social structures only possess a virtual existence until they are 'instantiated' by people, that is, until people take them into account in social action and thereby either reproduce or modify them' (Carter and New, 2004, p.5). Social relations are thus 'dependent on the knowledgeable activities of human beings and cannot be separated from them' (Carter and New, 2004, p.5). Here, 'neither side of the dyad is awarded explanatory primacy since they are held to be mutually constitutive' (Carter and New, 2004, p.5). The properties of structure and agency are only real in conjunction with each other. As a consequence of this, Giddens' work denies 'emergence in social contexts for agency and structure cannot be analysed as phenomena possessing powers and mechanisms' (Danermark et al., 2002, p. 180). Giddens' solution of the conflict between the social fact and individual action paradigms results in what Archer (1995) calls a 'central conflation':

> 'When we conduct social scientific inquiries we should therefore not be content with merely studying one side or the other – for example by putting either of them within the 'Giddens brackets'; instead we ought to study the interplay between them'. (Danermark et al., 2002, p. 181)

Elder-Vass proceeds by arguing that structure and agency are 'best characterised as two different phenomena rather than two elements of the same process' (Elder-Vass, 2010, p.4). Social structures exist for 'every human agent but they couldn't exist without human action or comprehension' (Elder-Vass, 2010, p.4). Social structures are *anterior* to agential action; they are its prerequisite. Social interaction, on the

other hand, constitutes the environment in which structures are reproduced or transformed.

Porpora (1998 as cited in Elder-Vass, 2010, p. 84-86) provides a compelling account of these social relations:

> "In this view, social structure is a nexus of connections among [human actors], causally affecting their actions and in turn causally affected by them. The casual effects of the structure on individuals are manifested in certain structured interests, resources, powers, constraints and predicaments that are built into each position by the web of relationships. These comprise the material circumstances in which people must act and which motivate them to act in certain ways".

However, for Elder-Vass (2010, p.4), it is only by drawing on a theory of 'emergence' that the structure and agency debate may be resolved. Instead of ascribing causal powers to an abstract notion of social structure or a Durkheimian view of 'society' as sui generis, he proposes that it is 'groups of people that have structural powers':

> "As I understand it, the social world is composed of many overlapping and intersecting groups, each of which has the causal power to influence human individuals. But in each case these powers depend on interactions between individual members of the group...Social events then, are produced by the interaction of both structural and agential causal power".

Here the importance of 'downward causation' becomes apparent, for it can 'help explain the causal impact of 'wholes' upon their 'parts', such as the effects that social structures may have upon the individuals that compose them' (Elder-Vass, 2010, p. 40-41). Again, such an analysis is necessary if we wish to explain social events without isolating out particular causal powers. Social events, then, are the outcome of interactions between various causal powers. This is what Bhaskar calls 'multiple determinations' (Bhaskar, 1989) or, alternatively, 'a totality of many

determinations and relations' (Marx, 1857). This view is therefore distinct from a position such as hermeneutics, which denies causal effectiveness to social structure. This position, in particular, remains a cause of concern.

The Problem of Hermeneutics

Ambiguities inherent in the concept of social structure have led to some challenges. Elder-Vass considers these challenges to be the result of an increasing 'anthropocentrism' in the social sciences; that is, the 'temptation towards a causal variety… to see intentional human agents as the unique possessors of causal power in social interactions' (Elder-Vass, 2010, p.198). For instance, whereas critical realists would suggest that human individuals make choices, and that these choices affect their actions, Charles Varela and Rom Harré (1996) propose that human agents have *free will* - that is, that their choices are unrestrained or uncaused (Elder-Vass, 2010, p.198). Both have challenged the very claim that human behaviour can be affected by social structure (Varela and Harré, 1996). Harré, in particular, draws these out by contrast with what he sees as shortcomings of a critical realist approach based on the notion of structures as causally efficacious (Harré, 2002b). Focused on the question of causal primacy, Harré's emphasis is on 'particulars' possessing certain causal 'powers' (Harré, 2002b, p.111). Social structures, then, according to this view, do not have a causal effect on human agents because,

> "...there are just people and the products of their activities". (Harré, 2002b, p.116)

Harré is not rejecting the notion of social structure in its entirety but, rather, argues that efficacious agents shape their world and create structures by following the norms of social engagement (Harré, 2002b, p.119). Generally speaking, Harré's 'agent' is a 'continuously existing being, continuously active which can bring about events without being stimulated in any way' (Harré, 2002b, p.112). For Harré, the relevant

agents of causal powers are 'people as actors' who, possessing 'capacities' or competences as they do, not only 'articulate roles' by 'following a rule', but also generate structures by 'acting in accordance with a rule' (Harré, 2002b, p.116). However, in Harré's final analysis 'the only efficacious being in the game is the person' (Harré, 2002b, p.117), that is, 'the person is the active agent' (Strydom, 2002, p.128). Harré (2002b, p.116), takes this even further suggesting that,

> "*...the only reality norms and rules have is of the same ontological status as the activities they 'govern', namely discursive acts*".

Harré is correct in suggesting that 'people... generate structure' and therefore, that 'they are a necessary foundation on which the possibility of social structures depends' (Harré, 2002b, p.114-115). To this extent, Harré even provides some support for Elder-Vass' emergentist approach, for the latter also argues that the sui generis properties of human agency can develop into a variety of social structures (Elder-Vass, 2010, p.115). Yet, Harré's denial of the causal efficacy of social structure means his approach will always upwardly conflate into an individualist theory of action or hermeneutics (Strydom, 2002, p.125-127). This approach, then, has great difficulty in answering the very practical sociological question of 'who is doing what to whom and when and why' (Carter, 2002, p.138) – questions of history, of resource allocation, of power - because of this process of upwards conflation.

Lacking an adequate causal account of social structure also seriously restricts the political relevance of Harré's perspective (Carter, 2002; Ratner, 2002) and, hence, its relevance for understanding social movement activism. Since social structures are seen as nothing but the 'product of a myriad of discursive acts', and 'the various story-lines people use in talking about what they have done', efforts at political or social change can only concentrate on the narratives of extant people' (Harré, 2002b cited in Carter, 2002, p.136).

> "If social life is constituted grammatically then it must be transformed grammatically... should anyone want to make changes in a form of life, the focus of their efforts must be on rendering implicit grammars explicit". (Harré, 2002b, p. 140)

The argument which Varela and Harré (1996) raise is an important one. Sociology should distinguish between the way in which people cause things to happen – by doing things – and the way in which structures cause things to happen – by motivating or discouraging, constraining and enabling certain sorts of human action (Carter, 2002, p.137). Indeed, the fact that structure and agency are distinguishable is exactly what Giddens misrepresents in 'structuration' theory.

However, for Harré, individuals are trapped within their own faulty discursive products (Harré, 2002b). They have simply failed to realise that human life is ''just a story-line' in which common-place phenomena takes on the (false?) appearance of an inaccessible social order' (Carter, 2002, p.139).

It is hard to see what sort of practical politics Harré's perspective might entail. *Which* people are responsible for *what* story lines? *How* many of these individuals need to change their storylines and to what extent should they be made to? *Which* storylines are the significant ones (ethically, democratically) and *how* are they to be selected. For Carter (2002, p.137), the key difference is between a story-line informing a practice by allowing people to negotiate and manage meanings and between actual practices which carry consequences: for, '...in doing some things, and by neglecting others, we shape the conditions for our own flourishing or decline' (Carter, 2002, p.137).

Carl Ratner argues that Harré's reductionist philosophy is designed to justify and realise a political ideal:

> "...society is presently composed of and controlled by individuals exercising their mundane, personal choices through conversations that are easily altered. In contrast, massive, objectified, interconnected institutions are impervious to personal expressions and changes. They contradict Harré's bourgeois politics and are thus unacceptable to him". (Ratner, 2002, p.456)

For Ratner, Harré's *social* philosophy is, in fact, based upon his *political* philosophy. An individualistic social philosophy 'legitimises political quiescence because it assures us that there are no structural, systematic phenomena to politically challenge' (Ratner, 2002, p.456). 'There is only a flux of social actions, primarily conversational in nature, and these can be changed through personal decisions and negotiations' (Ratner, 2002, p.456).

There is a problem for practical politics in seeing *conversation* as the root of all social phenomena. This problem is that not all human agents have the form of bilateral 'give and take' that Harré attributes to conversations, and, thus, social change. Conversation cannot be used as a metaphor for all social activity for this,

> "...naively democratises all activity in the image of bilateral exchanges of personal expressions". (Ratner, 2002, p.457)

Echoing Carter (2002, p.137), Ratner acknowledges that conversation, if considered as the root of social phenomena, 'does not take account of the concrete form that conversations acquire from macro cultural factors' (Ratner, 2002, p.457). The argument here is not advocating a polemical dualism between realism and hermeneutics. There are not 'two sorts of explanations' (cause and meaning), as Weber (Weber, 1949) suggested. Hermeneutic or *Verstehende* explanations cannot be offered as appropriate to the social sciences in place of causal explanations of events. For realists, 'hermeneutics are both a precondition and an aspect of critical realism' (Carter and New, 2004, p.12). As Bhaskar points out, 'hermeneutics is necessary for us to understand the meaning of an action, such as shaking the head or

saying 'hello', in a particular social context, language and culture' (Bhaskar, 1989 cited in Carter and New, 2004, p.12). But 'to correctly identify the *type* of an act is not to *explain* what actually brought about a particular act or set of such acts' (Carter and New, 2004, p.12).

It is clear that the perspectives or models we use about reality have important ramifications for the way in which we treat social phenomena. Moreover, the social philosophies we choose may be guided by our own political philosophies. This point also marks an opportunity to discuss the importance of Marxist historical materialism in chapter two. It is also important to be clear about what exists ontologically beyond the concepts or terminologies we use to describe particular social entities. There is a danger with critical realism that we do not elucidate those causal referents often implicit within the labels we use (Elder-Vass, 2010, p.65). It is vital to do this because in doing so we move beyond theoretical notions of ontological depth and show where causal referents exist and how they act. However, in order to provide a methodological argument which can postulate causal powers we must also provide an examination of the nature of 'emergence'. This analysis will provide an explanation of the complexities that exist in the interactions between structure and agency.

Emergence

Sociological research is interested in discovering the mechanisms by which human behaviour is influenced and the causal powers by which social events come to pass. Conventionally, these mechanisms have been understood as social structures. In order to be ontologically rigorous an emergentist philosophy moves beyond this basic understanding of the structure and agency debate. It argues that social structures are best understood as the causal powers of groups of individuals (Elder-

Vass, 2010). If sociology is interested in discovering the mechanisms which influence human behaviour then it is the theory of emergence which offers social entities justification for the claims of causal efficacy. It is a 'relational' theory of emergence that critical realists draw on in particular (Bhaskar, 2008; Rom Harré and Madden, 1975).

The relational theory of emergence refers 'to the way in which particular combinations of things, processes and practices in social life frequently give rise to new emergent properties' (Carter and New, 2004, p.7). A thing – 'an entity' or whole is understood to have properties or capabilities that are not possessed by its parts, that is, that 'a social entity is more than the sum of its constituent parts; it is the product of their combination' (Carter and New, 2004, p.7). Both wholes and parts are entities, and the terms refer to the roles played by particular entities in particular cases (an entity that is a whole in one context can be a part in another) (Elder-Vass, 2010, p.16). Entities are 'objects or things, such as atoms, molecules, human individuals, businesses and organisations'. Any entity consists 'of a set of parts that are in some way structured, such that the relations between the parts are more than merely aggregative'. Furthermore, 'an entity must have the quality of persistence, in the sense that it must sustain its existence over a significant period of time' (Elder-Vass, 2010, p.17).

An emergent property, then, 'is one that is not possessed by any of the parts individually and that would not be possessed by the full set of parts in the absence of a structuring set of relations between them' (Elder-Vass, 2010, p.17). The value of the concept of relational emergence, then, lies in its potential 'to explain how an entity can have a causal impact on the world *in its own right*' (Elder-Vass, 2010, p.5; emphasis added). The capability of an [constituent] entity to have such an impact is called a 'causal power' (Bhaskar, 2008; Elder-Vass, 2010; Harré and Madden, 1975).

For example, Carter and Sealey (2000 cited in Carter and New, 2004, p.7) argue that language can be seen as an emergent outcome of the practical engagement of human beings with the powers and properties of the world,

> "Once established in the form of grammars… and embodied in text or textual analogues, language develops a relative autonomy and properties and powers of its own. These, in turn, constrain and facilitate speakers in various ways by encouraging certain collocations, for instance, and discouraging others".

Elder-Vass, too, illustrates the argument for emergent properties by using the case of water from the natural sciences. Quoting the illustration by John Stuart Mill (1900), Elder-Vass (2010, p.17) argues that 'the properties of water are clearly very different from those of its components, oxygen and hydrogen, when these are not combined with each other in the specific form that constitutes water'. Water, then, has emergent properties.

The relational approach of emergence argues that emergent properties arise because *of* the particular relationships that hold between the parts in a particular kind of social entity. In other words, the source of emergence is the organisation of parts: 'the maintenance of a stable set of substantial relations between the parts that constitute them into a particular kind of whole' (Elder-Vass, 2010, p.20). Smith agrees:

> "...What defines such an emergent phenomenon is that it cannot be understood merely as an aggregative product of the entities or parts of the system but arises through their organisation". (Smith, 1970 cited in Elder-Vass, 2010, p.20)

Carter and New (2004, p.7) also provide an example: 'Families have emergent properties irreducible to those of their constituents, who are not just any collection of individuals but related as sons, daughters, parents and so on'. Indeed, the existence of these relations, to quote Archer, 'is the litmus test which differentiates between emergence on the one hand and aggregation and combination on the other' (Archer,

1995 cited in Carter and New, 2004, p.7). Importantly, Elder-Vass distinguishes emergent properties from 'resultant properties'. These are 'properties of a 'whole'' that *are* possessed by its ''parts' in isolation or an unstructured aggregation' (Elder-Vass, 2010, p.17-18). For Elder-Vass, the structural organisation of an entity is what gives it its emergent properties. As will become apparent in the discussion on norm circles, it is this structural organisation that gives groups of individuals emergent causal powers. The structural organisation of individuals into a whole can have particular causal effects on its individual parts as well as effects external to the group itself in the form of normative institutions (Bowker and Star, 1999 cited in Carter and New, 2004, p.7).

Elder-Vass (2010, p.23) gives a good summary of the argument,

> "The relational argument for emergence, then, is that it is because a higher-level entity is composed of a *particular stable organisation* or configuration of lower-level entities that it may be able to exert causal influence in its own right. It is the way a set of parts is related to each other at a given point in time that determines the joint effect they have on the world at that moment".

What Elder-Vass is arguing for, then, is a synchronic relationship amongst the part' of an entity that gives the entity as a whole the ability to have a particular diachronic causal impact (Elder-Vass, 2010, p.23). The stability or reproduction (synchrony) of an entity is dependent on its structure if it is to have the casual powers to make something happen *over time* (diachrony) (Hartwig, 2007, p.124). More particularly, it is when applying this emergentist theory to an examination of the social world that Elder-Vass recognises 'that it is specific groups of people that have social structural power' rather than a 'monolithic concept of society' (Elder-Vass, 2010, p.4). Elder-Vass coins the term 'norm circles' to refer to those synchronic entities with particular diachronic causal impacts.

Norm Circles

Norm circles are social groups with causal powers. These causal powers are *best* seen in the mechanisms *responsible* for developing social structures, of which one in particular is normative social institutions. These social institutions are said to be the 'emergent causal power of norm circles' (Elder-Vass, 2010, p.115). This thesis is concerned with retroducing the mechanisms responsible for normative institutions and the causal impact this normative environment has on the behaviour of human agents.

The concept of a normative institution is as diverse as the concept of social structure. The term is widely acknowledged to be used in a variety of ways, often ambiguously. For these reasons, Elder-Vass has provided an extensive justification for 'breaking the link' between the term 'normative institution' and 'society' (Elder-Vass, 2010, p.116-122). And in doing so, Elder-Vass makes the case that Durkheim's collective representation of normative beliefs and practices can be 'causally effective'; 'it is the collective norm or value that produces *standardised* behaviour and not the individual one' (Elder-Vass, 2010, p.118). A normative institution is understood, then, as 'an arrangement involving large numbers of people whose behaviour is guided by *norms*' (Jary and Jary 2000 cited in Elder-Vass, 2010, p.117).

The mechanism by which a norm circle is produced is 'that each member of the group of individuals collectively enacts a particular practice'. Each member of a norm circle holds 'a belief or disposition which endorses a particular social practice'. The mechanism, the beliefs and dispositions, 'are not a moral commitment by individuals within the norm circle'. They don't *just* follow solely on moral grounds. Rather, it is that particular members 'are aware that they are expected to observe a particular practice or belief and face positive or negative consequences depending on their actions' (Elder-Vass, 2010, p.112-123).

Rather than ascribing normative powers to an ambiguous concept like society, Elder-Vass argues that 'it is the norm circle which can endorse and enforce the norm'. The normative institution, then, is the causal power vis-à-vis the norm circle which 'tends to produce the corresponding practice through the influence it exerts on its members' (Elder-Vass, 2010, p.123). The causal power of an institution does not '*determine* behaviour' but rather '*contributes* causally to its determination alongside other causal powers' (Elder-Vass, 2010, p.123).

Norms can be understood, then, by the 'advocating of particular practices'. This can be achieved by some mechanism of positive or negative reinforcement. If the norm is endorsed by those who enact it, then other members of the circle are made aware that they 'face a systematic incentive' to sanction the practice from a normative environment (the 'normative institution') (Elder-Vass, 2010, p.124). It is in motivating individual members that a norm circle reasons agents to act on behalf of the circle as a whole. For Elder-Vass, 'it is this commitment to endorse and enforce the norm that is the characteristic *relation* between members of a norm circle' (Elder-Vass, 2010, p.124). Indeed, it is this characteristic relation that can give rise to mechanisms (beliefs, ideologies and values) on which a wider normative environment or *a* set of belief systems emerge. Norm circles, then, cause individuals to share in a normative commitment and act in ways they might not otherwise do. Their relations (normative commitment) when combined with these sorts of parts (other like-wise individuals), 'provide a mechanism that gives the norm circle a causal power: the tendency to increase conformity by its members to the norm' (Elder-Vass, 2010, p.124).

This emergent property is the normative institution. That is the causal power.

> "That causal power is implemented *through* the members of the group, although it is a power *of* the group, and when its members act in support of the norm, it is the group (as well as the members concerned) that acts". (Elder-Vass, 2010, p.124)

A normative institution 'works', then, because of the positive and negative reinforcement their behaviour is likely to incur. Beliefs systems tend to 'encourage the sanctioning of practices'. Systems 'take the form they do at least in part because of the emergent causal effects of the norm circle' (Elder-Vass, 2010, p.125). Individual beliefs, then, *mediate* between normative institutions and individual behaviour. Norm circles have a causal effect on these beliefs, which, in turn, have a causal effect on individual behaviour (Elder-Vass, 2010, p.125).

It is also important to recognise that normative institutions only *contingently* produce adherence to the norm. It is important to discern that the existence of a normative institution 'does not entail that all members… will actually endorse or enforce the norm on every relevant occasion…*if* an individual transgresses the norm, they are *likely* to encounter negative sanctions as a result' (Elder-Vass, 2010, p.126).

It is for many of these reasons, that a norm circle cannot be considered isomorphic with 'society', argues Elder-Vass. Not only do norm circles intersect, frequently, and thereby bring into question connections between groups of individuals and 'any given social totality'. Norm circles also give 'an explanation of the *mechanism*' (beliefs, ideology and values) 'by which the interactions between people produce the power of the whole' (Elder-Vass, 2010, p.127).

Norm Circles (Boundaries)

In breaking with the link between norms and an abstract concept of 'society', Elder-Vass (2010, p.127) considers the intersectionality and boundaries of any given norm circle. In an attempt to empirically identify norm circles in sociology, Elder-Vass argues that it is necessary to consider the three ways in which norm circles are manifest: 'proximal norm circles', 'imagined norm circles' and 'actual norm circles' (Elder-Vass, 2010, p.127-128).

The first is what Elder-Vass calls a 'proximal norm circle'. For any given normative belief or disposition, each person has a proximal circle, that is, 'the set of people who influenced its [the belief or dispositions] formation' (Elder-Vass, 2010, p.127).

The second way is dependent on the individual's beliefs about the extent of the norm circle. Elder-Vass argues that 'each individual (at least implicitly) has an imagined norm circle for each distinct normative belief or disposition' (Elder-Vass, 2010, p.128). 'What is imagined is not the *existence* of the community but its extent, its size and its boundaries' (Anderson, 1991 cited in Elder-Vass, 2010, p.128). For Elder-Vass, 'the individual experiencing the attentions of the proximal norm circle learns that they represent a wider group, but the extent of the group may remain obscure' (Elder-Vass, 2010, p. 128).

Third is the 'actual norm circle'. This represents 'individuals who actually endorse and enforce a norm concerned irrespective of whether the individual has had any contact with them' (Elder-Vass, 2010, p.128). Is it comprised, then, 'of all those who would in fact act in accordance with a norm if they were to interact with an individual'. Yet, it is dissimilar to proximal and imagined norm circles because 'the actual norm circle for any given norm is the same for all individuals within it' (Elder-Vass, 2010, p.128-129).

To make things clearer: an individual's interaction with the proximal circle will produce a disposition to act in conformity. Each member of this circle then has their *own* proximal norm circle, which can extend further into the actual circle. As such, 'we would expect all such proximal circles for a given norm to intersect to produce a patchwork that covers the whole of the actual circle' (Elder-Vass, 2010, p.129). Each proximal circle, then, in effect, 'acts causally… on behalf of the actual norm circle' (Elder-Vass, 2010, p.129). The imagined circle is too causally significant - the presence of this circle - tending to influence the individual's conformity with the norm. The actual circle, then, is where an 'individual will be subjected to the

endorsement and enforcement of the norm, irrespective of the expectations about such endorsement that arise from their sense of the imagined norm circle'. The actual circle is independent of any given beliefs held about it by an individual. The two, argues Elder-Vass, are 'ontologically distinct' (Elder-Vass, 2010, p.129).

The actual circle, then, is mediated in two different ways. It is negotiated in the process of learning, i.e. 'the individual is exposed to the influence of the actual norm circle through the mechanism [beliefs, ideologies and values] of the proximal norm circle'. It is also effectuated in the process of choice, i.e. 'the individual is exposed to the influence of the actual norm circle through the mental image that they have of it: the imagined norm circle' (Elder-Vass, 2010, p.130).

> "Ultimately normative social institutions are casual powers of actual norm circles, mediated through the forms of proximal and imagined norm circles". (Elder-Vass, 2010, p.130)

Social Movements and Activist Experience

The development of these conceptual tools serves, in this thesis, as a theoretical framework for an analysis of the experience of social movement activism. Normative social institutions and the three types of norm circles explicated in this chapter are a necessary precursor for developing the theory of collective action on which social movement activism depends. In particular, this thesis develops a theory, which for the most part, is animated by the production of knowledge from activist experience itself (Barker and Cox, 2002).

> "Knowledge exists as an aspect of our being in the world, and before we can know how we know, we need to have some idea how we interact with that world …in such a way as to acquire knowledge of it". (Collier, 1994, p.137)

The knowledge that social movement activists develop in the course of their activism is generated from the experiences they share as individual and collective agents. This knowledge informs 'why agents choose to act – or not to act – in particular ways'. It is experience itself that 'mediates between existing social conditions and the social consciousness which activists possess of these conditions'. Bhaskar (1989, p.89-90) also makes this point eloquently,

> "On the view advocated here, knowledge, though necessary, is insufficient, for freedom. For to be free is (i) to know, (ii) to possess the opportunity and (iii) to be disposed to act in (or towards) one's real interests".

In experiencing problems, obstacles, challenges and frustrations in their social worlds, activists turn to norm circles in order to galvanise pressure for social change. These collectivities 'seek to develop political practices ('activism') that make it possible to respond to such challenges effectively' (Cox and Nilsen, 2005). For Bhaskar (1989, p.90), this is what is meant by transformation, a move from 'an unwanted to a wanted source of determination... [which] can only be effected in practice'.

Experience, then, is point-of-departure for the development for social movement activism and it is also the point-of-departure for sociological knowledge *about* it. Of course, experience cannot solely explain what is happening in the world or 'what is to be done' (Lenin, 1973) to confront various oppressions. However, by giving prominence to how activists transcend their immediate experiences of power and oppression and by paying attention to the causes of that oppression, the emergentist realist philosophy developed here provides a theoretical framework for understanding the sui generis powers of social movement activism (Cox and Nilsen, 2005). It provides a framework for understanding both the nature of social movements and the causal powers which they both possess and resist.

> "Theory attempts to understand things not apparent on the surface, to find the inner connections... And the point of all this is to understand the real world – in order to change it". (Lebowitz, 2003 cited in Cox and Nilsen, 2005)

It is by way of experiencing an actual norm circle reinforcing their ideological beliefs and values that movement activists develop a political response to oppression. Movement activists experience both the oppression of normative social institutions and their constituent norm circles and they develop their own norm circles with which they resist that oppression. There are, accordingly, two types of norm circles which are of particular significance for this thesis: 'hegemonic norm circles' and 'norm circles of resistance' (Cresswell, Karimova and Brock, forthcoming).

Laurence Cox and Alf Nilsen have both suggested that activist knowledge is forged through efforts to transcend immediate experiences. So, whilst experience is the point-of-departure for movement activism, it is the 'practical-tacit' knowledge which emerges about the world – generated from experience but not confined to it – that is of particular sociological interest. This knowledge has the potential to develop not only more adequate sociological knowledge of the world but, also, more effective forms of political activism. Theoretically, the study of social movement activism from a critical realist perspective has the potential to rigorously develop the concept of the norm circle – by supplementing it with the typology of 'hegemonic norm circles' and 'norm circles of resistance' - the normative social institution and the general conception of norms. It is in attempting to transcend individual experience that social movement activists seek out their proximal, imagined and actual norm circles and, ultimately, transformative normative institutions. It is within such circles that political activism develops and flourishes.

Methodologically, the role of critical realism is to retroduce the causal powers by which social events are generated but only by 'retroducing' the mechanisms and structures by which social entities exist and cause the phenomenon of experience in the first place (Lewis, 1996, p.487; 2000). This is also true for the experience of

social movement activism. It is in the transformation of experience itself, knowledge-like material (Lewis, 1996, p.487; 2000), that social movement activists develop an understanding of those mechanisms which oppress them in practice. Whilst it is the role of critical realism to retroduce these mechanisms, it is vital to recognise that movement activist experience plays a central role in the development of knowledge about these very mechanisms (beliefs, ideologies, values). It is in this sense that sociological knowledge and social movement activism are complementary practices.

Summary

Critical realism is concerned with a central ontological question of sociology: *what must reality be like for the sui generis powers of human agents to exist*? Reality, according to an emergent critical realism, is made up of mechanisms, structures and powers which interact to cause events to occur. In the social world, the entities responsible for social events can be understood as groups of individuals or norms circles. Norm circles are considered to have causal effects upon the behavioural practices of their members. The causal powers which produce these effects are an emergent property of the organisation of individuals within a particular social structure. The causal power is the normative social institution.

A 'covering law' model of reality would not provide an adequate account of causal powers in the social world. Social entities do not share the proximities of natural entities and are bounded by structures which can traverse large geographical distances and temporal periods. Echoing Bhaskar, all phenomena worth knowing needs to be studied within an open system which is subject to interruption and intervention. The closed systems favoured by Hume and Hempel are not adequate for a critical realist analysis of the social world. Nor is the anthropocentric philosophy of hermeneutics forwarded by Varela and Harré (1996) sufficient. Hermeneutics, whilst

offering an agential focus to the construction of social structure, fails to account for the causal powers of social structures. This has a number of practical and political implications.

This thesis argues that the sui generis causal powers of human agents are emergent from social structure and these emergent properties explain the patterns of both oppression and resistance which animate social movement activism. The point of departure for this analysis will be the experience of social movement activists. These experiences are vital for the development of activist knowledge, for the identification of the 'hegemonic norm circles' which oppress them, and for the formation of the 'norm circles of resistance' the *raison d'être* of which is to resist that oppression.

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[1] It is important to note that human agents also constitute a 'whole' in the sense that they are made up from biological 'parts' (Elder-Vass, 2010, p.194).

[2] "Factual beliefs like 'water is two parts hydrogen and one part oxygen' and ethical beliefs like 'cruelty is wrong' are not expressions of mere preference. To *really* believe either proposition is also to believe that you have accepted it for legitimate reasons. It is, therefore, to believe that you are in compliance with certain norms…when we believe that something is factually true or morally good, we also believe that another person, similarly placed, should share our belief" (Harris, 2010, p.14).

[3] Roy Bhaskar (2009, p.120). uses the term 'absent' in a debate with Rom Harré to refer to important facts about particular entities which are not there.

[4] For the purpose of the thesis the term 'retroduction' is used to refer to both mechanisms and causal powers. It becomes apparent that the emergent causal powers of 'norm circles' can be understood as mechanisms when beliefs, ideologies and values are responsible for the emergence of a set of belief systems which tend to encourage the sanctioning of practices – a normative social institution. This institution causally effects conformity and can be 'retroduced' through an exploration of the mechanisms from which it has emerged.

Chapter Two

Critical Realism and History

Introduction

The previous chapter argued that the conceptual tools of critical realism provide a theoretical framework for an analysis of the experience of social movement activism. Three types of norm circle (proximal, actual, and imagined) and normative social institutions were explicated as a necessary precursor for developing a theory of collective action upon which an understanding of social movement activism depends. In particular, the chapter argued for a theory which, for the most part, is animated by the production of knowledge from activist experience (Barker and Cox, 2002). The synchronic dimension of analysis, which figures so prominently within critical realism, offers a foundational part – but only a *part* - of this theory. Critical realism can be deployed to retroduce generative mechanisms (beliefs, values and norms), constituent entities (norm circles) and causal powers (normative social institutions) by which historical events and experiences are caused (Lewis, 1996, p.487). Whilst it is the role of critical realism to retroduce these mechanisms, it is vital to recognise that movement activist experience itself plays a central role in the development of knowledge about these very mechanisms. The previous chapter argued that it is in the transformation of human experience that social movement activists develop an understanding of the generative mechanisms which oppress them in practice. To this end critical realist sociology and social movement activism are complementary forms of political and social critique.

A synchronic-*only* account of social movement activist experience would be limited. As Archer (1995, p.165-166) contends,

"Society is not a mechanism with fixed indispensable parts and determinate relations between parts, pre-set preferred states and pre-programmed homoeostatic mechanisms. Society is not like a language with an orderly, enduring syntax whose components are mutually invoking… these are special kinds of system and society is another, which is only like itself and is itself because it is open, and is open because it is peopled, and being peopled can always be re-shaped through human innovativeness".

Archer diagnoses the limited nature of a synchronic-only account of social reality. The conceptual tools of sociological research must possess the explanatory power to account for the synchronic and the diachronic. In asserting the significance of both, research can possess not only the explanatory power to account for the maintenance of social structures, agential action and the maintenance of social order but also historical transformation and *change*.

"Hence the use of the term 'morphogenesis' to describe the process of social structuring; 'morpho' indicating shape, and 'genesis' signalling that the shaping is the *product* of social relations". (Archer, 1995, p.166; emphasis added)

These diachronic features of social reality can be brought to the fore by way of historical and empirical investigation.

"Sociological realism is pre-eminently a historical sociology, one whose concern with temporality is fundamental. The realist notion of a stratified social ontology, with its emphasis of causal relations, generative powers and emergent properties, makes history indispensable to social science". (Carter, 2000, p.6)

Critical realism acknowledges the dimension of diachronicity. By elucidating the diachronic features of Elder-Vass' norm circles, historical investigation can account for the temporal features of casual powers which generate historical events.

In the previous chapter, norm circles were understood as implicit in the patterns of oppression and resistance, which in turn, animated movement activism. This chapter is concerned with how to make them explicit by way of empirical investigation into the experiences of activists. In doing so, it identifies how movement activism comes to recognise 'hegemonic normative institutions', and the 'hegemonic norm circles' which maintain these causal powers. They do so through the experience of the oppression that emanates from these circles, and the individuals that maintain these circles. As such, this movement activism comes to constitute, as a consequence of these experiences, 'norm circles of resistance'. If norm circles are animated by the production of knowledge, then it is human experience that will render the resistive nature of human agency explicit. This, in turn, aids critical realism in the task of retroducing the mechanisms and structures by which power is exerted.

The historical materialism of which E.P Thompson (1965; 1975; 1991; 1995) writes provides a number of methodological prescriptions necessary for capturing the ethnographic detail within the experiences of social movement activism. The work of E.P. Thompson pilots a convincing case in rendering the experiences of human agents explicit. What E.P Thompson offers critical realism is what he calls 'historical logic' (1995, p.52); a set of prescriptive guidelines useful for elucidating the empirical material needed for understanding historical transformation and change. In substituting his notion of 'social class' for contemporary 'social movement activism', the chapter offers a core theoretical argument: that combining synchronic analyses derived from contemporary critical realism with diachronic analyses derived from Thompson and others, sociological research can construct a persuasive explanation of historical, empirical social phenomena and the changes within it.

The chapter argues that in order to provide a comprehensive account of social activist experience, Elder-Vass' (2010) work, which is impressively synchronic, may be supported by a persuasive explanation of the historical through E.P Thompson and others. Whilst Elder-Vass (2010, p.179-186) affirms the significance of the

diachronic, there is the potential to offer his norm circles *temporality* when considering a history of social movement activism. It is this focus on time that brings the historical method of E.P Thompson and critical realism together as both move forward and recognise the significance of the diachronic (Thompson, 1995, p.96). To this extent, Thompson provides the diachronic with an ethnographic detail of revolutionary quality (Sewell, 1986, p.2). His historical method provides the 'raw materials', 'real' and 'historical' (Thompson, 1991, p.8); the lived experience of human agents. All of these are necessary for understanding how a 'special kind of system', like society, is 're-shaped through human innovativeness' (Archer, 1995, p.165-166). To paraphrase Philip Abrams (1982, p.2), 'it is in turning to history, then, that our synchronic analyses turns to a deeper and more realistic understanding of the social world'.

Before the relationship between Thompson and critical realism can be established there are a number of issues associated with the diachronic dimension of his work which must first be explicated. In particular, Thompson's central notion of 'human experience', which is ostensibly drawn from a purely diachronic reading of the social world, requires closer scrutiny and critique. This chapter argues that, ultimately, Thompson's valorisation of the category of 'experience' is untenable. There are, thus, problems with the ostensibly pure diachrony that Thompson presents. For instance, 'he fails to deliver a sufficient understanding of social structure in his 'magnum opus' *The Making of the English Working Class* ('*The Making*') (Sewell, 1986, p.14-16). In essence, as William H. Sewell Jnr. has argued, Thompson's historiography is only ostensibly pure diachrony and, in fact, his core category of 'experience', expressed paradigmatically in *The Making*, but developed more explicitly in the long essays 'The Poverty of Theory' (1978) and 'The Peculiarities of the English' (1965), actually presupposes the synchronic primacy of the economic base along the lines of the base-superstructure model of classical Marxism (e.g. Marx, 1859). In portraying a picture of pure diachrony, 'Thompson paradoxically presupposes the very theory of structure which he is at pains to deny elsewhere'

(Sewell, 1986, p.6) – in particular within the vigorous polemic pursued against Louis Althusser in 'The Poverty of Theory'. Sewell's critique serves the overall theoretical framework of this thesis well. Whilst the ethnographic detail and extensive narrative of Thompson's work remains impressive in scope, Sewell argues that, 'this diachronic feature of historiography needs to be supplemented synchronically', and he advances his own particular case with Giddens' 'Structuration Theory' (Giddens, 1979; 1981; 1993 cited in Sewell, 1986, p.20-21) as his synchronic dimension of choice.

Giddens' theory, however, is limited (see chapter one) and this chapter argues that a synthesis with critical realism provides a much more comprehensive theoretical framework. Giddens' position suffers theoretically through a 'central conflation' (Archer, 1995; Danermark et al., 2002) of the structure/agency relation and this is insufficient in developing an adequate account of social structure for it reduces the ontological status of structure to that of mere agential instantiations (Carter and New, 2004, p.5). What this means is that Giddens' account of social structures is merely 'virtual' such that social structures possess only a 'shadowy' essence until they are psychologically instantiated 'in' the human agent by way of 'memory traces' (Giddens, 1984 cited in Elder-Vass, 2010, p.120). Such a 'shadowy' account of structure lacks the historically materialist recognition that social structures *are* causally efficacious. This chapter, therefore, substitutes structuration theory with the emergent realism of Elder-Vass whilst nevertheless retaining the overall theoretical contours of Sewell's compelling Thompson critique. This synthesis between materialist historiography and realist philosophy provides a strong overall theoretical framework which is both persuasively synchronic and persuasively diachronic. This argument, then, is used to supplement the diachronic dimension of Thompson with the synchronic dimension of critical realism. This is also, in essence, the argument of Philip Abrams (1980, 1982) whose own position sees history and sociology (i.e. critical realist sociology) as existing in combination – indeed, for Abrams (1982, p.2), that is just what 'historical sociology' is.

The previous chapter concerned itself with a central ontological question of sociology: *what must reality be like for the sui generis powers of human agents to exist*? This chapter suggests that the knowledge that social movement activists develop in the course of their activism is generated from the experiences they share as individual and collective agents. Experience, then, mediates between existing social conditions and the social consciousness necessary for change.

The theoretical framework presented here, then, is one in which the reproduction of ideological beliefs and values, in the 'superstructure' is the location where the relationship between history and critical realism plays itself out. It is here that social movement activists construct 'facts' about 'values'[1] (Bhaskar, 1998, p.63; 2011, p.151) – at the interface of the synchronic and the diachronic dimensions - and it is here, also, that a comprehensive explanation of activist experience can be found. Historical materialism and critical realism are complementary theoretical paradigms, and this chapter is concerned with specifying the correspondence obtaining between them.

Historical Materialism

First articulated by Karl Marx in his 'materialist conception of history' (Marx, 1859), historical materialism is concerned with explaining the causes of change in human society. These causes are understood, in many ways, as the collective work of human agents who (re)produce the necessities of life. In the Preface to 'A Contribution to the Critique of Political Economy' (1859) Marx provides his celebrated summary of historical materialism. He argues that historical materialism starts from a fundamental understanding of the underlying ontology of human existence: that in order for human beings to survive and continue existence from generation to generation, it is necessary for them to produce and reproduce the material

requirements of life (Marx, 1859). For Marx, these productive relations were the 'economic base' of social relations - a combination of forces in which technologies and instruments reinforce the means of class (re)production (Ritzer, 2008, p.65).

Marxist beliefs about history, then, pertain to the notion that progress in the social world is driven by the material or productive forces a society has at its disposal at any given time. Historical materialism is concerned with how humans are involved in these relations and how particular classes enforce their preferred productive relations onto society. Beyond these foundations of the economic base arise certain political institutions, laws and customs by which the productive relations of particular classes were further secured. This 'superstructure' is the political, ideological and institutional features of society and, ultimately, a 'reflection' of the mode of production upon which society is founded (Ritzer, 2008, p.65-66). For Marx, the state was one such institution in which the ruling class could secure and enforce its preferred production relations onto the proletariat. In essence, this thesis is deriving its diachronic dimension of analysis from Marxist historical materialism. This is not a historical materialism, however, which reduces everything down to the economic base – as in some species of 'vulgar' Marxism (Marx, 1847 cited in Ritzer, 2008, p.66) - but, rather, a historical materialism that it is concerned with the reproduction of ideological materials, beliefs and values in the 'superstructure'. It is by way of norm circles that this reproduction takes place, and it is by way of the methodological prescriptions of historical materialism that this process of reproduction – and the resistances to that process which emerge - can be captured. It is apparent, then, that the arguments of historical materialism echo the realist argument set forth in chapter one that human agents are causally efficacious in reproducing and resisting the ideological values which are hegemonic in society. The synchronic argument is that these norms and values are reproduced by way of a variety of norm circles ('hegemonic norm circles' and 'norm circles of resistance') and the causal powers of normative social institutions. But it is the 'historical logic'

of Thompson's historical materialism that will glean empirical insight into the question of how and when such causal powers are deployed.

It is important to note that there are some very basic similarities between Bhaskar, Marx and Thompson. For instance, all three are in opposition to forms of idealist philosophy, especially that of Hegel and his followers (Bhaskar 2008; Marx, 1932; Thompson, 1995):

> "That is to say, we do not set out from what men say, imagine, conceived, nor what has been said, thought, or conceived of men, in order to arrive at men in the flesh. We begin with real, active men". (Marx, 1845 cited in Giddens, 1979, p.150)

This premise features in the work of Engels (1880) also. In inferring the reality of both process and structure 'inscribed' in history, Marx and Engels affirm the objectivity of historical knowledge, and 'pillory 'idealist' modes of thought' (Thompson, 1995, p.34). The focus on objective knowledge is repeated, in the most specific terms, in Bhaskar's transcendental realism (Bhaskar, 2008, p.25) for which, reality consists of independent and enduring objects. It could be argued that the causal laws present within history are 'universal, real and irreducible'; that is, 'they hold and operate independently of any closed systems in which they are probed' (Bhaskar, 2008, p.14). For instance, not only do Bhaskar and Thompson have an ontological commitment against reductionism and idealist philosophy (Bhaskar, 2008, p.16; Thompson, 1965, p.352) but they both have an ontological commitment to objective 'truth', historical and scientific (Bhaskar, 2008, p.16; Thompson, 1995, p.55). There is a link, also, between realism and history in the appraisal of temporality. Archer's morphogenetic model allocates structure and agency to different temporal rhythms (Archer, 1995).[2] This view allies closely with Thompson who was perturbed by sociologists who do not recognise that social phenomena exist in time – their tendency, for Thompson, is to 'stop the time-machine' and therefore misrepresent the reality and the temporality of the diachronic domain (Thompson, 1965, p.357).

This ontological commitment is a foundation on which the conception of 'Praxis' is developed by Bhaskar (Bhaskar, 2011, p.76). Praxis is a conception which stresses the 'practical' and 'applied' knowledge of one's own actions to problem solving, whilst emphasising that human beings are not wholly 'free agents' (Mautner, 2005, p.486). Indeed, Praxis is an embodied skill enacted or practiced within certain constraints. This is certainly complementary to the picture of structure and agency presented by Elder-Vass (2010) and a number of other critical realists (Archer, 1995; Bhaskar, 2008). For Marx, any shortcomings in previous forms of thought were the result of a lack of agency whereby the relations between human agents and the natural (material) world were treated as one of passive contemplation. Rather, Marx considered this interaction between human agency and the material world to be one of 'active practical relations' (Giddens, 1979, p.151). Marx even uses the term 'practical, human-sensuous activity' (Marx, 1888) to refer to this active appropriation whereby human agents and their material worlds coexist.

Famously, Marx critiques Ludwig Feuerbach for this very passivity (Marx, 1888). In ignoring the social and historical context which situates human agency, Feuerbach, Marx argues, is unable to conceive of "sensory activity", that is, 'social being' in a practical situation. This is because Feuerbach abstracts human agency from specific material conditions, the very conditions which characterise 'practical human-sensuous activity'. Sensation, in Feuerbach, is akin to idealist thinking; abstract and shallow. But human agency, in Marx, Thompson and Bhaskar is an ontological endowment; it is 'practical, human-sensuous activity' and it is what brings historical materialism and realist philosophy together. Human agents, 'as reflexive beings capable of highly sophisticated symbolic communication', to think and act in tandem with the social world (Carter and New, 2004, p.5). This is the sui generis property of human agency. In terms of social movement activism, and to paraphrase Marx: philosophers have, so far, only interpreted the world; the point of social movement activism is to *change* it (Marx, 1888).

It is the focus upon human relations, and therefore, agential experience which means that historical materialism delivers a comprehensive methodological project which can capture reality's diachronic dimension. This claim is justifiable when looking at the historical works of E.P. Thompson whose historiographical prescriptions have piloted very rich (Sewell, 1986, p.3) detailed 'thick descriptions' (Geertz, 1973) of society. It is his 'historical logic' that renders the ethnographic features of human life explicit, and it is his Marxist conception of history that gives critical realism a picture of experience not possible through a purely synchronic reading of the social world. His historical materialism, this chapter argues, plays an important role in the portrayal of human experience both in *The Making* and also, to pick another example, in *Whigs and Hunters* (1975). It is his narrative-style, in particular, which provides the reader with a semblance of workers' experience – 'to make them [the reader] participate vicariously in the suffering, the heroism, the tedium, the outrage, the sense of loss and the sense of discovery that constituted the formation of the working class' (Sewell, 1986, p.3). This narrative has imparted to Thompson's ethnographic detail a 'revolutionary' quality and is considered his 'greatest achievement' (Sewell, 1986, p.2). Theoretically informed by notions of class formation, these notions are then delicately 'woven' into a 'rich tapestry of working-class experience' (Sewell, 1986, p.3).

In *The Poverty of Theory* Thompson advances a classic polemic and critique of Althusserian Marxism or, more particularly, the notion of 'theoretical practice' (Althusser, 1970 cited in Thompson, 1995). This polemic is offered in the service of a 'historical logic' drawn from Thomson's 'socialist humanism' (Thompson, 1975) rather than Althusser's structural Marxism. Around this polemic, Thompson develops an alternative socialist tradition, both empirical and self-critical in method, and fully open to the creativity evinced by history. It is Thompson's claim that this 'historical logic' is now sharply opposed to much that passes for contemporary Marxism and, in particular, the structuralism of the Althusserian (Thompson, 1995, p.96). Here, Thompson argues that the conclusions of Althusserian philosophy tend

to reject the diachronic features of history as merely 'unstructured 'narrative'' in favour of a picture of pure synchrony (Thompson, 1995, p.96). Infamously, he goes as far as to call Althusserian structuralists '*geschichtenscheissenschlopff*' or more plainly, 'unhistorical shit' (Thompson, 1995, p.145) and in *The Poverty of Theory* does his best to set apart the Marxist historical tradition which he works within from Althusserian structuralism.

In both these works, Thompson makes it apparent that 'historical logic' is distinguishable from the forms of argumentation of sociological and philosophical theory. Whilst all may commence by acknowledging the significance of diachrony, sociology and philosophy 'end up by tilting the vocabularies of knowledge very heavily (even absolutely) towards synchronic rather than diachronic procedures' (Thompson, 1995, p.96). For Thompson, it is because sociologists do not exhibit *historical control* over the models they use to explain social reality that the diachronic is 'waivered'. Sociologists must, therefore, refuse to 'stop the time-machine' (Thompson, 1965, p.357) in order to truly appreciate that social phenomena exists *in motion*; history, in short, is a time-machine, and within this time-machine, change and conflict, action and reaction, success and defeat are constituted in the medium of time (Thompson, 1965, p.357).

This separation (between the synchronic and diachronic dimensions) is maintained by way of what Thompson calls 'historical logic'. It is a means of maintaining a 'disciplined historical discourse' (Thompson, 1995, p.52): a guide for the historian towards a comprehensive diachronic rendering of the social world as it is. 'Historical logic' is a prescription of good historical practice and it is these practices that carry the methodological weight necessary for developing the ethnographic detail and rich narrative 'thick description' (Geertz, 1973) seen in *The Making* and in *Whigs and Hunters* (Thompson, 1995, p.53-54).

Principally, this logic is derived from Humanist historian Giambattista Vico whose own vision was one of history as *process*, but process with a subject in contrast to the structuralist notion of 'history without a subject'. This subject is human agency; 'then men and women can be seen to be the subjects or agents of their own history' (Thompson, 1995, p.116). 'Historical logic', then, is concerned above all with the experiences of human agents.

> "It is true that men have themselves made this world of nations... but this world without doubt has issued from a mind often diverse, at times quite contrary, and always superior to the particular ends that men had proposed to themselves; which narrow ends, made means to serve wider ends, it has always employed to preserve the human race upon this earth... That which did all this was mind, for men did it with intelligence; it was not fate, for they did it by choice; not chance, for the results of their always so acting are perpetually the same". (Vico, 1948 cited in Thompson, 1995, p.116-117)

For Thompson, the Marxist historical tradition, 'has been in search of a term by which addresses the uniformities of customs and the regularities of social formations', since the time of Vico (Vico, 1948 cited in Thompson, 1995, p.117). 'Historical logic' is this means, and gives historians answers 'not as lawed necessities...nor as fortuitous coincidences' but 'as the shaping and directive pressures, indicative articulations of human practices' (Thompson, 1995, p.116). 'Historical logic', then, is necessary because it appreciates the way human agents make history and the role human experience plays in this 'making'.

'Ever since the time of Vico', Thompson writes, historical materialism has stressed the importance of an historical process with agency as its subject (Thompson, 1995, p.117). In the same way that critical realism stresses the reproduction of structure by way of agential action (Archer, 1995; Bhaskar, 2008; Carter and New, 2004; Elder-Vass, 2010), historical materialism captures this process by way of ethnographic

detail and agential experience. Human agents 'make' history in as much as they 'reproduce and transform social structures' (Engels, 1883).

'Historical logic' is that methodology appropriate to historical materials, designed as far as possible to test hypotheses as to the structure and causation of history where one or a number of historical events may give rise to an on-going process or a point of departure for sociological research. It concerns itself with 'eliminating self-confirming procedures' from research and where possible guides historians towards 'a disciplined historical discourse where proof and validation consist of a 'dialogue' between theoretical concept and empirical evidence' (Thompson, 1995, p.52). For Thompson, 'such logic is not evidenced in every historian's practice, or in any historian's practice all of the time', but it does constitute the discipline's 'court of appeal' by which evidence is 'interrogated' and judged (Thompson, 1995, p.52-53). 'Historical logic' is concerned with 'facts', the immediate objects of historical knowledge, those 'evidences' which have real, that is, *determinant* existence in the social world but are only knowable in certain ways – i.e. by 'vigilant historical procedures' (Thompson, 1995, p.53).

'Historical logic' prescribes a 'provisional assumption' of an ontological and 'epistemological character: that the evidence which he handles has a 'real' (determinant) existence,' in its 'primary form', 'independent of its existence within the forms of thought' (Thompson, 1995, p.38). This evidence is witness to real historical process' and it is 'this process (or some approximate understanding of it)' that is 'the object of historical knowledge' (Thompson, 1995, p.38). For Thompson, 'facts are *there*, inscribed in the historical record', yet this does not mean that they automatically 'disclose their meanings and relationships (historical knowledge) of themselves, and independently of theoretical procedures' (Thompson, 1995, p.37). This is the same ontological and epistemological commitment as critical realism. That evidence, whatever its form, 'is witness to a real process and this process is the object of knowledge' (Thompson, 1995, p.38). Indeed, it is the aim of critical realism

to retroduce the mechanisms by which this process takes place (Lewis, 1996). If history were not made up of women and men, if it were an intransitive phenomenon, historians and sociologists could never ascertain its full extent because of its complexity and the mediation that occurs between thought and object (Carter and New, 2004, p.4). This problem is confounded by the very ontological nature of historical knowledge; it is both 'provisional' and 'incomplete' (Thompson, 1995, p.53, 68). Historical knowledge, for this reason, 'cannot deal in absolutes'. It is 'selective': the evidence available is often and therefore the historian can only select a part of the real totality of human existence. It is also limited because 'it is defined by the questions proposed to the evidence' (and the concepts informing those questions) and hence only true in the field so defined' (Thompson, 1995, p.52, 68). This is not to say that historical knowledge is 'untrue' but rather that it is only 'true' 'within the field so defined' (Thompson, 1995, p.37, 523).

'Facts', then, can be 'liars' (Thompson, 1995, p.38), 'innocent questions may be a mask for exterior attributions', and 'even the most highly-sophisticated supposedly-neutral and empirical research techniques – techniques which would deliver to us 'history' packaged and untouched by the human mind - may conceal the most vulgar ideological intrusions provisional' (Thompson, 1995, p.38). These 'facts' which historical knowledge seeks are, according to antagonists of the historical method, 'discrete', if knowable at all. They are, as 'raw material' – 'impure' provisional'.

> "Historical facts survive (as texts) in fortuitous or preselected ways: they arrive already within an ideological field; they are, therefore, in no way 'neutral'. Historical notions of causation or of structure are highly-elaborated theoretical constructions; as such, they are properties of theory and not of its object, 'real' history". (Thompson, 1995, p.46)

For Thompson, then, 'no empirical procedure', 'no experiment' can be processed to reveal history's 'character' (Thompson, 1995, p.46). History needs to be understood as an 'improper holistic concept' by which sequences of facts may be accounted for

'as they succeed each upon the other' (Thompson, 1995, p.46). When we introduce concepts, we introduce 'models', which 'assist in investigating and organising these facts'. For Thompson (1995, p.46; emphasis added), we must be clear that 'these models exist in our heads and not *in* the history'.

'Historical logic', then, faces a number of difficulties in explaining historical process and verifying its own explanations. Yet, it is 'a logic appropriate to historical materials' (Thompson, 1995, p.52). It cannot usefully be considered according to the same criteria as the natural sciences: 'history' provides 'no laboratory for experimental verification'; 'it affords evidence of necessary causes but never (in my view) of sufficient causes' – for the 'laws' (or as I prefer it, logic and pressures) of social and economic process are continually being broken into by contingencies in ways which would invalidate any law in the experimental sciences' (Thompson, 1995, p.51). These reasons simply illustrate that 'historical logic' is not the 'same' as the disciplinary procedures of the natural sciences:

> "History never affords the conditions for identical experiments; and while, by comparative procedures, we may observe somewhat similar experiments in different national laboratories (the rise of the nation state, industrialisation) we can never reach back into those laboratories, impose our own conditions, and run the experiment through once again". (Thompson, 1995, p.64)

This ontological difference between the natural and social world has been outlined in chapter one. The social world cannot be 'tested' in the same way as physics or the natural sciences because of what Elder-Vass (2010, p.199) called the 'spatial disarticulation' of social structures. Under conditions of such 'disarticulation' it is history that, for Thompson, is the 'laboratory' of human experience and the 'equipment', which 'tests' this experience are the procedures of 'historical logic' (Thompson, 1995, p.64).

In the 'finished process', then, when historical change or an historical event has occurred, with its intricate patterns of causation, synchronic dimensions and so on, historiography may 'falsify' or 'misunderstand' *what* or *how* an event has occurred but it 'can't in the least degree modify the past's ontological status' (Thompson, 1995, p.55). The objective of 'historical logic' is the attainment of that history's provisional truth (Thompson, 1995, p.53). When we speak of the 'intelligibility' of history, Thompson means we speak of the understanding (of causation) of historical process: this is an objective knowledge, disclosed in a dialogue with determinate evidence (Thompson, 1995, p.55). The evidence is determinate in the sense that, while any number of questions may be put to it, only *certain* questions will be appropriate (Thompson, 1995, p.53-54).

> "While any theory of historical process may be proposed, all theories are false which are not in conformity with the evidence's determinations". (Thompson, 1995, p.53-54)

This too constitutes the disciplines 'court of appeal'. Whilst it can be considered true that historical knowledge always 'falls short of positive proof', false historical knowledge is 'generally subject to *dis*proof' (Thompson, 1995, p.54; emphasis added). It is, then, to the fallibility of knowledge, rather than to its positivistic proof, that both critical realism and historical sociology turn. Neither can claim to achieve infallible 'true' descriptions or explanations of entities which are based on (also fallible) causal theories or synchronic arguments. But both perspectives, working in tandem, can adequately represent reality without either being 'epistemologically privileged' (Lewis, 1996, p.491). If an entity exists independently of a social scientific method, then the historians must, 'first model reality', and then, second, 'constantly accept the fallibility of the knowledge produced' (Danermark et al., 2002, p.189).

Historical research has an object of study, which seeks to explain social phenomena by organising evidence according to 'historical logic' (Thompson, 1995, p.52).

Historical research organises evidence in order to establish the transitive objects of science. In doing so, it offers up a theory which seeks to explain at 'depth' relations either known or unknown to those human agents who make up the original phenomena of interest. What 'historical logic' offers is a means of maintaining a comprehensive diachronic rendering of the social world so as to transform 'the raw materials of [social] science' (Bhaskar, 2008, p.21) into a deeper knowledge of reality. To this extent, historical research and the knowledge it generates (as theory) form part of the transitive objects of science. Historical knowledge connects social science with social reality.

It is here, in Thompson, that we find an argument for the critical realist understanding of emergence, and with it a role for norm circles in the explanation of human behaviour. Just as Elder-Vass (2010, p.17) argues that causal powers are the emergent properties of norm circles, Thompson argues that it is the relations between individuals, and the 'relations of relations', which constitutes 'history' (Thompson, 1995, p.25). This diachronic dimension may be expressed in terms of a critical realist analysis of parts and wholes - where the parts are those individual actors and the whole is the relationship between these parts which give rise to change over time (Elder-Vass, 2010, p.17). The historical process is itself a high-level whole, in which the practices of human agents (parts) are ordered and structured in such a way as to give rise to what actually happened, to historical events. It is here that Thompson argues that these relations, between thought and object, are 'so exceedingly complex and mediated' as they are being experienced that the 'resulting knowledge' established by the methods of 'historical logic' reveals something which 'could never be seen, felt or experienced by actors in these ways at the time' (Thompson, 1995, p.25-26). And it is this recognition, in turn, which secures the status and its importance for political and social potential of academic historical knowledge. It may also provide some insights into the difficult relationship between social movement activism and the academic sociology of social movements (Barker and

Cox 2002; Cox and Nilsen, 2005) – a relationship that is further elucidated in chapter three.

Historical research, then, by its ontological nature, establishes relationships, organises evidence according to its 'historical logic' 'which were unknown to the women and men whose actions make up its object of study' (Thompson, 1995, p.26). The 'real' process of history, then, and 'the historical knowledge' of that process are 'totally distinct' (Thompson, 1995, p.26).

To investigate history as 'process' or as 'event' entails understandings of causation, of contradiction, of mediation and of the synchronic organisation of social, political and intellectual life. These notions, for Thompson, 'belong' within 'historical logic', and are therefore 'refined within its theoretical procedures' (Thompson, 1995, p.58). They are 'thought within thought' but governed, always, by the exercise of 'historical control' (Thompson, 1965, p.357). This is not to say 'that they only belong within theory' but, rather, that a concept or hypothesis is 'brought into a relation of dialogue *between* its objective determinacy *and* historical knowledge' (Thompson, 1995, p.58; emphasis added). Historical knowledge is, more than anything else, engaged in a *dialogue*. This dialogue is three-fold: 1) with the argument between 'received', 'inadequate', or 'ideologically informed hypotheses' on the one side, and with 'new or inconvenient evidence' on the other; 2) with the 'testing of these hypotheses against evidence', which may involve 'interrogating existent evidence in new ways', or 'renewed research to confirm or 'disprove the new notions'; and 3) 'with discarding those hypotheses which fail these tests' (Thompson, 1995, p.58). This three-fold dialogue, finally, is what Thompson means by 'historical logic'.

The Problem of Experience

It is William Sewell Jnr. (1986) who has provided the most comprehensive re-working of Thompson's theoretical framework and, in particular, the problematic concept of 'experience' which lies at its heart. Whilst Sewell (1986, p.2-3) is sympathetic to Thompson and the mass of ethnographic detail presented in *The Making*, he argues that Thompson avoids explicit theoretical arguments about class formation (Sewell, 1986, p.6). 'In flight from Stalinist structuralism' (Thompson 1975), Thompson avoids these arguments, argues Sewell, because 'he does not want his readers to reduce his book to a set of abstract, theoretical propositions' (Sewell, 1986, p.3).

> "The genius of his long, sprawling, picaresque, Dickensian narrative was to give his readers some semblance of the workers' experience – to make them participate vicariously in the suffering, the heroism, the tedium... that constituted the formation of the working class". (Sewell, 1986, p.3)

Yet, for Sewell, 'whilst Thompson's narrative is informed by theoretical notions about class formation', they are often 'implicit' or 'woven into the argument on occasion' or 'emerge through experience' (Sewell, 1986, p.3). This focus curtails any 'non-historical' approach and renders any synchronic explanation obsolete. A focus on the diachronic features of history, for Thompson, leaves a phenomenon like class as 'existing *only* in time' (Sewell, 1986, p.4; emphasis added). Thus, class can only be known historically for Thompson:

> "I do not see class as a 'structure', nor even a 'category', but as something which in fact happens (and can be shown to have happened) in human relationships". (Thompson, 1963 cited in Sewell, 1986, p.4)

This diachronicity is most prevalent in *The Peculiarities of the English* where Thompson (1965, p.357) argues that sociology must exhibit 'historical control' over

the models employed to explain the social world. For Thompson, the cardinal error of sociology is to 'stop the time-machine' (Thompson, 1965, p.357) for when it does it can no longer appreciate how a particular phenomenon, like class, is constructed in motion'. All things, including conflict, change, action and reaction as they are made in the medium of time in Thompson's diachronic-only portfolio (Thompson, 1965, p.357). This is most apparent in Thompson's concept of experience, of which class is an outcome. For Sewell, Thompson's 'insistence on the primacy of experience in class formation was a reaction against Stalinist formulations, which tended to be highly abstract and deductive' (Sewell, 1986, p.4-5). Thompson takes the 'opposite tack' suggesting that 'class is defined by men as they live their own history, and in the end, this is its only definition' (Sewell, 1986, p.5). Experience, then, Sewell argues,

> "...is the central - but also the most problematic - theoretical concept in The Making as well as key to its narrative strategy". (Sewell, 1986, p.5)

Thompson's disclosure of the minutiae of working-class experience, 'his ability to ferret out', 'interpret', and 'convey the textures and meanings of working-class lives' whilst the 'greatest triumph of his book' is also 'a point for concern' (Sewell, 1986, p.5). In *The Making*, Thompson writes that 'class happens when happens when some men, as a result of common experiences (inherited or shared), feel and articulate the identity of their interests as between themselves, and as against other men whose interests are different from (and usually opposed to) theirs' (Thompson, 1963 cited in Sewell, 1986, p.5). For Sewell, 'it is not an 'objective' identity that makes a class, then, but rather the feeling and articulation of that identity'. Thompson seems to imply that '*no consciousness*' means '*no class*' (Sewell, 1986, p.6; emphasis added). This view, Sewell argues, 'radically shifts the problematic of class formation' moving to the foreground 'the question of how conscious awareness comes about historically' (Sewell, 1986, p.6).

"Class consciousness becomes not a corollary deducible from the real (economic) existence of class, but rather an historical achievement of workers who pondered their experiences and who constructed a vocabulary and conceptual framework through which their identity as a class could be thought and actualised". (Sewell, 1986, p.6)

It is here, argues Sewell, that Thompson reprimands the use of 'sterile formalisms' and argues that researchers are to 'be ever aware that the making of the working class was a *temporal process* to be lived out in the experiences of real men and women' (Sewell, 1986, p.6; emphasis added). Yet, he rarely discusses the theoretical *structure* of class formation, including that which is used in his own work. To this extent, Sewell argues, that Thompson 'implicitly assumes the essential correctness of precisely the theory of class formation that he seems to be denying' (Sewell, 1986, p.6). Thompson is 'so fixed upon his polemical opponents', such as Althusser, 'he fails to articulate his own transcendence of classical Marxism' (Sewell, 1986, p.6).

It is class experience, for Thompson, which provides the 'historical mediation' between productive relations and class consciousness. This is in contradistinction to classical Marxism, argues Sewell, because here it is class struggle that mediates - i.e. political movements, union organising and strikes (Sewell, 1986, p.7-8). This difference is 'decisive' in Thompson's account. For it is within his notion of class experience that 'a vastly broader range of workers' subjective responses to their exploitation' (Sewell, 1986, p.8) swings into view. What Thompson documents, argues Sewell, is that between the 'hard facts' of productive relations and the discovery of class consciousness lies 'a vast, multiple, contradictory realm of experience' - not the 'neat' and 'unidirectional process' of 'learning-the-truth-through-struggle' posited by classical Marxism (Sewell, 1986, p.8).

So, just as there is a problem with a purely synchronic approach, so there is equally a problem with an attempt at 'pure' diachrony. Whilst Thompson explicitly disavows economic determinism in his polemic against Althusser in *The Poverty of Theory* and

in *The Peculiarities of the English*, he too presupposes such a determinism as a kind of 'unconscious rhetorical backdrop' (Sewell, 1986, p.10). This is made clear when we consider how Thompson assigns significance in the context of his writings on working-class experience, agency and consciousness: working-class experience emerges, in his final analysis, from the economic base. For Sewell, the 'pure' diachrony of class implied by Thompson is an 'untenable ontological and epistemological position' (Sewell, 1986, p.10). That class 'comes into being' through an historical process only, that is, that it only exists over time may be a tenable ontological commitment – insofar as, as a truism, 'nothing exists except in the medium of time' (Sewell, 1986, p.10). Yet, to deduce from this truism the epistemological conclusion that no synchronic analysis of class – or any other social phenomenon for that matter - can be valid because, in providing such an analysis, one must 'stop the time-machine', is, to say the least, 'dubious' (Sewell, 1986, p.10).

> "Whilst class does exist in time, it is also necessary 'as a moment in any adequate historical analysis' to stop or bracket time, to look at class as a set of synchronic relations – between individuals, between various groups of workers, between workers and their employers, between workers and the means of production, between workers and hegemonic ideologies etc." (Sewell, 1986, p.11)

In other words, to look at class, precisely as Marx said, as a 'totality of many determinations'. In fact, it is this notion of 'relationship' found in Thompson and upon which Thompson stakes his claim for 'pure' diachrony, which Sewell argues, by contrast, is '*profoundly* synchronic' (Sewell, 1986, p.11; emphasis added). Thompson calls class a 'relationship' but to designate it as such implies that 'it cannot be captured through a purely diachronic narration of events' (Sewell, 1986, p.11). Rather, we must pause the time-machine, now and again, in order to describe 'class' as structure – a structure that itself emerges *from* historical events and will be subsequently transformed by historical events. 'In his polemic against the ahistorical conceptions of Stalinism and structural-functionalism', argues Sewell (1986, p.11), 'Thompson appears to have transcended a position of class in which a dialect

between the synchronic and diachronic approaches must be maintained, to embrace an untenable pure diachrony'.

Sewell contends that a 'moment's thought' about Thompson's historical practice, particularly in *The Making*, is evidence of something 'far from pure diachrony',

> "Thompson's Dickensian narrative style, with its omniscient narrator commenting self-consciously on events, is hardly well adapted to pure diachrony". (Sewell, 1986, p.11)

His text is also 'densely interwoven with synchronic analyses', argues Sewell. Rather than Thompson 'stopping time' in a literal sense, it is important to note that a historian needs to, now and then, 'momentarily suspend time' by 'abstracting some pattern, structure, or relationship out of the flow of events'. A historian needs to do this, argues Sewell, 'in order to contemplate, categorise, anatomise or construct it in their mind and in their text' (Sewell, 1986, p.11). To this extent, the structure or relationship of a narrative will be constructed from 'bits of evidence' and their creation whilst 'not literally simultaneous' will 'fit together in some sense' constituting a 'rich totality' (Marx, 1859).

> "In short, Thompson's text [paradoxically], more than many historical texts, is in fact punctuated by synchronic analyses, in spite of his theoretical advocacy of pure diachrony". (Sewell, 1986, p.11)

For Sewell, then, 'the heavy explanatory load placed on the concept of experience is *The Making's* cardinal weakness' (Sewell, 1986, p.12). The meaning of the term experience is 'intrinsically amorphous' and thus 'difficult to assign any de-limitable role', especially 'in a theory of class formation'. This problem is compounded by Thompson's 'inconsistent and confusing use' of the term 'experience', whether it 'mediates' between 'productive relations' and 'class consciousness' or between 'social being' and 'social consciousness' (Sewell, 1986, p.12). The problem for

Sewell is that Thompson's formulation of experience 'appears to encompass both the terms between which it is supposed to mediate' (Sewell, 1986, p.12).

> "Do 'productive relations' or 'social being' or 'consciousness' exist outside of experience? Any 'social being' that exists outside of experience would have to be a synchronic structure of the kind whose existence Thompson explicitly denies". (Sewell, 1986, p.12)

Any consciousness that did exist 'outside of experience' would thus be the 'kind of abstracted consciousness' that Thompson argues against. Thompson's triumph, Sewell feels, is that he portrays productive relations 'not as an abstraction' but 'as the experiences of real men and women' (Sewell, 1986, p.13). So, 'in spite of Thompson's explicit claim to the contrary', Sewell makes the case that, 'experience does not play a mediating role' in Thompson's account of the English working-class formation simply because for him 'working-class formation is nothing but experience' (Sewell, 1986, p.13).

'If experience is a medium in *The Making*', argues Sewell, then it is not a medium through which a 'force acts' or an effect is transmitted'. Rather, in Thompson's account, 'it is the medium by which theoretical structures are realised' even though Thompson denies that these structures exist (Sewell, 1986, p.13). In *The Poverty of Theory*, Thompson gives a 'much more reasonable and clear definition of experience', argues Sewell. Experience Thompson says, 'comprises the mental and emotional response, whether of an individual or of a social group, to many interrelated events or to many repetitions of the same kind of events' (Thompson, 1978 cited in Sewell, 1986, p.18). It indicates 'something' but it is not very mysterious – 'that people respond mentally and emotionally, both individually in groups, to what happens to them' (Sewell, 1986, p.18).

This understanding is very similar to Thompson's historical practice as seen in the *The Making*. Thompson reconstructs, through narrative, 'not the actual events of

people' but rather 'how these people construed these events as they were living through them' (Sewell, 1986, p.18).

> "By patiently assembling the surviving documents and carefully attending to judgments and feelings expressed in them, he has rendered the familiar events of early nineteenth-century English history – as experiences of ordinary people" (Sewell, 1986, p.18).

So what Thompson does, argues Sewell, which is 'so very different' is that 'he enables us to see events' or at least 'creates a narrative illusion' so that we can see events 'from the standpoint of those who lived through them' (Sewell, 1986, p.18). Yet, his concept of experience is unfailingly structured - 'by productive relations, political institutions, habits, traditions, and values'. It is exactly this, Sewell contends, which 'gives Thompson's portrayal of experience such a persuasive force' if only because 'it is based on a structured and explicable, rather than purely voluntarist and mysterious concept of agency' (Sewell, 1986, p.18).

In *The Making* we encounter real working-class people endowed with agency – not with a naive individualist's 'freedom of the will', but with *structured* agency. Thompson's subjects are 'made' by 'the various systems or structures that constitute their historical life space'; what they can 'think', 'feel', and 'do' is determined by the fact that they are 'workers', 'fathers' and 'mothers' (Sewell, 1986, p.19). But the determination is not mechanical, for Thompson's subjects are what Giddens' calls 'knowledgeable'.

> "They are intelligent and willful human beings... capable of acting purposefully and rationally on the basis of their experiences, within the constraints imposed and the possibilities opened up by the structures that constitute their subjectivity". (Giddens, 1979; 1981 cited in Sewell, 1986, p.19)

Structuration and History

Sewell argues that Giddens' notions of structure and agency provide a better 'theoretical pivot' for Thompson's account of class formation than Thompson's own 'confused' account of 'experience'. By insisting that 'human beings are constantly engaged in 'reflexive monitoring', Sewell contends that Giddens' approach can incorporate what is 'useful' about Thompson's account of experience. In monitoring their own and others' actions, Giddens offers a means by which to understand social conduct, and the way in which 'social life grows out of reflexive monitoring' (Giddens, 1979; 1981 cited in Sewell, 1986, p.19).

> "What Thompson actually achieves in The Making – a portrayal of English workers as structurally constrained and endowed agents whose experience and knowledgeable action produced the 'working-class' – is theoretically accounted for by Giddens' concept of 'structuration'". (Giddens, 1979; 1981 cited in Sewell, 1986, p.19)

Whilst Thompson casts experience and structure as 'antagonistic principles', Giddens, rather, develops an alternative to both the 'reified structure' of Althusser and the 'reified experience' of Thompson. Whereas the role of Thompson's concept of experience is to 'frustrate and blunt' structural determinism, Giddens' work 'de-reifies' structure, 'making it no less human than agency'. Giddens, in contrast to Thompson, sees structure and agency as 'indissolubly linked', that is, 'they presuppose one another' (Giddens, 1979; 1981 cited in Sewell, 1986, p.20).

> "Structures for him [Giddens] are at once the medium and the outcome of human interactions. They are transformed by agents, but they are also reproduced by agents". (Giddens, 1979; 1981 cited in Sewell, 1986, p.20)

Structures, in Giddens' terms, are both determining and enabling: 'agents could not exist without the structures that provide their constraints and possibilities'. Such an

account, argues Sewell, requires no 'mystification' when considering the 'transformative effects of experience': 'if structures are the continuing product of reflexive monitoring then changes in structures arise out of the same reflexive monitoring process' (Giddens, 1979; 1981 cited in Sewell, 1986, p.20).

Thompson avoids structures, Sewell contends, because his position disavows the use of any 'extra-human forces'. Yet, in leaving out the 'objective' forces which have a central position in the formation of class, Thompson's 'subjective-*only*' account can be *countered* (Giddens, 1979; 1981 cited in Sewell, 1986, p.21; emphasis added). For Sewell, the issue is that Thompson and his critics share a misconception: 'that structures are 'objective' and thus exist on 'a different ontological level than agents' Giddens, 1979; 1981 cited in Sewell, 1986, p.21). This is not the case, if we accept Giddens' work, he contends, for any contrast between 'object' and 'subject' here becomes 'purely methodological'.

> "Abstraction becomes only a moment in the analysis: a necessarily strategic move in any complex historical analysis. We can introduce structures without ceasing to be ontological humanists, and we can recognise the efficacy of 'experience' without ruling out a structural argument". (Giddens, 1979; 1981 cited in Sewell, 1986, p.21)

Structuration theory, then, is needed to supplement Thompson's account of experience because without an explicit account of social structure Thompson tacitly falls back, despite himself, upon a form of 'economic determinism' (Sewell, 1986, p.10). Yet, critical realist critiques of Giddens strongly suggest that he provides only a 'virtual' account of social structures and that, on these grounds, his account is inadequate (Carter and New, 2004, p.5; Elder-Vass, 2010, p.85). Structures have only a 'shadowy' ontology, for Giddens, until they are psychically 'instantiated' within the human brain. For Giddens, 'structure has no existence other than as the subjective conceptions of 'rules' held by individuals and their perceptions of the resources to which they have access' (Giddens, 1984 cited in Elder-Vass, 2010, p.85). As Archer has argued, this represents 'a denial of any real causal efficacy to

structure', through the 'conflation' of structure and agency (Archer, 1982 cited in Elder-Vass, 2010, p.85). But critical realism is distinct from 'central conflationist' positions, such as that of Giddens, and seeks, rather, to deal with the relationship between 'structure' and 'agency' by treating them as ontologically *distinct*. In some respects critical realism leads us to treat the ontology of the social world in similar terms to the ontology of the natural world, 'with a broad range of causal powers interacting to produce human and natural events' (Elder-Vass, 2010, p.8). For instance, with regards to the commonality of social practices, 'which cannot be explained by the causal effects of individual norms and values', but only by 'the commonality of those norms and values across the community', and hence that 'it is the collective norms and values that produced *standardised* behaviour and not individual one' (Elder-Vass, 2010, p.118).

Giddens' structuration theory seems 'ambivalent' with regard to this question of the commonality of norms.

> "He claims not only that structure 'makes it possible for discernibly similar social practices to exist' but also that it 'exists, as time-space presence, only in its instantiations in such practices and as memory traces'". (Giddens, 1984 cited in Elder-Vass, 2010, p. 118)

Thus, for Elder-Vass, Giddens presents a confused picture. He makes the claim that structures can evoke a possible commonality of practice, 'a quasi-Durkheimian notion of structure', in which structure is 'rules, and resources, organised as properties of *social* systems' (Giddens, 1979 cited in Elder-Vass, 2010, p. 118). And yet, Giddens also provides a view of structure that exists '*only* as instantiations in the practices [and minds of individual human beings]' (Giddens, 1984 cited in Elder-Vass, 2010, p.118; emphasis added).

"He wants norms and values simultaneously to be more widely binding than their individual instantiations because of their collective character, but also nothing more than their individual instantiations in ontological terms". (Elder-Vass, 2010, p.118)

The inconsistency Giddens leaves us with, then, pivots on his understanding of what a 'collective representation' really is. On the one hand, Giddens seems to imply that 'collectives as such can *have* representations', and yet, on the other, 'collective representations are nothing more than a group of individual representations that happen to be similar' (Elder-Vass, 2010, p.118-119). For Elder-Vass, 'Giddens' ambivalence is perhaps understandable', especially given that 'neither of these understandings seem satisfactory'. Where a mind is necessary to form representations, it is clear that collectives 'do not have them, only individuals do' (Elder-Vass, 2010, p.118-119). Yet, such an option does not provide an explanation of the commonality of practices.

"Some sort of collective pressure is required if we are to provide an explanation of the similarity between the social practices of different people... [but] what is the collective that exerts this pressure?". (Elder-Vass, 2010, p.118-119)

Elder-Vass provides some answers by exploring the works of Durkheim. From the beginning, argues Elder-Vass, 'Durkheim linked social facts to the concept of *society*' (Durkheim, 1894 cited in Elder-Vass, 2010, p.119). For example, in *The Elementary Forms of Religious Life*, Durkheim lucidly ascribes the causal dimensions necessary in 'exerting normative influence to society as whole' (Durkheim, 1912 cited in Elder-Vass, 2010, p.119). Giddens' response, however, seems to be to 'eliminate the link from structure to society'. Giddens, for example, continues to work with the concept of society, but defines it in much more tentative terms, as 'clustering of institutions' (Giddens, 1984 cited in Elder-Vass, 2010, p.120).

"In his structuration theory, 'structure exists, as time-space presence, only in its instantiations in such practices and as 'memory traces' orienting the conduct of knowledgeable human agents'". (Elder-Vass, 2010, p.120)

'There is little sense here of society', Elder-Vass (2010, p.120) argues, or, for that matter, 'any other social collectively as an external force'. Giddens is 'ambiguous' and 'vague' about attributing causal powers to collectivities, and whilst he recognises their significance, he cannot tell us 'what these collectivities might be or what causal role they play' (Elder-Vass, 2010, p.121). Rob Stones puts it best, 'the external structural moment is badly underdeveloped in Giddens' ontology' (Stones, 2005 cited in Elder-Vass, 2010, p.120).

This is the problem which critical realism, particularly in the analysis of Elder-Vass aims to correct. Elder-Vass aims to retroduce those very mechanisms which are the beliefs, ideologies and values which cause human behaviour. In supplementing structuration theory with critical realism, then, this thesis aims to reconcile a number of issues. By focusing upon the synchronic dimension of social analysis, it argues that experience mediates between existing social conditions and social consciousness. Experience is not *everything*. Also, in moving away from Giddens' 'central conflationism', critical realism can provide a developed argument about the 'external structural moment' in terms of a variety of norm circles and their emergent properties.

The Historical Event

> "Human history… is the result of conflicts between many individual wills, each of which each again has been made by a host of particular conditions of life. Thus, [in life], there are innumerable intersecting forces; an infinite parallelogram of forces which give(s) rise to one resultant – the historical event". (Letters from Engels to J. Bloch, 1890 cited in Thompson, 1995, p.117)

The historical event, whilst unique, reveals 'when brought into relation with each other events', 'regularities of process' (Thompson, 1995, p.117). It is these regularities that help render the underlying nature of social phenomena explicit or, in the words of Philip Abrams (1982, p.190), the 'historical event' is 'an important entry-point for sociological access'.

The 'historical event' provides the 'distinctive subject matter' which historical sociologists study (Abrams, 1982, p.190). It is the historian's 'object of knowledge'. For Abrams, a historical event is a 'happening to which cultural significance has been successfully assigned' (Abrams, 1982, p.191).

> "It has an identity and significance which has been established primarily in terms of its location in time and in relation to a course or chain of other 'happenings'". (Abrams, 1982, p.191)

Events, then, are best understood as the 'principal point of access' to that process of social action which occurs in the medium of time. For Abrams, this access is 'the best means' by which sociologists can see 'experience in time, certainly as something more than just a meaningless flux' (Abrams, 1982, p.192). Structure and process are not directly observable, yet events provide an 'indispensable prism', through which they can be analysed. The observation of historical events, 'inferred from the observation of action', is 'full' of empirical content 'which captures the mediation between action and structure' (Abrams, 1982, p.192). Abrams uses the

term 'structuring' to refer to this 'reciprocal, endless flow of action and structure' and argues that to 'break' into it the sociologist 'must construct moments, or episodes, within it' (Abrams, 1982, p.192).

The 'historical event' is this construct and it is especially apt for a critical realist analysis because it preserves just that balance of agency and structure which 'upwards', 'downwards' and 'central conflations' misconstrue. For Abrams (1982, p.192), the historical event is a moment of 'becoming', one in which structure and agency 'meet'. 'The designation of a 'happening' as an 'event' indicates that the meeting has been judged peculiarly forceful, perhaps peculiarly transparent' (Abrams, 1982, p.192). And as Durkheim well understood,

> "...a sociology of being into a sociology of becoming in which the narrative of becoming, the 'moral career of the mental patient' as a story, is both the reality to be explained and the structuring in terms of which explanation can be achieved". (Abrams, 1980, p.11)

The 'historical event' is a point of entry to the process. To paraphrase Abrams (1982, p.193), 'any attempt to abandon the explanation of events is in effect to renounce a major option for resolving the problematic which should most concern them: the relationship between the synchronic and diachronic'. The relationship between the synchronic and the diachronic as it is expressed in the 'historical event' is the subject matter of this thesis. The whole point of an event, for Abrams (1982, p.193), it is that it is 'made' by its 'details', by its 'empirical reality'; it is a 'specific, bounded happening to be studied', happenings which 'precede, surround and compose it'.

Any claim which insists on a distinction between history and sociology, especially under the premise that historical knowledge is 'unlike' sociological knowledge is 'untenable' (Abrams, 1982, p.193). Both are invested in constructing an event and in its object of study, the historian, like the sociologist, selects significant detail from a plethora of what is available. To that extent 'historical logic', in Thompson's terms,

is indistinguishable from 'sociological logic' (Abrams, 1982, p.194). In this sense, the difference between history and sociology is a 'difference of rhetoric' not a 'difference of logic.' The historian uses a rhetoric of 'close presentation' (seeking to persuade in terms of a dense texture of detail) while the sociologist uses 'rhetoric of perspective' (seeking to persuade in terms of the elegant patterning of connections seen from a distance). In each case, to adapt a comment of Weber (1949 cited in Abrams, 1982, p.194),

> "...our real problem is... by which logical operations do we acquire insight, and how can we demonstratively establish, that a given causal relationship exists between the effects that interest us and certain elements among the infinity of surrounding details".

Abrams makes a clear case, then: the 'unpacking' of an event requires 'meticulous attention to both agency and structure'. This is in order to ensure that the connection between them is properly 'seized', and avoids a 'one-sided assertion of the predominance of either' (Abrams, 1982, p.200). To this extent, 'historians and sociologists *converge* on a shared mode of explanation' (Abrams, 1982, p.201; emphasis added). Yet, this is only possible, argues Abrams (1982, p.227), if both disciplines 'un-think' dualisms and problematic 'conflations': "to escape from the belief that the individual has a being distinct from that of society or conversely, that society and the individual constitute separate realities". We should, rather, assert that what we dualistically call the 'individual and society', 'structure and agency' are, in fact, 'aspects or phases of a unified human reality' and 'not essentially distinct, let alone opposed entities' (Abrams, 1982, p.227).

Summary

Theoretically, historical materialism situates the category of 'human experience' at the forefront of sociological knowledge. However, the methodological prescriptions of E.P. Thompson need to be treated carefully when his own notion of 'experience', despite its great value, is problematic and, according to Sewell, unwittingly deterministic. This chapter has argued that the use of a historical sociology informed by historical materialism is a powerful tool for locating 'rich' examples of human agency in action. This, in fact, is Thompson's true achievement. These experiences, however, are not the 'full' picture. A purely diachronic account of reality is ontologically flawed for the synchronic features of reality are responsible for the conditions of action and reaction conducted, precisely as Thompson argued, in the medium of time. As Sewell argued, it is apparent from a close reading of Thompson that there must be something more than just experience, and that a model of 'pure' diachrony always presupposes the synchronic dimension in one form or another.

In terms of social movement activism, what historical explanation can offer is not an answer to the question of *how* history *must* have eventuated but, rather, an answer to the question of *why* it eventuated in a particular way. This is why the synchronic arguments of critical realism are so important; they give to historical process the regularity and rationality which demonstrates why historical events are not just arbitrary but possess both 'depth' and 'cause'; that certain kinds of events are related within particular 'determinate fields of possibility' (Thompson, 1995, p.68). For Thompson, this totality or whole is not a finished theoretical truth but neither is it an illusory model; it is a developing knowledge of reality, albeit provisional and approximate. This provisional 'truth' will possess many 'silences' (or absences in the language of critical realism) and impurities (Thompson, 1995, p.68).

The aim of this chapter, then, has been to take the essential step not to abandon the synchronic dimension but, rather, to recognise that the synchronic dimension

functions to direct attention to precisely those kinds of historical inquiry which explain the phenomena of social change (Abrams, 1972, p.32) – the diachronic dimension. This cannot be achieved by simply inferring logical tendencies from a purely synchronic analysis but, instead, requires a serious and penetrating interrogation of the past (experience included). The 'problem-field', as Bhaskar aptly described it, of historical sociology, is to find a way to account for human experience which recognises simultaneously and in equal measure that history and society are 'made' by constant, more or less purposeful, individual agency and that individual agency, however purposeful, is also simultaneously 'made' by history and society (Abrams, 1980, p.8). From such a perspective, a historical sociology informed by historical materialism and critical realism are effectively the same enterprise. Both are compelled to conceive of historical process both diachronically and synchronically, as both the minutiae of empirical sequences – as in Thompson's magisterial work – and as abstract forms. People 'make' their own history – to paraphrase Marx (1852) - *but only under definite circumstances and conditions*. We do, indeed, exist in a world of 'rules and resources' which our own agency makes, breaks and renews. The world confronts us as a seemingly implacable order of constraining 'social facts', in the Durkheimian sense, set over against us (Abrams, 1980, p.8). Historical sociology, informed by critical realism, is increasingly less and less likely to be offered as merely the record of what happened - as 'pure' diachrony - and more and more likely to be understood as an attempt to recover the movement of human agency as 'process' and 'change' (Abrams, 1980, p.8). This move is aided by a continuous confrontation and interweaving of empirical and theoretical matter, a continuous dialogue within 'historical logic' between the synchronic and the diachronic dimensions.

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[1] An argument for making 'facts' about 'values' may be seen in Marx's 'dialectical method'. In his dialectical analysis, 'social values are not separable from social facts', argues George Ritzer (2008, p.46). Rather, "The dialectical thinker believes that it is not only impossible to keep values out of the study of the social world but also undesirable, because to do so would produce a dispassionate, inhuman sociology that has little to offer to people in search of answers to problems they confront". (Ritzer, 2008, p.46)

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[2] Archer's concept of 'morphogenesis' indicates that society is reshaped by the interplay between structure and agency. Yet, in many ways, I feel that it is similar to the arguments of Philip Abrams and William Sewell Jr. Not only do both of these historical sociologists stress that the 'analytical element' consists in 'breaking up the sociological flow' into 'intervals' (i.e. the synchronic dimension) but Archer even uses the term 'structuring' (Abrams, 1982, p.200) in her definition of 'Analytical Dualism' (Hartwig, 2007, p.319).

Chapter Three

Two Types of Intellectuals: Movement Activism and the Academy

Introduction

The synchronic arguments of critical realism can direct attention to those kinds of historical inquiry which explain the phenomena of social change. In particular, historical knowledge provides a penetrating account of political action over time when taken in conjunction with the features of normative circles. The claim is that a combination of sociology and history is more plausible in explaining social change synchronically and diachronically – that is to say, it works at ontological 'depth'. Such a framework must take human experience as its point of departure for a discussion on political action. This is because human experience mediates between existing social conditions and social consciousness of these conditions. Social movement activists, to quote Marx (1852), 'make their own history, but do not make is as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past'. A balance of synchrony and diachrony means that a history of social movement activism becomes more than a record of events; it becomes an attempt to recover the movement of agency as process and change (Abrams, 1980, p.8).

The arguments of E.P Thompson and Philip Abrams suggest that the departure point for this movement is human experience. In terms of political action, it is through experiencing the conditions of the social world that individuals form collectivities based on the normative behaviour and values they share – common goals – against an oppressor. These collectivities, I have called, adapting Dave Elder-Vass (2010), 'norm circles of resistance'. Similarly, there are groups of individuals whose norms

and values form 'hegemonic norm circles' which, ultimately, provide the circumstances of resistance for social movement activism.

The theoretical endeavour being advocated here is homogenous with grassroots movement activists and academic commentators, Martin Geoghegan, Laurence Cox, Colin Barker and Alf Nilsen (Barker and Cox, 2002; Cox and Nilsen, 2005, 2006; Geoghegan and Cox, 2001). The theoretical framework they advance is similar in scope, especially with reference to the work of E.P Thompson – all four commentators are very clear on the integral nature of experience in determining the direction of political action. For these commentators, theory is a necessary part of social movement activism because it allows activists to transcend their immediate experiences and contemplate the 'bigger picture', i.e. the generative mechanisms which cause social oppression in the first place. Informed by Gramsci's (1971) theory of the intellectual, these commentators argue, that the production of theory is not necessarily a scholastic exercise. In fact, these commentators consider the knowledge claims of the academic community a cause for concern. The distance that exists between social movement activism and the academy takes on a critical form when viewed through the lens of Gramsci's (1971) theory of the intellectual. Together these critics of the academy have questioned what scholars do with the space available to them when theorising social movements.

In 'What Have the Romans ever done for us?', Barker and Cox (2002) are particularly critical of academic theorising, calling it 'parasitic' of the facts produced by social movement activism. For these two commentators, a clear distance exists between activist and academic forms of knowledge. Their argument is based on Gramsci's theory of the intellectual which distinguishes between 'traditional' and 'organic' intellectuals and the adaptation of 'established' intellectual and 'movement' intellectual made by Eyerman and Jamison (1991). What Barker and Cox call the 'academic' intellectual produces knowledge which, like that of Gramsci's 'traditional' intellectual, is concerned with reproducing 'state ideological

apparatuses' (Althusser, 1971). They are a part of what Cox and Nilsen (2006) calls 'the movement from above' concerned with the maintenance of the political status quo. 'Movement' intellectuals, alternatively, produce knowledge which is not subject to the same validation and legitimacy as university scholars. For these reasons, social movement activists are considered the 'organic' intellectuals of 'subaltern' groups (Guham and Spivak, 1988). These are the men and women whose primary focus is 'muscular-nervous effort' and not the maintenance of 'ideological hegemony' (Gramsci, 1971, p.9). It is by way of Gramsci that these commentators intimate the conflicting nature of academic life with social movement activism and conclude that academics can only ever offer an objectified knowledge *about* movements and never *for* or *within* movements (Barker and Cox, 2002). This chapter, then, takes this position as its point of departure and challenges the claim that the academic functions necessarily as the 'traditional' intellectuals of powerful, ruling elites.

Principally, the chapter challenges this claim by forwarding a fundamental distinction between 'intellectual labour' and the category of the 'intellectual'. The intellectual is not necessarily the neo-liberal 'knowledge-worker' or 'expert' (Dowling, 2008) but a scholar, who speaks truth to power and is often an outspoken critic of the state (Furedi, 2004, p.36) and the bureaucratic rationalities which 'stymie' the relationship between social movement activism and the academy (Cresswell and Spandler, 2011, forthcoming). Michael Burawoy (2004, p.1603), in discussing 'public sociologies', best captures the view that is being advanced here. There are those intellectuals whose aims are to 'enrich public debate about moral and political issues' and do so by 'infusing them with sociological theory and research'. As sociologists, we must ask the question, "Knowledge for Whom?" (McLung, 1976 cited in Burawoy, 2004, p.1603-1606) Rather than focusing on achieving pre-determined ends, our 'technical rationality' (Weber, 1978), sociology need not be 'locked' into a 'dialogue' with itself (Burawoy, 2004, p.1606). It must engage the public 'beyond the academy in dialogue about matters of political and moral concern' (Burawoy, 2004, p.1607). Sociology, unlike other social science disciplines

(e.g. political science and economics), then, has a value-claim for its affinity is to 'directly engage' with its public.

> "…sociology's distinctive object is civil society and its value is the resilience and autonomy of the social". (Burawoy, 2004, p.1615)

It is in making their pronouncements publically accessible, then; their commitment to mobilising beyond predetermined ends; and their 'free-thinking' philosophy, which brings this notion of the intellectual into sharp contrast with the characterisation of intellectual labour forwarded by Barker, Cox, Geoghegan and Nilsen.

This *engaged* intellectual can provide knowledge *for* and, tentatively, *within* movement activism by means of critical realism and historical sociology. What has emerged from the previous chapters are a number of conceptual tools with which to explore the political actions of movement activists. Norm circles and their different forms (hegemonic and resistant) are a way of exploring how and why collectivities form in the face of oppression. To this extent, the intellectual can provide facts on the basis of shared norm and values which features in the construction of these circles and the (hegemonic and resistant) institutions which emerge as a result. This project is an attempt at transcending the 'intelligentsia' and engaging with the movement activist because that is what public sociology is about.

Where the knowledge-worker might not, the intellectual must accept that knowledge for political action is only informed by way of the 'discrete facts' (Thompson, 1995, p.28) of those on that have helped 'men and women to till the fields, to construct houses…and even, on occasion, to challenge effectively the conclusions of academic thought' (Thompson, 1995, p.11). It is not the place of the knowledge-worker, or the engaged intellectual, to pass comment without the experiences (archived or otherwise) in mind. I cannot, for instance, empathise about the nature of homophobic oppression and so cannot make politically relevant arguments about it without a necessary reflection on historical records which reflect these experiences. This,

however, does not render the political relevance of the project helpless. To consider Thompson, experience does not come pre-packaged ready for analysis, it comes rather, 'and announces death, crises of subsistence, trench warfare, unemployment, inflation, genocide' (Thompson, 1995, p.11). But the fact that experience does present in these ways does not render the function of the intellectual inert; on the contrary, it provides further stimulus to explore history and establish relations which exist at 'depth' and beyond the immediate experiences of activism. The role of historical knowledge is to render both the diachronic event and the experiences of these events under the auspices of a realist philosophy and through the employment of 'historical logic'. This approach, the chapter argues, is shared by Cox and Nilsen (2005), notwithstanding their condemnation of the academic's role. It is the role of the engaged intellectual to maintain the search for universal truths and general knowledge, if only as a means not to be 'faddish' and 'subservient to publics' (Burawoy, 2004, p.1607). Whilst this position encounters calls for quite the opposite – claims of 'militant particularism' (Cox and Nilsen, 2005) – it is important to note that in general propositions the engaged intellectual can offer knowledge for social movement activism.

Critical realism is an example of meta-theory; it is an example of academic theorising or, more poignantly, a philosophy of 'under-labouring' (Bhaskar, 2008, p.10). It is concerned with offering descriptions and explanations inside and outside the academic community. It cannot be considered as solely an intellectual exercise when it offers empirical tools for activists to consider the impact of their political action. By way of the concept of norm circles, critical realism offers activists a means to consider what happens within their groups as well what occurs 'behind the scenes' and how these phenomena produce the very circumstances for resistance. It is also true that critical realism, tentatively, offers activists a means to consider what happens within their groups as well as what occurs 'behind the scenes' and how these phenomena produce the very circumstances for resistance (in the form of normative institutions). It is also true that critical realism is steeped in the philosophy

of science and is a counter-point to pragmatist and particularistic ways of thinking (which too can be faddish; see Furedi, 2004, p.69-70). The under-labouring of critical realists has not been an exercise in reiterating state ideological harmony but rather the role has been as emancipator, certainly this is Bhaskar's position (Bhaskar, 2009, p.170-1; 2011, xxiv). It is important to note that critical realism is not an example of 'middle-range' theory (Merton, 1968), and that there are epistemological consequences when treating it as such. Not only does this do an injustice to many of the debates surrounding the philosophy of science, steeped in Marxist thought, but it also raises the concern of ontological rigour discussed in chapter one.

The academic theorising of the engaged intellectual should not be understood as a source for disillusionment. This theorising whilst not an example of 'muscular-nervous effort' is a form of knowledge production which is engaged for the purposes of social responsibility. Barker, Cox and others are right to open up the space between academic and activist theorising because they are different. The academic does have a number of institutional concerns which diverts his or her attention away from the movement; the academic is working within institutional boundaries (Barker and Cox, 2002). Yet, the intellectual is critical of these issues and motivates others to be critical also (Burawoy, 2004; Cresswell and Spandler, forthcoming; Furedi, 2004). As for the knowledge these intellectuals produce, it is concerned with universality because it wants to offer knowledge for movements to make change happen. Whilst many are sceptical of the search for truth, it has been the role of the intellectual for generations and it should be a fundamental level for the purposes of facilitating change. Intellectuals can explore historical knowledge; they can consider *why* agents have 'stood-off' against oppression *without actually themselves living it*. What they cannot do is inhabit the minutiae of experience which is central to transformational change. They can explore the diachronic – what has happened – and the synchronic – why it has happened. Yet, what experiences lay at the heart of transformational change may always remain the privileged possession of the grassroots movement activist.

'Traditional' and 'Organic' Intellectuals

Any force as pervasive as social movement activism in space is certain to attract the attention of *Homo Academicus* (Bourdieu, 1988 cited in Cresswell and Spandler, forthcoming). The theorisation of social movements has become increasingly popular over recent decades, with journals like 'Social Movement Studies' providing a forum for academic debate and inter-disciplinary research on the subject. Social movement 'theory' is its own specialisation within the boundaries of the social sciences and humanities. Journals, books, conferences and so on, are all examples of what Barker and Cox (2002, p.1) call 'academic theorizing', which has arisen around social movement activism. Such is its prevalence, Barker and Cox argue, that, 'a whole institutional apparatus … has arisen whose central focus is the theorization of movements and popular struggles'. With a focus on the theorising of movement experience, ideas, organisation and forms of resistance, social movement '*theory*' is now the collective term for the intellectual labour of academic theorising (Barker and Cox, 2002, p.1; emphasis added). It is the facts produced by the 'knowledge-worker'. For Barker and Cox, it is this 'kind' of output, and the community in which it is 'derived' from that they consider 'parasitic' on the facts produced by social movement activism. This is because they understand the relationship between the academy and social movement activism as largely incompatible (Barker and Cox, 2001, p.1). The academic knowledge-worker is an intellectual whose concerns do not extend beyond peer-review publishing, conferences and the rationalities of what Thompson scathingly called the 'University Ltd' (Thompson, 1970).

For Barker and Cox (2002, p.1), social movement theory has long treated social movement activism incorrectly. This is because academics treat social movement activism as a field for which the academic community provides the knowledge and the movements produce the access:

> "It is sometimes suggested that the relationship between academics and movements is simple: academics provide 'knowledge' and movements produce 'access'. That this won't do is obvious: for movements and their activists also produce 'knowledge'".

This perspective which narrows the gap between the two kinds of knowledge production and their respective output and so, Barker and Cox feel correct to open up the space and differences that lie between academic and activist forms of theorising. In doing so, they make the case that the knowledge developed from 'discrete facts' (Thompson, 1995, p.28) outweighs the theorising of 'ivory towers of academia' (Cox and Nilsen, 2005). In a historical sense, their perspective offers a valuable insight into human agency which any purely theoretical endeavour would leave half-finished. It also offers a practical application that academic theorising does not. 'Locked-up' in an 'iron cage of bureaucracy' (Weber, 1978) the academics effectiveness is hindered for their institutional commitments draw attention away from the movement. Frank Furedi agrees, arguing that 'academic freedom has become negotiable…In the UK, academics have barely raised a murmur about the introduction of processes and regulations that compromise the free pursuit of knowledge and research' (Furedi, 2004, p.76). A process which filters on into pedagogy,

> "Lecturers are no longer supposed to teach what they think needs to be taught, and they certainly do not have the right to lecture material for which the learning outcomes cannot be demonstrated in advance". (Furedi, 2004, p.76-77)

This problem of 'institutional recuperation' (Parker, 2009 cited in Cresswell and Spandler, forthcoming) is not the main issue with academic theorising for Barker and Cox. Their wider concern is with the ideology of the state education system. Made typical by journals like 'Social Movement Studies', academics are believed to be akin to what Antonio Gramsci called 'traditional' intellectuals – the intellectual who thinks (s)he is autonomous but who is actually a 'knowledge-worker' for the

powerful ruling elite. Gramsci's theory of the intellectual (1971) is used to polemicise the figures of the academic and the movement activist. It is used, by Barker and Cox, to open up the space that exists between the two kinds of intellectuals.

For Gramsci, every social class had 'its own particular specialised category of intellectuals', that is, intellectual were the products of the classes into which they were born (Gramsci, 1971, p.3). The term 'traditional' intellectuals referred to those 'theorists', 'non-ecclesial philosophers' and 'scientists', who thought of themselves as 'autonomous' but who really were a product of history; the product of economic structure (Gramsci, 2001, p.1139). Famously, Gramsci (1971, p.17) uses the clergy as an example of an 'organic' intellectual who continues to emerge throughout history by way of previous economic structure:

> "Interweaved with this phenomenon are the birth and development of Catholicism and of the ecclesiastical organisation which for many centuries absorbs the major part of intellectual activities and exercises a monopoly of cultural direction with penal sanctions against anyone who attempted to oppose or even evade the monopoly".

For Gramsci, the clergy's monopoly over education, morality and justice in the superstructural field gave way to a number of new 'organic' intellectuals – the rise of the 'noblesse de robe' (Gramsci, 1971, p.7) – who concerns 'emerge into history out of the preceding economic structure, and as an expression of the development of this structure' (Gramsci, 2001, p.1139). These intellectuals have undergone an extensive and complex process of 'elaboration' within the dominant social groups (Gramsci, 1971, p.6-9). Thus these intellectuals are the 'deputies' of the ruling class exercising the 'subaltern functions of social hegemony and political government' (Gramsci, 1971, p.12). Barker and Cox (2002, p.2) take on this interpretation and use it to develop a polemic dividing academic and activist theorising. Where the 'traditional' refers to those scholars who played an intellectual function as part of the status quo

in early 20th century, the 'organic' intellectual refers to those activists, workers and peasants who create knowledge 'from below' (Barker and Cox, 2002, p.6). For Gramsci, the 'organic' intellectual refers to those individuals who had particular 'bonds' to the class of which they were part (Gramsci, 1971, p.60). In his final analysis, the 'traditional' intellectual was an illusion for Gramsci – 'all men are intellectuals', he argued, and each one was also 'organic', for each intellectual was the product of the class into which they were born (Gramsci, 1971, p.9). Yet, the scholar was the 'organic' intellectual of the ruling-class and so they would only ever come to reinforce the 'ideological hegemony' for the benefit of the ruling-class (Burke, 1999; 2005). Hegemony is thus defined by Gramsci as 'cultural leadership exercised by the ruling class' (Ritzer, 2008, p.280). Entire systems of values, attitudes, beliefs and morality 'permeate' throughout society and have the effect of supporting the status quo. 'Hegemony in this sense might be defined as an 'organising principle' that is diffused by the process of socialisation into every area of daily life' (Burke, 1999; 2005). Hegemony is the means by which a singular consciousness is 'brought into contact with the social and natural world in all its form (Gramsci, 1971, xxiii). Hegemony is a 'prevailing consciousness', then, one which underpins the philosophy, culture and morality of the ruling elite, to the extent that it appears as the natural order of things (Gramsci, 1971, p.34). Gramsci accepted the analysis of capitalism forwarded by Marx in the previous century and accepted that the struggle between the ruling class and the subordinate working class was the driving force that moved society forward (Gramsci, 1971). What he found unacceptable was the traditional Marxist view of how the ruling class ruled. It was here that Gramsci made a contribution in his concept of 'ideology',

> "... [those] shared ideas or beliefs which serve to justify the interests of dominant groups". (Giddens, 1997 cited in Burke, 1999; 2005)

The ruling class ruled through ideology, a relationship which legitimised the differential power groups held by distorting the real situations people found

themselves within (Ritzer, 2008, p.281). This idea of 'ideological hegemony', then, plays an important role in the polemic that Barker and Cox set forth because their dissatisfaction with the academy can be seen as located within concerns with the reiteration of ideology by way of the education system.

For Gramsci, what is missing from the Marxist view of how the ruling class rule is the 'subtle' and 'pervasive' forms of ideological control and manipulation which perpetuate all repressive structures (Burke, 1999; 2005). So whilst there are those coercive powers, which 'legally' enforce discipline, e.g. the government, there are also those non-coercive powers within civil society, e.g. the church or schools who encourage consent (Gramsci, 1971, p.12).

> "He assumed that no regime, regardless of how authoritarian it might be, could sustain itself *primarily* through organised state power and armed force. In the long run, it had to have popular support and legitimacy in order to maintain stability". (Burke, 1999; 2005)

This could only be achieved through the pervasive mechanisms of civil society. Gramsci turned to the education system. The 'ideology of education' (Gramsci, 1971, p.24), was to function for the dominant social group in society, and it was the means by which the ruling class maintained its hegemony over the rest of society (Burke, 1999; 2005). The ideological bond between rulers and the education system led Gramsci to consider what could counterpoise hegemony (Gramsci, 1971, p.61). Needing change, Gramsci sought to develop a hegemonic 'bloc', the structural and ideological re-balance of the education system (Gramsci, 1971, p.74, 330). Yet, such changes required presenting the struggle to the masses in a way that would allow them to question their masters 'right to rule' (Burke, 1999; 2005). Revolution could only be won if the ruling class 'lost its consensus' (Gramsci, 1971, p.275); it needed to be the work of the majority and not intellectuals as part of an organised party leadership ('organic') to bring about change (1971, xl).

"…all men are intellectuals… but not all men have in society the function of intellectuals". (Gramsci, 1971, p.9)

Where some may perform this 'professional category of the intellectuals' (Gramsci, 2001, p.1140), others typically directed their attention towards embodied living labour or 'muscular-nervous effort' (Gramsci, 1971, p.9). This is why the education system was prominent in Gramsci's writings. By nurturing intellectual activity at certain 'stages', then, Gramsci argued that 'muscular-nervous effort' would become a 'foundation of a new and integral conception of the world' (Gramsci, 1971, p.9). This conception, then, was central to moving the masses towards a new hegemonic 'bloc'. The importance of ideological struggle transcended 'consciousness raising' (Burke, 1999; 2005), rather, it was about consciousness transformation (Gramsci, 1971, p.166) – the creation of a socialist consciousness (Gramsci, 1971, p.4). This was something which could not be simply forced on people; it had to 'arise from their actual working lives' (Burke, 1999; 2005).

"The mode of being of the new intellectual can no longer consist in eloquence … but in active participation in practical life, as constructor, organiser, 'permanent persuader' and not just a simple orator…" (Gramsci, 1971, p.10)

There is, then, an initial polarity between intellectual scholars and those 'organic' intellectuals whose intellectual effort is embodied in their labour – the working-class. This polarity is seized on by Barker and Cox who have supplemented the terms 'traditional' and 'organic' with 'academic' and 'movement' intellectual.[1] Barker and Cox are grassroots activists, and rightly, see themselves as Gramsci's 'organic' intellectual (Cox and Nilsen, 2005). They are thus charged with raising a hegemonic 'bloc' and their paper can certainly be seen as an attempt at 'consciousness transformation' (Burke, 1999; 2005). Their first charge is to maintain the polarity set forth in Gramsci and update it with a number of criticisms centred at the process of academic knowledge production. This polarity takes the form of the differences in tasks they undertake and the goals they pursue, their audiences and their relationships

with them, their accreditation, and perhaps, most importantly, the forms of knowledge they produce and the relevant practicalities they have (Barker and Cox, 2002, p.2). It is worth exploring these differences, but what becomes quickly apparent is that to be an academic always means to be a member of the 'intelligentsia' (Barker and Cox, 2002, p.1). For Barker and Cox, academics by way of their community and the relevance of the role they play, should not theorise social movement activism because 'activist theorizing' requires 'discrete facts' (Thompson, 1995, p.28),

> "Experience does not wait discreetly outside their offices, waiting for the moment at which the discourse of proof will summon it into attendance". (Thompson, 1995, p.11)

But does this mean that academics have nothing to offer social movement activism? Barker and Cox (2002, p.2) voice this most extreme view with the question, 'which side are you on?' The extent to which this relationship is diametrically opposed needs further scrutiny.

The Problems of Academic Theorising

In Gramsci's analysis of the intellectual, the scholar is one who is deputised by the powerful, ruling elite with the function to reinforce ideological hegemony and political government (Gramsci, 1971, p.12). This position may be considered untenable with the transformational aims of social movement activism. Barker and Cox (2002) make this point by way of the different kinds of intellectual output at the centre of academic and activist theorising. So far as academic work is concerned, Barker and Cox focus their attention on leading social movement theorists (Lofland, 1996 cited in Barker and Cox, 2002) and the difference in 'goals' which underpin academic and movement activist work. As Barker and Cox understand it, 'the higher

quest to which the academic researcher should aspire' is the formation of 'generic propositions' as quite distinct from the 'case propositions' which feature in the theorising of movement intellectuals. These 'generic propositions' are a feature of academic work, and seek to explain or identify cause and effect over time or geographical distance (Mautner, 2005, p.633-634). This, for Barker and Cox (2002, p.2), is a typical focus for any explanation of the normal 'scientific' type:

> "If the academic quest is for the well-formed generic proposition or the superior explanation, that is, for the theoretical concept or generalization which covers a set of seemingly dissimilar cases or processes, it is not the case that movement intellectuals have *no* interest in these. However, their *primary* interests do not lie here. Rather, generic propositions perform a subordinate function in their reasoning, not as goals in themselves but rather as merely parts of an apparatus of activist argument whose central concern lies elsewhere - in formulating 'case propositions' of a very definite and practical nature. These take the form, in essence, of *practical proposals*, i.e. propositions that '*This is what we should do*'".

Geoghegan and Cox (2001 cited in Barker and Cox, 2002, p.2) put it even more plainly, 'academic theorizing is embedded in specific institutional relationships'. It is by way of the institution that academics must 'explain both individual facets of movement activity and create or add to a field of knowledge' – the 'knowledge-worker'. These fields of knowledge, then, produce a certain type of theorising opposed to activist theorising – 'whose strengths (at their best) include a broad conceptual armoury but whose weaknesses (from an activist point of view) lie in the tendency to treat what are, precisely, *movements* as static 'fields' (Geoghegan and Cox, 2001 cited in Barker and Cox, 2002, p.2). The Gramscian theme is clear: academic theorising is embedded in institutional relationships and cannot be critical of those institutions which movements often 'set themselves against', and which tend to 'marginalise the position of the actor' (Barker and Cox, 2002, p.2). Here, Barker and Cox are also making an epistemological claim: any academic quest for superior explanation is never going to be the primary quest of activist theorisation. Generic

propositions perform a subordinate function in activist-reasoning when 'case propositions' are of a far more practical nature. This focus on practical proposals echoes that muscular-nervous effort Gramsci considered so important for counter-hegemony. If academics are the deputies of the powerful, ruling elite then Barker and Cox are presenting themselves, in Gramsci words, as the 'revolutionaries [who] see history as a creation of their own spirit, as being made up of a continuous series of violent tugs at the other forces of society – both active and passive, and they prepare the maximum of favorable conditions for the definitive tug (revolution)' (Gramsci, 1971, xxx).

Barker, Cox and Geoghegan then, are ultimately questioning the very value in projects which theorise social movements. Their polemic takes the form of a conflict between the colonisation of movements by the state (and notably 'traditional' intellectuals) on the one hand and the reassertion of muscular-nervous effort on the other. In particular, they see what Gouldner (1980) described as the 'sophistication' of academic knowledge in which intellectual labour is turned towards institutionalisation – textbooks, overviews and readers; journals and conferences, research networks and so on (Gouldner, 1980 cited in Geoghegan and Cox, 2001). For Geoghegan and Cox, this process is concurrent with the developments of a social movement field. Here, underlying assumptions 'shape' social movement discourse; identify and create new sub-fields of specialist activity, and most notably 'the taking for granted of the overall social order within which these [social movements] operate'. 'This operates most directly through the implicit identification of social movements with protest' – which is narrowly conceived - whereby the state-centric understanding of 'contentious politics' (Tilly, 2008) elides the significance of the production of theory within movements.

An example of this is the implicit identification of social movements with 'protest' – It simultaneously elides the critique of the relationship of knowledge to the academic institutions within which it is produced. For Geoghegan and Cox, a state-centric

point of view simply reproduced the actual 'ideology' of the writers involved. They are, after all, writing for and within the institutions of academia rather than the theoretical debates that occur within movements. It is the 'institutional logic' of academia, which Geoghegan and Cox argue is 'largely devoid of any self-criticism or self-awareness'. To this extent, they feel, 'that there is no necessary reason to think that they [academic institutions] are shaped in a way that is likely to be able to offer much to activists other than as 'intellectual figleaves'' (Geoghegan and Cox, 2001, p.7).

Geoghegan and Cox (2001, p.9) ask the question 'why does academic literature fail to work?' An answer they claim presents itself straightforwardly to activists:

> "…it is not reasonable to expect theories developed to operate primarily within powerful institutions, such as the academy in majority world societies, to be capable of emancipatory use by movement actors".

This point should be 'obvious' to academics, they argue, especially if theorists were aware of their own assumptions. Social movements are something 'other' than being defined in 'contrast to the state'. As such, a researcher working in a state institution cannot come up with 'unproblematic, neutral and transparent relationships',

> "…it is not such a profound thought that our [activists] institutional location affects our understanding of the world". (Geoghegan and Cox, 2001, p.9)

There is a clear distance, then, between social movement *theory* vis-à-vis academic knowledge and social movement *practice* vis-à-vis activist knowledge. This distance is largely attributed to the 'contemplative' nature of the academics theoretical endeavour vs. the muscular-nervous effort of the activist (Marx, 1845 cited in Barker and Cox, 2002, p.4). The polemic is based on an understanding of academic engagement with social movements as 'objects', that is, 'to be observed, described and explained'. This is different for the activist, whose institutional location renders

such a question superfluous, for activists and movement intellectuals are concerned with those 'active processes' by which people engage, experience and transform the world around them (Barker and Cox, 2002, p.3). Movement intellectuals are guided by their active engagement and academic intellectuals are 'dominated by the theorization of activism'. This view, then, sees activist theorising set apart from the ''extra-knowledge' concerns and commitments' of academic life – it too starts from a specific structural relationship (Barker and Cox, 2002, p.3).

This structural relationship manifests itself in a number of ways for Barker Cox and Geoghegan can be used to strengthen their polemical claim. Principally, 'reward' and 'respect' exist in very different ways between academic and movement communities. In reflecting on the 'extra-knowledge' commitments of the academic community, for instance, Barker and Cox (2002, p.6) argue that 'peer-reviewed papers', 'routine teaching', 'routine marking', and 'routine research' remain the 'primary purpose' in 'legitimising the social order'. Yet, 'the activist, by contrast, *qua* organic intellectual, carries out directive and theoretical activity of behalf of subordinate classes and groups' (Barker and Cox, 2002, p.6).

> "These classes do not control institutions, resources and symbols in the same way as dominant groups. Though they are constantly creating such forms of self- expression and struggle, these forms are constantly being combated and colonized by the dominant". (Barker and Cox, 2002, p.5)

Organic intellectuals therefore find themselves constantly creating – not *ex nihilo,* but from social materials typically controlled or contested 'from above'. Since the primary purpose is to create 'what is not yet in existence', their modes of theorising are those 'geared to engagement, conflict and (importantly) discovery' (Barker and Cox, 2002, p.5).

This need to objectify social movements is an important concern for academics as well as organic intellectuals. For instance, Cresswell and Spandler comment on the

'unease' which arises when the subjective experiences of activism comes face-to-face with the 'objectifying manoeuvres' of the academic. Parker (2009), in turn, argues that 'institutional recuperation' leaves the academic 'neutered' by the bureaucracy of their institution. There are important pressures at work in academia which constrain intellectual independence e.g. achieving a permanent post or the pressures of performance-related funding. Cresswell and Spandler agree. In a Foucauldian sense, there is a 'disciplining' of the intellectual field which has left social movements as 'objects' of the academic *gaze*. Academic intellectuals are 'knowledge-workers' sequestered to 'peer-reviewed' journals and disciplined within academia by a regime of 'soft bureaucracy' (Courpasson, 2000). This manifests itself in the form of 'bureaucratic rationalities' best thought of as the 'three Rs' – 'research governance', 'research ethics' and 'research assessment' – upon the observation of which academic progression depends (Cresswell and Spandler, forthcoming).

This issue is also discussed at length by Michael Burawoy (2004, 2005). In his work, he argues that 'professional' sociology should not be allowed to colonise 'critical' and 'public' sociologies (Burawoy, 2004, p.1612). Here, 'professional' sociologies is that which is concerned with 'legitimacy, expertise, distinctive problem definitions, relevant bodies of knowledge, and techniques for analyzing data' (Burawoy, 2004, p.1608-9). It must be contrasted with those 'subordinate sociologies within the academy', such as 'critical' and 'public' forms of engagement. These sociologies must exist alongside a 'hegemonic professional sociology' made up of knowledge-workers, but must be prevented from colonising public forms of engagement because 'professional sociology is fraught with problems, not least deciding the criteria of good public sociology and who should evaluate it' (Burawoy, 2004, p.1612).

For Burawoy, the likes of 'critical' sociology function to show how the world '*does not have to be the way it is*', and in this political motivation, must 'be as attentive to alternatives to their own disciplinary world as they are to the world beyond the academy' (Burawoy, 2004, p.1612; emphasis added). Where a professional

sociologist or knowledge-worker might be handicapped by policy, or external-interests (Burawoy, 2005, p.10), the pluralism of the 'critical' or 'public' sociologist 'is an asset in reaching and influencing publics' (Burawoy, 2004, p.1615). This, Burawoy (2005, p.5) argues, is the distinctive mark of a sociologist whose object *is* civil society, and whose values include wanting regenerating the resilience and autonomy of the social - the moral fibre of the discipline.

The theoretical contributions of movement intellectuals, then, are understood as ideologically and morally separate from that of academic intellectuals (Barker and Cox, 2002, p.1-3). For Barker and Cox, 'it is not only the content of the ideas' which differ but also what they call 'rhetorical form'. In fact, 'much of the actual development and clarification of movement ideologies often occurs in dialogical exchanges' (Steinberg, 1999 cited in Barker and Cox, 2002, p.4). For instance, linguistic and literary forms of movement ideas are much more varied than in the academy.

> "The linguistic and literary forms - and the settings - in which movement ideas are expressed are much more varied than is the case with academic ideas. They range from books and pamphlets to newspapers, leaflets and posters, from sermons and speeches to slogans and songs on demonstrations, from formal orations to informal conversations, and so on". (Barker and Cox, 2002, p.4)

For Barker and Cox (2002, p.4), this intellectual output, once again, is a sign of the ideological justification which underlines social movement activism and the 'movement' intellectual: 'the underlying purpose of ideological justification is *practical*: it is an inherent aspect of movement mobilization and organization'. It is, then, in the strategic and tactical nature of social movement activism that 'movement' intellectuals read the situation with a plan of action for the immediate future. These strategic purposes seek to grasp a sufficient account of the totality of a current situation, in order to guide action, rather than capturing one single aspect of a

particular situation in order to form a compare and contrast for generalisable explanation:

> "Its persuasory force depends on its capacity to combine an explanatory account of the complexities and contradictions of the recent past and present with a proposal for active intervention in the immediate future. So generic propositions are useful, but only as more or less casual supports for practical arguments". (Barker and Cox, 2002, p.4)

The 'academic' intellectual produces knowledge *about* movements; the 'movement' intellectual produces knowledge *for* and *within* movements.

A difference in the structural positioning of academics and movement intellectuals allows for the theorising of 'best practice' in activism. Movement intellectuals can theorise the best way to go about political action because they have access to agential attempts to challenge oppressive structural relationships. They are, after all, *grassroots* activists. To quote Barker and Cox (2002, p.4), 'the famous 'structure/agency' problematic of sociology does not operate in the same way for agents who are challenging structures'. That is to say that structure appears quite different for activists than academics. Thinking from an activist's perspective, or activist theorising, produces a particular kind of knowledge quite distinct from academics: for it 'gives primacy to processes of self-understanding and attempts to start from the actor's perspective' (Barker and Cox, 2002, p.4). That is, activist-theorising stresses *fluidity* and *process*. It does not objectify the movement or attempt to make general propositions from it.

Any differences which exist between the academic intellectual and movement intellectual can be attributed to the way in which Gramscian theory defines the intellectual in terms of their occupation. The academic intellectual is understood as fulfilling the function of reiterating ideological hegemony, the organic intellectual – the movement activist – is understood in terms of counter-hegemony whose

intellectual labour is to create a hegemonic 'bloc'. These ideological differences are made explicit in the forms of intellectual output each intellectual makes. The academic intellectual is a self-serving entity whose theoretical and empirical work is concerned with generalisable claims in order to establish expertise about movements. This process is situated and aided by an academic community which stresses the values of the scientific endeavour such as peer-review, general propositions and cross-comparison. Geoghegan, Barker and Cox argue that these values are antithetical to 'best practice' movement activism where theory, at best, is used to grasp a *sufficient* account of the current situation in order to plan action for the immediate future. Their arguments, then, place the academic intellectual between an ideological 'rock' and a methodological 'hard place'. Yet, some of their claims require closer scrutiny. Not all scholarly intellectuals are the same. For instance, in turning to the arguments of Frank Furedi (2004), it becomes patently clear that not all intellectuals have the same ideological functions.

Regaining the Intellectual

For Eyerman (1994), it is important to distinguish between the *performance* of intellectual labour and the *category* of intellectuals. Intellectuals can form their identities 'around other kinds of interests than those related to social position' Eyerman, 1994 cited in Furedi, 2004, p.31). Being 'an intellectual' is not necessary about 'how one makes a living' but rather how one 'lives for rather than off ideas' (Coser, 1965 cited in Furedi, 2004, p.31). Whilst for Furedi this idea may strike as 'hopelessly idealistic', it has motivated human behaviour for generations and 'has inspired many to see creative possibilities beyond the sober realities of everyday existence' (Furedi, 2004, p.32). This idea gives way to an important distinction between the academic intellectual of Barker, Cox and Geoghegan – the knowledge-worker – and *something else*. For Furedi (2004, p.32), 'an academic expert does not

lead to directly becoming an intellectual'. Echoing Bourdieu (1989 cited in Furedi, 2004, p.32), he argues that in order to claim the title of the intellectual these entities 'must deploy their expertise and authority in their particular cultural domain in a political activity outside it'. From Bourdieu's perspective, 'Einstein exercises intellectual authority when he steps outside his expert field (physics) and comments on the state of global politics'. This sense of intellectual as an 'identity' is derived from 'participating in a project that transcends any particular occupation or interest' (Furedi, 2004, p.32). In contradistinction to a Gramscian perspective, Bauman (1978) also argues that the 'intentional meaning' of being an intellectual is 'to rise above the partial preoccupation of one's own profession' and 'engage with the global issues of truth, judgement and taste of the time' (Bauman, 1978 cited in Furedi, 2004, p.32).

What, then, of the status of 'autonomy' and the intellectual? Where Gramsci marks the intellectual out as puppet of the state, Furedi brings this claim into sharp contrast by way of exploring the preconditions and possibilities of intellectual autonomy. Intellectual autonomy, for Furedi, cannot be reduced to the reproduction of ideological hegemony,

> "The desire to possess the freedom to act in accordance with one's belief and relation strongly motivates the behaviour of the intellectual". (Furedi, 2004, p.32)

If anything, Furedi argues, 'that is why intellectuals often exist in a state of creative tension with the rules and restrictions imposed by the prevailing institutions of everyday life'. For Furedi, to be an intellectual requires autonomy, it 'requires at least a mental distancing from the conventions and pressures of everyday affairs' (Furedi, 2004, p.32-33). If intellectual labour is controlled by external forces for any reason the less the intellectual feels themselves to be free (Eyerman, 1994 cited in Furedi, 2004, p.32). It is this 'aspiration for autonomy', which is in contradistinction to Gramscian claims.

"The aspiration for autonomy is driven by the understanding that ideas cannot be developed in accordance with a schedule or the dictates of a particular institution. It is generally recognised that a degree of detachment is essential for the gaining of perspective and of creativity". (Furedi, 2004, p.33)

An important distinction, then, must be made between those intellectuals whose work remains within the confines of the institution, for they are not intellectuals but simply 'experts', 'technocrats' and knowledge-workers (Furedi, 2004, p.33).

Intellectuals, then, are not necessarily colonised or absorbed by the state. Indeed, why would such a development be in the interest of the state? If intellectuals are to preserve critical intelligence, which is necessary if they are to continue to cultivate concerns with ultimate issues in society, they must not become the pawns of state influence. Furthermore, it is not in the best interests of any establishment to sever intellectual freedom. Not when such freedom can be considered a prerequisite to the critical intellectual and fundamental to the progression of the sciences. Whilst Gramscian theory may be used to synthesise the intellectual with the power of the state it is important to note that intellectuals, historically, have something of 'an uneasy relationship with the status quo' (Furedi, 2004, p.33). Furedi accepts that there are those 'bureaucrat intellectuals' who serve the dominant oligarchy but such officials quickly turn into 'ideologues' and 'apologists' and become alienated from the pursuits of intellectuals These individuals 'swiftly compromise their authority as intellectuals' for it is difficult to conceptualise the function of an intellectual whose work is only advanced in a way that is 'entirely conformist' (Furedi, 2004, p.33).

It is then, ultimately, a question of *social engagement*. As Furedi (2004, p.35) argues, it is difficult to live for ideas and not attempt to influence society. It is not only about being in involved in 'creative mental activity' but also an assumption of social responsibility and taking a political stand. For Furedi, whilst not every intellectual has a disposition for social engagement, as a group, intellectuals are drawn towards political life (Furedi, 2004, p.35). Adjacent to a Gramscian perspective, Regis

Debray (1981) suggests that it is not at the level of education that the intellectual is defined but at 'the project of influencing the public'. Debray characterises this orientation as a 'moral project that is essentially political' (Debray, 1981 cited in Furedi, 2004, p.35). Whilst this portrait of the intellectual seems idealistic, Furedi argues that, as a group, intellectuals have played an important role in 'questioning conventions and sensitising society to ideals and values that have helped to push forward human progres*s*' (Furedi, 2004, p.37). Where differences may exist between individual intellectuals, as a group, they should share a common commitment to influence the world. This common desire is aided by a widening commitment to being 'the critical voice of truth', that is, the politics of the intellectual are 'the politics of truth' (Furedi, 2004, p.36).

> "Whatever else the intellectual may be, surely he is among those who ask serious questions, and, if he is a political intellectual, he asks his questions of those with power". (C. Wright Mills, 1963 cited in Furedi, 2004, p.36)

If Barker and Cox (2002) are concerned about the reiteration of state power by the education system then they should be concerned with synthesising a relationship with engaged intellectuals who are concerned with 'critical pedagogy' (Freire, 1970) who are concerned with 'critiquing the education system for 'dumbing-down' of syllabuses; the level of disengagement and the reification of pragmatist thought which often serves to 'discredit the search for truth' or 'abandon it all together' (Furedi, 2004, p.69-72). In echoing Gramsci, Barker and Cox have forgotten some of the issues that *engaged* intellectuals attempt to tackle. The higher education establishment has accepted the restricted status assigned to intellectual knowledge – instrumentalist pressures have led to an understanding that knowledge is the outcome of learning experience (Furedi, 2004, p.68). Private business, government, media and the University Ltd. has internalised a good deal of scepticism towards the enlightenment and this feeling is only carried on into teaching (Furedi, 2004, p.69). For Furedi, today instead of Knowledge 'we have developed the tendency to develop

micro-knowledge' and this pragmatism itself diverts intellectual energy away from realising the potential for making a significant impact of public life, towards 'obsession with narrow specialisation' (Furedi, 2004, p.70-71).

Detachment and objectivity remain central in an engaged intellectual's commitment to the wider community. The creative role of an intellectual requires detachment from any particular identity and interest.

> "…since the beginning of modernity, the authority of the intellectual has rested on the claim to be acting and speaking on behalf of society as a whole". (Furedi, 2004, p.34)

To this extent, argues Furedi, the intellectual embodies the 'personification of the Enlightenment legacy' and seeks to 'represent the standpoint of universality' (Furedi, 2004, p.34). Truth is the object of science: 'philosophy is the science which considers truth' (Aristotle cited in Furedi, 2004, p.4). There is much to gain from speaking for values which transcend immediate experience – reason, rationality, science, intellectual freedom. It is possible for intellectuals to embrace universalism and yet maintain a critical stance on cultural standards and to engage with the wider issues of the day (Furedi, 2004, p.35). If the intellectual can maintain such an *intimate* relationship with the 'pursuit of ideas and truth', it will, regardless of individual temperament, always be forced to critically assess contemporary convention (Furedi, 2004, p.36). The truth, then, in many ways requires a move beyond the customs and conventions developed in particularistic approaches. There will always be conflict between universalist and pragmatic accounts of social life because contradictions will often arise. This is natural in any pursuit of knowledge, scientific or otherwise.

> "Universality means taking a risk in order to go beyond the easy certainties provided us by our background, language, nationality, which so often shields us from the reality of others". (Said, 1994 cited in Furedi, 2004, p.34)

There is a concern that Barker, Cox and Geoghegan in critiquing general propositions are ultimately advocating relativism. They stake a claim against academic output as an example of state puppetry without giving consideration to the fundamental importance that objective knowledge serves. This is evidence of a wider commanding influence that relativism has gained over cultural life. The intellectual must now work at a time when truth is only in the 'eye of the beholder' (Furedi, 2004, p.4). If truth is relegated to the status of 'subject outlook' and interpretation, then its discovery cannot serve as a principal justification of any institution. Once truth is interpreted as suspicious and hesitant, to be offered up in competition with other ideals, it ceases to play a key role in society's cultural life (Furedi, 2004, p.4). Whilst for Barker, Cox and Geoghegan, the case proposition is necessary to developing theory for the immediate future there are those intellectuals whose principal outlook requires general propositions in order to stake a claim beyond the particularistic. There are those intellectuals who are busy vying between social engagement, social responsibility and providing a theory for political change. The argument that this endeavour can only be taken on at a micro-level is just evidence of the wider anxieties within contemporary culture over the status of truth as a subject of intellectual pursuit (Furedi, 2004, p. 4-6).

This 'downsizing' of intellectual authority has been advocated by Foucault. Foucault argued, 'that since there is no universal truth, intellectuals cannot be in business of conveying truth'. 'He claimed that thinkers could aspire to be, not universal, but only 'specific' intellectuals' (Furedi, 2004, p. 45) – see Michael Foucault vs. Gilles Deleuze in *Intellectuals and Power* (Foucault, 1980). In other words, they should not make broad pronouncements about their work but, rather, devote time to work in areas in which they have the most expertise and thus produce tangible results. This view reflects the experience of demoralisation with the working of the Enlightenment legacy. All this relativism contributes to is the devaluation of ideas (Furedi, 2004). It does so because any pursuit of knowledge can lose its passion and immediacy when the status of ideas ceases to be a subject of fundamental importance or confined to

little truths (Furedi, 2004, p.5). If the road of understanding is based on subjectivity, then disorientation and anxiety will ceaselessly remain as we are bred and become hospitable to undermining knowledge and truth.

A Possible Synthesis

Laurence Cox and Alf Nilsen make a particular case against the academy: that the collective action of academics represents a wider 'movement from above'. In Gramscian terms, this 'movement from above' is what reproduces the ideological hegemony of the state:

> "It is this collective agency which in practical terms underlies the construction of, and explains the continued reproduction and development of, social structures and institutions which serve the needs of those powerful and wealthy groups". (Cox and Nilsen, 2006, p.1)

The collective action of activists represents the less powerful, less-than-resourced 'movement from below'.

> "Our purpose is to explore the situated collective action both of powerful groups ("social movements from above") and of the less powerful ("social movements from below") in a way that makes it possible to move beyond a romanticised opposition of structure and resistance". (Cox and Nilsen, 2006, p.1)

Society, they argue, is 'created the way it is' by the actions of 'movements from above' but also by the constant challenges of 'movements from below' who can adopt various types of strategy to deal with the situations at hand. For Cox and Nilsen, these conceptualisations are both politically and intellectually important. They offer a conceptualisation of power relations *beyond* social structure. They no

longer appear as part of a given social order but as the result of the action of well-organised powerful social actors.

> "Rather than social action appearing as the property of less powerful groups, or as a blip on the landscape against a stable background of given institutions, it here appears as a common denominator which underlies the actions both of less powerful groups and of those which control key social institutions (economic, state, cultural). This makes it possible to theorise social change without massive theoretical caesurae". (Cox and Nilsen, 2006, p.1)

This conceptualisation is homogenous with the realist theoretical framework developed in chapter one where the respective terms hegemonic and resistant were used to describe norm circles and their emergent properties in the form of normative institutions. These terms have been developed in order to appreciate movement activist experience contra the claims about academic knowledge production. Most importantly, these terms have been developed in order to deal with normative oppression and the constituent individuals, or groups of individuals who are contingent in the experiences which render resistance to that oppression explicit. This analysis seems a comprehensive means by which to locate the experience and human agency which vies for social change. This is not unlike the terms Cox and Nilsen (2005; 2006) advocate: a) it argues that social structures are the result of well-organised powerful human agents; b) it argues that activists challenge these structures, which in turn, gives rise to further conflict; c) that human action both on the part of the powerful and less powerful is a common characteristic in the history of societies.

The differences, however, are very important. The argument that activists simply challenge structures lacks the ontological rigour necessary to move away from abstract conceptualisations. Whereas it is right to suggest that powerful human agents are responsible for social structures it is of more use *practically* to argue that these human agents form groups based on shared norms and values. Cox and Nilsen

(2005; 2006) argue that their terminology moves beyond the romanticised conception of structure and resistance. Whilst this is true, norm circles are much more persuasive. It is right to suggest that activists challenge structures but *what* structures, *where* and *how*? Norm circles provide these answers because they can locate a reason for action which an abstract notion of structure and resistance cannot. An empirical history of resistant sexual politics makes this case explicit: movement activists target and subvert the 'real danger' (Foucault, 1988) - the shared norms and values of powerful groups of individuals – of 'hegemonic norm circles'.

This claim brings together a number of ontological assumptions both within critical realism and historical sociology. First, activists do need theory. This theory is not developed in the academy. Cox and Nilsen would concur that this theory is developed by way of experience and cannot be synthesised into an academics need for general propositions. This distinction is not the harbinger of the end of social movement theory however. Where activists and 'movement' intellectuals feel that a *sufficient* grasp on theory is all that is necessary, in order to provide immediate plans for action, the engaged, responsible intellectual stands waiting. If theory for social change is in the hands of activists, then, as E.P. Thompson states, the academy,

> "…establishes relations between phenomena which could never be seen, felt or experienced by actors in these ways at the time, and it organises the findings according to concepts and within categories which were unknown to the women and men whose actions make up the object of study". (E.P. Thompson, 1995, p.26)

It is in the production of historical knowledge according to the structures of 'historical logic' that the engaged intellectual locates their role and function. This engaged intellectual is concerned with developing general propositions, yet, such propositions are only possible by way of 'deep engagement' (Tattersall, 2006 cited in Cresswell and Spandler, forthcoming) with movement activists. If this engagement is lacking, then the individual is not an intellectual but an expert – a knowledge-worker.

The final concern returns to 'ontological rigour'. Cox and Nilsen (2005) argue that critical realism can be used by activists as a means to look at mechanisms at depth. To this extent, they mirror the argument of this thesis. They make an argument derived from critical realism that facts can be made about values which, in turn, only helps to serve movement goals i.e. acting on these facts in the context of a specific situation. Yet, there remains a concern about their employment of critical realism. Critical realism is not an example of 'middle-range' theory, but rather an example of meta-theory – of 'first philosophy' (Armstrong, 1978) in the social sciences – and, for this reason, it requires more than an understanding of the *particular* conditions of any given situation. Where the strategic proposal seeks theory in order to guide particularistic action, critical realism is concerned with making general propositions which can then be considered for generalisable explanation according to procedures of retroduction. Critical realism retroduces mechanisms and, thereby, 'opens up' the scope for political action to the extent that is considers *what* lies behind structure i.e. powerful groups and *what* holds them together (norms, beliefs and values). However, to arrive at such conclusions has required the work of intellectuals who are far from the conceptualisation of the 'academic' intellectual (Roy Bhaskar, Hilary Wainwright, Frank Furedi and Bob Carter). These intellectuals are the 'under-labourers' for concerns and issues which exist beyond the remit of the academic community. Their concerns penetrate right to the heart of social life and organisation. Again, whilst it may be argued that the theorising of an intellectual like Elder-Vass is an exercise of the academy it has led to some pervasive conceptual devices which can be used in juxtaposition with thought-provoking historical research. In this case, the juxtaposition gives rise to examples of social change by way of political action at 'depth'. Interestingly, it also helps make explicit powers which have remained absent. It is not impossible that activists have identified the importance of norms and values in the organisation of powerful hegemonic circles and institutions – in fact, it is very probable.

Why, finally, do we need academic knowledge? Because it is necessary in developing 'knowledge of knowledge', if like Thompson, the intellectual wants to establish relations which were not recognised at the time. For instance, consider the importance of imagined norm circles in the motivation for the development of tactical repertoires. If it is the role of the engaged intellectual to formulate and maintain universality then history exemplifies the diachronic events in which to search out these synchronic relations.

These concerns are compounded when we consider the long-standing debates concerning the causal efficacy of social mechanisms. Whilst such debates seem 'typical' of academic theorising, what may be construed as 'ivory tower' indulgences, it is actually within these debates where political action takes place. Furthermore, it is only within debates, set forth in the previous chapters, about political and social philosophy, that the ontological nature of the world is first understood and then appropriately examined. It should be quite apparent, for social movement activism, the problems with Harréan hermeneutics, for instance. To argue that social reality has the ontological status of nothing but discursive acts is, politically, limited. There is little practical value in an argument that focuses solely on the extant 'narratives' of people. Even Cox and Nilsen make the importance of social structures and causal efficacy abundantly clear when they discuss the motivating or discouraging, constraining and enabling features of social structure. Yes, these structures are collectivities of human agents but that does not mean that a focus on their narratives alone will bring about practical solutions. In the case of social movement activism, it is by way of political *and* social philosophy, that a search for 'truth', for the identification of oppressive and resistant mechanisms of social life, becomes apparent.

Summary

There is a difference between intellectual labour and the category of intellectuals. There are those engaged intellectuals whose concerns extend beyond peer-review publications and the day-to-day rationalities of a 'traditional' intellectual. Gramsci's theory of the intellectual is necessary in opening up the space between academic and activist forms of theorising. However, the role of the engaged intellectual is neglected. Exploring this role, it becomes apparent that the engaged intellectual shares similar concerns to those of grassroots movement activists. Colin Barker, Laurence Cox, Martin Geoghegan and Alf Nilsen claim that activists start with a very different view of structure and agency in mind. This is consistent with the claim that activist-experience is central to the development of political action. Yet, engaged intellectuals, too, start with a particular view of structure and agency in mind. This view is no less moral; on the contrary, it is coming from a perspective of *engagement* and *responsibility*. Yet, it cannot (in good conscience) discuss the minutiae which constitutes the motivation for political change. The 'role and function' of the engaged intellectual is to search for universal truths, make generalisable claims and disseminate these declarations publically as well as to social movement activists. In maintaining this commitment to objectivity the engaged intellectual can be considered idealistic, but it is important to note that their motivation to the truth is for the purposes of making a positive impact on public life and not to further develop a particular 'specialisation'. Where it has been argued that the intellectual cannot offer social movement activism 'much about anything' the engaged intellectual stands to offer historical knowledge about synchronic relations beneath the phenomena of experience. This knowledge might not be acceptable, it might be incorrect, it might be provisional – but it is a knowledge engaged for politically constructive reasons. The engaged intellectual should be allowed to connect with and discuss the powerful nature of human agency and the history of social movement activism provides the opportunity to do this. This is not a case, as Barker and Cox (2002) maintain, of

academic knowledge *vs.* social movement access. For the engaged intellectual the two *should not* be mutually exclusive.

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[1] The terms 'established' and 'movement' intellectuals were originally adapted from Eyerman and Jamison (1991).

Chapter Four

A Western History of Norm Circles I

Introduction

The engaged intellectual stands to offer both social movement *activism* and social movement theory historical knowledge about the synchronic relations that exist beneath the phenomenon of experience. It is a project which takes an 'essential step': it recognises that synchrony can direct the engaged intellectual 'towards those kinds of historical inquiry which explain the phenomena of social change' (Abrams, 1972, p.32). This 'step' 'marks out' the particular starting point of the engaged intellectual - a view *no less moral* than the activist's perspective. In good conscience, the engaged intellectual cannot discuss the minutiae of experience responsible for the motivation which pilots political change. Yet, they can make objective declarations about the synchronic elements which exist beneath experience in order to make a positive impact on public life. This might be considered idealistic but it is coming from a perspective of engagement and responsibility.

This chapter is where that project begins in earnest. It is the first part (of two) which explores the historical perseverance of norms, values and beliefs. It argues that the moral and ethical 'Judgements' on non-heterosexual sexuality,[12] and in particular, same-sex sexuality,[3] are the *emergent* products of shared belief systems. These products or powers are better known as 'hegemonic normative institutions' and they state an ethical or moral position on what is 'Right' (created 'good') and 'Wrong' (corrupted by sin).

History does not readily present itself for taxonomical categorisation. A history of sexuality is far too complex, with its absences and nuances, to give a definitive and unhindered description of process and action. Yet, to *engage* is to offer 'something up' for analysis and discussion. A history of sexuality in the West is a history of dominant sexual norms, which feature strongly in the shared values of powerful groups of human agents ('hegemonic norm circles'). It is only possible to give an insight to the extent and permeability of these 'hegemonic norm circles'; many may exist at once, but it is fair to say that, throughout history, the sexual values of dominant groups have helped cement wider societies beliefs about what is natural as originally created 'good', versus nature as corrupted by 'sin' or unnatural (Pronk, 1993, p.3).[4] In line with critical realism, the values shared within 'hegemonic norm circles' has given rise to emergent properties; three hegemonic normative institutions which pervade Western history – they are, very broadly, religion, law and medicine. Not every aspect of religion, or law or medicine, is implicit in these shared norms and values, and so, in an attempt to 'make a claim', it is necessary to focus in on particular aspects. 'Christianity', 'Northern European state law', and 'Northern European health and medicine', offer more limiting frames of reference to understand the regularities, powers and processes of these normative institutions. Yet, sometimes, it has to be even more specific than this, and so, this project locates some of its arguments about the regulatory behavior of ecclesiastical, criminal and medical authorities within a post-19th Century United Kingdom.

What becomes apparent is that these institutions, based on shared values, are responsible for the regulation of 'non-normative' entities; 'deviants', 'degenerates', 'heretics', 'criminals', 'abominations' are just a few examples of the conceptual devices used to taxonomise same-sex sexual activity in time. It is the 'goal' or the 'negotiated values' of the these institutions to *maintain* the 'norm' and this means bringing those 'out on the periphery' back 'into line' with the normative frameworks 'hegemonic norm circles' have set forth for two millennia.

It would be incorrect to suggest that 'hegemonic norm circles' are solely responsible for the maintenance of normative values, and solely implicit in their execution. This is why conceptual devices like imagined and proximal norm circles matter, for they 'offer up' a 'wide-angle' with which to approach and appreciate the socialisation of dominant norms and values.

It would be incorrect to infer from this argument that human agency has been conflated 'away'. Human agents possess the capacity to question their normative values, but not every human agent is in the position to consider the extent to which their belief systems are a product of historical *construction*. To this extent, this project hopes to engage with the wider public. It is ambitious to argue, within the boundaries of a thesis, that our sexual ethics have been shaped, ultimately, by the norms and values of dominant groups. Yet, by interweaving between the synchronic and diachronic, over the *longue durée* (Braudel, 1973), this project hopes to critically assess these normative values and, in doing so, 'offer up' the space to critically consider the history of our own heterosexual hegemony.[5]

In stark contrast to the theoretical 'under-labouring' of earlier arguments, it is necessary to explore the empirical sequences, regularity and rationality of historical process. Whilst the narrative presented here is provisional, its focus is to demonstrate that historical events are not arbitrary; that certain kinds of events are *related* within 'determinate fields of possibility' (Thompson, 1995, p.68).

> "Human beings are not created merely as human but as women or man and at the same time as man and woman. These two will be one, not because of a natural will but because of God's grace". (Barth, Church Dogmatics, III, 1, 183 cited in Pronk, 1993, p.17)

The history of normative sex begins with the earliest foundations of the Judeo-Christian tradition. It is a period which can be marked by Ancient Greek philosophy, Hellenistic Judaism, Roman law, and finally, the shift from Paganism to Abrahamic

Monotheism. It is a period of chaos and turmoil, set forth by wars and disease, but what remains is a global dissemination of religious teaching; an almost a *constant* presence.[6] Yet, where possible, the teachings of the Holy Bible, and more specifically, the teachings of the Old Testament and Jesus Christ in the New Testament, prescribe the moral and ethical foundations for the union of man and woman to 'become one flesh' (Genesis: 2: 24, ESV). Ecclesiastical discipline is seen as the harbinger of Platonic abstract forms, e.g. 'Goodness' and 'Rightness', and these themes continue persistently into the 'Middle Ages' and the 'Renaissance' period of Northern Europe.[7] There are many, *many* nuances throughout this historical process, yet one point of 'doctrine' goes unchanged: the principle of Right Reason (Pronk, 1993, p.25, 29, 31).

Right Reason is the *belief* that sexual activity can *only* be for the purpose of procreation. This is in accordance to God's Will. Fornication, onanism, same-sex sex, and *all* other forms of non-procreative sexual activity are not in accordance to God's Will. These forms of sexual activity are contrary to Right Reason and are unnatural because they violate what Thomas Aquinas called 'Natural law' – the Word of God. To violate God's grace is to invite damnation (Romans: 1: 18-32; 3: 9-18 ESV).[8] Only in trusting Jesus Christ and living a Christian lifestyle (sexual norms included), may God 'forgive' your 'Original Sin' (The Fall, Genesis: 3: 1-25), and may you heed the warnings of an impending Hell (on earth) (Romans: 1: 18-32; 3: 9-18; Matthew, 13: 41-50).

It is in the origin and dissemination of sin that living in accordance to God's Will becomes most apparent. This offers an important foundation for the construction of (hetero)sexual norms, and 'offers up' a space to consider the 'Broken Relationship' human beings have with God. What this means as we move through the historical process is that as perpetual sinners human beings must act in accordance to God's laws, and reject all that which runs counter to His claims.

The Doctrine of the Fall

> "…the idea that man's first estate was one of moral excellence or innocence, of nature
> or miraculous harmony of quiescent flesh and calmly ruling spirit. The evil of his heart
> could only be then be supposed to come through the corruption of his once pure and
> passionless being" (Tennant, 1902, p.10-11).

The Fall of Man is a description of Mankind's decent into sin in Genesis: 3: 1-25. It
is a description of how Adam and Eve committed 'Original Sin', defying God's Will
by eating the forbidden fruit. It is the reference point in the Bible where 'we all,
potentially in Adam, sin' (Tennant, 1902, p.17). The Fall of Man recollects the
actions of our forbearers, their defiance and revolution against God (Bertrand Russell
1943 cited in Hitchens 2007). It is in this disobedience to God's commands that our
forbearers, and indeed ourselves, enter into a 'Broken Relationship' with the Lord
(Deuteronomy, 5: 33, John, 14: 23). Where once everything was innocent and pure
and man knew of no corruption in the Garden of Eden, his actions have brought the
Lord's condemnation. Man is punished for his disobedience of God, which
ultimately occurs in Hell (Hebrews, 9: 27; Revelation, 20: 11-15; 21: 8). This is the
doctrine of the Fall of Man and warns us all about our perpetual sin at the hands of
Adam and Eve.

There is sanctuary, however, from this 'Broken Relationship' with the Lord. By
'God's grace' and His 'loving mercy' (Luke, 1: 78) he offers his Son, Jesus Christ
for Crucifixion. In doing so, Jesus Christ is crucified for the 'sins' of Man (John, 19:
17-37; Matthew, 27: 52-54; Romans, 12: 2, 9-21). In trusting in Jesus Christ's
sacrifice, Christians are 'looked upon' by the Lord with 'kindness'. Their
relationship with God is still 'Broken', for he does not 'overlook' their sin, but
accepts that the sacrifice of Jesus Christ was his 'Judgement' for Man. It is, however,
only in trusting in Jesus Christ and his teachings (on lifestyle) that Christians are to
be 'saved'. The Wrath of the Lord and his day of 'Judgement' (Romans, 1: 18-32)
will inevitably arrive and will do so along with Jesus's 'Second Coming'. It is here

that trust in Jesus Christ, and the sacrifice he made, a Christian 'duty', will mean a place in God's new creation (Matthew, 24: 24-31; Revelation, 21: 1). It is important to note that trust in Jesus Christ means living in accordance to the prescriptions set out in the Old and New Testaments. It is also important to note that the Lord warns us, every day, of the impending destruction and Hell on Earth, by allowing suffering, desire and indulgences to go 'unchecked' (Romans, 2: 1-5).

What is it, then, within 'Original Sin' and the doctrine of the Fall that aids the construction of (hetero)sexual norms? It seems the case that an understanding of the 'Broken Relationship' that human beings have with God offers a sense of where these normative frameworks begin to appear. In breaking with the 'natural order', in disobeying the Lord, evil is given a presence on Earth. The Bible makes this clear. For example, compare the relationship between man and woman before and after sin and we see the very first conflicts in marriage. It is also after 'The Fall' that the Bible records the very first murder (Genesis, 2: 23-25 vs. 3: 16b). What is it, then, that is understood as defiling Man? The Bible makes it clear that it is in the corruption of Man's heart, the source of all his actions, which defiles him and negatively affects all others (Mark, 7: 14-23). So there is a two-point consideration: (i) trust in Jesus Christ brings about salvation from the 'sins' that Man commits on a daily basis; (ii) this trust in Jesus Christ requires ecclesiastical discipline over our actions and relationships.

What about those who do not act in accordance to God's Will; those who do not trust in Jesus's teachings and the Word of God set forth in the Bible? This consideration presents itself as a starting point to look at the normative basis for (hetero)sexual norms.

> "Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh". (Genesis 2: 24, ESV)

In Genesis, the foundation of sexuality is set in the immutable word of the Lord. Yet, by adding the context of our 'Broken Relationship' with God another point is raised. It seems that God 'frustrates' the relationships between human beings by allowing sinful desires to go 'unchecked' (Mark, 7: 14-23). In breaking with the 'natural order', Adam and Eve committed sin and 'opened Man's eyes' (Genesis, 3: 5) to the desires and indulgences of the world. It is within this understanding, then, that the moral and ethical claims of (hetero)sexual norms can be considered. The arguments of Right Reason see that acting in accordance with the 'natural order' – the law set forth by God, experienced in trusting in Jesus Christ – is of the 'highest good'. Procreation ('one flesh') between a man and a woman is the logical, rational and moral choice for those who trust in Jesus Christ and follow the immutable law of the Lord. It is in turning to the foundations of the Judeo-Christian teachings and the tradition more broadly that we can truly begin to consider where these (hetero)sexual normative understandings become crystallised in law. It is, then, at this time that the first traces of moral and ethical statements on sexual behavior arise.

Origins

Before any real considerations of (hetero)sexual normative frameworks can begin, it is important to consider the relationship that Greek philosophy has had with Judeo-Christian teaching. Before the Hellenistic period, after the death of Alexander the Great in 323 BC, the teachings of Socrates and his student Plato remained central in grounding what was to become Western Philosophy. It is to some of their teachings that a consideration of (hetero)sexual norms may turn. Whilst Christian (hetero)sexual norms have been remarkably consistent throughout church history, what is more remarkable is that some of their understandings can be traced to periods before canonisation.

The transition from Paganism to Christianity, seen in the establishment of the Church of the Roman Empire by way of Constantine in 324 AD, is central to the claim that sexual activities shifted in understanding. Where once it may have been considered an orientation, if reflected on at all, it certainly moved towards the understanding that sexual activities were a form of moral behavior, the focus being on the *act* of sex. These understandings arrive by way of the teachings of Jesus Christ, and the prescriptions set forth in the Old Testament (Puterbaugh, 2000, xvii). Sexual activity during Ancient Greek, and early Roman times[9] was considered *informal*; it was not 'viewed', in many respects, as a point for concern. It was not until the rise of the Roman Empire in 26 BC that the first proscriptions against non-heterosexual sex, and same-sex sexual activity were written into law.

The arguments of Socrates and Plato play an important role in this historical process, especially with regards to abstract forms and obtaining what was considered the 'highest good'. For Socrates, any sexual activity that did not meet a 'chaste' life was not considered as of the 'highest good'. Only in leading a 'chaste' life, could one reach or attain to this abstract form. A normative understanding which was to be taken on by Plato, whose philosophical reasoning of *Laws*, and of *The Republic*, became a demand for the legal proscription on chastity (Puterbaugh, 2000, p.8-10). In an attempt to enforce the idiosyncrasies of his mentor, Plato became a key figure for the early Judeo-Christian church. Not only in *Law,* did Plato place 'great stress' in the importance of God's existence which could be 'deduced from the study of stars', but he also intimated that atheists who persisted with their 'heresy' were to be put to death (Cross and Livingstone, 1997, p.1299). Plato's works can be considered as aiding in normative understandings of *asceticism*, which has had a constant presence throughout church history (Coleman, 1980, p.259, 264, 277).

Both of these philosophers find themselves a consideration when Judeo-Christian teaching is being developed: Socrates as the role the Martyr[10] and Plato in his dialogues about 'divine revelation' after physical death (Puterbaugh, 2000, p.13).

Many of the early Christian theologians also 'relied' on Plato for theories about 'The Trinity'; that they were 'mere extensions' of Plato's necessarily 'imperfect vision' (Puterbaugh, 2000, p.14). It was in Plato's specific rejection of the real, rational world and free inquiry into nature that delivered him as the progenitor of Christian teaching (Puterbaugh, 2000, p.15). That Plato turned away from the study of the natural world and towards the study of the Absolute strongly appealed to early Christian theocracy (Artz, 1980 cited in Puterbaugh, 2000, p.15).

The Philosopher Aristotle also plays an important role in this 'history of ideas'. A student of Plato and a teacher to Alexander the Great, Aristotle's reasoning understands evil in terms of his teleology; the natural end of an organism (and the means to this end) is 'good' for it, and what defeats or impedes this end is 'bad' (Miller, 2011). This 'bad nature' has been interpreted as offering the foundations of a 'disease theory' on non-procreative sexual activities and same-sex sexual activity, in particular (Puterbaugh, 2000, p.24). Aristotle's 'ideological schema' can be seen as providing the resources for a medical tradition that went on for centuries. Aristotle's work also features in the Treatise of the Greek physician, Soranus (Puterbaugh, 2000, p.24). Soranus had been a key source in the history of science and of inductive reasoning at the time. His work: 'On Pathic Men', is one the first texts to make normative concerns about 'passive sex' and 'effeminacy' amongst men explicit. For Soranus, a 'Pathic', was a man who would 'take on' the 'passive' role of a woman in sexual conduct and arose from either a 'corrupt and debased mind' or 'a disease of the soul' (Vern, 1975).

It is important to note one key difference between Plato and Aristotle as this historical process continues. Where Aristotle would inquire, and apply 'rigor' and observation in order to establish generalities, Plato was concerned with seizing the 'forms', 'abstract external verities' or the hypostases (the 'existence' of things). This difference serves as a valuable source in understanding why Plato was so important to an emerging Judeo-Christian tradition; his faith in the 'Absolute' mirroring the

faith placed in Jesus Christ and the immutable Word of the Lord. Aristotle and his 'disease theory' was to reappear, however, in 1200 AD when Christianity was in full flight and in need of medical opinion (Puterbaugh, 2000, p.25).

The 'Making' of Judeo-Christian Norms

The body of beliefs and practices which characterise the Judeo-Christian tradition were defined and shaped (with Greek philosophy, in mind) under the Roman Empire 26 BC - 453 AD. The 'consolidation of its ideology' was very gradual and it was only in 200 AD when the Christian church came to recognise the texts 'making up' the New Testament as a single canon (Dynes, 1990, p.221). It is important to note that the New Testament is a separate construction that is not part of the Hebrew Bible, or the Torah, which to many Christians is also known as the Old Testament. In contemporary Bibles, both the Old and New Testament's are taken together as 'divinely inspired'. The New Testament is of particular importance to Christians for it marks the life and death of Jesus Christ through the Gospels of his disciples.

During this period, Christian teaching or 'doctrine' was elaborated by a group of intellectuals known as the 'Fathers of the Church', which spanned from Apostic and Postapolistic texts, throughout the Mid-Second Century until the Mid-Eighth Century (Drobner, 2007, vi-xiii). The extensive list of contributors to the early Christian church is only equalled by the remarkable amount of exegetical texts that exist. This chapter will consider some of the most prominent of these theologians, those who can be directly associated with the 'beginnings of Christian thinking and teaching in schools' (Drobner, 2007, viii) – Philo of Alexandria, Justin Martyr, Tertullian, Clement of Alexandria, Basil and Gregory of Nyssa, St. John Chrysostom and St. Augustine. A number of these 'Church Fathers' also used the Epistles of St. Paul in their commentaries.[11] These commentaries, treaties and other writings were to

become known as the 'Patristic writings' which were to function as a normative foundation for (hetero)sexual understandings well into the Middle-Ages. It becomes quite apparent when exploring these exegetical texts that these contributors were heavily influenced by the philosophy of their own time, and so links between the early Christian church and Platonic philosophy become apparent. Literature of the ascending imperial church by way of Constantine the Great in 324 AD, and his sons thereafter also offer a great a deal of insight into how legal prohibition help secure and maintain (hetero)sexual norms.

It has been argued that at the time of the Roman Republic 508 BC – 27 AD, and the Roman conquest of Ancient Greece at the Battle of Corinth 146 BC, that sexual ideals were 'tolerant'. Any laws which did exist to prohibit the actions of human beings were considered 'common-sense' measures, such as laws against rape, coercion and sex with minors (Puterbaugh, 2000, p.43-52). Whilst the Romans, of this time, are considered much more 'hedonistic' than their Greek counter-parts, who stressed 'friendship and courtship' over 'fleshy indulgences', it remains the case that up until Constantine the Great, there was a level of sexual tolerance (Puterbaugh, 2000, p.53). A sexual tolerance which can be brought into sharp contrast with the Mosaic tradition and Hellenistic rule, whose ideals were to permeate the understanding of (hetero)sexual norms in the Greco-Roman world.

> "The birth-place of such contrasting sexual ideals was Palestine and its Jewish philosophy". (Puterbaugh, 2000, p.53)

The Book of Leviticus is the third book of the Torah and the third book of the Old Testament. It contains many laws and rituals, which are concerned with community, relationships, and *behaviour*. As well as many rules on worship, Leviticus contains, most importantly, a biblical covenant; a set of promises and demands made by God (Puterbaugh, 2000, p.55).

"You shall not lie with a male as with a woman; it is an abomination". (Leviticus, 18: 22)

"If a man lies with a male as with a woman, both of them have committed an abomination; they shall surely be put to death; their blood is upon them". (Leviticus, 20: 13)

The implications of the text cannot be denied. Where it might be argued that the arguments of Plato or Soranus were intolerant of *para phusin*[12] (same-sex sex) these were 'merely the words of humans'. The significance of these proclamations is, 'that they claim to be the word of God' (Puterbaugh, 2000, p.55). To think normatively, the difference is crucial: religious scripture removes man (sic) from the picture and says God, an all-knowing, all-powerful, all-good creator condemns this behaviour (Puterbaugh, 2000, p.55). It also goes on to sanction the execution of those responsible for such actions; 'inspired by numinous fear - of "abnormal" behaviour' and sectioning these sexual actions out for exclusion (Gerstenberger, 1996, p.254). It is straightforward to assume, then, that if same-sex sexual activity is considered an 'abomination', it is something, which at the very best, is forbidden, or at the very worse, it is a grave moral offence. Either way it is an action which runs contrary to God's Will, and so, is considered 'abnormal', for what is 'Right' is the process of 'natural order' set forth in Genesis. To consider this in the context of the 'Broken Relationship', it is clear that such normative warnings are suggestive of a need to adhere to (hetero)sexual 'morals' and 'ethics'. Consequently, 'Punishments for Sexual immorality' is the title of Leviticus Verse 20: 10-21 in the English Standard Version of the Holy Bible.

What are the normative implications of such textual prohibitions? First, 'demonic fear' clearly plays a role. For the Ancient Israelite clans same-sex sexual activities were considered dangerous, unnatural and antithetical to their understandings of procreation (Gerstenberger, 1996, p.254). Wider 'societal disdain' is present in ideas about same-sex sexual activity as a form of immoral behaviour. Ideas which,

'Every community creates for itself a series of constitutive norms indirectly defined through prohibitives within the socialization process of young people'. (Gerstenberger, 1996, p.254)

The normative significance that the texts of Leviticus, Deuteronomy, Romans and a number of others have in discussing sexual morality has been, historically, played down. In terms of Leviticus, Christian apologists have argued that the controversial texts are not binding on Christians, given that the texts date back to the Hebrew Bible. This argument, however, cannot explain away the normative understandings present in Romans 1: 27,

"…and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameless acts with men and receiving in themselves the due penalty for their error".

It also cannot explain away the case that Leviticus has never been *completely* ignored. The sexual code has, in fact, become part of Jewish secular law, and was written into Roman law when Christianity became the state religion of the Roman Empire by way of Constantine the Great in 324 AD (Puterbaugh, 2000, p.57). This argument is further compounded by references to Levitical texts which remain in the Law books of American states from the Seventeenth Century (Puterbaugh, 2000, p.57).

The Christian church has 'gained influence' where the Roman Empire has assumed power. To such the extent, that those normative proscriptions that warn against actions which run contrary to God's Will, over time, have gone global (Ottosson, 2009).

"...the most plausible explanation for the transformation in attitudes towards homoerotic behaviour is also the oldest one: Christianity replaced paganism as the universal religion, which brought about significant changes in virtually every aspect of life". (Puterbaugh, 2000, p.58)

Yet, it is important to note that the Levitical texts are a product of ideals which existed before the canonisation of Christianity and the Hebrew Bible. The nature of the normative 'Judgements' made on non-heterosexual sexual activity is so explicit that why not include such warnings in the Ten Commandments? It has been suggested that it is because such prohibition stems from Persian ideals (Puterbaugh, 2000, p.59). The conquest of Israel and the consequential exile to Babylon can be considered 'world-shattering' events to the Biblical Jews Released from this exile by the Persians, during the Jewish diaspora, many Hellenistic Jews settled or were born in Alexandria. They took with them or were socialised under Zoroastrian teachings, which stated on the subject of sexual *conduct*:

> "…the guilty of these crimes may be killed by anyone without an order from the dastūr' - a Zoroastrian high priest". (Horner, 1978 cited in Puterbaugh, 2000, p.59-60)

The similarity between the Persian position and the prohibitive wording of Leviticus is striking.[13] It has even been suggested this sexual code of conduct became 'systematic', in the sense, that after the Persian exile such norms were to be passed down from Jews to Christians to be enforced and preached (Puterbaugh, 2000, p.59-61). A good example of this 'cross-over' lies within the Talmud, a central text of mainstream Judaism, which states that those who flout the 'Word of God', and engage in 'Mishkav Zachar' (same-sex contact) can receive the punishment of lapidation or 'stoning'.[14]

The Levitical injunction on same-sex sexual activity has also been reinforced by an interesting development in the legend of Sodom. 'Sodomy', a term often used in law to describe sexual activities which are considered unnatural, has played an important normative function within this history of ideas. Principally, the term first appears in the Book of Genesis (18: 22-33), in a narrative about the Ancient city of Sodom, a place devoid of any 'righteousness', and so the Lord sends his Angels to verify this perception. On the Angels arrival, 'Lot', a noble man, urges them to take refuge with

him and his family for the night. On that evening, male inhabitants of Sodom arrive at Lot's door,

> 'And they called to Lot, "Where are the men who came to you tonight? Bring them out to us, that we may know them." Lot went out to the men at the entrance, shut the door after him, and said, "I Beg you, my brothers, do not act so wickedly. Behold, I have two daughters who have not known any man. Let me bring them out to you, and do to them as you please"'. (Genesis, 19: 5-9)

The male inhabitants of Sodom persist and are quickly dispatched by God's Angels (Genesis, 19: 11). Warning Lot of Sodom's impending destruction, the Lord advises him to leave with his family, subsequently; God destroys Sodom with fire and sulfur (Genesis, 19: 13-15).

This particular passage has been the subject of extensive debate and interpretation. For example, what is meant by the phrase, 'Bring them out to us, [so] that we may know them'? Some interpretations suggest that the destruction of Sodom was not because of sexual vice but because of a 'lack of hospitality', a point echoed in other places within the Bible (Ezekiel, 16: 49-50). This point also holds for Orthodox and Roman Catholics, for in the Book of Wisdom, 19: 13-14, further emphasis is placed on the dangers of hospitality. However, given Lot's shocking response, 'do not act so wickedly', and the fact that he offers his daughters 'up' so as to 'do to them as you please' would suggest otherwise. A similar narrative is also present in the Book of Judges, 19: 22-25, yet the terms are much more *explicit*, '…violate them [the virgin daughters] and do with them what seems good to you, but against this man do not do this outrageous thing'. This sin has also been directly linked to 'fornication' and the need to 'go after strange flesh' (Jude, 1: 7). Sodom and the actions of its inhabitants have also been associated with an 'ungodly' lifestyle (Peter, II, 2: 7-8), a term which features strongly in Romans 1: 18 when discussing the 'Wrath of God'.

It appears, then, that normative connections exist between the actions of male-male sexual relations and the destruction of Sodom. These connections may not be judged in absolute terms but the evidence is compelling. What is certain and undeniable, however, is the normative function this narrative has placed throughout the ages as a means to impress the dangers associated with such activities. The term 'sodomy' has even been used in the juridical application of the law to forbid such activities under the threat of *death*.[15]

'Sodomy law' is that which prohibits certain sexual acts as a crime. The precise natures of these acts are rarely singled out, but it is important to note that its euphemisms, i.e. buggery, do refer to male-male sexual relations along with the obvious allusions to exegetical texts (Weeks, 1989). The normative authority of this understanding is hard to deny when 'sodomy law' continues to be found globally. As of 2009, consensual sex between two adult males was *illegal* in 80 countries world-wide; punishable by death in 5 of them, with the use of the term 'sodomy' appearing explicitly in most of them. Some examples include (Ottosson, 2009),

Bhutan, Penal Code 2004 - 'Unnatural Sex; Section, 213':

> "A defendant shall be guilty of the offense of unnatural sex, if the defendant engages in sodomy or any other sexual conduct that is against the order of nature".

Iran, Islamic Penal Code of Iran 1991 - 'Part 2: Punishment for Sodomy':

> Article 108: "Sodomy is sexual intercourse with a male".

> Article 109: "In case of sodomy both the active and the passive persons will be condemned to its punishment".

> Article 110: "Punishment for sodomy is killing; the Sharia judge decides on how to carry out the killing".

Article 111: "Sodomy involves killing if both the active and passive persons are mature, of sound mind and have free will".

Sudan, The Penal Code 1991 (Act No. 8, 1991) - 'Sodomy; Section, 148':

(1) "Any man who inserts his penis or its equivalent into a woman's or a man's anus or permitted another man to insert his penis or its equivalent in his anus is said to have committed Sodomy".

Palau, Palau Nation Code Penal Code - 'Sodomy; Section, 2803':

"Every person who shall unlawfully and voluntarily have any sexual relations of an unnatural manner with a member of the same or the other sex, … shall be guilty of sodomy, and upon conviction thereof be imprisoned for a period of not more than 10 years; provided, that the term —sodomy shall embrace any and all parts of the sometimes written —abominable and detestable crime against nature".

The historical perseverance of the legend of Sodom and the term 'sodomy' is undeniable, then. But interpretations of the narrative, which underlies the legend, might require particular acts to be *inferred*, given that meanings within the text are not made explicit. The passage itself is even said to predate Persian additions of Leviticus (Puterbaugh, 2000, p.62), yet one thing is quite clear, that *peccatum sodomiticum* or the 'sin of Sodom' has become synonymous with 'unnatural vice'. This relationship first appears in the Hellenistic world (Johansson, Dynes and Lauritsen, 1985).

The Early Christian Church

Hellenistic Judaism was a movement during the Jewish diaspora (exile) that sought to establish a Hebraic-Jewish religious tradition within the city of Alexandria from 200 BC (Puterbaugh, 2000, p.75). The movement, which featured the exile of Jewish philosophers and theologians into Alexandria, brought with it the teachings of the Hebrew Bible with its Persian additions (Puterbaugh, 2000, p.78-79). It was a movement which was eventually 'absorbed' into the early Christian church. These Hellenic philosophers were to become 'Fathers of the Christian Church', in Alexandria, the major seat of Christianity, second only to Rome under the rule of the Roman Empire. It is important to note that Alexandria had been, for some centuries, a home to a large number of Jews of the Diaspora – these Jews no longer fluent in Hebrew having adopted *Greek* as their daily tongue. To this extent, the Old Testament has been translated into Greek so that the Hellenising Jews could read their scripture – known as the 'Septuagint' (Puterbaugh, 2000, p.79). The Greeks were to have an important influence on Jewish philosophy during the Hellenic era; the mind-set of Platonists and Aristotelians becoming apparent.

The Hellenistic Jewish philosopher Philo, or 'Philo of Alexandria' (20 BC to 50 AD), had a huge influence of the early Christian church and is considered 'the most important figure among the Hellenistic Jews of his age' (Cross and Livingstone, 1997, p.1279). An 'eclectic in his religious outlook', Philo gathered contemporary philosophical systems as well as from Jewish sources, 'interweaving the two' and can be considered a 'principal bridge' between Platonic philosophy and Christian theology (Cross and Livingstone, 1997, p.1279). Philo was part of this Hellenistic Greek-speaking Jewish tradition, which ultimately 'gave birth' to the early Christian church (Puterbaugh, 2000, p.88). Not only were Philo's exegeses 'enthusiastically received' by the 'Fathers of the Church' but also features ideologically in their *Patristic* writings.[16] Philo's first 'great Christian exegesis', in particular, was an analysis which attempted to 'harmonise Platonic thinking and the Old Testament'

(Puterbaugh, 2000, p.89). A point worth further consideration when looking at Philo's comments on the legend of Sodom,

> "...but also those who were men lusted after one another, doing unseemly things, and not regarding or respecting their common nature, and though eager for children, they were convicted by having only abortive offspring... the men became accustomed to be treated like women...as to effeminacy and delicacy, became like women in their persons, but also made their souls most ignoble. But God, having taken pity on mankind, as being a Savior full of love for mankind, increased, as far as possible, the natural desire of men and women for a connexion together, for the sake of producing children, and detesting the unnatural and unlawful commerce of the people of Sodom". (Yonge, 1855)

One of the most attractive early Christian writers, Justin Martyr, wrote an *Apology* for the Christians addressed to Emperor Antonius Pius in 155 AD. He wrote the *Apology* after an 'appeal for respect for the truth against ancient customs'. In his Apology he argued that, in following the truth of Jesus Christ, Christian moral standards were 'worthy of more respect than the contemporary mores' (Coleman, 1980, p.126). In his examples, he argued that 'sodomy' as a form of 'mutilation', was 'done' in adherence to the 'mothers of gods' and so, his defense of superior Christian morals was set on a backdrop of the denunciation of Paganism. He was also to go on and stress the sanctity of Christian marriage in contrast to 'pagan sexual vice' (Coleman, 1980, p.126).

Tertullian (195 AD), in *De Pudicitia,* wrote about the importance of 'modesty', and the need to achieve 'strict control of the sexual behaviour' of his churches members (Coleman, 1980, p.127). What Tertullian brings to the fore is the Platonic idea of 'chastity' or 'asceticism'. Thus his treaties include the denunciation of all 'frenzies of passion' which is considered 'beyond the laws of nature' for they are considered not only 'sins' but also 'monstrosities' (Coleman, 1980, p.127).

Clement of Alexandria (150 AD - 215 AD), or 'Saint Clement', is another source central to the early formation of the Christian church. Clement is explicit in his damning of sexual 'immorality'. The works of St. Clement are a good example of an unshakable moral conviction to Right Reason, one which is both 'sourced' and 'synthesised' from texts that span the globe (Puterbaugh, 2000, p.129). Genesis, Leviticus, Plato and Philo, St. Clement utilises the normative arguments of all these major commentators, bringing together the norms, values and beliefs about sexual activity over a number of different cultures, traditions and languages. Most importantly, Clement assimilates the work of Plato into biblical narrative, and so is considered one of the earliest Church fathers, dealing principally, with Christian 'morality' and individual conduct. For example, in Book III, Chapter VIII of Pedagogues, Clement comments,

> "The Sodomites having, through much luxury, fallen into uncleanness, practicing adultery shamelessly, and burning with insane love for boys... Accordingly, the just punishment of the Sodomites became to men an image of the salvation which is well calculated for men. For those who have not committed like sins with those who are punished, will never receive a like punishment. By guarding against sinning, we guard against suffering". (Knight, 2009)

What is interesting about Clement's comments is the proscription for protection and guardin*g* against the actions of sinners. The legend of Sodom is seen a warning against those particular actions of man and this fulfills an important normative function. It asks the question: 'why man should fear the penalty of the Wrath of God?' And so, encourages 'abstinence', particularly from these sexual acts, for they are considered contrary to the image of salvation which the Lord has set forth. This normative understanding cannot be understated. For it is the bedrock on which the ultimate goal of Christian life is founded: the Platonic assimilation to God or the Biblical idea of *imitation dei* - the 'imitation of God' (Cross and Livingstone, 1997, 364, 1300). Man finds *virtue* by attempting to imitate God by following his decree.[17]

Basil and Gregory of Nyssa (400 AD) are also on record for their disciplinary regulation of same-sex sex (Coleman, 1980, p.127-128). The brothers both explicitly assess the 'gravity' of the 'offence' of same-sex sexual actions in terms of *penance* – between four to fifteen years. In the same period, the Councils of Elvira in Spain, and Ancyra (Turkey) include regulations on same-sex sexual actions in accordance with Leviticus (Coleman, 1980, p.128).

'Full consideration' of the issue of same-sex sexual acts is given by St. John Chrysostom in his commentary on the relevant passages by St. Paul in Romans (Coleman, 1980, p.128). Chrysostom, originally a lawyer and a monk, became Patriarch of Constantinople in 398 AD, and was an accomplished preacher. His commentaries are in the form of a series of *Homilies*, and in Homily four on Romans, Chrysostom 'extends some 3,500 words almost entirely concerned with homosexual behaviour' (Coleman, 1980, p.129). He argues that both men and women to whom St. Paul refers have 'chosen' same-sex sexual acts *deliberately*, 'as there is no suggestion that heterosexual activity was not available'. Chrysostom stresses that these beings have 'refused the pleasures of *natural* sex' and, as a consequence of 'their decision not to obey what they knew of God's Will by natural reason' they have been 'abandoned' and 'become dominated by Satan'. The men who 'make themselves mad in this way' are 'of less use than eunuchs', and '*deserve* to be driven from Church society and be stoned'. The destruction of Sodom is 'cited' for those 'who doubt that punishment awaits'; the moral argument being clearly drawn – 'depravity is the consequence of turning away from God and enjoying a life of luxury' (Coleman, 1980, p.129).

St. Augustine, a Neo-Platonist before his baptism in 387 AD, also writes about same-sex sex acts in his *Confessions* in 400 AD:

> "There are those foul offences which be against nature, to be everywhere and at all times detested and punished; such as were those of the men of Sodom…For even that intercourse which should be between God and us is violated, when that same

nature, of which he is Author, is polluted by the perversity of lust". (Pusey, 1939 cited in Coleman, 1980, p.129)

Under the influences of monasticism and Augustine, then, a largely negative view of sexual activity was firmly established. All love-making was taken as a sign of mankind's dominance by sinful lusts of the flesh, 'redeemed only by the concession of God *in the act of conception*' (Coleman, 1980, p.130; emphasis added).[18] This is a view which is generally shared across all of the 'Patristic writings', for as a collection, 'they tend to confirm the ascetic morality of the New Testament' (Dynes, 1990, p.809). Neo-Platonic thinking is quite clear: those who marry are 'too weak' to 'remain chaste', but 'procreation is in line with God's Will; sex outside marriage is strictly forbidden and same-sex sexual activity, including between females, is singled out for special condemnation (Dynes, 1990, p.809). These ascetic beliefs and values were shared across early Christian communities, and across the treaties and texts of their founding fathers. Asceticism also featured highly within the narratives of the New Testament – a core belief that the 'Holy Family' was also 'cordoned off from sex' (Dynes, 1990, p.62). Virgins, like Mary, were given 'great prestige' in early Christian communities, and so were married couples who 'ceased carnal sexual relations' (Dynes, 1990, p.62). This was certainly the case within the Augustinian attitude which stressed that sexual activity was strictly for procreation (Coleman, 1980, p.130). To abstain from sex, then, was of the 'highest good', and it is against this background that the early Christian prohibition of non-procreative sexual activity, and same-sex sexual activity, as lustfulness, must be seen (Dynes, 1990, p.83).

There is one important historical event that also needs to be made explicit. For some time, this 'moral asceticism' can be considered the faith of an 'embattled minority'. It was not always the case that Christian monasticism was the major purview. Yet, the arrival of Constantine the Great 'tipped the scales'. Christianity, under his reign, became a state religion, making the Roman Empire Christian by the Edict of Milan in

313 AD (Dynes, 1990, p.810; Coleman, 1980, p.127). Constantine, who died in 337 AD, was a Roman emperor who seized control by way of an historic victory in the Battle of the Milvian Bridge in 213 AD. In a dream, the night before the battle, Constantine fought his rival, Maxentius, 'under the sign of the Cross' (Cross and Livingstone 1997, p.405). He attributed his victory to the Christian God, and shortly afterwards imperial favour was given to the Christian Church. The reign of Constantine saw the sexual code of the Christian church written into Roman law, that is, Constantine legislated against *incontinence* (the lack of self-control in sexual desires) (Cross and Livingstone, 1997, p.405). The Christian sexual code on chastity, then, was further enforced under the reign of Constantine (Puterbaugh, 2000, p.135). Where the law could previously be considered geared towards a large progeny, Constantine changed the law, changing clauses so as to provide greater benefits for those who abstained from sexual concourse (Cross and Livingstone, 1997, p.405). Under Constantine, 'divorce became much more difficult'; 'concubines were forbidden'; 'eloping couples were to face the death penalty'; and the 'virginity of prospective wives had to be furnished' (Puterbaugh, 2000, p.136-137). These regulatory mechanisms were only set to get worse under his son Theodosius the Great:

> "All persons who have the shameful custom of condemning a man's body, acting the pact of a woman's to the sufferance of an alien sex, shall expiate a crime of this kind in avenging flames in the sight of the people".[19]

This set of mechanisms were also capitalised on by Justinian and the Byzantine Empire (East Roman Empire) and offered moral law to protect against lustful desires up until the 6th Century.[20] It is at this point that the narrative moves into a period in European history known as the 'Middle Ages', and a specific focus on the 'Medieval Church' can begin to 'flesh out' how these moral frameworks were maintained.

The Mediaeval Church

The 'Middle Ages' is a period of European history of almost a thousand years. It is a time taken from the end of Classical Antiquity to the beginning of the Renaissance.

In 475 AD, the Western Roman Empire, and its Christian Emperors were succeeded by Germanic barbarian kingdoms. At this very chaotic time, laws and regulations were either being replaced by Germanic penal codes or maintained by independent (Christian) monasteries. At such a time, many of the incumbent Roman (Christian) laws on sexual acts were being replaced. It is said that the legal regulation of 'sexual urges', during this period, was of 'little interest' to the new barbarian rulers (Johansson and Percy, 2009). In the absence of Christian scripture, a concern with same-sex sexual activity seems to fall silent across these occupied territories (Goodrich, 1976, p.73). The rules and regulations of the Christian church splintered throughout Europe (Goodrich, 1976, p.73). This period, better known as the 'Dark Ages' was short-lived, and the Christian church did reorganize itself. Not only had the Eastern Roman Empire (Byzantine Empire) remained after the fall of the West, but it had also reclaimed a number of territories back from Germanic rule, including Rome. Independent monasteries and a number of prominent theologians also maintained their Christian beliefs during this time. The Christian church persevered. The Gregorian Missions offer an intricate history of the Christian churches survival and the re-establishment and assimilation of an otherwise geographically 'fragmented' faith.

Pope Gregory the Great, considered one of the last 'Doctors of the Church' developed new modes of enforcing (hetero)sexual norms by way of the immediate reprobation on what was considered a 'sin against nature'. His Gregorian Missions were central to 'evangelising Britain', for instance, converting German, Celts or all 'Anglo-Saxons' to Christianity and its moral laws (Mayr-Harting, 1991, p.50). Neither was this process 'quick' or 'easy', and it took the reformers several hundred

years before their theological views and ecclesiastical doctrine were fully realised in secular law. However, once in full purview,

> "…this specifically Christian morality saw in same-sex sexual activities the greatest blasphemy against the natural order". (Goodrich, 1976, p.86)

The Gregorian Missions can be seen at a time where secular law aided the Christian church in their expansion of organisational and spiritual control over what was considered a 'recalcitrant, or even heretical population' (Goodrich, 1976, p.86). Some years later, and these methods of control are common-place under the establishment of Benedictine rule (Coleman, 1980, p.130). A guide to Christian Holiness, the Benedictine rule formed regulations 'controlling sleeping arrangements in both monasteries and nunneries'. Similar mechanisms also feature in the third Lateran Council of 1179 which condemned 'incontinence' as 'against nature' (Coleman, 1980, p.130-131). This is important for it is this Corpus of Canon Law which governs Church life throughout Europe in the Middle Ages, and is also subsequently applied to England. This need to protect (hetero)sexual norms is then compounded in the *Penitentials* (Coleman, 1980, p.131).

Examples within the *Penitentials* offer an important insight into the normative attitude of mediaeval scholastics and the decisions of Christian church councils:

> "These handbooks for confessors developed systematic regulations to govern all aspects of human sinfulness… Sodomy was the most serious offence, and the penalty for it could be death, but this penalty had to be carried out by secular authorities, and the Church was seldom willing to ask for this extreme punishment". (Coleman, 1980, p.131)

Peter Damian, abbot of Fonte Avellana in his *Liber Gomorrhianus* of 1051 AD listed three degrees of male-male same sex sexual offence; 'mutual masturbation', 'inter-femoral connection', and 'sodomy' (Coleman, 1980, p.131). For all three, Damian

argued, monks and clergy should be 'removed from their orders'. Damian's appeal to Pope Leo IX rendered the topic as one of 'carnal pollution'; the unconventional sexual preferences of the clergy needing to be 'quashed' (Dynes, 1990, p.810). Yet, his demands were met with 'widespread protest' and eventually Pope Leo IX decreed that only those who were 'persistent' in the *act* of sodomy 'should be thus degraded' (Coleman, 1980, p.132). This attack on 'clerical sodomy' echoes a wider conflict within the Christian church and its need to maintain a moral claim to asceticism and clerical celibacy. That these actions were in some way *devaluing* its moral is reminiscent of Neo-Platonic thinking law (Goodrich, 1976, p.7; emphasis added). Damian is situated at the 'beginning of a growing hostility towards same-sex sexual acts' (Dynes, 1990, p.223) hostilities which were to coincide with the growing power of a church whose focus had been renewed.[21]

Sexual 'purity' remained at a 'high premium' with failure to observe these norms and values classified as equal to 'idolatry and homicide' (Dynes, 1990, p.223). Yet, it remains difficult to know how widespread the treatment of sexual 'sins', including same-sex sexual acts, were in the Middle Ages. It is clear that regulations exist, and their application to both 'secular as well as monastic communities' is evidence of their continued existence (Coleman, 1980, p.131). Yet, it seems to exist at a time best characterised by 'periodic outbursts of scandal' followed by a 'reissuing of regulations' and the 'discouragement of future offenders' (Coleman, 1980, p.131).

The theme of 'clerical purity' continues with Hildebrand (Gregory VII, 1020 – 1085). Also demanding clerical celibacy, Hildebrand has been considered the figure who gave rise to 'a sort of moral purity crusade which also assailed other religions, as well as heretics and sodomites'.[22] Once again, the Neo-Platonic focus on asceticism is clear; a focus which was to mark the Christian tradition, more widely, and the Roman Catholic Church in the West, in particular.[23]

After 1000 AD, canonical authorities became very interested in religious heresy and, in particular, the links it had with sexual *deviation*.

> "The canonical compilations demonstrate that the reformers favoured moral vigorism: as a group they considered sex and other pleasurable experiences tainted by evil and a potent source of sin". (Brundage, 1987, p.182)

These links were to play an integral role in attempts to destabilise other religious sects, such as the 'Cathars' and the 'Albigensians', who were to become known by the term 'bougre' (Goodrich, 1976, p.7-9). They also played a role in political quarrels between the Catholic and Protestant Church towards the 'late' Middle Ages (Dynes, 1990, p.223-224). Some of these links can be seen in Council gatherings, books and the canonical writings of Gratian, a 12th Century canon lawyer from Bologna. This mysterious figure who wrote a collection called *Concordia discordantium canonum* or the Decretum. The Decretum became a quickly accepted basis for canon law in law schools across Europe (Winroth, 2000). In his texts, Gratian updates many principles of Roman law, and in particular Justinian's *Corpus Juris Civilis*, claiming that 'same-sex sexual activity is far more heinous than adultery or fornication' (Dynes, 1990, p.223). Gratian's texts mark a shift in anxieties, once again, from a focus on clerical celibacy and monogamous marriage, adultery back to the moral regulation of sexual vice (Goodrich, 1976, p.7). Gratian was concerned with prioritising 'unnatural vice', and his texts were aimed at introducing a 'natural law' for use by scholastics and lawyers (Winroth, 2000). These concerns were further compounded in the *Corpus Juris Canonici*, a body of canon law which has remained a significant source of Catholic Church law up until 1917 (Dynes, 1990, p.223).

Inspired by the authority figure, Thomas Aquinas, the *Corpus Juris Canonici* has been considered to encourage, 'the feudal, royal and municipal laws to ordain the fining, castrating, and even burning of sodomites' (Johansson and Percy, 2009). It is a collection which helped 'regiment higher knowledge for use by scholastics', and

can be seen as a means to ensure 'discipline and purity' (Dynes, 1990, p.812). St. Thomas Aquinas is a good example of the power scholastics held in the later medieval period. In his *Summa Theologica* (1266-74), Aquinas, in weaving Aristotelian and the Patristic writings together, imparts a detailed classification and a 'whole sense of order' on 'unnatural vice' (Dynes, 1990, p.813). In his *Summa*, Aquinas lists same-sex sexual acts amongst six species of 'lust', along with rape, fornication, incest, adultery and seduction. All of these are condemned,

> "…as contrary to the natural order of the venereal act which right reason shows to be for the preservation of the human race" (Coleman, 1980, p.132).

'Among these species of lust, homosexuals are the most grievous form of sin because they are considered to corrupt the principle [of Right Reason] most directly' (Coleman, 1980, p.132). They are an 'injury to God' and therefore are 'most serious' (Dynes, 1990, p.222). The *Summa* is a comprehensive conflation of many ideas, but it is the Aristotelian values which present themselves most explicitly. In his understanding of same-sex sexual acts, Aristotle saw that 'intercourse with animals and males', *in coitu bestiarum aut masculorum,* be exemplary of psychological corruption (Johansson and Percy, 2009). Same-sex acts were considered on par with bestiality because of their 'irrationality' (Coleman, 1980, p.132). It is on this understanding that Aquinas built his natural theology, teachings which remained, in many respects, 'a dominant influence in the theology of the Western Catholic church' (Coleman, 1980, p.132). To state it emphatically, it is the position that the 'natural order' for human sexuality has proved to be the 'definitive ground for the subsequent rejection of homosexual behaviour' and for the maintenance of (hetero)sexual norms (Coleman, 1980, p.132). An authorative reiteration of this value system appeared in the Vatican 'Declaration on Certain Questions concerning Sexual Ethics', approved by Pope Paul on 6th November 1975,

> "…where is it stated that Scripture attends to the fact that 'homosexual acts' are intrinsically disordered and can in no case be approved of".[24]

By the 13th Century canon law and scholastic philosophy had undergone some significant 'refinements'. In one way or another, Damian and a number of other theologians, had 'forced through a theory on sodomy as a sin', a theory which considered these acts 'contrary to natural law' and, in many respects, 'comparable to murder' (Goodrich, 1976, p.71). Well-organised confessional manuals had 'laid down' what was the accepted 'textual authority' and 'their corresponding penances'. This had one result: 'it made sodomy one of those *infamous* church crimes that incurred the greatest dishonor and ill repute' (Goodrich, 1976, p.71). There too was an impact on secular law. By the 13th century, many of the ideals of Roman law had been 'rejuvenated' by these jurists, lawyers and other scholastics. In dealing with 'moral offenders', secular legislation often made references to the 'Church Fathers', 'Scripture', or more specifically, 'the Decretum of Gratian' and 'Papal decrials' (Goodrich, 1976, p.83). In many cases, this entailed a 'brief reference to the precedent of Sodom as an example of the Wrath of God' (Goodrich, 1976, p.83). By the 13th Century, then, these secular prescriptions were often used as 'citations' and 'confirmations' for increasingly stiff penalties in canon law. In English law, for example, until the 13th Century sexual morality fell under the authority of the Christian church where 'crimes against nature' were identified with 'heresy' (Goodrich, 1976, p.83). A manual of English law '*Fleta*' published in 1290 in the court of Edward I, provides a good example. In one passage 'death by fire' is prescribed for sodomites 'caught in the act' (Goodrich, 1976, p.77). In French legislation, Phillippe de Baumanour, in *Les Costumes de Beauvaisis*, noted that sodomites, 'erred against the Faith', and so, 'were to be burned' (Goodrich, 1976, p.77). At a time when French and English laws were in keeping with a 'trend towards secularisation', it is interesting that such normative values remained. One reason might be because English and French states 'began to assume many of the burdens formerly reserved by the Christian church' (Goodrich, 1976, p.79). Charitable institutions, for example, 'were taken over by the municipal authorities' transforming clerical officials into 'state employees' (Goodrich, 1976, p.79). A major historical precedent, the Inquisition, is considered to have influenced this *shift*. In seeking the

'cooperation of the state in the persecution of heretics', the Inquisition 'provided the space' in which spiritual and secular authority could 'overlap' (Goodrich, 1976, p.79-80). To give another example, from the 14th Century, South Italian *Jurist*, Luca De Penne, wrote in his *Commentaria in Tres Libros Codicis,* Book XII 60 (61),

> "..because in the sight of God such a sin [sodomy] is graver than murder, for the reason that the murderer is seen as destroying only one human being, but the sodomite as destroying the whole human race". (Percy, 1994, 2, p.13-14)

The early English legal treatises of *Fleta*, then, and another called *Britton* provide some good examples. These treatises, which date around 13th Century, make sodomy a capital crime, going beyond other legal remits which often maintained the traditional punishments of degradation and penance (Coleman, 1980, p.133). However, it seems that such a law was intended only as a deterrent in principle, and in practice the actual discipline was in the refusal of sacraments, or the withholding of funeral rites (Coleman, 1980, p.133).

In the 16th Century, the Protestant Reformation also maintained negative views of same-sex sexual activity. Another period of political and religious upheaval, the Reformation is considered a period where Catholic unity with Europe was 'broken' (Coleman, 1980, p.133). Martin Luther, John Calvin and others are considered to have offered the church a 'radical release' from the 'oppressive' and 'often legalistic casuistry of the Medieval church' (Coleman, 1980, p.133). Yet, in a return to ancient Christian roots, Protestantism re-enhanced the primacy of Scripture and what it had to say about sexual ethics (Coleman, 1980, p.133),

> "The heinous conduct of the people of Sodom is extraordinary, for inasmuch as they departed from the natural passion and longing of the male for the female, which was implanted into nature by God, and desired what is altogether contrary to nature. Whence comes this perversity? Undoubtedly from Satan…" (Luther's Works, Vol. 3 cited in Karant-Nunn and Wiesner-Hanks, 2003, p.162)

John Calvin also linked sexual ethics to Christian scripture. In his commentary on Genesis and the destruction of Sodom, Calvin concluded that these actions of God were determined on a crime 'the atrocity of which would not suffer the destruction of the place to be any longer deferred' (Calvin, *Genesis* cited in Coleman, 1980, p.134). In a similar vein, Calvin's commentary on Romans 1: 27 makes it clear: 'there is no doubt about the sinfulness of that which even the brute beasts abhor' (Calvin, *Romans* cited in Coleman, 1980, p.134).

In his *Lectures on Romans* in 1515 and 1516 at the University of Wittenberg, Luther, still an Augustinian monk of the Catholic Church, considers that the 'glory of the body' lies within 'chastity' and 'continence'; 'its disgrace consists in unnatural abuse' (Coleman, 1980, p.136). Bodies may be ordained to an 'honorable marriage', and to 'chastity which is still more honorable'. Among the humiliations of the body, more disgraceful than adultery, are forms of 'pollution', like 'uncleanness' and 'effeminacy'. The same moral reticence is shown in his lecture notes to the Galatians, where he describes 'species libidinis' and takes a largely negative view of all human nature outside the 'grace' of chastity and abstinence (Coleman, 1980, p.136). It is with these norms and values in mind that the chapter turns to post-Reformation England. A place, in time, where Catholic moral theology is 'retained' in the Anglican tradition and where state laws begins to 'take over' the legal regulation of same-sex sexual activities or 'offences' (Coleman, 1980, p.137).

Church and State Law in England

Laws in England echo the (hetero)sexual norms and values of Catholic moral theology, and this history can be traced back to 890 AD. At that time Alfred the Great, King of Wessex, derived an ethical code from the Pentateuch (or parts of the Old Testament) and used these values in the 'modification and codification of Saxon customary law' (Griffiths, 1995). Laws administered by the sheriff and bishop 'sitting together in court' (Coleman, 1980, p.137). This explicit 'close relationship' between church and state was short-lived, however. After 1066 the Norman King, William I, for instance, 'separated secular and ecclesiastical jurisdictions'. A churchman himself, William brought canonical order to the church in England, but retained common law, 'under the control of his own judges' (Coleman, 1980, p.137). Importantly, Western Canon Law was also developing at this time. Gratian had codified the *Concordantia Discordantium Canonum* in around 1140 AD, and this was to become the Canon Law of England– with all its prescriptions on sexual ethics. This is obvious in the number of additional canons which were passed over the coming centuries for the modification of clerical and moral abuses (Coleman, 1980, p.137).

> "…those who commit the shameful sin of sodomy, as especially those who take pleasure in doing so were condemned by a weighty anathema, until by penitence and confession they should show themselves worthy of absolution". (Coleman, 1980, p.138)

Whilst Reformation theology, in its continental form, advocated a separation between church and state law – 'the left and right hand of God's rule as Luther saw it' – the 16th Century English solution is considered a *compromise* (Coleman, 1980, p.138).

During the reign of Henry VIII, the Buggery Act of 1553 was introduced: an English sodomy law which made same-sex sexual acts, under the term 'buggery', punishable

by death. According to Jurist Sir Edward Coke, 'buggery' was considered a sin committed 'by mankind or with brute beast or by womankind with brute beast' (Bray 1995, p.14). The preamble to the Act complained that 'there was not yet sufficient punishment' for the crime, and that 'church courts were very reluctant to pass the death penalty' (Coleman, 1980, p.138). This was to change when sodomy was made a 'felony', for which hanging, mutilation, or deportation were the 'usual punishments' (Coleman, 1980, p.138).

> "Just such a career was attributed to John Atherton, the bishop of Waterford and Lismore, executed for buggery in 1640. The Life and Death of John Atherton, published anonymously shortly after his death, recounts in sensational detail the alleged sexual vice ... [which] culminated in … his subsequent execution". (Bray, 1995, p.14)

This law was only enforced on occasion but a number of 'notorious' cases do exist where convictions led to forms of punitive 'justice' (Coleman, 1980, p.139). What is interesting is that it epitomises a particular attitude, or 'common-sense' view, 'fixed' in place by 1550 - that same-sex sexual activity was an 'abomination' (Bray, 1995, p.62). It was accepted that these 'actions of men' (sic) 'threaten the established order', whether that be natural or civil society, and are therefore labeled or presented as 'anarchy' (Bray, 1995, p.62). There was a 'fundamental incompatibility', then, between the norms of the English wider community, and the 'hard and stony fact' that same-sex sexual activity was amongst them (Bray, 1995, p.62, 79). This hostility showed 'no signs of atrophy' during the Renaissance or Early Modern Europe.

> "…it had all the robust vitality of a living idea; one which had been built into its dominant intellectual traditions". (Bray, 1995, p.79)

Secular law, as derived from biblical texts, was also predominant in Venice, and other Italian cities in the Renaissance, and also Paris, London and urbanized parts of

the Netherlands (Gerard and Hekma, 1989, p.434-5). Here, laws did exist where the guilty were punished by death, but it is impossible to speak of it as an example of mass persecution or murder (Gerard and Hekma, 1989, p.434-5). It is better to consider it in terms of its *normative permeability*. These biblical norms and values existed within the broad, already existing social relations and cultural structures of the time, e.g. schools, the military, medicine and the government (Gerard and Hekma, 1989, p.479). The social, community ascribed, notions of sodomy and buggery, then, were couched in more general understandings of 'debauchery', a concept which has formed an 'integral part' of an 'elaborate symbolic system of Renaissance England' (Gerard and Hekma, 1989, p.479). A system which was expressed by 'apocalyptic demonology', and which linked actions 'contrary to nature' with the 'evil forces of *disorder*: witchcraft and sorcery, heresy and papism, treason and subversion' (Gerard and Hekma, 1989, p.479). All of these symbols linked to a continual threat to the divinely inspired order of nature and nation (Bray, 1995, p.79).

It is within this context that what is meant by repression may be brought to light. Much of the literature that has been considered here is concerned with 'making' same-sex sex; (i) a form of socially unacceptable *behaviour*; (ii) a form of behaviour which must be guarded against. In doing so, these various scriptures, texts and other writings 'make' visible the dominant (hetero)sexual norms, and make visible the punishments for contravening them. Behind each apocalyptic illustration, theological or legal, lies a sociological context in which an individual is made divergent from the norm, for they have either *chosen* their fate, or have been *forced*, by illness or demons, to flout God's commands and state law. It is within this context that,

> "...participants and observers of everyday homosexual interactions to avoid making any cognitive connection between their behaviour and perceptions and the devastations of plague, famine, and earthquake assumed in the Sodom myth". (Gerard and Hekma, 1989, p.479)

'Writ large', then, these norms and values constructed a space in which the individual was required to 'reconcile these general hostilities, myths and symbols and keep their own sexual activities to a minimum' (Bray, 1995, p.79). Stated in a different way,

> "...given the ease with which the individual could quietly avoid recognising his sexual behaviour for what it was and thus avoid the question altogether, it is possible to see how for many that simple expedient was the solution". (Bray, 1995, p.70)

This is a form of civil control. Dominant norms and values provide the space in which individuals are coerced into a 'cognitive divorce' between their sexual behaviour and the commonplace cultural symbols that exist (Bray, 1995, p.70; Gerard and Hekma, 1989, p.480). The crown, church and wider community, ultimately, repress any questions that are seen to threaten social stability, especially those that are considered to transgress the sexual sphere that has been constructed (Gerard and Hekma, 1989, p.480). Where individuals may have been 'left' to their own idiosyncrasies (Bray, 1995, p.79), it comes because social stability has been maintained by a set of visible normative relations. These relations are in no sense of a form of tolerance; they are the means by which unnatural sexual behaviour is separated from the basis on which to form *identity* and *resistance*.

It is within these very foundations that tensions worsen as groups of individuals form collectives which begin to question and challenge these commonplace symbols. In transgressing the 'sexual sphere', for example, 'urban sexual subcultures', such as 'Molly Houses' in the 17th Century, begin to establish networks, whether for 'public cruising' or for a 'distinctive sexual semiotics'. The final result is 'an organised support structure', or in terms of the dominant institutions, an identifiable public presence (Bray, 1995, p.79). This visibility and public exposure existed within a dominant normative space, one which allowed for new, explicit forms of persecution and policing. Yet, simultaneously, a space emerged which encouraged new forms of

solidarity and collective thinking, in what was the 'beginnings' of a modern day 'gay' subculture.

There are issues here which feature at the heart of a wider shift in understandings of *private* vs. *public* morality. In the 19th and 20th Centuries, questions emerge about what is 'acceptable' behaviour in our *private* lives? What is a *private* matter and not, therefore, subject to legislative regulation? What is acceptable in *private* but not in *public*? With these questions, and changes in mind, it is easy to see how (hetero)sexual norms permeate into the modern day, protected by a lineage of interests.

Criminal Vice and Moral Contagion

In 1955, Judge Tudor Rees argued that he was 'unable' to find instances of the 'extreme death penalty' or 'life-imprisonment' accorded acts of sodomy or buggery. Yet, the death penalty was still being exacted in the 19th Century, examples including an army trooper caught with a Bishop in 1822, and two labourers in Bristol (Coleman, 1980, p.139). According to the jurist Sir William Blackstone in 1811, the 'sin against nature evoked horrors enough'; it was considered a 'disgrace to human nature' by the wider community (Weeks, 1990, p.11). Under 'Buggery' (sodomy) laws, whether man and woman, man and beast or man and man, this 'Abominable Vice' was to be punished with death; and was 'the basis for all same-sex convictions up to 1885'.[25]

Again, in accordance with 'Original Sin', same-sex sexual acts were not explicit in law; they were not regarded as a 'particular attribute of a certain type of person' but a *potential* in all sinful creatures (Weeks, 1990, p.12). Laws against sodomy remained a means of *protecting* against all non-procreative sex, although the epithet 'sodomite' had particular normative implications, ones which were 'to be feared well into the

19th Century' (Weeks, 1990, p.12). For example, Cambridge criminologist, Sir L. Radzinovitz noted that in London in 1826 there were 'more death sentences for sodomy than for murder' (Coleman, 1980, p.139-140). The law was particularly severe on same-sex sexual activities within the armed forces also, 'where it employed punishments with dramatic and exemplary results' (Weeks, 1990, p.13). The navy, in particular, 'was more severe than civil society' and 'treated buggery as seriously as desertion, mutiny or murder' (Weeks, 1990, p.13). What is most interesting is the normative value placed on order. The armed services, for example, 'believed themselves to have special problems of order and discipline'. It was considered that sexual contact between men was a 'threat' which could 'tear asunder the carefully maintained hierarchy' (Weeks, 1990, p.13). Four members of H.M.S. Africaine were hanged for buggery in 1816 (Coleman, 1980, p.139).

The death penalty for buggery was removed in 1861 to be replaced, first, by 'penal servitude of between ten years and life' (Weeks, 1990, p.14). At this time the jurisdiction of the ecclesiastical courts was curtailed. Church courts ceased to be concerned with sexual offences except where clergymen were involved, but not always. The civil courts had, meanwhile, come to deal with 'indecent assault' and 'offences against the person' (Coleman, 1980, p.140). It would be under this new clause that complaints about same-sex practices, as apart from sodomy, could be made (Coleman, 1980, p.140). It also resulted in encouraging individuals to keep their physical activities private, that is, 'amongst themselves', so as to be 'left tolerably free from legal persecution' (Coleman, 1980, p.140).

Yet, this first legal provision was short-lived. In 1885 the Criminal Law Amendment Act sought to make illegal any 'act of gross indecency' in 'public or private' guilty of a misdemeanor. It was stated that such a provision would 'provide for the protection of men and boys, as well as women and girls, from indecent assault' (Coleman, 1980, p.140). It was passed into law, with Sir Henry James, then Attorney-General, successfully asking that the punishment be a maximum of two

years imprisonment. Becoming law on January 1st 1886, the moral reticence behind the Act is clear from the comments of the Bishop of Winchester.

> "The Bishops were interested in this question as the natural guardians of the morals of the people… It was said, truly, that you could not make people moral or chaste by Act of Parliament, but a great deal might be done to prevent things which were immoral and unchaste…Unless they took some steps to prevent the continuation of the evil, this country which had hitherto prided itself upon being more moral than any other country in Europe, would expose itself to the taunts of the civilised world". (Coleman, 1980, p.142)

It is important to note that the Act was addressing more than the Bishops' moral posturing. One of the most unpleasant features of Victorian times was the commercial sexual exploitation of young children. The Act, then, had a wider remit than 'cleaning the streets' of public same-sex activities, it addressed the need to *protect* youth from sexual gratification (Coleman, 1980, p.142; emphasis added). It has been argued, however, that the 'gross-indecency' clause in the Criminal Law Amendment Act is seen against a 'wider background of hostility' towards same-sex activities in the 19th Century, both in Britain and Germany (Weeks, 1990, p.15). For example, further to the 1885 Act, the Vagrancy Act of 1898 went on to 'clamp down' on same-sex 'soliciting' (Weeks, 1990, p.15); a clear indication that these activities were not 'appropriate' for public viewing. The enactment is also a good example of the 'hardening legal situation' at the time. In order to control public decency, it was necessary to regulate against actions which contravened acceptable behaviour; a crucial factor in the determination of modern attitudes (Weeks, 1990, p.15).

By the late 19th Century, another important development was taking place. Where criminal sanctions against 'public indecency' were dominant, a new system of regulation was approaching, one which aimed to give scientific explanation to moral precepts.

> "Medicine was replacing the [Christian] church as the moulder of public opinion". (Weeks, 1990, p.23)

As a response to the legal situation, and our developing knowledge of the body and the mind, new sanctions emerge for the *treatment* of same-sex sexual activity. Conceptual devices, such as 'madness', 'moral insanity', 'sickness' and 'disease' were mobilised in the service of 'explaining' away an individual's homosexuality (Weeks, 1990, p.23). This was the beginning of a 'sickness model' in the 19th Century, which continued into 20th Century Britain, a model which was to permeate both aspects of 'sexual space' – private consciousness and public behaviour.

Links between images of disease and sin are not new. Throughout the 'Middle Ages' and early Modern period, the popular imagination considered 'uncleanliness', 'pollution', 'pestilence' and 'sin' to be 'inextricably linked'.

> "A pamphlet published in London in 1787 directed its wrath against 'emasculated foreign singers', for their moral degeneracy and effeminacy were 'contagious like the pestilence'". (Weeks, 1990, p.23)

Such imagery penetrated the legislative sphere also,

> "In the 17th Century, the trial of Earl of Castlehaven for the rape of his wife and sodomy, the Attorney-General claimed the crimes to be of that 'pestiferous and pestilential nature that if they be not punished they will draw from Heaven heavy Judgements upon the Kingdom'". (Weeks, 1990, p.23)

This threat of 'moral contagion' was an explicit, and 'potent' attempt at guarding (hetero)sexual norms, and 'keeping people in line' – an undertaking which had not even relinquished itself by the mid-20th Century. In 1967, the Gloucester Journal, in a lead article about homosexuality, argued,

> "…this is perhaps the most revolting human perversion even known... a horrible sin... a disease more dangerous than diphtheria". (Weeks, 1990, p.23)

In a continuation of moral reticence, the link between Christianity and the 'sickness model' is particularly discernible in concerns about *onanism*.[26] Homosexuality was 'treated', ethically and medically, as a 'continuation of onanism', for it was seen as a 'gate-way to all types of hell' and 'sickness' (Weeks, 1990, p.24). These concerns, with 'onanism' and 'moral perversion' were only to be conflated with continuing themes about child 'purity' and 'innocence', which stemmed from the need to protect youth from sexual gratification. 19th Century Britain can be seen as a flagship for the 'effective ways in which to induct children, and wider society, into acceptable adult modes of behaviour in both private and public' (Weeks, 1990, p.24).

These norms, values and laws paved the way for a systematic interest in sexual *perversion*s. Towards the end of the 19th Century, and the beginning of the 20th, the medical profession was fascinated by the question of what made sexual deviants from the law, 'tick'. The publications on 'sexual inversion' mark this new intervention – Moreau, 1887, Krafft-Ebing, 1886. The medical interest in *psychopathia sexualis* was maintained by principles of the Enlightenment; its emphasis on rationality and the use of the natural sciences (Gerard and Hekma, 1989, p.448). Accompanying these values was a transition in urban policies, which only impacted a 'politics of the body' further. The state, for instance, no longer existed for the welfare of its citizens, but rather, welfare was dependent on the *behaviour* of its citizens (Gerard and Hekma, 1989, p.448). It is unsurprising, then, that a 'hardening of the legal situation' (Weeks, 1990, p.15) in Britain was actually reflective of a concern with the detriment to the welfare of the state (Gerard and Hekma, 1989, p.449). Acts of public lewdness were not only considered 'immoral' and 'indecent' but they 'endangered the state' because they caused 'enervation' in the individuals in question (Gerard and Hekma, 1989, p.449). These acts were not limited to the public sphere. The Dutch specialist on public health, Anthonij Moll, asked the question

'What is Political Medicine?' and answered: 'it is the concern with what individuals do, even in *private*, influencing the well-being of the state' (Gerard and Hekma, 1989, p.449). Most interesting is the implementation of this 'politics of the body'. With an increasing number of medical 'specialisations' available, the designation of 'public health' became prominent, 'inducing interest from doctors about social politics' (Gerard and Hekma, 1989, p.449).

By the mid-19th Century, the medical profession in Western Europe was 'securing promises of a social policy of public health'. It was felt that the 'social question' needed to be addressed; concerns with welfare and the social issues of the day needed to be proficient policies. This development was central in allowing medical discourse to pervade the boundaries of private life. Whereas in previously centuries, only God could punish an individual for 'thought-crime' (Orwell, 1949), now the state and medicine could do the same. Through the 'social question' and interventions in public policy, the distinction between what was private and public was eroded (Gerard and Hekma, 1989, p.449).

> "The rise of public health policy was stimulated by the development of theories concerning social life and the human body; for example, Morel's theory of degeneracy, which served as a model for the nascent sciences of criminal anthropology (C. Lombroso) and sexual psychopathology (R. von Krafft-Ebing)".
> (Gerard and Hekma, 1989, p.449-450)

These normative concerns about societal welfare were essentially moral. They were about 'degeneracy', 'effeminacy' and 'lewdness'. Yet, at the same time, they were also about what was in the legislature *and* what the natural sciences had to say about sex. Terms like 'indecent assault', 'deviancy', 'gross-indecency' were prevalent in law whilst 'disease', 'pestilence', 'illness' and 'sickness' were common within medicine.

"The concept of what enlightened authors in the eighteenth century - fearing contamination by the infamous vice - shrewdly developed as a correct civil household was incorporated into the practice of politics of the body halfway through the nineteenth Century". (Gerard and Hekma, 1989, p.449-450)

The overlap in themes was particularly explicit in the development of sexual psychopathology, a discipline which focused on the aetiologies of sexual deviancy. Where doctors had once functioned solely as medical experts, their legal responsibilities limited, from the 1850s, they concerned themselves with the 'mental constitution of criminals' (Gerard and Hekma, 1989, p.450). This *shift* in medical praxis can be seen to be in keeping with a growing 'individualisation', 'psychologisation' and 'sexualisation' of Western culture' (Gerard and Hekma, 1989, p.450). It is no mere coincidence that sexual psychopathology developed in tandem with psychiatry and Lombroso's criminal anthropology. Both were key in helping science to discover or, rather, to construct, the 'criminal behind the crime' (Gerard and Hekma, 1989, p.450).

From the mid-19th Century, then, the medical profession began to 'break down formal and universally execrated forms of non-procreative sex' (Weeks, 1990, p.25). These moral and criminal associations, now analysed by science, were separated into a number of different 'perversions' and 'deviations' from the norm. The task of the 20th Century was to classify these 'new forms', their 'manifestations' and their 'causes' and so works, such as Kraft Ebing's *Psychopathia Sexualis,* appear as 'tentative mappings' to a process in which homosexual behaviour could be clearly classified (Weeks, 1990, p.25). The emergence of the category, homosexuality, being due to increasing demands for the 'medical labeling of criminal codes' (Weeks, 1990, p.26). This was, ultimately, to give way to debates over whether homosexuality was 'congenital' or 'acquired'; between 'true sexual perversion' and 'illegal vice' (Weeks, 1990, p.26). The overarching questions concerned, respectively, the nature of 'treatment' and the imposition of social control.

A derivative of state concerns; these subsidiaries of *timeless* moral and ethical issues, a 'sickness model' was developed which treated homosexuality as a form of ill behaviour – the perfect link between disease and Original Sin. The 2nd Century (or earlier) theological view that same-sex sexual activities threaten the divinely inspired order of nature is still apparent in the 19th Century. Now, these activities threatened *nature* and *nation* and are 'treated' according to state law. This is not to say that ecclesiastical doctrine has disappeared, for it too is *timeless,* and can be seen interweaving throughout secular authority.

> "If the law and its associated penalties made homosexuals into outsiders, and religion gave them a high sense of guilt, medicine and science gave them a deep sense of inferiority and inadequacy". (Weeks, 1990, p.31)

Summary

With the perspective of *engagement* in mind, this chapter has offered a narrative of the normative sexual values that have shaped modern understandings of heterosexuality and homosexuality. It has considered a history of norms, values and beliefs and has shown how these frameworks have shaped human action. In many respects, it has shown the legal and medical consequences which have emerged from such normative frameworks.

The aetiology of these values exist within the foundations of Judeo-Christian teaching, and their prevalence in Modern-day Europe can be attributed to theologians, priests, scholastics, lawyers, jurors and governments. These groups of individuals have maintained Christian teaching, or at least its particular sexual norms and values. These teachings are not always *explicit*, but they feature as the foundation upon which to 'deal' with non-procreative sex, and same-sex sexual activity in particular. As this 'history of ideas' continues, and in an increasingly

secular society, the less *explicit* Christian teaching becomes. Yet, at the same time, ideologies of 'Original Sin' and 'natural order' become *implicit* in the consciousness of general society, often by way of its omnipresence in criminal law and the medical sciences.

This narrative has given space to questions about repression in a historical-sociological context. The literature presented here has been consistent in showing that sexuality is 'made' or socially constructed rather than manifesting itself as a biological 'given'. Where dominant (hetero)sexual norms have been established, they have been *guarded*, often by way of scripture. Biblical examples prescribe eternal pain and suffering to those who contravene these values and this has played a central role in the maintenance of these norms. Behind each illustration, theological or otherwise, lies a sociological context in which an individual is 'made' or constructed as divergent from the norm; whether associated with 'earthquakes' and 'pestilence' or whether their 'illness' is considered 'congenital' or 'acquired'.

Whilst the regulation of sodomy, in particular, has been a high-priority for both canonical and secular law, this was never accompanied by any invocation placed upon individuals to *define* their sexuality or sexual identity (Bray, 1995, p.70). This need to 'define' or 'align' with a particular sexuality is a late 19th, early 20th Century phenomenon. This phenomenon gives rise to the medical definitions of heterosexuality and homosexuality; homosexuality being 'assessed' for its particularly 'deviant' characteristics. What is most interesting is that new pressures to define sexuality, in a medical and criminal context, also give rise to questions of *identity*; terms like 'gay', 'queer', 'lesbian' and 'dyke' emerge as individuals and collectives reflexively explore sexuality within an increasingly 'liberal' state system.

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[1] The term 'heterosexuality' has its own history (Katz, 1995). In its modern understanding, the term first appeared in 1923 in Webster's New International Dictionary (2nd edition) as the "manifestation of sexual passion for one of the opposite sex".

[2] The term 'non-heterosexual' activity is used throughout to convey all those transgressions of sexual activity which are considered contrary to nature. This includes homosexuality, 'onanism' and 'bestiality'.

[3] It is important to recognise that the term 'same-sex sexuality' is different from the term homosexuality. Homosexuality has its etymology with Karl Kertbeny in 1869 and Krafft-Ebing in 1886. The term homosexuality has been used in the medical conceptualisations of same-sex sexual activity and, for this reason, has acquired in the minds of some a pejorative medical connotation.

[4] Carter Heyward (1987) has argued at length about 'heterosexist' theology; theological arguments constructed on the assumption that male domination of female lives is compatible with the will of God.

[5] Normative values which have nothing to do with ethics have slipped into our moral discussions on same-sex sexuality (Pronk, 1993, p.4).

[6] The period known as the 'Dark Ages' where Christianity's teachings were limited due to the Germanic invasions of the territories of the Roman Empire in Northern Europe.

[7] David Cohen (1991, p.218-40) gives extensive consideration to the relationship between Plato and the enforcement of sexual morals in the 20th Century. He argues that the legal enforcement of morality, especially with regards to 'deviant' sexual and religious behaviour can be traced back to Plato and then followed throughout Athenian law. In particular, Cohen explores how the Athenian's reacted in accordance to the norm and how these norms were 'patterned' into their daily lives. He then offers this analysis up for comparison with 20th Century Anglo-American jurisprudence.

[8] All scriptural references in this chapter are taken from the English Standard Version (ESV) of the Holy Bible (Crossway, 2007).

[9] It is important to distinguish between the Roman Kingdom (753 BC - 509 BC); the Roman Republic (508 BC - 27 BC) and the Roman Empire (26 BC - 1453 AD). The Roman Republic can be considered as taking on many of the philosophical values of the Ancient Greeks, especially with regards to the informal nature of sexual intercourse (Puterbaugh, 2000).

[10] As the role of 'martyr', there are similarities between Jesus Christ and Socrates. Socrates' wisdom made the Athenians he interrogated look ill-considered, inevitably turning against him, this lead to the accusations of corruption and impiety. Also, Robin Waterfield (2009) has argued that Socrates' last words indicate that he was a 'voluntary scapegoat'; his death a 'remedy' for Athens' misfortunes.

[11] The Epistles of St. Paul often return to the question of how the (sexual) freedom given to Christians is to be exercised without harming the purity and cohesion of the Christian community (Meeks 1993, p.132).

[12] Plato's *Laws*, 636b-c, 835e-842 (cited in Puterbaugh, 2000, p.55).

[13] A date has been given for the inclusion of the proscription into the Levitical text: 587 – 333 BC after the Babylonian exile but during the Persian period of Jewish history (Puterbaugh, 2000, p.60).

[14] The binding decision of the Sanhedrin, No. 54 permits lapidation or 'stoning'.

[15] As J.L. Mackie (1982 cited in Hitchens, 2007) writes, "…the very problem with the divine command view is that it leads people to accept, as moral, requirements that have no discoverable connection – indeed, no connection at all – with human purpose or well-being… that is, it can foster tyrannical, irrational morality. More generally, tying morality to religious belief is liable to devalue it, not only by undermining it, temporarily, if the belief decays, but also by subordinating it to others while the belief persists".

[16] 'Patristics' is the study of the Early Christian writers - the canonical texts of the New Testament which are Christian in origin 2nd Century AD – 7th Century AD.

[17] Clements pseudo-Platonic doctrine that same-sex sexual acts are 'against nature' only served to combine a strand of classical philosophy with an already (hetero)sexualised Hellenistic Jewish philosophy' (Dynes, 1990, p.239).

[18] Augustine is the exemplification of 'chastity by duty'. His politics is the union of a religious quest and sexual desire. "Thinking with Augustine… nay remind us that sexual love is not simply an act of fulfilment or gratification, but also an act of renunciation; for it directs us away from ourselves toward both the loved one and the next generation". (Meilander 2006, p.117)

[19] *Theodosian Code,* 9.7.3: 232 (cited in Puterbaugh, 2000, p.136-137).

[20] The Byzantium period and the reign of Justinian (527-565 AD) is considered an important mark for the protection of (hetero)sexual norms. Laws referring to sodomy included accusations that those perpetrators brought on famines, earthquakes and pestilence. The *Corpus Juris Civilis,* in particular, is understood to lend official sanction to superstitious fears of same-sex sex (Dynes, 1990, p.810).

[21] A good example of this point is scriptural glossators who grouping around Anselm of Laon linked heresy and sodomy as forms of sacrilege punishable by death (Goodrich, 1976, p.7).

[22] There is a synonymic relationship between the term 'heresy' and 'sodomy', a relationship believed to originate within the Balkans from the Bulgarian Bogomils. It was here, during the time of the Inquisitions (beginning of the 13th Century), that French prosecutors applied the term *bougre* (bugger) to 'sodomites', and then 'heretics' more generally. '…the association of heresy with sodomy, a recurring feature from this point onwards, gave bougre an additional meaning to that of sodomite' (Dynes, 1990, p.812). The term has also been in used in English secular law (see the Buggery Act of 1533).

[23] The Roman Catholic Church can be a term used to describe a part of the Christian tradition from 2nd Century. In 1054, the year of the 'Great Schism', those churches that remained in communion with the diocese of Rome and the Pope retained 'Catholic'. The Eastern Churches, those who rejected the Pope's authority, have been known as 'Orthodox'.

[24] *L'Osservatore Romano,* 22nd January 1976 Section 8 (cited in Coleman, 1980, p.132).

[25] In Scotland, sodomy was a common-law crime and cases are cited from 1570. Lewd, indecent and libidinous practices were also crimes, though not specifically of a same-sex nature (Francois Lafitte, 1958 cited in Weeks, 1990, p.11).

[26] See Weeks (1990, p.24-25) for an extensive discussion on the relationship between same-sex activity, sodomy and onanism. He argues, for instance, that in Britain onanism was linked with opening up 'temptation to all forms of corruption', so that 'if solitary vice could be stamped out, dual vice would be almost unknown'. It was a 'narrow gate' through which 'nameless dangers could pour', and for that reason, 'it was to be absorbed into the medical model'.

Chapter Five

A Western History of Norm Circles II

Introduction

The sexual potentialities of the human body can be considered a product of history. The Christian tradition can be recognised to be at the centre of this history, where it has stipulated a set of values, penances and Judgments about the fundamental (sexual) orientation of human beings. The preeminent framework of Right Reason provides the normative understanding that the potential of human sexual intercourse can only be realised by way of procreation. This is the biblical guide to the 'natural order' and provides the normative basis for understanding sexual activity in terms of naturalness. In these terms, Christian teaching states that any sexual activity which runs 'contrary' to the natural disposition set forth by the Lord is 'immoral'. The activities of same-sex sex contravene God's Will and so, the heterosexual covenant God has set forth is 'Broken' with. For this reason, same-sex sexual activities become an everlasting sign of the devastating effect of sin.

This chapter continues to engage with these moral concerns and traces the permeability of the naturalness framework throughout 19th and 20th Century Britain. Departing at the end of the 19th Century, it argues that a trinity of institutions maintain the argument of naturalness. Ecclesiastical doctrine, state law and psycho-sexual science share in the normative frameworks set forth by Church history.

Throughout the 19th and 20th Centuries, the teleological argument of naturalness is positioned as the 'cause and truth' of human meaning (Weeks 1989, p.11). This trinity establishes a number of regulatory mechanisms in which to define human

beings socially and morally according to their *functional* role. Proper sexual functioning is considered a factor in 'good' health, and so abnormal sexual variations are considered 'ill-health'. Frustration of the naturalness mechanism gives rise to the development of definitions in juxtaposition to its scientific explanation. Definitions of 'heterosexual' and 'homosexual' emerge; a product of Enlightenment science and the disciplines of psychology and biology. In exploring these definitions, it becomes apparent that a 'sickness-model' has materialised to explain same-sex sexual activity.

The chapter argues that the values of this model remain a product of 'naturalistic' or 'essentialist' beliefs based on procreative reasoning. As such, it is within this model that same-sex sexual acts are defined as 'deviations' or 'variations'. That the medical sciences take on the normative realisations of the Christian church only becomes more and more apparent in the use of the term 'abnormal' and 'unnatural'. Where it might be considered that science is a 'descriptive', 'value-neutral' means of explanation for sexuality, the chapter suggests that what is considered 'biologically functional' is also normative. Discussions about 'abnormality' soon descend into texts referring to disease, social deviation and immoral behaviour (Pronk 1993, p.160). In the end, deviations from life's natural (procreative) end are given 'scientific-backing', that is, they are *medicalised* in the 19th and 20th centuries.

These ideological sanctions against male homosexuality emerge as part of wider concerns with the 'psychopathological manifestations' in the sexual characteristics of men (Kraft-Ebing, 1886 cited in Weeks, 1990, p.26). Kraft Ebing's *Psychopathia Sexualis* provides a good example of the 'tentative mappings' in which homosexual behaviour can be considered a *process* to be 'classified' (Weeks, 1990, p.25; emphasis added). Ebing's goal was to delineate the natural characteristics of sexual instinct, and so consider its deviations within a 'medico-forensic' study of the 'abnormal'. It was here that efforts to 'isolate' and 'define' the *social effects* of sexual activity emerged (Weeks, 1989, p.141). This is not a new theme, however. Both Plato and Aristotle, and later Thomas Aquinas searched for these natural laws.

Yet, what is most different about the medicalisation process is that it 'made' moral stipulations a subject of objective analysis in the biological sciences. In searching for classifications, the 'medical-model' is not dissimilar to the moral reticence of Martin Luther, who also considered a search for sexual 'impulses' to be necessary, if not simply eliminated. It has been considered that the medicalisation of '(homo)sexuality' entails a break with moral categories of 'sin' or 'excess' (Weeks 1995, p.17). Yet, this chapter argues that the naturalness normative framework has been given medical purpose. *The medical use*[1] of the term homosexuality is itself a result of increasing demands to 'label' criminal what was considered 'immoral' acts (Weeks, 1990, p.25). The normative background of 19th and 20th Century Britain, then, was awash with moral and scientific *discourse* (Foucault, 2002).

Oppression is not without its *resistance* (Weeks, 1990, p.26). In the forthcoming narrative the opportunity arises to explore how human agents struggle with these normative frameworks, and the prohibitive regulations on which they are shaped. A history of early sexual reformers provides an interesting insight into the relationship between agential reflexivity and collective 'self-awareness' - the need to form 'creative responses' (Weeks, 1990, p.33). In considering the development of 'homosexual sub-cultures', it becomes apparent that society-wide condemnation can be challenged, either through research, public education or more 'direct' forms of activism e.g. protest. However, early sexual reformers were far more concerned with developing a 'respectable', 'public' face for homosexuals in the late 19th Century (Weeks, 1990, p.33). Their professional lives, then, as 'sexologists' (experts in fields such as psychology and biology), features in juxtaposition to their personal political concerns. It becomes apparent in the chapter that early reform work was something of a 'double-edged sword', offering early forms of resistance but also creating new, *more specific*, methods of control.

'Jurisprudence, canon and scientific 'reason' are the pre-requisites to a 19th and 20th Century history of naturalness. Ultimately, shifts in normative understandings have

occurred. Sin was no longer the explicit means of regulation, and in an increasingly secular society, state law moved to medical interventions as a form of control. Yet, it is pertinent to consider what the construction of the 'homosexual' is: it is a distinguishing characteristic of a particular type of person (Weeks, 1995, p.16). As Pim Pronk (1993, p.147) argues, '*Why does this homosexual-heterosexual distinction strike people? And in such a way that it has become a categorical difference?*' Why are values about 'health' assigned alongside the 'homosexual-heterosexual' distinction? This chapter does not provide all the answers to these questions but in exploring 20th Century Britain it does hope to provide some clues.

The chapter considers the role post-war anxieties, in Britain, have played in the continuation and exploitation of these themes. In exploring Parliamentary debates in the mid-20th Century, it becomes clear that these societal anxieties only further execrated what was considered, by now, both an unnatural and 'fruitless' pleasure. These anxieties too were taken in juxtaposition to the understanding that sexuality was something *malleable*; psychology having placed 'sexual deviations' on a continuum of changing sexualities. To protect the natural disposition to heterosexual sex, especially over increasing concerns of 'homosexual spread', became the dominant normative understanding of mid-20th Century Britain (McGhee, 2001). Not only is the naturalness framework palpable, but its transgression exists within a clear relationship to disease and sickness theory. Though, again, whilst this theme is not unique – concerns with 'moral contagion' plagued 18th Modern Europe, for instance – it was now believed that homosexuals could lead heterosexual minors[2] astray. The thesis of protection, then, re-emerges quite explicitly in post-war British politics.

Opposing Forces

> "…Where in some societies sex is a simple source of pleasure, in the West, [where Christianity is emboldened] it is a source of danger and taboo… a mortification of the flesh". (Weeks, 1989, p.11)

Against this normative backdrop, historical evidence points to the end of the 19th Century as a crucial period in the awareness of self' amongst homosexuals (Weeks, 1995, p.16). From the mid-19th Century, writers like Ulrichs, Westphal, Krafft-Ebing, Ellis, and Hirschfeld all sought to define and 'medically construct' categorisations of same-sex sex. Westphal's description of the 'contrary sexual instinct' in the 1870s providing a good example, for the concept of 'sexual inversion' grew out of it, and can be considered the dominant formulation (of same-sex sex) until the 1950s (Weeks, 1995, p.16). By the beginning of the 20th Century, a number of 'neologisms' such as homosexuality and 'inversion' had emerged. These definitions considered examples of a 'marked' move in attitudes towards homosexuality, for they 'indicated new, medically relevant assumptions' about same-sex sex (Weeks, 1995, p.16). Indeed, these 'reconceptualisations and categorisations' of same-sex sex were to coincide with a number of new legal and ideological sanctions, particularly against male homosexuality (Weeks, 1995, p.17).

As argued in the previous chapter, until 1885 the only law dealing *directly* with homosexual acts was the Buggery Law, where it was considered unnatural to engage in 'acts of sodomy' whether that was between men, women or beasts. It was a Capital crime from the 1530s and was indicative of the incorporation of traditional ecclesiastical sanctions into state law by the medieval church (Weeks, 1995, p.17). Whilst prosecutions continued to fluctuate, they increased during times of societal pressure, like war; the epithet of the 'sodomite', for instance, was particularly prevalent in the navy (Weeks, 1995, p.17). Sexual 'deviation' was certainly not tolerated and 'examples were made of'. Nevertheless, it is fair to assume that the

legal classification remained broad; 'a means to regulate all forms of non-reproductive sexual activity' (Weeks, 1995, p.17). Yet, the medical development of the homosexual may be considered an attempt to divert from this tradition. Certainly, it has been argued that homosexuality became a *characteristic* of a particular type of person; a person with 'specific attributes' (Weeks, 1995, p.17). Where the juridical regulation of homosexuality remained broad, the medicalisation of same-sex sex was to create a whole new 'species' (Foucault, 2002). It therefore became a major task of psychology, and a number of 'sexologists', to explain the aetiology of the 'homosexual condition'.[3] The earliest articles on homosexuality in Britain, for example, treated it as an 'estranged subject of medical science': Sir George Savage, for instance, in the *Journal of Mental Science*, considered homosexual case studies in men and women, and speculated if 'this *perversion* was as rare as it appeared' (Weeks, 1995, p.18). Ebing's *Psychopathia Sexualis* too was concerned with the cause and effect of the disease (Weeks, 1989, p.145). Yet, these 'official discourses' did not simply have a 'unilinear impact',

> "…the history of sexuality is as a much a history of avoidance of, or resistance to, the moral code". (Weeks, 1995, p.18)

The very first example of a homosexual sub-culture is given in The Mollies' Club in 18th Century England. It was here that a collectivity of men challenged 'traditional value and status systems' and, in doing so, offered a network of social support to homosexuals in 18th Century England (Weeks, 1990, p.36). A public meeting-place, The Mollies' Club were a presence at a time when homosexuals were considered to convey suggestions of 'effeminacy', a moral concern which can be traced back to Gratian's issue in 'ignoble souls'. This visibility was 'inevitably' to bring 'drives against homosexuality' during the 18th Century, though it has been argued that such actions only forced a 'developing homosexual underground' (Weeks, 1990, p.37). This 'momentum' was a central feature in the sexual reform arguments of continental Europe in the late 19th and early 20th Centuries.

It started with Heinrich Hoessli (1784-1864). In his work on Greek attachment, 'Eros: The Male-love of the Greeks', Hoessli illustrated that sexual affection had existed between men since Antiquity. An important point considering that the dominant view considered homosexuality as the affliction of a minority, which abstinence, penance and, eventually, treatment could secure against. Yet, it was German jurist, Karl Heinrich Ulrichs (1825-1895) who has been considered central in early reform. Ulrichs published a series of pamphlets in 1864 that attempted to 'vindicate' (Vindex) homosexual activity in terms of public opinion (Dynes, 1990, p.835). His social and political philosophy focused on developing an organisation which 'would fight for human rights'. It was through his efforts to ameliorate the legal plight of 'Urnings': homosexuality conceived as a female soul trapped in a male body, that this change was to be achieved (Dynes, 1990, p.835). However, Ulrich's political move failed as Prussian law and its penal code ruled that same-sex sexual activities were to remain an example 'unnatural lewdness' (Dynes, 1990, p.835). This did not stifle the momentum for change, however. Two years after Ulrich's death Magnus Hirschfeld (1868-1935) founded the 'Scientific-Humanitarian Committee' (SHC) in Berlin, 1897 and the 'Institute for Sexological Research' (ISR) in Berlin, 1919. The SHC a good example of an institution which touted a new medical approach to homosexuality: the position that homosexuals belonged to a 'third sex' - an 'innate, intermediate stage' between male and female. Such a perspective did not go unchallenged but it continued to carry weight and the SHC represents a crucial point in the history of sexual reform (Melching, 1990).

The SHC was the world's first organisation committed to amending sexual legislation. For example, its first action was a draft petition to legislative bodies of the German Empire calling for the repeal of Paragraph 175 of the Penal Code of the Reich (Dynes, 1990, p.835). In an attempt to move '(homo)sexuality' and sexual behaviour into a respectable subject with a *public presence*, the SHC solicited the signatures of prominent figures across Germany, including a cross-section of the intellectual elite of the Second Reich and the Weimar Republic (Dynes, 1990, p.835).

The rise of left-wing intellectuals, especially in and around the Weimar Republic in Germany, has been considered 'central' to the movement for sexual reform (Melching, 1990).

> "These left-wing intellectuals were convinced that changes in feelings about sexuality had to be translated into changes in legal systems… and the reconstruction of their political implications". (Melching 1990, p.70)

Another prominent reformer was Kurt Hiller, who was linked with a number of pressure groups including the 'Organisation for the Reform of Articles on Sexuality' and the 'International League for Sexual Reform' (Melching 1990, p.71). Hiller has been considered as a 'stout' defender of citizen's rights to the self-determination over one's own body, even when this self-determination implied acts which were considered 'immoral', e.g. same-sex acts, abortion, suicide and euthanasia (Melching 1990, p.71). There is no doubt that this was a difficult position to maintain during German conservativism, where 'only heterosexual sex between married couples with the aim of *procreation* was the accepted norm' (Melching 1990, p.72; emphasis added). At the time, conservatives stressed that the 'abnormalities' associated with same-sex sex would undermine the 'strength of the people, race and nation'. Indeed, it was believed that only 'strict controls' on 'abnormal sex', exercised by the ruling government, could 'stop the further decline of Germany' (Melching 1990, p.72). Diametrically opposed to this view, however, was another reformer, Julius Wolf (1862-1937), who argued that 'procreation was not an instinct but a *voluntary choice*', implying that procreation and sexuality were 'unconnected' (Wolf, 1912 cited in Melching 1990, p.73). It was felt that same-sex sex, like abortion, represented nothing more than the '*logical consequence of a changing sexual morality*' (Melching 1990, p.74; emphasis added). In terms of legalising abortion, it was considered that a 'new position', in which women were considered 'independent' of the 'ecclesiastically enforced' 'submission' to the body, would only strengthen these claims (Melching 1990, p.75). Kurt Tucholsky, another prominent

author in these debates, agreed. He argued that abortion represented the major issue in challenging the influence of religion on public life. He once commented: 'Children should not be aborted. Marriage cannot be dissolved. Who says so?' (Melching 1990, p.75) This interference of religion with the penal codes of state has been understood as the 'tendency of the Church to *force their morals on the State*, which means on non-religious citizens too*,* as a massive impertinence' (*Die Weltbühne,* 1930 cited in Melching 1990, p.75). The argument being that a strict separation of Church and State would be 'a most important guarantee of the freedom of the individual' for it at least brought the 'Church's uncontrollable political power' into question (Melching 1990, p.75). Thus, like-minded reformers called for the 'radical reorganisation' of religious and state law, and were committed to a life-enhancing use of the sexual powers both for the individual and for the race (Key, 1902 cited in Matysik 2008, p.1). It is important to note that 'ethics reform' (*ethische Reform*) was this movements (*ethische Bewegung*) ultimate goal (Matysik, 2008, p.1-2.). For the damning of same-sex sexual acts based on its wrongfulness was considered the most penetrating and widespread of all problems to face homosexuals (Merrit 1960, p.262-267). A movement was formed, then, for the public consultation of the organisation of society on the basis of non-religious morals. It shouldn't come as a surprise that Havelock Ellis once remarked: 'it is in Germany that her fame has been made' (Matysik, 2008, p.1), it certainly appears that German left-wing intellectuals 'set the tone' (see Weeks, 1990, p.115) for British sexologists in the 20th Century.

The work of Edward Carpenter and Havelock Ellis can be considered an effort to realise Hirschfeld's earliest political aims,

> "…through knowledge to justice". (Magnus Hirschfeld cited in Weeks, 1990, p.115)

The endeavours of all three authors concerned with changing the law and societal opinion through the process of public education. It was felt that the legitimacy and 'morality' of sexual behaviour was a topic for public consultation, and so Ellis

published a number of articles in popular socialist journal *New Age*. A journal which featured a number of 'journalistic luminaries', including H. G. Wells, G. B. Shaw and Edward Carpenter. This 'circle of friends', which at one time included D. H. Lawrence, often met to discuss what was then being passed for 'advanced sexual theory' (Weeks, 1990, p.116).

The major works of Ellis and Carpenter were to appear in a difficult climate. Early 20th Britain considered their arguments with notoriety and private reticence (Weeks, 1990, p.116). Carpenter was a particular protagonist of advancing public education. He sent a number of copies of his book 'The Intermediate Sex' to various libraries, including the Master's Library at Eton College; the major provincial libraries; and the National Libraries. It was on a visit to the British Museum in July, 1911 that Carpenter noticed that his book had not been entered into the library catalogue for reservations about certain 'sexual phrases' (Weeks, 1990, p.116-117). This form of censorship remained and was unresolved even in the 1960s when a new wave of books on sex began to appear (Weeks, 1990, p.116-117). Yet, despite these difficulties, both Ellis and Carpenter 'kept a flame for reform burning' throughout the period. Most importantly, their ideas and values journeyed across 'a transmission belt of small circles of men', and it was these men who often in 'inconspicuous but significant ways', began to shape a 'new consciousness for reform' in Britain (Weeks, 1990, p.115). They claimed the right to investigate human sexual life impartially and, in doing so, were considered to 'break up' the 'conspiracy of silence' which had stifled intellectual debate in the Victorian period (Weeks, 1989, p. 141). O. R. McGregor writes that, at the time, Havelock Ellis 'marked a watershed between the Victorians and contemporary society' (McGregor, 1957 cited in Weeks, 1989, p. 141).

By 1914, Carpenter had founded and launched publically the British Society for the Study of Sex Psychology (BSSSP). It was established 'for the consideration of problems and questions connected with sexual psychology, from their medical,

juridical and sociological aspects'; its aim, then, to be 'scientific', that is, 'rational', in its approach to the 'problems of sex' Very much in line with Hirschfeld's politics, the society's ambitions were through lectures and pamphlets, 'to organise understanding in the lay mind on a larger scale, to make people more receptive to scientific proof, and more conscious of their social responsibility'. A new basis of informed awareness developed, the BSSSP hoped to pave the way for reform (Weeks, 1990, p.131).

Some Contradictions

It is important to state that the major efforts of the late 19th and early 20th century writers was to 'isolate' and 'define' the natural characteristics of 'sexual instinct' (Weeks, 1989, p.143). Kraft Ebing's encyclopedia of sexual variations, *Psychopathia Sexualis*, Iwan Bloch's *Sexual Life of Our Times*, and Ellis's seven-volume work, *Studies in the Psychology of Sex*, are all examples of this. Following the growth of the biological sciences and Darwin, in particular, a new 'zeal' to 'detail' and 'classify' instincts was met with a belief in the 'inheritance of acquired characteristics' (Weeks, 1989, p.143). L.L. Bernard (cited in Weeks, 1989, p.143) gives the dominant definition in the early 20th Century:

> "…a specific or definite inherited and unlearned response which follows or accompanies a specific and definite sensory stimulus or organic condition that serves as a release to the inherited mechanism".

It was within this definition that early sexologists, some of them conscious sex reformers, had to 'fit'. Ellis, for instance, argued that his work was an analysis of 'what is commonly called sexual instinct'. The implication being that there was a '*natural*' process in operation behind social experiences (Weeks, 1989, p.143; emphasis added). Ellis, then, and a number of others were concerned with 'labeling'

and 'defining' new sexual types. Whilst their politics, in terms of public education may have differed from Ebing's and others, Ellis, Carpenter and Hirschfeld were still invested in the search for aetiologies and definitions of sex-related behaviour. These pieces of research an ultimate precursor in new medical and psychological categories present within the 'sickness-model' of homosexuality.[4] Like Ebing, the 'vast majority' of sex research in the early 20th Century was concerned with *variations from the norm*; the result being the detailing of 'sexual variations' (Weeks, 1989, p.117; emphasis added).

Ellis, for example, stipulated that the 'fundamental truth of natural life' could be rendered by exploring how evolution defined and 'separated out' man and woman for the purposes of reproduction (Weeks, 1989, p.146-147). These natural roles could only be 'partially overridden'; the overwhelming factor was that 'nature sanctified the social roles that men and women inhabited'. In *Sexual Inversion*, Ellis writes that female orgasm is 'fitting' to a utilitarian and biological function for it facilitated procreation (Weeks, 1989, p.147). He also argued that 'nature' dictated that men take all sexual initiative; 'thus he held that the sex life of the woman was largely conditioned by the sex life of man'. In his studies of lesbianism, he also concluded that whilst homosexuals were not 'by-and-large effeminate', lesbians did tend to be 'masculine': though the masculinisation of women can be considered a rather 'under-nourished' concept. Ellis also followed many anthropologists in asserting the biological roots of monogamy – a clear difference between him and left-wing German intellectuals. He stressed, for instance, that marriage was 'much more' than a sexual relationship; it was 'key' to social policy for the family was the way in which the future of the human race could be ensured (Weeks, 1989, p.147).

> "Ellis believed in the existence of an essential and basically healthy human nature which was distorted by modern society". (Weeks, 1989, p.148)

His passion as a 'naturalist', then, meant he neither 'condoned' nor 'condemned' what he considered 'sexual inversion'. With regard to homosexuality he argued

strongly that if inherent it could not be described as 'anything more than a biological anomaly', probably determined by 'hormonal irregularities'. But, at the same time, he could not advise the transgression of these existing norms of behaviour (Weeks, 1989, p.149).

> "…But overarching his fundamental belief – which led him towards eugenics – (was the belief) that there was a biological purpose for sexual activity…marital foreplay, for instance, 'abnormal' in light of the 'real aims of sexuality' – the act by which the race is propagated". (Weeks, 1989, p.149-150)

What emerged, then, from Ellis and others (e.g. Westphal's essay on 'the contrary sex instinct' and Charles Féré's 'Sexual Degeneration in Mankind and in Animals') was a construction of new sexual and psychological categories explained by '*deviancy*' – sexual nonconformities (Weeks, 1990, p.143). This was a position followed up by Patrick Geddes and J. Arthur Thompson who believed that 'sexual impulse' pertained to the inevitability of sexual relationships between man and woman (Weeks, 1990, p.144-145). A position which, ultimately, gave way to a set of normative proscriptions about 'self-control', 'a healthy mind' and 'clean living'. Sex education too emerged; a means to help control the 'urges' associated with sexual activity. William McDougall provides an example. In *An Outline of Abnormal Psychology*, he argues that *all* human beings are 'liable' to '*perversion*' under certain circumstances as a result of the 'nature' of their sexuality. Sexuality; a biological essence in which, 'if moral suasion fails', could be 'diverted into *perverted* channels' (Weeks, 1989, p.144-145; emphasis added).

There is a paradox, then, in the research of early sexologists - a number of these men offered 'scientific proof' that 'sexual inversion' was a biological anomaly to be considered in line with other sexualities. Certainly, it was no longer to be considered an issue in 'ethics' or 'morality'. Yet, almost simultaneously, these men were the 'powerful agents responsible for the organisation and control of sexual behaviour' (Weeks, 1989, p.145). In seeking to describe, define and label sexual behaviour, the

'new psychology' they helped create was to be "potent force" in the 'reconceptualisation of crime and delinquency' (Weeks, 1989, p.145), especially in war-torn Britain.

Inter-War Morality and Purity

The inter-war period in Britain can be characterised by the continuation of the naturalness argument and an increasingly pervasive medical-model. The moral codes and practices of the Christian church remained deeply engrained, especially in terms of marriage (Weeks, 1989, p.201-220). Medical articulations about sexual 'variation' and 'deviancy' were also beginning to appear. Yet, any growing acceptance of the medical model was not to deter movements based on *social purity*. The inter-war period has been considered 'illustrative' of a 'symbiotic relationship' between church and state (Weeks, 1989, p.214). Notions of 'familialism', 'public decency' and 'morality' pervaded 'societal conscience'. Issues of sexuality were 'forced' to tread the boundaries of what was acceptable in public and private life (Weeks, 1989, p.214). The inter-war period, then, a symbol of great social anxiety, for public life was increasingly 'policed' for fears of 'moral transgressions'. This was best characterised by an increasing number of 'vigilant organisations', such as the London Public Morality Council and the Alliance of Purity,

> "...who drew on a multitude of sympathisers to vet immorality on stage and screen, hunt out rubber-goods displays in shops, report on indiscreet behaviour in streets and provide financial backing for their intense lobbying activities". (Weeks, 1989, p.216)

The police also proved 'vigilant' in the pursuit of the 'obscene'. For instance, the sexually explicit works of D. H. Lawrence faced 'constant harassment', as did a number of other works, 'especially those dealing with lesbianism' (Weeks, 1989, p.217). Victor Margueritte's *La Garçonne* was also prevented from being circulated

in Britain. Famously, the Home Office authorised British police to carry out a number of actions to inhibit the distribution of the book, including the authorisation of Mail detention and examination (Weeks 1989, p.217).[5] This is often testament to the claim that, during the inter-war years, social purity movements 'have a number of friends in very high positions' (Weeks 1989, p.218). For instance, Solicitor-General, between 1922 and 1936, Sir Thomas Inskip, was an ardent evangelical. The Home Secretary between 1924 and 1929, Sir William Joyson-Hicks, also held very traditional views of the role of the state:

> "The government has a general responsibility for the moral welfare of the community… and the peculiar relationship between Church and State, and partly also to the duty inherent in all governments of combatting such dangers as threaten the safety or well-being of the state". (H.A. Taylor, 1933 cited in Weeks, 1989, p.218)

His moral reticence, in particular, has been considered responsible for a series of 'absurd interventions with regards to obscenity' (Weeks 1989, p.218). At a time when the law was considered the 'backbone' of moral (natural) order, there was no expansion of its formal role in regards to same-sex acts (Weeks 1989, p.218). This is to say that 'there was no decriminalisation either', and so the inter-war period can be characterised by its 'double-standard', best summarized in the arguments of Sir Norwood East,

> "English law regarding sexual offences does not inflict criminal penalties upon all those acts which ecclesiastical law prohibits and used to punish... but it selects for criminal prohibition only those in which there is also present some further element - whether of abnormality or violence …provokes such a general popular disgust as will make it certain that prosecutors and witnesses and jurymen will be content to see the prohibition actually enforced". (East, 1955 cited in Weeks, 1989, p.219)

The normative ideals of naturalness remain palpable. To be 'backed-up' by a number of convictions for 'public indecency' right throughout the period. In the 1920s, for

instance, the number of prosecutions in the London area remained 'steady' (86 for unnatural offences). In the 1930s, prosecutions were amplified 'on a national scale' – visibility increased by medical intervention and sexual reform (Weeks 1989, p.220).

Though never dominant during the inter-war years, there was a growing acceptance of the medical-model which brought with it new methods of control or treatment. In the process of 'psychologising delinquency and crime', the medical-model promised a more 'refined' method of regulation than the 'blunderbuss of the law' (Weeks 1989, p.222). 'Vice' and 'moral turpitude' could be *supplemented* by 'psychological disorders' as the explanatory mode.

> "Moral norms need not be changed; indeed they could be reinforced by new conceptualisations". (Weeks 1989, p.222)

Whilst this was more of a tendency than a basis for policy in the 1930s, this was set to change in post-war Britain.

Post-War Delinquency

Post-war Britain has been characterised by a mesh of normative frameworks which considered homosexuality as a form of mental illness, and same-sex sexual acts as a form of 'immoral vice'. Whilst the concerns and treatments of psychology and psychoanalysis had become a dominant element in social work by the 1950s, anxieties and concerns about post-war social reconstruction were being geared to exploit the naturalness argument once again. 'Welfarism' meant that the post-war period brought with it clear conditions about 'reproduction' and 'procreation' being 'Good' for society. Not only in terms of producing a 'healthy workforce' and social security but also as means to challenge a number of sexual unorthodoxies which had arisen as a result of World War II. Psychoanalysis had established itself as an

authority which could intervene into the *private* lives of men and women. It had also produced techniques for the 'adjustment' back towards 'emotional normality' (Weeks, 1989, p.236). A number of therapeutic 'success stories' of 'women returning towards femininity', after a brief period of independence during the war, and 'men overcoming homosexuality', which was spurred on by 'foreign' experiences (Weeks, 1989, p.236). What is most interesting was that, for these men, a whole new world of 'achievement, status and money' awaited their *conversion*; the need to reconcile sexual and emotional needs with natural roles was apparent. The institution of monogamous marriage, one again, crystallised everything it meant to be 'British'. For the effect of the war, in widening people's sexual experiences, had threatened the stability of families, and monogamous marriage offered a spawning pool of potential for repopulation.

Given the pervasive and powerful nature of medicine at the time, that post-war reconciliation was based on Christian sexual morality is quite interesting. Authorities moved, once again, to return to the sexual codes of the Christian church and even with a new range of social experiences at hand, widespread apprehension about the decline in 'standards', about the 'break-down' of marital values persisted. In fact, societal anxiety over 'promiscuity' and the 'unnatural acts' associated with it flourished. Ultimately, society needed to be reconciled with what was considered 'normal'.[6]

> "The proper mode of sexual behaviour was reflected in the widespread apprehension of the effect of social change. Perceived dangers (of sexuality) were to be curiously resolved by an ideology that encouraged sexuality to flourish, but strictly within the confines of a [procreative] monogamous marriage". (Weeks, 1989, p.238-239)

That these moral preoccupations were soon the subject of 'prosecutions', 'reports' and 'investigations' is unsurprising (Weeks, 1989, p.239). It was felt that the 'basic unit' of modern society, the family, had come under 'attack' and so a stress on the importance of monogamous (heterosexual) 'love' only brought the 'deviant' nature

of homosexuality to the fore. This 'deep-seated' hatred can be seen in a number of examples: 'The Mass Observation Survey' found that there was a more genuine feeling of disgust towards homosexuality... than towards any other subject tackled' and the general hostility was not helped by a new interest in the popular press which to an extraordinary degree reinforced popular stereotypes (Weeks, 1989, p.241). Furthermore, a series of articles in the Sunday Pictorial (1953), entitled 'Evil Men', described its target as a 'sincere attempt to get to the root of a *spreading fungus*' (Weeks, 1989, p.241; emphasis added). Concerns over whether 'Buggery' should have remained on the statute as a 'special offence' only cemented the normative view that heterosexual coitus was 'correct' (Weeks, 1989, p.240). In terms of prosecutions, these too reached a 'peak'. In London in 1953 following the appointment of Metropolitan Police Commissioner, Sir John Nott-Bowes, under the 'fervently anti-homosexual and moralistic' Home Secretary, Sir David Maxwell-Fyffe (Weeks, 1989, p.240). Prosecutions based on a widespread worry about the *value* of sex within marriage – homosexuality and 'prostitution' were both considered clear means of transgressing 'decent standards'.

Moral concerns with what was now collectively called vice remained popular throughout the period. Across the Atlantic, McCarthyism in the U.S. had provided a framework for purging homosexuality, seeing it as a security risk and a weakening of moral fibre. In the UK, such concerns were reiterated by highly public trials, such as the prosecution of Lord Montagu and Peter Wildeblood; convicted and tried on charges of committing an unnatural offence and of indecent assault (Coleman, 1980, p.163).

This trial, in particular, had been considered to demonstrate the confusing legal position of male homosexuality at the time. Where there was no evidence of 'harm', 'corruption' or a 'lack of consent', the choice to prosecute was seen as an ideological one, especially in light of Maxwell-Fyffe's own personal convictions:

"…homosexuals, in general, are exhibitions and proselytizers and a danger to others, especially the young... I shall give no countenance to the view that that they should not be prevented from being such a danger". (Weeks, 1989, p.241)

A conviction was subsequently acquired but it came with an immense political pressure to consider an enquiry into existing homosexual laws. There was so much disparity within the law that it was felt that the government had to make a 'choice': either enforce it 'more rigorously' or investigate 'alternative means of control' (via medicine) (Weeks, 1989, p.241). This 'choice' also emerged within another particular context. First, a 'blueprint', set forth by Jeremy Bentham and John Stuart Mill, had been developed. Legal utilitarianism argued that there were areas of life which need not be the concern of criminal law, even if they would remain the moral concern of the individual and society. Homosexuality was considered a threat to the family, just as adultery and divorce were – yet these were not illegal (McGhee, 2001). The second contextual influence was Kinsey's report on Sexual Behaviour in the Human Male. This report was clear in rejecting outright all religious, that is, belief-based moral arguments about homosexuality. Kinsey's work suggested that *behaviour* was more important than belief or morality (Weeks, 1989, p.242). It was within this sub-Freudian psychological explanation that Kinsey placed sexuality on a continuum from exclusively heterosexual to exclusively homosexual (McGhee, 2001, p.118). This development was subsequently seized upon by the Public Morality Council and National Vigilance Association who believed that the time was 'ripe' for 'new methods to a problem which, to a great extent, might be regarded as much a mental illness as a criminal act' (Weeks, 1989, p. 242).[7] Developments in the Kinsey report provided a basis on which to understand diversity in sexual orientation. However, quite simultaneously, it also provided a 'pivot' for policy makers to claim the need for protection of their children until their sexuality was 'fixed' (McGhee, 2001, p.126). This thesis of protection is a key feature of the naturalness argument: children need protection from homosexuals because of their malleable sexuality. At least until they have reached the (scientifically sanctioned) 'fixed' or natural point of

heterosexuality. It has been these developments which have linked previous concerns about 'mental illness' and 'crime' with the protection of youth from 'homosexual *spread*' (McGhee, 2001, p.126; emphasis added).

The Report of the Departmental Committee on Homosexual Offences and Prostitution or the 'Wolfenden Report' was set-up to address the moral anxieties of the post-war period, which culminated in the convictions of Montagu, Wildeblood and others. The Report emerged in a context of 'legal utilitarianism' but also a 'medical moralism' giving credence to medical explanations of crime and deviancy (Weeks, 1989, p.262). For instance, The British Medical Association's *Memorandum on Homosexuality and Prostitution* suggested that 'personal discipline and unselfishness' were vacant in homosexuality. For Weeks, works such as early editions of D. J. West's *Homosexuality* and Antony Storr's *Sexual Deviations* sought forms of analytical cures or adjustment (Weeks, 1989, p.262). The most fervent pursuers of 'adjustment' theory were behaviourist psychologists. What mattered here was not so much notions of sickness or illness but of maladjustment. This is what Thomas Szasz (1979) called 'correctional zeal', which appears in the development of the methods of *behaviour modification theory* for 'sexual deviants'. Examples of these methods and techniques, in the 1950s and 60s, include 'Aversion Therapy', which was designed to induce nausea when the subject was confronted with desirable objects (Weeks, 1989, p.262). This technique originally developed in the late 1930s to combat alcoholism. Aversion Therapy was also applied to 'fetishism' in 1956, and became a means of treatment for homosexuals and transvestites in the 1960s. Previous to Aversion Therapy was a means of chemically inducing nausea, though this was expanded to include forms of Electro-shock treatment from 1963. This form of treatment never became a dominant approach, and was rarely applied to homosexuals during the 1970s. Yet, it shows the potentially powerful and dangerous weapons available to the medical profession at the time (Weeks, 1989, p.262). It is also indicative of beliefs about what constitutes 'normal' and 'abnormal', and the means by which different orientations of sexuality were brought 'back into line'.

Behaviour modification has a number of serious advocates, but at a time when society stressed moral 'degeneracy' and had concerns with 'vice', social delinquency approaches blossomed (Weeks, 1989, p.262-263). Social scientists became the agents of regulation, whose efforts to discover the aetiology of the homosexual condition, included concerns about 'weak fathers', 'overpowering mothers', 'absent mothers', 'dominant fathers', 'childhood traumas' and 'gender confusion' (Weeks, 1989, p.262-263).

The publication of the Wolfenden Report in 1957 has been the subject of extensive debate (Coleman 1980; Dollimore 1991; Waites 2009; Weeks 1990). It ruled that homosexuality, in private, should be decriminalised. This followed on from the Bentham-Mills argument that there were areas of life which were of no concern to the criminal law. They argued that the purpose of the law was to stand and preserve public order and decency, and to protect the weak from exploitation (Weeks, 1990, p.165). As such, the Report recommended that the maximum penalty for public displays of homosexuality be *increased*. The logic of their position, ultimately, strengthened normative beliefs that public displays of homosexuality in some way threaten public order, decency and the vulnerable (i.e. children). Again, this logic was pursued with regards to not making homosexuality legal:

> "…It is important that the limited modification of the law which we propose should not be interpreted… as a general license to adult homosexuals to behave as they please". (Report, pp. 87 cited in Weeks, 1990, p.165)

During these deliberations, it was necessary to hear from the clergy and the Bishop of Southwell (cited in Coleman, 1980, p.166-167) spoke for the bench of Bishops in the House of Lords about the proposed legislation,

> "…by the Grace of God, a man can triumph over his disabilities… these forms of unnatural association are, of course, morally evil and sinful in the highest degree, because they are a violation of natural law".

It was at this point that the Bishop of Southwell (cited in Coleman, 1980, p.166-167) also reminded the House,

> "As St Paul said about this point a long time ago…once people cease to believe in God, and therefore its ultimate moral obligations, everything begins to go bad on us, and natural instincts and affections become unnatural and perverted".

This speech has been seen as an early indication of the attitude the Church of England, an attitude which 'would consistently take in the ten year-long battle to implement the main recommendations of the Wolfenden Committee' (Coleman, 1980, p.166-167).

Ultimately, the Wolfenden Committee's recommendations have been considered tantamount to a 'partial retreat of the law from in the regulation of individual behaviour' (Weeks, 1989, p.243). Thus, the changes were a means of distinguishing between public and private forms of behaviour. The legal penalties for public transgression could be strengthened whilst simultaneously appearing 'progressive' by decriminalising private behaviour,

> "...that by ceasing to be the guardian of *private* morality, the law would more effectively become the protector of *public* decency and order". (Weeks, 1989, p.243)

This would be carried out, but homosexuality would still be understood as a means of exploiting the 'weak', that is, vulnerable and manipulable young men.

> "...we believe that it is part of the function of the law to safeguard those who need protection by reason of their youth or some mental defect, and we do not wish to see any change in the law that would weaken this protection". (Wolfenden Report, 1957 cited in McGhee, 2001, p.125)

The function of the law, then, was to promote 21 years of age as the recommended lawful age of homosexual relations between men in private. Central to this age was

the 'greater protection' it 'afforded' over 16 or 18; which would have undoubtedly drawn 'predatory attentions of an undesirable kind' (McGhee, 2001, p.126). In a new light, the primary function of the law can be seen,

> "… [as a means] to prevent, by criminalization, the indulgence in homosexual activities by young men, and to deter adult homosexuals from attempting to exploit the unfixed nature of young male sexualities by seducing them into indulging in homosexual activities". (McGhee, 2001, p.126)

As for the Church, theologian D.I. Bailey argued that the criminal law should no longer intrude into private sexual life (Coleman, 1980, p.172-173). This, however, did not remove the sinfulness or unnatural element of these acts, rather it was felt that these individuals needed to seek out a Christian life for a lead in this matter (Coleman, 1980, p.172-173).

The Wolfenden Report went onto recommend a 'probation-treatment' programme for those 'young homosexual offenders' who transgressed this form of 'protection' (Coleman, 1980, p.172-173). This recommendation was to feature in two significant Parliamentary debates in 1958 (in the House of Commons) and 1965 (in the House of Lords).

The first of these debates was on the issue of homosexuality spreading in society and the number of male same-sex sexual acts as a direct result of the suggested decriminalisation of the Wolfenden Report. These concerns were expressed to the House of Commons by Mrs. Jean Mann (MP for Coatbridge and Airdrie) and Mr. David Renton (the Joint Under-Secretary of State for the Home Department) in 1958 (McGhee, 2001, p.128). They used the formulation of the '*non-exclusive nature* of male heterosexualities and homosexualities, present in the Wolfenden Report, and predicated 'an impending crisis within the nation's male population if homosexuality was decriminalised' (McGhee, 2001, p.128). Their normative concerns manifest in the belief that there were two types of male homosexuals - the exclusive, immutable

homosexuals and the indulgent adolescents (McGhee, 2001, p.128). Mann was particularly sympathetic to those minority of homosexuals who were genuinely afflicted by the condition of their homosexuality (HC Hansard, Cols. 458-461, 26th November, 1958). Similarly, Renton described this group as a small minority of men whose affections were exclusively homosexual throughout their lives *after adolescence* (HC Hansard, Cols. 501-505, 26th November, 1958). Renton argues that the majority of men engaging in indulgent practices consisted of a wide range of *others* e.g. those without unalterable impulses. Renton describes these groups of 'non-exclusive homosexuals' in terms of their potential or *latent,* heterosexuality - these groups indulge in homosexuals activities for reasons 'as diverse as they are opportunistic' (HC Hansard, Cols. 501-505, 26th November, 1958). These activities would increase with discrimination, as would the number of practicing homosexuals from 'the ranks of those homosexuals who, during the period of criminalisation, customarily *controlled* their homosexual tendencies' (Cols. 501-502 cited in McGhee, 2001, p.128 emphasis added). Mrs. Mann's main emphasis remained on the 'temptation to indulge in homosexual activities' which only 'increased for adolescents when they were away from the family home', adds emphasis to these normative concerns (McGhee, 2001, p.129).

Seven years, later, in 1965, during the House of Lords debate on homosexual offences, the then Archbishop of Canterbury, Michael Ramsey, brought the Wolfenden Report's program of probation-treatment to the 'foreground'. For the Archbishop, the recommendations of Wolfenden 'constituted a big field for the possible bringing of *deliverance*, or, if not deliverance, of considerable help to homosexuals' (HL Hansard, 1965 cited in McGhee, 2001, p.129; emphasis added). According to the Archbishop, the aims of probation-treatment programme would provide 'a point of entry' for 'moral responsibility' into the matter. With this in mind, the Archbishop argued that the strengths of the Wolfenden Report lay in its emphasis on the *variety* of states and causes of the 'homosexual condition' (McGhee, 2001, p.130; emphasis added). The Lords (cited in McGhee, 2001, p.130),

ultimately, were refusing to label any variations in sexuality with a 'singular clinical formula',

> "…homosexual offences committed by different people could be viewed, from the Wolfenden Committee's perspective, as displaying varieties in the degree of culpability, with varieties of various causes of the trouble and categories of the trouble, both psychological and sociological".

In the speech, the Archbishop presented a statement made by the Homosexual Law Reform Society (HLRS), an organisation setup to lobby the Wolfenden recommendations into law. The Archbishop argued that the HLRS have oversimplified the 'homosexual condition', stating that: 'homosexuality was an involuntary emotional condition which, at present, could only be cured in a tiny minority of cases' (HL Hansard, 1965 cited in McGhee, 2001, p.130). The HLRS were attempting to affirm the involuntary, immutable nature of homosexuality, where the 'homosexual condition' corresponded with same-sex sexual practices, just in a world dominated by heterosexuality. For the Archbishop, the HLRS had 'ignored the variety of states and variety of causes in the condition of the persons known to perform homosexual acts' (HL Hansard, 1965 cited in McGhee, 2001, p.130). The Archbishop argued that homosexual acts and 'homosexuality as a condition' were *separate* things; 'they did not necessarily correspond' (McGhee, 2001, p.130). In this normative context, the Archbishop argued that it was not the established condition of homosexuality which was of 'primary concern' but rather, 'the need to rectify the habit of homosexual practices or acts in young men' during what was now understood as a 'transitional stage of sexual development' (McGhee, 2001, p.131). The Archbishop concluded his speech with a comment about what the Wolfenden recommendations offered: '… greater possibilities for some to find their way from the *wrong* uses of sex and be helped towards better uses of their energies' (HL Hansard, 1965 cited in McGhee, 2001, p.131; emphasis added).

Keeping to the 'Right' Path

The Archbishop's speech, then, encapsulated two very important normative principles. First, it summarised the continuation of ecclesiastical principles concerning the 'nature' of same-sex sexual practices within the Christian tradition. Second, it captured the 'central metaphor' of the Wolfenden report: 'that adolescent sexualities and sexual activities are conceived of, not in terms of concrete and immutable categories, but in terms of fluidity, movements, paths and pathways' (McGhee, 2001, p.131). This point has also been made by Jonathan Dollimore (1991; 1998).

Homosexuality in the 20th Century is conceptualised as an illicit desire, one which is prone to aberrant movement. The idea of deviation is itself at the conceptual heart of the idea of perversion, it is about a movement which is both 'dangerous and subversive: to deviate = to go astray' (Dollimore, 1998, xvii). The Archbishop's interpretation of the Report, then, at least in his conceptualisation of pathways, remains based on a normative view of naturalness. This conceptualisation has been considered to 'reproduce a familiar metaphysics of nature'; 'an essential sexuality, which moves along a teleologically defined path of psychosexual development to the universal goal: heterosexual union' (Dollimore, 1992 cited in McGhee, 2001, p.131). The norms, values and beliefs, then, remained the same. To deviate from the norm is to indulge in abnormal sexual practices:

> 'Erring, straying, or deviating from a path, destiny or objective which is understood as natural or right... where the natural/unnatural opposition has been one of the most violent of all hierarchies'. (Dollimore, 1992 cited in McGhee, 2001, p.132)

Following these debates and speeches, then, sexualities were conceived of in terms of continuums, on which males could roam, settle or go astray. The sexual potential of all men was considered malleable. Thus it became the duty of the law to *protect* young males: 'keep young men on the correct heterosexual path or bring them back

onto it' (Dollimore, 1992 cited in McGhee, 2001, p.131). This theme is most tangible in Parliamentary debates which sought to bring the recommendations of the Wolfenden Committee into criminal law (i.e. Sexual Offences Act of 1967).

On 12 May 1965, the Earl of Arran introduced a Private Member's bill to the House of Lords in an attempt to incorporate the Wolfenden Committee's proposals into English Criminal Law (McGhee, 2001, p.133). In his presentation to the House of Lords, he argued that the age of 21 was a 'reasonable chronological age' for assuming that an individual's sexual orientation had become 'fixed' and was therefore '*beyond seduction*' from a heterosexual orientation. This 'chronological immutability' argument became a normative framework on which to declare the age 21 as a point in time where homosexuality was as 'fixed' as heterosexuality (McGhee, 2001, p. 133; Waites, 2009). It has also been considered that support for the Report's proposals was rendered 'palatable' to Parliament because of the deployment of punitive justice in order 'to protect the young from homosexuality' (McGhee, 2001, p. 134). This was a strategy which was to be imitated in 1966 when Leo Abse (MP for Pontypool) took up Arran's Private Member's Bill and introduced it into the House of Commons in the form of the Sexual Offences Bill (No. 2). In what has been described as a 'bifurcated reform strategy', Arran and Abse not only advocated that young men 'needed protection from homosexuals' *and* 'its practices' but did it under the 'progressive' suggestions for partial decriminalisation (McGhee, 2001, p. 134). This social and legal necessity for 'nurturing' natural adolescent male heterosexuality has been conceptualised in the following terms:

> "...heterosexuality secures its self-identity and shores up its ontological boundaries by protecting itself from what it sees as the continual predatory encroachment of its contaminated other, homosexuality". (Fuss, 1991 cited in McGhee, 2001, p.144)

These themes maintained a consistent presence in law, even as late as 1981, which was 14 years after the Sexual Offences Act (1967) had been passed into law. Here, the Policy Advisory Committee on Sexual Offences (PASCO) issued a *Report on the*

*Age of Consent in Relation to Sexual Offenc*es. In this report, a call was made for the reduction in the Age of Consent (Waites, 2009) between 'homosexual activities' in private. It was argued that a reduction from 21 to 18 would still maintain the 'protection' already afforded adolescents, and that 18 was deemed a 'mature' age at which 'exposure to physical, emotional and social harm' posed by homosexuality would be 'minimal' (PASCO, 1981 cited in McGhee, 2001, p.139). At this time, the British Medical Association (BMA) and the Royal College of Psychiatrists also afforded an authoritative platform: the physical development of males was considered to 'lag' behind females by two years. That males were the 'vulnerable' target to *predatory behaviour*, it was argued that whilst the Age of Consent for heterosexual sex should be remained 'fixed' at 16, homosexual sex was to be set at 18 (PACSO, 1981 cited in McGhee, 2001, p.138). The rationale behind PASCO's recommendation was the reoccurring belief that 18 for homosexual acts and 16 for heterosexual acts would 'promote the *proper* expressions of human sexuality' (PACSO, 1981 cited in McGhee, 2001, p.138; emphasis added). Already present in the Wolfenden proposals, PASCO maintained the central theme that the law should play a role in protecting young males from the 'homosexual path'. The PACSO report concluded,

> "… that the legal age of which a young man should no longer need the 'protection' of law from pressures of homosexual 'attentions' was 18. This was when he 'should be expected to stand on his own two feet'". (PACSO, 1981 cited in McGhee, 2001, p.140)

Though no law was passed to reduce the Age of Consent to 18, the normative themes present in its consultation permeated into the introduction of Section 28 of the Local Government Act of 1988. Indeed, it has been considered another example of consistency within the themes of the 'Wolfenden-PASCO' tradition (McGhee, 2001, p.139). It was the idea that the law must regulate any 'promotion of homosexualities' and its activities; 'for fear of diversion or heterosexual deprivation'. It has been

argued that Section 28 shared the same 'criminalisation-protection' ethos of the Sexual Offences Act of 1967,

> "This ethos assumes that all young people can be protected from being recruited into a lifestyle of homosexuality by legal deterrence". (McGhee, 2001, p.142)

Yet, what Section 28 also provides is a good example of the materialisation of fears associated with homosexual spread. These fears have been argued to coincide with wider Thatcherite promises concerning strong defences and well-policed frontiers against the progressive threat and displacements of *difference* (Rutherford 1990, p.11; emphasis added).

Towards the end of the 1980s and the early 1990s a number of changes were occurring. HIV and the AIDS virus were prevalent in society, having a particularly adverse effect upon the distribution of information about 'safe sex' practices among young men under the age of homosexual consent (McGhee, 2001, p.141): an event which meant changes also within the BMA's opinion. A clause which would amend the age of lawful relations between men in the Criminal Justice and Public Order Bills was subsequently tabled by Mrs Currie (MP for Derbyshire South),

> "There is no convincing medical reason against reducing the age of consent for male homosexuals to sixteen years, and to do so may yield positive health benefits". (HC Hansard, 1994 cited in McGhee, 2001, p.140-141)

It was believed that in maintaining the current Age of Consent young men would not receive the correct health information or treatment: who would disclose their sexual activities to medical practitioners if they felt threatened by prosecution? Yet, these concerns were secondary to then Home Secretary Mr. Howard. During debates on the Criminal Justice and Public Order Bill of 1994, Mr. Howard continued to invoke concerns of adolescent male 'vulnerability', arguing that the law should 'play a role in securing the Right Path of young men'. It was believed that 16 was too young.

Boys needed to be men, and thus 'mature enough to take a decision on these matters for themselves' (HC Hansard, 1994 cited in McGhee, 2001, p.143). It was on the basis of this reasoning, that in February 1994, the House of Commons voted 18 as the age at which homosexual relations in private should be set. It should also be noted that the normative term 'Buggery' had been maintained up until it was substituted in the passing of this Criminal Justice and Public Order Act of 1994. Yet, the ruling was to be the subject of a complaint made by Chris Morris and Euan Sutherland to the European Commission in 1997. It was argued that British law on homosexuality violated Article 8 of the European Convention of Human Rights (Right to Respect for Private Life), on the basis that there was a discriminatory juncture for unequal Age of Consent. The Commission voted in favor and, in doing so, dismissed Mr. Howard's justification that 'extra time', provided by the law to allow men to 'mature', was nothing but 'an illegitimate heteronormative notions of 'protection'' (McGhee, 2001, p.147).

In response to the European ruling, a number of subsequent attempts to reduce the Age of Consent occurred in 1998, 1999 and 2000. The most prominent of these were the Crime and Disorder Bill (1998) and the Sexual Offences Bill (1999 and 2000), which subsequently reduced the Age of Consent from 18 to 16. On both occasions, it has been argued that reform was blocked or delayed by the House of Lords on 'constitutional grounds' and 'principled objections' (McGhee, 2001, p.147). The Lords argued that any new legislation would leave people 'vulnerable'; Baroness Young's constitutional appeal providing the best example. Here, the Baroness argued to the Lords that the new legislation posed a 'potential risk and non-protection of many young people' (McGhee, 2001, p.151). But more to her concern was the fact that she felt that Parliament was 'validating', for young people, the claim 'that it is just as good to have a homosexual relationship as it is to have a heterosexual one and, moreover, to have one at the age of 16'. Her moral positioning is crystal clear:

"It is said that this whole issue is one of equality. I do not myself believe that there is a moral equivalence between heterosexual and homosexual relationships... I believe that it is a very doubtful argument to bring equality into this issue at all. In many respects it simply does not apply, we are not talking about equal things". (HL Hansard, 1998 cited in McGhee, 2001, p.152)

At the time, the Archbishop of Canterbury, George Carey, writing in *The Times* on the day that the Lords' rejected the changes, framed its blocking in terms of 'just discrimination' for the purposes of 'social protection'. For Carey, the House of Commons did not look at this issue 'correctly', rather it needed to be viewed 'in the context of *an overall vision of what we want a morally healthy society to look like'* (Carey, 1998 cited in McGhee, 2001, p.152; emphasis added). This view was only reaffirmed by Baronesses who argued that the higher Age of Consent was 'one of the last bastions of Rightness'.

The moral argument concerning the 'nature' of same-sex sexual activity, or it's 'condition', present in homosexuality, had not desisted by late 20th Century British politics. Embedded in an almost immovable creation; the argument of naturalness, an enmeshment of normative devices has emerged to create the conditions in which procreative reasoning has been secured. Fixed in law, ecclesiastical or otherwise, a persistent tradition has been maintained at the hands of powerful particulars and their collectives. Anthony Giddens (1994, p.6) summarises the point well,

"...the point about traditions is that you really don't have to justify them: they contain their own truth, a ritual truth, asserted as correct by the believer".

Yet, as outlined above, power and resistance exist in flux. Oppression cannot remain static for it forces the conditions on which change is built. So where the narrative has dealt with the enmeshment of normative devices up until the end of the 20th Century, it is also worth considering *what* resistance existed and *how* it began to challenge a

two-thousand year old normative device. It is to the themes of 'rule-resistance', then, that the argument must now turn.

Summary

As a continuation upon the themes of the previous chapter, this chapter has offered the opportunity to consider how a 'history of ideas' has permeated 20th Century British consciousness. In many respects, it has shown that the normative beliefs of the past – in terms of Christian pedagogy – have never veered far from the operation of the state, and have most certainly permeated the understandings of psychology and psychiatry. Where the earliest reformers recognised the severity of doctrinal teachings on sexual morality, and challenges were mounted through public education and literature, this effort was decapitated in Britain where two World Wars would shift public consciousness back to procreative sex. Issues and concerns over public morality and delinquent acts were often inter-locked with wider worries over adolescent 'innocence'. The 'fruitless indulgences' of same-sex activity were a focal point of societal anxiety, and were regulated as such, through legislation and medical intervention. Most significantly, the normative devices in process were tantamount to a thesis of protection, whether it was to protect latent forms of heterosexuality or 'fears of homosexual spread'. It is fair to say that it was considered a *moral duty* to protect the ontological boundaries of heterosexuality and this was achieved through the normative demonisation and hegemonic regulation of homosexuality. This can be no better seen than in the implementation of malleable forms of sexuality, where concerns with illicit desire are tantamount to deviations away from the norm.

In juxtaposition, there is a trinity of institutions who form a normative programme which brings the naturalness of heterosexuality to the foreground of public consciousness. This collective representation of church, state and remedial science

posits its *modus operandi* explicitly when it attempts to maintain normative beliefs not only about the inherent 'sinfulness' of same-sex sex but also that it constitutes a forms of sickness or psychological malfunction. Where it is seen that Parliamentarians regulate for the protection of latent heterosexuality, it can be considered that, in some instances, the criminal law has been used to increase conformity to particular Christian conceptualisations of sexuality and sexual morality.

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[1] It is important to note that the term homosexuality was first coined by Kertbeny as part of a move away from the pejorative use of the term 'sodomite', yet it was, ultimately, to become a concept for medical intervention (Weeks, 1995, p.16).

[2] Sex and childhood has its own very important and extensive history. It is not dealt with here, other than to say that normative links exist throughout 19th Century Britain, especially between childhood sex and images of purity.

[3] The presence of the naturalness argument is psychological and psychoanalytic explanations of homosexuality is explored below.

[4] Pronk speaks at considerable length about the construction of a 'sickness-model' of homosexuality. In particularly, he considers the relationship that exists between procreative reasoning and sexual disease in psychoanalytic research and rejects its arguments (Pronk, 1993, p.127-146).

[5] Jeffrey Weeks provides a number of extensive examples about the inhibition of the distribution of materials deemed to transgress 'public decency' (Weeks, 1989, p. 216-218).

[6] The continuing official concern with the future of the family was demonstrated in a series of major commissions and reports, argues Weeks (1989, p.236).

[7] Originally known as the London Council for the Promotion of Public Morality (1899) it was formed to combat 'vice' and 'indecency' in London, and its members included representatives of the Church of England, Roman Catholicism, Education and Medicine. In a similar vein, The Minors' Protection Society and the Society for the Suppression of Vice which had merged with The National Vigilance Association in 1855, all share a similar moral mandate and have a common ancestry behind their construction.

Chapter Six

Resistance

Introduction

The sexual potentialities of the human body have been exploited through normative devices which have rendered the regulation of same-sex sexual practices explicit. Yet, oppression is not without its resistance, for there are those collectivities who *contest* the colonised fields of experience and rule-resist. It is in exploring this to-and-fro' between forms of power and the resistance that it becomes possible to consider how challenges to hegemonic experience may be formed.

How do agents encounter hegemonic norms? How do they defy prohibitive legislation and the demonisation of their sexual practices? A history of resistance provides some important insight into these questions. It also provides empirical examples of agential reflexivity and collective self-awareness – two key normative aspects which bind collectivities together to form resistive pressures. Where early sexual reformers were far more concerned with developing a respectable, public face for homosexuals, the resistance of post-war gay liberation campaigns were something very different. What becomes apparent is that power and resistance can be considered to exist in constant *flux*: where oppression provides the conditions on which change can emerge. This is not to say that oppression forces an automatic response – it does not (Weeks, 1990, p.33). But it is said that oppression can shape the boundaries in which hegemonic experiences are felt and challenges can be made.

The Gay Liberation Front (GLF); The Campaign for Homosexual Equality (CHE); and the Homosexual Law Reform Society (HLRS) are all examples of early attempts to address the ideological and legislative regulation of homosexuality. Each with

distinctive 'tactical repertoires' (Tilly, 1978), these different groups of individuals provided a catalogue of norms, values and beliefs on responses to legislative and ideological oppression. What is most interesting is that these were ideals which featured, ultimately, in two distinct campaigning groups at the end of the 20th Century – 'Stonewall' and 'Outrage!'. Based on lobbying and forms of direct action, respectively, these groups of individuals maintained a legacy of challenging the 'Moral Right' and recognising that Christian sexual morality was at the epicenter of the 'deep-seated' nature of homosexual subjugation.

The Gay Liberation Front (GLF) was one organisation in the 1970s which was concerned with changing perspectives about homosexuality within wider British society. It was not the first organisation, before it was the Campaign for Homosexual Equality (CHE) and the Homosexual Law Reform Society (HLRS), yet it was the most *radical*. Focusing on a shift away from Parliamentary lobbying, and changes in British law, the GLF has been seen as an early adopter of what was to be called direct action in movement activism (Weeks, 1990, p.185). It was believed that the homophile organisations, like the HLRS and the CHE had tiptoed through the 1960s and were, ultimately, superseded by a movement which stressed defiance and self-activity (Weeks, 1990, p.185). Most importantly, the movement recognised and stressed that the oppression of gay people lay at the heart of its politics.[1]

> "With this came a new emphasis on the oppression of gay people, a belief that the taboo against homosexuality was so deeply embodied in Western civilization (The 'Judaeo-Christian culture') that only a revolutionary overthrow of its structures could truly liberate the homosexual. Furthermore, this could not be done by others *for* the homosexual, but only by homosexuals themselves, acting openly and together". (Weeks, 1990, p.186)

Early Resistance

The Gay Liberation Front (GLF) was formed by London School of Economics students Aubrey Walter and Bob Mellors, inspired by the American body of the same name, which had been formed in the wake of the 1969 Stonewall riots. Whilst short-lived, it has been considered a watershed moment in the history of British sexual resistance. On 13th October 1970, the very first meeting was held – some nineteen people in total – by the following year its weekly meetings were attracting over four-hundred people. Its high-points include a published Manifesto (Gay Liberation Front, 1978) and a series of high-profile direct actions, including the disruption of the launch of a Church-based morality programme.

> "GLF espoused a nonviolent revolution in cultural values and attitudes. It questioned marriage, the nuclear family, monogamy and patriarchy – as well as the wars in Vietnam and Ireland. Although against homophobic discrimination, GLF's main aim was never equality within the status quo. We saw society as fundamentally unjust and sought to change it, to end the oppression of LGBTs – and of everyone else". (Tatchell, 2010)

The GLF was a movement which was closely associated with wider actions at the time. For instance, political developments in the U.S, such as the events at the Stonewall Inn in 1969, and the Women's Liberation Movement both in America and Britain, had offered significant changes in understandings about the nature of sex roles and sexual attitudes (Weeks, 1990, p.185-187). These changes offered inspiration to the GLF, both in method in terms of public process and other 'consciousness raising' efforts. It was a time characterised by a wider rejection of stereotypes which society had 'thrust' upon them and this meant aligning itself with the movements for women's, black, Irish, working-class and colonial freedom (Weeks, 1990, p.187).

> "Our idealistic vision involved creating a new sexual democracy, without homophobia, misogyny, racism and class privilege…GLF's critique of straight society amounted to more than condemning violations of gay civil rights and campaigning for equal treatment. Revolutionary not reformist, our goal was an end to 'male chauvinism' and the 'gender system'… This is a part of the reason why we've been persecuted for centuries. Our nonconformity threatened the gender system which has, historically, sustained the social hegemony of male heterosexuality and misogyny". (Tatchell, 2010)

Certainly, the events which occurred at the Stonewall Inn have been considered a crystallising phenomenon for liberation movements. The violent episodes which took place during a police raid in June 1969 motivated wide-scale resistance and gave rise to the 'New York Gay Liberation Front'. It was only a year later that the British version emerged and it too considered itself an example of the 'people's movement' (Weeks, 1990, p.189). It's Manifesto clearly outlining its normative position:

> "We will show you how we can use our righteous anger to uproot the present oppressive system with its decaying and constricting ideology, and how we, together with other oppressed groups, can start to form a new order, and a liberated lifestyle, from the alternatives which we offer". (Gay Liberation Front, 1978)

Not only did the GLF recognise and argue that homosexuals were directly oppressed because of the normative beliefs of Christianity,

> "…and our whole legal structure is supposedly based on Christianity whose archaic and irrational teachings support the family and marriage as the only permitted condition for sex. Gay people have been attacked as abominable and sinful since the beginning of both Judaism and Christianity, and even if today the Church is playing down these strictures on homosexuality, its new ideology is that gay people are pathetic objects for sympathy". (Gay Liberation Front, 1978)

But they also recognised that this oppression was being reinforced through a social convention with psychiatry,

> "Operating as they do on the basis of social convention and prejudice, NOT scientific truth, mainstream psychiatrists accept society's prevailing view that the male and female sex roles are 'good' and 'normal', and try to adjust people to them. If that fails, patients are told to 'accept themselves' as 'deviant'". (Gay Liberation Front, 1978)

The GLF, unlike the HLRS or the CHE, rejected traditional forms of organisation and leadership in principle. It was felt that these organisations were 'too discrete' (Lucas 1998, p.4) and 'were unwilling to recognize the deep-seated nature of homosexual oppression' (Weeks, 1990, p.190). It has been argued that these organisations were willing to accept any 'liberal tolerance' offered by the government or society. This, in the view of the GLF, was just another form of oppression for it ignored 'self-oppression'; the result of thousands of years of 'ideological baggage, much of it stemming from the intertwined Hebraic and Christian traditions, in which the taboo against homosexual behaviour is [was] deeply rooted' (Weeks, 1990, p.4). It has been argued that 'coming out' was seen as a resolution to this oppression, for it offered a means of rejecting the 'double-life' enforced by state and societal beliefs (Weeks, 1990, p.191).

By the late 1970s and early 1980s efforts in direct action were becoming 'ad hoc' and 'disparate' (Lucas, 1998, p.4). By now, the GLF had disbanded, its members splintering off into smaller movements. It has been suggested that organisations like the Gay Activist Alliance kept groups of 'like-minded people' in contact with newsletters. More generally, it was a time which has been characterised by 'light-hearted and low-key actions': a number of pranks meant to 'deflate ill-informed pronouncements by prominent personalities' (Lucas, 1998, p.4).

By the mid-1980s, the actions of these groups were being aligned with the loony left and the opportunity was seized to argue that the British state was now an example of political correctness gone mad. A point only reinforced by Prime Minister Margaret Thatcher on 9th October, 1987 in a speech to the Conservative Party Conference:

> "Children who need to be taught to respect traditional moral values are being taught that they have an inalienable right to be gay". (Thatcher, 1987)

These normative concerns were crystallised into action taken two months later by David Wilshire (MP for Spelthorne). Wilshire introduced an amendment to the Local Government Bill (Clause 28) which was passed, ultimately, as Section 28 on 24th May, 1988. It stated that local authorities were not allowed to promote the teaching of the acceptability of homosexuality as a pretended family relationship. It is more than a coincidence that the emergence of this legislation corresponded with the founding of another activist group – the Organisation for Lesbian and Gay Action (OLGA). In fact, this particular piece of legislation was a catalyst for many vigorous campaign efforts during the late 1980s for it was to feature as a synthesising point for the subsequent formation of Stonewall. Many members of the original group felt that Section 28 caused confusion and harm. Not only were teachers confused about what could or could not be taught, but they were powerless to aid those suffering from homophobic bullying and abuse. Local authorities too were unclear as to what legitimate services that could provide for. In response to these concerns, and other threats associated with Section 28, a 10,000 strong March in London on January 9th 1988 was organised. It was one, of many public actions to come, which publically criticised not only the failure of politicians of represent the interests of the community, but also address wider forms of oppression (Lucas, 1998, p.5).

> "Britain's Moral Majority... They were the people who brought us Section 28. They were behind the recent Early Day Motion attacking lesbian mothers, and they have just successfully destroyed five years of health education work on AIDS". (Appendix A, Item 1)

From the text and literature that the government was presenting, it was argued that the electoral process had failed to represent the issues of these men and women. The resulting anger and dismay is quite apparent,

> "By supporting this Clause 28, the Thatcher government is, yet again, dragging our society further down the road of intolerance and authoritarianism. Fifty years ago, another government began banning the promotion of homosexuality - that government was the government of Adolf Hitler." (Appendix A, Item 2)

However, it was to prove the incentive and momentum needed to construct a coherent voice or rule-resistance of the 1990s.

'OutRage!' and 'Stonewall'

During the campaign against Section 28, a number of individuals formed into a group,

> "…who felt that they could carry forward some of the work, and build much more effectively a professional lesbian and gay lobbying group". (Lucas, 1998, p.9)

This group was Stonewall and it was founded in 1989 (Appendix A, Item 3a, 3b). A professional lobbying organisation, in its primacy, Stonewall launched draft campaigning leaflets for the press, it pursued charity status and organised itself around the Repeal of Section 28. For Stonewall, these legislative prohibitions were a damning representation of the present-day Conservative government who, they felt, were supported by the normative beliefs of the 'Moral Right'. It was argued that such legislation would not only eradicate equality within schools, but would make it increasingly difficult to tackle forms of homophobic bullying. Most importantly, it was argued that Section 28 would only 'add' to a 'climate of fear and intolerance'

(Stonewall, 2005). It is hardly surprising, then, that Stonewall manifested a 'Bigot's Charter' - a selection of local authorities who were shamed for denying services and support over the course of legislation (Stonewall, 2000).

With this group, the earliest days were shaped around 'Employment', 'Fundraising' and 'Administration'. Yet, it is here though, in these minute meetings, that it becomes apparent that Stonewall wanted to make a clear departure away from the radical politics of the GLF. If anything, as a collective, Stonewall would represent a more traditional hierarchy. The organisation of the group was for the purposes of lobbying Parliamentarians for support (Appendix A, Item 3d). As such, its 'tactical repertoire' (Tilly, 1978) is more akin to earlier sexual reformers, Stonewall stressed the need to promote education through publication i.e. through University based conferences on 'Homosexuality and Modern Morals' (Appendix A, Item 4). They stressed, above all else, the need for legislative change and so, an 'All-Party Parliamentary Group' was set-up for lobbying efforts. A number of draft campaigning leaflets, one which was signed by Founder Ian McKellen, outlined the groups resolve over Section 28 and its charitable work through the Iris Trust (Appendix A, Item 4).

OutRage! had emerged under some very specific hegemonic experiences and positioned itself as quite separate from Stonewall:

> "…the homosexual rights movement has tended to focus on orthodox and legal forms of struggle: demonstrations, lobbies of parliament, and letter write-ins. Though important and worthwhile, these are all very safe, reformist tactics which imply our loyalty and submission to the laws of a society which systematically devalues our existence… they do not seriously challenge the moral authority of an intrinsically homophobic State or the legitimacy of legislation which stigmatises". (Tatchell, 1990)

The sport of 'queerbashing', which had materialised in the mid-1980s, had either left men the victim of 'verbal, political and physical attacks', or dead (Lucas, 1998, p. 13). Instances include: Ian Erskine's naked body found in a plastic bag in Ely, Cambridgeshire after he disappeared from London in December, 1989; William Dalziel found in West London in January, 1990 with a bleeding head wound from which he later died; and Michael Boothe kicked to death in public toilets in Hanwell, West London on 30th April, 1990, by a gang of six or seven men (Lucas, 1998, p.13-14). In total there were 14 unresolved gay-related murders which dated back to 1986 – the murder of Michael Boothe being considered 'the most immediate and tangible expression of anti-gay violence' (Lucas, 1998, p.26). Activist Peter Tatchell, and a number of allies organised into a group in reaction to these experiences (BBC News, 1998).

What worsened these atrocities was the apparent oppression experienced as a consequence of 'run-ins' with the Metropolitan Police. During its primacy, OutRage! had argued that the Metropolitan Police were focused on the entrapment of men for homosexual offences rather than pursuing homophobic murderers (Lucas, 1998, p.231). This situation only deteriorated when senior officials were found arguing that queerbashing was a relatively 'easy' and 'straightforward' task to monitor - cueing concerns about 'institutional homophobia' (Appendix A, Item 8). The formation of OutRage!, then, was in response to the widespread fury felt at consistent and intense police harassment, as well as the 'half-hearted' police reaction to queer-bashing and murders (The Telegraph, 2010).

> "In 1989, for example, an estimated 5,000 gay men, plus a small number of lesbians, were convicted for consenting sexual relations and acts of affection under prejudiced laws which apply only to homosexuals". (Tatchell, 1990)

The attacks motivated some thirty activists into meeting to discuss 'what is to be done' (Lenin, 1973). The group was prepared to take a new direction in terms of street activism. The image is clear: enough was enough (Lucas, 1998, p.14),

> "…we all agreed that that it was no more Mr. Nice Guy, no more negotiations, and that we were prepared to use any non-violent method to end homophobia. Including criminal damage". (The Telegraph, 2010)

By May 24th, 1990 Outrage! was set-up, with a logo, a number of objectives and a free membership. At the time, there was no clear or nominated leader but its aims were quite simple: the violence that had gone before had to stop and civil disobedience was considered the only option going forward (Lucas, 1998, p.14).

> "Projecting political demands with imagination and humour is a crucial way of defusing hostility, overcoming apathy and promoting interest in radical ideas. It's a way of making those ideas more accessible and attractive to a wider audience, many of whom would otherwise remain disinterested or sceptical". (Tatchell, 1992)

OutRage!, then, wanted to educate and entertain – two means of increasing the public profile and the demand for lesbian and gay equality (Tatchell, 1992). On this normative basis, OutRage! though small and under-funded, generated massive press coverage; public awareness and debate about the discrimination over sexual orientation.

In the intervening time, Stonewall had commissioned a 'National Survey on Police Action Against Gay Men' (Appendix A, Item 6). They too were concerned with policing, and the substantial increase in the number of men charged with or convicted of public indecency. The purpose of the Survey, they argued, would help identify examples of 'good practice' and uncover evidence of 'malpractice', by the Metropolitan Police, within that area. Like OutRage!, Stonewall argued that the Metropolitan Police was a clear source of hegemonic experience – enacting legislation which continued to subjugate on the basis of the sexual practices of men. Stonewall saw a clear link between the policing of homosexuality and the government derived from the Moral Right. This link would be rendered lucid through an article Stonewall published on 'Monitoring and Outmanouvering the Moral Right'

(Appendix A, Item 7a). Within that article, Stonewall argued that the Moral Right was constituted of 'groups and key individuals' whose social goals were simple: the destruction of the liberal agenda (and gay rights with it). Stonewall traced this argument through a variety of issues over a considerable number of years. They suggested that some '60-70' MPs were believed to support the normative ideals of the Moral Right. This was in juxtaposition to a number of Press Associations who were too linked with the oppression of rights. What is most interesting is that the document also lists the possible targets of the Moral Right in future attempts at regulation. These include lesbian and gay rights, women priests and reproductive rights – all issues which transgress ecclesiastical norms.[2]

The State of Britain's Right is also a very important document (Appendix A, Item 7b). This network of names, groups and organisations proved influential in substantiating forms of resistance to the normative arguments of the Moral Right. Ultimately, it is a network analysis, and it considers those norms, values and beliefs which bind individuals, groups or organisations into a whole – in this case – Britain's Moral Right. Both documents, taken in juxtaposition, reach the conclusion that religious belief was a cornerstone to the hegemonic experiences of late 20th Century British homophobia. Normative beliefs, which Stonewall argued, continued to *influence* the British press and continually bring liberal opportunities through Parliament into disrepute (Appendix A, Item 7a).

On June 11th, 1990 OutRage! held their first demonstration in Hyde Park. It was considered a symbolic event for it was a *public politics* in motion. The rationale was clear: to render questions around policing and sexuality, and public and private space explicit (Lucas, 1998, p.20). This coincided with a number of fundraising events to secure future finances for public actions. These events were considered 'immensely successful' offering financial stability whilst increasing the public visibility and 'appearance' of political action on the streets of London (Lucas, 1998, p.23). The sale of whistles and other tools for activism were to be used in subsequent public

actions or 'zaps' e.g. *Blow the Whistle on Queerbashing* on 19th July, 1990. Whistle patrols, it has been argued, not only helped to 'foster a sense of community', but it was also set up as a means of outreaching: it allowed people to 'believe that they were doing something to stop the violence' (Lucas, 1998, p.23). It can be said that OutRage! Responded to hegemonic experience by outreaching to others and, in doing so, it fostered the support for the rejection of violence and those beliefs on which it was based.

The next significant action by OutRage! was against the International Conference for the Family (ICF), 15th July, 1990. Taken just a few days after a march to commemorate the murder of Michael Boothe, OutRage! identified the moral foundations of another of David Wilshire's (MP for Spelthorne) political goals. In his amendment to the Embryology Bill, agencies offering Artificial Insemination by Donor would always need to take into account a future child's need for a father. An argument which not only can be considered to mirror the ecclesiastical perfect trinity of the family, but one which would render lesbian families childless.

> "…fortunately, fathers still have a role to play in the process somewhere. It is important that we should make it clear that the father's role does not begin and end at conception… that must be integral to the decision about what is best for the welfare of any child who may result from one of the processes dealt with by the Bill". (HC Hansard, Cols. 1025-1030, 20th June, 1990)

It were on these grounds, that OutRage! responded and took further public action. They picketed the ICF at its Conference Hall and screamed and chanted at the oppression of Wilshire's proposals and the news that the ICF were threatening to withdraw funding from AIDS financial support vis-à-vis the Terrence Higgins Trust (Lucas, 1998, p.28).

The encounter between hegemonic experiences and the medical conceptualisations of homosexuality has a long history. It was only in the 1970s that the work of Professor

Hans Eysenk and Dr. Issac Marks was considered key to finding a cure to homosexuality through Aversion Therapy. A form of conditioning, Aversion Therapy was considered a means to change emotions, by associating particular illicit or deviant desires with pain or fear. In an attempt to re-condition homosexuals back to normality nausea was induced through drug treatment whilst patients viewed films of homosexual acts. The significance of these remedial conceptualisations cannot be denied for they became alternative to punitive justice,

> "I mentioned the cases of gays who are virtually blackmailed into undergoing aversion therapy when it is offered by the courts as an alternative to prison. Those who 'voluntarily' undergo treatment are 'forced' to do so by the intolerable oppression of homosexuals by society. Remove the oppression and no gays would ever volunteer". (Tatchell, 1972)

Members of OutRage! were acutely aware of these conceptualisations and, in some instances, had even experienced the medical justifications for such procedures first hand. In the 1990s, OutRage! responded to the use of vomit-inducing drugs, and other techniques, such as electro-shock treatment, in a campaign to win compensation for the victims. The demonisation of homosexuality and the continuing enforcement and policing of its practices were central motivations in seeking remedial help – a set of cures based on behaviorist normative assumptions that homosexuals were unnatural and could be 'realigned' (Tatchell, 1997). Later, this specific need to cure homosexuals was to pervade the consciousness of ex-gay religious groups, those who argued that homosexuality was a sickness which could be treated through God's teachings.

In an innovative move, OutRage! also challenged institutions of remedial care who continued to offer medical treatment and help to homosexuals. For Outrage! the understanding that homosexuality was a sickness was one normative device or anti-gay sentiment that propelled violence and maiming. In a letter to the Institute of Psycho Therapy and Social Studies, OutRage! member Alastair Williams stated:

> "Homophobia is the irrational fear of homosexuality…such a person should be regarded as ill and that the psychological/psychiatric establishment should give serious consideration to ways of helping them overcome their phobia". (Appendix A, Item 29)

In quite a unique way, then, OutRage! began to turn remedial science against homophobia. For instance, research published in the *Journal of Abnormal Psychology* was referenced to lend scientific support to the claim that homophobic men harbored secret homosexual feelings. OutRage! argued that the research demonstrated the clinical links between latent or repressed forms of homosexuality and anti-gay or homophobic remarks and actions. It suggested that prejudicial pronouncements were not consistent with physiological activity. Ultimately, homophobes were in denial about their homosexual attraction.

> "This homophobic defence mechanism is also often a bizarre form of over-compensation: maladjusted lesbians and gay men who feel guilty about their homosexuality become stridently anti-gay as way of compensating emotionally for their guilt and shame". (Tatchell, 1997b)

An argument which was to play a crucial role for OutRage! in challenging those MPs who were considered to have a particular 'anti-gay' record of voting:

> "This research is political dynamite. As OutRage! has already demonstrated with the letter to MPs, it can be used very effectively to ridicule and embarrass homophobes; deflating their bigotry by casting doubt on their heterosexuality". (Tatchell, 1997b)

Meanwhile, Stonewall, after the announcement of their original article, issued a letter inviting colleagues to discuss the 'Moral Right' at the London Lesbian Gay Centre (Appendix A, Item 7c). This meeting was important in the development of a more extensive version of the original argument subsequently released a month later. (Appendix A, Item 7d). This new version was considered 'key' in assessing and exploring the clear objective necessary to 'diffuse the power of the Moral Right':

> ➢ "…commissioning specific research around the myth of the family as fount of all that is good".

> ➢ "…briefings to MPs, MEPs and political parties about the activities of the Moral Right".

> ➢ "…activity targeted at the media – including links between the national press and the Moral Right".

> ➢ "…development of an early warning system so we can predict and develop opposition to their initiatives".

Meanwhile, OutRage! was developing another controversial form of activism: the 'kiss-in'. It had been argued that police officers, at the time, were interpreting pieces of legislation in order to victimise public displays of homosexuality also known as public indecency. Section 5 of the Public Order Act 1986, which was originally introduced to curb football hooliganism, was one piece of legislation commonly cited, for example (Lucas, 1998, p.31). The first 'kiss-in' was in Piccadilly Circus on the 5th September, 1990.

> "KISS-IN - LESBIANS and GAYS CALL FOR RIGHT TO KISS' – 'Challenge to Anti-Gay Indecency Laws". (Appendix A, Item 9)

The tensions between the Metropolitan Police and these organisations, and the wider community were substantial in the early 1990s. As such, during that year a number of groups organised together, including Stonewall and OutRage!, and outlined a Lesbian and Gay Policing Initiative (LGPI). This was in an attempt to meet recurring calls from the Metropolitan Police to offer 'one voice' to speak with. It was hoped that by setting up a 'democratic forum', the LGPI would offer a forum in which the issues which affected the community could be discussed (Appendix A, Item 10). Yet, the meetings that followed were considered tentative and tensions between the Metropolitan Police and the groups following a number of raids of popular bars in

London (Lucas, 1998, p.39-41). It was on this basis that OutRage! later organised a march from a Pub in Earls Court to the Police Station on December 3rd, 1990. It also organised another march on December 9th, 1990; its slogan 'Police Protection, not Persecution' (Lucas, 1998, p.39-41). Previous to these actions, OutRage! had also sent a letter to the present-day Police Commissioner of the Metropolitan Police,

> "Dear Sir Peter [Imbert]...We believe that unless rapid steps are taken to tackle our concerns, the police service in London could face an unprecedented break-down of relations with lesbians and gay men, which will have profound consequences for the policing of the capital". (Appendix A, Item 11)

In the letter, OutRage! points to a number of moral and ethical problems with the policing of homosexuality. In the example of Det. Superintendent John Shoemake, whose comments assume that lesbians and gays are responsible for their actions, there are a number of interesting assumptions about the contempt held for homosexuals within the law, and also about effeminacy with regards to blame and the way in which an individual dresses.

Any reciprocity which was to emerge from forging new links between the LGPI and the Metropolitan Police became strained in light of Home Office statistics which revealed that many people were convicted of consenting homosexual behaviour (Lucas, 1998, p.41). OutRage! activist Peter Tatchell placed this number close to 5,000.

> "…In fact, despite so-called decriminalisation of gay sex, homosexuality is still variously defined in written and case law as an 'immoral purpose', a 'gross indecency' and a 'corruption of public morals". (Appendix A, Item 12)

There are obvious comparative differences between the way in which Stonewall and OutRage! are organised; Stonewall was concerned with lobbying Parliamentarians for changes in the law; OutRage! was concerned with forms of direct action similar

to those of the GLF which preceded it. As such, there were also a number of tensions that existed between the two groups.

> "…Although Stonewall's broad aims were welcomed, there was suspicion from other sectors…who believed that the group was giving itself airs and graces… that it was being run by political hacks and media-hungry minor celebrities". (Lucas, 1998, p.9)

There was a belief that Stonewall was 'completely unaccountable, yet could claim to speak for lesbians and gay men' (Lucas, 1998, p.9). Stonewall had also previously dismissed the contributions of OutRage! considering its direct action a form of 'ghetto protest politics' which was often seen as 'hysterical, huckstering and shocking' (Appendix A, Item 26). However, it was the Age of Consent 16 Vote which was to prove the acrimonious breaking-point between Stonewall and OutRage.

However, in the run up to the vote, a number of other significant and equally important actions took place. One of the most significant can be seen in response to Clause 25 of the Criminal Justice Bill. The Clause referred to three consensual gay offences: 'soliciting and importuning'; 'indecency between men'; and 'procuring'. The proposal of the clause was that these offences could be punished with up to five years of imprisonment, followed by five years of psychiatric supervision (Lucas, 1998, p.49-50). For Peter Tatchell, the 'broadness' and 'ease' of which these offences could be transgressed is obvious (Appendix A, Item 13). Clause 25 was not only thought of as more dangerous than Section 28 but it paved the way for increases in fines and prison sentences for consensual sexual behaviour. The Clause now explicitly maintained a particular moral ideal: that same-sex sexual activity amounted to forms of 'indecent assault', 'incitement to incest' and 'indecency towards children'. For this reason, it has been argued that gay sex was equated with sexual violence (Appendix A, Item 13).

Drafting a letter to MPs and releasing a number of campaigning adverts (see below), OutRage! began questioning the coalescence of same-sex sex and the moral proscriptions of the state.

> "Are you a sex criminal? – To Challenge These Laws OutRage! Volunteers Will Turn Themselves Into The Police. Bring Whistles and Make a Noise Against Clause 25". Appendix A, Item 14)

> "Get Up! Get Out! Get Even! Amend Clause 25. Lesbian and Gay Rights Now! Mass Demo" (Appendix A, Item 15)

The 'Mass Turn-in' at Bow Police Station was a zap taken following another action against the Department of Health. It was argued that the Department of Health had placed itself at odds with the wider community, issuing a number of guidelines which would prevent prospective lesbian and gay parents from fostering children. It was believed that their lifestyles were unfit for parenthood.

> "No one has the 'right' to be a foster parent. 'Equal rights' and 'gay rights' have no place in fostering services". (Appendix A, Item 16)

This bloc of losses was to become a serious concern for many. It was believed that the government was being allowed to push its ideal social unit. The continuation and escalation of the policing of sexuality (The Spanner Trust, 1990), especially with regards to public displays of affection, saw a number of successful prosecutions which left many in an exploitable position (Appendix A, Item 17). For OutRage! it was becoming more and more apparent that the wider lesbian and gay community needed to defend itself from claims about sexual immorality (Lucas, 1998, p.52-54).

In a coordinated campaign, OutRage!, Stonewall and a number of other organisations gathered to respond to these ideals. This collective took united under the banner 'The Lesbian and Gay Rights Coalition' and organised a national demonstration for February 16th, 1991. As the Coalition prepared, OutRage! planned a number of its

own zaps and demos. The first action, 'a scrubbing of Parliament', was on the 17th January, 1991. It coincided with the new Spring Session, and its theme was 'to clean it [Parliament] of its homophobia' (Lucas, 1998, p.52). This action echoed a number of other, global, events organised by the International Lesbian and Gay Association (ILGA) on the 14th February, 1991.

During this time, OutRage! groups were beginning to emerge nationally. Manchester, Liverpool, Coventry, Hull and places in Scotland began organising local events and zaps. Adopting the 'Queer Politics' of American activist organisation 'Queen Nation', OutRage! adopted a number of its strategies and structures in order to sustain a vocal and powerful presence nationally. These decisions did not emerge automatically, however. Actually, a number of serious disagreements over the use of the term 'queer' led to a committee meeting and calls an immediate resolution (Appendix A, Item 18).

These disagreements fell during OutRage!'s extended battle with the National Vigilance Association (NVLA): an organisation whose main concern was to repress representations of homosexuality on screen. Led by a conservative, Mary Whitehouse, the group was considered an effective means of forwarding particularly oppressive views towards the censorship of television and radio (Lucas, 1998, p.60). Censorship was a serious issue for OutRage! not least because Jenny White, one of their own members, was being prosecuting for important sex videos from a San Francisco feminist store. British Customs Officials had seized the materials and had prosecuted Jenny White under the Customs Consolidation Act of 1876; the same act which has was used to justify a number of raids on gay bookshops in London in the early 90s (Lucas, 1998, p.60).

These actions were soon overshadowed as Queer/Radical Politics emerged in Britain through the phenomenon known as 'Outing'. Already a part of the political repertoire of Queer Nation, and its activists within the U.S., 'outing' the sexuality of those in

positions of influence of power has become a popular direct action (Lucas, 1998, p.63). Queer Nation's publication, 'Outweek' regularly outed major figures within the government, film and media. The central argument was that sexuality should be a matter of public record.

OutRage! was ambivalent towards 'outing' for some time. In 1991, it has no official policy whilst other organisations explicitly condemned it (Appendix A, Item 18). This soon changed with a number of successful controversies sparking the argument that outing could be a useful political tool (Lucas, 1998, p.63). OutRage! adopted the tactic unofficially and on began organising evidence on potential candidates. On July 28th, 1991, the *Sunday Times* carried an article titled 'Gays threaten to "out" MPs in poster campaign'. This was in reference to research carried out by OutRage! on over 200 prominent figures, including 52 MPs, 8 judges, and 12 senior church figures who were privately gay. The article led to a flurry of interest and it was believed that, in its release, a 'political earthquake' was on the horizon – 'demolishing all existing structures of public debate around homosexuals in public life' (Lucas, 1998, p.66).

Not everyone was convinced. In fact, the action was condemned by a number of critical personalities, media outlets and organisations including Stonewall (Lucas, 1998, p.67). It was considered that 'outing' represented a form of homophobic oppression in its own right (Lucas, 1998, p.68). Although the names of the 200 prominent figures weren't released by OutRage! in 1991, the furor it unleashed was recognised by many as a potential means of opening up liberation arguments in Britain. That lesbian women and gay men not only existed in higher society but were hidden was a potential political action waiting to happen.

Anger at the Metropolitan Police had been a consistent theme of the early 1990s, particularly given the number of convictions and raids. However, the episode of faux 'outing' had produced research which suggested that the Church of England was an equally significant target in terms of its homophobic belief system (Lucas, 1998,

p.73). Following this discovery, OutRage! organised a number of smaller 'affinity groups' to tackle religious homophobia, which identified two main goals:

➢ "To campaign against the promotion of hatred and violence by religious organisations against homosexuals".

➢ "To stop the silent support of homophobia by religious organisations and to force them to take a stand on issues of importance to the gay community".

The first target of their activism was the Enthronement of Dr. George Carey as the 103rd Archbishop of Canterbury in 19th April, 1991. The affinity group 'Whores of Babylon' planned an action in response to the Dr.'s question 'Is practicing homosexuality a scandal?' (Lucas, 1998, p.74)

"GAY ACTIVISTS TO BURN AT STAKE PROTESTING ARCHBISHOP'S ENTHRONEMENT' – 'Doctor Carey accused of stirring up anti-gay hatred" (Appendix A, Item 19).

It was argued that through the centuries the moral and beliefs of the Christian church were explicit in the persecution of lesbians and gay men. Indeed, it was even argued that until modern times these men and women were usually burnt at the stake for heresy (Lucas, 1998, p.74-80).

A number of direct actions took place in order to combat religious intolerance. On Sunday, 21st April, 1991 the 'Whores of Babylon' confronted parish priest Reverend Lister over homophobic remarks printed within his parish magazine (Lucas, 1998, p.75). This was soon followed by another large-scale event. An 'Exorcism of Lambeth Palace', the Archbishop of Canterbury's London residence, took place on 7th august, 1991, and highlighted the Church's attitude to condemning homosexual genital acts in the Highton debate during a Church Synod in 1987 (Lucas, 1998, p.75).

This was also subsequently followed by another action against a group called 'Living Waters' who claimed, that through belief in Jesus Christ that homosexuals could be cured of the homosexuality (Lucas, 1998, p.77). There are a number of examples of this interesting parallel between the medical treatment of homosexuality and ecclesiastical teachings. Indeed, Living Waters was a religious organisation which had been setup as a part of a wider, Christian based, ex-gay movement. In Britain, they had published a book, *Pursuing Sexual Wholeness - How Jesus Heals the Homosexual*, as well as a popular counseling service. Derren Brown – a popular illusionist and entertainer – has recalled his hegemonic experiences at the hands of the Living Waters group. In an interview with the Radio Times, he reminisces about the relationship between religious belief and the depth and psychology that existed within faith healing and attempts to cure homosexuality (Radio Times, 2011). On 17th November, 1991 the Whores of Babylon demonstrated at St. Michaels Church, where the group had its founding base (Lucas, 1998, p.78). The demonstrations almost became a weekly thing, becoming more and more controversial over time:

> "Queers Are Not Sick! Cure Heterosexual Hate! The latest outrage from the Church of England. Now they claim they can cure homosexuality! CAN THEY BOLLOCKS!" (Lucas, 1998, p.79)

The attention being forwarded to Church policy was unprecedented, especially in light of particular controversial documents e.g. *Issues in Human Sexuality* published on 3rd December, 1991. The document stated that 'the clergy cannot claim the liberty to enter into sexually active homophile relationships' (Lucas, 1998, p.79). In direct response, OutRage! activists unveiled banners saying 'STOP CRUCIFYING QUEERS!' (Tatchell, 1999c) and Whores of Babylon was maintained a similar hard-line response to this religious oppression (Lucas, 1998, p.80).

In terms of lobbying, Stonewall maintained a very different perspective, issuing a number of Press Releases and dealing with alternate aspects of intolerance and prejudice. In particular, the organisation tackled homophobia within the Daily Star

(Appendix A, Item 20). This was in response to a number of 'misleading and insulting' pieces of coverage by the Daily Star which had 'incited hatred against lesbians and gay men', as well as 'grotesquely distorting the work of lesbian/gay lobbying groups'. This development arrived at a time when Stonewall was considering a number of tactical avenues for future political action; '*Gathering Strength and Gaining Power - how lesbians and gay men began to change their fortunes in Britain in the Nineties* (Appendix A, Item 21). The article suggested a number of key reasons for change and the changing atmosphere ready for improving opportunities for reform. Here, it included the upcoming general election and the growing disquiet concerning sexual offences law within the UK. It argued that the government had to re-consider its stance after 10 years of official reports calling for fundamental reform. One issue which was made particularly clear was the Equal Age of Consent vote for 16. Lobbying was considered key to securing success. Direct action would only lead to tension. Yet, the article attempted to reconcile differences between the repertoires of the different organisations. Lobbying and direct action could co-exist and combined efforts were seen as a paramount to defeating a right-wing Conservative government.

It was in October, 1991 that OutRage! began to organise around gay equality and extensive law reform. This culminated with a mass demonstration at the time of the General Election in 1992. The campaign sought to undermine the moral legitimacy of oppression and challenge the states authoritarian violence and repressive attitude to equality (Lucas, 1998, p.101). By exposing the homophobic nature of the state and church, it was possible to evoke wider public concern. The 'Equality Now' campaign emerged as a direct result: a symbol of the proactive assertion of civil rights, it staged a number of collective actions against different aspects of persecution across February – April, 1992 (Appendix A, Item 22). One particular action concerned lesbians and gay men being allowed to serve within the military,

"GAYS PROTEST MILITARY HOMOPHOBIA - WREATH TO BE LAID AT MINISTRY OF DEFENCE TO COMMEMORATE LESBIAN AND GAY VICTIMS OF MILITARY WITCH-HUNTS". (Appendix A, Item 23)

This action involved handing a letter to Secretary of State for Defence, Tom King. OutRage! argued that there were a number of undesirable effects because of the military ban. The ban encouraged abuse and maltreatment and reinforced social prejudices. Not only did it ignore the policies of other NATO countries but it contradicted common sense and human rights. The ban also discouraged effective HIV education, prevention and treatment within the armed forces. This was particularly dangerous.

The Equality Now campaign was considered the most successful of all of OutRage!'s projects. Spanning a number of months and involving thousands of men and women, it raised hundreds of issues in front of the national media (Lucas, 1998, p.119). Stonewall's own letter-writing and media campaign echoed this success. The road to reform was certain (Appendix A, Item 24).

However, normative challenges persisted. In the same month as the Equality Now campaign, the Congregation for the Doctrine of Faith, the Vatican's doctrinal watchdog, issued a document which referred to homosexuality as an 'objective disorder' and claimed that,

> "There are areas in which it is not unjust discrimination to take sexual orientation into account - for example, in the placement of children for adoption or foster care, in employment of teachers or athletic coaches and in military recruitment". (The Guardian cited in Lucas, 1998, p.134)

OutRage! reacted: questioning the legitimacy of the Vatican's documents in a letter to Cardinal Basil Hume. The pronouncements of the Vatican gave theological legitimacy to homophobic prejudice and *actively* encouraged the victimisation of

lesbians and gay men in order to maintain a set of ancient normative prescriptions (Lucas, 1998, p.134). The Cardinal did not reply to OutRage! and an action at the Vatican Embassy was organised in response

> "It got enormous coverage in the press, and was almost treated as a 'diplomatic incident' although the case was never taken further, possibly because before fleeing to the kitchen the Papal Nuncio, Archbishop Luigi Barbarito, had forcefully knocked Peter to the floor. Photographs in the press that week showed placards saying 'Stop Crucifying Queers', 'Vatican Prejudice Stirs Anti-Gay Hate', and 'Stop Papal Bull!'" (Lucas, 1998, p.135)

A similar zap, a month later, at Westminster Cathedral, received even more media attention. During a sermon, OutRage! activist Peter Tatchell took to the Pulpit (Appendix A, Item 30) and began reading out an alternative sermon. As the protestors left via the Cathedral nave, they were confronted by a young male worshipper who threw a punch at Peter Tatchell.

> "As this intervention at Westminster Cathedral demonstrated, OutRage! consciously intrudes into places where queers are not wanted to raise awkward issues that the political, religious and cultural establishment would rather ignore. We pride ourselves in subverting the status quo and interrupting business-as-usual. It is precisely this unwillingness to conform to the rules of traditional political discourse that distinguishes our direct action politics from mainstream lobbyists. Making trouble, defying convention, undermining normality, and questioning authority: these are the hallmarks of our activism." (Tatchell, 1999a)

The actions were to become ever more controversial. On Sunday, April 9th 1993, OutRage! resurrected an eight-foot-high crucifix in front of Westminster Cathedral. They crucified men and women as a symbol and in protest to Cardinal Hume's religious homophobia (Lucas, 1998, p.136-7). This high-profile media event was to feature on *The V word*, a Channel 4 programme. Indeed, it was this particular action which can be almost considered a trademark of OutRage!'s radical 'style':

"Creative, witty and entertaining, the OutRage! style of political campaigning is an innovative fusion of art with activism. Much more extravagant and imaginative than the run of-the-mill protest march, it involves 'the staging' of 'political spectacles', using sets, graphics and props. The aim is to promote thought-provoking ideas through the projection of powerful, arresting imagery". (Tatchell, 1997c)

The Age of Consent 16 Vote was approaching. Stonewall had organised an Equality Week to coincide with the formal opening of Parliament. From the 18th - 24th October, 1993 Stonewall focused on setting the agenda for the next Parliamentary session; organising debates at Oxford, Cambridge and the London School of Economics and lobbying furiously. The week ended with a grand variety 'Equality Show' at the London Palladium with a number of guest stars (Appendix A, Item 25). By this time, Stonewall had recognised the significance of challenging Age of Consent laws through the European Courts. Preparation was well underway to take the British government to European Court by the time that Edwina Currie recommended the amendments to the Criminal Justice Bill in 1994 (Lucas, 1998, p.171). Nevertheless, the vote was marked by an increase in pressure on lobbying tactics and a vigil was organised outside the Houses of Parliament for the debate which took place on 21st, February, 1994.

For a short time, Stonewall and OutRage! shared in organising mass protests to coincide with the vote. Some 5000 supporters gathered in Parliament Square for the result of the vote. Stonewall CEO Angela Mason announced that the Age of Consent Vote has been set at 18 and not 16. Stonewall were exuberant and considered the vote a success. OutRage! were dismissive (Lucas, 1998, p.171). The vote was considered a failure by OutRage! and 2000 individuals protested to that point on 14th March, 1994. The vote had, for OutRage!, brought into sharp contrast the 'sexual apartheid' that existed within 20th Century Britain.

"British law is a system of sexual apartheid. Lesbians and gay men are subject to separate and unequal treatment. This discrimination is premised on the doctrine of

straight supremacism: the idea that heterosexuals are superior to homosexuals". (Tatchell, 1994a)

In light of the vote, it was argued that there was a systematic denial of human rights, rights which OutRage! argued heterosexuals took for granted.

"In Britain, if we want to end the system of sexual apartheid, our whole community will have to pull together to overturn the homophobia of parliament, police, press and pulpit... By harassing, frustrating and embarrassing anti-gay institutions, we can help make homophobic discrimination unenforceable". (Tatchell, 1994)

Its actions continued to increase; it targeted Labour MPs and Labour Party Executive Meetings, for their failures in securing equality. It also zapped John Major's cavalcade as it opened King's College Hospital, and also prepared to distance itself from the lobbying tactics of Stonewall. It has been argued that the Age of Consent 16 campaigns highlighted the fundamental differences that existed between the tactics and aims of the groups. Not only did friction increase between the two groups post-16 vote, but personal rivalries also emerged between two prominent activists (one on either side), Peter Tatchell and Angela Mason. A media-war broke out between the two. Mason exercised her personal displeasure at OutRage!'s political actions at Labour Party Meetings, and OutRage! settled that Stonewall represented the worst feature of the wider community and a decline in activism (Lucas, 1998, p.171-74).

"…What we object to is the way Stonewall denigrates everyone else. Its leaders dismiss direct action as "the ghetto of purely protest politics" and as "hysterical, huckstering and shocking". They claim all the credit for every change in the law, without ever acknowledging the contribution of other lesbian and gay organisations... They condemn activists like Peter Tatchell in the straight press". (Appendix A, Item 26)

These tensions continued. In the article 'Up Against the Stonewall', Peter Tatchell publically denounced Stonewall and lobbying tactics and considered the impact of its

politics 'limited'. He argued that Stonewall mirrored the elitism of the Parliamentary system and was compromised because of its self-imposed restrains. Stonewall was crippled by its dependency on Labour MPs (Appendix A, Item 27). These tensions did not subside. As the Age of Consent vote 18 passed, OutRage! prepared themselves for even more radical tactics. The chasm between the two groups was only set to deepen as OutRage! set forth a policy for 'outing' which would provoke significant attention with the church and wider 20th Century British politics.

Summary

Late 20th Century British sexual morality was besieged by the public politics of Stonewall and OutRage! The immense work of Stonewall – in terms of political canvassing, literature and policy initiatives – must be acknowledged as a critical attempt to question the authority of the Moral Right and their value systems. Not only did Stonewall critically assess Christian sexual morality, as enforced by the Church of England, and call for 'modern morals' (Appendix A, Item 3d), but they also recognised the extent to which oppressive norms, values and beliefs had permeated both British statute and the Metropolitan police. It was by way of this agency that conformity to sexual morality was enforced and this inevitably gave way to hegemonic experiences. Law enforcement was continuing to convict on the basis of public indecency and, in doing so, this practice could be considered a reflection of the ideological neuroses encircling homosexual practices at the time.

What is discouraging is that these fixations were a permanent fixture in an agency whose morality should have been concerned with the protection of those very targets who were vulnerable and subject to violence. The coordinated LGPI action is good example of Stonewall's attempt to subvert these phobias. Stonewall recognised that there was theological basis to these incidents. Not only did Stonewall argue that the

traditional family unit is still considered a motivating factor of the sexual codes of the Right, but it argues that is because of religion's strict moral code – one which sparks issues with any rights which transgress ecclesiastical pedagogy. It is hardly surprising, then, that the legislative and moral dilemmas faced in 20th Century Britain also shaped the political actions that arose. In an attempt to outmanoeuvre these ideological fixations, Stonewall sequestered political and non-political targets in an attempt to diffuse or reduce the authority of these normative judgments (Appendix A, Item 7d). In line with a public politics, Stonewall commissioned research into the myth that the family is the font of all that which is good – sources of information which were to be used publically, through the media, to challenge MPs and Political Parties to the activities and the ideological schemas of the Moral Right.

The 'to-and fro' between power and resistance becomes ever more lucid with an exploration of the movement OutRage! Quite directly, this group of individuals challenge that juxtaposed normative framework of naturalness. At the most immediate level and as a direct response to hegemonic experiences, OutRage! responded by bringing the oppressive practices of law enforcement and the demonisation of homosexuality through clerical pronouncements to light. Yet, it can be said that OutRage! moved beyond these experiences and presented both a challenge to Right Reason and the wider mechanism of naturalness through its highly visible direct action. OutRage! quite emphatically linked Christian teaching to the legitimisation of anti-gay prejudice, pedagogy which they argued provided a theological basis for discrimination by government and murder and violence by queerbashing gangs. This was in tandem to persistent calls for the rejection of remedial treatments for homosexuality (Tatchell, 1997a). Members of OutRage! had long recognised the links between non-procreative sex and the use of aversion therapy in cases of sexual perversion (Tatchell, 1972). These links, it was argued, encircled normative beliefs that stipulated homosexuality as variously abnormal, unnatural, neurotic and a form of criminal behaviour. A number of harrowing tales provide plenty of examples of the hegemonic experiences by way of electro-shock

treatment; chemical injections and psychological abuse – all considered part of psychiatric care. It is hardly surprisingly, then, that OutRage! mounted a number of legal battles for those who felt forced into removing what some patients called the 'demon' of homosexuality. Not only were a number of these individuals encouraged into psychiatric hospitals for fear of arrest, but it becomes apparent that familial and societal pressures rendered it necessary to seek out a normal life (Tatchell, 1997a).

OutRage! and its members, then, publically challenged a number of these spurious normative devices – moving beyond their immediate experiences – and conceptualising the coordinated normative regulation of sexual morality. Yet, it was to be one action in particular – 'outing' – which would render this naturalness juxtaposition most explicit. It would be this political action that critiqued the very boundaries on which increasing forms of homosexual subjugation were based – private vs. public sexuality. What soon becomes apparent, through a continuing history of activism, is that these boundaries were shaped by normative ideals – i.e. naturalness – but ideals which left a dichotomy based upon a dialectical contradiction. What 'outing' provides, then, is the access to consider not only how the public vs. private dichotomy was shaped but also how it was exposed as a contradiction through a process of public politics.

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[1] It has been argued that the term 'gay' is an expression of 'self-definition'; the term was coined in the 1970s as a means to 'differentiate' itself from the pejorative term 'homosexual' (Weeks, 1989, p.285).
[2] For an example of women's submissive in clerical roles see Timothy (2: 9-15), 'Let a woman learn quietly with all submissiveness. I do not permit a woman to teach or to exercise authority over a man; rather, she is to remain quiet. For Adam was formed first, then Eve; and Adam was not deceived, but the woman was deceived and became the transgressor'.

Chapter Seven

'Outing' and Critical Realism: the role of contradiction in social movement activism

Introduction

The theological arguments of Right Reason have shaped the norms, values and beliefs of individuals and collectivities as to what is natural and unnatural in terms of sexual activity. This normative framework – 'Naturalness' – has been maintained by groups of powerful individuals whose shared beliefs have given rise to the regulation of sexual non-conformities. In the previous chapter, these regulatory mechanisms were explored within 20th Century British jurisprudence and corrective forms of psychological behaviour. It was argued that unnatural same-sex activity was considered to pose a danger to heterosexual youth who were considered malleable and easily led astray. Parliamentary debates provided evidence that there were fears over homosexual spread in mid-20th Century Britain. Homosexuality was conceptualised as a form of illicit desire, not only fruitless in a post-war society, but a form of aberrant movement – it deviated from the norm set forth in the dominant normative framework of naturalness. To deviate was to go astray, and so British law regulated homosexuality on the basis of the need to protect children.

This framework and its emergent controls did not go unchallenged. A number of different groups of individuals, from early 20th Century sexologists to mid-late 20th Century (liberation) movement activists, have been poised to critically assess the normative foundations of their oppression. Most interestingly, in each case the teachings of the Judeo-Christian tradition have been a focus of their energies. For example, in the Weimar Republic, it was recognised that procreative reasoning lay at

the foundation of sexual regulation. Approximately 100 years later and activist group OutRage! and its members were still saying the same thing (Tatchell, 1999). In the previous chapter, then, it was argued that 20th Century resistance remains a key source in understanding different attempts to break-down moral and scientific precepts. Towards the end of the 20th Century, after a number of episodes of physical violence, national censure and medical malfeasance, movement activism contested the frameworks on which these forms of control were built. Protests, vigils, zaps and lobbying were to become the actions which emerged from sets of beliefs about change. Not each group agreed on how to challenge the normative beliefs set forth in jurisprudence, but each group did agree on the culpability of the government for enforcing the values of the Moral Right. Nevertheless, an irrevocable rift between two activist groups – Stonewall and OutRage! – materialised as a result of the disappointment and frustration felt with the Age of Consent 16 vote in 1994. Their political philosophies already quite diverse, tensions between Stonewall and OutRage! grew far more tangible after the vote was defeated and 18 became the lawful age of homosexual relations. There was a shared anger at the defeat, most palpable amongst the members of OutRage! and it was this event which can be considered responsible for the emergence of a controversial and divisive form of political action known as 'outing' (Tatchell, 1995).

The 'outing' of an individual's private sexual orientation into public 'space' has been considered both positively, in terms of necessity and success, but also negatively, in terms of its invasive and often coercive nature. This chapter explores these arguments and considers how 'outing' has challenged the naturalness framework still present in 20th Century Britain. It considers *how* this form of activism emerged and *what* it began to contest most directly. It does this with an emergent critical realist model in mind, a model which is always attentive to historical sociology.

This chapter argues that critical realism can provide the 'epistemic access' (Boyd 1993, p.511) required to understand the emergent causal powers (Elder-Vass, 2010)

of such activism. In doing this, the chapter argues that 'outing' seems to reference a contradiction in 'social space' (Bourdieu, 1989) which is of political and theoretical interest. It is argued that 'outing', exposes a contradiction between a person's private sexuality and their homophobic public utterances - a contradiction therefore obtaining between public and private space. Empirical examples of 'outing' as a form of direct action and the space of political possibility which thus emerged are then considered. Yet, how is this contradiction understood?

> "Dialectical movement is the coexistence of two contradictory sides, their conflict, and their fusion into a new category". (Marx, 1888)

Using archival examples, the chapter argues that 'outing' rather than evincing a logical contradiction, demonstrates, instead a dialectical contradiction at the level of social behaviour. This dialectical contradiction possesses the following features: i) oppositional tendencies (i.e. gay sexuality in private versus public homophobia), the contradictions of which are then *intensified* by social movement activism via ii) a process of public exposure. However, contra the tenets of 'classical' Marxism (e.g. (Tse-tung, 1967), this contradiction is not resolved via this process of intensification, i.e. through revolution[1] but, rather 'opens up' a space of possibility for future political action.

It becomes apparent that 'outing', then, is *futural*, for it opens up an emergent space. Yet, it is also simultaneously *historical* in that its antecedent causes are to be found in the past. This is especially the case if we consider a generative mechanism, like naturalness. In realist language, 'outing' is considered to reference both a synchronic dimension – its occurrence in the form of direct action, in the 'here and now' – but it also references a diachronic dimension in that such events were caused by generative mechanisms acting through time. It is within these synchronic and diachronic dimensions that the dichotomy of public and private sexuality 'looms large' and 'outing' can offer an account of the causal features of reality.

In keeping with a perspective of engagement, this chapter attempts to make critical realism relevant to political action. It does so by elucidating what generative mechanisms may be within history; it is a conceptual device in which we can consider the multiple determinations of causal powers in the regulation of sexual non-conformities. Naturalness is a funnel for exploring history, and offers the opportunity to consider how a particularly pervasive view on sexual behaviour has been institutionalised by groups of powerful people.

A Brief History

The Age of Consent 16 vote on 21st February, 1994 has been considered a watershed moment for the development in radical politics within British society. At the vote, the House of Commons argued to maintain a disproportionate age between heterosexual and homosexual activities. They did so because of the view echoed by MP Michael Howard at the time; that extra time afforded by the criminal law would assist young men in securing the *right* (heterosexual) path (McGhee, 2001, p.143). Fears over the spread of homosexuality were passed into law under the Criminal Justice and Public Order Act of 1994 and it became, at once, a point for tension between activist groups Stonewall and OutRage! In criticism of lobbying, OutRage! argued that a new, more radical politics was required; a politics which held those responsible for oppression accountable. In time, 'outing' became the form of direct action which would only serve to further differentiate the aforementioned groups and divide the national media and the entire country.

But what is 'outing'? To offer a definition requires a brief look at its wider history. For instance, the tactic used by OutRage! against the clergy in Britain is different to the tactic used by American 'Queer Nationals' during the 1980s or even the early reform movement in the Weimar Republic (Percy 1994, 1, p.24-35). In the U.S.,

groups such as 'ACT UP' had become notorious for their tactics which involved 'outing' any public official or celebrity whose sexuality was 'hidden away' ('closeted'). It was believed by 'ACT UP' that where closeted celebrities begrudged the freedom from the burden of hypocrisy which the open members have gained, outing demanded public attention to focus on their secretive conduct (Percy 1994, 1, p.24-35). 'ACT UP' threatened to publicise the names of 35 members of Congress believed to be in hiding. It was argued that by revealing their sexuality, pressure would be placed on the political establishment to act in accordance with protecting their citizens (Percy 1994, 6, p.34). Two other entities, 'Queer Nation' and the publication 'Outweek', were also founded in close succession to 'ACT UP'. In a similar vein, these two entities articulated strong arguments for 'outing' those in positions of power and influence, including celebrities, politicians and judges. For example, the editorial contributors to 'Outweek' often exclaimed that 'sexuality should be public knowledge' (Lucas, 1998, p.63), and so had no issue in regularly 'outing' major figures in its press releases. It too, like the activities of 'ACT UP' have been condemned internationally, the International Lesbian and Gay Association (ILGA) once commenting that these organisations were infringing on the Human Rights of public officials and in particular their right to have a private life (Lucas, 1998, p.63-66), In its most notorious article, 'Outweek', revealed the sexuality of a prolific publisher. In an article titled, 'The Secret Gay Life of Malcolm Forbes', March 18th 1990, co-founding editor Michelangelo Signorile, used the revelations about Forbes' life to 'launch a new and startling editorial policy' (Percy 1994, 6, p.14). In the article, Signorile stated its goals,

> "So we say this to the youth of our tribe. There are idols you aren't allowed to dream of. There are thousands of invisible paragons you aren't allowed to know...They are ours and, like them, Malcolm Forbes was ours, And in your names and for your futures we claim them all". (Outweek, 1990 cited in Percy 1994, 6, p.15)

To 'out the dead' was a particular form of politics popularised by 'Queer Nationals' and 'Outweek' alike. For these organisations, there existed a number of options when

it came to the *who*, *when* and *why* in the politics of 'outing'. There were i) *hypocrites* – who were considered an obvious target who brought it upon themselves; ii) *powerful people* – whose revelations were considered key in furthering the political cause; iii) *the dead* – where harm was considered minimal and impact was measured as considerable (Percy, 1994, 7, p.6-7). These positions had a number of ambiguities associated within them, and whilst 'Queer Nationals' adopted all these tactics during their campaigning, it was 'outing' *hypocrites* which 'proved most favourable',

> "The final innovation, which began only in the 1980s, saw queer nationalists outing closet cases who, by refusing to 'come out' of their own volition and even professing indifference or hostility to the movement, are hypocritically perpetuating an intolerance from which we who are visible suffer continuously". (Percy, 1994, 1, p.29)

It was this particular form of 'outing' which OutRage! implemented in 1994. After a brief skirmish with its ideas in 1990 (see chapter five), the threat to 'out' a number of dignitaries had provoked such a media reaction that OutRage! knew the potential impact of such radical politics. The very first example of 'outing' in Britain did precisely this. As discussed previously, the Age of Consent vote on 21st February, 1994 rejected calls to equalise the Age of Consent for sexual activities between men in line with the policy for heterosexual behaviour (age of 16). It was this rejection that triggered a reaction from OutRage! activists and the call for a more radical politics.

> "The idea that lobbying tactics should have primacy in the struggle for our liberation...is misguided... it is not particularly effective when it comes to changing public attitudes and cultural values...some forms of homophobia are not susceptible to lobbying". (Tatchell, 1994b)

Stonewall had denigrated the direct action efforts of OutRage! on a number of different occasions, once referring to them as a form of ghetto protest politics.

Inevitably, with Stonewall's call at the vote a 'success for lobbying' (Tatchell, 1994b), and the news that twelve of the MPs who voted against the age of 16 were themselves hidden gay men, OutRage! were incensed. These actions constituted a clear act of betrayal in the eyes of OutRage! and can be considered key to the decision to put outing back on the agenda (Lucas, 1998, p.190).

From this point forward, it was considered OutRage!'s aim,

> "... [to] expose, ridicule, embarrass and unnerve homophobes in ways that make them think twice before again openly voicing their prejudices". (Tatchell, 1994b)

OutRage! debated over several months until the autumn of 1994 for a policy on 'outing'. It was considered the intention of the group to 'out' those individuals who were in positions of power and influence, those people who were '*hypocrites*', that is, those who were 'gay in private but anti-gay in public' (Lucas, 1998, p.190). The anger was palpable throughout,

> "Whatever pain they suffer [by outing] is insignificant by comparison to the pain they are causing thousands". (Appendix B, Item 1)

The Church of England had long been established as a target of oppression. OutRage! had zapped a number of Anglican establishments prior to any concerns about 'outing' - the most notorious being the Enthronement of Dr. George Carey as the 103rd Archbishop of Canterbury on April 19th, 1991. There was also the 'confrontation' of Revered Lister, over 'homophobic remarks printed in his Parish in Stepney Green', and the staged 'exorcism at Lambeth Palace' in response to comments by the Archbishop condemning same-sex genital acts (Lucas, 1998, p.75). At the height of the Age of Consent 16 debate, Cardinal Hume had declared that 'homosexual genital acts, even between consenting adults, are morally wrong' (Tatchell, 1994c). In response on 29th May, 1994 OutRage! zapped Westminster Cathedral. This was shortly followed by another action against the newly appointed

Bishop of Durham, Michael Turnbull, who had commented saying that 'homosexuality was incompatible with a minister's lifestyle' (Lucas, 1998, p.188). Peter Tatchell, a prominent member of the group, was seen shouting 'Turnbull's a hypocrite – sack the bishop' (Appendix B, Item 2). The *News of the World* had disclosed four weeks previous to his enthronement at Durham Cathedral that Michael Turnbull had been convicted (twenty-six years previously) for an act of gross indecency in a public lavatory whilst he was the chaplain to the Archbishop of York (The Independent, 1994). It was also made apparent that the Archbishops of Canterbury and York, and a number of other high profile clergymen, knew of his conviction. Such revelations lead to charges of hypocrisy by OutRage! activists who were,

> "...infuriated by Turnbull's condemnation of gay clergy... [and] the Church's double-standards in protecting and promoting deceitful gay Bishops while dismissing parish priests in honest and committed gay relationships". (Tatchell, 1995b)

The 'outing' of Bishop Turnbull has been considered a point of departure for OutRage! Recognising that the Church of England was vulnerable and that 'vulnerable institutions are the most amenable to change'; it was decided 'to name [disclose the sexuality of] all the closeted gay Bishops', especially those who were 'endorsing the Church's condemnation of homosexual acts' (Tatchell, 1995b). On the 30th November, at Church House – the Church of England General Synod – as delegates arrived, OutRage! publically 'outed' the gay sexuality of ten Anglican bishops (Appendix B, Item 20). They were met with placards, each bearing the name of a Bishop and each being urged to 'Tell the Truth' (The Independent, 1995a).

> "The aim was to force a crisis within the Church, which would compel it to reconsider its homophobic policies". (Tatchell, 1997b)

This form of direct action sparked nation-wide media controversy and led to a number of key debates on homosexuality both with the Church of England and also

wider British society. For these reasons, 'outing', as a tactical repertoire of activism (Tilly, 1978), has been both praised and denigrated – either for its *transformative* force or its *reactionary* potential, respectively. The actual media backlash, which emerged, is a good example of the latter. The mainstream news and press condemned the 'outing' as a form of 'coercive blackmail' – (e.g. the *Daily Express*) (Appendix B, Item 3). More liberal news media, alternatively, were enthusiastic, reflecting on the benefits of 'outing', at least in contrast to typical lobbying efforts.

> "OutRage!'s outing of Anglican bishops has undoubtedly succeeded in forcing the Church of England to make some placatory overtures". (Appendix B, Item 5)

What emerged was a number of ethical debates encircling the use of 'outing' as a form of politics. For instance, Anya Palmer, a member of Stonewall, argued in the *Guardian* newspaper that 'outing' was a tactic which split opinion (Appendix B, Item 6). She discusses how 'outing' is considered a form of blackmail and revenge and questions the extent to which it can ever be considered an acceptable tactic. Also in *The Times*, under 'Letters', there is a section devoted to OutRage!'s 'challenge' to the Church. Here, Angela Mason, CEO of Stonewall, comments that 'outing' can be considered 'most dangerous' for it often invites a backlash against the privacy of all individual. This view was also echoed by two Church of England clergymen – but it must be contrasted, however, against the argument that,

> "Unfortunately legislation does not change public attitudes and this is where the brave efforts of Mr Peter Tatchell start to become effective". (Appendix A, Item 28)

It has been argued that the action of 'outing' had not only brought into question the Church's ecclesiastical stance on homosexuality, but it had also publically elucidated the Church's hypocrisy in when taking to task gay clergy (Lucas, 1998, p.188). It was believed that the Church of England discriminated against homosexuality in disclaiming gay clergy. This doctrinal sanction had now been exposed as a faux pas,

and would have been particularly difficult to maintain in the future given that a number of its most senior clergymen had been exposed (Tatchell, 1995b).

Towards the end of 1994, the ethical concerns with the use of 'outing' went critical. Bishop David Hope had 'outed' himself during a press conference, which he called to condemn the 'intimidatory' and 'profoundly disturbing' tactics of OutRage! In admitting that his sexuality was a 'grey area', but that he had been subject to 'private intrusion' and 'unspecified threats', Hope declared that OutRage! had pressed him into declaring his homosexuality (Appendix B, Item 4). This reprimand was considered a source to focus negative energy on the work of OutRage!, and in particular Peter Tatchell. Hope denounced a letter from Tatchell urging him to stop the intrusive tactics he used to pressure the Bishop into publically declaring his sexuality (Lucas, 1998, p.188). Tatchell became the focus of some aggressive and unkind attention (Appendix B, Item 3).

Tatchell denounced the press conference as an example of Anglican Church tactics,

"The Anglican church has decided that attack is the best form of defence, never mind the truth. The accusations of threats and intimidation ... are a clever diversionary tactic to deflect criticism from the hypocrisy and homophobia of the Church of England". (Appendix B, Item 7)

This 'to-and-fro' between Tatchell and the wider doctrine of the Church of England continues for some time. Yet, what is clear is that 'outing' was a catalyst: it brought the discrimination present in Christianity to light in the public domain.

"If the church were not homophobic, our campaign would not be necessary". (Appendix B, Item 2)

In appealing to the hypocritical and even contradictory actions of individual's, Tatchell mounts a defence for 'outing',

"Who is really acting immorally? Those who are truthful about homosexuality, hypocrisy and homophobia in the church? Or those protecting closeted gay bishops who support homophobic policies that damage the lives of lesbian and gay people?" (The Independent, 1995b)

This begs the question of whether moral principles can really lie behind a façade of discriminatory action. Nevertheless, it has been argued that the politics of 'outing' stimulated serious public debate about sexuality. The Secretary of the Lesbian and Gay Christian Movement (LGCM), at the time, Richard Kirker, commented on the success of the 'outing' campaign and recognised its significance against their own lobbying efforts. Whilst noting the controversial nature of the tactics, Kirker argued that the Church of England was forced to start taking far more interest in lesbian and gay politics (Appendix B, Item 8). This was to be a point echoed in the open dialogue with Bishops that was present after the immediate 'outing' in November, 1994. This in itself was considered a milestone and was set as an example of change.

"Six months ago, the Anglican Church's leadership was refusing to discuss homosexual issues …our plan worked like a dream… our campaign has inspired some parish priests to come out. It has generated valuable discussions on homosexual issues in many congregations". (Appendix B, Item 9)

It was believed that by provoking a crisis in the Church of England, 'outing' confronted some of the most fundamental principles of the Moral Right and the Church of England. It brought into disrepute the belief that homosexuality was a sin, as it challenged the Church of England to publically denounce its contradictions and hypocrisies. Yet, as the previous chapter suggests, 'bigotry runs deep' (Tatchell, 1997d), and OutRage! remained concerned with motivating change in British jurisprudence. Given the successes of the previous campaign, OutRage! moved on to out a number of MPs who had voted against the equalisation of the Age of Consent 16 vote. These MPs were known as the 'dirty dozen' were considered an example of the corroded integrity of public life and diminished respect for Parliament (Lucas,

1998, p.198-199). Even though a letter was sent to some twenty MPs, requesting they disclose their sexuality publically, none of them did, and the original letter never became a news story (Lucas, 1998, p.198). However, an unfortunate turn of events would see this set to change as the names OutRage! and Peter Tatchell were to become synonymous with the death of an MP.

Following the publicity over the Bishop's dialogue with OutRage!, an interview for BBC TV's Westminster On-Line allowed Tatchell to promote the letter sent to the MPs. *The Belfast Telegraph* seized on this outing letter and argued that they had information to suggest that MP Sir James Kilfedder, an Ulster Popular Unionist, was one of those people on the list (Lucas, 1998, p.200). Kilfedder had previously voted to maintain the Age of Consent at 21 and not lower it to 18 (The Independent, 1994a). The Belfast Telegraph published the headline 'Hardline Gay Group Targets Ulster MP' on Monday March 20th, 1995 – the same day Kilfedder died from a heart attack (Lucas, 1998, p.200). The following morning, the Daily Mirror's front-age article carried the headline 'Gay Slur Riddle of Sudden Death MP'. The Mirror too and a number of other papers began to speculate that OutRage!'s alleged threat caused Kilfedder's death. The media reaction to the speculation was immense: 'outing' had caused, in some way, Kilfedder to have a heart-attack. Targeted as 'terrorists', 'blackmailers', and 'fascists', OutRage! were 'under siege' (Lucas, 1998, p.200). Peter Tatchell, in particular, was called: a 'Homosexual terrorist' - *Daily Mail* 14th March, 1995; 'Public enemy number one' - *Sunday Times* 19th, March 1995; 'Prize pervert' - *Daily Express*, 23rd, March 1995; 'Fascist' - *Daily Telegraph*, 15th, March 1995; 'Pure poison' - *Evening Standard*, 14th March, 1995 and 'An enemy of the people' - *Daily Express*, 23rd March 1995 (Tatchell, 1999b). Tatchell's personal safety was soon at risk as the issues spiralled out of control (Appendix B, Item 10). For a small group of activists, such a sustained and fierce media attack was becoming too much to bear (Lucas, 1998, p.199-202).

Towards the end of 1995, and after the Kilfedder incident, the controversial actions were effectively dropped for more low-key efforts. However, it cannot be denied that, in contesting various forms of discrimination, 'outing' was one 'repertoire of contention' (Tilly, 1978) which had caused quite a stir. Nevertheless, towards the anniversary of the Age of Consent 16 vote in 1995, the vote which had sparked it all off, OutRage! opted for a less radical vigil - the spectre of the Kilfedder death still forever looming (Lucas, 1998, p.202).

'Outing' and Critical Realism

The motivation for change is an apparent response to the norms, values and beliefs – the generative mechanism – of a causal power. This causal power or normative social institution (Elder-Vass, 2010, p.122-123) is identified here as the Church of England and it stipulates a generative mechanism in the form of the normative framework of naturalness. Keeping a perspective of engagement in mind, critical realism provides the 'epistemic access' (Boyd, 1993, p.511) to understand the emergent causal powers in OutRage!'s activism. To this extent, 'outing' provides an account of some of the causal features of reality, for it references a contradiction that exists in 'social space' (Bourdieu, 1989). 'Outing' has been defined as the 'forced exposure of a person's sexuality into the public domain, where that sexuality diverges from the norm' (Reynolds 1999, p.267) and occurs within the context of a space in which that person's previous utterances have been explicitly discriminatory. 'Outing' thus exposes a contradiction between a person's private sexuality and their homophobic public utterances - a contradiction obtaining between public and private 'space'. The realist framework set forth in the previous chapters offers a means to understand such a contradiction. First, it is necessary to say that this is not a logical contradiction in the Aristotelian sense, in the narrative above, public and private space are not understood in terms of cancelling each other out. Neither can they be thought of as

separate entities or acting at different times. Rather, the picture being presented here sees a *dialectical* interaction between public and private space.

> "Thought splits into contradictory sides and the struggle between them is dialectical movement". (Marx, 1888)

Instead of evincing a logical contradiction, the space between the public and private is shaped and defined into a *dialectical contradiction*. In contrast to formal logic, which often assumes a fixed point in time (cf. Karl Popper cited in Thornton, 2011), Karl Marx, and sociology for that matter, must consider a world in motion. When considering this moving world contradictions are best understood as in a constant state of development. Thus they involve qualitative factors which cannot be reduced to a simple either/or statement in the form of a logical contradiction. The potential, then, of a critical realist framework is to consider how the public/private dichotomy shaped the boundaries of space and, in doing so, gave rise to a dialectical contradiction - a contradiction from which particular political actions have emerged. As the historical narrative above makes clear, there are two key features of this dialectical contradiction: i) oppositional tendencies (i.e. gay sexuality in private vs. public discrimination) which are then *intensified* by ii) a process of *public exposure*.

As envisioned by Marx and Engels, all things within themselves contain internal dialectical contradictions. These are understood as the primary cause of motion, change, and development in society.

> "Marxist philosophy holds that the law of the unity of opposites is the fundamental law of the universe. This law operates universally, whether in the natural world, in human society, or in man's thinking. Between the opposites in a contradiction there is at once unity and struggle, and it is this that impels things to move and change". (Tse-tung, 1957)

The dialectical contradiction, then, is concrete; it is a feature of concrete and determinate things. It takes the form of a conjunction of incompatible aspects. Where in formal logic, the outcome, the resolution, would dissolve itself, the resolution of concrete contradictions are not simply these indeterminacies. Rather, the outcome of a concrete contradiction, as the one poised between the public/private dichotomy, the outcome of these 'clashing of opposites', is a result, 'something determinate, a *new thing'* (Sayers, 1976; emphasis added). In dissecting the dialectical contradiction with reference to 'outing' the oppositional tendencies become tangible.

In many respects, the phrase 'The love that dare not speak its name' coined by Lord Alfred Douglas in the poem 'Two Loves' and classically exclaimed by Oscar Wilde in his 'gross indecency' trial, brings the aforementioned oppositional tendencies to the foreground. It is the case that same-sex sexuality has had to exist in private for fear of retribution, divine or otherwise. The generative mechanism – naturalness – is a pervasive set of norms, values and beliefs at the centre of the Western Christian tradition since the time of Plato, and later Philo and St Paul. It is the argument best surmised as *contra naturam* as seen in Romans 1 and its central tenet is the belief in the divinely inspired 'Natural [sexual] Order' or Right Reason. This generative mechanism has been maintained by a history of constituent entities or norm circles; members of the ecclesiastical court who have proclaimed their normative beliefs, enshrining them into law and into the common consciousness of Western civilisation. The generative mechanism – naturalness – and the procreative reasoning it espouses, has not only pervaded Western jurisprudence but also the medicalisation of procreative sexuality. It is from here that the naturalness of heterosexuality has emerged and what was once only considered a sin in the form of sodomy also became a manifestation of an unnatural and abnormal psychological condition. This position was maintained by the Anglican Church during the Wolfenden Report in the form of the 'The Church of England Moral Welfare Council' (Bailey, 1956) and is a position which is, arguably, still maintained to this day (BBC News, 2010).

The argument, then, is that the generative mechanism – naturalness – has remained in consciousness ever since its 2nd Century inception. Its norms, values and beliefs, which were incumbent in the Patristic writings, remained in the hands of those Parliamentarians at the Age of Consent 16 vote in the Commons and the Lords in the 1990s. These deep-seated beliefs have played an important and on-going role in shaping the boundaries necessary for the 'clashing' of public and private sexuality. The public vs. private dichotomy, in regards to sexuality, rests on the construction of the normative framework set forth by religious pedagogy. Christian morality has provided divine justification for sectarian beliefs which have diffused into the *public* consciousness, and are also present in the psychological treatment of *private* sexual life. It has been argued that this is the backdrop on which a hidden sexuality has been drawn up – what has been referred to as the 'closet' (Weeks, 1989, 1990, 1995). Peter Tatchell has reasoned something quite similar,

> "Over the last 2,000 years, church-inspired homophobia has led to hundreds of millions of queers world wide being rejected by their families, driven to depression and suicide, discriminated against by anti-gay laws, and condemned to death for sodomy". (Tatchell, 2000)

In terms of the public discrimination, OutRage! detailed, quite explicitly, the role that Christianity has played in their history of oppression. In its most contemporary form, the Church of England, OutRage! saw to disrupt what it felt was the 'squalid, deceitful conspiracy of silence that has keeps homosexuality in public life hidden and invisible' (Appendix B, Item 7). The Church of England was seen as a harbinger of secrecy. Bishops and other clergymen were being either being coerced or choosing to deceive those around them by not disclosing their gay sexuality (Appendix B, Item 7). This was considered a form of hypocrisy.

The challenge which OutRage! mounted is clear. In bringing the hypocrisy of church Bishops and clergymen into the foreground they contested the ecclesiastical position of Right Reason. If a clergyman experiences non-procreative sexual desires but

continues to forward canon that states that these indulgences are 'sinful' – *is this a sound a basis for moral reasoning?* If a clergyman hides these experiences and feelings for fear of divine and/or doctrinal retribution – *is this to be the example of 21ˢᵗ Century 'ethics' in Britain?* It begs the question: *what normative message is the Church of England attempting to maintain when it wants to enforce a ban on 'gay' clergy*? Furthermore, if the Church of England is a representative of the state, *what is this normative message saying to society on behalf of the state?* Mark Twain (1972 cited in Hitchens 2007) puts it well,

> "Surely the Source of law cannot violate law and stand unsmirched; surely the judge upon the bench cannot forbid crime and then revel in it himself unreproached: daily the trained parrot in the pulpit gravely deliveries himself of these ironies".

It becomes apparent that by 'outing' the sexuality of Bishops and other clergymen, OutRage! 'outed' the inherent contradiction that exists within ecclesiastical law. For example, David Hope admitted his sexuality was a 'grey area' and yet maintained the position that opposed an equal Age of Consent and supported the Children Society's ban on gay fostering. This is not only tantamount to hypocrisy, but it renders explicit the dialectical contradiction in the Bishops own religious creed. It presents the case, in public view, that the Bishop is not forwarding his own conviction but the normative framework of his institution and the peers which support it. As 'Issues in Human Sexuality' puts it:

> "It has been a theme of Christian tradition, ever since St. Paul's words in the first chapter of Romans, to classify certain sexual activities, those of homophiles most particularly, as being unnatural or contrary to nature". (Church of England House of Bishops, 1994, p.35)

Another way of stating the argument, then, is that when senior members of the Church of England transgress this tradition – naturalness – they bring into question the very reasoning on which these norms, values and beliefs are based. This point is

further compounded in light of the argument that David Hope endorsed the sacking of gay clergy, and supported ex-gay religious cults (e.g. The Courage Trust) in procuring resources to cure homosexuals (Tatchell, 2003). The same can be said in the case of Bishop Michael Turnbull,

> "The train of events leading up to these new Anglican initiatives began last October when the News of the World revealed that the new Bishop of Durham, Michael Turnbull, had a conviction for gay sex in a public toilet in 1968. This lead to charges of hypocrisy by OutRage! activists who were infuriated by Turnbull's condemnation of gay clergy in loving homosexual relationships". (Tatchell, 1995b)

Between the discriminatory public pronouncements of the Christian faith and the private sexuality of some of its members and a wider gay community exists a concrete contradiction. The clashing of these opposites is intensified by social movement activism and is done so by the process of public exposure considered above. To expose gay bishops was a 'weapon which strikes at the centre of constituents of homophobic oppression and prejudice, and particularly the public/private divide' (Reynolds, 1999, p.268). 'Outing' was a means of critically challenging their support for discriminatory declarations about sexual activities which they themselves shared. 'Outing', then, has been considered a 'flanking attack on Christian moral theology as entrenched in criminal law' (Bowman, 1949 cited in Percy, 1994). It seems that the same 'strategic' clarity of purpose also applies to hypocritical politicians in the case of the 'dirty dozen' (Reynolds, 1999, p.268; Lucas, 1998, p.202).

It has been argued that 'outing' epitomises an 'apposite form of rebuttal of homophobic prejudice' (Reynolds, 1999, p.268). It can be thought of this way because 'it creates a public struggle for meanings within a hitherto suppressed and shrouded private realm' (Connell, 1987 cited in Reynolds, 1999, p.268). In terms of the historical *repression* of sexuality from public discourse, or even its regulation in public vis-à-vis medicine, 'outing' challenges and scrutinises these moral and

scientific precepts (Reynolds, 1999, p.269). For these reasons, it can be argued that 'outing' moves the agenda beyond individual experience to a broader recognition of the generative mechanism – naturalness – at work. It does this by recognising that the moral values of the Church of England are at once discriminatory, but also inherently contradictory, if *we are to take the actions of priests at face value*.[2] In exposing the hypocrisy, 'outing' brings to light the contradictions present in Right Reason, at least as an organising principle for sexuality in the current day. Furthermore, the process of public exposure perturbs the status quo of these normative frameworks in everyday life; that is to say, it provides good reason to be sceptical of hegemonic moral and scientific understandings when it comes to sexual conduct.

Contra the tenets of 'classical' Marxism (e.g. Mao Tse-tung, 1967), this contradiction (between public and private) is not resolved via a process of intensification; rather, this process 'opens up' a space for the possibility of future political action. The 'outing' of ten Anglican Bishops did not reconcile the contradiction between the public discrimination and private sexuality, because, as *The Pink Paper* asked – and answered - in 1995:

> "Can the C of E be really expected to cast aside the Biblical teachings on sexual morality which it has adhered to since its founding, teachings moreover which all other mainstream Christian Churches, as well as para-Christian sects, follow? I think not". (Appendix B, Item 5)

But 'outing' did 'offer up' a space in which activists could begin to redress the question of naturalness, and thus the basis of their oppression as they moved into the *future*.

> "Moderate gays find 'outing' offers way in". (Appendix B, Item 8)

> "This is bound to make Anglican leaders much more circumspect in their homophobia. They realise that any hint of anti-gay policy will, given their apparent acceptance of gay clergy, be instantly ridiculed as hypocrisy and double standards". (Tatchell, 1995b)

'Outing' as a form of political activism can be considered futural, in that it 'opens up' an emergent space. It does this because it has brought into disrepute the normative beliefs on which oppressive assertions (as preserved by their constituent entities) and actions (causal powers) are maintained. An emergent space can be considered 'opened up' - for new norms, values and beliefs are created - which, in light of Church hypocrisy, reject the ecclesiastical notion of naturalness. 'Outing' creates this space within full view of a public consciousness which can critically assess the normative foundations of their beliefs against the hypocritical actions of the Church of England. It can be argued then, that 'outing' has a 'transformative politics of sexuality' (Reynolds, 1999, p.270), for it 'opens up' a space in which these new norms, values and beliefs can become the foci of group organisation and therefore, ultimately, changed institutions.

This, however, does not remove the claim that 'outing' is a 'controversial' political action – for, in opening up a space for futural change, it inevitably provoked a reaction e.g.:

> "...Peter Tatchell and his colleagues in the militant homosexual group OutRage, who indulge in the cruel, near-blood sport of "outing" those whom they suspect of being "closet gays", are proving themselves worthy disciples of the repulsive [French Revolutionary] Marat". (Appendix B, Item 13)

To give a few examples of this reactionary potential, 'outing' has been considered wicked, ruthless, cowardice, sickening, a form of moral blackmail and a monstrous invasion of privacy.[3] A particularly divisive issue within gay liberation, it split the opinions of Stonewall and Outrage! irrevocably. Stonewall publically condemned the

actions of Peter Tatchell and OutRage! Angela Mason, Executive Director of Stonewall, at the time, stated in *The Times* that 'outing' was a 'most dangerous' and 'indefensible threat' posed to those 'from all walks of life' (Appendix A, Item 28). Mason argued that Tatchell's antics brought shame, stigma and possible prejudice on gay people and that voluntary exposure was the most effective way of challenging discrimination (Appendix B, Item 1).

> "One bishop coming out is worth twenty who are pushed out. 'Outing' detracts from the process of coming out. There are deep divisions with the lesbian and gay community over 'outing' and we wouldn't spend the next ten months arguing about it instead of tackling discrimination". (Appendix B, Item 16)

In this emergent space, then, 'outing' has been considered 'counter-productive'. First, by Stonewall, who saw 'outing' as a form 'blackmail' which possessed only a 'cursory impact' on a minority of people,

> "To win equal rights we have to persuade the heterosexual majority of the justice of our cause, rather than try to force the hand of a very small number of closeted gay people in positions of power or responsibility". (Appendix B, Item 6)

> "I consider 'outing' a supreme act of moral cowardice… clearly Peter Tatchell and Outrage see themselves as the sex police of the gay world. How dare they? Especially when they are relying on half-truths, gossip and bar-room chatter". (Appendix, B, Item 14)

Stonewall are also quoted in *The Daily Telegraph* as declaring that the practice of 'outing' was objectionable because its weapon of choice was homophobia (Appendix B, Item 13). This was seconded by a number of organisations though it was the Campaign for Homosexual Equality who publically announced their displeasure (Appendix B, Item 17). The reactionary nature of 'outing' is best seen in the comments of the wider gay community.

"Where heterosexuals have failed to diminish my Pride, Peter Tatchell and his breath-taking arrogance has succeeded, with his politics of fear and his tactics of victimisation and homophobia. This society teaches us to hate lesbians and gays, and Peter seems to have learnt his lesson well". (Appendix B, Item 12)

"Tatchell is doing such damage to the community that we have a duty to speak out, to show that he represents no-one but himself". (Appendix B, Item 18)

Support also poured in.

"Can I be the only one disgusted by Stonewall's response to the whole Peter Tatchell/outing media-feeding frenzy? ... I have yet to hear them utter a single word against the real terrorists in this scenario - the cowards and hypocrites who endorse the homophobic teachings of the Church, and who routinely vote against lesbian and gay equality".

"Peter Tatchell deserves to be defended from attacks in the bourgeois media... he is a moderate reformer who wants to tinker with the system a bit". (Appendix B, Item 12)

"Tatchell has raised the issue of homophobia and gay rights to a much higher level than ever before". (Appendix B, Item 18)

Even 'veterans', those who were part of the earlier movements, were quick to defend Tatchell and, in the process, were quite hostile to Stonewall's arguments,

"We are dismayed by the current tactics of the Stonewall Group... Instead of colluding in shoring up the closet [by utilising the media opportunities presented by 'outing']... Stonewall should be campaigning vigorously to dismantle it" (Appendix B, Item 16).

As already reflected upon, it is important to note that the emergent space which 'outing' created was used *tactically* also by members of the Church of England. In

the case of the Bishop of London, David Hope, this meant being proactive and holding a news conference in which he denounced the activities of OutRage! via the mainstream press. This sparked a number of articles in which Peter Tatchell and OutRage! were vilified, for in the midst of the debate they started, they had been characterised as 'intimidatory' and 'coercive' 'bullies' (Appendix B, Item 4). In issuing such a plea, not only were the media sympathetic to Hope, but they also offered the Archbishop of Canterbury (Appendix B, Item 4) a platform on which to seize the issue:

> "We reject homophobia in any form. Homosexuals must be treated as people made in the image and likeness of God".

This view was also shared by other members of the clergy:

> "If priests who are practising homosexuals are going to be visibly ordained, that will be a catastrophe for the Church of England. It would mean the end of the Church as we know it". (Appendix B, Item 5)

The normative 'morality' of the Church of England remains palpable. If we consider the comments of the *Archbishop* George Carey, in particular, it becomes apparent that the emergent space offered by 'outing' can be used tactically by the Church. Hope had 'whistle-blown' on the 'coercive' nature of 'outing', and gained media praise, whilst Carey, who had outlawed homophobia within the Church, produced a number of discriminatory statements. Not only did he maintain that heterosexual marriage and celibacy was to exist in full accordance with the Bible and tradition. But he also urged members of his clergy to follow these patterns as examples to their flocks (Appendix B, Item 19).

In traversing the line between critical realism and intellectual engagement, it is worth stating the important theoretical developments that have emerged. 'Outing' references a synchronic dimension – in the form of direct action in the 'here and

now' but it simultaneously references a diachronic dimension as such events are caused by a generative mechanism - naturalness - as it has acted through time. This form of political activity, then, must be understood in the following way: 'outing' is as much a product of emergent causal powers (i.e. 'OutRage!'), as are the events which generated the boundaries for its emergence (i.e. Church of England). If this can be accepted then 'outing', as a 'repertoire of resistance' (Tilly, 1978), can be considered to *problematise* the public/private dichotomy and, in doing so, redress the moral and scientific precepts on which *it* and discrimination rest. Furthermore, it is within these dimensions that 'outing' affords sociological inquiry an account of the causal features of reality. For it gives social scientists the 'epistemic access' (Boyd, 1993, p.511) and does so because when adopted, 'outing' references the underlying dynamics set in motion by powerful normative groups and their emergent causal powers (normative social institutions).

It can be argued that the space which emerged because of 'outing' offered an opportunity to create new normative understandings of sexuality vis-à-vis its confrontation with Church morality. It has been argued that 'outing' has offered this opportunity where other forms of political activism have been considered 'defunct' or circumscribed by their location within an oppression institution i.e. the state. But what about the ethical issues and concerns that emerge as a result of it? Do the ends justify the means? Or are there ethical judgements, such as the sanctity of privacy or the implicit harm it causes. Are these negotiable? Ultimately, the question remains: '*can outing be ethically justified?*'

The Ethics of 'Outing'

In their paper, *Privacy and the Ethics of Outing*, Martin Gunderson and David Mayo argue that 'outing' is prima facie wrong because 'it ordinarily violates a person's right to privacy' (Gunderson and Mayo, 1994, p.43). Privacy is considered an essential part of human nature for it nurtures autonomy and individuality; the development of an autonomous individual being considered key in developing the capacity to explore life and its ideals.

> "...Privacy here is important because it gives one control over the terms of one's own existence in this regard. And this is important not only as a matter of happiness but as a matter of dignity as well". (Gunderson and Mayo, 1994, p.49)

Privacy, then, is considered to protect the individual from ignorance, intolerance and the prejudice of others. To this extent, privacy allows those, who have fundamental differences, to continue on and create an atmosphere in which difference can develop and flourish (Gunderson and Mayo, 1994, p.50). Respect for privacy, then, is considered the mechanism by which humans facilitate tolerance and so protect against the prejudices of difference. These arguments carry even more force when taken in connection with sexuality because a respect for 'privacy protects all of us from prejudice and malice we might experience – and practice – if we knew how different we are from each other' (Gunderson and Mayo, 1994, p.50). At a time when individuals are most likely to take account of their needs, privacy offers them protection from the judgments and intolerance of others. The world is considered a discriminatory place, and so the need for privacy with respect to sexual identity is paramount constituting a fundamental interest of human morality (Gunderson and Mayo, 1994, p.50).

> "A person who is just coming to terms with his or her sexuality seems to provide a paradigm case of a person who needs the protection afforded by the right to privacy". (Gunderson and Mayo, 1994, p.52)

Yet, the argument that 'outing' is in some way considered to be 'immoral as a violation of privacy' (Gunderson and Mayo, 1994, p.49) is taken up by Jeremy McCarthy in *The Closet and the Ethics of Outing* (McCarthy, 1994, p.27). Here, it has been argued that in the case of closeted (discriminatory) reactionaries, the right to privacy, as envisioned by Gunderson and Mayo, cannot be defended. Such people, it has been suggested, can be 'outed' because 'it will discredit them with their supporters and thus render them powerless' (McCarthy, 1994, p.29).

> "They are, moreover, only being treated according to principles that they have themselves endorsed by classing homosexuals as moral inferiors not deserving of the same rights as other people" (McCarthy, 1994, p.29).

In terms of a right to privacy, 'outing' has been considered a form of political activism that does not render such a right explicit. In distinguishing between private sexual acts and keeping one's sexual orientation secret, it has been argued that the right never to have information divulged about one's sexuality is a secret and is not an example of privacy. For McCarthy, the closet sets forth the boundaries in which a same-sex sexual relationship cannot be considered as matter of privacy, i.e. on par with heterosexual relationships (McCarthy, 1994, p.29).

This is a point also taken up by Mark Chekola in *Outing, Truth-Telling, and the Shame of the Closet* (Chekola, 1994, p.67). Here, it is argued that objections to 'outing' have nothing to do with privacy but with keeping information *secret*.

> "…the role of 'the secret' – as opposed to that of privacy, which functions to maintain the integrity of the individual in his relations with others – is always subversive…There seems to be nothing essentially private with regard to information about sexual orientation as such. *Privacy* does not apply. Rather, in a context where one might be harmed or thought ill of with regard to it, or because one is ashamed of it, one might decide that one wants to keep it *secret*." (Chekola, 1994, p.79-80)

The convention of secrecy, then, is considered a mechanism of the closet. It keeps those inside it 'invisible, a class of non-persons', and so to consider that *privacy* offers to preserve autonomy and is a protective device is wrong (McCarthy, 1994, p.31), First, in attempting to preserve autonomy, it can be argued that notions of privacy therefore must honour the closet (McCarthy, 1994, p.33). For McCarthy, the price of surviving – having some life and a means of support and physical safety – becomes surrendering one's own identity to the 'specious one that the system of heterosexual domination assigns'. Ultimately, it is argued that there is little good in paying the price if that 'price' is to 'join the forces that strive against' (McCarthy, 1994, p.33). If the notion of autonomy means to discover and pursue the purposes congenial to oneself then privacy vis-à-vis 'the closet' interferes with this process and thus cannot be adequately defended (McCarthy, 1994, p.33).

In the end, privacy is considered only to protect through invisibility and therefore it rules out any defence that would compel an individual to become visible. It is argued, then, that privacy vis-à-vis 'the closet' is a forbearer of degradation and actually 'maims' autonomy but it directly interferes with private acts – stopping a person being their true self (McCarthy, 1994, p.35). In the case of the reactionaries that were referred to earlier, the argument is made clear:

> "...one may look at homophobic 'closet cases' simply in terms of their threat to the autonomy of others. Such politicians and other influential public figures maintain a system of oppression that infringes autonomy and that cannot be justified". (McCarthy, 1994, p.35)

The argument of Gunderson and Mayo, then, fails because there can be no invoking a right to privacy in order to facilitate violations of autonomy. In his *Defence of Outing*, Paul Reynolds (1999, p.269) also takes on this issue. Here, it is argued that the private has been conflated with the personal.

"…to have personal and confidential relationships is conflated with a notion of a private realm where categories of knowledge and relations should be denied public scrutiny and beyond public redress". (1999, p.269)

'Outing', then, gains its legitimacy because it can be considered to give an oppressed people the basis to redress their oppression. It challenges and makes a distinction between sexuality as a subject of personal relations and sexuality as a subject of the private realm. In the end, it has been argued that it moves the topic of sexuality into public discourse and therefore 'challenges hostile people to explain their hostility' within this context. For Reynolds, this means that hostiles cannot simply rely on their 'props' or 'pathology or difference' which is constructed within the private realm (Reynolds, 1999, p.269).

Dealing with another issue, harm, Reynolds argues that 'outing' is often criticised for creating personal suffering,

"Rather than being a dignified truth, it [outing] is a violent act against the vulnerable which leaves them in misery and suffering". (Reynolds, 1999, p.270)

Yet, 'outing' can be considered justifiable through the rectitude of its objectives because the strategy used is a necessary one (Reynolds, 1999, p.270). It is argued that 'outing' is permissive because it only exists as a result of persistent prejudice and discrimination.

"…all struggles have victims who suffer as a consequence of those struggles… whilst the victim's pain is real and appreciable, a greater good – changes away from homophobic discourses in society - may be served by the act". (Reynolds, 1999, p.271)

This utilitarian argument may seem extreme, but for Reynolds, activists like OutRage! are no longer bound by the precepts of legitimate politics. This is because the political system does not exercise upon them a proper place to defend their rights

and liberties (Reynolds, 1999, p.268). Therefore, whilst 'outing' might be considered a tactic of terror and pathology i.e. the very tools of a discriminatory society; it only illustrates the hollow nature of liberal democracy, its ethics and its politics (Reynolds, 1999, p.268). If liberal democracy has allowed and even reinforced the historical persistence of naturalness,

> "... Outing is a politics of liberation – it does not create positive images by its action within contemporary society, which it is in opposition to. It does, however, retain its strength of arguments as a strategic tool by which sexual liberation is progressed, and it becomes obsolete as a 'sexualised', egalitarian society is achieved. Its utility and efficacy lie in proportion to the hostility that is shown to gays and lesbians – in a more equal society its impact and meaning would diminish and wither". (Reynolds, 1999, p. 271-272)

Therefore, it can be argued that 'outing' is part of a dialectical reordering of public and private life, of allowed and forbidden, and as a rebuttal to the 'ambition of politics and cultures elites to govern, manipulate or to please vast collectivities' (Lusky, 1972, Shils, 1966 cited in Percy, 1994, p.252).

Summary

'Outing' is two things: futural, in the sense that it 'opens up' an emergent space, a space which has a transformational and reactionary potential; but is also simultaneously historical in that its antecedent causes are found in the past, specifically in the generative mechanism of naturalness. This mechanism is a normative framework which has been exercised in a number of different ways throughout the *longue durée* (Braudel, 1973) and has been wielded by the causal powers of institutions like the Church of England. This institution and the constituent entities (norm circles) that make it up are responsible for the discriminatory action

taken against millions of human beings. This discriminatory action has come by way of its ecclesiastical beliefs in Right Reason and naturalness; beliefs which have slipped ubiquitously into our moral and ethical discussions about the nature of sexuality. These beliefs have been rendered 'hollow' by a political activity known as 'outing'.

In order to address hypocrisy, set forth by the generative mechanism – naturalness – and the dialectical contradiction that it has shaped between the public/private dichotomy, it seems that activist groups can conceptualise dialectical contradictions. A history of 'outing' vis-à-vis OutRage! has helped provide evidence to support this claim. In realist language, it has also provided the 'epistemic access' (Boyd, 1993, p.511) required to understand the causal features of reality because it has provided us with a means of conceptualising the contradiction that existed between public/private 'space' and consider this contradiction in terms of the emergent space their activism created: both transformational and reactionary.

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[1] "The contradictions of the social world explain why people invent religion. They must be resolved by revolution". (Marx, 1888)

[2] Sam Harris (2010, p.41-55) stresses this point of length arguing that the social sciences need to take a more *literal* view of the impact of religion. This is especially with regards to 'Moral Blindness in the name of Tolerance' i.e. veiling, genital mutilation or forced marriage – each considered a 'horror' which cannot be 'passed off' because of cultural tradition.

[3] These terms can be found within the articles located in the appendices.

Chapter Eight

Realism, Emergence and Social Movements II

Introduction

The generative mechanism – naturalness – and its antecedent causes, can be rendered explicit through an exploration of social movement activism. In the previous chapter, it was argued that the practice of 'outing' has given way to the emergence of a transformational and reactionary 'space' (Bourdieu, 1989) in British history. This practice challenged the generative mechanism – naturalness – for it called into the question the dialectical contradiction that the mechanism shaped by way of the 'public/private dichotomy'. In redressing this contradiction, through a process of public exposure, this particular tactical repertoire (Tilly, 1978) has been considered a rebuttal to the ambition of constituent entities - norm circles whose belief systems have attempted to maintain 'natural order' on the basis of procreative reasoning.

This chapter offers an opportunity to further explore the relationship between the philosophy of emergent realism and a history of norm circles. In synthesising the arguments of the previous chapters, there is now the prospect of offering a model for the political and social philosophy of an engaged intellectual. To paraphrase Elder-Vass (2010, p.145), it is in the 'combination of critical realism and social constructionism' that this chapter hopes to provide a model for productive synthesis, on which a responsible intellectual should seize. It is here, within these boundaries, that this final chapter makes a stand. It reasons against the ecclesiastical beliefs of Christian thought, and it takes the opportunity to redress the institutional discrimination of the Church of England in particular. Yet, it can only hope to do these things by reflecting on the 'progressive evolution of the people' (Engels, 1877).

To this extent, the engaged intellectual makes plain that causal powers are responsible for maintaining and changing mechanisms – through 'hegemonic norms circles' and 'norm circles of resistance' (see Cresswell, Karimova and Brock, 2011; forthcoming).

In providing an explanation on how human agents have been causally effective – a process that critical realists have labeled retroduction (Lawson, 1997 cited in Carter and New 2004, p.9-10) – this chapter considers the very practical sociological questions of 'who is doing what to whom and when and why' (Carter, 2002, p.138). These questions of history and of power can be answered if we look to the interaction between hegemonic and resistant circles of people – an interaction which is facilitated by the phenomenon 'normativity'. If we look to these norm circles, it becomes apparent that 'people are choosing what they do', but that they are making their choices within a structural, that is, normative background – 'which they do *not* choose' (Carter and New, 2004, p.3). It is this 'environment of normative beliefs and dispositions' – as seen in the emergent ideas of the early Church fathers - that *tends* to produce a corresponding practice amongst its members (Elder-Vass, 2010, p.123, emphasis added).

It is important to distinguish between a norm circle and a normative institution. It is important because the norm-enforcing or, alternatively, the norm-resisting dimensions of the causal powers of social groups is where practical sociological questions can be addressed (Cresswell, Karimova and Brock, 2011, forthcoming). Norms are understood as the rules-to-be-followed-and/or-resisted, rules which may either be *explicitly* instantiated (e.g. as the codifications of 'black letter' law) or *implicitly* instantiated (i.e. unconsciously in the form of a disposition or 'habitus' [see Bourdieu, 1990]). Norms, however, should be distinguished from the concept or 'causal power' of 'normativity' itself – for Canguilhem (1989) if the norm was the rule then the normative was that which establishes norms or in the language of critical realism, 'that causal power which establishes norms' (Canguilhem, 1989

cited in Cresswell, Karimova and Brock, forthcoming). This causal power, for Elder-Vass, is what is located at the intersection of strata between the social group and the normative social institution and its causal effect is to instantiate, tendentiously, within social group members, the desire to follow the rule (Elder-Vass, 2010, p.125). Most importantly, insofar as society is, as Marx said, 'a rich totality of *many* determinations', the causal effect of the normative institution - to instantiate the desire to follow-the-rule – may also encourage a conditional-tendency in other normative institutions or a desire to rule-resist (Elder-Vass, 2010, p.125).

There are two 'senses' to dealing with the normative social institution. It can be said, in terms of Marxist critical realism, that the normative social institution vis-à-vis historical materialism is of bricks and mortar – 'an arrangement involving large numbers of people' – like the Church of England (Jary and Jary 2000 cited in Elder-Vass, 2010, p.117). Yet, it is often difficult and impractical to hold this whole institution to account – a Marxist sense of emancipatory political action. Durkheimian critical realism, then, offers a sense in terms of patterns of normativity and moral codes. Better to retroduce those constituent entities – the social group – whose synchronic organisation forms the habitual endorsement of the norm i.e. 'procreative reasoning'. This other sense of a normative social institution, then, is about 'normativity' itself and it can be seen in the examples of naturalness, Right Reason and the protection of latent heterosexuality. This institution emerges from the endorsement and enforcement of the norm which then casually impacts upon experiences, expressed in legal enactments and violent episodes. Where something as pervasive as a generative mechanism – like naturalness – is involved; it is better to explain *who* those powerful human agents are; *when* their beliefs form actions; and *why* they believe what they do. This can be said of both 'hegemonic norm circles' and 'norm circles of resistance' - those groups of people who can be charged with the 'making' and 'breaking' of regulation and discrimination in social life.

What is it that is captured by exploring norm circles? Here, it will be presented as 'ontological depth' – for norm circles, by 'logic of analogy' (Bhaskar, 1989, p.19), offer the necessary tools for seizing the workings of social reality. To paraphrase Marx (1857), it is that 'express sum of interrelations', where the norms and values of groups are what bind the 'relations within which these individuals stand'. This is not to remove but to render explicit the sui generis powers of human agency, it is to say that:

> "Freedom does not consist in any dreamt-of independence from natural laws, but in the knowledge of these laws, and in the possibility this gives of systematically making them work towards definite ends". (Engels, 1877)

Undeniably, the sui generis properties of human agency come to the fore in the form of social movement activism. Where individuals have been seen to play a crucial role in the development of real movement – where they have formed tactics which have, quite uniquely, challenged the 'social facts' (Durkheim, 1894 cited in Elder-Vass, 2010, p.1) of the day. This, of course, was not simply fate – 'oppression does not produce an automatic response' (Weeks, 1990, p.33) – but it did provide the conditions for activists to experience, and it is this experience which has informed the knowledge that leads men and women to 'choose to act – or not to act – in particular ways' (Cox and Nilsen, 2005). It is experience, then, that has mediated between existing social conditions and the consciousness necessary for change. Experience is the point-of-departure for the development of social movement activism *and* it is also the point-of-departure for sociological knowledge *about* it. Of course, experience cannot solely *explain* what is happening in the world or 'what is to be done' (cf. Lenin, 1973). Indeed, knowledge alone may be considered 'insufficient for freedom' (Bhaskar, 1989, p.89-90). Yet, within the context of a 'norm circle of resistance', human agents not only possess the 'opportunity' to act, but because of their shared normative beliefs, they '*are disposed to act*' (Bhaskar, 1989, p.89-90; emphasis added). It is here that sociologists find what is meant by

transformational potential to galvanise social change and move from 'an unwanted to a wanted source of determination... [which] can only be effect in practice' (Bhaskar, 1989, p.90).

The theory of emergent realism, then, is animated by the production of knowledge from activist experience (Barker and Cox, 2002). However, as Elder-Vass (2010, p.65) argues, there is a 'danger' here, for such knowledge does not *explicitly* elucidate where and how these causal referents act. To achieve this, there must be an examination of the norm circle itself - its size, its extent and its *boundaries*. It is this synchronic organisation that is the important element in an ontologically rigorous theoretical model (Elder-Vass, 2010, p.64). If the discriminatory actions of normative institutions – like the Church of England – are to be properly understood, then it is to the 'normativity' which emerges from 'hegemonic norm circles' that the argument must turn. This is a social group whose normative beliefs are committed to rendering the subordination of another individual or group explicit.

Finally, in exploring the synchronic and diachronic, in exploring norm circles within an empirical archive, this chapter recognises, in equal measure, that history and society are *made*. They are made by constant, more or less purposeful, individual agency and that individual agency, however purposeful, is also simultaneously 'made' by history and society (Abrams, 1980, p.8). The only question that remains is one for the engaged intellectual*: 'how are these developments best put to work'*?

Hegemonic Norm Circle I

A 'hegemonic norm circle' is a social group with emergent causal powers. A causal power is a normative belief which produces a standardised form of behaviour and increases conformity to enact a particular practice or disposition. This causal power emerges because of the synchronic organisation of individuals into a social group. This emergent causal power is called a mechanism when beliefs, ideologies and values are responsible for the emergence of a set of belief systems which tend to encourage the sanctioning of practices – a normative social institution. In both senses, then, a normative social institution causally effects conformity, not only within the group but also external to the group itself (Bowker and Star, 1999 cited in Carter and New, 2004, p.7) i.e. within other normative social institutions. This is seen in the case of intersecting norm circles. It is the 'hegemonic norm circle', which is said to 'colonise' the 'fields of experience' (Cresswell, Karimova and Brock, forthcoming), that is, that these circles have particular effects on their individual parts. Yet, in the case of a history of sexuality, these intersecting norm circles constitute a 'hegemonic social institution': a trinity of normative social institutions which together maintain a set of beliefs about naturalness.

Bhaskar (1986, p.104) argues that explanation 'depends upon emergence', 'for emancipation to be possible' (1989, p.114) - thus to retroduce the mechanism by which normative social institutions emerge and the casual powers which enforce or encourage conformity - is to explain that social events are not only generated because of normative convictions but that they are diachronically responsible for causing the phenomena of experience. This is seen empirically when a normative institution emerges through the ecclesiastical reasoning of a social group. This 'hegemonic norm circle' – the early Fathers of the Christian Church – is responsible for enforcing conformity to procreative reasoning. This occurs both within the group but also external to the group i.e. *through the law* by the normative institution of Right Reason. It also features as part of a set of beliefs taken on by the 'bricks and mortar'

of early Roman Christianity. To be clear: when a human agent is admonished for being a 'sodomite' they have transgressed the relations (normative commitment) of a 'hegemonic norm circle' based on procreative reasoning. If this 'sodomite' is executed it is because a normative institution stipulates in ecclesiastical law that:

> "If a man lies with a male as with a woman, both of them have committed an abomination; they shall surely be put to death; their blood is upon them". (Leviticus, 20: 13)

A 'hegemonic norm circle', then, is a social group characterised by a normative commitment which elucidates the foundations for the oppression of another individual or group - an argument made most perceivable by a history of early Judeo-Christian pedagogy. It is quite apparent from the earliest exegeses that the 'Fathers of the Church' share in a social group. What is of particular interest is how these beliefs were maintained. It is important to note that the term 'hegemonic norm circle' resembles, in many ways, what Elder-Vass (2010, p.128) has elucidated as the 'actual norm circle' – a circle, which he argues, is mediated by a number of different boundaries. These boundaries, which he calls 'proximal' and 'imagined' circles (Elder-Vass, 2010, p.130), hold great relevance when looking at the institution of Right Reason – that is the causal power – of this particular group of individuals. For Elder-Vass, proximity is important because it refers to how a set of people can influence a particular normative disposition. This phenomenon exists in juxtaposition to imagination – a process by which an individual, who experiences the attention of a 'proximal' circle, learns that they represent this wider group, even if the extent of the group remains obscure (Elder-Vass, 2010, p.129). The interaction between these boundaries and the individuals within them ultimately produces a social system of sexual morality. To probe what is meant by interaction is to elucidate the very boundaries on which 'normativity' is produced.

The lineage of procreative reasoning is no sheer coincidence. The beliefs originate in Ancient Greece with Socrates and Plato and are shared, often as a result of relative

proximity, across the Mediterranean basin - no further east than Algeria.[1] From the period of Plato through to St Augustine - some 1000 years - there exists a common *shared* belief in the 'natural order' of procreation. Yet, it is through the circles of pedagogy and exegetical teachings that this norm becomes a mainstay feature in human organisation. For instance, to look at the 'Patristic writings', is to look at a set of normative beliefs about *imitation dei* – to follow in God's image. This normative proscription, a product of a lineage that dates back to Platonic thinking, can be traced through Aristotle to Alexander the Great - who marks the beginning of the Hellenistic culture. Through Alexander's ventures into the Persian Empire it is hardly surprisingly that normative ideas from Zoroastrian teaching (Leviticus) soon became features in a developing Aristotelian philosophy (Danforth, 1997). Aristotle's reasoning, which understands evil in terms of his teleology (Miller, 2011) can be seen as 'key' in determining the behaviour of early Christians and their Hellenistic Jewish counter-parts. For what followed were the understandings of the 'natural order' of procreation as set forth in the 'Septuagint' – or Genesis: 2: 24 ESV,

> "Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh".

Not traditionally thought of as a 'Father of the Church', Philo of Alexandria can be seen to offer a foundation on which these proscriptions became not only explicit but were also defended against. The initial basis of Alexandrian exegesis has been attributed to Philo who kept with the Platonic worldview but added a 'deeper, more spiritual view' through the additions of the 'Septuagint' (Drobner, 2007, p.130). In combining Hellenistic philosophy and education with Jewish exegesis (via the Old Testament), the metropolis of Alexandria offered his enterprise 'favorable conditions' for him to spread his teachings to a ready and waiting Jewish Diaspora (Drobner, 2007, p.130). His blending of Greek and Hellenic influences was part of a wider Alexandrian School of thinking in Egypt at the time. It was within this school of thought that the Clement of Alexandria and St John Chrysostom arose (though

differences between straightforward or allegorical interpretations of text remained) (Baur, 1910). In harmonising a Platonic search for the 'Absolute' with the 'Septuagint', Philo can be considered a single bridge in the evolution of this circle of thinkers who forwarded the very first notions of Right Reason. This quote is taken from his exegesis 'On Abraham' (135-137),

> "…the natural desire of men and women for a connexion together, for the sake of producing children, and detesting the unnatural and unlawful commerce of the people of Sodom". (Yonge, 1855)

Philo can be considered the earliest theologian to explicitly condemn the transgression of the 'natural order' of procreation. Aristotle's 'ideological schema' and teleological argument permeate Philo's normative thesis - the natural end of an organism is 'Good' for it, and what defeats or impedes this end is 'Bad'. This becomes most apparent in another of Philo's comments,

> "…but also those who were men lusted after one another, doing unseemly things, and not regarding or respecting their common nature". (Yonge, 1855)

Within a century of Philo, another theologian, Justin Martyr, had denounced Pagan sexual traditions, for they were considered an example of the mutilation of procreative sex in the form of 'sodomy'. It was argued that Pagan sexual activities did not stress the 'sanctity of marriage' like Christian social mores, and thus were rejected in order to follow the teachings of Jesus Christ (Coleman, 1980, p.126). Again, it is by no coincidence that these powerful agents (Bishops, Priests, Lawyers and Saints) in Alexandria, Athens and Rome influenced the developing of the dominant assumptions of their time. Justin Martyr, for example, was an early Greek settler, who took on Platonic philosophy and the books of the prophets to recognise that the 'truth' needed to be orated. Justin Martyr was, thus, one of the first 'Christian itinerant preachers' (Drobner, 2007, p.78). It is, however, much better to look at the Alexandrian school; the first Christian school of thought, for examples of

proximity and collective at work. Similarly, Tertullian in *De Pudicitia* admonished those sexual activities which were considered frenzied by passion; activities which brought the laws of natural order into contempt (Drobner, 2007, p.78).

> "About sixty works have been attributed to Philo, mainly commentaries on the Pentateuch and philosophical writings, which Clement of Alexandria… [and] Gregory of Nyssa, knew and analysed". (Drobner, 2007, p.130)

Not only were these works reflected on as 'highly influential' to other Church Fathers, but his work has been considered the normative 'basis' of 'common Hellenistic culture' and of a 'Jewish Christianity' (Drobner, 2007, p.130). Also part of this tradition was the Clement of Alexandria. St Clement was not only writing at a similar time to Justin Martyr but he was also a contemporary of Tertullian (Edinburgh, 1869). Clement, like his predecessors, also damned 'sodomy as a sin', but he, in particular, in synthesising Philo and others, stressed the need to protect the 'natural order' of procreation. In Book III, Chapter VIII of Pedagogues, he argues,

> "…By guarding against sinning, we guard against suffering". (Knight, 2009)

It was on the basis of individual conduct, then, that the 'natural order' of procreation was *protected* and that God's Laws and Jesus' teachings were maintained. His three writings, then, are considered to reflect the Platonic philosophy of the Alexandrian school and eventually, his own school of philosophy (Drobner, 2007, p.132). His work *Protrepticus* was believed a 'persuasive argument' for Aristotelian '*logos*' – a plea to the reason and order of nature and knowledge. It is in *Pedagogues*, however, beliefs about 'logos' take the form of 'man's habits and passions' and are considered a true 'guide of piety' (Drobner, 2007, p.134).

Clement was not only considered a 'rhetorically polished' preacher, but he was a man of high status in the Ancient world – his 'proclamations' evidence of a man who was an 'educator', 'poet', and a 'public speaker' (Drobner, 2007, p.132-134).

By the time of the 'Constantinian shift' (313 AD), the normative institution of Right Reason had been established rhetorically, and had influenced a successful line of philosophers, theologians, lawyers and jurists. The significance of the Constantinian shift spelt a 'new era' for the Christian church, not only in terms of the proliferation of literature but the fact that it was 'fully integrated into the Roman state and its culture' (Drobner, 2007, p.187) – Right Reason became law. To state it clearly: for it to enter into the jurisprudence of the state it needed to be a belief of those powerful individuals who too were part of a 'hegemonic norm circle'. For instance, it has been argued that the era of Constantine the Great, and of his sons, was the definitive 'heyday' or 'Golden era' for the Patristic writings (Drobner, 2007, p.187). At this time, it is even said of Christian literature that it makes three major areas known: a) 'Theology and *Dogmatics*', b) 'Practical Expressions of Church life' and c) 'Ascetic and Monastic ways of living' (Drobner, 2007, p.189). Not only does the normative institution of Right Reason carry into each of these three areas, but a look at a number of individuals shows how fervently this causal power was protected. It is also worth keeping in mind that each Christian emperor, from Constantine the Great to his son Theodosius the Great, was an 'autocrat', that is, each emperor was also the *leader* of the Christian church. For this reason, they had the authority and power to summon councils, but more importantly to promote, confirm or reject any decisions or literatures they wished (Drobner, 2007, p.191).

It is interesting, then, that Dogmatics becomes the central feature of these reigning emperors, and especially the ideal of the 'natural order' of procreation. Constantine, who had achieved supreme authority over Rome, considered himself 'in favor with God' (over his defeat of Maxentius in 312 AD), and so moved to ensure the protection of his new empire (Drobner, 2007, p.192-193). This is best seen in the Council of Nicea (325 AD), which he led, and in which the divinity of Christ and his teachings were founded (Drobner, 2007, p.194). It was actually under one of his sons, Theodosius, that the 'Nicene Creed', and thus Christianity, 'became the official religion of the state'. It immediately resulted in the destruction of all activities that

failed divine approval and that included the activities of non-procreative sex (Drobner, 2007, p.194). Interestingly, the Nicene Creed has been considered an attempt to ratify Christianity on behalf of an entire Kingdom, thus ultimately influencing the normative beliefs of each Roman citizen. What was once only a practice in theological teaching can be considered a process by which Right Reason was brought to the masses (Puterbaugh, 2000, p.134-142).

The Nicene Creed was to spark more literature on the topic of 'natural order' by procreation. A particular important figure within this 'hegemonic norm circle' was St John Chrysostom who was considered an 'extraordinary rhetorical leader' ('Chrysostom' literally means 'golden-mouth') (Drobner, 2007, p.327). Chrysostom was 'compelled' to the practical needs of the pastorate, and in his life, he has been considered 'brilliant' for his 'most radical following of Christ possible, according to the instructions of Scripture – whether it convenient or not' (Drobner, 2007, p.327). Nevertheless, in his commentaries on St Paul, Chrysostom argued that those who 'refused the pleasure of natural sex' had thereby decided 'not to obey God's Will by natural reason' and were thus abandoned to Satan (Coleman, 1980, p.129). The procreative reasoning of Chrysostom most palpable, when the commitment to Scripture leads him to argue, that the command 'they shall be in one flesh' in Genesis, means to be joined together 'into one flesh' – 'for all generations proceed from this union' (The Vatican, 1993). This was due cause to condemn 'heretics' and 'pagans', alike, whose impure and immodest customs were considered morally *less* than Christian union. This position was to be taken on by his 'friend' St Basil of Caesarea who Chrysostom had shared a diocese or 'bishoprics' with (Baur, 1910). It is important to note that not only is Basil of Caesarea on record for the disciplinary regulation of sexual 'transgressions', but that he had also shared these 'responsibilities' with his other 'friend', another saint, Gregory of Nyssa – they had trained in Athens together (Coleman, 1980, p.128). In his Homily – 'The Person Who Commits Impurity Sins Against His Own Body' – Gregory of Nyssa considers 'sexual impurity' and 'lust' as examples of the 'perversion of the natural sexual

impulse' – for which it was considered to 'spread corruption in the body', and thus cause 'moral disorder to affect other persons' (Salomon and McCambly, 1996).

Yet, it was St Augustine, a Neo-Platonist, who was to make the most explicit link between transgressions of the 'natural order' of procreation and divine punishment,

> "... For even that intercourse which should be between God and us is violated, when that same nature, of which he is Author, is polluted by the perversity of lust". (St Augustine of Hippo cited in Coleman, 1980, p.129)

St. Augustine, a clear contemporary of Philo, shared in the Platonizing of exegetical texts (Runia, 1995). For Augustine, and more widely the Christian church as a whole, Platonism remained the philosophical premise to understanding and explaining faith (Drobner, 2007, p.397-398). As with Basil and many other contemporaries, Augustine led an ascetic life, and his life has been considered one 'dedicated' to prayer and literary activity. Not only was Augustine a pastor, but he has also been considered an 'ecclesiastical politician', using his most polemical writings in sermons, of which almost 600 exist (Drobner, 2007, p. 399). These platonic and catechetical writings have been seen as an attempt in establishing 'dominance of the sinful lusts of the flesh'; a lust which Augustine considered 'only redeemable by the concession of God *in the act of conception*' (Coleman, 1980, p.130). It was in this belief that the narrative of the 'Holy Family' (Mary, Joseph and Jesus) arose – a belief which is also represented symbolically in the 'Trinity' - the *three* divine persons of God mirroring the relationship between Father, Mother and Child. Procreative reasoning, then, not only functioned as a pivot on which to assert Christian morality, but by the beginning of Augustine's episcopacy, and most certainly in *De natura boni contra Manicahaeos*, he was focused on furthering the credibility of these Christian teachings across an Empire (Drobner, 2007, p. 401).

> "Augustine assumed that by nature, that is, as a creature in God's image (Gen 1:26f), the human being possesses the grace…to obey God's commands by following Christ

as the example par excellence (exemplum) of the Christian life, and thus to attain salvation". (Drobner, 2007, p. 405)

Augustine concludes in *Confessions* (400 AD), that the Christian duty to love God has 'clashed' with man-made regulations. As such, the only option is to obey God's commands, and a Christian may not 'opt out' of any of the duties the Lord has set forth. In speaking about Sodom, Augustine makes this idea most palatable with the institution of Right Reason,

> "There are those foul offences which be against nature….they should all stand guilty of the same crime, by the law of God, which hath not so made men". (St Augustine of Hippo cited in Coleman, 1980, p.129)

Augustine, then, not only provides a similar thesis to that of Chrysostom but both saints can be considered to 'echo' St Paul's two reasons for condemning non-procreative sex – i) they are contrary to *nature*, and ii) they are considered a 'lustful' distortion which interferes with man's relationship with God (Coleman, 1980, p.129).

This snapshot of history, in the form of a 'hegemonic norm circle', provides material to support the argument that Right Reason became a normative institution - a causal power for the organisation of human beings under the Roman Empire. This causal power emerged because of a social group who shared in a belief about the 'natural order' of procreation. This belief has had a diachronic causal impact, enforcing conformity *within a circle of peers*, seen within examples of the Alexandrian School and Neo-Platonism. It has also had a diachronic causal impact within history, enforcing this belief external to the group through the institution of Right Reason which was brought into law under Constantine and Theodosius. Where procreative reasoning was once presented as a sanction of God's commandments – and could have remained the belief of individuals or smalls collectives - here, it has been retroduced as the mechanisms (beliefs, ideologies and values) of a powerful social

group who brought the dutiful citizens of the various 'Patriarchates' (Drobner, 2007, p.201-210) in the Ancient world the belief that procreative sex was the only way – 'God's way'. That an institution emerged to encourage this conformity is not surprising. The early Church Fathers not only existed in relative proximity – sharing norms, values and beliefs across the Mediterranean coast – but they also had their own schools of thought: the pedagogical space to encourage the teachings of 'natural order' by procreation. Right Reason, then, emerges from the sociopolitical nature of the actions and activities of members of 'hegemonic norm circles'. Their influential status provided a 'space' in which procreative reasoning pervaded beyond the extent of their circle to those external to the circle itself (Bowker and Star, 1999 cited in Carter and New, 2004, p.7). This can be no better seen than in the Edict of Milan and the Nicene Creed - both pieces of legislation a direct attempt at consolidating normative beliefs into state law. What remains, then, is a state legitimised teaching of the Bible. It is only a matter of time, then, before an agent experiences a set of beliefs and learns that they represent this wider group – even when the actual or hegemonic group remains obscure (Elder-Vass, 2010, p.130).

The snapshot provided above shows why it is important to 'pause' the 'time-machine' (Thompson, 1965, p.357) now and again. In doing so, an opportunity to explore both the synchronic and diachronic elements of a phenomenon is afforded. In providing a snapshot of the early Church Fathers, it becomes apparent that a normative institution – Right Reason has emerged from a 'hegemonic norm circle'. It has also provided evidence of how – a synchronic organisation of individual agents – can, eventually, have a particularly important diachronic causal impact – e.g. the regulations of non-procreative sex as seen in the Nicene Creed. This causal impact is based on 'normativity' - a mechanism – which has been retroduced by an investigation into the relations which bind collectivities together. Yet, to paraphrase Sewell (1986), it is vital that the sociologist continue along time – re-starting the 'time-machine' – so that another example of a normative institution can be retroduced.

Hegemonic Norm Circle II

In the various deliberations which encircled the *Report of the Departmental Committee on Homosexual Offences and Prostitution* – the 'Wolfenden Report' (1957 cited in Weeks, 1990) – it becomes apparent that a group of individuals are responsible for the 'state-organised' legislative protection of heterosexuality (McGhee, 2001, p.117). This is a normative institution whose mechanism (beliefs, ideologies and values) can be retroduced in the form of the 'protection of latent heterosexuality' (adapted from McGhee, 2001, p.125). An emergent product of the Wolfenden Committee – a 'hegemonic norm circle' – the deliberations around the Report's recommendations provide another empirical example of the relations which bind agents to discriminate. The protection of latent heterosexuality is a normative institution which can be considered an attempt to 'shore up' the ontological boundaries of heterosexuality. Working on behalf on a 'hegemonic norm circle', it becomes apparent that a proximal norm circle secures a 'bifurcated reform strategy' (McGhee, 2001, p.134) which protects heterosexuality from the 'encroachment of its contaminated other – homosexuality' (Fuss, 1991 cited in McGhee, 2001, p.135). What emerges is a normative institution that regulates the Age of Consent at 21 to secure the protection of malleable sexualities.

> "National heterosexuality is the mechanism by which core national culture can be imagined as a sanitised space of sentimental feeling and immaculate behaviour, a space of pure citizenship". (Berlant and Warner, 1998 cited in McGhee 2005)

This is seen in a Report which decriminalised homosexual activities in specific circumstances: when such acts are only committed with consent, in private, with no more than two adults over the age of 21. Furthermore, in its suggestions of a 'probation-treatment' programme it deploys a concern based on a belief about non-exclusive sexualities – the basis on which to forward a protection-through-criminality thesis. What emerges is a normative institution which is maintained by

two 'key' normative beliefs; i) a *remedial* claim that male sexuality passes through a homosexual 'transitional phase'; ii) that sexual orientation becomes 'fixed' at the age of 21. The protection of latent heterosexuality, then, is a causal power on which a hegemonic norm circle justifies the claim that young adolescents need protection, in law, from the advances of homosexuals and the prevention of their indulgence (McGhee, 2001, p.134-136).

Interestingly, it can be seen that a group of peers act on behalf of this 'hegemonic norm circle' when they approve the Wolfenden Committee's recommendations, which are passed into British law with the Sexual Offences Act of 1967. This proximal norm circle is said to influence a disposition to the protection thesis and, in effect, 'act causally on behalf of' the Wolfenden Committee (Elder-Vass, 2010, p.127-128). In an attempt to target and isolate young men - saving them from a life of homosexuality – this proximal norm circle is responsible for persecution through legal sanction. The emergence of the normative institution, then, is a product of a hegemonic/proximal dyad. The 'normativity' of these circles having a diachronic impact in the recommendation and implementation of the 'protection thesis' and also in the construction of 'good' and 'bad' homosexuals in public consciousness (see Rubin, 1992 cited in McGhee, 2001, p.121).

On 24th August, 1954 the Wolfenden Committee was officially announced to consider the law and practice relating to homosexuality and prostitution. The committee deliberated for three years, over sixty-two meetings and requested over two hundred witnesses before it made its recommendations in 1957 (Coleman, 1980, p.167). The committee consisted of various professionals including psychiatrists, solicitors, and ministers of religion, academics, MPs and university vice-chancellors (McGhee, 2001, p.117). In many ways the appointment of the Wolfenden Committee has been considered a response or backlash against the controversial policing of homosexual offences in the early 1950s (West, 1977 cited in McGhee, 2001, p.117). At the time, in post-war Britain, moral concerns with homosexuality were succinct: a

time of great social change and anxiety – the loss of life from war; a break-up in 'traditional' work-roles; and variations in sexual experience – homosexuality was considered a particular 'evil'. This 'moral unease' was only amplified by calls for a need to (re)produce a 'healthy workforce' - a focus on procreation for the purposes of re-population brought into sharp contrast the 'deviant' or unnatural activities of homosexuality. For instance, the Sunday Pictorial (1953) found that homosexuals were often treated with 'disgust' and their activities were considered a form of '*spreading fungus*' between 'Evil Men' (Weeks 1989, p.241; emphasis added).

In this context, there was a rapid increase in the number of homosexual offences known to the police (Coleman, 1980, p.161).[2] The protection of the family, and the need to procreate for a 'healthy workforce' became a moral preoccupation of the British Home Office and for individuals like: Home Secretary, Sir David Maxwell Fyfe; Metropolitan Police Commission, Sir John Nott-Bower and the Director of Public Prosecutions, Sir Theobald Mathew. It has been argued that these individuals pursued a 'common policy' which encouraged the police to 'step-up' and *increase* the number of arrests for homosexual offences (Coleman, 1980, p.162). Yet, the law was considered a 'grey area' and one which was often exploited either for the purposes of blackmail or by a 'fervently' anti-homosexual and moralistic Home Office (Coleman, 1980, p.163-164). According to West, there were 'gross violations of privacy', 'the use of compromising letters unearthed in the searches of doubtful legality', and the dependence upon turning Queen's evidence (West, 1977 cited in McGhee, 2001, p.118). Ultimately, it was argued that where there was no 'harm' or a 'lack of consent', a choice to prosecute was simply an ideological one. This was most perceivable in light Maxwell-Fyffe's own personal convictions:

> "…homosexuals, in general, are exhibitions and proselytizers and a danger to others, especially the young... (so long as I hold the office of Home Secretary), I shall give no countenance to the view that that they should not be prevented from being such a danger". (Weeks, 1989, p.241)

This 'drive' against 'male vice' subsequently led to the infamous convictions of Lord Montagu of Beaulieu and Peter Wildeblood in 1954 (Weeks, 1989, p.241). The Montagu and Wildeblood convictions were met with an increasing dissatisfaction with homosexual criminal law, which often provided a 'disparate' and 'confusing picture' (Weeks, 1989, p.241). A shift towards 'legal utilitarianism' had also meant that homosexual criminal law needed to be seen in a new – practical – light. As a result, the Home Secretary, was forced to 'bow to popular demand', and agreed to set up a departmental committee to look into homosexual law (McGhee, 2001, p.118).

This context was in juxtaposition with developments in psychology which had established itself as a scientific authority on the topic of homosexuality. Based on the arguments of Freud and others, psychoanalysis would intervene in in all matters of 'mental divergence' with considerable autonomy - producing a number of techniques for the 'adjustment' of homosexuals back towards their natural, 'emotional normality' (Weeks, 1989, p.236). These techniques were rendered into moral provisions through a number of 'therapeutic success stories' in which women 'returned' towards femininity and men 'overcame' their homosexuality (Weeks, 1989, p.236). A 'blurred boundary' (McGhee, 2001, p.118), then, of science and moral anxiety was used to offer merit to those who successfully converted back to their natural sex roles. The belief in monogamous marriage crystallised this return to 'normality' – a return which was believed to end the 'threat' of stability which had faced the nuclear family during the war (Weeks, 1989, p.236).

This 'quasi-scientific' conceptualisation of homosexuality and heterosexuality has been traced within the Wolfenden Report. It followed Alfred Kinsey's model, from his study entitled *The Sexual Behaviour in the Human Male* (1948), a sub-Freudian psychological explanation that considered sexuality to exist on a continuum from 'exclusively heterosexual' to 'exclusively homosexual' (McGhee, 2001, p.118). Kinsey's research not only challenged Christian constructions of homosexuality as a 'sin', but it 'obliterated' the idea that homosexuals were of a 'clear-cut type' (Terry,

1995 cited in McGhee, 2001, p.118). The Wolfenden Committee's interpretation of Kinsey's research was very important:

> "According to the psychoanalytic school, that all individuals pass through a homosexual phase in development is very common and should usually cause neither surprise nor concern". (Wolfenden Report, 1957 cited in McGhee, 2001, p.118)

Thus, the committee argued for the existence of a 'heterosexual-homosexual' non-exclusivity. Homosexuals could not be regarded as 'separate' from man-kind – homosexuality was not an 'all or none' condition – but apparent gradations were treatable (McGhee, 2001, p.118-119). In using Kinsey's claim that sexualities were malleable, the committee concluded that homosexual practices – unlike an immutable condition – were a product of indulgence: 'those whose main sexual propensity was for persons of the opposite sex' (Wolfenden Report, 1957 cited in McGhee, 2001, p.119). The committee argued that men often involved themselves in homosexual activity when contact with the opposite sex was prohibited – i.e. the naval scenario (Weeks, 1989, p.9). The argument, then, was that 'heterosexuals' were indulging in homosexual activities in 'specific circumstances' only (McGhee, 2001, p.119). The committee produced a 'mutable' form of sexuality to distinguish between homosexuality as a condition and homosexual acts (Wolfenden Report, 1957 cited in McGhee, 2001, p.119). It was this 'habit of indulgence', then, that the committee wanted to address, specifically in young men whose sexualities were considered to exist in a 'transitional' or malleable state. This homosexual habit was treatable before it reached 'chronological immutability' – adults whose sexualities had become fixed with age. This normative perspective was central to a specific project which wanted to change the activities of 'fixed' homosexuals i.e. place them into private, and 'eradicate' through treatment the 'habit' of indulgence in young adolescents (Wolfenden Report, 1957 cited in McGhee, 2001, p.119).

Treatment was a powerful option which offered the committee diverse ways in which to 'deal' with indulgent adolescents. As already noted, the institution of psychology

provided the means to 'facilitate' young offenders 'back' to society's pre-defined sexual roles. What the committee recommended was mechanisms of 'self-control' and 'responsibility' in juxtaposition to the claim that such acts were criminal (McGhee, 2001, p.120). As such, the primary objectives offered three possible outcomes: a) *the change in direction of sexual preference*; b) *a better adaptation to life in general*; c) *greater continence or self-control*. These objectives, then, have been considered an 'initiation of therapeutic technologies', in which 'offensive' homosexuals were transformed into 'discreet' and 'well-behaved' beings. The committee were aware that immutable homosexuals were not going to change, and so recommended the last two outcomes as 'practical forms of treatment' for adults (McGhee, 2001, p.120).

The committee proposed an assemblage of recommendations for reforming the criminal law: a) *decriminalisation* in specific circumstances provided a 'realm of privacy' for adult homosexuals; b) a *well-adapted* homosexual subject could be 'discreet in his private practices'; c) a '*probation-treatment*' programme for the 'indiscreet' homosexual provided training in self-discipline (McGhee, 2001, p.120-121). It was argued, then, that 'knowing one's place' amounted to discreet and controlled homosexuals existing 'non-offensively' in a 'narrowly defined realm of privacy'. This realm of privacy was defined into law in the form of the Sexual Offences Act in 1967. What the committee did, then, was 'make' a realm for the purposes of the 'juridical eradication' (Moran, 1996b cited in McGhee, 2001, p.122) of the 'discreet' homosexual from the business of law – keeping it in line with legal utilitarianism. The self-disciplined homosexual was to 'disappear' into a defined private space through the attempted 'control of public visibility' (Sinfield 1994 cited in McGhee, 2001, p.122). The committee wanted to remove the 'affront' of homosexuals – either through private 'space' or public regulation.

These developments were very important in the regulation of homosexuality in adolescence. Two psychiatrists, Dr. Curran and Dr. Whitby, who were members of

the committee, placed special emphasis on the prognosis of the successful treatment of adolescence or immature adult offenders (McGhee, 2001, p.123-124). They stated that there was 'encouraging evidence' that young adolescents could pass this homosexual stage – if not encouraged – quite satisfactorily and without medical help (Wolfenden Report, 1957 cited in McGhee, 2001, p.124). For these reasons, in both Dr. Curran's and Dr. Whitby's commentaries and in the Wolfenden Report, all episodes of homosexuality in adolescents were 'disavowed'. These young men were viewed as latent heterosexuals – or 'transitional homosexuals' – but were 'curable' through a process of treatment and 'reorientation'. This is the reason that the Wolfenden Committee recommended an Age of Consent at 21. The effective and successful treatment of adolescents in a 'transitory homosexual phase' needed *protection* from indulgence. In implementing this age, the committee hoped to 'retrieve' as many young offenders as possible from homosexuality and 'return' them to their natural sexual role – before they reached an 'immutable condition' (McGhee, 2001, p.124). This was the role of the 'probation-treatment' programme. The committee was 'eager' in the promotion of the protection of 'immature' young males – it was 'one of their central concerns' (McGhee, 2001, p.125; emphasis added). It's decision to promote 21 was seen as affording 'greater protection', relative to 16 or 18 years, 'which would bring young men to be an object of predatory attentions of an undesirable kind' (McGhee, 2001, p.126). This point was also maintained by Christian theologian, Derrick Sherwin Bailey (Bailey, 1952 cited in Coleman, 1980, p.172-173). Bailey, who headed the Church of England's Moral Welfare Council, developed these links in *Theology* and *Sexual Offences and Social Punishment* – two published pieces which were submitted to the Wolfenden Committee as evidence in 1954. He argued that the factors which contributed to the 'condition' of 'inversion' were often 'wrongful mental attitudes developed in childhood'. Bailey stipulated that '*unnatural* attitudes' were considered the responsibility of the state who was the 'guardian of contemporary youth' (Coleman, 1980, p.175). In a published Interim Report, *The Problem of Homosexuality*, Bailey made the argument ever clearer: the law, he argued, had a 'duty' to 'protect the young from seduction and assault'. This

was best appropriated by his recommendation that the Age of Consent also be set at 21 (Coleman, 1980, p.176-177). Bailey argued that the Age of Consent for 'heterosexuals' should remain at 16 but it needed to be higher for homosexuals because their practices involved a set of 'different principles' given there '*unnatural* activity' (Coleman, 1980, p.177). It was believed that at 16 it was impossible for a 'homosexual-in-transition' to make a 'mature judgment' about a kind of action which would see them 'parted from society' (Wolfenden Report, 1957 cited in McGhee, 2001, p.127).

> "It was believed that no risk should be taken of precipitating an unnecessary life-long inversion by participation too young". (McGhee, 2001, p.127)

The explicit social function of the law, then, becomes apparent when the Wolfenden Committee's recommendations are 'exposed' as 'the criminal law becomes a *mechanism* for an attempt to secure heterosexualisation' (Moran, 1997 cited in McGhee, 2001, p.126; emphasis added). The Wolfenden Committee's normative beliefs feature as a means to prevent, by criminalisation, the indulgence in homosexual activities by young men, and to deter adults – immutable homosexuals – from exploiting the unfixed nature of young male sexualities 'by seducing them into indulging in homosexual activities' (McGhee, 2001, p.126). This was taken in juxtaposition to the claim that 21 was also the Age of Majority – the chronological age at which minors cease to be legally considered children and, therefore, are *responsible* adults. An immutable homosexual male would be at an age of maturity capable of ethical-decision making in regards to procuring young men (Waites 2009, p.116). The Age of Consent at 21, then, featured as a most explicit form of 'immunisation from undesirable temptations' (Moran, 1997 cited in McGhee, 2001, p.126).

> "…the report premised its recommendations upon a disjunction between the formation of sexual aetiology and the attainment of the decision-making competence associated with mature judgements". (Waites, 2009, p.114)

After the publication of the Report in 1957, the committee's 'protection thesis' was negotiated through the process of a proximal norm circle – a group of individuals who acted causally on behalf *of* the Wolfenden Report. To paraphrase Elder-Vass, this group of individual's influenced Parliament and the wider population to the beliefs, ideologies and values of the Wolfenden Report (Elder-Vass, 2010, p.129).

During a House of Lords debate on homosexual offences in 1965, the then Archbishop of Canterbury brought the Wolfenden Committee's 'probation-treatment' programme to the forefront of the deliberations. The Archbishop argued that the Report's suggestions, 'constituted a big field for the possible bringing of deliverance, or if not deliverance, at least considerable help to homosexuals'. The aims of the 'probation-treatment' programme were to provide a 'point of entry' into the 'moral responsibility' of the matter – homosexual offences displayed varying degrees of 'culpability' both psychological and sociological (HL Hansard, 1965 cited in McGhee, 2001, p.130). He elucidated his point with an examination of a statement made by the Homosexual Law Reform Society (HLRS). For the HLRS, homosexuality was an involuntary, immutable form of condition which corresponded with same-sex sexual practices just in a world dominated by heterosexuality (McGhee, 2001, p.130). Following the Report, the Archbishop disagreed and argued that the HLRS had 'ignored' the 'various states of mind' of those who performed homosexual acts (HL Hansard, 1965 cited in McGhee, 2001, p.130). As such, homosexual acts and the 'condition' of homosexuality were separate things – 'they did not necessarily correspond'. The Archbishop promoted the recommendations of the Report because its primary concern was: 'the need to rectify the habit of homosexual practices or *acts* in young men' during what was understood as a 'transitional stage of sexual development' (McGhee, 2001, p.131; emphasis added).

The Archbishop, then, was particularly interested in the committee's concerns with the recommendations which related to the prosecution of offenders under the age of 21 years. This system offered a means of 'customising' offender treatment with a

view to the committee's probation-treatment aims of 'reorientation', 'adaptation' and 'greater *continence*' (HL Hansard, 1965 cited in McGhee, 2001, p.131; emphasis added). The variety of mental and moral states which existed 'behind' the offences could be comprehended by 'creating a detailed psychiatric profile' – an assessment program which distinguished between 'varieties of homosexualities' – for those who were 'merely immature', 'severely damaged' or 'deeply on the wrong lines'. The Archbishop concluded his speech to the House of Lords with a significant comment which underlines his commendation of the Report's recommendations and the 'protection thesis' found within. The Wolfenden Committee, he argued, provided for young men under the age of 21, 'greater possibilities for some to find their way from the wrong uses of sex and be helped towards better use of their energies' (HL Hansard, 1965 cited in McGhee, 2001, p.131; emphasis added). The Archbishop's comments are significant. Not only do they 'encapsulate' the Report's central metaphor: sexual activities are conceived in terms of fluidity, not immutable categories but he also associates this movement with deviation. The Archbishop acts on the Report's conceptualisation of 'sexual pathways' and promotes this idea to the House of Lords from his ecclesiastical standpoint: 'the normative heterosexual path is the natural or right path' (McGhee, 2001, p.132).

> "…illicit desire is especially prone to being conceptualised as aberrant movement… the idea of deviation – itself the conceptual heart of the idea of perversion – is about a movement which is dangerous or subversive: to deviate = to go astray". (Dollimore, 1998 cited in McGhee, 2001, p.131-132)

The Archbishop was not alone in this acclamation of the Report's recommendations. In fact, he features as part of proximal circle who acts to pass these recommendations into law. In the same debate, the Earl of Arran introduced a Private Member's Bill and in his presentation to the Lords he produced the age of 21 as the 'reasonable chronological age' for assuming a 'fixed' sexual orientation that was 'beyond seduction' and thus 'diversion from a heterosexual orientation'. This 'chronological immutability' argument placed 21 as a juncture where homosexuality was as fixed as

heterosexuality (McGhee, 2001, p.133). In Arran's conceptualisation he used the terms 'man' and 'adult' to invoke the claim that a male had reached 'sexual immunity' – 'incorruptible'. He also used the Report's recommendations of punitive justice to 'alleviate' the Lords' fears over 'predatory homosexuals' who would 'target' the young. His arguments, then, were rendered 'palatable through to Parliament the deployment of a punitive paradigm of protection. A strategy to be imitated in 1966 when Leo Abse (MP for Pontypool) took up Arran's Private Member's Bill and introduced it in the House of Commons in the form of the Sexual Offences Bill (No. 2):

> "…it is important to emphasise that the recommendations made in the Wolfenden Report, as proposed in my Bill, would result in… the case of any act of gross indecency against a youth between the age of 16 and 21 it would result in the present penalty of two years' imprisonment being increased to one of five years' imprisonment". (HL Hansard, 1965 cited in McGhee, 2001, p.134; emphasis added)

Abse's Bill was eventually passed into law subject to amendments. These amendments and the debates which surrounded them were recorded in the 1967 House of Commons Official Report of the Standing Committee to the Sexual Offences Bill (No.2). The Standing Committee Report is one of 'special significance' - Abse clarifies the Wolfenden's specific focus on 'the protection of male adolescents between the ages of 16-21'. Abse's reading of the Report 'reproduced concerns' over the period of the 'instability' and 'vulnerability' experienced by young males during their 'transitory phase'. As such, he urged that the committee urgently accept the age of 21, 'so as to avoid the situation where no legal sanctioning would mean a transitory adolescent homosexual phase was allowed to become fixated'. Abse wanted to install a 'legal deterrent' and thus, 'save some immature (potential) heterosexuals from having a homosexual incident' – an incident which they didn't want becoming part of the male populations later lifestyle (HL Hansard, 1965 cited in McGhee, 2001, p.134-135).

In exploring this 'snapshot' of history, it has been possible to retroduce a normative institution – or causal power – of a particular 'hegemonic norm circle'. Based on the shared normative belief that latent heterosexuality needed protection, the Wolfenden Committee proposed a number of legislative and remedial changes to secure the heterosexualisation of the male population. What is most interesting is that these diachronic changes in the law are secured by a proximal norm circle acting on behalf of the 'hegemonic norm circle'. In elucidating its 'bifurcated reform strategy' (McGhee, 2001, p.134), this proximal circle deployed a normative belief based on the Wolfenden Report's non-exclusive sexualities. It argued that by 21 homosexuals were no longer a 'threat' to the public – being hidden away in private – nor were they a threat to the youthful population. Not only was their own sexuality 'fixed' – and therefore 'unchangeable' – but they were at the Age of Majority and thus responsible adults. Yet, what awaited those indulgent homosexuals was a probation-remedial treatment programme or, if they were particularly 'bad' and seductive, the full extent of the law. The normative institution, then, encouraged the fortification of the ontological boundaries of heterosexuality through diachronic changes in the law. The Sexual Offences Act of 1967 became part of British law because a normative institution emerged which stated that heterosexuality needed legislative protection. A product of the hegemonic/proximal dyad, the Age of Consent at 21 can be seen as a means to enforce conformity within the normative construction of the 'protection thesis':

> "To err, stray, or deviate from a path, destiny or objective which is understood as natural or right – right because [its] natural... where the natural/unnatural opposition has been one of the most violent of all hierarchies". (Dollimore, 1992 cited in McGhee, 2001, p.132)

Hegemonic Social Institutions

In exploring these two 'snapshots' of history, it has become possible to retroduce two normative social institutions – causal powers – which have encouraged a conformity to regulate non-procreative forms of sexual activity. These normative institutions have emerged because of two 'hegemonic norm circles' whose synchronic organisation has given way to a set of relations on which convictions that subordinate a particular individual or group are based. These 'hegemonic norm circles' enforce conformity within their own boundaries, that is, they 'colonise' their 'fields of experience' (Cresswell, Karimova and Brock, forthcoming), but through the emergence of normative social institutions they encourage conformity by permeating their own boundaries through the sociopolitical action of their members.

In 'retroducing' these causal powers of 'hegemonic norm circles', it has been argued that (oppressive) social events have been generated through diachronic changes in the law. But what happens when these 'hegemonic norm circles' intersect? In exploring these 'snapshots' of history, it becomes clear that the intersection of hegemonic norm circles can give rise to a 'hegemonic social institution': a 'collective representation' of a set of beliefs which stipulate the ontological boundaries for the oppression of human agents on the basis of *binary difference* (Fuss, 1991 cited in McGhee, 2001, p.128, 134). This collective representation, in the case of a history of sexuality, refers to those intersecting circles whose causal powers encourage conformity external to the group itself i.e. in the form of other normative social institutions. What is seen, then, is a singular 'hegemonic social institution' which shares a set of beliefs that have been encouraged by the intersecting causal powers of 'hegemonic norm circles'. This 'hegemonic social institution' is an example of how shared institutions – of religion, jurisprudence and medicine – underpin a single sociological phenomenon: naturalness.

In 'retroducing' the normative social institutions – causal powers – of Right Reason and the protection of latent heterosexuality, it becomes apparent how these intersecting circles work to have diachronic causal impacts. First, an emergent normative institution stipulates that the 'natural order' of human organisation is through procreation: 'human dignity is derived from reproduction not choice' (Pronk, 1993, p.241). This moral position was then ratified into Roman state law and the public consciousness in all its territories. Right Reason emerged as a normative institution that would pervade public understandings of sexual activity for two millennia. This is not far-fetched. As a history of sexuality and the protection of latent heterosexuality shows, this belief in the 'natural order' by procreation was still being espoused in Parliamentary debates and legislative deliberations between 1954 and 1967. A look at the history shows that a Christian theologian, Derrick Sherwin Bailey (1956) – a consul of the Wolfenden Committee – stipulated that homosexual practices were the result of 'unnatural attitudes' towards sex. A moral view also taken up by the Bishop of Southwell, who reminded the House of Commons in 1958 that,

> "…These forms of unnatural association are, of course, morally evil and sinful in the highest degree, because they are a violation of natural law, or, as the Christian would say, of the purpose of the Creator also, who when we he created man in his own image, created them male and female". (Coleman, 1980, p.167)

What is most interesting is that remedial claims are used as a form of regulation in juxtaposition to Right Reason. Where it has been argued that Kinsey's research challenged Christian constructions of homosexuality as a 'sin',[3] his claim for a continuum of sexuality were interpreted by a 'hegemonic norm circle' who stated that:

> "…all individuals pass through a homosexual phase in development". (Wolfenden Report, 1957 cited in McGhee, 2001, p.124)

The malleability of sexuality became the place to articulate 'special emphasis' for the prognosis of 'treatment' for homosexuals. By way of two psychiatrists - Dr. Curran and Dr. Whitby - it also became the place on which to quantify the stages for homosexual – heterosexual transition. Those who 'transgressed' were simply offered a 'probation-treatment' programme for the process of 'reorientation' (McGhee, 2001, p. 124): a lucid attempt at the control of homosexuality for the protection of latent heterosexuality. But why was it felt necessary to legislatively safeguard this form of sexuality? The answer is no more apparent than in a statement by the Archbishop of Canterbury, Michael Ramsey in 1965 (the debate for the ratification of the Report's proposals):

> "In the moral state of our country we need all the forces available to combat evils, of which homosexual practices are one. The proposed reforms would, I believe, help greatly by enabling a greater balance between the forces of law, morality, remedial science and the cure of souls, by promoting what is good and right". (HL Hansard, Cols. 84-85, 12th May, 1965)

The intersectionality of causal powers - of religion, jurisprudence and medicine – encourages conformity to naturalness. This 'hegemonic social institution' is set of beliefs which reproduce the finality in the moral and scientific arguments for heterosexual intercourse. Naturalness is a moral duty, for it is a view to the importance of children through reproduction and thus a view to the survival of society. It asserts that what is 'essential' to being human (hence: to be natural) can be known only through procreation. To this extent, naturalness is conceptualised as a biological order when questions of 'morals' and 'ethics' can only ever refer to social order. It is a 'naturalistic fallacy', where intersecting causal powers have taught us about the 'nature of man', in a biological sense of order, when it is but a normative view (Pronk, 1993, p.236). This is what is meant by 'oppression on the basis of binary difference' – homosexuality will always be considered pathological as long as an appeal is 'made' to natural human sexuality. Conceivable attempts to *encourage* a return to normal will always be made if an individual feels that they have a *duty* to

enact the preference of a 'hegemonic norm circle'. As the history shows, human agents will go very far to see their 'preferences' protected and will feel no compassion to those who violate this 'human obligation' (Pronk, 1993, p.236). This 'hegemonic social institution', then, is a synthesis of causal powers which encourages members both within and external to the group to widespread prejudice and ignorance. Finally, when it is argued that this oppression is rooted in irrational anxiety (Pronk, 1993, xv), it is worth asking the question: 'an ignorance of what? With the thesis in mind, it can only be argued that it is in an *ignorance of our own human history*; an ignorance of the social construction of sexuality, that groups of human agents are allowed to maintain normative beliefs that continue to belie reason.

Norm Circles of Resistance

Exploring the archive helps to detect how the synchronic and diachronic entwine. Having identified the mechanisms and causal powers of 'hegemonic norm circles' – constituent entities which 'colonise the fields of experience' – it is necessary to consider those constituent entities which resist these emergent accounts of hegemonic experience (Cresswell, Karimova and Brock, forthcoming). To develop on Elder-Vass' (2010) work, the term 'norm circle of resistance' has been developed as a 'sociological rendition' of 'resistance to power'. As such, it refers to those 'interconnected networks' of movement activism which challenge or 'problematise'[4] the normative beliefs which emerge as a part of 'hegemonic social institutions'. In detecting these challenges diachronically, it argues that the 'norm circle of resistance' can identify the emergent normative social institution and the interconnected networks ('hegemonic norm circles') which produce hegemonic experience. It is argued that the 'hegemonic social institution' provides the conditions for activists to experience, and it is within this hegemonic experience that the knowledge which leads men and women to 'choose to act – or not to act – in

particular ways' is informed (Cox and Nilsen, 2005). Thus, it is within the context of a 'norm circle of resistance' that human agents possess the 'opportunity' to act but are also disposed to act because shared normative beliefs enforce conformity (Bhaskar, 1989, p.89-90; Elder-Vass, 2010, p.126).

Naturalness is a 'hegemonic social institution' responsible for shaping the boundaries of the public-private dichotomy. The intersectionality of 'hegemonic norm circles' gave rise to the legislative regulation of homosexuality in the public and private realm - seen explicitly in the Sexual Offences Act of 1967. It has been argued that these regulations were based on an intersection of normative beliefs which effectuated a belief system encircling binary difference. The diachronic impact of this intersectionality was to feature in a number of ways and give rise to many hegemonic experiences. For instance, by the time of the murder of actor Michael Boothe on 30th April 1990, there were fourteen unsolved related murders dating back to 1986 (Lucas, 1998, p.13-14); Section 28 of the Local Government Act had been enacted in Parliament; and there was apparent 'institutional homophobia' within the Metropolitan Police (Appendix A, Item 5). It was under the experiences of 'queer-bashing' and the legislative regulations imposed by the Moral Right (and Conservative government) that individuals organised to say 'enough is enough' (Lucas, 1998, p.14). It began with a number of small collectivities; 'Stonewall' and 'OutRage!' offering just two examples of social groups who can 'rule-resist'.

In the beginning, these two 'norm circles of resistance' emerged to resist a collective threat in the form of the 'hegemonic social institution'. A collectivity of individuals formed under the banner 'Stonewall' and stressed to the need to address 'Homosexuality and Modern Morals' (Appendix A, Item 5). It its article *Monitoring and Outmanouvering the Moral Right*, the 'hegemonic social institution' is located as a collective of 'key groups and individuals' whose 'shared normative goals' are explored as an interconnected network or *The State of Britain's Right*. Most importantly, the document considers the 'Moral Right' as a 'threat to liberal

opportunities' and lists the possibilities that they will 'target' i.e. lesbian and gay rights, women priests and reproductive rights. These are all normative concerns which emerge within the boundaries of binary difference. As is a direct concern with 'queer-bashing': the diachronic effect of a normative belief which stipulates that homosexuals are unnatural and therefore encourages intolerance and prejudice. Another small group – 'OutRage!' – arose because of this particular hegemonic experience vis-à-vis the murder of Michael Boothe and as a collective of individuals positioned themselves on the belief that 'the violence that had gone before had to stop' (Lucas, 1998, p.14-18). OutRage! poised themselves as a collective which would challenge 'homophobic violence' through 'radical non-violent civil disobedience' - a direct and public rebuttal to a 'hegemonic social institution' which encouraged a 'return' to 'natural sex'.

Both of these social groups, then, can be considered an example of how 'social being determines social consciousness' (Marx, 1859). This only echoes what Bhaskar aptly described as the 'problem-field' – a 'hegemonic social institution' accounts for human experience but simultaneously and in equal measure that history and society are 'made' by constant, more or less purposeful, individual agency i.e. 'hegemonic norm circles' and 'norm circles of resistance'. People 'make' their own history – to paraphrase (Marx, 1852), where the 'definite circumstances and conditions' are the emergent products of 'hegemonic norm circles'. It is these 'definite conditions' that give way to hegemonic experiences and this can only be seen through the diachronic. This is why sociologists must turn to the 'historical event' because the example of 'outing' provides the 'regularities of process' (Thompson, 1995, p.114) necessary to consider the underlying relations which give emergence to a 'hegemonic social institution' and therefore provide the 'conditions' for what binds 'norm circles of resistance' together – hegemonic experiences.

"History is thus entwined in a multiply determined dialectic of the diachronic and the synchronic, of hegemony and resistance, resistance and hegemony…" (Cresswell, Karimova and Brock, forthcoming)

It is here, then, within the historical event – 'outing' – that the contradictions, shaped by the intersecting emergent convictions of 'hegemonic norm circles', are addressed. It is here, in the public-private dichotomy, that we can render why 'the state must confine itself to formal, negative activities' (Marx, 1844). Because it is here, that the engaged intellectual renders explicit the realisation that a 'hegemonic social institution' subjugates on the basis of binary difference. The historical event of 'outing' was not simply fate, then. To paraphrase Weeks (1990, p.33), the Church of England 'did not produce its resistance automatically', but it did maintain the boundaries of difference – 'those contradictory sides of thought' (Marx, 1847) – in which 'struggle' and 'resistance' were forged. This is the apparent motivation for change – the emergent causal power of 'norm circles of resistance' – where critical agency forces a challenge to the 'hegemonic social institution' through public politics.

This is exactly what we see in the historical event of 'outing'. The forced exposure of a clergyman's sexuality 'makes' public the very contradiction that exists within a 'social space' (Bourdieu, 1989) – a space whose boundaries are encouraged by a 'hegemonic social institution'. This is what is meant by the argument that 'outing' exposes a dialectical contradiction. In terms of public discrimination, OutRage! and its 'friends' or proximal circles detailed quite extensively the role the Church of England played in hegemonic experiences.[5] For instance, the Church was responsible for a number of 'ex-gay' movements; including a group called 'Living Waters', who claimed that 'through belief in Jesus Christ homosexuals could be cured of the homosexuality' (Lucas, 1998, p.77). They even published a book to the same effect: book in Britain, '*Pursuing Sexual Wholeness - How Jesus Heals the Homosexual*. The Church of England vis-à-vis Cardinal Hume also supported the pronouncements

of the Congregation for the Doctrine of Faith, the Vatican's doctrinal watchdog, who claimed that,

> "There are areas in which it is not unjust discrimination to take sexual orientation into account - for example, in the placement of children for adoption or foster care, in employment of teachers or athletic coaches and in military recruitment". (Lucas, 1998, p.133)

The Cardinal was also seen later declaring 'that homosexual genital acts, even between consenting adults, are morally wrong' (Tatchell, 1994c). Also, the Archbishop of Canterbury, George Carey, was once quoted as referring to homosexuality as a 'scandal', a viewed shared by Reverend Lister and Michael Turnbull who were both on record for 'homophobic remarks' (Lucas, 1998, p.75). The Church of England was also considered the 'harbinger of secrecy', for they maintained the argument that homosexuality was 'morally wrong' and yet, simultaneously, 'coerced and deceived themselves and the public by not disclosing the true sexuality of some in their ranks' (Tatchell, 1994c). It is hardly surprising, then, that activists felt that the moral beliefs of the Christian church had widely persecuted lesbians and gay men (Lucas, 1998, p.74). It is within these hegemonic experiences, then, and the inevitable 'clashing of opposites' that the relations which bind 'norm circles of resistance' emerge – the experiences which lead to shared beliefs for:

> "…subverting the status quo and interrupting business-as-usual. It is precisely this unwillingness to conform to the rules … Making trouble, defying convention, undermining normality, and questioning authority: these are the hallmarks of our activism". (Tatchell, 1999a)

In 'outing' bishops or clergymen who conceal or lie about their sexuality, then, this 'norm circle of resistance' is said to intensify those 'oppositional tendencies' that a 'hegemonic social institution' has forged through its conformity to naturalness. So

where it is has been stated that the 'nature of man' is in his essential order to heterosexual sex – a norm ratified in the institutions of religion, jurisprudence and remedial science – it is brought into disrepute by the hypocritical activities of members of the very 'hegemonic norm circle' which maintains Right Reason – a pillar of the normative belief in 'natural order' by procreation. When this member is 'exposed' as a fraud i.e. to proclaim, teach or maintain a sexual moral code and then ignore it, the dialectical contradiction is not resolved but results in 'something determinate, a new thing' (Sayers, 1976). This is said to be the diachronic causal impact of the causal power of 'outing'. An emergent property of a 'norm circle of resistance'; 'outing' forces a space in which the 'hegemonic social institution' vis-à-vis its constituent entities may be brought into *public redress*:

> "This is bound to make Anglican leaders much more circumspect in their homophobia. They realise that any hint of anti-gay policy will, given their apparent acceptance of gay clergy, be instantly ridiculed as hypocrisy and double standards".
> (Tatchell, 1995b)

What is seen, then, is how naturalness – the normative basis of binary difference – is brought into disrepute by the diachronic impact of a causal power of a 'norm circle of resistance' i.e. a process of public exposure. It has been argued that naturalness is the result of intersecting 'hegemonic norm circles' of which one maintains the institution of Right Reason. If the moral foundations for 'natural order' – those keepers of the normative argument for the 'essence of man' – are redressed through the hypocritical and contradictory actions of clergymen then a space must be 'opened up' to ask the question: *Who is really acting immorally?* And it is this reason that 'outing' is said to be 'futural', because it 'opens up' a space for new 'fields of experience' in what was previously 'colonised' by intersecting 'hegemonic norm circles'. This is to *show* how a normative institution effects motivation, so a later point in time, human action is affected (Elder-Vass, 2010, p.125). Normative institutions develop, *and then* human action is motivated to change. An emergent space can be considered 'opened up' diachronically for new norms, values and

beliefs to emerge which are not based on notions previously encouraged by a 'hegemonic social institution'. 'Outing', then, emerges as a means of rejecting the normative basis for binary difference by making the position untenable through public politics – a diachronic effect.

There is also another diachronic effect that a 'norm circle of resistance' can have and that is to endorse conformity within the group. Delving into the archive, it is possible to elucidate this diachronic causal effect through differences in the 'tactical repertoires' (Tilly, 1978) of Stonewall and OutRage! The organisation of Stonewall can be considered a clear departure away from the GLF - Stonewall shared values for a more 'traditional' hierarchy and leadership because it was necessary for the purposes of lobbying Parliamentarians for support. For example, a look at a 'Stonewall Group' article (Appendix A, Item 7d), suggests that conformity within the group is enforced, to paraphrase Elder-Vass (2010, p.112-123), when individual activists 'are aware they are expected to observe practices' which help diffuse the power of the Moral Right 'or face positive or negative consequences', including on-going links between the national press and the Moral Right or opposition to the Stonewall Groups initiatives. This 'conformity-in-action' is best seen in a number of Stonewall's Press Releases, but one in particular, which welcomes a Press Complaints Commission decision to 'condemn the Daily Star of homophobia' (Appendix A, Item 20). This was in response to a number of 'misleading and insulting' pieces of coverage by the Daily Star which had 'incited hatred against lesbians and gay men', as well as 'grotesquely distorting the work of lesbian/gay lobbying groups'. The same can be said of OutRage!

> "The idea that lobbying tactics should have primacy in the struggle for our liberation...is misguided... it is not particularly effective when it comes to changing public attitudes and cultural values...some forms of homophobia are not susceptible to lobbying". (Tatchell, 1994b)

This social group emerged in variance, then, to the lobbying efforts of Stonewall, and as such, it can be argued that members of OutRage! shared in a belief about direct action. The hegemonic experience of the murder of actor Michael Boothe provides an authoritative example:

> "[the murder] It immediately focused all things that we were concerned about into a set of issues that were easy to articulate and which marked a completely new departure in terms of street activism". (Keith Alcorn cited in Lucas, 1998, p.14)

Where Stonewall would dismiss these values, often as a form of 'ghetto protest politics', it can be argued that as a 'norm circle of resistance', OutRage! maintained a set of relations or normative commitment to direct action. This can be seen both in its 'Kiss-In' and 'Whistle' campaigns. For example, in the nineties, the Metropolitan Police was considered responsible for the hegemonic experiences or 'victimisation' of 'gay men and women' through Section 5 of the Public Order Act 1986 – i.e. 'public indecency'. Originally introduced to curb football hooliganism, it was used to regulate 'public displays' of homosexuality, and as such was met with a commitment to direct action through the 'Kiss-In'.

> "All these things are very simple. You say 'let's have a kiss-in', you produce a leaflet, you hand it around, you've got 50 or 60 people at a meeting, most of those are going to go along, most of them will bring friends". (Lucas, 1998, p.33)

What is interesting here, is that there is also an *indication* of 'friends' as a proximal norm circle i.e. those who act on behalf of the 'norm circle of resistance' by showing support for their normative beliefs in the face of hegemonic experience. To make things clearer: if an activist interacts with their friends, who also enforce and enforce the norm, they are likely to produce a disposition to act in conformity or, in this case, 'have an impact of people's confidence about being openly gay in the West End' (Keith Alcorn cited in Lucas, 1998, p.33; Elder-Vass, 2010, p.128-129).

The 'Whistle' campaign not only endorsed or enforced conformity within the circle, but examples from the history provide evidence to the claim that a 'norm circle of resistance' can encourage conformity external to the group itself (Bowker and Star, 1999 cited in Carter and New, 2004, p.7).

> "The idea behind the whistle was not just something you could use to call for help, it was also a sign, in the same way as a red ribbon…the other huge benefit was it allowed us to go out and talk to people what we were doing and why we were doing it. The whistle patrols were one of the most important early actions that OutRage! did. They were important in terms of outreaching to other people, they were important in terms of bonding groups together – people did them as a social thing". (Keith Alcorn cited in Lucas, 1998, p.33)

It becomes apparent, then, that a 'norm circle of resistance' endorses conformity through a symbolic suggestion. The 'Whistle' represents a normative bond within the group but also encourages conformity externally through 'outreaching' – talking to other people about the reasons behind the 'what and why'. In part, these reasons have to do with hegemonic experiences.

> "Actually it was about raising people's awareness of OutRage! being around. OutRage! raised the profile of violence against lesbians and gay men more than anything else that's happened, really. Everyone we know has been affected by violence in one way or another". (Steve Stannard cited in Lucas, 1998, p.23-24)

Finally, this example of a diachronic effect can be seen in 'outing'. Where the emergent space this normative institution 'opens up' encourages conformity to the norm external to the group itself (Bowker and Star, 1999 cited in Carter and New, 2004, p.7). Whilst many criticisms were levelled at 'outing' – its 'reactionary' potential – it is important to recognise how this institution encouraged conformity within individuals external to the 'norm circle of resistance':

"Can I be the only one disgusted by Stonewall's response to the whole Peter Tatchell/outing media-feeding frenzy? ... I have yet to hear them utter a single word against the real terrorists in this scenario - the cowards and hypocrites who endorse the homophobic teachings of the Church, and who routinely vote against lesbian and gay equality". (Appendix A, Item 12)

In exploring the history, then, it has been possible to detect how the synchronic and diachronic intertwine. A 'norm circle of resistance' is a social group whose relations emerge from hegemonic experiences, and as such, are directed towards 'rule-resisting'. It has been shown that this synchronic organisation of individuals 'gives way' to a normative institution that had a particular diachronic causal effect – bring into disrepute the normative basis of naturalness through public politics. This was achieved by opening up a space in which the 'fields of experience' could no longer be 'colonised' by intersecting 'hegemonic norm circles'. By bringing the 'hegemonic social institution' into public redress a space was opened to critically assess the moral foundations of the essence or 'nature of man'. This was not the only diachronic effect a 'norm circle of resistance' can have. Exploring the archive, it has become apparent that this social group not only possessed the opportunity to act through the contradiction shaped by the 'hegemonic social institution' (and its hegemonic experiences) but were also disposed to act because shared normative beliefs enforce conformity (Bhaskar, 1989, p.89-90; Elder-Vass, 2010, p.126). Conformity was enforced within the group through a number of symbolic devices or campaigns, and in the case of the institution of 'outing', individuals external to the circle were encouraged to conform to its normative beliefs.

Concluding Remarks

This thesis has furthered the relationship between the philosophy of emergent realism and a history of norm circles. It has shown that 'history is thus entwined in a multiply determined dialectic and the synchronic, of hegemony and resistance, resistance and hegemony' (Cresswell, Karimova and Brock, forthcoming). It has argued that the engaged intellectual can provide answers to some very practical sociological questions through the combination of critical realism and social constructionism. In exploring a history of norm circles, it has become apparent that intersecting 'hegemonic norm circles' give rise to an institution which provides a moral basis for 'natural man'. This is, of course, only a construction and its hollow nature is brought to the fore when these intersecting circles can no longer 'colonise' the 'fields of experience'. *Who* was doing what to *whom*? This question has been answered through an exploration of the emergent institutions of Right Reason and the protection of latent heterosexuality' *When* was this happening or *for how long?* It is only by delving into history that the 'regularities of process' can be elucidated, and in this case, it is possible to retroduce the mechanisms which have enforced or *encouraged* conformity for almost two thousand years. *Why?* Right Reason and the protection of latent heterosexuality are both products of 'hegemonic norm circles', which can be said to regulate on the normative basis of 'natural order' by procreation which was subsequently protected through juxtaposition in law and remedial science. *How* and *why* was resistance achieved? Through the public politics of 'norm circles of resistance' a disposition to rule-resist emerged in light of hegemonic experiences and the synchronic organisation of norm circles. These relations are responsible for creating an emergent space (both transformational and reactionary) in which the contradictory nature of religious belief, and its impetus in law was *shown* as untenable under the critical scope of reason and public secularism.

> "…And this being so, I think it is a great error to persist in attempting to find in the Christian doctrine that complete rule for our guidance which its Author intended it to

sanction and enforce, but only partially to provide. I believe, too, that this narrow theory is becoming a grave practical evil, detracting greatly from the moral training and instruction which so many well-meaning persons are now at length exerting themselves to promote". (Mill, 2005, p.62)

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[1] Note: Algeria, where St Augustine was borne, was a Roman occupied territory, at a time, where Christianity was in 'full swing' (Puterbaugh, 2000).

[2] The Wolfenden Committee Report of 1957 showed that between 1931 and 1955 an increase from 622 to 6,644 offences had occurred.

[3] It has also been argued that Kinsey pleaded on the basis of his statistical data for the moral acceptance of socially condemned sexual variants (including homosexuality), citing frequency of occurrence (Pronk, 1993, p.237).

[4] In the paper, 'Feminism, Psychiatric Survivors and the Problematisation of Self-Harm in the UK, 1980-2000', there is a discussion of how social movement activism can 'problematise', in the Foucauldian sense, *hegemonic* discourses through norms circles of resistance. It is argued that within 'the process of problematisation', 'norm circles of resistance' can bring hegemonic discourse into question through public politics (Cresswell, Karimova and Brock, forthcoming).

[5] "Can the C of E be really expected to cast aside the Biblical teachings on sexual morality which it has adhered to since its founding, teachings moreover which all other mainstream Christian Churches, as well as para-Christian sects, follow? I think not". (Appendix A, Item 5)

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