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Lukas T. Marciniak  
Lodz University, Poland

### Editorial: Article as a Process of the Quality Constructing

It is a great pleasure to prepare an article for publication and a great honor to have an opportunity to participate in a process of improving it. For us, members of the Editorial Staff, it is always the process of the quality constructing, when author, reviewers and editors try to make an original submission a better article.

If we apply qualitative, sociological perspective to analyze this process, we will recognize it as a continual negotiation between the author – someone who aims to present findings, theories or considerations; the reviewer – someone who tries to advice how it should be presented, and the editor – someone who intends to publish the best, important and valuable article. Of course, such triple interaction is often difficult and that is because the author plans to keep unchanged as much of the original text as possible, especially when she/he feels that each change is an impoverishment of her/his subjective means of expression; at the same time, the reviewer wants to modify as much as possible because she/he feels that every suggested revision will improve the paper and that recommended revision, generally speaking, is the only valuable way to supply constructive criticisms for the author. The editor has own point of view, own imagination of forthcoming issue and is sure that the most important is to adjust the article to the requirements of the issue, of the journal, of the style guides, of the publisher etc. They all have the same purpose, the quality of the work, they only see it as attainable in a quite different ways.

Those who do not decide to go beyond own stock of meanings, break off negotiating and interacting. The process ends in success only when they all manage to construct their, intersubjective definition of the quality. And they hope that all readers will share their opinion.

In the current issue, we present eight considered, carefully prepared articles and we hope that you will appreciate their quality.

The first article, written by Yeslam Al-Saggaf and Kirsty Williamson, is based on the ethnographic exploration of the virtual communities in Saudi Arabia but is much deeper than a simple description and presentation of the findings. Authors aim to focus not only on the substantive field of their study or on the applied method but also on the epistemological roots of doing ethnography. The research problem (virtual communities in Saudi Arabia) and the main subject of the article (use of unobtrusive observation and participation) are considered from the constructivist perspective.

Another article which offers simultaneously, interesting subject of the study and important reflection upon the researcher's experience of the research, is a Bruce Arnold's work which highlights the problem of death and dying in a Thai Buddhist

hospice. It is a penetrating, grounded on the autoethnographic – autobiographical data, study of the phenomenon and its cultural context, the researcher's involvement in the research process and the role of researcher's emotions or taken-for-granted classification schemas.

In the third article, Val Gillies and Rosalind Edwards examine the concept of social capital and refer it to the work of major social capital theorists – James S. Coleman and Pierre Bourdieu. While authors intend to compare social capital theories, present and describe these different interpretations of the concept, their article is far from theoretical debates. It is empirically based analysis, founded on a qualitative study of parenting resources, developed and supported by gathered data and illustrated using case studies examples.

The fourth article, written by Noriko Milman and Jerome Rabow, is an examination of the impact of a politically-charged symbol on the everyday interactions. The problem is studied from the symbolic interactionist perspective, referred to the work of E. Goffman, especially his work on stigma, identity management and the self and grounded on auto-ethnographic data gathered during “The Pink Triangle” experiment revived by the authors.

Another, empirically explored issue is the concept of collective identity, studied on the substantive field of the Canadian fathers' rights movement and described by Robert A Kenedy in his article. Author applies a “Three-Pronged” methodology – a combination of the participant observation, semi-structured interviews, and content analysis and takes a case study approach to investigate the phenomenon of collective identity but also to evaluate and discuss the usefulness of employed method with reference to the specific, research problem.

The sixth article is an ethnomethodological approach to the legal studies in general and analysis of the structural organization of a ruling in particular. Baudouin Dupret briefly presents the Egyptian legal and judicial system as a basis for further considerations and applies the praxiological study of texts to investigate Egyptian trial, known as the “Queen Boat case.”

The seventh article may be recognized as an essay describing author's experience. Indeed, and the experience of the sur-real is deeply explored by Alexander Kozin who uses phenomenology as a method. This article is a reflection upon the experience of the human body and the experience of the embodied abnormality, referred to the studies of embodiment conducted by Edmund Husserl and Maurice Merleau-Ponty and presented in the context of the art.

Finally, the last article written by Frank Nutch describes how photographic identification became a research technique. Because of the specific substantive area of the study - photographic identification of cetacea, this article will be valuable for those readers interested in sociological non-human animal studies, visual sociology as well as qualitative research within the context of sociology of science and scientific knowledge.

Have a nice reading!



# *Qualitative Sociology Review*

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Yeslam Al-Saggaf

Charles Sturt University and Centre for Applied Philosophy and Public Ethics,  
Australia

Kirsty Williamson

Monash University and Charles Sturt University, Australia

Doing ethnography from within a constructivist paradigm to explore  
virtual communities in Saudi Arabia

## **Abstract**

Most of the studies in the recent literature focus on the method used but not the philosophy behind it. This article focuses on doing ethnography, from within a constructivist paradigm, to explore individuals' participation in virtual communities in Saudi Arabia. An aim of this article is to highlight how particular ethnographic techniques, viz unobtrusive observation and participation, were used in that study. The article argues that doing ethnography in this way allowed for placing the results within the social and cultural context of Saudi society. The article, which includes a sample of the findings from the two techniques involved for illustration, concludes that the one-year unobtrusive observation and the eight months' participation in two different but similar virtual communities, during the period 2001-2002, have produced findings that are deep, meaningful and rich in description.

## **Keywords**

Ethnography; constructivist paradigm; constructivist ethnography; unobtrusive observation; NVIVO; virtual communities; Saudi Arabia; Saudi women

## **Introduction**

In 2002, an extensive study of the use of virtual communities for social purposes in Saudi Arabia was completed. It was undertaken by an Arab man who lived in Saudi Arabia for a long time and is therefore very knowledgeable about the culture and the way of life of the society where he grew up. His curiosity about virtual communities grew when he visited Al-Saha Al-Siyasia (by far the most widely spread forum in Saudi Arabia these days) in 2000 and interacted with some of its members. Today, the number of people who use virtual communities in the country is in the order of hundred of thousands. Although the Internet in Saudi Arabia is subject to strict government control, virtual communities have never been subject to any form of censorship. This has allowed males and females in this conservative society to talk to

each other in ways not previously possible. In a country where religion is taken very seriously this social change should be considered phenomenal.

There are a number of interesting issues that could arise in this new situation, particularly in relation to the off-line lives of Saudis. For example, will participation in virtual communities by Saudi women who make up 45% of the Internet users in the country (AlZaharni, 2002), become a way around long established customs that prevent them from having casual conversations with unrelated males (Wheeler, 2000; AlMunajjed, 1997)? Since men and women can be observed talking to each other online, will they talk to each other offline as a result of their communication online? While slander and obscenities are common in virtual communities in general (Kollock and Smith, 1999; Wellman and Gulia, 1999), will these become common in Saudi virtual communities? While this article includes a brief discussion of some of these questions, its main focus is on the method used and the paradigm chosen.

Lack of studies on virtual communities in Saudi Arabia inspired this research. It was further encouraged by the apparent lack of studies of virtual communities being conducted in the Arabian Gulf countries and the other Arab countries as Western researchers have noted (e.g., Ess, 1998). Moreover, with the exception of Al-Farim (2001) and Wheeler (2003, 2001, 1998), there is a paucity of studies that have addressed the Internet in Saudi Arabia and the Arab world in general. The impact of virtual communities on people's off-line lives is seriously under-researched even in the Western world (Dodge and Kitchin, 2001; Jones and Kucker, 2001).

There are many discussions in the literature (Preece, 2005; Preece, 2000; Jones and Kucker, 2001; Kollock and Smith, 1999; Wellman and Gulia, 1999) of what constitutes a virtual community. For the purpose of this article, virtual communities are defined as "social aggregations that emerge from the Net when enough people carry on those public discussions long enough, with sufficient human feeling, to form webs of personal relationships in cyberspace" (Rheingold, 2000: XX). It should be noted that the virtual communities that are examined in this study used an "asynchronous" rather than a "synchronous" mode of communication- where participants interact in delayed time, that is, without everyone gathering at particular time.

Most of the studies in the recent literature focus on the method used but not the philosophy behind it. The emphasis of this article is on the use of both, viz the method, ethnography, and its philosophical underpinnings, the constructivist paradigm. The focus is also on two key ethnographic techniques, namely unobtrusive observation and participation, which were used to collect the data, including the selection and descriptions of the settings and the gaining of entry to them. After a description of the data analysis, the article presents a sample of the findings for illustration purposes. The findings in this article relate to the main characteristics of participation in virtual communities in Saudi Arabia and have been obtained using the techniques of unobtrusive observation and participation. The findings from another technique, the interviews, are included in previously published articles (e.g., Al-Saggaf, 2004). Finally, the article offers some conclusions regarding the value of the method for research focusing on virtual communities.



## The choice of the constructivist paradigm

The main aim of the study was to explore individuals' participation in virtual communities in Saudi Arabia. Since it was important to place the results of the study within the social and cultural context of the Saudi society, the interpretivist approach (which is associated with qualitative research methods) seemed most appropriate. Interpretivists believe that reality is socially constructed and situated and is therefore relative to a specific context. They also consider understanding the perspectives and meanings that people individually construct about their situations essential (Williamson, 2002). Another reason for choosing the interpretivist framework is because a secondary aim of this study was to learn about individuals' experiences and their perceptions about the effect of their participation on their off-line lives. This secondary aim was achieved through the use of semi-structured interviews, discussion of which, as mentioned above, will not be reported here.

One of the popular paradigms that come under the interpretivist approach is called the constructivist paradigm. In terms of its ontological assumptions, this paradigm argues that the reality about a particular social phenomenon is multiple and constructed. Constructivists believe that there is no single objective reality "out there" about a particular phenomenon; instead, there are multiple realities constructed in the minds of the people under study. In terms of its epistemological assumptions, this paradigm argues that the investigator and respondent co-create understandings and thus, when reporting their findings, researchers tend to acknowledge their subjectivity. Researchers also tend to accept that they themselves influence the research process and, for this reason in their report, they also reflect on their own roles (Marshall and Rossman, 1999). In terms of its methodological assumptions, constructivists believe that they should study the phenomenon in the field where it occurs, because they recognise the importance of understanding the cultural practices of the people and the meanings they bring to them (Denzin and Lincoln, 2000: 21). Schwandt (1994: 128) believes that research carried out within a constructivist paradigm is very similar to naturalistic inquiry as outlined in Lincoln and Guba (1985). Naturalistic inquiry, for example, favors qualitative (interpretivist) methods because they are more suitable to dealing with the multiple realities (Lincoln and Guba, 1985: 40). In naturalistic inquiry, the process of research is interactive and the knower (inquirer) and the known are inseparable from each other. The inquirer 'prefers to negotiate meaning and interpretations with the human sources from whom the data is drawn because it is their realities that the inquirer seeks to reconstruct' (Lincoln and Guba, 1985: 41).

The constructivist paradigm encompasses two key constructivist theories. The first, personal construct theory, was first described by Kelly (1963) and emphasizes individual reality or interpretation of the world. The second, social construct theory, major proponents of which were Berger and Luckmann (1967) emphasizes the influence of society, culture, and social environment on reality. Personal construct theory argues that people construct the reality about their world individually and that is why reality about a phenomenon is not single but multiple, existing in the minds of individuals (Charmaz, 2000; Denzin and Lincoln, 2000; Schwandt, 2000). Every person constructs his/her reality about the world based on individual perceptions and every person perceives the world in a way that could be different from another person's perception of it (Saule, 2002; Hammersley, 1995; Kelly, 1991; Lincoln and Guba, 1985). However, while the meanings derived from events, persons, objects (in order to make sense of, or organize, them) are constructed realities, persons and

objects in the constructed view are considered tangible entities (Lincoln and Guba; 1985: 84).

The social construction of reality theory argues that meaning is developed through the interactions of people and things like, language, culture, environment and religion (Berger and Luckmann, 1967). Social constructionists recognise the importance of language, culture, and environment to the way people make sense of their world (Berger and Luckmann, 1967). Williamson (2002: 30) says "Social constructionists see people as developing meanings for their activities together, that is, they socially construct reality". This means that, in the social construction of reality, people construct their reality together. According to Schwandt (1994: 127) the social construction of reality does not focus on "the meaning-making activity of the individual mind, but on the collective generation of meaning as shaped by conventions of language and other social processes".

The literature shows that research on virtual communities has benefited from both constructivist theories (e.g., Markham, 2005; Manaszewicz, Williamson and Mckemish, 2002; Dodge and Kitchin, 2001; Costigan, 1999; Fernback, 1999). In the often cited book, *CyberSociety 2.0: Revisiting Computer-Mediated Communication and Community*, Jones (1998: 5) states that the Computer Mediated Communication medium does not create the social reality about the virtual community, it is the conversations and interactions that take place between people that constitute the reality. This backs up the point that Berger and Luckmann (1967) made about the reality being constituted, as mentioned above, through the interaction between social processes. With respect to the personal construction of reality, Fernback (1999) and Markham (1998) both concurred that participants construct their realities about the virtual community they belong to personally and that these realities exist in the minds of these participants, which means the reality about virtual communities is also multiple and constructed.

This study uses both theories as the lens through which virtual communities in Saudi Arabia are interpreted. Social constructionism was used to interpret the ways participants conducted themselves in relation to others and the ways the virtual community affected their behavior. Personal constructivism was used to understand how participants individually developed their sense of community and belonging to it. The Saudi society is a collectivistic society; religion and culture strongly influence how people behave, in general, and towards others, and also how they behave in ways that are similar from one person to another. Given that social constructivism is about how people develop their meanings together, this framework is more appropriate to the Saudi context than the other.

### **Constructivist ethnography**

Ethnography can be carried out from within several frameworks such as post-modern and critical (Saule, 2002). The ethnography carried out in this study was from within a constructivist paradigm. Constructivists favour ethnography because it allows them to present the multiple realities as shared by the participants and also the alternative interpretations as they emerge from data (Fetterman, 1989). Ethnographers study people in their everyday contexts (Saule, 2002: 180) by participating in their daily social activities in order to observe and understand them (Minichiello et al., 1990: 18). Ethnographers use several techniques in their gathering of data such as interviewing, observation and document analysis. It should be noted that, while some researchers treat participant observation as a synonym for

ethnography (Bow, 2002), in the present study participation is treated as a technique that could be used to collect data. It is expressed in this way in order to distinguish it from “participant observation” the method. The authors take the position of distinguishing between the terms “technique” and “method”. The former should mean the specific procedures that are used to collect or analyse data. The latter should mean the general rules that govern the implementation of these procedures.

According to Saule (2002: 180-181), there are three implications for conducting ethnography from within a constructivist paradigm, all of which have been alluded to in the previous section. First constructivists accept that a theory cannot adequately and categorically explain the nature of a given phenomenon. That is, since reality exists only in the mind of each individual, and each individual’s perception of what is real will differ from the perceptions of others, ethnographic interpretations of the reality will be multiple. Second, constructivists recognise that researchers cannot be objective and for this reason they make their potential influence on the interpretation of the phenomenon explicit in the ethnographic text, thus allowing the reader of the text to have an understanding of the researcher’s background and position. Third, constructivists believe that it is only through the researcher’s interaction with those being studied that the nature of social constructs can be elucidated. This is in line with ethnographic research since ethnographers are known for participating directly in the settings where the people and the activities under study coexist.

## **Data collection**

Data were collected for this study using four ethnographic techniques. These were unobtrusive observation of a virtual community; a participant role by the researcher in another similar virtual community; online semi-structured interviews with regular participants; and face-to-face semi-structured interviews with key informants. Findings obtained through these techniques were triangulated to assist in establishing the trustworthiness of the research results (Bow, 2002; Maxwell, 1996; Lincoln and Guba, 1987). This article focuses only on the participation and unobtrusive observation techniques. Ethics issues associated with these techniques are discussed below.

As an unobtrusive observer in the first community, the researcher ensured that the community’s usual activities and natural behaviour were not affected (Angrosino and Mays de Perez, 2000; Locke, Spirduso, and Silverman, 2000). The researcher as an unobtrusive observer also ensured that distortions to the research findings were not introduced because of confusion over his role (i.e. member or researcher) (Glesne, 1999; Paccagnella, 1997). Additionally, not participating avoided the researcher becoming emotionally close to the participants and enabled him to concentrate on his observation. According to the literature, being an observer and a participant at the same time involves two distinct roles, which the researcher may not often accomplish successfully (Tedlock, 2000; North, 1994; Lincoln and Guba, 1987).

There are salient advantages from the researcher being a participant in a different, but similar virtual community. Becoming a participant in a community is the best way to understand its people (Suler, 1999). In the community where he was a participant, the researcher was able to network with the community members, engross himself in various situations and take part in the diverse community activities. This enabled him to understand, in depth, the culture of the community and gain insights into the perceptions of the community members. His participation also enabled him to report his perceptions about his own virtual experience, which is

considered very important to the research findings according to Lincoln and Guba (1985), Markham (1998), Marshall and Rossman (1999) and Locke et al. (2000).

Using these techniques in this way brought the benefits of each to the study. The unobtrusive observation began first and was carried out over a twelve-month period, from March 2001 until March 2002. The participation in the other community, with considerable efforts being made to ensure it was similar to the first one, began about six months later, and lasted eight months, from October 2001 until May 2002.

### **The unobtrusive observation - Setting and process**

The virtual community selected as the research site for conducting unobtrusive observation was an asynchronous public discussion web-based forum located in one of the Internet service provider's websites in Saudi Arabia. The website began operations in March 1997 which is about two years before the Internet was officially introduced in the country. The forum itself, however, began receiving people from Saudi Arabia in 1999. From the observation of a few forums at the beginning of the study, this forum appeared to contain the largest concentrations of members, which implied, to some extent, that the range of participants' characteristics was diverse.

At the time of observation, the main page of the forum contained links to newly posted topics. Entries were organised by date beneath each other from newest to oldest. Small links on the main page could take users to even older topics that resided in other pages. Next to the title of a topic was the nickname of the author of the topic and a figure that showed the number of times the topic was read. When this number was large, it was observed that more readers become attracted to that topic, possibly because they thought it must be interesting or important.

As with the one chosen for the participant component, the forum was a public place where any one could join. There was no subscription fee and only a username and a password were required. Rigorous checking of the ethical issues related to researching virtual environments revealed that conversations in publicly accessible discussion forums are public acts deliberately intended for public consumption. Recording, analysing and reporting of such content, where individuals' identities are shielded, does not violate the ethics of conducting research in virtual environments (Ess, C. and AoIR Ethics Working Committee 2002; Eysenbach and Till, 2001; Glesne, 1999; Paccagnella, 1997; Frankel, 1999; King, 1996). Eysenbach and Till (ibidem) said that to determine whether informed consent is required, a decision on whether postings to an Internet community are "private" or "public" communications has to be made. They add:

This distinction is important because informed consent is required 'when behaviour of research participants occurs in a private context where an individual can reasonably expect that no observation or reporting is taking place'. On the other hand, researchers 'may conduct research in public places or use publicly available information about individuals (such as naturalistic observations in public places and analysis of public records or archival research) without obtaining consent.' (quotations marks in original, n.p.)

It should be noted that an ethics approval for this study was granted from the Ethics in Human Research Committee at Charles Sturt University before the study commenced. The application for ethics approval was consistent with the standards for ethical research set by Charles Sturt University.

At the beginning of the research, between mid-March 2001 and mid-July 2001, the process of observation was a little unstructured. The researcher during this stage entered the forum regularly but with a broad view. He looked at events, activities, and behaviours that were salient in the forum and recorded his field notes in a journal. His observations were influenced by what was reported in the current literature on virtual communities (see Jones and Kucker, 2001; Preece, 2000; Rheingold, 2000; Kollock and Smith, 1999; Wellman and Gulia, 1999; Holmes, 1997; Jones, 1997; Turkle, 1995). The unstructured stage allowed the researcher to become familiar with the culture of the virtual community, its history, people, and the nature of their activities. During this stage also the researcher noted the prominent features in the community, and made a checklist of observational categories for use in the next stage. Table 1 sets out some these categories (order is not important).

<i>grouping</i>	<i>meeting offline</i>	<i>information sharing</i>	<i>religion</i>	<i>friendship</i>
<i>history</i>	<i>flaming</i>	<i>complimenting</i>	<i>disclosure</i>	<i>status</i>
<i>trivia</i>	<i>offline culture</i>	<i>humour</i>	<i>obscenity</i>	<i>love relationships</i>
<i>religious influence</i>	<i>shyness</i>	<i>defending friends</i>	<i>time spent</i>	<i>intimacy</i>
<i>respect</i>	<i>intellectual discussions</i>	<i>emotional support</i>	<i>commitment</i>	<i>family atmosphere</i>
<i>reputation</i>	<i>use of accent</i>	<i>misunderstandings</i>	<i>revealing real names</i>	<i>attention</i>

**Table 1: Observational categories developed in the unstructured stage**

In the structured stage, observations concentrated mainly on the categories, some of which are, listed above. In addition to recording the observations about the topics that were daily posted to the forum, the researcher also wrote his own reactions, reflections and interpretations about his observations. Doing this helped him deal with the issue of subjectivity (of a single observer) which he, at a later stage of the research, compensated by using triangulation with data from the other techniques such as interviewing. Comments that contained insights into the behaviour of participants or were simply interesting were copied and translated instantly in the same document.

### **Being a participant – Setting and process**

To facilitate comparisons of data, the site where the researcher sought to act as a participant needed to be as similar as possible to the observed site. To achieve this, the researcher used a specialised search engine that listed most of the forums in the country (176 forums were located), and then selected some to observe for a while, comparing them with the site where he was undertaking the unobtrusive observation. He then joined two of them and participated for a few days before deciding which to choose. Then he stopped participation in one and continued with the other for the rest of the eight-month period of participation.

Once again the chosen site was an asynchronous public discussion web forum, free for anyone to join but requiring the provision of a password and a nickname for participation. The researcher followed a systematic approach where he first observed the community for a few days to familiarise himself with the members, their culture, their insider vocabulary and the nature of topics that were common in the forum. After

a few days, he began replying to other participants' topics so that he could make sense of the people around him, get himself known to them, and also establish reciprocal relationships with members that may make them reply to his topics in the future. After a few days of doing this, he started to send his own topics to the forum.

In this setting, the researcher also recorded daily field notes in a similar journal to the one used in the silently observed forum but in this case they were about his own virtual experience (being a member) which included his reactions, reflections and interpretations. Although it was unavoidable to observe while participating, he did not take observational field notes about other participants. However, as one of the tactics to validate the data collected from the observed community, he made comparisons between the two forums. The process of participation and the recording of field notes took two to three hours daily but on some occasions it took five hours, depending on the number of new topics and the volume of replies to the researcher's topics or to new topics posted by other participants.

As with the observed forum, comments that contained unusual language, startling statements, or interesting comments, were copied, translated instantly, and placed beneath the original text. All the comments copied were from topics in which the researcher had posted.

## **Analysis of Data**

Data from the four different techniques, including the two discussed here, were analysed as they were collected. The daily observational and participation field notes were recorded in MS Word and saved as RTF documents, with a single document covering one week of field notes. For example, *Obsv\_W2\_03\_05\_05.doc* represents observational field notes collected in week two, starting 3 May 2005.

At the end of each week, this RTF document was imported into NVIVO (a software package for managing qualitative data.) for analysis. This means that the analysis of field notes was performed on a weekly basis. It should be noted, meanwhile, that analysis was iterative as the observational and participation documents were re-analysed as more data were gathered.

Observational and participation field notes were first read and then keywords (within each and every line) that encompassed certain ideas were marked. Next themes based on these keywords were developed and converted into nodes in NVIVO. In addition to the fact that these nodes represented the developed themes, they also stored all the data associated with a particular theme from all the weekly documents. In other words, these nodes became buckets or baskets inside of which content specific to a particular theme from all the weekly documents was placed. Finally came the further structuring or organising of nodes into groups and categories based on the general concepts of the research they addressed. This last step (the process of categorisation) was iterative, emergent and adaptive.

## **Sample of the Findings**

### **The reality about virtual communities and the relationships within them**

Most of the active members in the communities regarded their forums as "real" communities. Al-Anood, a female participant, who expressed her feelings towards the community and its members, made this point:

To the forum that I felt that it is part of my existence and felt towards its members the amiability and love, the thing that did not authorise me to write in any other forum, I approach you with all the gratitude and love. This forum is like the house that contains between its walls a people whose hearts are loyal and whose souls are fraternised [Observation journal, Week 15, 24 October 2001].

Another example that supports the above conclusion was when members explicitly used the word “community” to refer to their forums. Thamer, a male participant, who was explaining to another male participant how hard it was to leave the community, illustrates this:

The problem is that I am in love with this community. I [feel I] am one of its members. I adore it. And every time I tighten my saddlebag [meaning trying to leave], I find myself captivated, so I bring back my saddlebag. I just can't. And I find lots of people stop me [from leaving]. [Observation journal, Week 7, 18 May 2001]

Additionally, the researcher's own experience confirms this finding:

For a forum to be considered a community its members must perceive it, or construct a reality about it as a community. There are hundreds of members in the forum where I participate, but I only pay attention to 30 to 40 members. And among these 30 to 40 members there are about 10 members about whom I really care. To me the community exists only in my mind and it is composed of these 30 to 40 friends and the 10 close ones. This is my community; this is how I construct its reality. Similarly, forum members may perceive my community as their community or may construct a different reality about a different community from mine. This means that forum members may belong to different communities within the same forum. [Participation journal, Week 23, 13 April 2002]

Most of the active members also regarded their relationships, including those between males and females, as “true” and “genuine”. The following quotation, taken from a post by a male participant saying farewell to a female participant, illustrates this:

I was never convinced of the existence of brotherhood<sup>ii</sup> between man and woman particularly over the Internet and I have never written it [he was referring to the word ‘sister’] when I am talking to a female colleague but Allah testifies that I am now convinced of it through you. I do not believe that I have bridled [held back] paralysed unable to write, which is my sole hobby, except after I read your previous words and if it had not been for some false pride of the eastern man, tears which were crowded in my eyes would have fallen. [Observation journal, Week 24, 3 January 2002]

The above quotation suggests that relationships that remain solely online, that is between those who communicate only in the forum, are not only possible, but can be true and genuine. They can also become intimate as the following quotation taken from a message Hamid, a male participant, sent asking about the absence of a female friend:

[names omitted] ... your absence lengthened. And our longing for you is immense ... We yearn for the day that our eyes embrace what your hands

write. So is this day coming soon? [Observation journal, Week 34, 28 March 2002].

### **The extension of the relationship from online to other settings**

The participants in Saudi Arabian virtual communities, in addition to their online interactions in the forum, often used email, chat, and the MSN Messenger to privately communicate with each other. Soha, a female participant, when sharing her thoughts about a male participant who was leaving, mentioned that she talked with him on the MSN Messenger:

... it is true that I only know you through the forum and [a] few MSN conversations, but Allah is my witness that you were such a sincere brother. [Observation, Week 7, 15 May 2001]

Individuals appeared to have used these other communication channels to complement the forum. The use of other forms of communication such as private messages or the MSN Messenger by the virtual community members is similar to the use of the telephone and email by people in the offline world.

In addition to extending the relationship to other communication channels, most participants of the same gender often extended their relationships to the telephone or face-to-face mediums. Wafa, a female participant, while talking to another female participant, said: "Hey, looks like I won you over hahahahahahah [laughing] I will tell you why when we meet tonight ok!" [Observation journal, Week 5, 29 April 2001].

This extension of relationships to telephone or face-to-face suggests that virtual communities do not necessarily remain just online, but may even go to offline settings. It is important to note that, while male and female participants admitted to having communicated across their gender lines via email, chat and the MSN Messenger, there is not enough evidence that suggests that male participants have met face-to-face with females from the forum. The mixing of unrelated adults of the opposite sex is considered wrong in Islam, and Saudi society in particular does not approve or tolerate such an activity. For this reason, perhaps, participants did not admit meeting face-to-face with the opposite gender.

Meanwhile, data show that the extension of relationships to offline settings (among members of the same gender) made the relationship between participants grow deeper and stronger. Al-Wafi, a male participant, shared his feelings after his offline meeting with some participants from Jeddah:

[T]he sensational feeling I got after meeting you is difficult for the human being to describe or express, but I always repeat that it is the sense of belonging, yes, the sense of belonging towards something is a wonderful feeling which can give it its due justice. [Observation journal, Week 25, 12 January 2002]

### **Grouping**

While the extension of relationships offline made the participants close friends, it also caused participants to form clusters (members called it "grouping"), which takes place when a group of participants forms a circle, support only themselves and abandon the rest. Many participants who have been victims of grouping, such as Omar, a male participant, expressed their dissatisfaction with grouping and repeatedly complained about it to the members of the forum:



To remain fit and prove yourself you need to join a group like [name omitted] ... but the thing is ... it is unfair ... I mean what is the fault of the newcomers who try to join the forum but can't find a place for themselves? [Observation journal, Week 4, 21 April 2001]

It appears that grouping was not simply based on common interests or common intellect, but more on the offline relationship that members had developed after they met and knew each other online. For example, the members of group X, who regularly met in Riyadh, differed in terms of intellectual capacity, style of writing and interests, yet they represented a strong cluster.

Meanwhile, the effect of this grouping on the community was immense. It seemed it had been a big problem for participants because it denied equal attention to those outside a particular group. While members of a group enjoyed many advantages, such as a sense of strength and attachment, continuous support from the other members of the group and, more importantly, more replies to their topics, those who did not belong to a group were being disadvantaged. For instance, when a male member was involved in a "flame war" with another member who was not part of his group, the member of the group would insult or attack the external member and depend on his group members to defend him and "back him up". The following quotation, which Baha (a male participant) wrote in defence of Samy (his male friend in the forum), illustrates this:

Be certain brother that what is between us exceeded a friendship that is on the forum, but it became a ... true friendship and a real one, full of love and affection. Be certain that we will not allow any person to deform your picture either in front of us or in front of any other creature [Observation journal, Week 33, 24 March 2002].

### **Obscene references**

Another negative aspect of participation in virtual communities in Saudi Arabia was writing expressions that would be considered embarrassing to utter in the company of others. Here we are talking about expressions which are embarrassing to utter from the point of view of the Saudi culture and may not be considered obscene from a western society's point of view. Consider the following quotation, which was taken from a post by Ahlaam, a thirty-four year-old unmarried woman who used "man" as a metaphor for sleeplessness:

And the ugly sleeplessness is still kissing me. I got used to his ugly and long kisses. And got used to what he brings with him to me. When he arrives he opens his hard arms to me. He hugs me and folds his arms around me. He kisses me and lengthens his kisses. I try to escape from his grip but I never once succeeded in that. Always he is the strongest and has the longest hand in pulling me toward him before I escape. [Observation journal, Week 24, 3 January 2002]

Although operators were strict about obscene or indecent references and frequently deleted such content, there were many incidents in which these things got through. Incidents like the above, especially when females are involved, leave the participants embarrassed and ashamed. It must be said, however, that obscene references do not often come from well-known and committed members because they often worry about their reputation, and their image in front of their friends. Obscene and undesirable practices come mostly from new members, unknown or

irregular members. Furthermore, members generally feel pressured by the existence of older members, who enjoy the majority's respect, to behave themselves and watch out for what they say.

## Conclusion

Unobtrusive observation and participation have proven to be effective in researching virtual communities in Saudi Arabia. In addition to their low cost, speed of return, and ease of access to a wider geographical area and from the comfort of the researcher's chair, it was clear that they enabled the researcher to provide findings that are deep and rich in description. Conducting unobtrusive observation and participation on two different, but similar, virtual communities avoided the researcher disturbing the observed community's usual activities and natural behaviour and introducing distortions to the research findings because of confusion over his role.

Conducting the study on virtual communities from within a constructivist paradigm enabled the researcher to explore these communities in their own cultural context. The lens of personal and social construct theories have proven to be useful for the understanding of the virtual communities under study. Social construct theory was useful for understanding how the members collectively behaved online. For example, this theory was useful for understanding why participants in general did not go against cultural values and meet with the opposite sex offline as a result of their communication in the virtual community. On the other hand, personal construct theory was useful for understanding the ways members individually constructed their sense of community and their perception of the presence of others. For example, this theory enabled the researcher (first author) to understand his own constructed reality about his own virtual experience and report his perceptions about it in the text.

Using a qualitative research method for this study guided by an interpretive framework also proved to be appropriate. Doing ethnography from within a constructivist paradigm enabled the conduct of unobtrusive observation and participation in ways which yielded results that are deep, meaningful and rich in nature. Had a quantitative research method been used, the findings would have been factual and superficial. The use of a survey by self-administered questionnaires, for example, for the research could not have provided the rich descriptions revealed by observation and participation.

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## Endnotes

- i The authors took the text within quotation marks from the American Sociological Association code of ethics document. (see American Sociological Association code of ethics, last updated 27 October 2002, accessed 5 April 2003, <http://www.asanet.org./members/ecostand2.html#12>)
- ii He means brotherly/sisterly relationships between males and females.

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Bruce L. Arnold  
University of Calgary, Canada

## Anticipatory Dying: Reflections Upon End of Life Experiences in a Thai Buddhist Hospice

### **Abstract**

Death and dying offer an important paradox for investigation. Both are feared and to be avoided but also generate considerable reverence, curiosity and mystery. The latter is investigated through thick ethnographic data collected in a Thai Buddhist hospice and the following pages provide some description of an alternative cultural-spiritual framing of anticipating death. The former part of this paradox is explored using detailed autoethnographic-autobiographical data arising from the cognitive-emotional conflict between the researcher's cultural schemata and the phenomena in which the research process is embedded. Sociological speculations are offered as to the value and insights of this methodological approach and to anticipating dying as an important phenomenon for further inquiry into everyday social life.

### **Keywords**

Autoethnography; autobiography; palliative care; cognitive sociology; death and dying

### **Introduction and research rationale**

Death remains a powerful mystery; one that we usually prefer to keep far from our everyday preoccupations. So I was surprised a few years ago when by chance I came across a short documentary about Thai school children visiting a Buddhist hospice in northern Thailand. I was struck with the sparse conditions of the hospice and apparent calm of the emaciated people as they anticipated their soon to arrive death. As I watched the film I soon realized that these children were visiting the hospice as a school field trip to learn about Buddhist views of the impermanence and value of life. They, without any apparent awkwardness, talked with the dying about their lives and how they are experiencing the end of life. I was drawn to how bizarre this activity is within our cultural framing of dying, especially with the exposure of presumably innocent children to perhaps the most fearful of life experiences. Rather than being avoided, mortality and the associated suffering, was being embraced as

an important lesson for engaging life. Are these lessons also accessible to us and if so what insights can they bring?

From our cultural vantage point, some have questioned whether we are the only species to know our biological death, there appears to be little debate that we are alone in having a clear awareness of death as an individual and universal phenomenon. Understandably then, questions about our mortality and its mysteries are therefore ubiquitous. Typically, dying and death are to be feared, resisted, managed, and of course avoided. Modern western hospice and palliative care innovations have been natural companions to developments in medical sciences, integrated professionalism, and a wide variety of concerns about dying. This article draws from selected ethnographic data collected as part of a three-month investigation of end of life experiences of the elderly at a Buddhist hospice in Thailand. However, the following discussion includes selective attention to three interdependent themes. First, a description of a Thai palliative care facility is offered to add to our growing cross-cultural understanding of end of life. While some may view these data as unconventional in length, I ask for patience. My intention is to offer a “thick” description so as to invite the reader into the experiences described and therefore a more “authentic understanding” (Denzin, 1989a). Second, I attempt to document some of the methodological shifts and personal experiences of the researcher during data collection of anticipatory dying in a disparate structural and cultural context. Here the lengthy introspective ethnography is used as a vehicle to facilitate *Verstehen* moments between the reader and the research process, as a way to invite the reader into the ecological milieu of the data so as to access the flavor of the interactional dynamics between self, cognition, and culture (Lyons, 1986). Third, I speculate upon some of the cognitive-emotional culturally embedded insights into social life offered through this type of sociological inquiry.

Substantial research has been undertaken in the past four decades with the purpose of establishing patterns from which to classify dying processes. Kubler-Ross (1969) and Buckman (1993) illustrate the developmental approach to dying. Glaser and Strauss (1968) contribute with more focus placed upon the context and implications of awareness of these processes of dying. Corr (1992) continues the emphasis upon the psychosocial context of the experiences of dying as they affect the person dying, their families, and medical staff with Sudnow (1967) offering an ethnography of the social organization of “passing on”. Notwithstanding the contributions of these undertakings, it is the dying persons who are in the most instructive position to provide insights into structured patterns of dying as well as its various forms of heterogeneity that underlie the human experience of end of life. These insights may well serve platforms from which hospice and palliative care arise. And, toward this end I focus my discussion upon cultural and spiritual intersections of end of life experiences. Cultural contexts have a significant impact on cognition, belief systems, and therefore the construction of meaning. Institutional and individual aspects of culture provide schematic structures that organize the information that constitutes our everyday lives (DiMaggio, 1997; Greenfield, 2000; Kitayama et al, 2004). As Pagli and Ambrovitch (1984) outline, the import of cultural contexts for thinking about the significance of death and dying is well established, originating with earlier research on dying such as can be found in the works by Glaser and Strauss. But for the purposes of this discussion, it is spirituality, which serves as the nexus around which cultural belief systems are structured. Albinsson and Strang (2002) note that the Latin origins of the word religion is *religio*, which translates as “to tie together” and they therefore argue that spirituality/religion occupies a core existential dimension around which meaning and meaninglessness revolve in palliative care



philosophy. The following discussion undertakes to offer a glimpse of end of life spiritual belief systems as they unfold in everyday occurrences within a Thai Buddhist hospice and an introduction to some the instructions this phenomenon may offer researchers and readers from disparate cultures where death and dying is so differently framed.

## **Methodology**

This project was initially conceived as a means to learn of end of life experiences from persons who appeared to approach mortality differently than we do in our culture. My first approach was ethnographic interviewing. In order to limit contamination from the presence of myself, as a foreigner, and Jai dii as the interviewer and translator, my interview strategy was guided by existential-phenomenological parameters (Brockman, 1980; Albinson and Strang, 2002). Our interviews borrowed from phenomenology in that they attempted to describe and explore present internal states as they “appear.” And the interview process also included an existential mode so as to remain vigilante to the lack of reason, presence of spiritual reflection, emotion, and the non-linear aspects of the struggle for meaning as the participants faced the void of non-being. So, similar to Werth and Blevens’s study (2002), each of the thirty interviews began with only one general question: “When you think about your own dying and death, what comes to mind?” This one question was intended to open a channel to some of the complexities that make up the phenomenon of anticipatory dying. Selecting an interviewer was therefore done with considerable care, caution, and some good luck. I interviewed four persons who replied to my calls for someone who had some university education and was fluent in Lanna (the local dialect), Thai, and English. Unfortunately none of these applicants seemed suitable but during the interview process I was introduced to Jai dii who had not initially expressed an interest in this position. Jai dii had all of the qualifications I had hoped to find, plus he had been a monk so was therefore familiar with many cultural issues of which I was unaware, was already familiar with the elderly in this hospice, and had a very patient and compassionate manner. Jai dii quickly proved to be an astute and sensitive interviewer using only appropriate subtle probing questions to explore some issues in more depth while leaving the direction and content as open ended as possible. Once the interviews had started the participants became quite focused on their interaction with Jai dii and I seemed to fade into the background. My role during the interviews therefore tended to be more of an observer rather than participant’s role because of my restrictions to the English language. As the reflexive nature of my role became more apparent, it became clear that the interview discussion flowed best with no overt participation from me.

Since I had presumed that I would be more active in the planned interview process, my new role of research outsider (once again a stranger) left me somewhat uncomfortable, as it appeared that I had lost control of the interview process. After wondering what to do as I sat passively for hours, I realized that this was not an impotent role, but instead presented important albeit unforeseen learning opportunities related to my questions about end-of-life experiences. First, I was able to have the luxury of the time to make field notes of everyday life in the hospice, a wide range of the elderly, staff, and volunteers. Second, as workers and the elderly became familiar with my presence I was able to sit with many of them not involved in the interviews. I became known as “Dr. Boot” (Bruce is a more difficult Anglo-Saxon name to pronounce in Thai) and treated with warmth. Throughout the hospice and

other parts of the institution it became known that Dr. Boot was interested in learning of end-of-life experiences. So staff would often inform me of when they thought someone not in our interview sample would soon die and invite me to visit these people as they expired. Third, as these events presented themselves I found that more and more of my attention was drawn to my own attempts to make sense of all that was unfolding in front of me. Here the research took a serendipitous shift related to what Wiley refers to as the “shock of unrecognition” (Wiley, 1987). My methodology came to include autoethnographic field notes so as to record and reflect upon some of my own cognitive, psychological, and emotional experiences as they necessarily unfolded in and as part of the research process (Frank, 2002; Hunt 1989; Denzin, 1989b; Kleinman and Copp, 1993; Ellis, 2004.). It is from these ethnographic and autoethnographic field notes that I draw from, while respecting their limitations (Freeman, 2003), throughout the following discussion regarding selected dynamics of the confrontation of the alleged dualism between the observable world of dying and anticipation of death with the internal experiential world of the researcher. And while these data are limited to but one hospice of its kind, they may serve as a platform for further similar and comparative investigations for extending our understandings to more generalizable claims regarding death and dying in disparate spiritual and cultural contexts.

## Sampling

Before I could begin, one of our first pragmatic tasks was to identify persons for the project. Given my end of life research interests, we needed to locate persons who had been identified by visiting physicians and the regular staff as most likely having approximately one month of life left. These people also had to be of relatively sound mind and having the strength and willingness to participate in our project. From the thirty-three elderly, Jai dii was able to identify six people who were appropriate for our interests. He approached each of these people and explained that there was a foreign professor from Canada visiting and that he was interested in end of life experiences. From Buddhist ontology, I was asking to learn about impermanence (*anicca*) and suffering (*dukkha*) from their day-to-day experiences. Jai dii explained that I was hoping they would act as my teacher so I might learn of this part of Buddhism and Thai culture so I could pass on these lessons to others in Canada. Fortunately, each and every one of the elderly whose health permitted their participation eagerly agreed to the project and its ethical considerations.

At the beginning of each visit I would meet with Jai dii and ask his advice regarding the state of the elderly. Their availability varied considerably. At times all of the project participants would be weak, in pain, or having other health difficulties so they would be unable to talk with us. On some days only a few would be in such a state so we would talk with those who were willing and able. Other times their health and comfort would suddenly deteriorate and we would terminate the interview. When the elderly were unable to participate in an interview, with their consent we would usually just sit in silence with them often resting our hands with theirs. Due to these considerations it took three months to collect thirty interviews. Numerous people died during my visits, but for unknown reasons all of my participants remained alive during my three months of visiting, although I have been informed they have all died since my last visit.

## The ethnographic setting

The facility used for this project attends to the elderly of northern Thailand whose families are unable to care for them at the end of their lives. It is funded and administered by a government agency and a non-profit organization and hosts about three hundred people in various stages of later life. Those who are able care for themselves reside in two single room buildings, one for the men and another for the women. Their basic meals and medical care are provided for and some recreational activities are offered. Although I was a stranger and the target for considerable curiosity, staff and residents always warmly greeted me in Thai, and with the traditional *wai* (hands clasped together with palms open and touching) and smiles, as I walked through the home's walkways on my way to the administration building to meet my translator and interpreter. My interpreter and translator Jai dii (not his real name) was a kind man who used to be a monk, spoke Lanna (traditional Thai dialect of the northern Thais), Thai, and English fluently, was university educated, and was well respected and liked by all persons at the home. He was also my cultural guide, became my friend, and was my trusted research associate.

The beginning of my visit is marked by the transition of walking down a narrow path lined with tropical foliage in the heat of the direct sun. I enter into the low one room green wooden building where those deemed to have only a short time to live have been moved from the two other residential buildings. This building is not referred to with any special name during my visit but it is what we commonly call a hospice for palliative care. The heat, humidity, and urine-cleaning produced odor that sharply draws the attention of my senses as I step through the double doors. The building consists of a few toilets and showers opposite the entrance at the far end of the approximately 30-meter building. The flies seem to be constant visitors and a regular activity involves keeping them at bay, usually with a hand fan (Buddhist precepts do not allow killing). There are four rows totaling thirty-three narrow old grey cots. All cots are visible from any location inside the building. The row on the far left is separated from the others by a low wall where those who are thought to die very soon are often placed. The row on the far right is where most of the men have their cots as most of the elderly are women and therefore occupy two rows of cots. The elderly sit or lie on their cots surrounded by their few personal belongings that share the small space offered by the mattress. Some cots have a bottom sheet but those who are incontinent have only the bare grey plastic mattress. Small images of the Buddha are placed irregularly on the wall above the cots. I am told that some of the men were monks in their youth. The elderly seem to prefer to sit or lie in silence and interaction between them appears uncommon. Small rotating fans mounted on the walls and support beams near the ceiling are always on but seem to have little effect, and the flies remain constant companions. As I enter the building there is an old large TV next to one bed where the staff and volunteer sit as they take time to rest. Donated items, including many packages of adult diapers, are stacked up against the wall closest to the TV. Usually the TV has Thai soap operas playing with various degrees of volume. However, most of the residents seem to pay little attention to the TV. I notice that the TV sound irritates me. I don't see visitors and I'm told that visits from friends or family are very rare. I only witness one visitor who was the sister of one of the elderly. It is difficult not to think this a depressing, lonely, and even frightening environment during first contact. Time seemed to slow to a crawl inside this place and the elderly appear to be just waiting patiently in silent anticipation. I

notice that I find myself also waiting for something but I'm not sure what this might be or involve. Being from a temperate climate I find the heat and humidity exhausting.

Most of my time in the hospice is filled with "waiting", ironically much like the elderly who appear to be waiting for death. Since I cannot actively participate in the interviews, I can observe the hospice environment and occasionally move to different locations to look at items and activities. I notice that two of the women appear to be blind. Like most of the residents, they appear frail with only skin covering their bones. One tiny lady next to the hospice entrance systematically feels her way around her bed as if trying to locate some object. She finds her pillow and spends some time positioning it and shifting her body as if trying to be comfortable. Once in position she reaches into a plastic container on her bed and begins to eat small balls of rice. Later she spends time brushing her bed with her hand to seemingly remove any dirt or food from her cot. When she finishes this task she feels under the bed with her hands looking for something. She finds her bedpan and slowly lowers herself on to it. After finishing she pulls herself upon onto the cot and reaches down to slid the bedpan under the bed. She appears exhausted after this activity and lies on her back with her chest rising and falling quickly as if out of breath. Later Jai dii informs me she is also deaf.

Another blind woman occupies a cot near the far end of the room near the toilets and showers. By thinking about previous visits, I notice that she is almost always crying softly and rocking back and forth as she sits holding her knees to her chest at the end of her cot. She regularly tries to adjust the blanket she keeps around her shoulders even though others lie almost naked in this heat and humidity. Every once in awhile her neighbor will become angry at her crying and shout at her to be quiet. She appears not to notice anything or anyone but continues her swaying back and forth and gentle crying. Her crying makes me react with considerable sympathy and I assist her with positioning the blanket around her shoulders. She doesn't appear to be aware of my presence and continues with her rocking and weeping.

During today's visit a new woman, now in Mr. A's old cot, is attracting considerable attention. Her appearance is distinct, with long wild red dyed hair that is unkempt and an angry look on her face. She stares silently at her feet and then suddenly begins shouting loudly and pointing at others in the room, including myself. I ask Jai dii what she is saying and he informs me that she is seeing the ghosts of those who died here and is putting various curses on us. I can't tell if she is angry or afraid. Jai dii later tells me she is both afraid and angry. Her neighbors try to calm her with soft words from a distance but have no success. She continues shouting and waving her one arm in the air. Her left arm seems not to move but hang limp at her side. She remains agitated during our time here today.

Today the "wild lady" seems quieter with only the occasional outburst. She looks at me for long periods, often tilting her head and muttering something. I decide to go over and sit on the edge of her cot as she begins shouting. She stops shouting and stares angrily at me. As the moments came and went I wondered what she might do. Her stare seems to soften so I gently put my hand on hers. She seems to relax and proceeds to enter into a pantomime conversation with me, something about her life before coming to the hospice, how she had suffered a stroke that caused her to lose the use of her left arm, and the demons she saw in the hospice. I look at her and nod as she held my hand so tightly it hurt. She uses her right hand to lift her left hand and then let it drop, using gestures to let me know she had recently lost the use of her arm and it is frustrating. It dawns on me that one of the odd gestures she has been doing toward me is an attempt at a one handed *wai*. She stops shouting and remains calm, talking about something in a quiet voice. I motion good-bye to her for

the day. After we leave the hospice and ask I Jai dii about her. He tells me that at first she thought I was a dangerous ghost and was afraid but now thinks I am some sort of god who will look out for her, and protect her from the evil ghosts, so she isn't afraid anymore. It seems that ghosts are taken very seriously here.

I notice today that each time I visit there is a woman who always drags and swings herself along the floor with her hands as if she has no use of her legs. She is always smiling and laughing as she moves among the cots to see if anyone wants to visit. There are few takers, as most people like to sit quietly. No attention seems to be paid to her exposed genitalia and trails of fecal matter that occasionally follow her as she moves about the hospice. I am becoming a bit more comfortable with what I had initially considered odd or even bizarre behavior. I hardly notice this elderly woman's exposed genitalia as she moves about the floor. Because of their loose clothing, many of the female elderly have their genitalia exposed with no apparent concern or awareness of their body. Others pay no attention to this regardless of the strong adherence to modesty in Thai society. I feel a warm affection for this woman who drags herself around. She always greets me warmly when I come through the door, always smiling. She seems to like sitting by the front door, apparently for cooler air, where she warmly greets us with a *wai* and an almost toothless smile. Using Jai dii to translate, I joked that she is the "security" for the hospice. This causes her to erupt in laughter. From this time forward, she always added a short salute to her smile and laugh as I entered the hospice. It was our private joke.

### Caregivers

Two middle-aged women are in charge of the administration of care for the hospice. They too always warmly welcome us at the beginning of each visit but do not involve themselves in our data gathering, as they are constantly busy with various duties. The bed next to the TV near the hospice entrance seems to be the spatial centre of their work. There is one elderly lady at the bed next to the TV who appears very ill and requires ongoing attention to feed and clean her, and to move and massage her limbs. I like the way they touch her so much and how gentle they are in putting various feeding objects in her mouth or through an IV. These supervisors usually have about three assistants who respond to any and all calls for attention, usually by a quick one-word shout or a gesture from one of the elderly patients. They always responded quickly and seemed to treat the hospice residents with kindness, patience, and respect. The hospice is also used as a teaching facility (although I do not see any medical staff as I have been asked to visit when they are not busy with their duties). I regularly ask Jai dii about the people, always women, who are visiting at the hospice that I didn't recognize. Some are social work students doing their practicum but who did not spend much time at the hospice as most of their studies revolved around the non-palliative residents in the other two residences. Some are nursing students doing their practicum. Most new faces belong to young female volunteers visiting when they had a break from high school classes. About half a dozen of them would come for a few hours to assist the elderly. Most of their activities seem to revolve around the personal grooming of the elderly who are generally unable to take care of these needs. The patient and caring pedicures and manicures for the elderly are particularly noticeable. I ask Jai dii about the volunteers and am informed that they have no training but come to help because of the value placed upon the elderly in the community and the Buddhist notion of merit. When they have free time, they gather around the TV to watch Thai soap operas, often

laughing, and leaning against each other apparently thoroughly enjoying themselves. I notice that this sometimes annoys me as the noise interferes with recording the interviews. Sometimes I gesture for them to turn the TV sound down or lower their voices and they seem willing to accommodate my requests.

### **Anticipating death: one case example**

My first interview meeting today is with a slightly built frail man (Mr. A). He is surprisingly friendly; warmly greeting me with the traditional *wai* and without discomfort begins to address the interview question, in Lanna, put to him by Jai dii. We test the microphone and tape recorder and begin. His voice is very soft and calm and he smiles often and chuckles a few times. I am struck by how happy he appears to be given what awaits him in the near future. His few belongings are neatly stacked at the upper left corner of his cot. His arms support many stick like tattoos, which I learn later are symbols used to ward off evil spirits and cobras when he used to work in the rice fields. He claims that they indeed produced their desired effect, as he was never bitten or came to any harm while working in the fields when he was younger. Suddenly, Mr. A becomes quiet. Jai dii said Mr. A has grown very tired because of talking and we should move on for today. Mr. A smiles weakly, looks directly at me giving me a *wai* and closes his eyes to rest. I compare my rate of breath with his and his appears very shallow. The sudden shift in his energy level catches me off guard and I am left with considerable worry about his health.

This is the second time I am visiting Mr. A. However, when I arrive there is a new person in his cot. I anxiously inquire about his whereabouts and his health. I am told there is a temporary urgent need for a cot for a new person and that Mr. A has been moved to the long-term care men's building for a couple of days because of the shortage of beds. I ask for directions and find him sitting quietly on his new bed, looking quite sad and staring at his feet, and occasionally rubbing his legs around his knees. His face brightens with a smile and he puts his hands together for a *wai* as Jai dii and I approach. He seems very eager to talk and quickly engages Jai dii in conversation. As usual I sit at the end of the bed and observe their interaction and this building, which is unfamiliar to me. This is the first time I have been in the men's residence, which consists of one open room with about forty small beds in dormitory style rows. This room is brighter, with more personal belongings and colored décor, than the hospice. I don't notice any flies. Each bed has a small locked storage cabinet with large open screened windows, the air is fresh, and I can see an old Buddhist *wat* (Buddhist temple) a few hundred meters across a green field. The interview with Mr. A almost immediately draws the attention of the other elderly male residents. Three of them slowly come over and stand around us, watching and listening. After only about one minute one of them begins to join in a conversation with Mr. A. Another man soon joins in and they seem to take over the conversation. Their excitement soon leads to a very loud and animated conversation as they share health related stories (as Jai dii informs me). Mr. A is quiet and nods occasionally in response to their comments. I'm not sure what to do as the interview with Mr. A has been interrupted. I notice that I am at first annoyed that our interview has been interfered with. So we wait and listen for about fifteen minutes, watching the men chat. Then I turn off the tape recorder and have Jai dii tell Mr. A that we hope to see him again soon. He smiles, makes a *wai*, and we walk out of the building. Just as we reach the door I turn back to look at him, and he is again sitting in silence moving his

gaze from the men as they continue their animated conversation to his bed and then back again. His smile is gone as he is massaging his legs.

My encounter today with Mr. A is unexpected. I notice that he is standing alone with an old walker (mobile walking aid) underneath a small two bench gazebo-like covering on my way to the hospice building. I sense something is wrong with him today by the way he is standing so I bypass Mr. A before he notices me and I go to fetch Jai dii. We immediately return to his location where he is now sitting on one of the slightly curved cement benches. He offers us a small-subdued *wai* greeting. He appears to be quite agitated. We ask if he would like to be left alone but he insisted that we stay. He begins talking with Jai dii and looks more frequently than usual at me. Unlike his usual calm manner of speaking, his comments came in rapid jerky rhythms. His mouth is shaking and he spasmodically clenches his fists. He is in pain. Tears begin to roll down his cheeks. We again ask if we should leave and come later and if we could assist him back to his bed. He refuses, saying he wants to talk with Jai dii. Mr. A informs us he had been moved back to the hospice but had managed to come outside for air. He constantly rubs his legs; especially his left knee that he said is full of pain today. I notice lines of small black ants, marching over his legs and one arm as he talks, but he appears to be unaware of their presence. In a short time, about fifteen minutes, he is no longer able to talk and we help him back to his hospice bed to wait until the physician can come to the hospice and attend to him. I experienced strong waves of helplessness and other less definable emotions today.

Today we found Mr. A on his new cot in the hospice. After his usual warm greeting, his eyes fill with tears as he talks with Jai dii. His mouth becomes clenched and his voice is harsh. He appears to be quite angry today. After about fifteen minutes his body and voice soften and he returns to his usual smiles and chuckles. However, this too quickly passes and he again becomes angry. When asked if he is in pain today, he says no, the doctor has visited and given him some medicine. His eyes fill with tears again and Jia dii decides it is best to let him rest. We sit in silence with him for about twenty minutes, Jai dii on the cot next him holding his hand while I sit on an old white plastic garden chair next to his cot. His breathing seems more regular (I match it to mine as a gauge) and he appears to become calm so we say our good byes while he looks up at us silently. Today there is no energy for a *wai* to end our meeting. Instead we touch his arm and leave his cot. As we interview the other participants today I look over at Mr. A and see that he is resting and calm. I notice I too am now calm.

### **Death moments**

Today as we enter the hospice Jai dii tells me that I may want to go and sit with the woman on the last cot in the partitioned section of the building. I ask why, since we haven't included her as a project participant. He tells me she will die soon, perhaps in an hour and that I might want to sit with her. After a few apprehensive moments, I sit on the side of her cot. Her breath is shallow and since she is alone I remain sitting occasionally resting my hand on her arm. She appears unresponsive. After about fifteen minutes I return to Jai dii to see how the interview with one of our participants is progressing. One of the staff comes to us and asks Jai dii if Dr. Boot could return to the corner cot as the woman has just died. I notice that a couple of the other hospice residents have now come to her cot and are saying some prayers so I join them. They then leave to return to their cots and I remain behind, standing at the end of her cot. It's like nothing out of the ordinary has happened, and hospice

activities continue. This woman is not covered but is left as she was with the exception of the head nurse closing her eyelids. The man on the next cot sits looking at her in silence and then turns on his side away from her and rests. About half an hour later two men come to her cot and lift her into the rough wooden coffin they have brought with them. They try to gently lift her into the coffin but experience some difficulty doing so, almost dropping her. Jai dii tells me she will be taken to the *wat* (Buddhist temple) next-door and cremated tomorrow. I look around the hospice again and observe no change related to this death event, as if this is a routine event that warrants no special ritual. The normalcy of this event leaves me disoriented and numb for a while.

Today I meet Jai dii in his office prior to our interviews. He suggests I visit one of the elderly in the women's residence. I had not visited this building before so I ask him why we would go there before the hospice. He informs me that there is a woman who will not live out the day and I might want to sit with her. When we arrive three women are by her bed talking amongst themselves and with her. The woman I am to visit seems quite agitated and Jai dii tells me she is in pain. She appears to be uncomfortably hot and is removing her clothes to cool herself as she gasps for air. I sit with her but unlike others I have sat with she does not like to be touched, perhaps because of the extra heat generated from contact. Or maybe she just doesn't want me there. She continues to struggle to get cool and comfortable but seems to become only more agitated, twisting and turning, and attempting to fan herself. Jai dii suggests I leave her after a few minutes. I welcome his suggestion as I am feeling very awkward and out of place with her.

I am feeling more comfortable during my visits now after visiting for what seems like so many times. What was so strange and caused me such emotional discomfort is now more of my taken-for-granted view of things. During my visit today Jai dii takes me to a woman two cots down from the person who was to be our first interview participant for today. He tells me this woman will probably die soon and that I might want to sit with her during my visit while he does his interviewing. This woman seemed to be quite popular and has about a dozen of the elderly women standing around her cot. I watch them from a distance, sitting in my plastic lawn chair at the end of the cot where Jai dii is doing his interviews with one of our female participants.

About an hour later the popular woman dies and like others before her, is left uncovered. However, something different unfolds here. The women who have been standing around her cot collectively remove her clothing and gently wiped her body with wet cloths. They place a clean diaper on her, dress her in clean clothes, and carefully comb her hair. They say a prayer and leave her uncovered on her cot. Many of the women stay for about five minutes talking amongst themselves adding more silent prayers. Jai dii later informs me she has a son who will come for her tomorrow and take her back to their village for cremation. Again, as in all the previous deaths, the hospice quickly slips back to its daily routines as if nothing special or out of the ordinary has just occurred.

## **Discussion and reflections**

My research was guided by interests in end of life experiences in a collectivist and Buddhist cultural context. The main thrust of the project was to use the dying as teachers in order to witness some of the content and range of the elderly's experiences. And, I intended to take advantage of my observer role in this process, while Jai dii did the interviews, by undertaking some ethnographic observations.



Some of these observational data have been presented in this paper to offer some empirical glimpses into the physical and socio-cultural environment in which this research was embedded. Some of the physical environmental conditions differ considerably from our knowledge of palliative care and or hospice facilities. This Thai hospice provides nominal levels of everyday infrastructure comfort through no fault of the facility administration. This impression is reinforced with the open space concept of the building with the resulting lack of private space and personal amenities. And the tendency for the elderly to sit silently on their cots, as if waiting, again added to the potency of the impact of this apparently inauspicious place. However, as the worn cliché informs us, “things are not as they seem.” In contrast to the western tendency toward an increasingly bureaucratized and professional palliative care (Aranda, 1999) conditions in the Thai hospice reflect a more informal use of resources. For example, while attitudinal differences and resulting tensions between medical staff and volunteers have been reported elsewhere (Payne, 2002; Addington-Hall and Karlsen, 2005) this does not appear to be reflected in this setting. Public school students commonly volunteer to assist with hygienic and other duties during their holidays without formal training. They appear to respond without complaint, in a compassionate and deferential manner to requests for assistance from the elderly or the staff. During my time at the hospice I did not witness any staff-volunteer interactions that might indicate conflict or tension. The staff also replied to requests for assistance from the elderly in a calm and respectful manner, even when demands for their attention were made from physical or emotional duress. Perhaps even more notable, the elderly also reflect this same demeanor towards the staff and volunteers. For instance, the elderly appear to occupy most of their time sitting quietly on their cots even when their discomfort is obvious. When demands are made upon the staff and volunteers they are predominately done so, with the possible exceptions of emergencies, in a polite and patient manner. To this observer, claims of the impersonal flavor of institutional roles and bureaucratization at the expense of personalized care often found in western hospices do not seem to predominate here.

Because these patterns of interaction are so common they likely suggest the presence of a more collective phenomenon important to our understanding of palliative care in Thailand: culture. While space does not allow a thorough review of the relevant literature here, it is nonetheless important to note that there is significant research investigating the more individualistic versus collectivistic attributes of Western and Eastern cultures. At this point in time we believe Asian societies to be more generally collectivistic and Western societies more individualistic, although there are variations with some specific situations (Takano and Osaka, 1999; Parkes, Schneider and Bochner, 1999). These claims offer some insight into the nature of the interactions between volunteers, staff, and the elderly. First, these societal contexts also impact upon the formation of cooperative and conflict structures with the former being associated with Asian cultures (Parks and Vu, 1994). Second, at the individual level of analysis these societal structures appear to be significantly associated with specific cooperative forms of cognitive, emotional, and police structures (Markus and Kitayama, 1991; Kitayama et al., 2003). These claims appear to fit with my hospice observations thereby offering some explanation of the apparent passive yet personal behavior between all parties in the hospice. These behaviors can therefore be seen as an extension of the cultural emphasis upon interdependence, which is usually an inevitable and salient circumstance at the end of life, as opposed to the tensions and distressed among the elderly in western societies who struggle from positions of independence to ones of dependence during the latter stages of their lives (Aleman, 2001; Hines, Babrow, Badzek and Moss, 2001).

This paper began with questions about our fears of end-of-life in western cultures. However, my observations suggest the Thai elderly in the hospice I visited bring a different perspective to their anticipation of death. To explore this phenomenon more closely we must shift our attention so as spirituality is included in our usage of the concept of culture. Spiritual care in western palliative care settings is seen as being of paramount concern in offering an holistic approach to anticipatory dying yet it too remains fraught with problems associated with bureaucratization and allocation of often sparse resources (Wright, 2002). In contrast, the Thai hospice is deeply embedded in Buddhist ontological traditions that appear to permeate most of the activities and persons involved in the anticipatory processes of death. To some extent this may be a result of Buddhism being more of a philosophy of life and death rather than a religion in the Western sense of the concept. As my ethnographic notes indicate, the elderly appear to be only “waiting”, and did not demonstrate many noticeable instances of fear or anxiety, for their soon to arrive death. While the complexities of Buddhist non-dualistic approaches to life and death are well beyond the scope of this discussion it is nonetheless important to note a few key principles relevant to our task at hand. For Buddhists, our Western presupposition of the dualism between life and death is not embraced. Instead of fearing the unknown transition from our ego-centered view of self to that of not existing, Buddhists see death as an integral part of life itself. Our concept of ego is replaced with that of “no-self” or *annica* which posits the self as something temporary and in a constant state of flux and therefore in a continual state of becoming and passing. For Buddhists, death therefore manifests the impermanence of life around which the meaning of our existence is continually constructed and death is an ongoing part of life (Bond, 1980). Time is a cultural construct around which life-moments, which consist of all of who we are, are organize and from which anticipation of the future has therefore no place. From this perspective it would appear the calm, “waiting” stance exhibited by the elderly is a product of their Buddhist spiritual ontology. One might then infer the elimination or at least a reduction of some of the existential issues of dread associated with death in western cultures (Albinsson and Strang, 2002). Perhaps the most gripping illustration of the differences between Buddhist non-dualistic ontology of life and death versus the more Western views of death comes from the almost casual, accepting, and compassionate response to those who have just died in the hospice. The apparent symmetry between the moments of life and death in the hospice provide provocative preliminary insight into our Western cultural cognitive parameters of self and death. Perhaps these moments were most acute in this observer’s recognition that cognitive and emotional expectations were incongruent with cultural rituals of death in this hospice. And as a result, something in this researcher’s ontology began to shift; perhaps what Miller refers to as initial stages of “quantum change” (Miller, 2004) that can occur in and partially because of various ecologies.

### **The embedded researcher and research experiences**

The reader will recall that this discussion has two interrelated components. The first was to offer some ethnographic description of palliative care in a Thai hospice from which to provide some preliminary inferences of sociological meaning. This discussion is found above and I now turn my attention to the second task; that of investigating questions regarding the researcher as embedded in the research process. The thrust here is not to place yet another worn challenge to science and

objectivity. Instead I draw from traditional science, such as physics, which also have an appreciation (e.g. the Copenhagen interpretation) for interactive dynamics between the often-blurry boundaries between observer and subject matter (Walker, 2000). My intent is to revisit and add some clarity to selected researchers' experiential process that tacitly influences the direction and development of data gathering and interpretation. The following discussion, while avoiding the thorny conceptual issues of what constitutes experience, offers an ethnographic introspection of some bodily, cognitive, emotional, and cultural milieu into which the researcher and research are woven in such a fashion so as their shadow appears religious or cult-like in form and meaning (Durkheim, 2001).

Alfred Schuetz (1944: 503) informed us that when thrust into unfamiliar environments an existential moment can emerge when there is, "The discovery that things in his new surroundings look quite different from what he expected them to be at home is the first shock to the stranger's confidence in the validity of his habitual 'thinking as usual'." Previous cross-cultural and research experiences did not offer the cognitive buffer I had expected from which to balance my stranger role with research so as to facilitate data collection. For example, as I sat near the end of Mr. A's bed observing his conversation with Jai dii during my first visit, I became somewhat anxious and claustrophobic. My senses appeared to be under assault. The humid heat heavily pressed itself against me and my body reacted with considerable perspiration. The sound of the small fans, the flies, the gentle crying at the end of the room, and pounding of heart seemed so incredibly loud. Between breaths seemed to take such a long time, and the pause at the exhalation was disturbingly long. With each inhale came the strong odor of urine, mustiness, a cleaning product, and mixtures of unknown scents. My vision moved ever so slowly, perhaps because my head seemed to have considerably increased in weight. Points of contact between my body and the floor, chair, my hands on my thighs, seemed heavy, almost unmovable. I appeared to be captured by sensory confusion, agitation, discomfort and I wanted to leave this place. Things were not as they are expected to appear and as a result did not "fit" with my cognitive schemas. Moreover, I my physiological, cognitive, and emotional reaction indicate a distinct resistance to the anomaly of sense datum and ontological parameters. Cazeaux (2002) notes that the validity of our world and our place in it may well be but a child of our history of classification and, in particular, the classification of the senses. Given the intensity of the environmental challenges to my senses in the hospice, compared to the two more familiar ones noted here, my taken-for-granted classification schemas became suspect and vulnerable to moments of existential chaos. This is reminiscent of the existentialists' message that the role of stranger necessarily is accompanied with estrangement from self and an otherwise latent or repressed phenomenon that advances into the foreground in death and dying research (Palgi and Amramovitch, 1984).

A few brief considerations of relevant cognitive implications may be useful here. Cognitive scientists, notwithstanding debates within this field of inquiry, inform us that we construct mental categories or "schemas" to attach meaning to our environments. This occurs through a variety of complex mechanism that facilitate information processing, building and testing knowledge structures, accessing memory, and which also lead to what we might refer to as our view of self and reality (Fiske and Taylor, 1984; Schneider 1991). Many, if not most, of these schemas operate automatically, spontaneously guiding our thoughts and activities, and regardless of their import we tend not to be conscious of their presence (think of the familiar experience of arriving at your destination by car only to become aware that you don't recall much if anything

of the journey itself). This phenomenon is what we might experience when we perceive of being in control, or things are unfolding as they are meant to be, and are therefore valid. However, these processes require both ongoing social and environmental reinforcement to maintain the transformation of subjective reality into objective reality and thereby avoiding or at least reducing ambiguities, uncertainties, and moments of mental chaos and anxiety (Schwarz, 1998). In my case, not only were my familiar personal and research schemas not “fitting” with my perceptions at the hospice, but since I was the only stranger there were no familiar resources to draw upon for schematic validation adjustment and transition. Since, as noted above, my taken-for-granted schematic categories also provide socio-emotional glue for my sense of identity; my bodily discomforts were accompanied with uncomfortable and unfamiliar emotions.

Emotions are significant partners with cognition. Together they collaborate to negotiate a tenuous balance between and within the objective and subjective complexities of our interactions and therefore experiences of our world (Damasio, 1999; Jason, 2003; Mandel, 2003). And while there is considerable acknowledgement of respondent emotions, the emotions of the researcher are equally vital to the research process and data interpretation. This phenomenon is an extension of what Hochschild (1983) identifies as “emotional labor” which, while commonly underreported or absent in fieldwork records, can play a significant role throughout the research process (Blee, 1998; Hubbard, Backett-Milburn and Kemmer, 2001). And while the emotional appeal was a part of the research and its mystery that drew me to my topic I had not, partially as a result of my previous statistical and positivist research orientation, anticipated the demands involved. I expected more of an emotional distance from the milieu of anticipatory dying as a result what is typically a background phenomenon rushed to become a foreground presence. As the process of sorting all this out continues, I will only refer to a few selected instances for illustrative purposes.

My expectations, based on my research and cultural knowledge schemas, were that while at the hospice I would experience many negative emotions commonly associated with misery, pain, and fear at the end of life. From my first day at the hospice I was struck with the warmth, friendliness, and happiness of the staff and clients. Perhaps the most overwhelming emotion during the earlier visits was that of confusion as result of the mismatch of my cognitive schemas and my observations. For instance, regardless of his physical state, Mr. A generally appeared to exhibit indicators of happiness, or at least not fear nor dread, during all my visits. This too appeared to be the case when sitting with those who had only minutes to live. This does not mean to suggest that there were not moments of pain and fear but they seemed to pass rather quickly rather than being the norm. I noticed myself wondering if these people knew they were on the doorstep of death because surely it must be a fearful place. Often I caught myself lost in thought and not really focused on my observations. Instead, my mind would be full of unpleasant fantasies and feelings of anxiety that can accompany a stranger into this kind of dream-like emersion into a new cultural milieu (Hunt, 1989). Some of these instances appear in my experience of negative emotions; for instance, my impatience and annoyance with the volunteers watching television or some of the elderly not participating in the project interrupting us during interviewing. At other times I just felt out of control of the research and would feel anxious and guilty about being so project preoccupied and judgmental given the circumstance of the elderly around me. Following these episodes I would notice myself mentally scrambling to regain cognitive equilibrium and reduce the uncertainty. Perhaps the most intense moments that might illustrate these

phenomena are those surrounding my witnessing the first few deaths of the elderly. During these moments the incongruence between my cultural emotional projections and the cultural milieu in which I was currently located become intensely present. Briefly put, nothing appeared to happen when someone died. As I stood or sat next to the dying person I expected something, something unique and powerful, to occur. The person stopped breathing; there was no explosion of emotion or drama of any kind from anyone. Instead, the person was left as they were, exposed, not covered or concealed, but left as they were moments earlier when they were alive. Sometimes a few friends would come to give a blessing, or to rearrange some item of clothing, but the bodies were left open with no apparent ceremony. A staff member would arrive later to check if death had come, without using medical diagnostics, and then leave without comment. About an hour later some men would come with a rough wooden coffin and lift the body into it for cremation at the Wat the next day. And the day would go on as if nothing occurred. Death was a normal event; the anxiety and drama were my projections (Hunt, 1989; Rodriguez and Ryave, 2002). As I looked around after a death, the others would be doing what they were usually doing, and this was typically sitting or lying in silence on their cot, waiting in apparent calm. After awhile, I too somehow became a part of this and wondered how this had happened to me and what became of this image I had of myself as I arrived so full of negative and fearful images and expectations on that first day.

### **Concluding comments**

In addition to the dialogue above, investigating the anticipation of death introduces many possibilities for insights into social life. And one only has to enter “death” into an Internet search engine to quickly discover not only a degree of fascination but also the wide range of academic disciplines laying claim to insight into the anticipation of and arrival of death. Without a doubt, death is essentially a slippery conceptual and empirical challenge. However, rather than being defined as a problem requiring a solution, it is this very uncertainty that can cast some light on this phenomenon. Here lies the potential to move away from dualisms that are typically found in western views of symbolic boundaries. As well, death, dying, and those who are near death, rather than being avoided or sanitized, offer precious lessons into life itself (Frankl, 1984: 151). Readers will recall that the Thai school children mentioned at the beginning of this paper appear not to recognize our distinct separation between death and life. In place of the taboo and anxiety that commonly fill our Western views of the gulf between death and life these schoolchildren, indeed all of the persons mentioned in my ethnographic data (with the exception of the “wild lady”), appeared to approach the anticipation of death with compassion and tolerance as opposed to an anxiety projected into an unknowable future event. As mentioned previously, this is to a great extent the result of Thai culture and spirituality arising from the everyday psychological metaphysical practices of Buddhism (McGrath, 1998). Within this paradigm (and ironically similar to Darwin’s theory of evolution) the emphasis is placed upon the processual role transformation of the past into the future through the intermediary all transitional forms that in themselves have no permanent substance. These forms include the objects of the ordinary world, including the physical self, so dying is an ongoing process rather than a unique time-specific event to be repressed from thought or experienced as a terrifying shift to non-existence. Indeed, even with regards to our biology most of our cells survive for only a short duration to be replaced by others; death is therefore already within us but temporarily

held in abeyance (Secomb, 2002). So, while the elderly appear to wait, they are likely to be participating in their moments as they have done so throughout their lives. Similarly, the calm and patient response by staff and volunteers to the elderly and those who have just died reflects the ongoing presence of dying throughout life (Barham, 2003; Dinh, Kemp and Rasbridge, 2000).

Ethnographic and autoethnographic descriptions and inferences drawn from this project may be of potential interest to a variety of readers. However, cross-cultural studies of dying, death, and the study of this phenomenon, also present us with an important paradox. It is the very dynamic of cultural variances that produce both our interest in as well as resistance to foreign social practices. I now turn to this paradox and its ambiguities for two interconnected reasons: first, to comment on this researcher's observations on methodological practices and processes that became salient during my fieldwork; and second, to make some inferences about the structural milieu in which research is embedded and reproduced. Willmott's (2000) offers a useful platform from which to begin these two undertakings. He argues that the symbolism, or ontological boundaries, around which death is referenced is decidedly a social product. From a traditional Western vantage point death is therefore taboo, an event or experience associated with pain and fear, an urgent sense of uncertainty, and therefore to be avoided or ignored, and sanitized when inevitable. As a researcher embedded in this cultural point of view, I brought these cognitive and emotional presuppositions with me. I do not simply refer to the more manifest and familiar features of these structural presuppositions but include their informal and not always conscious schemas, emotions, and metaphors which also make up the mental aspects of human resources. These resources are often regarded as "transposable" (Giddens) or "generalizeable" (Bourdieu) because they exert some degree of influence through individual agency allowing one to integrate past and current experiences into a matrix of perceptions, appreciations, and actions (Sewell, 1992). However, these resources become impotent when persons are challenged with significant degrees of sense datum incongruent to these mental structures. Routine, everyday cognition and emotion are dependent upon readily available culturally available object, events, interactions, and relationships and whose fragility becomes apparent in culturally diverse ecologies (DiMaggio, 1997). Introspective ethnographic research in dying and death are robust undertakings that can therefore potentially expose underlying structures of our otherwise mundane and taken-for-granted parameters for understanding, indeed experiencing, the relationship between and our lives and death (Frank, 2002; Mamo, 1999). As previously noted, this researcher experienced these types of events as cognitive confusion, emotional turmoil, and momentary loss of identity. These phenomena emerged from ambiguities arising from the collision between two different ontology regarding existence and non-existence and are therefore reminiscent of the Nietzschean view that incongruities can transform oversimplified classifications used in sociological and everyday life into creative even transformative acts and discoveries (Frank, 2004; Manning, 1991: 72).

This research indicates that autoethnographies, or time-framed autobiographies, hold promise for excavating some of the more paradoxical and subtle structural tapestries of social life. In particular, substantive inquiries into anticipatory dying and death can benefit from and contribute to current discussions of Durkheim's views of social emergence (Sawyer, 2002) and symbolism (Janssen, 1997). The former, similar to recent work in social cognition (e.g. Varela, Thompson and Rosch, 1993); revisit the dialectical relationship between social structures and the emergence of individuals. The latter extends this notion of dialectic by situating it

within the stable yet flexible boundaries of symbols. If we think of anticipating death in symbolic terms, as a metaphor, apparent divergent and paradoxical phenomena can be unified in an alternative schema. Social products as metaphors therefore present to us, "... fleeting resemblances between apparently disparate phenomena, the incite us to make a cognitive leap or connection that subsequently appears to be both inspired and self-evident (Manning, 1991: 71). So now death takes on a different form, a vehicle that invites consideration of interdependent time specific life trajectories, which include transitional events of origins, endings, and the linear and non-linear unfolding of moments in between and the inevitability of our own temporal mortality (and therefore no recognizable form). Here Gell (2001) recommends us to G.H. Mead to remind us:

Reality exists in a present. The present implies a past and a future, and to both of these we deny existence.

Time arises through the ordering of passage of unique events, ... The causal conditioning passage and the appearance of unique events ... gives rise to the past and future as they arise in the present. All of the past is in the present as the conditioning nature of passage, and all the future arises out the present as the unique events that transpire. The long and the short of it is that the present (the meaningful structure of the past) is as hypothetical as the future. (p. 155)

Throughout this paper I have placed emphasis upon the term anticipatory dying in order to illustrate that the convergence of structures is a dynamic process that necessarily includes and also produces ambiguities of which death and therefore non-existence surround all social activities and products. All dimensions of mental and embodied social structure die away, meaning drifts away beyond rational contemplation, and our sense of self becomes transparent, and like all other forms matter, temporal and in motion. Anticipatory dying research presents us with significant opportunities to extend our understandings of self and the structures within which we pass through and create our human social world.

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Val Gillies

London South Bank University, England

Rosalind Edwards

London South Bank University, England

## A Qualitative Analysis of Parenting and Social Capital: Comparing the Work of Coleman and Bourdieu

### **Abstract**

This paper will present an empirically based analysis of parenting in order to critically examine the work of two major social capital theorists. The work of James S. Coleman and Pierre Bourdieu is much cited, but while both focus on the links between individuals, families and wider social structures, their theories are based on very different interpretations of social capital and its implications. Drawing on qualitative data from a UK based qualitative study of parenting resources this paper will critically assess each theory using case studies. We argue that these two approaches allude to different social resources, with Coleman's work representing the tightly bonded solidarities more often found among working class communities, while Bourdieu focuses on the more diffuse, instrumental networking most associated with the middle classes.

### **Keywords**

parenting; social capital; family; Coleman; Bourdieu

### **Introduction**

In recent years the concept of social capital has emerged as a key theme shaping the direction of public policy. Viewed by some as offering the potential to address contemporary concerns around individualisation and community decline, social capital theory has underpinned a range of initiatives that seek to repair perceived gaps in the social fabric. Social capital can be broadly defined as the values that people hold and the resources that they can access, which both result in, and are the result of, collective and socially negotiated ties and relationships (Edwards, Franklin and Holland, 2003). Mainstream social capital theorists identify diminishing levels of this crucial resource and link such "decapitalisation" to changes in family life. Transformations in contemporary personal relationships and a fracturing of traditional support structures are viewed as making unprecedented demands on

families, and undermining the practice of good parenting. Increases in cohabitation, divorce and separation, mothers' employment, lone parenting and people living alone, are viewed as evidence of a destabilization of traditional values and identities and are assumed to lead to a decline in social capital. It is argued this has left parents isolated, unsure and unsupported, stoking fears about a deficit in parenting skills

This "social capital lost story" (Edwards, 2004: 5) resonates with wider concerns about social fragmentation, and provides a clear focus for policy remedies. Given that families represent a crucial foundation for social capital, the state is posed as having a responsibility to address the current deficit in parenting support and to ensure that parents are helped to fulfil their essential duties. This "support deficit" framework has inspired a new approach to family policy in the UK and is characterised by a range of interventions designed to advise and educate parents. These have included the setting up of parenting classes across the country, a national telephone helpline dedicated to parents and the establishment of the National Family and Parenting Institute with a remit to act as a "centre of expertise" in providing information and "authoritative" advice on parenting "good practice" (Edwards and Gillies, 2004).

However, while it is claimed that this form of support is relevant to all parents, policies and interventions are more often directed towards working class or "socially excluded" families. Middle class parents are seen as competent in cultivating social networks that they can draw on to the advantage of themselves and their children. Conversely a deficit of links to the local community is viewed as a problem of disadvantaged areas where there is a high dependency on the welfare state and a perceived lack of self sufficiency. As such it has been argued that the ascendancy of social capital theory is part of an attempt re-socialise the poor (Gewirtz, 2001; Gillies 2005). As Christine Everingham (2003) suggests, mainstream policy interpretations often rely on a circular argument in which poverty derives from lack of social capital and lack of social capital derives from poverty.

The work of two major theorists have been formative in shaping this debate on social capital and families: James S. Coleman and Pierre Bourdieu. While both focus on the links between individuals, families and wider social structures, their theories are based on very different interpretations of social capital and its implications. Coleman utilises a narrow and structurally determined definition of social capital as a resource within the family, while Bourdieu's approach critically engages with issues of power and inequality. Drawing on qualitative data from a study of parenting resources this paper will explore the usefulness of each theory, using case studies to illustrate our findings. We demonstrate how these two approaches describe distinctly different social resources, with Coleman's work representing the tightly bonded solidarities more often found among working class communities, while Bourdieu focuses on the more diffuse, instrumental networking most associated with the middle classes. We conclude by relating these different elements or types of social capital to wider debates to highlight the contradictions structuring prevailing policy approaches.

### **Outlining the theories: Coleman and Bourdieu**

Coleman's approach to social capital is largely concerned with social consensus and control. Social capital resources "inhere in family relations and in community social organization" (Coleman, 1990: 300) and are comprised of obligations and expectations, information potential, and norms and sanctions. These features of

social capital serve a normative function in that the trust and reciprocity they generate ensures conformity for the collective good, while also benefiting individuals. It is a largely a hidden hand "by-product" in providing a social goods that "are not in the interest of any individual to produce alone, but ...are of benefit to many" (Coleman, 1988: 392), rather than merely instrumentally driven.

From this perspective, social capital connects families and communities and is characterised by a shared set of values and expectations. Coleman terms the close day to day relationships that can develop between parents in a local community "intergenerational closure" and claims the development of such a collective bond monitors, guides and sanctions individual behaviour. For Coleman, there is a crucial link between social capital and children's educational attainment. In emphasising its value in the creation of personal skills and capabilities or "human capital", Coleman correlates high social capital with a reduced probability of early school drop out (Coleman, 1988). Many similar studies have since been conducted using large scale US based data sets to link social capital indicators to academic performance (Dika and Singh, 2002).

According to Coleman, contemporary life is undermining social capital. A growing diversity of family forms has destabilised the conditions needed to create and sustain social capital. Increases in lone mothers, absent fathers, family mobility and working mothers have all disrupted intergenerational closure and have thereby eroded trusting reciprocal relationships. The absence of fathers through family break-up, and the commitment of mothers to full time employment is seen as amounting to a structural deficiency, depriving children of necessary developmental time with their parents. Similarly siblings dilute the time that parents have available for each child and are therefore viewed as depleting social capital resources for individual children. The welfare state is another threat identified by Coleman, and is viewed as undermining the economic and social rationality of parental investment in children, thereby encouraging a "free-rider" attitude (1991: 6). Consequently, from Coleman's point of view, a non-mobile, traditional nuclear family, with a working father, stay at home mother and one or at the most two children represent the ideal structure for maximising social capital.

In contrast, Bourdieu's work on social capital is considerably more complex and nuanced. For Bourdieu social capital is inextricably linked to a number of other central resources, or "capitals", which determine an individual's standing as well as their likely trajectory. Along with social capital, Bourdieu stresses the significance of economic capital, cultural capital in the form of institutional status and personal values, and symbolic capital representing the construction the other capitals take when they are legitimated with symbolic power. With social capital deriving from family and other social relationships, its type and content is inevitably shaped by the material, cultural and symbolic status of the individual concerned (Bourdieu, 1990,1997). Like Coleman, Bourdieu also sees families as motors of social capital, but focuses instead on enduring family practices that perpetuate inequity. Family members with access to symbolic and material resources are able to draw on these capitals in order to cement their advantage, and transmit the benefits to their children. From this perspective, social capital is a resource that can be accumulated, invested in and deployed for instrumental personal advantage.

From Bourdieu's perspective, there has been no general decline in social capital. Instead he is concerned with documenting the way individuals are positioned in social space according to their access to economic, cultural, social and symbolic capital. The amount and type of capitals an individual possesses, and gains or losses over time, determines both their position within the social space at any one time, and

also their overall trajectory. Individuals are born into a designated social space that is defined by access to capitals, but capitals are also tied to social positions in that being black, working class and a woman provides limited access (Skeggs, 1997). From this perspective, social capital is highly class specific and works to perpetuate social inequalities. It is also necessarily exclusory in that powerful social networks depend on mechanisms of distinction in order to preserve and reproduce their privilege (Bourdieu, 1979). This contrasts sharply with Coleman's depiction of harmonious networks comprised of shared values and social bonds that benefit individuals and society.

These two theoretical approaches to the concept of social capital also differ in terms of their wider impact. Despite his earlier introduction of the term, Bourdieu's work has been largely sidelined for an emphasis on Coleman's rigid but easily operationalized formula. Several studies have also drawn on Coleman's thesis in an attempt to quantify, measure and assess the impact of social capital in families (Amato 1998; Furstenberg and Hughes, 1995; Runyan, Hunter, Socolar, Amaya-Jackson, English, Landsverk, Dubowitz, Browne, Bangdiwala and Mathew, 1998; Teachmann, Paasch and Carver, 1996). There have been fewer detailed qualitative studies of social capital in households. Research that has been conducted in this area either highlights the shortcomings of Coleman's theory (Seaman and Sweeting, 2004), or has relied exclusively on a Bourdieu informed framework (Allatt, 1993; Bates, 2003; Tomanović, 2004). In this paper we will use qualitative empirical data on parenting and social capital specifically to explore and evaluate the social capital theories of both Coleman and Bourdieu.

## **The research framework**

The data informing this article derives from the "Resources in parenting: access to capitals" project.<sup>1</sup> This study examined the micro processes of everyday family life focusing in particular on the resources that are available to parents of children aged between 8 and 12. The framework for the project conceptualised parenting resources in terms of social, economic, cultural, emotional and environmental capital, centring on social connectedness, material and financial status, values and dispositions, and levels or types of emotional investment in children. It involved both extensive survey and intensive interview data collection, using a particular perspective on the relationship between the different sorts of data. In the first phase of the research a large scale survey was conducted among parents of children aged 8 to 12 with the aim of exploring publicly expressed attitudes to parenting support (reported in Edwards and Gillies, 2004). This was followed up in the second phase by theoretically sampled in-depth interviews to examine parents actual day to day practices. Qualitative interviews were conducted with 25 mothers and 11 fathers from a range of 27 households across England and Scotland (see Edwards and Gillies, 2005 for further details of the research design) and it is data from this later phase that forms the major focus of this paper.

In this second phase of our study we sought to compare Coleman's and Bourdieu's theoretical frameworks using a particular methodological and analytic strategy. We explicitly drew on features of Coleman's categorisation of levels of social capital in order to sample for this stage, focusing on his notion of high and low social capital families. From this perspective the category of high social capital is limited to a homogeneous family form characterised by two biological parents with a

working father and a mother at home caring for no more than two children. The family should have lived in the same area for some time and be on a middle range income. According to Coleman this domestic arrangement maximises social capital, ensuring that children receive full time attention from a primary care taker, while reciprocal social relationships are maintained outside of the family with parents seeking and receiving help through their social networks. In contrast, Coleman's category of low social capital encompasses a range of less traditional family circumstances including lone parents, parents who are both in full time employment, families reliant on welfare benefits and high income families whose financial status has freed them from reciprocal commitments.

In the process of constructing our sampling frame, however, we identified various family forms and circumstances where Coleman's social capital categorisations are less clear. For example, a family's social capital status might be considered ambiguous if the mother only works part time during school hours. Coleman implies that there are situations where low social capital indicators are "off-set" by more positive circumstances (1988: 89). As a result, we decided to include an additional category of middle social capital to encompass families who appeared to fall between definitions of high and low. Using this schema, our sample consisted of 6 high social capital, 6 middle social capital and 15 low social capital family households.

Our theoretical sampling for the qualitative phase of our research drew on the work of Coleman, but the content and analysis of the in-depth interviews with parents was influenced by Bourdieu's conception of the interdependence of social and other capitals. Our intention was to contrast Coleman's predefined and formulaic assignment of social capital on the basis of household structural characteristics with Bourdieu's more dynamic and contextual approach. Consequently our interviews with parents focused on a broad range of issues including time, money, locality, children's health and development, practical aid, schooling, and kin and other social networks. Our subsequent analysis of this data sought to address the interaction between social and other capitals in the resources that parents can draw on and give. This methodological approach allowed us to relate contemporary, empirical data on families to the social capital theories of Coleman and Bourdieu.

### **Social capital: matching data to theory**

Focusing first on the work of Coleman, we found little in his rigid formulation to reflect the lives and experiences of our interviewees. Our sampling frame enabled us specifically to investigate whether social capital is linked to family characteristics, as Coleman professes. However, in a comparison of households we could find no evidence to support this structurally based definition of high, middle or low social capital. On the contrary, family forms such as lone parent families, and parents claiming benefits in our sample were particularly well networked and clearly demonstrated the features associated with Coleman's understanding of social capital, including obligations and expectations, information gathering potential and effective norms and sanctions. Neither could we find any indication of Coleman's predicted "decapitalisation" in our sample. All of the households we interviewed were socially integrated in reciprocal support networks, and none described feeling isolated or unsure of whom to turn to for advice.

Coleman's theories are underpinned by concerns about increasing family diversity and social fragmentation, yet the findings from our study question both the



premise that social capital is necessarily in decline and the assumption that changing family structures are to blame. Most parents in our sample received regular help from family members in some form or another, and all described strong friendship networks (Gillies, 2005). Lone mothers were particularly likely to describe an extensive and tight support network comprised of friends and family, while parents with limited or no physical contact with family members compensated through integrated supportive networks of friends, neighbours and work colleagues. Our study also highlights how workplaces can represent a source of crucial social support for many mothers, augmenting rather than detracting from their social capital. Qualitative research conducted by Peter Seaman and Helen Sweeting (2004) similarly undermines the categorisation of non-traditional families as social capital deficient, showing how such families were able to access social resources not envisaged by Coleman.

Although we found no shortage of social capital amongst our sample, it was clear that parents' ability to invest in this resource to advance their own and their children's opportunities was strongly determined by their access to other resources. This appears to support Bourdieu's understanding of social capital as integrally linked to economic and cultural capital. We can best illustrate this through the use of case studies from our data. As such we are following in the tradition of Coleman and Bourdieu who have both articulated their theories through case study examples (Coleman, 1988; Bourdieu, 1999). Here we focus on two lone mothers, Julie Denis and Katherine Hall.

### **Julie Denis**

Julie is an African-Caribbean lone mother of two children by different fathers. Her youngest daughter, Carly, is 10 and her older son, Lloyd, is 15. She rents a three-bedroom housing association property on a purpose built estate in a densely populated urban area and is currently drawing state benefits. Julie did not grow up locally but came from a large family of four sisters and two brothers based in another city. Her two sisters now live relatively close to Julie, but the rest of her siblings and her mother remain in the family home town. Julie's neighbours are largely young, multi-ethnic and on low incomes, with the market research profiler ACORN<sup>ii</sup> describing the area as populated by high numbers of long term unemployed, students and lone mothers.

Julie describes her relationship with family members as very close. She has a particularly strong interdependent relationship with one of her sisters. They have children of similar ages and Julie provides childcare for her sister to allow her to work. In turn Julie receives strong emotional and practical support from her sister and financial help, for example, in the form of grocery shopping. Julie also emphasises the close contact she maintains with the rest of her family, by regularly speaking on the phone and visiting. She views these family relationships as a support safety net and has received (and provided) practical help in the past. Julie also receives intermittent financial help from her children's fathers in the form of one-off payments for clothes or holidays. Julie has a large network of friends that she regularly socialises with, although she distinguishes them from her "genuine" friends who she feels have become part of her family. She has two particularly good ("genuine") friends living nearby with children of their own who she relies on for emotional and practical support, and she is a Godmother to another friend's daughter and provides regular childcare for her. Julie is also a Godmother to her neighbours' 3 year old daughter.

## **Katherine Hall**

Katherine is a White lone mother who is separated from her husband. She has two daughters, Zoe, age 9, and Adele, age 5, and lives in large detached house in a small village in the home counties.<sup>iii</sup> She works three days a week as a lawyer. Her annual household income (including contributions from her husband) exceeds £100,000.<sup>iv</sup> Her neighbours are mainly other highly educated professionals and business owners, with ACORN describing her street as inhabited by the most affluent people in the UK. Katherine has lived the area for the past seven years and has no family members living nearby. She does not have a close relationship with her parents and has rarely asked them for help or support. Katherine's husband (a full time lawyer) takes the children at weekends.

Katherine's main support network is provided by friends, neighbours and work colleagues. She has a very good relationship with her neighbours and feels that she lives in a "great community". Most of Katherine's neighbours have children of their own and they socialise regularly. Although Katherine employs a child minder three days a week her children spend a lot of time next door playing with the neighbours' children. Katherine has a close relationship with the female neighbours either side of her and feels they were particularly supportive when she was splitting up with her husband. Katherine also feels her work colleagues are an important source of support, and mentions a particularly good friend in her workplace. She regularly holidays with this friend and her neighbours. Katherine is also involved with the school's Parent Teachers Association and as a result has built relationships her daughters' teachers and other local parents.

According to Coleman, both Julie and Katherine exhibit the characteristics of low social capital, with their lone parenthood reflecting "the most prominent element of structural deficiency in modern families" (1988: 111). He argues that lone parented children are inevitably under supported and are as such more likely to engage in delinquent behaviour. In contrast, families with high social capital are seen by Coleman as re-enforcing pro-social values through the development of an intergenerational bond that socialises children into relationships characterised by mutual trust and obligation. Such deficits are not identifiable in our case study examples, with both mothers and their children socially embedded as active members of their communities, sharing strong values around mutual responsibility and obligation.

Julie and Katherine are clearly both well networked, but the social capital they rely on and access on a daily basis is rooted in their very different social and economic circumstances. Julie struggles to make ends meet on welfare benefits, but far from encouraging a relinquishment of personal responsibility (as Coleman alleges) her life as a lone mother is sustained through highly reciprocal supportive relationships. In contrast, Katherine's financial independence enables her to combine social relationships with paid for services to secure any help she needs. As well as employing a childminder three days and one evening a week, Katherine also pays for the children to attend regular after school activities such as French, chess and swimming. Although she has less need of informal support she benefits on a personal and emotional level from maintaining reciprocal relationships with neighbours, friends and other mothers. Significantly, through creating and maintaining these links, Katherine is able to access influential networks that Julie would most likely be excluded from.

Differences are also apparent in terms of the value and meaning of the social resources each mother provides and acquires. Julie has time and experience of

raising children and is able to provide invaluable childcare help to her sister and other friends. In return, Julie's shopping is often collected and bought for her, while the goodwill she generates stands as potential future resource if practical or financial help is needed. As a result Julie's social capital is in the main converted to the practical help and psychological support that enable day to day survival. For Julie, this is experienced in terms of strong emotional bonds with particular individuals, and is expressed as a form of familial interdependency. Like many other working class parents in our sample, she makes a clear distinction between acquaintances and family, and includes close friends in the later category: "Like the circle of like people I move with, or me family I should say - not so much people because like I said I'm not one for like having lots and lots of friends, I've acquaintances - because like we help each other, you know, we support each other". In contrast, Katherine's high social status and privilege have enabled her to build relationships with other wealthy and relatively powerful individuals, which (alongside the pleasure of friendship) can be drawn on in preserving and accumulating her relative social advantage. A more instrumental focus on the personal benefits of social networking was implicit in many of the interviews with middle class parents in our sample. In line with Gaynor Bagnell, Brian Longhurst and Mike Savage's (2003) findings, middle class parents in our sample were consciously instrumental in their involvement with Parent Teachers Associations, as is evident in Katherine's account:

I've joined the Parent Teacher Associations at the schools. I've got to sort of network locally and meet a lot of local people. Went to the first Committee meeting and volunteered to do it. Because I knew that it was a good way, when we were new to the village, of getting to know local people, and I've been on the Committee now, what, for three years, well both schools ... I think it benefits me, and it benefits the children.

Bourdieu's (1997) understanding of social capital as part of an interlinked system orientated towards the reproduction of privilege can be drawn on to interpret the case study example of Katherine, but appears less relevant when it comes to Julie. Low economic capital combined with working class cultural capital ensures there is little opportunity to pursue personal gain. Instead Julie maintains a dense network of friends and family, characterised by obligation, commitment and dependency. This distinction is reflected in our wider sample analysis, which revealed qualitative differences both in the form of social capital accessed by parents and the functions it fulfils. In general, working class parents were more likely to describe a core network of highly reciprocal, supportive relationships supplemented by connections to more peripheral social contacts. Narratives of betrayal, disloyalty and estrangement were also more common amongst this group reflecting the high expectations and emotional intensity associated with such relationships. Middle class parents, in comparison, discussed their attachment to a more dispersed and less bonded social group, with few obligations or responsibilities beyond socialising.

Bagnell, Longhurst and Savage (2003) identified a similar class based distinction in their study of networks and social capital, with parents from working class areas demonstrating tighter social ties, while parents from middle class areas described more diffuse networks. For mainstream social capital theorists such as Robert Putnam (2000), strong homogeneous ties denote the "bonding social capital" associated with day to day "getting by", while weaker heterogeneous links facilitate the "get ahead" characteristics of "bridging social capital". However, as Bagnell et al. (2003) show, working class residents tend to be more tightly embedded in local communities compared with their more mobile and less restricted counterparts. Our

research points to a similar interpretation of social capital as grounded in particular material circumstances, thereby conflicting with Coleman's definition of a generalisable resource defined by its function and measured through household characteristics.

Furthermore, although Coleman's definition of social capital corresponds with the dense reciprocal support networks found among our working class parents, he gives no consideration to the drawbacks of such social ties. Social capital in this context is characterised by intense demands and obligations that can place a heavy burden on those dependent upon it for survival. This essential mutual support conveys none of the wider economic benefits discussed by Bourdieu. Consequently while Coleman disregards the potentially onerous nature of social capital, Bourdieu's linking of social capital to personal gain appears to overlook the crucial role of social solidarity as a day to day resource.

### **Social capital and the gender gap**

Despite a broader tendency in the mainstream theoretical literature to discuss social capital as a gender neutral concept, our study highlights how, at the level of family, it is predominantly managed and maintained by women. In line with previous research (Moore, 1990) we found men's networks to be more formal and less kin based, while women's networks were less formal and contained more family members. It was mothers rather than fathers who sustained family links, negotiated childcare arrangements and organised social activities. Generally speaking, the women in our sample had more intimate friendship networks compared with their partners, and appeared to place greater value on friends. Also it was mothers rather than fathers who made links with and sustained regular contact with other parents (mostly other mothers) in their locality.

From Coleman's essentially normative perspective, social capital depends upon a traditional gender division with men acting as breadwinners while women remain at home to care for the children. Consequently the central role that mothers play in negotiating social capital is viewed as natural and normal, but under threat from greater equality and opportunity for women. As Maxine Molyneux (2002) notes, mainstream social capital theories often present women as instinctively predisposed to community and family relationships, while rarely questioning their absence in more powerful male dominated networks. As a result, women are viewed either as potential social capital saviours and targeted to undertake unpaid voluntary or community work, or they are held responsible for its perceived demise. Coleman's concerns about the increase of women in the workforce can appear reactionary and dated, yet his theories resonate with widely held anxieties about the stability of the family and society. Fears that a detraditionalisation and individualisation of social life will lead to the breakdown of society have driven the attempt to harness social capital theory as a policy remedy (e.g. Halpern, 2004). Yet as we have stated, our analysis provides no indication that families are disconnected or isolated. Instead, the dominance of women in managing and mediating social capital illustrates how mothers continue to shoulder primary responsibilities for family life whether or not they work outside of the home.

In this context, Bourdieu's theory offers a more useful way of understanding this social capital gender imbalance. Gender for Bourdieu is a primary symbolic classification in a wider social framework based upon power and distinction. While his work most effectively draws out the classed nature of social and other capitals,

numerous feminists have found this model can be appropriated to explore gender differences (Lawler, 2000; Lovell, 2000; Reay, 1996, 1997; Skeggs, 1997). More specifically, Bourdieu suggests that the various forms of capitals accessed by individuals shape their particular "habitus", or way of being and doing. According to Bourdieu (1979,1990), habitus is acquired not through conscious learning or as the result of ideological coercion, but through lived practice, and is deeply ingrained in material dispositions such as walking and talking, as well as thinking and feeling. This practical habituation is described by Bourdieu as a "second sense" or a "feel for the game". It is through a combination of experience, practice and reflection that individuals develop a practical disposition to act in certain ways. According to Bourdieu a dynamic dialectic characterises the integration of habitus (embodied dispositions) and "field" (external environment). While embodied dispositions are grounded in concrete circumstance, these circumstances are shaped and transformed by the individual concerned (Bourdieu, 1979,1990). Thus, the concept of habitus represents a combination of personal, social and structural dimensions, and is situated in time, space and place. As Bourdieu (1977: 87) explains "The habitus makes coherence and necessity out of accident and".

It is through the embodied dispositions of the habitus that power relations come to be mis-recognised and inequalities become naturalised (McNay, 1999). Consequently an individual's habitus reflects not only class but also gendered social relationships that produce and are produced by differential access to capitals. From this perspective, the norms espoused by theorists like Coleman are part of a broader mechanism in which power relationships are maintained through the illusion of essentialised difference. Discrimination in the workplace and the particular meanings and responsibilities attached to motherhood and fatherhood ensure that women continue to take primary responsibility for raising children. As such social capital combines with cultural and economic capitals to form a gendered, classed (and ethicised) habitus, ensuring that women are more likely to draw on social capital in managing family lives, while men cultivate social capital to help them succeed in the workplace. To a certain extent, this mirrors the class specific "getting along" and "getting ahead" distinctions. However, our analysis clearly demonstrates how social class organises gender differences on the basis of social and structural hierarchies. This is highlighted by the way that middle class mothers like Katherine are able to cultivate and utilise social capital to ensure advantages are passed on through the family.

### **Social capital or social class?**

In line with Bourdieu's claim that social, economic and cultural resources are necessarily interdependent, qualitative analysis of our data reveals the crucial significance of wider structural frameworks in interpreting social capital. Two further case studies of families who fall into Coleman's high social capital category in terms of their family structure at least, illustrate the way social class both determines and is in part determined by access to social capital. These examples also demonstrate how the social capital appropriated by parents in our sample cannot be properly understood in isolation, or attached to particular family forms.

## The Grahams

Ted and Denise Graham are married with a 10 year old son, Liam. They rent a small two-bedroom property from a housing association in a Northern industrial town. Ted works long shifts Monday to Saturday as a cleaner in a local shopping centre earning around £15,000 annually<sup>v</sup>, while Denise cares full time for Liam. Denise grew up locally and, though her mother recently died of cancer, her father and three brothers live close by. Ted grew up in another town. His father died when he was a child and he rarely sees his mother or his sister. Like Ted and Denise, their neighbours are largely working class people with the ACORN profile describing their street as comprised of people with very little education and low incomes who enjoy horseracing and bingo.<sup>vi</sup>

Both Denise and Ted have a close relationship with Denise's father (a retired porter) who lives three doors away, but the help and support provided is highly reciprocal. Denise took a primary role in ensuring her father coped with the loss of her mother, helping him with cooking, cleaning and washing. Her father does not perceive it to be his role as a man to provide childcare support (except in an emergency), but has access to a car and often give lifts or picks things up for them. Denise and Ted cannot afford to run a car and rely on Denise's father to help them with the weekly shopping or to take Liam to doctors' appointments. Denise's three brothers are painters and decorators and have often helped out in the house with DIY and mending things. Denise sees less of her brothers now because her father's new girlfriend has caused a family rift, but she remains close to their wives. Denise has a strong, reciprocal support network of friends and neighbours. Most have children attending the same school as Liam, and Denise has relied upon their help when she has been unwell. Denise also helps out, providing unpaid childcare for a friend's 18 month old little girl four mornings a week. Denise also looks after her elderly neighbour and another elderly lady further up the street (Ted is sent round if they need light bulbs or fuses changed). Denise has one particularly close friend who she relies on for emotional support and counts as part of her family. They help each other out with childcare, lend and borrow small sums of money, and tell each other things they wouldn't tell their husbands.

## The Ryders

Fiona and Colin Ryder are married with an 8 year old daughter, Amber. They own a large semi-detached house in a prosperous semi rural area. Colin is a manager at IT firm in the City earning between £50,000 and £60,000 annually<sup>vii</sup>, while Fiona cares full time for Amber. Both Colin and Fiona grew up within a five mile radius of where they now live. Their parents live relatively close to them, as do Fiona's brother and sister and Colin's two sisters. Their neighbours are largely middle class professionals, with ACORN describing the street in which they live as a prosperous suburb where people tend to have high incomes, be highly educated and read broadsheet newspapers.<sup>viii</sup>

Fiona has a good relationship with her mother (a retired teacher) and her father (a retired managing director). She visits them regularly, relies on them for childcare support and has borrowed large sums of money from them in the past. Fiona also has a close relationship with her sister (a piano teacher), who regularly babysits for Amber and provides her with discounted piano lessons. Fiona has a more distant relationship with her brother (a headmaster), but sees him regularly at family gatherings. Colin's relationships with his family members are distinctly less close and are for the most part managed by Fiona. They make a family visit to Colin's mother (a

housewife) and father (a retired engineer) once a week and, while they often babysit for Amber, arrangements are made through Fiona. In the past Fiona had maintained a relationship with one of Colin's two sisters (a teacher), but contact dwindled as her children grew older. They see Colin's other sister only at family gatherings organised by Colin's parents. Colin and Fiona are friends with two couples (with children of their own) who live close by and they often socialise together as a group. Fiona and the other two mothers meet regularly and provide emotional support, and occasional babysitting. In the past, one of these mothers had paid Fiona to act as a childminder in order to return to work. Colin only sees these friends when group social events are organised. Fiona does voluntary work at the local school twice a week helping children to read, while Colin and Fiona regularly attend events organised by the school.

According to Coleman, both sets of parents display the characteristics of high social capital in that they are long term resident families comprised of working fathers, full time at home mothers and one child each. However, more detailed qualitative analysis suggests the families have little in common beyond these broad categorisations. While both couples derive substantial support from family, friends and neighbours, these relationships are confined to class based networks, which are in turn determined by material circumstances, social status and residential location. Consequently the resources each couple can access are far from equal. The social capital returns for Fiona and Colin are considerably more profitable, providing money, practical help, influence, and legitimated cultural knowledge, while incurring few reciprocal obligations. For Denise and Ted, social relationships demand much greater commitment (particularly from Denise) for much less personal advantage. For example, Denise relies upon lifts and errands from her father because, unlike Fiona, she cannot afford to run a car. This basic but crucial form of support is provided in the context of Denise's role as a carer for her father (along with other elderly neighbours in her street). Denise's relationship with her best friend, Josie, illustrates the intensity of the social bonds she has established:

Josie, she'll do anything I ask her to. If she can help me she will. She has a car. If I want to go somewhere she'll take me. But only last week Liam had a sick day off of school and I needed to go shopping and she came from school and sat with him. I only rang her at quarter past 8 and she were here at twenty to 9 and I'd do the same thing for her. Um we do help each other out, and she won't take for things ... You know like if she's out and about, like you said before, she'll ring me from wherever she is and say 'I've seen such a thing, it's so much, do you want me to get ya?' And I do the same with her ... I mean the day me mum died she rang me at 11, me mum died at ten past 11 and Josie rung me at about 12 minutes past 11, didn't she, and she said 'Denise' she said 'I'm in the middle of me washing' she said 'but I've got a funny feeling something's happened'. And I told her what had happened, and within ten minutes - I mean Josh then, her lad, he were only baby and she were down here and she just never went home. And she knew, that's how close we are, she knew something had happened.

Unlike the Ryders, the Grahams have never felt able to or justified in borrowing large amounts of money from their family, but they do lend and borrow small "tide over" amounts when there is a need. There also appears to be a culture of buying small items of shopping for others and giving it as a gift. As Denise explains in the quote above, Josie often picks things up for the family and then "won't take for it".

While the Grahams appear to be tightly bonded to certain social networks, the expectations they meet and hold are often broad and unspecified. As such they resemble Marshall Sahlin's (1972) concept of "generalised reciprocity" as a form of solidarity rather than a barter-like exchange. The help and support the Grahams receive appears to be rooted in intimate commitments that make day to day life possible. In comparison, the Ryders appear to have few social obligations beyond regular visits to family members. The financial help they have received from Fiona's parents was not attached to any conditions beyond eventually paying it back, and they readily assume that grandparents would naturally want to take a regular childcare role. Practical resources obtained through, or provided to, other social contacts generated a greater sense of reciprocity, but the Ryders commonly neutralised obligatory relationships by transforming them into a monetary exchange. For example, Fiona's pays her sister to provide Amber with piano lessons, albeit at a discounted rate. Furthermore, when financial difficulty forced a close friend to return to work after having a baby, Fiona helped out with childminding for an agreed low fee. This is in marked contrast to other working class mothers in our sample (like Denise and Julie) who provided or relied upon free, regular childcare and other kinds of support. In a study of informal exchange in households, Colin Williams and Jan Windebank (2002) found working class families were considerably more likely to rely on unpaid mutual aid. As they note, such favours generate an undefined obligation to be met in the unspecified future, whereas a cash exchange can effectively remove this hanging social debt. For the Ryders, placing financial value on particular forms of support removed the discomfort of this uncertainty and the sense of obligation associated with reciprocal relationships.

The example of the Ryder family also demonstrates the extent to which economic capital is crucial in managing and mediating social capital. Aside from enabling them to buy a house in a prosperous area and live among well-educated professionals, Colin's income removes them from the kind of social interdependency experienced by many of the poorer families in our sample. However, while economic capital underpins the appropriation of social capital, cultural capital represents an equally significant factor, particularly with regard to parenting practices. Parents in our sample with access to middle class resources (such as money, high status social contacts and legitimated cultural knowledge) drew on these capitals to consolidate their power and advantage, and invested heavily in their children's education as a method of transferring this privilege. Previous research has produced similar findings, with Patricia Allatt (1993) illustrating how the minutiae of middle class parenting practice is founded on an active manipulation of social and financial resources to ensure advantage is passed down through the generations. Inge Bates (2002) has also explored the dynamics of social and cultural capital transmission within families, highlighting the complex struggles of parents to ensure middle class benefits are Reflecting their middle class cultural capital, the Ryders hold strong values around education. Colin has been educated to university degree level, while Fiona attended a grammar school<sup>x</sup> and has A levels<sup>x</sup> and secretarial qualifications. Both are keen to see their daughter do well at school and are heavily involved with Amber's homework projects. An 11 plus exam<sup>xi</sup> still operates in the Ryder's school catchment area and although Amber is viewed as being on course to pass, Colin is monitoring her work and says he will employ a tutor if necessary to ensure she makes it to the local grammar school. The relatively loose social capital networks accessed by the Ryders are particularly well suited to securing Amber's educational advantage in that they contain a number of education professionals, including Amber's own teachers. Unusually there is no Parent Teachers Association at Amber's school, but Fiona's



weekly visits to the school to hear other children read have enabled her to develop useful contacts and access relevant information. Social capital in this context is particularly well appreciated given the anxiety the Ryders express about Amber's forthcoming transfer to secondary school<sup>xii</sup>, as is evident in the following extract from the interview with Colin:

We know other parents that are going through it and the whole system seems to be fraught in that er, there's pressure about choice, it's er, not really choice at all. You can try and choose but if you don't get into the first school that you want the likelihood is that the second school down won't have you because they're not at the top of your list, so it's a nightmare situation ... Obviously I'd be pretty concerned about the results. If she doesn't pass [the 11+] ... I'm not too sure what the alternatives are but they're not - there are some good secondary schools but then again where do you put them on your list to make sure you get in? ... You can try and go for one and if you miss that the likelihood is you wouldn't get into your second or third choice, you end up getting shoved into what's left over. Which is a complete nightmare.

I: What about practical advice? Who do you think you'd go and ask advice from?

I'd probably give a call about things yeah ... Brian, Fiona's brother .... Brian's an ex-headmaster so he's sort of fairly knowledgeable about the education system.

In contrast, the working class cultural capital possessed by the Grahams generates little of the recognition or legitimacy conferred upon the Ryders. Denise and Ted both grew up in working class families and left school without qualifications. As such they lack grounded knowledge of the cultural and academic framework structuring their son's school, and are aware, through previous interaction with teachers, that the cultural capital they have positions them as problematic and inferior. For Denise and Ted, education was associated with disappointment and failure, both in terms of their own personal histories and their experiences of being parents. While both wanted their son to do well at school, they were not surprised to find that Liam struggled with academic work. Unlike the Ryders, they have few resources to aid their son's education. They cannot draw on their own knowledge, have no highly educated, influential contacts to access, and are unable to afford the cost of a private tutor. They also have little to do with the school, given that their previous encounters have been characterised by conflict. As numerous studies have established, class plays a formative role in shaping the nature and experience of parental involvement in education (Ball, Bowe and Gewirtz, 1996; Crozier, 1996; Hanafin and Lynch, 2002; Reay, 1998; Vincent, 1996).

### **Individual social capital and inter-relationships**

The class distinct maintenance and utilisation of social resources evident in our sample raises a number of questions about the meaning of social capital. Coleman's ideal of "intergenerational closure" as enforcing norms, values and obligations was most closely realised in the tight networks of our working class sample of parents. Yet while these often intense bonds provide solidarity, emotional support and a social safety net, they generate little of the benefits envisaged by Coleman. For example,

the educational success he attributes to social capital is more likely to be associated with the loosely networked middle classes. Coleman's emphasis on the importance of social control, and concern over the demise of cohesive social sanctions is further undermined by Rambaut's findings (cited in Portes, 1998) that particularly strong familialistic ties found among recently arrived immigrants are associated with poorer educational outcomes for students.

Bourdieu's very different understanding of social capital as a resource oriented towards shoring up and passing on privilege through the generations, best describes the more instrumentally focused actions of our middle class interviewees. The social relationships accessed by many of our working class families more closely resembled the "bonded solidarity" discussed by Alejandro Portes (1998) in which actors form communal identifications and support each others' initiatives. In this context, it could be argued that the Bourdieuan metaphor of capital is inappropriate given the collective as opposed to individual benefits gained from social relationships. Rather than accruing, trading and converting social capital, working class families form inter-relationships that stand in contrast to individualistic middle class values.

From this perspective, the individualism underpinning mainstream theories of social capital reflects the middle class experiences, or "habitus", of the theorists who espouse them. As Beverley Skeggs (1997, 2004) argues, the individualism that structures much of social theory originates from and benefits the privileged middle classes. Notions of individualism justify those with power and authority and brand other groups as inferior for their lack of differentiation from the mass. This is particularly evident in current approaches to family policy in which responsibility is projected onto working class parents for failing to equip their children with the right skills for social improvement. Efforts to regenerate social capital reflect a wider concern that the working classes are failing to raise appropriately individualised children (Gillies, 2005a). Yet as Bourdieu demonstrates, this form of social capital works on the principle of exclusion to preserve privilege, and therefore cannot be generalised beyond particular networks. At this broader conceptual or societal level social capital is revealed as crucial mechanism of social injustice.

## Conclusion

Our study of parenting resources emphasises the significance of everyday social relationships to families, while also highlighting shortcomings in social capital theorising. Coleman's work relies on a structural account of social capital that is not born out by our research. However, Coleman's cohesive social networks founded on norms, values and reciprocal obligations were identifiable among the working class families in our sample, who depend upon such bonded social relationships for their day to day survival. This contradicts the assumption commonly held in policy circles that such communities are characterised by a deficit of social capital. Yet, while Coleman's type of social capital allows poor and socially excluded families to "get by", it offers few of the human capital benefits envisaged by policy makers and by Coleman himself. In contrast, Bourdieu's description of social capital is as a resource based entirely around personal and group gain. His focus on the instrumental nature of social networking was recognisable among the middle class parents in our sample, but was notably absent in poorer communities. Bourdieu's type of social capital generated significant rewards for parents and children, but was rooted in privileged economic and cultural conditions.

Despite their qualitative differences, these two approaches to social capital are commonly conflated in policy literature on parenting. Inspired by Coleman's version of social capital, policy makers strive to encourage social solidarity and shared norms while also promoting individualistic values around personal advancement. There is little recognition that cohesive social networks may be sustained precisely because of a lack of self interest and instrumentalism. From this perspective, a prevailing emphasis on functional social capital risks undermining the community ties it seeks to bolster. At any rate the concept of social capital appears to lack the explanatory and prescriptive power that many have attributed to it. Thus, while important insights can be gained from the work of Coleman and Bourdieu, neither conception of social capital on its own offers a comprehensive account of the significance of social resources to families.

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## Endnotes

- i The project was conducted under the Families & Social Capital ESRC Research Group programme of work based at London South Bank University (see [www.lsbu.ac.uk/families](http://www.lsbu.ac.uk/families)), ESRC award no. M570255001.
- ii ACORN stands for "A Classification Of Residential Neighbourhoods". The marketing-data firm CACI has produced this classification to include every street in the country, fitting them into 17 distinct Groups, which, in turn, contain 56 "typical" ACORN neighbourhood categories. Streets of broadly similar people are grouped together. The descriptions of the types are based on averages across all streets in the type.
- iii Home counties is a semi-archaic name for the English counties bordering London, which are conventionally seen as "nice" semi-rural and affluent areas.
- iv In 2004, the UK national average wage was £26,151 per annum.
- v See footnote 3.
- vi Bingo is a prize gambling game played in bingo halls, and is conventionally considered a female working class leisure pursuit. Players buy cards with numbers on them in a grid. Randomly-selected numbers are drawn by the bingo caller. The first person to have a card where the drawn numbers form a specified pattern is the winner and calls out "Bingo".
- vii See footnote 3.
- viii British newspapers conventionally are divided between the upmarket, serious broadsheets and the mass-market tabloids also known as red tops.
- ix British children attend secondary schools from age 11. A grammar school is a selective state secondary school with a mainly academic curriculum. Selection for grammar schools is dependent on passing the 11 plus exam. The test examines students' academic ability. In most parts of the UK, the exam has been abolished in favour of the non-selective comprehensive system.
- x An A-level, short for Advanced Level, is a non-compulsory qualification taken by students, usually age 17/18, in secondary schools or further education colleges.
- xi See endnote X.
- xii See endnote X.

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Noriko Milman

University of California at Los Angeles, USA

Jerome Rabow

University of California at Los Angeles, USA

## Identifying with the Role of “Other”: “The Pink Triangle Experiment” Revisited

### **Abstract**

The present study examines the impact of a politically-charged symbol on the everyday interactions of student-participants. Auto-ethnographic data gathered by undergraduate students donning a pink triangle pin indicates that participants often became identified with a gay/lesbian identity and were subsequently “othered.” Students’ testimonies highlight how the othering process prompted greater understanding of the struggles of gay men and lesbians, as well as other historically disenfranchised groups. Finally, their writings indicate that the experiment served as an exercise in self-reflection and in some cases, produced sentiments of self-empowerment.

### **Keywords**

experiential learning; gay and lesbian; identity; identity management; stigma; self and society; social oppression

### **Introduction**

Used by Nazis to identify homosexuals in concentration camps during the Holocaust, the pink triangle has since been appropriated and embraced by gay men and lesbians. The display of the symbol now demonstrates alliance with lesbian and gay communities. In this current social and political climate, we wondered how the everyday experiences of college students might be affected if they were to don the pink triangle for an extended amount of time? Specifically, how do self-proclaimed heterosexual participants perceive social interactions when aligning and identifying with the stigmatized role of a sexual “Other”? What are the effects of these reactions on students? Do these experiences reportedly transform sense of self?

To address these questions, we revived “The Pink Triangle Experiment” (Chesler and Zuniga, 1991; Rabow, Stein and Conley, 1999). In the current study, heterosexual students volunteered to publicly display a pink triangle for a period of five weeks. Drawing upon the symbolic interactionist tradition and reviewing Goffman’s (1964) work on stigma, identity management, and the connection to the

self, we set the stage for our analysis. According to participants' auto-ethnographic data, identifying with a stigmatized role often resulted in negative reactions from others. In some instances, fearing their well-being and safety, students felt compelled to temporarily relinquish the role and reveal its "experimental" component. Students claim that, taken together, these experiences had a profound impact on their intellectual and emotional understanding of the everyday plights of gay men and lesbians, other historically disenfranchised groups, and their own sense of selves.

## **Relevant Literature**

### **On Stigma**

Goffman defines stigma as "an attribute that makes [one] different from others in the category of persons available for him to be, and of a less desirable kind...He is thus reduced in our minds from a whole and usual person to a tainted, discounted one" (Goffman, 1964: 3). One often elaborately works to manage her/his identity away from a discreditable standing. Hence, to Goffman, careful attendance to how others treat us, or how we imagine being treated, provides information required for the work of managing our identities away from a stigmatized role.

This identity management, argued Goffman, is a fundamentally reflexive act, designed to maintain credibility in the presence of others. The reflected appraisals of others encourage one to manage her/his own sense of identity in order to avoid feelings of shame and embarrassment (Goffman, 1959: 12). To achieve this, individuals commonly use the strategy of "passing" (Goffman, 1964). In his words, "because of the great rewards in being considered normal, almost all persons who are in a position to pass will do so on some occasion by intent" (Goffman, *ibidem*: 74). This entails concealing information about who they are so that stigma(s) is not revealed.

Identity management involves the use of words, deeds, and sign equipment for the work of influencing how others come to conceive of him or her (Goffman, 1959). By donning pink triangle pins and therefore aligning themselves with gay men and lesbians, we argue that, at least within the social and political climate in which this study took place, the pins cast participants into stigmatized roles. Instead of attempts at "passing" and managing the stigma, students publicly displayed allegiance to the group in question and in this sense, temporarily turned Goffman's idea of stigma on its head.<sup>1</sup> Contrary to Goffman's work on identity management, the participants of this study openly identified with a stigmatized role.

### **On Identity Management and the Self**

Identity management perspectives seek to understand the ways in which individuals manage, control, and/or manipulate the information that others may receive through employing strategies and techniques in face-to-face interaction. Several precedents forged in the study of the self and identity lie at the foundation of this orientation. Theories of identity management specify an active agent who is able to anticipate and observe her/his image in the eyes of another. This image provides the agent with information to act back on her - or himself in order to shape that image. This feature derives from Charles Cooley (1902) and George H. Mead (1934), who deem all interactions maintain a reflexive component; we are all examining ourselves from the standpoint of another. In their models specifying the social basis



of self, Cooley and Mead propose reflexivity as an indispensable process for its formation. For each, reflexivity denotes the basic process of looking back at one's self from others' points of view.

Each author implies that one's own sense of identity is constructed by seeing one's self from the meanings and definitions that another holds. Cooley (1922) goes further than Mead in suggesting that the reflexive process may lead one to *feel* their own image to be inadequate, and thus provide fertile ground for conscious attempts to transform it. When identifying with an "inadequate" or stigmatized role, participants in our study overwhelmingly reported negative reactions from others. In turn, these served as appraisals of the self, both as one who situationally (and experimentally) identifies with gay men and lesbians, as well as the "authentic", heterosexual individual.

To analyze appraisals on this latter self, we employed the work of Janet Helms (1992). In her piece on racism and White privilege, Helms (*ibidem*) describes the "stage" whereby White individuals grasp the power and scope of their White privilege. In her words, this "stage requires one to assume personal responsibility for racism and to understand one's role in perpetuating it. Perhaps more importantly however, it requires the person to face the feelings of guilt, anger, and anxiety that were pushed out of awareness during earlier stages..." (Helms, *ibidem*: 74). While participants of "The Pink Triangle Experiment" did not proceed through developmental stages *per se*,<sup>ii</sup> our findings are in accord with Helms' in that, by assuming the role of a sexual "Other", students were engaged in an accelerated, very emotion laden process of self reflection that resulted in the recognition of their own social privilege, as well as the insulation that both perpetuates and results from it.

### **Previous Versions of "The Pink Triangle Experiment"**

The current experiment is derived from previous versions of "The Pink Triangle Experiment". The first study originated with Chesler and Zuniga (1991), whereby 25 students were selected to wear the pink triangle symbol for a period of 24 hours. The authors concluded that students endured both internal and external conflicts. Additionally, as a pedagogical contribution, the authors illuminated the ways in which the exercise and subsequent classroom discussions could be utilized to mediate group conflict and foster group resolution. In this present study, we focus less on the potentials of experiential learning and more on the reported effects on the self.

The Chesler and Zuniga study was modified by Rabow, Stein, and Conley (1999) who implemented the experiment in a larger classroom setting and requested that their upper-division social psychology students wear the pink triangle for a duration of 48 hours. Among a total of 103 students, over one-fourth declined to wear the pin (Rabow et al., *ibidem*: 488). Those choosing to partake in the project were required to keep daily notes and write final papers documenting their experiences. Those writings served as the data for the study.

Using Goffman (1964) and Helms (1990) to frame their analyses, Rabow et al. demonstrated the ways in which the experiment influenced students' identity development. They revealed four distinct outcomes:

- 1) Heterosexual students became aware of their "privilege of unawareness" (Rabow et al., 1999: 505),
- 2) Several students displayed a greater consciousness of the ways in which they may be complicit with discrimination,

3) Others displayed “attitudinal and behavioral shifts” and then “applied and integrated their new social status into other facets of their overall identity” (Rabow et al., *ibidem*: 506), and 4) A handful of students maintained their positions of “outright condemnation and rejection” of gay rights (Rabow et al., *ibidem*: 506). With regard to the latter point, the authors elaborate, “White gay and lesbian students had little influence upon White students who were religious, and gay and lesbian students of color had little influence on heterosexual students of color” (Rabow et al., *ibidem*: 506).

Several of the present findings mirror those of Rabow et al. (1999), particularly those self-reflective insights revealing heterosexual privilege. However, by applying the theoretical frameworks of early symbolic interactionists, we shift the discussion to illustrate how the reactions of others provided subjects with a mirror unto the self. Whereas Rabow et al. (1999) presented their data to roughly correspond to specific analytic time frames, we organize our findings according to participants’ perceived reactions to the stigmatized role and the resulting effects on their selves. Finally, our data indicate that, unlike those in Rabow et al. (1999), all participants in this study demonstrated changed attitudes toward gay men and lesbians, the ability to bridge various oppressions, and greater sentiments of self-empowerment.

## Methods

In the current study, undergraduate students in an upper-division sociology class were given several options for a class project. For one of the options, students were asked to wear a pink triangle. Of seventy students, only two White women and two Latinas elected to participate in this project.<sup>iii;iv</sup> Though all four participants maintained the statuses of “student” and “woman,” their other positionalities varied from each other. Consequently, these differing positionalities necessarily impacted what they each garnered from the experiment and hence, multiple effects on selves resulted.

The four students choosing the pink triangle option donned the pink triangle, and were instructed to wear the pin at all times for a duration of *five weeks*. Extending the length of the original exercise could allow students to have various and multiple interactions with others and thus more fully identify with the stigmatized role. Additionally, the extended engagement might lessen reactive effects and superficial reflections. Students were told that, if at any time their safety or well-being were in jeopardy, they could withdraw from the experiment, without penalty.

The four participants were also required to document their experiences by writing weekly fieldnotes. At the end of the term, they compiled their notes as part of an auto-ethnography.<sup>v</sup> Their writings were thus treated as data and coded accordingly. Students’ projects were subjected to two phases of coding:

1) open coding, whereby the data was read line-by-line to “identify and formulate any and all ideas, themes, or issues they suggest, no matter how varied and disparate” (Emerson, Fretz, and Shaw, 1995: 143) and

2) focused coding, whereby line-by-line analysis was based on themes of particular interest that have been identified for further investigation (Emerson et al., *ibidem*). By systematically coding students’ writing, loosely related incidents and thematic threads were compiled and woven together to produce a coherent analysis.

## Data and Analysis

In what follows, we outline participants' experiences using various excerpts of their own words. We begin with students' reports on their interactions while wearing the pink triangle symbol. It was during these occurrences when students perceived and reported "Othering," at times so extreme that some felt the need to temporarily relinquish the stigmatized role. Then, armed with these various encounters, participants go on to bridge the stigma they reportedly endured during the experiment with that of other historically disenfranchised groups. Finally, they utilized the activity as a lens upon themselves, ultimately offering reflective and often, self-empowering accounts.

### Perceiving and Reporting Stigma

During the course of the experiment, participants reported confrontations that often challenged their will to continue forward with the project.<sup>vi</sup> Most common among these were mundane encounters whereby students were not directly challenged, but nonetheless *perceived* negative reactions from strangers. Several students cited that, through these instances, they immediately sensed the stigma attached to the pink triangle symbol. As one Latina respondent recounted: „My first day wearing it I felt very insecure and a little silly at times thinking about this little piece of foam paper that was going to change many things about me...I felt like people were staring at me, I was very paranoid". Another Latina participant described a similar response: „When I did wear it, I saw people staring at me and sometimes giving me disgusting looks. I didn't know who they were, but I was still embarrassed by their looks and it lowered my self-esteem, because I felt as if I wasn't as good as them. Even though I didn't believe they were better than me, I felt intense rejection". Though understood to be materially insignificant, the "little piece of foam paper" signified a particular, often stigmatized, identity to these students and many of those with whom they came into contact. Interestingly, stigma attached not so much to presenting oneself as gay, but as publicly proclaiming allegiance to a stigmatized group. This speaks to the power of a symbol, as well as the consequences of the presentation of self. These respondents were instantly thwarted with self-described feelings of scrutiny and paranoia.

In the following example, the interaction occurred with a stranger, but was purposeful, not mundane. Once again, though the gay/lesbian identity was not explicitly made clear, the student sensed rejection as a result of the displayed symbol. The White respondent described her encounter with a potential employer and the perceived negative reaction that followed:

I...walk[ed] into a store, wearing the triangle and asked for an application for employment...The lady approached the register and glanced noticeably at my pin labeled 'Gay Pride' and responded, 'No, we're not hiring.' I asked, 'You guys aren't hiring for summer help?' She then said, 'We are out of applications.' The way she looked at my pin and then answered my question made me feel like I was not good enough, not normal enough to work there. I knew that society was ignorant and intolerable towards homosexuality, but I never got the chance to experience it firsthand...I felt rejected for a moment and wished that I could of done something or said something back to her.

As in the examples above, it remains to be seen if the potential employer was negatively reacting to the student as a result of the reading of the pin. However, it is clear that the student self-reported feelings of rejection. In her own words, she was made to feel as if she was “not good enough” and “not normal enough” to be employed at this particular establishment. Thus, we can conclude that, at the very least, the pin-wearing and self-identification with the sexual “Other” had profound significance for this participant.

### **Relinquishing the Stigmatized Identity**

In other instances, pejorative responses were much more explicit. On a few occasions, students sensed threat and/or danger and proceeded to subvert the frame or “definition of the situation” (Goffman, 1974: 155) by revealing that the pin-wearing was merely part of a school assignment. By conceding the experimental component of the stigmatized identity, these students temporarily engaged in “breaking frame.” One of the White participants described such an incident:

One time I was with my friend, walking through the mall and I had my pin. She looked at me and said, ‘Oh, you have to wear that for school?’ I replied and answered, ‘Yeah, why?’ In a tone I didn’t care for she said, ‘That’s cool, just don’t wear that around me.’ I felt once again shot down...

Here, upon being asked about “the pin”, the participant acknowledged that she need only wear the symbol ‘for school.’ In response, her friend requested that she not ‘wear that around me.’ By acknowledging the “school” aspect of the pin-wearing, the participant drew on the temporariness of her identification with the role of the “Other” and therefore, “breaks frame”. However, she was not immune to the stigma, feeling “once again shot down.”

In another example, a Latina participant was met with a particularly violent reaction from a group of strangers; as a result, she broke “frame” to maintain her safety. The incident took place in her dormitory, wherein a group of men, all residents of her dorm, confronted her. She described the event in detail:

Finally, they stopped me and unexpectedly pushed me. ‘Hey girl, stand up for your rights now!’ exclaimed one of the guys, after pushing me with enough force for me to fall to the ground. Immediately, I grew afraid that they would beat me up. I remember anxiously looking around, hoping that other students were nearby, but there was none...I boldly asked them why they had pushed me down. One of the guys answered, ‘Because you have the dumb triangle on you.’ I asked them what about my pink triangle has offended them and the same guy who answered before said, ‘Because you’re gay and fags or fagettes are stupid and shouldn’t be walking around, all proud about it!’ In all honesty, I told them that I wasn’t gay and that I was wearing it for a class experiment. It was a defense for me to keep away from further harm, both physical and emotional.

Evaluating the pin as a “dumb triangle” and using pejoratives such as “fags” and “fagettes”, it was apparent that these men targeted the student because of the gay identification signified by the pin. In attempts to protect herself, the student “breaks frame” and asserted her heterosexual identity through her admission of wearing the pin for a “class experiment.” Though she managed to escape the situation, clearly “both physical and emotional” harm was inflicted upon her.

To participants' credit, many acknowledged the privilege to "break frame" and avoid the more dire consequences facing those who do and/or can not cast off the stigma associated with a gay-identified role. The ability to move back and forth between roles jarred participants into a greater awareness about the everyday struggles of gay men and lesbians, as well as the challenges of the "coming out" process. The aforementioned student confronted by her friend during an excursion to the mall, reflects:

No wonder it is so hard for homosexuals to come out to their parents and friends. Telling those who mean the most to you something that serious must be difficult. I saw it in my own way when my friend made that comment...The sad part is that mine was just an experiment, others go through this for real.

In another example:

[A Latina student has just been confronted by a friend that disapproves of her wearing the pink triangle pin.]

For a moment, I almost didn't want to sacrifice our friendship for a class experiment. It made me think of how scared it must be for homosexuals to tell their friends and family that their sexual preference was of the same sex. I thought of how difficult it must be for them to withstand threats of losing friendships or ruining family relationships. I thought of how it isn't a joke to them, but their reality.

These participants experienced being rejected by a close friend on the basis of identity. In these instances, they could detect the enormous "threat" and "sacrifice" endured by gay men and lesbians, particularly with regard to relationships with "their parents and friends". And once again, they recognized that their own experience, however painful, was part and parcel of an "experiment" and that indeed, "others go through this for real".

### **Bridging Oppressions**

The participants' daily experiences and understandings garnered during this experiment illuminated some of the everyday struggles endured by gay-identified individuals. Additionally, their responses suggested that a greater sense of empathy was not only fostered toward gay men and lesbians, but other historically disenfranchised groups, as well. Several participants began acknowledging how various forms of oppression overlap. Consider the following excerpt taken from the notes of a White participant:

I work at the bookstore on campus and as a cashier I always get a few rude customers no matter what but because I was wearing the triangle, I assumed that it was because of that. I know that this probably is not true but I realized that must be what a lot of people of color or diversity feel on a daily basis...I also realized that I felt the need to do my job better, to greet the customers with more enthusiasms [*sic*], and to be extra helpful as I might be looked at as being gay.

In this instance, the student reflected how the wearing of the pink triangle and her assumed gay identity might be the source of customers' rudeness. Accordingly, she felt the need to counteract her presumed stigma by doing the "job better", acting

more enthusiastically, and being “extra helpful”. She related this with experiences of “people of color or diversity”, recognizing that this sense of forced compensation might be something they “feel on a daily basis.”

Such lived experiences no doubt facilitated students’ ability to bridge various oppressions. Linking the homophobia and heterosexism she endured during the experiment with racism, the same student reflected:

I cannot honestly say that I am sad the experiment is over. I was quite relieved to take off the pin and to not fear what the day was going to be like every morning. I hate to think that people cannot escape that sometimes. Someone in class said that you can hide the fact that you’re gay or that you’re Jewish but you can’t hide the color of your skin. I think that is so true and I have a lot more respect for those people of color.

Because of the pink triangle pin, this particular student feared “what the day was going to be like every morning”. The uncertainties she faced by identifying with a stigmatized “Other” fostered her understanding of the differential treatment experienced by “people of color.” As a result, she claimed to have developed not only a greater sense of empathy toward those who endure the effects of racism, but “a lot more respect” toward them, as well.

In the following example, we witness how a Latina participant not only acknowledged the intersection between oppressions, but also managed to convey this connection to others:

We were playing a game together...and one of my kids that I have been tutoring for about a year asked me what [the pink triangle] was about. I told them that it was for gay rights; they giggled and laughed then asked well what do you mean. I told them a little story to help them understand. I told them about the slaves and asked them if they know how they were treated and I also asked them how they felt about it. They told me that they were treated bad and unfair and they were not treated like they would want to be treated...we talked about treating people well and getting to know them before we decide not to like them. I told them about how gays had to wear this in the Holocaust and how I am standing up and saying that I won’t let people treat gay men and women bad...They said that were good and they thinking it was a good idea.

This participant utilized her students’ inquiries for a teachable moment. By drawing upon the kids’ prior knowledge of slavery and the “bad” and “unfair” treatment slaves endured, she bridged the experiences of two disenfranchised groups. The participant went on to take a stand and declared that she “won’t let people treat gay men and women bad”. Seemingly making the connection, the kids transformed their initial giggles into nods of agreement, as they noted that they thought this was “a good idea”.

Finally, in some instances, the bridging of oppressions was part of a self-reflective activity. In this regard, learning empathy became a dialectical process with learning about oneself. Several respondents linked the “outsider” status of a gay identity with the “outsider” status(es) located within their own positionality. One Latina student proceeded to link the struggles she faced as gay-identified to her own personal experiences as an individual diagnosed with a learning disability. In her words:

I felt as if I needed this experience to really open up and be honest with myself. Well it is nothing having to do with homosexuality, but rather my

learning disability. Ever since I was diagnosed I have felt as though I am less capable of making the difference in others and my own life. I am dyslexic...Since I found out that I do indeed have a learning disability I have felt less of a person...I have felt like I'm different...Even though people cannot see that I have disability, I still feel like they know.

Acknowledging that the experiment permitted her to “really open up” and “be honest” with herself, this participant disclosed that, upon being identified as “dyslexic”, she felt “less capable”, “less of a person”, and “different.” Embedded in her response lies overlap; this student reported that wearing the pink triangle pin and subsequently subjecting herself to public scrutiny tapped into many of the same emotional currents she had about her own diagnosis. participant.

### **Reflections on the Self and a Means to Empowerment**

As the last example illustrated, the bridging of oppressions was often part of a self-reflective activity. In this regard, encounters with others fostered learning about oneself. Several students claimed that experiences with friends and family seemed to be most influential, particularly as students juxtaposed loved ones’ reactions prior to and then during the course of the experiment. Reflecting on these interactions often revealed previously taken for granted assumptions. Note the following excerpt:

[Upon learning the meaning of the pink triangle symbol, a White participant’s friend responds, ‘As long as you don’t try anything funny on me or something, okay?’]

If I was to be alone in a room with a girl who was openly gay, I would feel uncomfortable. I would be worried they would try something funny on me. But in that moment, I was on the other side experiencing what the gay people must go through with their close friends all the time. I actually felt pissed off at the fact that [my friend] did not just accept me. She accepted me and was normal around me before, why is this any different? For once the tables were turned and I was the outsider feeling crappy because someone feels awkward in my presence.

In this particular interaction, the student noted “feeling crappy” and sensed that she had triggered her friend to feel “awkward in [her] presence”. Yet, of particular importance, we witness that a sense of empathy is fostered. Admitting her own prior misgivings of lesbians, this student, having experienced being on “the other side,” acknowledged her own outrage. She is “pissed off” at her friend, but in that “the tables were turned”, she also recognized her own prior assumptions.

Very much related, the experiment served as a gateway for students to understand their own social privilege. In the following example, a White student compared “Others” experiences vis-à-vis those of her own. She reflected:

I knew that I was just doing an experiment, but I soon realized that the experiment was more than just getting responses. It was about learning, feeling, and walking in the shoes of someone else. Experiencing firsthand what occurs when you are labeled as an outsider. I am used to always being on the inside. As a white female, I feel I have things pretty well off. For once, I was placed on the outside and I hated it.

Accustomed to “being on the inside” and allotted the privileges that accompany this status, this participant conceded that, by wearing the pink triangle pin, she was

better able to comprehend “firsthand” the experiences of “an outsider.” Inherent in this understanding was the recognition of social privilege. In having to surrender some of this privilege, she admitted, “For once, I was placed on the outside and I hated it”. By assuming the identity of one on the “outside”, this student reflected on her own position within.

Through participation in this experiment, the same student tapped into other uncharted territories of the self. For her, this five-week glance revealed a latent homophobia, thus challenging her notion of political tolerance. The following excerpt illustrates this understanding:

I learned that deep down inside of me I had issues with homosexuals. I told myself all the time that homosexuality is not a problem and that I don't care if someone is gay or not. However, like most people do, I lied to myself. I told myself that to feel better about 'me' deep down. I am not okay with it and I learned that...This experiment enabled me to take a deeper look at myself. Deep down I am a kind person, but some of the comments I make, stereotypes I apply and actions I commit can be fixed.

Though meant to expose the lived reality of an “Other”, the experiment also pushed this particular participant to “take a deeper look” at herself. Reflecting upon her exploration, she confessed that she is “not okay” with many of her words and actions and admitted to subscribing to a naïve liberalism. Armed with this powerful critical consciousness, she was convinced that she can dedicate herself to change; in a hopeful tone, she voiced that her interactions with “Others” “can be fixed”.

By publicly proclaiming to identify with a stigmatized role, participants of this experiment were offered a brief glimpse of “Others” lived realities. Upon reflecting on their encounters, all participants acknowledged to *personally* benefiting a great deal from the experience; the project proved to be a tool for self-empowerment. For several students, participation in this experiment involved the discovery of previously untapped courage. The experiment empowered one of the White women to convey unspoken feelings and thoughts to her lesbian mother. She explained in more detail:

It wasn't until recently that I found the courage in myself, maybe because of wearing the triangle, to tell [my mom] what really went on and how much of a *positive* impact she has had on my life by coming out. Not many people can understand this and they don't have to. So long as my mom understands that my love for her knows no bounds that is all that matters.

For other participants, the project proved to be a means of self-affirmation. The student involved in the aforementioned violent encounter elaborated on her experience:

I knew that I didn't want this incident to stop me from continuing with the experiment and that I had to keep pushing. I couldn't allow myself to quit, because I was too scared. What kind of courage would that be? So I decided to push on and keep wearing [the pink triangle]. I chose to wear it for others who have been persecuted as I was that night. I wore for those who got back up and kept to their beliefs, standing up for what is right in their heart.

Similarly, for the student with dyslexia, wearing the pink triangle pin summoned the confidence that she had lacked since her diagnosis. In her words:



Wearing the triangle made me feel like I am a normal person that I can have the courage just like anyone else. I felt like by standing up and saying to everyone and especially myself I am brave and normal like everyone else I am a real person with feeling and a life like all of you and I can do this cause I am able to believe in myself. I think that wearing the triangle was the greatest way for me to get my courage back...It's true when my professor said, 'If you tell a child they are loved and are capable of making it that's all they need to succeed in life' this is what he taught me about my life and wearing the pink triangle and standing up for who I am inside, making a difference in my life is what came of this experience, and I am grateful for that.

## Conclusion and Implications

In this paper we have outlined the potentially transformative effects of "The Pink Triangle Experiment" on its participants. Students reported that, by donning a pink triangle pin, a symbol of gay men's and lesbians' struggles, they became associated with a specific stigmatized identity and were subsequently othered. Additionally, participants' indicated that, on a few occasions, this othering process became overtly threatening and/or dangerous, whereby they felt compelled to "break frame". Students claimed that the culmination of these experiences allowed them to gain the ability to be empathetic toward and have sympathy for those in gay and lesbian communities. Moreover, participants utilized their experiences to further their understandings of other historically disenfranchised groups. Finally, through their testimonies, we witnessed how ultimately, the experiment served as a mirror of sorts, whereby participants were effectively able to reflect on their own selves, positionalities, and social privilege.

Though illuminating, this examination has limitations. Additional research should be conducted to assess the generalizability of the outcomes garnered. In particular, future studies should encompass a larger, more diverse sample of students. Further exploration, perhaps in the form of follow-up interviews, is necessary to assess the enduring effects of the experiment. For example, do students continue to utilize the empathetic lens developed during the course of their participation? Did this sense of sympathy that developed and the ability to identify with a sexual "Other" provide a springboard for service as a pro-active ally for gay and lesbian communities? These are all questions best addressed by longitudinal comparisons, as well as additional types of data.

Despite these issues, those participating in "The Pink Triangle Experiment" contended that the exercise was a very illuminating and self-empowering experience. This study draws from a long tradition of experiential education, whereby students are provided the opportunity to engage in experiments in the field so as to further their intellectual and moral understandings of social problems. Students' testimonies demonstrated the potential merits of experiential education as a viable and valuable pedagogical tool. As one student noted, "I...learned that it is through experiments like these that we get the chance to put our lives on halt and think about someone else besides ourselves". Indeed, this experiment demanded active participation, thereby compelling them to "think about someone else" and consequently, garner empathy for stigmatized "Others". At the same time however, their selves were *not* put "on halt" but rather, engaged in a reflexive, transformative process.

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## Endnotes

- i This is not to say that participants did not lapse into and out of their stigmatized role (see below).
- ii Many psychological studies view identity as developing in distinct stages (with regard to racial identity, see, for example, Aboud, 1987; Hughes, 1997; Katz, 1987). We take the position here that the process is dynamic and elusive, dependent on social milieu and interactional context. Additional examples featuring this approach have been written on racial identity (see among many, Conzen et al., 1992; Lopez and Espiritu, 1990; Nagel, 1994), gender identity (among many, Ely, 1995; Thorne, 1993; West and Zimmerman, 1987), and sexual identity (among many, D'Augelli, 1994; Kitzinger and Wilkinson, 1995).
- iii No negative sanctions were imposed on those opting not to participate.
- iv Though not the subject of this paper, we find it interesting (and most likely not mere coincidence) that the students electing to partake in the experiment were all women. Many have made a connection between hegemonic masculinity, the marginalization of gay men, and homophobia (c.f. Brod and Kaufman 1987; Connell 1990; Kimmel 1994).
- v Michael Clarke (1975) once stated that the method in ethnography is the ethnographer. In recent years, especially as ethnographic authority has been called into question (c.f. Clifford and Marcus 1996; Clifford 1998; Denzin 1996), the use of personal narratives and/or personally reflective accounts of fieldwork have become more widespread.
- vi Though rare, it is important to note that, upon engaging in the activity, some students received affirming comments and support from others. In three cases, participants were lauded for publicly displaying the pink triangle and "standing up for something". Additionally, their pin-wearing spawned questions regarding the symbol's meaning and significance, thus often resulting in constructive dialogue and further affirmation. Participants claimed that these few occasions and gestures of support "meant so much" to them.

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Robert A. Kenedy  
York University, Canada

## Researching the Intersection between Collective Identity and Conceptions of Post-separation and Divorced Fatherhood: A Case Study Fathers For Justice, Fathers For Just Us, or Fathers are Us?

### **Abstract**

This article explores the methodological implications of investigating the collective identity of Fathers For Justice (FFJ). More specifically, a three-pronged approach of employing participant observation, interviews, and content analysis is assessed as the basis for understanding FFJ's collective identity. This methodological approach reveals that meanings and practices related to post-separation and divorced fatherhood as well as the importance of children are a significant dimension of a FFJ collective identity. I conclude that an important part of the FFJ collective identity is not based on these activists perceiving themselves as self-serving (Fathers for Just Us), but as those seeking equality in terms of being recognized as continuous parents after separation and divorce (Fathers are Us).

### **Keywords**

Fathers rights movement; collective identity; participant observation; interviews; content analysis

### **Introduction**

The Canadian fathers' rights movement is often viewed as a right-wing "backlash" against feminism, in terms of attempting to re-affirm patriarchal rights in post-separation/divorced families (Crean, 1988; Boyd, 1989). Fathers' rights activists are criticized for creating a "fathers' rights discourse" based on the "rhetoric of equality" (Drakich, 1989; Bertoia and Drakich, 1993; Bertoia, 1998; Arendell, 1992a, 1992b; Coltrane and Hickman, 1992). Is FFJ, as part of the fathers' rights movement, really about "justice", or is it a self-serving group of activists who are about "just us"? Alternatively, is it about "continued parenting" after separation and divorce in terms of "Fathers are Us"?

The research challenge of examining contentious organizations such as FFJ warrants a careful methodological strategy in order to understand important dimensions of an "FFJ collective identity". As a result, I will take a case study

approach and focus on the collective identity of FFJ, employing a three pronged methodology - participant observation, semi-structured interviews, and content analysis. While the first two methodologies are primary, documentation from FFJ and related sources occupy a secondary position of corroborating participant observation and interview material.

This article has two main objectives:

1) To investigate the FFJ collective identity associated with post-separation and divorced fatherhood in relation to children.

2) To discuss and evaluate the three-pronged methodological approach used to research the collective identity of FFJ.

## **Literature Review of the Fathers' Rights Movement**

The Canadian Fathers Rights literature provides some insight into how the fathers' rights movement is portrayed. The trend noted by Crean (1988), Boyd (1989), Drakich (1989), Bertoia and Drakich (1993), Bertoia (1998), Arendell (1992a, 1992b), Coltrane and Hickman (1992) throughout this literature suggests that fathers' rights activists are self-serving. Those who write about the fathers' rights movement perceive it as being concerned with acquiring power and rights over children and former spouses.

Susan Crean (1988) characterizes Fathers For Justice as part of the backlash against feminism. Participants and supporters of Fathers For Justice disagree with Crean, advocating that FFJ members are proactive, interested in fathering issues, and furthering the agenda of the 1960s feminist movement<sup>ii</sup>. While this reactive-proactive debate requires further investigation, Fathers For Justice members maintain that the organization continues to have an impact on legislation related to parenting, custody, access and support. They cite the backing of various Members of the Ontario Provincial Parliament and Members of Parliament in Canada throughout Ontario as evidence that the organization is gaining momentum<sup>iii</sup>. At the same time that Fathers For Justice expands and acquires respect as an established organization with increasing support, many activists believe that this organization has a bright and influential future.

Crean (1988: 102) presents an image of fathers' rights activists as "...using the language of equality, assuming a stance that resembles that of an oppressed minority..." in order to subvert the gains of feminism. Crean perceives this movement as a backlash, not only intending to erode women's gains in family law, but also as a way of re-asserting the "authority of men in the family" (Crean, *ibidem*: 102).

Boyd's account (1989) of the fathers' rights movement suggests that the focus of Fathers For Justice on parental equality is detrimental to both mothers and children. Regarding joint custody, she notes: "A misplaced application of equality is also evident in legislative and judicial trends towards recognizing fathers' rights..." (Boyd, 1989:143). She maintains that viewing parents equally obscures the importance of "... seemingly more 'mundane' input by mothers who tend to be responsible for day-to-day physical and emotional nurturing" (Boyd, *ibidem*: 143). According to Boyd, the portrayal of fathers' rights and the movement in general is not perceived as being interested in the quest for equality, but to discount women's contribution as the primary caregiver. Boyd believes this discounting of the mother's contribution erodes her rights to her children in the cases of sole custody and joint custody (Boyd insists that joint custody is yet another way in which fathers can control women and children).

Boyd faces the same problem encountered by Crean, namely, it is not clear how Boyd has informed herself about the fathers' rights movement. Her work appears to be primarily based on an analysis of literature. She does not endeavour to become familiar with fathers' rights activists through participant-observational research or interviews. Instead, she takes a legalistic stance as a speculative commentator, not as a researcher in the field.

Drakich (1989) provides a more accurate portrayal of fathers' rights groups in contrast to others (Crean, 1988; Boyd, 1989). She (1989: 69) examines "... the role played by social science research in concert with the media and fathers' rights groups in the social construction of a new ideology of fatherhood." She believes a fatherhood ideology is being "... socially rather than empirically constructed" in order to present a "new portrait of the father" that may influence mothers and children in custody decisions and social legislation (Drakich, 1989: 70). Drakich (1989: 81) insists that fathers' rights groups are a small, but vocal minority who "... purport to represent all fathers' interests in their battle for control over children". Drakich reports that these groups use the media to present their stories and employ their interpretations of the social science literature to support their positions. She believes fathers' rights groups lobby for fathers' rights outside of marriage and after divorce, rather than for fathers' rights in the intact family. Still, she does not accept fathers' rights activists call for equal legal rights as parents upholding responsibilities to their children. For her, the concept of shared parenting and what she calls the "rhetoric of equality [...] is not part of their legal responsibility to children" (Drakich, 1989: 82). However, Drakich (1989) does mention that fathers' rights activists:

argue fathers get a raw deal in access and custody decisions. Excluded from parenting their children because of sexist bias in the courts—maternal preference in custody—they say that children are deprived of love and nurturance of their fathers ... and the realities of men's decreasing child visitation after divorce, somehow never make the same impact as the isolated case of participant father. (p.15)

Drakich frames the quest for equal and continued parenting desired by fathers' rights activists as being entwined in constructing an ideology of fatherhood intended to advance their position.

Constructions of fatherhood and related fathers' rights issues are also examined by those looking at Canadian Fathers' rights activists (Bertoia and Drakich, 1993; Bertoia, 1998) and American activists (Arendell, 1992a, 1992b; Coltrane and Hickman, 1992). These authors focus more on interview data and the examination of fathers' rights rhetoric around issues such as post-divorce/separation fatherhood, access, custody, support, and related topics. For the most part, these authors examine what they see as a "masculinist discourse of divorce" (Bertoia and Drakich, 1993: 610). Their critical analyses of fathers' rights discourse suggest that activists feel they are discriminated against based on gender arrangements (Bertoia and Drakich, *ibidem*). The data collected by Bertoia (with Drakich 1993) was based primarily on interviews with 32 members of fathers' rights and related groups in south-central Ontario. He also made observations between 1988 and 1990 through attending group meetings, as well as reviewing various material generated by fathers rights activists. Of all the research done on fathers' rights activists, Bertoia's research is probably the most methodologically extensive in terms of using three methodologies. Arendell (1992a, 1992b) also did interviews. Arendell (*ibidem*) completed 75 interviews with various divorced men. Coltrane and Hickman (1992: 401) focus more on a content analysis of various books, statistics, media accounts,

“fathers’ and mothers’ groups...newsletters, press releases, pamphlets...” and other information. They also completed “...a series of interviews with eight prominent advocacy groups in southern California” (Coltrane and Hickman, 1992: 401). Arendell (1992a, 1992b), Bertoia (1998; and with Drakich, 1993), and Coltrane and Hickman, (1992) offer accounts of fathers rights activists and divorced men based on field research. These researchers believe fathers’ rights activists are self-serving and what they said about parental equality is essentially “public rhetoric” (Arendell, 1992a, 1992b; Bertoia and Drakich, 1993 and Bertoia, 1998). There also seems to be a focus on Mills’ (1959 in Bertoia, 1998) notion of confusing personal and public troubles that result in discourse around fathers’ rights. This literature also suggests that their real goal is not the best interest of the children, children’s rights, or gender neutrality regarding parenting, but instead a sense of entitlement for fathers.

Overall, most of the literature presents a perspective of fathers’ rights activists that is critical of them as self-serving and not “child-centred” (Bertoia and Drakich, 1993; Bertoia, 1998; Arendell, 1992a, 1992b; Coltrane and Hickman, 1992). This literature along with other academic accounts (Crean, 1988; Boyd, 1989) portrays fathers’ rights activists in skeptical terms. In short, the literature seems to find many of the fathers’ rights activist’s claims to be, at best, dubious, and more about being self-absorbed, possibly angry, and ultimately, interested in gaining power over their children and former spouses.

## **A Brief Profile of Fathers For Justice**

In May 1985, Fathers For Justice was established as a grass-roots organization located in Kitchener-Waterloo, Ontario. By May 1991, it was totally self-funded, with a Revenue Canada charitable registration number and a fully functioning office. In September 1991, Fathers For Justice expanded, eventually creating the first self-funded chapter in Hamilton, Ontario<sup>iv</sup>. The Bradford, London, Owen Sound, and Sudbury<sup>v</sup> chapters were created in 1992; The Peterborough and Brantford chapters were established in 1993. At this point in time, Fathers For Justice was one of the largest organizations exclusively devoted to fathers’ rights and parenting issues in Ontario.

Fathers For Justice has evolved into a self-help group that lobbies for legislative changes in areas related to parenting issues including custody, access, and support<sup>vi</sup>. The primary focus, according to past president, Ron Sauvé, is “continued parenting”. In an interview I conducted with Sauvé (March, 1993), he told me:

We [Fathers For Justice] are interested in continuing what the feminists of the 1960s began. They wanted fathers to be [involved] with [their] children. Today, when a marriage ends, they [feminists] do not want fathers to continue this contact [custody or continued visitation] with their children.

According to the Fathers For Justice pamphlet (1993), the organization is “child-oriented” and “for the children”. They hold that “children need both parents”, and it is in the “best interest of the child” for both parents to be involved in their children’s lives.

The membership of Fathers For Justice consists of non-custodial and custodial (i.e., both male and female) parents; non-custodial and custodial grandparents and relatives; current (or second) spouses of members; and others concerned about the present system of family law<sup>vii</sup>. In 1993, all but one member were volunteers (i.e., on the executive and other committees): one paid member was a part-time office



administrator at the Kitchener-Waterloo chapter.

### **Researching Collective Identity: A Three-Pronged Methodological Approach**

I employed collective identity theory, studies of collective identity, and preliminary research as the basis for the three-pronged methodological approach. This strategy encompassed participant observation, audiotaped interviews, and a review of documentation. The participant observation of FFJ took place over a two-year period, from October 1991 through October 1993, and was a preliminary methodology. This technique afforded a way of gaining information about the organization as well as a means of selecting other appropriate methodologies.

As a result of my participant observation work, along with collective identity theory and research, the foundation for interviewing members and considering relevant documentation was established. I completed seven “historical” interviews with early members<sup>viii</sup> of FFJ, fifteen individual and couple interviews with contemporary members, and eight group interviews with seven chapters. Finally, a review of relevant documentation was a supplementary means to understand contextual aspects of the FFJ collective identity, which may not have been evident during the participant observation work and interviews. This documentation included Fathers For Justice newsletters, position papers, pamphlets and other documents associated or related to the organization.

The participant observation study was conducted with the full knowledge of the Fathers For Justice membership. I obtained permission to attend meetings and other functions from leaders and the membership.

Attendance of weekly meetings at the Kitchener-Waterloo chapter and other chapters was a priority throughout my research. In addition, I observed and attended all Fathers For Justice functions (i.e., openings of chapters, dinners and celebrations, conferences, etc.) and protests (i.e., pickets, marches, etc.) during October 1991 through to October 1993 in order to gain an understanding of organizational goals and how FFJ members present themselves to the public. In short, attending Fathers For Justice events aided me in acquiring an “insider’s view” of the organization.

Initial contact with FFJ occurred through a fax message sent to them in September of 1991. In the letter the purpose and intentions of doing research on FFJ was made clear. As a result of this fax, contact was established with Ron Sauvé, the FFJ president at the time. He wanted to know more about me and the proposed research. Specifics about the theoretical approach and methodology were discussed, along with important points about FFJ such as the history, structure and activities. It was also made clear by Mr. Sauvé that FFJ required copies of the research report or document, once completed. After these terms were agreed upon, I interviewed Mr. Sauvé. Following the interview, I was introduced to the office administrator, other leaders, and FFJ members.

My role was primarily that of an observer. From the beginning of my research, I made it clear that I was observing the group and, consequently, could not become a member of FFJ. Babbie (1989) refers to this position as “observer-participant”. He defines this research role as “...one who identifies himself or herself as a researcher who interacts in the social process but makes no pretence of actually being a participant” (Babbie, 1989: 266). I did not have any membership privileges, but I could observe executive meetings. Beyond this, my role as participant was limited to attending weekly meetings where I listened, took notes (with permission), and answered questions, if asked (i.e., about my research, the university, or other points

of interest)<sup>ix</sup>.

The purpose of the participant observation method was to make contact with various levels of the organizational membership and to discover how the organization functions from the “inside”. Ascertaining the FFJ goals, aspirations and “collective subjective worldviews”<sup>x</sup> of events, laws, issues and other social movements (e.g., other fathers’ rights movements, men’s rights groups, profeminists, conscious men or mythopoetics and the various feminist movements, etc.) was a cornerstone in this research. Beyond making contact and meeting with various members, I gained a basic understanding that facilitated in the construction of the interview schedule and gave the members an opportunity to become comfortable with my presence. Also, the participant observation facilitated getting access to documentation, in order to review it. In short, participant observation was the preliminary methodology in the context of the “three-pronged approach”.

I conducted the individual and group interviews over a period of approximately one month from August 6, 1993 to September 16, 1993. The ordering of interviews depended primarily on the availability of those interested in participating. A concerted effort, however, was made to conduct the individual audiotaped in-depth interviews with seven historical members who helped to establish FFJ from 1985 to 1987, followed by fifteen interviews with contemporary members<sup>xi</sup>, and eight group interviews with seven chapters. Out of the eight interviews, two interviews were completed with the Kitchener-Waterloo chapter: one with leaders, the other with rank-and-file members. The other group interviews were with the remaining chapters (except the Sudbury chapter, which disbanded by the summer of 1993).

Three interview schedules were used for the historical interviews, contemporary individual interviews, and the group interviews. While these interview schedules differed, they were based on the same master interview guide that was modified according to the type of interviews. The semi-structured interview schedule was modified in order to be used during the interviews with contemporary members, group interviews, and historical members. Generally, the first section focused on involvement in Fathers For Justice, the members’ present and past family situations, and questions pertaining to the organization. Section two was a general inquiry about FFJ and the possibility of a collective identity. The third section focused on FFJ strategies and tactics. Section four highlighted information about each chapter and how the members view their particular chapters. The fifth section was concerned with how members think other groups, organizations and movements perceive FFJ. Section six emphasized members’ perception of community and government views of Fathers For Justice. The demographic section contained questions concerning age, occupation, class, religiosity, and other personal information. Finally, a “wrap up” section included questions regarding items the respondent(s) wanted to cover, suggestions for further members to be interviewed, and concluding remarks (e.g., asking them not to discuss specific aspects of the interview and thanking them for their participation).

The “historical” interviews included an extended interview schedule that focused on early (i.e., 1985-86) activities. This “historical” interview schedule preceded the interview schedule discussed above. The major variation between the interviews, besides those already mentioned was the possibility of handing out a sheet of demographic questions to those in the group interview, which were usually asked during the audiotaped individual and couple interviews<sup>xii</sup>.

The individual interviews were face to face, in-depth, and lasted between two and three hours. They were audiotaped, conducted in privacy, and therefore confidential. For convenience and comfort, the interviewee selected the venue for

conducting the interview (e.g., in the person's home, workplace, organization office, etc.). After the interviews, transcripts were sent to members to check for mistakes or other problems.

The three samples were drawn from the FFJ population. This FFJ population was composed of non-members attending FFJ meetings<sup>xiii</sup>, members who have paid annual membership fees, and historical members of FFJ. One sample consisted of seven historical members, who were selected in order to chart the early collective identity of FFJ and to clarify the history of the organization<sup>xiv</sup>. Another sample of fifteen contemporary members was selected in order to gauge the current collective identity of the organization. The third sample consisted of eight groups based on memberships in particular chapters in FFJ.

FFJ members included male and female leaders, male and female rank-and-file members and those in the seven FFJ chapters. Leaders were defined as those who had a significant leadership role from 1992-1993 or occupied a position on a FFJ chapter executive as of September 1993<sup>xv</sup>. The rank-and-file were members who did not occupy leadership or executive positions in the above time frame from 1992-1993<sup>xvi</sup>. Males and females were defined according to biological designations. FFJ "chapters" refers to the contemporary chapter personnel who participated in group interviews carried out in all seven chapters<sup>xvii</sup>.

A combination judgmental-purposive and snowball sampling techniques were employed. A purposive or judgmental sampling technique entails selecting a sample "...based on your judgment of the population and purpose of the study" (Babbie and Benaquisto, 2002: 165). The snowball sampling technique "...refers to the process of accumulation as each located subject suggests other subjects" (Babbie and Benaquisto, 2002: 166). First I utilized a snowball technique. I asked leaders and other members during informal conversations who they felt were significant members in FFJ. In addition, after each interview, I asked each member to recommend others who they thought should be interviewed. Also, employing a judgmental purposive sample, through my own observations, I decided who should be interviewed based on their leadership status, involvement and dedication to FFJ, and the status and respect they had in the organization. Other less involved members were interviewed as a means for understanding their view of the FFJ collective identity, as peripheral members to the organization, not serving on the executive committee of FFJ. The sample resulted in six leaders and nine rank-and-file members being interviewed.

Sampling chapters also included preliminary information gathered during the period of participant observation. Based on observations and informal discussions with the leaders and relevant members, specific information was collected about each chapter. As a result of this information, group interviews were conducted with all chapters. A judgmental purposive sample was selected in order to understand the varied collective identities of each chapter and their views of the FFJ collective identity. Only the Kitchener-Waterloo chapter had two group interviews as I perceived a difference between the leadership (i.e., executive of FFJ) and rank-and-file members, as this chapter was the largest chapter at the time. Although such differences were marginally evident in the other chapters, the differences in the Kitchener-Waterloo chapter seemed very obvious during preliminary observations when attending the executive and weekly meetings.

Through participant observation with current members, historical or "long-time members"<sup>xviii</sup> were contacted and interviewed utilizing a snowball sampling technique. The snowball technique was central, as current members could be asked to recall the names of historical members. From these verbal sources, historical members were selected utilizing a judgmental purposive sampling technique based on whether they

were core members of the early group. In addition, at the end of all interviews, historical members were asked whether they could suggest others to be interviewed<sup>xix</sup>.

The content analysis of documentation was a less formal procedure. It was mainly intended as a means to supplement the data from the participant observation and interviews. In some cases, the documentation was a means for verifying or confirming attitudes, opinions, goals and other aspects of FFJ. For instance, the use of FFJ pamphlets and other literature may confirm a source of an idea mentioned during interviews.

Fathers For Justice documentation (e.g., newspaper letters to the editor by FFJ members, opinion pieces, minutes from meetings, etc.), newsletters, position papers (to government agencies), correspondence from the government, other organizations and individuals, were considered in order to highlight various themes related to the collective identity of the organization. These themes included concerns, issues and legislations noted in the literature pertaining to meanings, practices, ideas, and positions on legislation which helped to define the Fathers For Justice collective identity.

The purpose of reviewing documentation was to understand how Fathers For Justice members present themselves in the written text. In addition to the participant observation technique, review of documentation afforded another way of examining the organization and the particular "Fathers For Justice collective identity". Furthermore, an opportunity to obtain an historical understanding of the "Fathers For Justice collective identity" in the written text between 1985 and 1993 was also provided.

## Analyzing Collective Identity

According to Melucci (1995: 44) "collective identity is an interactive and shared definition produced by several individuals... [that is] constructed and negotiated..." through various interactions. There is a group dynamic that is influenced by members' perceptions of the issues and how they collectively view them. In the analysis of FFJ, Melucci's understanding of collective identity will be used as the basis for analyzing their sense of how they define their collective perspectives of issues that are central to them as activists. This becomes the basis for their "w-ness" (Melucci, 1989). My analysis of collective identity focuses on the process of how collective identity formation is negotiated among activists during FFJ group interviews when FFJ members agreed and disagreed with one another about issues related to fatherhood and children. Melucci (1989) also takes into account how collective identity is influenced by external factors such as those outside FFJ that are critics in opposition to these activists' specific viewpoints. Touraine's (1988, 1981) work is also used in this analysis of collective identity, as Touraine focuses on the symbolic challenges in the cultural realm related to the struggles over production of culture. He points out that the central struggle of who controls the production of culture often includes collective actors rejecting, challenging and creating new meanings and practices within dominant cultures. These challenges and constructions become associated with the collective identity of (collective) actors or social movements (Kenedy, 2005). Therefore, this research focuses on FFJ members' shared "meanings" and "practices". More specifically, FFJ members' collective perceptions will be investigated<sup>xx</sup>. While Touraine (1988, 1981) does not clearly define meanings and practices, Escobar (1992) offers an understanding of

these terms in relation to culture. Escobar (1992) loosely defines meanings as a set of beliefs. Tradition can be seen as a reservoir of meaning. These beliefs are embedded in practices, and practices are linked to behaviours in everyday life. These behaviours may be present in symbolic creativity involving language, the body, performative rituals, work and both individual and collective identities. Meanings are articulated through practices. Shibutani (1987: 98) concurs with Escobar's work stating, "...we learn meanings through actions, but also *meanings are primarily a property of behaviour and only secondarily a property of objects* [his emphasis]". Both Escobar and Shibutani emphasize that meanings can be articulated through behaviours. These theorists believe collectivities are constantly expounding meanings and practices. For the purpose of this analysis, meanings can be understood as emerging through peoples' interpretations of perceptions, attitudes and ideas about the world. Practices are behaviours, modes of conduct, procedures, and actions.

A spreadsheet was used for assisting analysis. It provided a means to chart identity in relation to how various members articulate meanings and practices, along with an overall identity. The specific social and legal constructs utilized in the spreadsheet were selected as a result of a combination of observations during FFJ meetings (from 1991-1993) and selectively reading through the interviews for common themes and categories. The result of this dual-method was to choose legal and related constructs such as: access, support, custody, joint custody, mediation, self-representation, Cobb County Educational Initiative, judges, lawyers and the legal system. The social constructs consisted of: fatherhood, motherhood, parenthood, grandparents, peer influence, femininity, masculinity, children, chapter identity, cooperation and overall identity.

Overall, there were three apparent benefits of utilizing a spreadsheet:

- 1) It visually displayed and clearly organized variables related to an overall FFJ collective identity.
- 2) It enabled the examination of FFJ members' re-articulation of dominant meaning and practices.
- 3) Finally, variations in the re-articulated meaning and practices among the membership could be compared.

### **Analyzing Collective Identity: Fathers For Justice Meanings and Practices**

My construction of the FFJ collective identity was a result of selecting themes that pertained to the FFJ members' collective reality, and how they viewed themselves. Results from the participant observation work and relevant FFJ documents were also considered as an independent source (from the interview data) in selecting what issues were important to FFJ members. I selected themes from the interview data based both on the quantity and quality of FFJ members' responses during the interview. Quantity was measured in terms of frequency: what issues arose most often during the interviews; and volume: how much members said about each issue. Indicators of frequency included how often issues were brought up by the respondent as major points or as part of another issue; for example, if issues were discussed as major points frequently, or only occasionally. Volume was measured in terms of respondents making specific or general statements about an issue; for example, if a lot was said about an issue, mentioning specifics, or alternatively, only general statements were made.

To assess quality of the members' responses, I used indicators such as

insightfulness and depth in terms of the thought and emotion evident in the interview responses. Insightfulness was measured relative to how much contemplation, reflection and articulation was evident in the interviewees' responses. Indicators of depth included the level of emotion such as the respondent's voice cracking (with feeling), whether they cried, if they sounded upset or angry, or if they gave answers with passion and conviction.

The outcome of considering the quantity and quality of the interview data were presented as meanings and practices associated with two issues: fatherhood and children. Other constructs were only mentioned by certain members, therefore not receiving the quantitative coverage and often limited in terms of qualitative responses.

Beyond the quantity and quality of data, the final factor that aided in my understanding of there being an "FFJ collective identity" included interview responses, resulting from direct questions such as:

- "When someone asks you what FFJ is and what the organization is about, what do you tell them?"
- "What does FFJ stand for?"
- "Does FFJ have an overall organizational or group identity?"
- "What is the FFJ view of children?"
- "What is the FFJ view of fatherhood?"
- "Is there unity among the chapters?"
- "Is there a united feeling of "we-ness" among the chapters?"

The outcome of the interview responses could be seen as the basis for understanding an FFJ collective identity. The two quotes below were a summary of how two members perceived FFJ. These quotes also exemplified an overall view of FFJ evident during interviews with FFJ members. A male leader from Hamilton believed FFJ has two important aspects and goals:

To sum it up in a few words, I guess I would say it [FFJ] is a support group for non-custodial parents. I think that statement itself doesn't really say it's a support group for men or women. It just means if you're a non-custodial parent, then the services we [FFJ] provide may help...that is the general statement I would feel comfortable with.... [Also,] I think it [FFJ] has two goals. One of them would be equality, equality for both men and women...fairness and the right of a child to see both parents. (Member 2, Chapter B, 29/8/93)

FFJ members perceived the organization as being a support group for all parents who were interested in equality and maintaining the child-parent relationship. A similar response from an Owen Sound female leader revealed what she thought FFJ "stands for". She states:

The whole thing goes right around the circle and back to the children. The children are what it is all about, giving them the kind of caring that they need to grow up to be...normal people...FFJ stands for support, for caring, for people banding together for a common cause. And that cause is to protect the children... (Member 4, Chapter D, 18/8/93)

These quotes sum up what could be seen as the basis for an FFJ collective identity. A further explanation focuses on specific points members made about the

above mentioned issues.

### **Post-Separation/Divorce Fatherhood**

FFJ members' meanings of post-separation/divorce fatherhood were prominent throughout the interviews. They challenged negative meanings of post-separation/divorced fatherhood and proposed notions such as "continued parenting" and the recognition of fathers as capable, nurturing and equal parents (relative to mothers). In addition, practicing the above meanings of fatherhood was promoted at FFJ meetings. Members were encouraged to be involved with their children, considering the best interests of the children. They often said this goal of fathering can be accomplished when access was not impeded, support payments were determined in an equitable fashion, and custody was determined through consideration of the best interest of the child(ren) (FFJ meetings, 1991-1993).

Variations between male members and the chapters were based on members who emphasized different aspects of post-separation/divorce fathering. All males offered an overall positive portrayal of fathering. Female members' responses regarding the general notion of fatherhood and post-separation/divorce fatherhood ranged from defending to supporting, all the way to a qualified support of post-separation/divorce fatherhood. While female members' responses were positive throughout the interviews, female members tended to be more discerning and exacting in their concerns about how much fathers have really changed. In this way, they did not share males' collective meanings of fatherhood.

A male leader from Hamilton who emotionally recounted his concerns about how fatherhood was viewed in Canadian society, stated: "...The attitude that fathers are uncaring, not nurturing, incapable of looking after their children...[pause] You're going to have to stop it [the tape] for a sec[ond] [the member became quite emotionally upset and almost cried]" (Member 2, Chapter B, 29/8/93). The Hamilton member's reaction revealed how he felt about his children and how he thought fathers were portrayed: as poor and incompetent parents. This stereotype of fatherhood is what FFJ members contested. FFJ members believed they practiced and promoted a more nurturing and capable notion of post-separation/divorce fatherhood among the membership. As a male leader from Hamilton recounted:

You ask a lot of people you meet on the street what they think about men of divorce, it's: 'Ah they don't pay child support, they don't give a shit about their kids, all they want to do is have a girlfriend or two.... That's what we want to change, because we want people to see that fathers are concerned, fathers care, fathers love, fathers hurt. We're human beings and we really need to be part of the family unit, whether it's intact or separated.... (Member 3, Chapter B, 22/8/93)

Ultimately, FFJ members wanted to go beyond challenging these negative stereotypes associated with fatherhood and attempted to change these stereotypes. FFJ members were attempting to promote a meaning of post-separation/divorce fatherhood that they wanted all FFJ members to practice. FFJ members believed this will result in a more favourable view of fathers, not only in society, but specifically among judges, social service agencies, and others (FFJ meetings, 1991–1993).

A male leader from Hamilton provided a cynical view associated with the practice of post-divorce/separation fatherhood:

How to be a father in the nineties: keep your mouth shut, maintain self-

control, don't bitch much, show love not aggression, cry once in a while, all those politically-correct things that men are noted not to do.... (Member 3, Chapter B, 22/8/93)

This view of fatherhood poked fun at the perceived "new" fathering, suggesting ways of being a new father or male. What seems to be important was that this member recognized the social expectation of a new type of fatherhood.

Female members also supported the notion of the "caring father". They advocated the meaning that fathers were capable of child-rearing and should be involved in a child's life. A female member from Hamilton notes:

FFJ wants people to recognize that fathers are not monsters, just because they are divorced from their wives. FFJ wants people to see that fathers care as much about children as mothers.... [R]ecognition is there [at FFJ] that men are very capable of performing every aspect of rearing a child that women can provide. They're good at being nurturing parents, they're good at being providers.... That it should be equal, that fathers should participate in all aspects of children's lives. (Member 5, Chapter B, 29/8/93)

This female member clearly stated the importance of fathers and fatherhood for the FFJ membership. She also clarified not only the pro-father position, but also the point that FFJ advocated a positive meaning or position concerning fathers in relation to children. Contradicting the negative image of post-separation/divorce fathers as "monsters", this female member from Hamilton offered what she believes FFJ members contested and the positive image of fathers they advocated.

A female member from Owen Sound perceived a crisis with the way men, and more particularly fathers, were being viewed. She stated:

[The war against men] which blows into the children and the family and society and the jobs; I am surprised the fathers who have been hit in some of these ways don't commit suicide. (Group 5, Chapter D, 19/8/93)

She suggested that the state of fatherhood was a casualty of the "war against men". Particularly, what she referred to were "radical feminists" (mentioned in the interview) demeaning men and fatherhood. In relation to this, she went on to mention Gairdner's (1990) work *The Trouble with Canada*.

During the group interviews male members emphasized positive meanings and practices related to fatherhood. The group interview dynamic, however, offered members the opportunity of disagreeing and of opposing the status quo (as in the above-mentioned case when a female member disagreed with a male member over the issue of support). The female members in the Peterborough interview, for instance, did not always agree with the male members' perceptions of fatherhood. Still, FFJ members provided an overall positive image of fatherhood in terms of it being a continuous and equal role (relative to motherhood), with some female members cautioning males not to be idealistic about fatherhood.

A male rank-and-file member from Hamilton asserted:

Fathers make good parents. Fatherhood and fathering does not stop after separation and divorce. You are the same person and father before and after separation and divorce and deserve to be treated with equal parental status.... It is the fathering role that should be considered in equitable terms regardless of gender, custodial or access privileges. Fathering is continuous and an ongoing responsibility. (Group 3, Chapter B, 17/8/93)



This quote summarized the meaning of fatherhood as an important part of a child's life before and after separation and divorce. The concept of "continuous parenting" mentioned in Chapter 1, emphasized parenting that was boundless. Members often remarked how parenting does not cease once court orders related to separation/divorce were decreed. Being a parent/father was a commitment and entailed a responsibility to children that was unbroken regardless of marital status or living arrangements.

Those in the Peterborough chapter advocated contesting meanings of fatherhood through educating people that fathers have changed and continue to do so. A male leader from Peterborough noted:

we want to educate the general public, that fathers have changed [a female member interjected, pointing out "some" fathers have changed]...There are a lot more fathers who want to stay at home and spend that time with the children. (Group 8, Chapter G, 1/9/93)

The correction made by the female member was an example of how male members were often "equalized" by female members' views on issues of fatherhood. Following the disagreement between these members, they reached a consensus concerning the meaning of fatherhood which led to the final stage of the collective meaning that "some fathers have changed". Thus, it was apparent FFJ members believed certain fathers have changed and that many other fathers are changing. With an almost equal number of males and females, and a female member as president, the Peterborough chapter had an evident female perspective. The effect of female members' involvement was apparent throughout FFJ meetings where female members did not always agree with male members, thus challenging some views held by many male members (FFJ meetings, 1991–1993).

As noted earlier, confrontations between members during interviews or meetings were not uncommon. According to Melucci (1989), the process of confrontation leads to negotiation, which is an essential part of forming collective identity. As the above example of confrontation indicated, confrontation often evolved into consensus-building, or in the above case a shared understanding of fatherhood.

While there were disagreements during the Peterborough interview, most members agreed with what a male leader from Peterborough declared:

There are a lot more fathers who want custody of the children, but they have no possible way of getting that. This is why we want to change the system so a father can get custody. (Group 8, Chapter G, 1/9/93)

This declaration challenged societal meanings and perceptions associated with fathers: both in obtaining custody and staying at home with their children. Members were upset that fathers who have changed do not receive recognition in family court; FFJ members wanted to challenge this practice.

Members in the Brantford chapter interview considered both parents to be equal. A male member from Brantford maintained:

the fathering role should be considered in equitable terms regardless of gender, custodial or access [status], or privileges. Fathering is continuous and an ongoing responsibility. (Group 7, Chapter F, 8/9/93)

As noted by other FFJ members, continued parenting was seen as having an important meaning for FFJ members. These FFJ members often maintained that they were fathers before separation and divorce. Furthermore, FFJ members challenged

the notion that after divorce they were seen as secondary parents, unequal to mothers. FFJ members put forth the meaning that there were fathers who deserve custody and access privileges and should not be discriminated against based on gender. Another Brantford member contended:

After separation and divorce you are not [perceived as being] the same father anymore. That does not change [being a father]. FFJ wants to maintain fathering roles as being compatible before and after separation and divorce. (Group 7, Chapter F, 8/9/93)

It was clear that FFJ members advocated the meaning that they were fathers who were nurturing, capable parents.

Overall, the meaning that post-separation/divorce fathers were capable and nurturing parents was put forth by most FFJ members. This challenged the notion that these fathers were traditionally secondary parents who were not capable of being nurturing or able to take care of children. FFJ members also maintained that fathers could be custodial parents; they did not always have to be thought of as non-custodial parents. This meaning accompanied the practice of FFJ members that wanted judges to recognize fathers as capable and nurturing parents, instead of the traditional view that fathers were secondary parents.

While differences between chapters arose, members in the various chapters seemed to have said the same thing: fathers were equal parents and should be perceived this way. Also, that parenting and fathering were “continuous responsibilities”. The main dissimilarities that arose occurred between certain female and male members.

The differences between members throughout the interviews were apparent along gender lines. Female members engaged in a spectrum of responses that range from the idea that “fathers were being attacked unfairly” (a defense of fatherhood), to a basic recognition that “fathers were caring and nurturing parents” (supporting the notion of fathers being caring), to the assertion that “some fathers have changed and are becoming more concerned, yet not all fathers were caring, nurturing, or involved with their children before and after divorce” (a qualified support of fatherhood). Male members were willing to accept what female members said about only some fathers changing. However, male members believed that fathers have changed from the traditional version and have become more caring and concerned about their children.

There may be several reasons why male members were supportive of fatherhood, whereas female members varied in their support. The apparent reasons for male support was that they believe fathers—like themselves—have changed and continued to become more involved as caring parents. These fathers perceived the world from their own perspective. The basis for female members defending fatherhood may also have been an outcome of what they see (as grandmothers): their adult sons limited or lack of access privileges. If a son lost access privileges, the grandmother of the children often did not see her grandchildren. This predicament of limited access and consequent denied contact with the child(ren) curtailed the opportunity of being an available and constantly participating (grand) parent. Some female members may have supported fatherhood as a result of the commitment of their current spouses toward becoming more involved and nurturing fathers. Through providing qualified support, they suggested that only some fathers have changed. This limited endorsement likely stemmed from experiences with former spouses’ commitment and other life experiences.

## Children

Many members said that FFJ existed for the children (FFJ meetings, 1991-1993). FFJ members who were parents maintained their main goal was to be with their children. Members often asserted that they had the best interests of the children at heart. Children were also regarded as the focal point of the organization (FFJ meetings, 1991-1993). A male leader from Hamilton recounted: "We are not Fathers for Just Us" (Group 3, Chapter B, 17/8/93). This comment was directed at critics of FFJ who accused members of only being focused on their own concerns and ignoring their children. According to a leader from Hamilton: "I think the children are paramount, I don't think there is any question...." (Group 3, Chapter B, 17/8/93). A male leader from Owen Sound expanded on the salience of children for FFJ members: "The people that come to us are all concerned with the quality of the relationship with their children and the denial of contact...." (Member 4, Chapter D, 18/8/93). FFJ members remarked at meetings that they would not have attended FFJ meetings, or joined the organization, if it were not for their children. They noted that it was not often that a person without children going through separation or divorce attended an FFJ meeting (FFJ meetings, 1991-1993).

Having a relationship with children depended on unimpeded access privileges. Thus, members suggested that the FFJ identity was about children, parenting and having legal access. A male leader from Kitchener-Waterloo clarified the position of FFJ: "Kids need both parents. [That is] What it says on the FFJ pamphlet" (Group 1, Chapter A, 7/9/93). The above quote was the FFJ motto.

A male member from Hamilton asserted: "The main goal is to look after children's rights. Without children there would not be an FFJ" (Group 3, Chapter B, 17/8/93). Another male leader from Hamilton further stated: "Number one [children], that's the whole idea, we want to see our kids, that's what we are after, to see our kids on an equal basis" (Member 3, Chapter B, 22/8/93). Many FFJ members viewed children's and parent's rights as being synonymous in cases of separation and divorce. FFJ members wanted to see their children on a regular basis: to have access equal to the custodial parent. Access to children appeared to be a large part of FFJ members' conception of why the organization exists. Other issues such as support revolved around children, yet access to visit with children and the importance of children seemed paramount. While FFJ members may have varied slightly regarding the meanings concerning children, they unanimously agreed that FFJ's concerns revolved around the children.

There were several indications that members promoted the notion that children were the focal point of FFJ. FFJ members not only promoted the children, but their relationship with their children. When visiting the Hamilton and Kitchener-Waterloo chapter offices one of the first things visible was the pictures of members' children on the wall<sup>xxi</sup>. While this may have been visual evidence, it seemed to clarify the importance of children to these activists. A more practical example that FFJ members promoted their relationship with their children as a central concern was parent-child outings and gatherings. These events helped to strengthen ties between adults and children, and reminded members why FFJ existed. Also, during meetings members would not only discuss the legal problems of access, support, and custody, but also their children and how they felt about them, issues of concern regarding parenting, and other concerns revolving around their children; issues too numerous to discuss. However, members who had surpassed the emotional bitterness of separation/divorce said that they were not just paying "lip service" or utilizing children

as a way to usurp power over ex-spouses; FFJ members' emphasized that their concerns were sincere.

### **Discussion of the Findings: "Sifting out" Collective Identity**

Putting aside the difficulties with the method of "sifting out" meanings and practices of FFJ members and attempting to make sense of a possible FFJ collective identity, the similarities and differences between members needs to be addressed. Most FFJ members agreed on meanings and definitions regarding children, yet there remained dissension among members in relation to fathering. The differences among the leaders and rank-and-file members and between the members from various chapters were based more on emphasis rather than discrepancy. Members in each chapter, and those of different leadership status, emphasized certain meanings and practices. Some leaders did mention emotional aspects and certain rank-and-file members pointed out legal aspects.

FFJ members seemed to agree that access to children was an overarching issue. It was suggested that their organization's primary interest revolved around issues that encompassed children and parenting. FFJ members challenged social and legal views of non-custodial parenting and related constructs. The constructs that were specifically challenged were the notions of non-custodial fatherhood and the importance of children. In sum, members constructed themselves on the basis of their challenges to various social constructions related to fathering and children. This in turn seemed to be a dimension of a FFJ collective identity.

Attempting to gauge an overall FFJ identity is a daunting task. While a semblance of an FFJ collective identity may be evident through pointing out how FFJ members delineated meanings and practices associated with the above issues, this research is only an indication of a possible identity. The meaning and practices could only be one dimension of distinguishing collective identity. In any event, these meanings and practices seemed to be a product of FFJ members who coalesced and formed opinions through interactions that have become evident during interviews. These shared meanings and practices could have been an indicator of FFJ members' positions or viewpoints on the issues: perhaps one possible dimension of collective identity.

### **Fathers For Justice, Fathers For Just Us, or Fathers' R Us?**

The findings in this research present an alternative view of fathers' rights activists that is absent in the literature. Many authors have given the impression that custody issues are a first priority for fathers' rights organizations. And, admittedly, there were many FFJ members who were interested in being sole or joint custodial parents and some members who constantly emphasized this issue. Most members interviewed and those who attended many FFJ meetings, however, more frequently discussed access issues.

Most of the literature did not mention the existence of female members in the fathers' rights movement. It was a non-custodial father and his second wife who started Fathers For Justice. Women were always an important part of FFJ, which included second spouses, grandmothers, and other female supporters. Even though the name FFJ only indicates fathers, FFJ was a post-separation/divorce parenting

organization. This important detail is rarely highlighted in much of the literature reviewed.

FFJ members focused on ensuring that the best interests of their children were being served at home and in the complicated system of family law. “Continued parenting” as opposed to power over children and ex-spouses emerged as the central concern during the interviews and at FFJ meetings (FFJ meetings, 1991–1993). This point of “continued parenting” seems to be missed by most Canadian authors, often negating the possibility of a “balanced” view of fathers’ rights activists and organizations. Fathers For Justice was about the need to reinvent fathering, particularly when separated from the family.

While FFJ members may not have seen themselves as part of a right-wing movement, Crean (1988) pointed out these activists wanted to create social change that was seen as an undesirable “backlash”, which may have been repressive and more about regulation and rights than any type of equality or responsibility (Kenedy, 2004, 2005). Furthermore, right-wing movements are often viewed primarily as being concerned with creating social change that benefits a minority, such as fathers’ rights activists, at the expense of the majority. It can be argued that by challenging conceptions of post-separation/divorced fatherhood, FFJ members were primarily benefiting themselves. Therefore, is it fair to say that FFJ and the fathers’ rights movement was essentially a countermovement (Mottl, 1980; Pichardo, 1995; and Zald and Unseem, 1987) rather than a right-wing social movement? The literature on the fathers’ rights movement strongly suggested a self-serving bias based on rhetoric and discourse (Drakich, 1989; Bertoia and Drakich, 1993; Bertoia, 1998; Arendell, 1992a, 1992b; Coltrane and Hickman, 1992), which essentially favoured fathers over mothers, and challenged aspects of the feminist movement (Crean, 1988; Boyd, 1989). When researching these activists it was always clear that the focus on “equality” varied among the members. As Harris (2000: 371) states, equality “...is a socially constructed phenomenon”. FFJ activists seem to present a very specific view of equality that critics such as Crean (1988) argues really only represent FFJ activists and do not always include ex-spouses of various male members. Primarily it was the implication of (fathers’) “rights” that implied a conservative movement, which seemed to be about re-asserting the dominant position of fathers in the family. Another important issue regarding fatherhood seemed to be the differences in opinions between male and female members regarding how much fathers have changed and perception of how involved fathers are today. FFJ members did, for the most part, agree about is the notion of “continued parenting”. Female members agreed with males members regarding the possibility of caring and non-abusive fathers being involved in their children’s lives after the parents were no longer together. Though the males often said fathers should be ongoing parents after separation or divorce, the disagreements between members seemed to point to male members advocating “Fathers R Us”, where as the female members were more cautious. Male members often pointed out that they continue being fathers after separation or divorce. This notion of “Fathers R Us” also implied that fathers should be recognized as “capable” of parenting children, especially after separation and divorce. FFJ activists advocated their role as non-custodial fathers may be more essential once families separate in order to maintain contact with their children, so the fathers and children do not become estranged from one another. In short, “continued parenting” or “fathering” is emphasized throughout the interviews as well as an FFJ collective identity being intricately connected with their individual identity as fathers.

Beyond this, should the organization be called “Fathers For Justice” or “Fathers For Just Us”? Critics certainly agree with the cynical assessment of “Fathers For Just

Us”, as FFJ activists said in the interviews. Those suspicious of organizations such as FFJ like Crean (1988) think that the “equality discourse” seemed more like rhetoric that is exclusive in terms of focusing on fathers than being inclusive of all family members. In addition, what FFJ members said about fathers’ rights, fatherhood, and continued parenting did not seem to be emphasizing what may be good for children or what is known as the “best interest of the child(ren)”. Since the importance of mothers as parents was not emphasized, was there a “father-centric” focus of “Fathers R Us” in the interviews? I would argue FFJ members tried to challenge what they perceived as a lack of equality concerning their roles as post-separation/divorced fathers. These FFJ members did not see themselves as part of a “backlash” (Crean, 1988), nor as self-serving, but instead concerned parents who cared about their children. They often cited, their concern for their children as being one of the main reasons they joined FFJ. As Harris (2000: 390) points out, there is the “...interpretative aspect of equality...” and it was evident that FFJ activists’ view equality from their own perspective, which many of their critics seemed to not share.

### **Reconsidering the Use of a Three-Pronged Methodology**

Most of the extant literature on the fathers’ rights movement lacks a comprehensive methodology. Usually, the participant observation technique, interviewing process and a review of documentation are not combined. The research in the literature often includes interviews, or a review of documentation, but not participant observation work. The application of these three research techniques was a way of learning about FFJ. Taking the time to observe these activists, interview them, and consider their documentation, seemed to be a more effective way of coherently studying such an organization. Most of the literature reviewed lacks a comprehensive methodology, possibly producing a constricted view of the movement.

Utilizing the three methodologies in this exploratory research of FFJ and collective identity helped me understand the group. The sequence of beginning with participant observation research helped me during the interviews. Collecting documentation throughout the research proved to be useful; especially when I analyzed the interviews and the observations. I found that the interview data was verified utilizing the participant observation research and documentation. The progression of beginning participant observation and collecting and reviewing documentation, provided the basis for interview questions. It also made interviewing FFJ members easier as most FFJ members became familiar with me and my research. Overall, the two year period of observation was invaluable, affording a dimension which the interviews, literature or documentation could not provide. Once FFJ members became accustomed to me and my research project, the insights gained through observations clarified much of what other authors who have written about the fathers’ rights movement either neglected or misunderstood.

The individual interviews gave members a private occasion to express more personal views that were not always shared by all FFJ members. They usually spoke more freely in private than in group interviews with me, and were especially forthright with details regarding their personal situations. When a limited attempt was made to use a questionnaire to collect demographic information, in all cases data was missing.

Group interviews offered me the opportunity to observe the dynamics of FFJ members discussing—and disagreeing about—issues. As noted by Melucci (1989),

the group process yielded insight into the formation of collective identity through negotiation. FFJ members almost always presented controversial views and were not inhibited by me or others from doing so. During certain group interviews, however, some members were uncomfortable with disclosing personal and demographic information about themselves such as income, education, and in some cases religion. Also, not all members always had a chance to speak as discussions were vibrant and the less assertive members often did not get a chance to express their opinions. In addition, relative to private interviews, during group interviews members would often go off on tangents.

The three-pronged approach allowed for stages in the research. The first stage of participant observation research afforded members the opportunity to become familiar with the research and for the researcher to learn about the organization and membership. This stage also facilitated in the collection of documentation, which continued throughout the research. Documentation and participant observations were utilized to “inform” the interviews. Throughout the second stage of interviewing, this task was made easier as a consequence of stage one research.

Through utilizing the three-pronged approach, disadvantages became evident. The first difficulty was that of familiarity with me and the research. While the challenge of subjects’ familiarity was, for the most part, an advantage, some members may have provided answers during the interviews that they thought were expected. This could have been a result of members trying to help me in my research. Another challenge was the time-consuming nature of the three-pronged approach. While it took time to do this research, I felt that the sequence was necessary for members to get to know me before they were interviewed. Spending time with them over 3 years also helped me obtain many documents about FFJ members and their related issues.

Overall, the three-pronged methodological approach provides the opportunity of not only “sifting out” (Eyerman and Jamison, 1991) an FFJ collective identity, but giving FFJ members a “voice”. This approach is not concerned with intervening and leading activists<sup>xxii</sup>. It is also not about trying to tell activists who they are and what they believe. Rather, it is a means to allow the members to speak about their ideas, issues, and concerns. It is a way of collecting activists’ thoughts and presenting what they want to say about their issues and organization.

## **Conclusions: Future Research Directions**

The result of “sifting out” meanings and practices evident during FFJ interviews seemed to be one possible dimension of collective identity. Melucci (1989) suggests that an organization such as FFJ needs to evolve into a cohesive collectivity before members can articulate meanings and practices. FFJ members would have had to interact often with one another and to be able to draw on ideas that were evident in the FFJ pamphlet and other FFJ literature in order to have a common understanding of meanings and practices.

The obstacles evident in the analysis of meanings and practices were significant. Even though the concepts of meanings and practices are defined, it was difficult to separate meanings from practices in the interview data. It was not always clear if members were advocating applying the meaning (practicing it) or defining a meaning that could be practiced. This confusion made the analysis exacting and time-consuming. Conceivably, meanings and practices are not intended to be separate. It may be useful, however, to view meanings as definitions and practices

as application of the meanings or definitions.

A technical problem with employing the spreadsheet in Excel is that the size of the cells is limited. When attempting to place large quotes into a cell, most often the quotes had to be reduced in size. This resulted in eliminating important information or placing the quote into two cells. An improved spreadsheet program may remedy this problem. Or, a more effective qualitative analysis of meanings and practices could be developed. Possibly using N-Vivo to analyze the data may have been more helpful.

In order to ameliorate some these methodological issues, survey research such as paper and on-line questionnaires can be used to research collective identity. Based on this exploratory research using the three-pronged approach, the data from this study can be used as a basis for designing a questionnaire and distributing it to fathers' rights activists in Canada in order to understand broader aspects of activists' collective identity.

An overall survey of fathers' rights activists in Canada may also help to determine to what extent the Fathers' rights movement is a right-wing social movement. Clear criteria for understanding right and left wing movements in terms of collective identity are also required. Possibly, going beyond Canada and considering the international fathers' rights movement would be helpful in order to compare Fathers For Justice in Canada to other Fathers Rights Organizations.

A recent journalistic account of the "global fathers' rights movement", which seems to be coalescing primarily in Western Europe and North America, is viewed cautiously by Dominus (2005). Profiling fathers' rights activists such as Jason Hatch who uses the publicity he gained from dressing up as the super-hero Batman, through "[h]is stunts at Buckingham Palace and York Minster Cathedral, according to Dominus, [he has become]...a public face of fathers' rights activists in Britain" (Dominus, 2005:26). Dominus' article also seems to be signaling a change in the global fathers' rights movement that includes "[d]ivorced men banding together to change custody law" (Dominus, *ibidem*). Through Internet communications such as e-mail, listserves, and websites in order to move toward becoming a global movement, Dominus (2005) notes that "Fathers 4 Justice" activists in England are beginning to be noticed by the international media. These Fathers 4 Justice activists are networking with American fathers' rights activists. Canadian activists are also networking through the Internet with fathers' rights activists in the US and Britain, as well as throughout Europe and other parts of the world. Globally, fathers' rights activists often see their issues of post-separation/divorce fathering as being very similar, even though laws vary in different jurisdictions. Throughout her article she questions the message of fathers' rights activists in terms of "[I]s what's best for Dad really best for the child?" (Dominus, 2005: 26) and also asking "...what about what's fair?" (Dominus, *ibidem*). What is new seems to be the reality of the beginning of a global movement. This global movement may have an impact on the specific collective identity of organizations like Fathers For Justice in terms of expanding the identity of more localized organizations that includes global and "pan-issues" that influence activists in various countries with specific family laws.

Overall, examining the collective identity of the fathers' rights movement globally may be done using paper and on-line questionnaires. Exploring interesting aspects of these activists using "Batman" and other superheroes may also be linked to a collective identity that is strategic and attractive to the media. Is this the future of a fathers' rights collective identity? Is this an important augmentation of a fathers' rights collective identity that is media savvy? These questions need to be considered for future research in order to understand the fathers' rights movement in Canada, as well as how the global fathers' rights movement impacts the collective identity of



organizations such as Fathers For Justice in Canada.

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## Endnotes

- i Post-divorce is related to legally ending a marriage. Conversely, post-separation may mean the couple is no longer together couple, but still legally married, therefore, not legally divorced. Or, post-separation may imply the couple never have been married, but had a “common-law” relationship.
- ii Fathers For Justice members and supporters have expressed this opinion as quoted above.
- iii An observation based on preliminary research and informal discussions with various politicians and community leaders
- iv In March 1992, the Hamilton chapter acquired permanent office space and began the process of self-funding
- v Shortly after the Sudbury chapter was established, it disbanded
- vi Other related issues such as joint custody, mediation, and paternity issues are also of concern to Fathers For Justice members.
- vii Activists concerned with men’s rights, researchers, etc.
- viii The early members were those who helped establish Fathers For Justice from 1985-1986.
- ix Some of the Fathers For Justice functions and meetings that I was not a part of included some parent-child social events, confidential meetings with specific topics, and the regular activities and administration of the FFJ chapter offices.
- x “Collective subjective worldviews” are basic assumptions, beliefs, shared attitudes, values and ideas (Eyerman and Jamison, 1991).
- xi Six of the current members are considered leaders and nine are rank-and-file members.
- xii This sheet of demographic questions was only used in the Bradford chapter interview, or with those who had to leave the group interview early or who were not comfortable with sharing this type of information. It was found that more complete information could be ascertained if demographic questions were asked during the taped session. Most often, members would omit information on the demographic sheets.
- xiii Those attending FFJ meetings may not have FFJ memberships for several reasons: either they are new members and still deciding whether to join FFJ, or they could not afford the membership due to economic circumstances.
- xiv As early written records and documents from FFJ are scarce, the oral history is the only technique available to assess the early history of the group.
- xv The determination of the FFJ leadership was also decided by the ability of the persons to provide direction for FFJ, made during the period of participant observation.
- xvi Rank-and-file members could have served on the executive committee of their respective chapter. However, if their leadership role was not significant, as noted throughout the participant observation, they would be designated as rank-and-file members.
- xvii The various FFJ chapters seem to have their own unique identities based on their individual members (i.e., size, commitment, etc.), where the chapter is located and the specific types of court systems, legal community (i.e., judges,

lawyers, police) in their area, how long the chapter has existed, and the chapter's resources.

- xviii Long time members include those who have been members since 1987.
- xix The purposive judgmental technique was also utilized in the "historical" interviews as the purpose of the study was to assess the early collective identity.
- xx Initially historical members' (1985–1989) views of meanings and practices were examined. However, there were very few differences between historical and contemporary members' views.
- xxi Pictures of children are especially visible in the Hamilton office of FFJ.
- xxii Researchers need to be respectful of activists' ideas and abilities to direct themselves.

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Baudouin Dupret  
Institut Français du Proche-Orient, Syria

## Morality on Trial: Structure and Intelligibility System of a Court Sentence Concerning Homosexuality

### **Abstract**

This article analyses the structural organization of a ruling issued by an Egyptian court in the trial known as the “Queen Boat case”, where several people were arrested on the ground of their alleged homosexuality. With the text, and only the text, as data, it aims at making explicit the possibilities open to potential readers of the ruling. The praxiological study of texts constitutes a relatively new domain of inquiry in which texts are considered as produced objects whose intelligibility is structured and organized in a way that provides instructions for the texts’ reading and accounts for their author’s worldview and purposes. The article briefly presents the Egyptian legal and judicial system. Then, through close observation of each of the constitutive elements and organizational features of the ruling, it shows how this text serves as a vehicle for a limited number of possible logical options. In other words, it describes aspects of the practical grammar of written legal adjudication. Finally, in conclusion, some remarks are formulated concerning rulings as instructed reading of cases submitted to judicial review.

### **Keywords**

Law; ruling; praxiological study of texts; instructed action; intelligibility systems and resources; institutional context; legal relevance; procedural correctness; legal characterization

### **Introduction: The legal text as an object of praxiological inquiry**

This article analyses the structural organization of a ruling issued by the Egyptian summary court of misdemeanours (state of emergency) in case No 182 of the year 2001, Qasr al-Nîl, registered as No. 655 of the year 2001, High State Security. This trial, known as the “Queen Boat case,” made the international media headlines. It followed a police search on a boat moored on the Nile in Cairo that was used as a nightclub. Several people were arrested on the ground of their alleged homosexuality. Two of them were also prosecuted for their alleged contempt of

religion, an accusation that justified the referral of the case before a state security court. It is this ruling which is analysed here.

To paraphrase Paul Jalbert (1999): since we have the text, and only the text, as data, we aim at making explicit the possibilities open to potential readers of the ruling. The following analysis of the ruling's structural organization seeks to elucidate the range of possibilities that result from interaction between the text, the background commitments of the text's producers and addressees and the positions that result from them. "The analyst [...] who restricts himself to that form of analysis which begins and ends with the *text*, which locates the *text* at the centre of his analytical attention, is *never* interested in criticizing producers or recipients, their background commitments or organizational affiliations. He is interested only in portraying as faithfully as possible the intelligibility structures and devices inhering in the text as well as the background commitments which interact with any such structures or devices so as to generate a given possible understanding and assessment of it" (Jalbert, 1999: 37).

From the inception of ethnomethodology and conversation analysis, law and courtrooms have been seen as a privileged standpoint from which to observe language and action in context. The goal is not to identify how far legal practices deviate from an ideal model or a formal rule, but to describe modalities of production and reproduction, intelligibility and understanding, structuring and public character of law and the many legal activities. From this point of view, law is neither the law of abstract rules nor the law of principles independent from the context of their use, but rather, the law of people involved in the daily practice of law, of legal rules and of their interpretive principles. According to Hester and Eglin (1992: 17), three sets of methods deserve special attention in the study of law: the methods by which legal settings and situations are socially organized; the methods by which legal and criminal identities are achieved in social interaction; and finally, "the methods by which particular legal actions such as legislating, accusing, complaining, identifying 'suspicious' persons, arresting, plea negotiating, (cross-)examining, judging, sentencing and appealing are produced and recognized." The ruling is such an action: it consists of the writing of a special kind of text that can compel facts to enter legal categories and that can therefore make them consequential. This article concentrates on one specific ruling and seeks to elucidate its structure and intelligibility system as the product of two related practices: that of writing and that of reading.

The praxiological study of texts constitutes a relatively new domain of inquiry, and has essentially taken the form of the ethnomethodological study of mediated communication. Texts are considered to include both written texts of literature, poetry or the press and filmed texts of cinema and television: in other words, produced objects whose intelligibility is structured and organized in a way that provides instructions for the texts' reading and accounts for their author's worldview and purposes. Engaging in the praxiological study of such texts means not only attending to its semantic dimensions, but also focusing on the categorisation, sequence, and context features within which any reading practice of the text is embedded. Instead of assuming what the text's author has in mind when writing or editing it, praxiology adopts the reader's natural attitude when confronted with a text. Because texts are meant to be read and understood, their complexity does not imply opacity, but on the contrary accessibility, albeit to competent readers, who read it with the means they use to understand the order and properties of the social and natural world (Jayyusi, 1984: 289).

Text coherence depends on the natural reader's intelligibility resources, among them the capacity for identification, categorisation, and inference. As Macbeth (1999: 148) puts it, when speaking of filmic texts, coherence "is not then a formal analytic coherence, but rather an organization of practical objectivities, found in the scenic recognizability of things like courses of action, visible relationships, familiar routines, etc." A text offers a limited amount of possible readings, which will be understood by its reader according to the resources available to a given society's members. Reading a text is a social practice that both constrains and is constrained by the context of its reading. It is constrained by the reading context in the sense that no understanding of the text can take place outside some kind of shared language, and social and cultural background understanding and expectations. Reading, in turn, constrains context in the sense that it offers a specific interpretation of the facts under consideration and re-orientates or at least affects the reader's gaze. It is precisely this attention to the practical dimension of the text and its reading that makes the ethnomethodological or praxiological study of texts different from semiotics or textual analysis, for instance.

In the case of law, the text is both performative and intertextual. Legal texts produce their own context and reality, in itself and for all future practical legal purposes: it is the ground on which an appeal can be filed (or not), and the basis on which many actions (search, arrest, imprisonment, fining, etc.) can be performed. In other words, legal texts are performative; they create new legal realities and renew the context of legal work. Or, to put it differently, legal texts are "epistemically objective," where "epistemically" means that they are the result of some subjective activity of meaning production and "objective" means that readers tend to orient to their statements, descriptions and categorisations as reified entities. Moreover, legal texts have the specificity of being embedded within a pre-existing textual framework, with the consequence that they depend not only on the resources available to competent members, but also on formal legal categories and the constraints they exert on the production of legal truth. This is what we call the intertextual dimension of legal texts: they are embedded in a web of pre-existing provisions, statements, voices and authorities, which they re-organize in a new coherent narrative that constantly drifts from one footing to another (cf. Matoesian, 2001; Goffman, 1981). They are also already part of forthcoming textual, legal uses, which they anticipate in many ways. Indeed, legal texts are procedurally and substantively oriented to their future reading and its potential consequences. That orientation reflects on their sensitivity to institutional context, procedural correctness, and legal relevance (Dupret, 2006).

Legal concepts and categories take on meaning only within the institutional context of their formulation. Institutional legal discourses and texts share different features (Drew & Heritage, 1992). First, their nature is informed by their orientation to goals pre-defined by the mere fact that they originate from within such context. In other words, legal texts most often explicitly express their purpose of accomplishing tasks specific to the legal institution. Second, legal texts acknowledge the existence of institutional constraints by which they must abide. Third, legal texts are organised within a specific inferential and procedural framework, which refers to particular modes of legal reasoning. While seeking to avoid investigating things that cannot be read from the ruling, we contend that some understandings can be arrived at perfectly well from the written ruling. Indeed, if the practice of written rulings exists, it is presumably based on the assumption that they are adequate for lawyers and others to understand for the practical purposes of submitting or deciding appeals. In other words, they are considered reliable by professionals engaged in legal practice.

There is no reason the analyst cannot rely upon data accepted as appropriate by practicing lawyers.

Professionals who are engaged in the routine of their profession generally orient toward a public production of their correct professional performance. Such production reflects on the accomplishment of a double procedural correctness: the written expression of their having followed the many required procedures, on the one hand, and the production of a written ruling, on the other. For a jurist, it may seem trivial to claim that procedures are important, but the cliché does not exempt us from close examination of the practical ways through which people manifest their understanding of such importance, partly through detailed description of the way in which written documents are produced. The procedural constraints to which the many people explicitly orient do not correspond to a set of abstract rules imported from some external, historical, and overhanging legal system, but to the routine bureaucratic performance of legal professions (Emerson, 1983). They are closely connected to the general sequence of the trial within which parties address people who are not necessarily physically present in the courtroom, but make an over-hearing or over-looking audience virtually capable of overruling the procedures on the basis of procedural flaws.

Besides the care it gives to procedural correctness, legal activity is very much oriented to the production of specifically legal relevance. The many particular facts that are submitted to the scrutiny of judicial institutions do not await them “already marked off from each other, and labelled as instances of the general rule, the application of which is in question; nor can the rule itself step forward to claim its own instances” (Hart, 1961: 123). This does not mean that interpretation is an issue of mere social convention; there is also an “internal viewpoint” that makes people routinely follow the rules, use them as the basis of their decisions, or even refer to them as a model for behaviour. Moreover, for the limited number of cases that require a real interpretation of the applicable rule, there is a vast array of situations where people do not interpret but simply follow the rule, because its meaning does not create any confusion. The open texture of law (Hart, 1961) does not mean the absence of any texture, but on the contrary, the existence of a constraining framework to which law practitioners orient. Facts are never raw facts, applicable law is a potential object of interpretation, and the legal characterization of facts is not a strictly objective operation. It does not follow, however, that law is pure construction. As stated above, law is epistemically objective (cf. Pollner, 1974), which means that, while sociologists and critical theorists consider the law as pure artefact, it is nevertheless conceived of, and lived by, members of society as a set of signifying and objective categories. People tend to reify facts and legal categories, the latter constituting “the basic conceptual equipment with which such people as judges, lawyers, policemen, and probation workers organize their everyday activities” (Sudnow, 1965: 255).

The attention to categories is a major feature of all ethnomethodological studies and has tremendous importance in the praxiological study of law in general and legal texts in particular. Membership categorization analysis is what Hester and Eglin (1997: 2) call one of the overlapping strands of inquiry in ethnomethodology (along with conversation analysis and the study of mundane reason). Membership categories are classifications or social types that may be used to describe persons, collectivities and non-personal objects. When linked together, they form what Harvey Sacks (1972) calls “natural collections” or “membership categorization devices,” which he defines as “any collection of membership categories, containing at least a category, which may be applied to some population containing at least a member, so

as to provide, by the use of some rules of application, for the pairing of at least a population member and a categorization device member. A device is then a collection plus rules of application.” Many categories go together in what Sacks calls “standardized relational pairs.” Classes of predicates can conventionally be imputed to membership categories. They include category-bound activities, rights, expectations, obligations, knowledge, attributes and competences (Hester & Eglin, 1992: 122). In other words, categorisation work is morally and normatively organised.

The legal characterization of facts is the form that the process of categorization takes within the law. It is also known as judicial syllogism, according to which legal work consists of the mechanical application of a rule to facts presented in their natural objectivity. Jacques Lenoble and François Ost (1980) show that such a theory is grounded on a triple representation: the judge applies the law to facts presented in their ‘reality’; legal language is appropriate for the reality presented to it and intelligible as such; there is no distortion in the process of relating facts to the law. However, law functions in a tautological manner: the rule operates on what it has already assimilated, and interpretation concerns a substance that is predetermined by legal language. Accordingly, there is no access to the mechanism of legal syllogism outside the context of practical legal interpretation. In other words, identifying legal categories is not sufficient. It remains necessary to describe how people orient to them in practice. Sudnow’s study on plea bargaining (1976) shows that actual legal encounters often result in the co-selection of lesser offenses (in exchange for pleading guilty) that are neither statutorily nor even situationally included in the more encompassing offense, but that are routinely associated by professionals with the crime as it is normally committed according to prevalent social standards. In other words, “in searching an instant case to decide what to *reduce it to*, there is no analysis of the statutorily referable elements of the instant case; instead, its membership in a class of events, the features of which cannot be described by the penal code, must be decided (Sudnow, 1976: 162). The rule that can describe the transformation of the statutorily described offense to the reductions that are carried out as a matter of routine must be sought elsewhere, in the character of the non-statutorily defined class of offenses, which Sudnow calls “normal crimes.” Such normal crimes correspond to the ways in which people typically characterize the offenses they encounter in the performance of their routine activities. These include “the knowledge of the typical manner in which offenses of given classes are committed, the social characteristics of the persons who regularly commit them, the features of the settings in which they occur, the types of victims often included, and the like (*ibid.*). The term “normal”, in the expression “normal crimes”, refers to the way people attend to a category of persons and events when dealing with a certain type of crime.

In the following sections, we first briefly present the Egyptian legal and judicial system. Then, through close observation of each of the constitutive elements and organizational features of the ruling, we show how this text serves as a vehicle for a limited number of possible logical options. In other words, we describe aspects of the practical grammar of written legal adjudication. Finally, in conclusion, we shall make some remarks concerning rulings as instructed reading of cases submitted to judicial review.



## Egyptian Law and Judiciary

In Egypt, Mixed Courts (*mahâkim mukhtalita*) were established in 1875 to settle disputes to which foreign nationals were party, or in whose outcome they had an interest. These courts began to function in 1876, using codes modeled after those enforced in France at the time: civil, commercial, maritime, civil and criminal procedures and criminal codes. In 1883, the National Courts (*mahâkim ahliyya*, then known as *mahâkim wataniyya*) were established for Egyptian nationals. These courts had specific codes in civil, commercial, penal and procedural matters, mainly inspired by French law through the codes of the Mixed Courts.

Mixed Courts were abolished in 1949 and their spheres of competence transferred to the National Courts, which became jurisdictions with general competence within a unified system of law. The Court of Cassation (*mahkamat al-naqd*) was created in 1931, the Council of State (*majlis al-dawla*), competent in administrative matters and based on the French model, in 1946, and the Supreme Constitutional Court (*al-mahkama al-dustûriyya al-'ulyâ*) in 1971. Several special jurisdictions were also instituted after the July 1952 Revolution and the creation of the Republic, among them Military Courts (*mahâkim 'askariyya*), State Security (emergency) Courts (*mahkâkim amn al-dawla tawâri'*), State Security Courts (*mahâkim amn al-dawla*), the Court of Values (*mahkamat al-qiyam*), and various other special courts and administrative committees.

The adoption by Mixed and National Courts of mainly French-inspired codes enduringly established the principle of codified legality decided upon and amended by a legislator. At the end of the Protectorate period, new criminal (1937), civil (1948), and criminal procedure (1950) codes were elaborated. Various laws were adopted to govern personal status (1920, 1929, 1979, 1985 and 2000). A new code of civil and commercial procedure was adopted in 1968 and a new commercial code in 1999. The current Constitution was promulgated in 1971 and was only amended twice, in 1980 and 2005.

Egyptian courts are organized by type of justice in pyramid form, capped by a paramount jurisdiction exercising control (the Court of Cassation for ordinary justice and the Supreme Administrative Court for administrative justice). The Supreme Constitutional Court is mainly competent to review the constitutionality of laws and regulations. Ordinary courts provide for most judicial activity. They are competent in civil, commercial and criminal matters as well as on questions of personal status. There are first degree, appellate, and cassation degrees of jurisdiction.

Law 105-1980 organizes the functioning of State Security Courts (*mahâkim amn al-dawla*). These jurisdictions are part of ordinary justice and their existence is foreseen by the Constitution of 1971 (Art. 171). Article 148 of the Constitution of 1971 authorizes the President to proclaim a state of emergency (*hâlat al-tawâri'*). In this case, Law 162-1958 on the State of Emergency foresees the establishment of State Security Courts (emergency). They are to examine any violation of the Law on the State of Emergency, as well as violations of ordinary legislation that the President of the Republic decides to refer to them. These courts judge without appeal, after a summary procedure, and their decisions are submitted to the President of the Republic for confirmation. The state of emergency has been in force in Egypt without interruption since 1981.

## The Ruling

In the Queen Boat case, the court ruling follows a classical organization: (1) introduction; (2) enunciation of the accusation as formulated by the Public Prosecution; (3) facts and Public Prosecution's investigation; (4) hearing of the pleas; (5) grounds of defence of the accused; (6) examination of the grounds; (7) examination of the constitutive elements of the crime; (8) motive; (9) enunciation of the ruling. The next section follows this structure, scrutinizes the ruling in a detailed manner and analyses it from within the natural attitude of a competent reader of Egyptian law.

## Introduction

We now turn to the Queen Boat case and the ruling issued by the Summary Court of Misdemeanours (State of Emergency)<sup>1</sup>.

The ruling introduction has a totally standard form:

### **Excerpt 1 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

*In the name of God the Compassionate the Merciful*

Court of misdemeanours, State security – emergency

Qasr al-Nîl, summary

### Ruling

In the name of the people

During the public session held at the palace of the court on Thursday 14/11/2001

Under the presidency of His Excellency Mr (...), president of the court

In the presence of His Excellency Mr (...), deputy of the State High security Prosecution

And of Mr (...), clerk of the court

Issued its ruling on

Misdemeanour No 182 of the year 2001, misdemeanours, State security – emergency, Qasr al-Nîl, reistered as No 655 of the year 2001 of the High State security

Against

1 (...)

2 (...)

51 (...)

52 (...) [...]

The court

After the examination of the documents and the hearing of the pleas:

Considering that the Public Prosecution has introduced the criminal petition against the aforementioned accused for the reason that the latter, since the year 1996 and until 11/5/2001, in the district of the Qasr al-Nil police station, Cairo governorate

1: The first and the second accused [...]

2: All the accused [...]

First, we must notice that this document begins with the statement that the ruling is issued in the name of God, which is not legally required, before stating that it is issued in the name of the people, which is required. It must not be concluded, however, that there is anything exceptional in the first of these two mentions, quite to the contrary: it is rare nowadays in Egypt for rulings not to start with these words. It would be consequently wrong to ascribe to the judge, on this basis alone, the explicit will to situate his decision within any particular religious register.

The writing of this document manifests an obvious formalism. Under this standardised form, several pieces of information are made available to the intended recipient of the text: the referred institution's identity, the attestation of respect paid to different formal requirements, the running number of the case, and the identity of the accused. Moreover, the attention given to form expresses the professional nature of the person engaged in the act of writing, and thereby contributes to the production of his neutrality: a document that respects the rules of the genre proceeds from someone qualified in this respect and benefits by extension from the qualities generally attributed to this person. This neutrality effect is strengthened by the fact that the judge from whom the document originates places himself in the situation of a third party, between the accused and the Public Prosecution. Also, the precise use of honorific terms shows that the judge in charge of the case does not have the rank of counsellor, something normal for a misdemeanour court, even in the case of exceptional justice (State security – state of emergency). This indication produces, however, an effect of discrepancy between the jurisdiction type (one-judge court) and the volume of the ruling (56 pages written on a PC medium).

Furthermore, the ruling's introduction positions the protagonists of the case in categorical terms from the outset (see above). The statement of identity with regard to the capacity of the court president, the Public Prosecution representative, the court clerk and the accused allows for the projection of a categorization device: that device is made of the "parties to a criminal ruling" with, on the one hand, the victim (i.e. society as represented by the Public Prosecution) and the offenders (the 52 accused), who, together with the witnesses, form the categorization sub-system "parties to the offence;" and, on the other hand, the judge, the Prosecution and the clerk, who form the categorization sub-system "professionals in charge of the procedures resulting in the ruling." This categorization device stresses the double affiliation of the Prosecution, which acts as both the victim's proxy and the judicial apparatus's agent. By categorising the different parties involved in the criminal procedure, it is also possible to introduce, from the beginning, the bundle of rights, duties and typical activities that generally inhere in these categories: the judge must judge, the Prosecution must accuse, the accused must defend themselves, etc. As trivial as it may appear, it is worth emphasising that it is because of the rights, duties and activities typically attached to this or that category that a discrepancy (e.g., the judge accusing, or the accused accusing, or the victim defending) can emerge and is as such open to sanction or repair.

Finally, the introduction has the effect of an announcement: it projects the character of the text it introduces by specifying and calling for the activities (accusing,

defending, proving, etc.) that are intertextually constitutive of it. In that sense, it is fundamental in allowing the text it introduces to be recognizable as a ruling by all the people who might be led to read it. The specific topic with which it is concerned, i.e. the alleged misdemeanour, is introduced in such a way that all the following textual steps appear as relevantly concurring to its judicial assessment.

## Accusation

The judge presents the accusation as being a third party's doing, that of the Public Prosecution in this case.

### **Excerpt 2 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

Considering that the Public Prosecution filed the criminal petition against the abovementioned accused because these people, since the year 1996 and until 11/5/2001, in the district of the police office of Qasr al-Nîl, governorate of Cairo

1: [Concerning] the first and the second accused:

They both abused Islamic religion by propagating (*tarwîj*) and encouraging (*tahbîdh*) extremist thoughts (*afkâr mutatarrafa*) through speech, writing and other means, this insofar as they kept interpreting Koranic verses in a wicked (*fâsid*) way; calumniated revealed religions and one of the prophets; came to [commit] actions contrary to good manners (*âdâb*) while attributing these [actions] to religion; imposed a prayer that was contrary to established prayer; founded a place for prayer to perform it; ranked perverse (*shâhdha*) sexual practices among its rites and the practices [bound] to these ideas and encouraged them among the other accused and other people, in order to denigrate revealed religions, to disdain them and to provoke sedition (*fitna*).

2: All the accused:

They practiced debauchery (*fujûr*) with men in the way indicated in the investigation.

It [viz. the Prosecution] required that they be condemned to [the penalty stipulated in] Article 98/7 of the Penal Code and at Articles 9/3 and 15 of the Law-Decree No.10 of the year 1961 on the repression of prostitution (*da`âra*).

In a thoroughly explicit and intentional manner, the text of the ruling incorporates a series of different voices, contextualized so as to adjust to the ongoing performance and to what is relevant within this framework (Matoesian, 2001: 108). The text is, following Bakhtin's expression, polyphonic; it organizes a kind of dialogue between reporting and reported text. In the accusation, the judge repeats what the Public Prosecution petitioned (and this petition is the object of a specific text incorporated within the case file).

By highlighting the intertextual dimension of the ruling, we can see how the judge can both formulate an accusation and disengage himself from it ("Considering that the Public Prosecution filed the criminal petition against the abovementioned accused"), stipulate a lexical repertoire without making himself its author (Public Prosecution's petition: "The first and the second accused [...] both abused Islamic religion. [...] All the accused [...] practiced debauchery"), announce the membership categorization device (contempt of religion and debauchery) that will be ascribed to the accused (beyond their characterization as accused) while claiming not to have

categorized them already, and present a question in a formally accusatory manner (prosecution vs. defence) while actually prefacing his ulterior alignment on one of the existing positions (duplicating the Prosecution's accusation).

The enunciation of the accusation formulated by the Prosecution also extends the announcement made in the introduction by fixing the document's object and therefore restricting the scope of the relevant interventions within the ruling accomplishment. Together, introduction and accusation constitute a formalized call for reactions and a positioning vis-à-vis the object specified. However, since it is a written exercise, intertextual but not interactional, this announcement must be taken not as the expression of emerging relevancies, but as the reflexive, justificatory and *ex post facto* formulation of the constitutive elements of the ruling as deliberately selected and organized by the judge.

### **Enunciation of the facts and of the investigation conducted by the Prosecution**

The judge continues his description of the case by enunciating the different procedures followed by the police and then the Public Prosecution in order to constitute and investigate it. In so doing, he presents the facts of the case and the modalities of their establishment.

#### **Excerpt 3 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

[The Prosecution] transferred the case to the State Security (emergency) summary court [...], according to the law [...] on the state of emergency [...]

Considering the facts of the petition, upon which the court based its conviction and the veracity of which is not in doubt, regarding what the court deduced from the examination of the documents and the investigations [...] as well as from the evidence that was submitted to it and from what was related to it during the trial sessions: [these facts] lead to what was consigned in the record [...], according to which information came to [the Prosecution] from secret and reliable sources, confirmed by its careful investigations, and such information suffices [to show that the first accused] adopted deviant (*munharifa*) ideas inciting to hold revealed religions in contempt (*izdirâ*) and to call to abject (*radhîla*) practices and to sexual acts contrary to revealed laws. [...] He undertook to propagate these ideas among his acquaintances and those who are bound to him; he incited them to adopt [those ideas]. Such information also shows that he is afflicted with sexual perversion (*musâb bi'l-shudhûdh al-jinsî*) and practices it with people who are bound to him by considering [these practices] as one of its rituals; that he and his company set about organizing licentious celebrations (*hafalât mâjîna*) at the domicile of some of them or on boats, among which the tourist boat "Nârîmân Queen" [...] which many of his sexually perverse acquaintances attended, and this on a weekly basis, every Thursday evening [...] He undertook to film these sexual meetings, to develop the pictures and to print them at a photo shop [...], on the basis of his agreement with some of the studio employees, that is [...]

[Considering that] he set about diffusing some sexual pictures of these meetings as well as his confused (*mushawwasha*) ideas through the global information network Internet [...] Permission was requested to arrest the accused and the other regulars of the tourist boat "Nârîmân Queen".

Considering that, on the basis of the Public Prosecution's authorization [...], the arrest of the first accused was carried out in the manner established in the record [...] and that, during the arrest and the search, the following items were seized: (1) 10 books entitled "God's lieutenant on earth"; (2) numerous photographs showing sexually perverse practices of the

accused with many people as well as the negatives [of these photographs]; (3) numerous Islamic, Christian, and Jewish books; (4) numerous photographs of areas around Cairo, churches, mosques and tourist places and one Cairo Jewish synagogue; (5) commentary papers on Military Unit No. 1057c; (6) one star of David; (7) a collection of hand-annotated documents; (8) a photograph of [His Excellency] the President of the Republic and his wife, (9) personal photographs of the accused in Jerusalem and in the Occupied Territories; (11) numerous photographs of the country's Jewish community and Basâtîn Jewish tombs; (12) the Israeli national anthem, a copy of the book [...]; (13) two maps [...]; (14) two maps of Cairo churches; (15) many maps of Cairo mosques.

When the accused was confronted [...] with what the investigation and information revealed, he admitted that he had embraced certain religious thoughts [...], had founded God's Lieutenancy [...], had used certain religious symbols according to his convictions [...], had undertaken to spread these ideas of which he was convinced among the people who were bound to him, among whom the second accused [...], so that the latter undertook to found a cell [...], had practiced sexual perversion for a long time, and during his education at the German school in Dokki and had kept on practicing homosexuality (*liwât*) with numerous people, had frequented certain hotels, public places and boats which sexually perverse people frequent, had collected numerous photographs of these perverse practices with certain people, had printed and circulated them, had circulated certain messages through the Internet containing his religious thoughts, notwithstanding the exchange of messages carrying sexual perversion.

Considering that, on the date of [...], the second accused was arrested [...] On the date of [...], the accused from [...] shop was arrested;

The remaining accused were arrested in the following way: [...]

Considering that the General Prosecution conducted the investigation. When interrogated, Major (...) answered what is consigned in the report drawn up by (...) and added that the first accused (...) has long engaged in sexual perversion with men and practices it passively (*salban*) [...] He added that he was convinced that the first accused hold the three revealed religions in contempt [...] and that his goal was to provoke sedition and give rise to gossip among citizens until they are won over to sexual perversion and consider it as a normal thing. [...]

When interrogated, (...), officer of the State Security inspectors, declared that he undertook to implement the General Prosecution's authorization to arrest 31 accused on the Nârîmân Queen boat when most of them were dancing in a strange and perverse way, and to arrest the employees of the place [...]

When interrogated, (...) [the officer in charge of the second accused's arrest]

When interrogated, (...) [the owner of the boat, the manager of the boat, the owner of the shop]

When interrogated, the first accused, (...), answered in substance what is consigned in the report dated (...), previously cited in detail, and added (1) that he had accompanied the officer to his domicile in `Ayn al-Sîra et that he gave him the keys of his apartment willingly, just as he gave him his photos, the personal notes, the books and all the things on the list [...]

(2) He had during his sleep a vision of the "Kurdish pageboy" [...]

(3) He practiced sexual perversion passively and actively (*ijâban*) with people, most [of whom he met] in the streets and well known places like Tahrîr square, Ma`mûra Casino and cinemas, that his most important practice dates back to the year 1996 and that his last full (*kâmila*) practice took place in the year 1998. Then, he limited himself to incomplete "soft" practices, the last one [...] being a mere frivolity (*`abath*) [...] He was treating the perversion. His parents knew that. The practice of perversion began when he was a pupil at the Dutch school and intensified when he was at the engineering faculty at Cairo University. He took

pictures of anything that gave him feelings of danger. He began to take pictures of naked boys in sexual positions and began to take pictures of himself with those with whom he practiced sexual perversion. He would attain [orgasm] by looking at these pictures. He has decided to repent since his arrest in this case. The goal of his charity project was to cleanse himself of his sins (*takfîr `an dhunûbihi*) in matters of sexual perversion.

(4) He practiced sexual perversion with three of the people arrested, namely (...)

(5) Confronted with the accused, he recognized the three aforementioned accused.

(6) Confronted with the pictures, he declared that three pictures of (...) belonged to him.

Considering that, after he was presented before the forensic physicians in order to establish whether he had practiced repeatedly and been accustomed to practicing debauchery (*fujûr*) or not, the report based on the medico-legal investigation [conducted] on the accused, (...) concluded that he exhibited no signs of having engaged in homosexuality, formerly or currently. It is well known that an adult man can engage in homosexuality without it leaving any trace, by using lubricants, by being very careful and with the two parties' consent [...]

Interrogated, (...) [second accused + all the other accused]

First, one must stress that this section devoted to enunciation of the facts has an intertextually imbricated nature. Police records and Prosecution records, by reporting the speech of witnesses (police officers, owner and director of the boat, owner of the photo shop), are organized to produce the organized description of the accusation directed against the 52 accused. The narrative scheme is the following: information collected by the police; authorization to arrest and search; arrest and search (list of the compromising items that were seized); police interrogation; other interrogations and searches; General Prosecution's investigation (interrogation of witnesses); General Prosecution's investigation (interrogation of each of the accused and medico-legal report). Through someone else's voice, the judge provides a linear, non-contradictory presentation of the facts and the procedure constituting the facts, the veracity of which he claims to be convinced from the outset. Two properties of this intertextual organization must be highlighted. First, the capacity to import into the ruling the authority of the original document. This authority comes from the fact that this is allegedly a first-hand account of a reality presented as objective (secret though reliable information, probative documents, direct testimonies, accused people's confessions, medico-legal expertise) and reported, at least in part, by public (and therefore by definition not open to challenge) officials. The second property of intertextuality is its capacity to produce coherence from multiple sources. The deeds of many actors, who were mobilised on various legal bases, were interrogated on several accounts and produced different accounts is aligned with the production of a single master document enunciating the authorized version of the facts.

This master document is itself organized around a master narrative<sup>ii</sup> that of the first accused in this instance, while the other narratives follow thanks to an effect of inclusion, whether explicit (the testimony of the first accused implicates someone by name) or implicit (presence on the boat at the time of the roundup, for example, justifies arrest and appearance before the forensic physician, whose report will retrospectively establish whether or not their inclusion was justified). The production of the master document thus provides *ex post facto* coherence to a series of events otherwise partly, if not utterly, devoid of unity. Analysis of this master document's organization reveals the way in which, firstly, two cases that were technically different at the beginning – contempt of religion and debauchery – are merged and integrated in such a way that each reinforces the other. This analysis also shows how,

secondly, retrospective unity can be attributed to facts bound by nothing save their concomitance in time and space. Under the effect of this sort of “impregnation by contiguity,” several people find themselves in the dock, and this effect is produced in the ruling by the presentation of a single structure of causality, organized as a series: (1) someone who is first accused designates some person or place; (2) the said person is arrested or the said place is searched; (3) any person found in this place becomes liable to be arrested, by definition and for the same reasons that justified the initial search and the arrest. Since these reasons do not apply to all the people who were on the boat at the time of the police roundup, it is legitimate to think that the mechanism of impregnation by contiguity functions on the basis of background expectations and spontaneous categorizations made by police officers (for instance: considering his physical appearance and clothing, a given individual presents all the same characteristics as those whose arrest were ordered; he must consequently be included within the roundup). The ruling gives all this a retrospective coherence, the cogency of which is not questioned. It thus turns impregnation by contiguity into a legitimate basis for the presumption of guilt, and thereby transforms the medic-legal examination conducted on that basis alone into a means of confirming or reversing the presumption.

One of the most manifest consequences of this intertextual, linear, homogenous enunciation of facts, organized as a matrix (i.e., around a master narrative), is the judge’s alignment with a factuality established at the plaintiff’s initiative. This holds true when it comes to choosing the categories used to describe the facts (see below). It also holds true at the level of narrative organization. In other words, the ruling is structured in such a way that only the judge can ratify different presentations of the facts, which, although they originate from other authorities, are conceived for his benefit and integrated within a master narrative precisely for this ratifying purpose. The study of this structure shows that the ruling, although its official task is to adjudicate on a legal issue, actually constitutes the formalised justification of a previously taken decision.

At different levels, we noted that the ruling based itself on an authoritative argument exterior to the courtroom. This is the case of evidence that takes its probative character from its organization in categories. For our present purposes, it is sufficient to emphasize the fact that the list of exhibits (the items seized by the police in the domicile of the first accused) clearly shows the selective character of its constitution – why mention the picture of the President and his spouse and not the contents of the wardrobe, for instance? This reflects the tautological nature of the evidence in supplying conclusive proof; a given item is seized because it is considered conclusive and it is considered conclusive because it was seized<sup>iii</sup>. Ultimately, proof becomes conclusive because it was seized in circumstances giving it that authority. Such authority also derives from the fact that the person who seized the item was endowed with the necessary power to act under the circumstances, or even to generate those circumstances (the police officer is entitled to conduct the search and therefore to create the circumstances that endow an item with its status as proof). This is the second type of authoritative argument external to the courtroom on which the ruling is based. The official character of the function not only allows a person to do what he did, it also gives his action a weight that leads to the assumption that it was right and correct. Whoever wants to contest the resulting version of the facts will bear the onus of proving the contrary. Naturally, authority’s function does not proceed from a spell, but from the entwining of a multiplicity of mentions that systematically recall the official nature of the agent’s status, the formal conditions of his performing different actions, his institutional engagement and



individual disengagement, etc. This holds true – and this is a third authoritative argument external to the courtroom – for the expert report produced by the forensic physician. The production of technical formulas, devoid of any emotional dimension and presenting an essentially clinical, descriptive gloss, brings to the fore an impression of objectivity that puts human agency to the background, whether in the decision to criminalize homosexuality or in the decision to condemn only passive homosexuality (as the only allegedly identifiable sort). In other words, through his reliance on the authority of expert reports alleging the objective existence of something, the judge spares himself the task of finding out whether this “thing” can be classified as criminal in the first place.

### **Procedure and pleas**

Following this introduction, the court begins its formal description of the series of sessions held to hear the pleas. Here, we refer directly to the constraining effects of procedure on judicial activity and to the different parties’ prospective-retrospective orientation to the procedural constraint (Dupret, 2005). As mentioned above, the specificity of procedure before State Security jurisdictions is that it brooks no appeal to sentences and requires ratification from the Military Governor (i.e. the President of the Republic)<sup>iv</sup>.

### **Grounds for defence and court argumentation**

After having enumerated the different steps of the trial, the ruling returns to the grounds presented by counsels in defence of their clients.

#### **Excerpt 4 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

Considering that, during the sessions and the pleas, the accused’s representatives presented several defences and formulated several requests. The accused’s representatives claimed:

1- The unconstitutional character of Law No.162 of the year 1958 concerning the state of emergency [...] and the President of the Republic’s Order No.1 of the year 1981 concerning the transfer of certain crimes to State Security courts (emergency); as well as the unconstitutional character of the creation of the State Security Prosecution Office.

2- The unconstitutional character of the text of Article 98/7 of the Penal Code and of Decree-Law No.10 of the year 1961 on the repression of prostitution.

3- The court’s incompetence to examine the petition.

4- The null and void character of the Prosecution’s authorization for arresting and searching since it was delivered on the basis of non-substantive investigations.

5- The null and void character of the confession, since it was obtained under duress (*ikrâh*).

6- The null and void character of forensic medicine’s reports, given that the physician failed to abide by the rules of the profession (*al-usûl al-fanniyya*).

7- The prescription of the criminal petition against the crime of habitual practice of debauchery.

8- The null and void character of the proof established on the basis of an accused's declarations concerning another.

9- The null and void character of proof established on the basis of declarations made by officers of State Security.

10- The null and void character of proof established on the basis of additional investigations regarding the accuracy of the names of some of the accused.

11- The null and void character of the proof established on the basis of the seized booklet because of the lack of any link tying it to the first accused.

In the same way, the defence requested:

- 1- That press reports referring to the case be suspended.
- 2- That the forensic physician be subjected to cross-examination.
- 3- That the accused be transferred before a tripartite commission.

The judge then undertakes to discuss "with perspicacity and discernment" each of the defence's grounds. The answers he gives contribute to the textual production of his professionalism, which Jackson (1988) describes, in semiotic terms, as the "narrativization of pragmatics." His rejection of the grounds invoked by the incriminated parties (through their representatives) is founded on a legal argumentation foregrounding law, case-law and medical expertise, taken as objective criteria, and relegating to the background the judge as a subjective instance of evaluation. In this way, on the issue of confession obtained under duress, the judge can invoke the Court of Cassation and the medico-legal report as external elements objectively justifying his subjective feeling:

**Excerpt 5 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nil)**

Considering that it is established in case-law that it is the right of the court [competent in] substantive issues to divide the proof and, in the case of a confession, to take what it believes in and to leave aside what it excludes [...] (Petition No.12712 of judicial year 64, session of 23/5/1996). [...] The court is strengthened [in its conviction] that the defence's claim, according to which the accused's deposition resulted from constraint, is an unfounded statement that no proof in the documents supports. On the contrary, when the accused were presented before the forensic physician, nothing appeared to indicate the existence of constraint. [The court] is convinced that the accused's depositions establish the truth and nothing but the truth, and that the information thus obtained is reliable and proceeds from their freedom and free will.

The same mechanism works with regard to the validity of medico-legal reports. The Court of Cassation's objective authority is invoked to justify the judge's right to adjudicate according to his subjective conviction, without any necessity of proceeding further with the examination of the defence's arguments. The defence's grounds, according to which the penal action instigated against the accused for practice of debauchery was prescribed, is dismissed in an identical way, as are the grounds concerning the nullity of proof based on the declarations of one accused concerning

another, or on declarations made by State Security officers. Each time, the external authoritative argument grounds the court's subjective interpretation, without the need for any further form of argumentation.

**Excerpt 6 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

This is not contradicted by what the depositions of certain accused establish, according to which they abstained from practicing perversion for a certain time, or for five years, or since the year 1995. The court places no credence in the deposition of certain accused to the effect that they had desisted from the practice of the aforementioned perversion. Therefore, it dismisses these statements; furthermore, the grounds thereof [...], because they are not based on facts or rights, must be rejected.

The way the judge deals with the additional ground concerning the accuracy of the names of some of the accused deserves special attention. The defence invokes an error concerning the identity of the four accused individuals. This is not a marginal argument. The first two accused were arrested on the grounds of contempt for religion, which implied homosexual activities with partners accustomed to attending parties on the boat. These initial arrests motivated the police roundup on the Nârîmân Queen and the arrest of several other accused. Logic, therefore, would require that these arrests be carried out on the basis of the list of people designated by the two first accused as their homosexual partners. If one assumes that the accused were arrested on the boat on the basis of a list established through a preliminary investigation, and if the identity of the accused did not correspond to the identity of those arrested, it seems legitimate to doubt the existence of a preliminary list and to think that, on the contrary, the list was established subsequently to the police roundup. It is true that the text of the ruling does not explicitly mention a list drawn up before the arrests, but neither does it give the reasons for these arrests (as opposed to those that took place outside the boat) and only states "the arrest of 31 accused while they were present on the boat Nârîmân Queen". The sequential analysis of the narrative reveals that the roundup on the boat followed the discovery of a sect practicing debauchery among other things; therefore, it is only as individuals mentioned on the list of this sect's members that the Prosecution's narrative, taken up by the judge, can justify the accused's arrest. In other words, the close examination of this issue of identity makes it possible to show that the whole case is the product of the police's amalgamation of two different files: the constitution of a religious sect, on the one hand, and the repression of prostitution, on the other. Obviously, the effect of this amalgamation is to cause each file to take its importance and credibility from the other. However, the ruling, in its treatment of the issue of names, contents itself with enunciating the existence of a discrepancy between actual names and "inaccurate names, which they assumed during their practice of sexually perverse acts for fear of being exposed to scandal (*hashyatan iftidâh amrihim*)". The judge simply makes the rectification and dismisses the defence's grounds, which, by indicating this type of error, sought to invalidate the whole procedure.

Finally, the judge dismisses the three petitions formulated by the defence requiring that press coverage of the case be prohibited, that the forensic physician be

subjected to cross-examination, and that the accused undergo another medico-legal examination by a tripartite commission. The dismissal follows the same pattern: i.e. the reiteration of general legal principles and their application to the facts of the case at hand with no other motivation than the court's conviction. Generally speaking, then, the judge's argumentation is organized in such a way as to give his subjectivity (i.e. what he is convinced of) a very broad scope, allowing him to dismiss all the defence's grounds and requests by bringing the objective authority of the law and the Court of Cassation's case-law to the foreground, while underplaying the relevance of the said law and case-law to the facts of the case submitted to his scrutiny.

### Crimes and their constitutive elements

As we know, the ruling concerns two crimes: contempt of religion and habitual practice of debauchery. At this stage, the judge initiates the study of each of these two crimes' constitutive elements. Jurisprudence and Court of Cassation case-law have formally identified the legal element (a text of the law), the material element (the facts of the case) and the moral element (criminal intention) as the crime's constitutive elements (Dupret, 2006). For our present purposes, we shall limit the analysis to debauchery.

Legal doctrine classically considers that the task of the judge is to apply legal provisions to facts: after he has established the facts of the case, the judge identifies the law that is applicable; then, in a third stage, he applies that provision to the facts. Through the emphasis it places on claiming to respect these three steps, the ruling in the present case clearly produces a self-ratifying effect. In other words, the writing process appears here as the ultimate means of ratification, not only of the reasoning followed in the case under scrutiny, but also of the authority conducting the procedure. Moreover, the legalistic formalism of the ruling is especially remarkable if one bears in mind the level of jurisdiction cited in the introduction (a one-judge misdemeanour court). It clearly reflects the importance of this precise case: first, clearly, because of the sheer number of defendants; secondly, because of the nature of the accusation (contempt of religion and homosexuality); and, lastly, because of the publicity the case received outside its judicial setting. In that sense, legalistic formalism is the judge's public response to the attention of which he knows he is the object.

The legal element of the crime of habitual practice of debauchery (*jarîmat al-î'tiyâd `alâ mumârasat al-fujûr*) is constituted by Article 9 of Law No.10 of 1961 on the repression of prostitution (*di`âra*),<sup>v</sup> which stipulates that a sentence of "imprisonment for a period of no less than three months and no more than three years, and payment of a fine of no less than five [Egyptian] pounds and no more than 10, or either of these two penalties, applies to (a) any person who hires or offers in any possible way a house or other place that abets debauchery or prostitution [...]; (b) any person who owns or manages furnished housing or a furnished room or a place open to the public that facilitates the practice of debauchery or prostitution [...]; (c) any person who habitually practices debauchery or prostitution. When the person is arrested in this last situation, it is permitted to submit him or her to a medical examination and, if it appears that he or she suffers from an ordinary venereal disease, to confine him or her in a medical institution until his or her recovery. [...]" The material element of the crime is constituted, under the terms of the ruling, by "a man undertak[ing] to practice debauchery with another man". Concerning the moral element of the crime, the judge considers that it is constituted by the fact that "the guilty person committed debauchery, while he knew the absence of the legal bound [i.e., in the knowledge of

its illegality], indiscriminately (*dûna tamyîz*) and with no consideration for financial compensation (*ujr*). With regard to the notion of habitual practice, the judge adds that it occurs when debauchery is committed more than once.

One is justified in wondering how the moral element can be derived from knowledge of the action's illegal character. It is important to note that criminal intent can only be established by situating legality in the realm of normality and common sense. Indeed, it is hardly possible to assume that the defendants knew the interpretation given by the Court of Cassation, in an unpublished ruling, to legislative provisions devoid of an explicit formulation (Egyptian law contains no text formally condemning homosexuality). It is in fact for this reason that the judge attempts to demonstrate that the 1961 law is applicable to homosexuality. To this end, he refers to a report presented by the Senate (*majlis al-shuyûkh*) in 1951 to document a draft law on the repression of prostitution.

**Excerpt 7 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

The crime designated in [this text] is only committed by fornicating (*mubâsharat al-fahshâ*) with people indiscriminately and habitually, whether [the prostitute in question is] male or female. Once a [woman] has fornicated and sold her virtue indiscriminately to whomever asks for it, we are in the presence of *di`âra* [...]; on the other hand, the term *fujûr* applies to a man who sells his virtue to other men indiscriminately.

The judge then cites a 1988 ruling of the Court of cassation that confirms this definition: "Jurisprudential custom has used the word *di`âra* to [designate] female prostitution (*baghâ' al-unthâ*) and the word '*fujûr*' to [designate] male prostitution (*baghâ' al-raju*)."

The ruling therefore legally demonstrates that prostitution in general, and male prostitution in particular, is condemned in Egyptian law. Moreover, it shows that repeated sexual relationships are assimilated to prostitution (which is explicitly not defined by the existence of a financial transaction), insofar as they occur indiscriminately. On the other hand, it does not specify the criteria on which the notions of repetition and lack of discrimination are based. Indeed, if this absence of criteria is related to the fact that many accused are only condemned on the basis of a subsequent medico-legal report, the text of the ruling indicates that it constitutes the one-off, ad hoc construction of an argument that has a legal shape of sorts but is devoid, at least in part, of any legal basis.

**The application of law to facts**

After having enunciated the facts and stipulated the letter of the law, the judge has only to draw the formal conclusion of his syllogism.

**Excerpt 8 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

Considering that the General Prosecution has accused all the accused of habitual practice of debauchery/prostitution (*fujûr*). After having scrutinized the documents, the

forensic physician's reports, the photographs and what occurred during the sessions, the court is convinced that the accused [...] have committed the crime of habitual practice of debauchery/prostitution, on the ground of: [...]

Clearly, the use of this logical form allows the ruling to be presented as the necessary conclusion of an objective situation that did not need to be interpreted but simply to be exposed. In this formally ineluctable way, the judge then undertakes the detailed application of criminal law to the defendants, who are organized in different categories.

**Excerpt 9 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

(1) As for the first accused, the 34<sup>th</sup>, the 35<sup>th</sup>, the 36<sup>th</sup> and the 37<sup>th</sup>, because their explicit statements, given during the Prosecution's aforementioned investigation, reveal that they have committed the crime of which they are accused, beside the first accused's statement on the fact that he practiced sexual perversion with the 36<sup>th</sup> accused and the statement of both of them on the fact that they have obscene (*fâdiha*) photographs.

(2) As for the third accused, the 4<sup>th</sup> and the 40<sup>th</sup>, besides their explicit statements during the General Prosecution's aforementioned investigation, the medico-legal report concludes that each of them irrefutably showed signs of repeated homosexual activity by the rear.

That the aforementioned accused, during the trial sessions, denied for what they were accused of does not change anything, insofar as the court is convinced of what appears in their statements, made during the General Prosecution's investigation [...]

(3) As for the 47<sup>th</sup> accused, the first accused testified against him during the investigation [by claiming] that he works as a masseur in [...] gymnasium. [...] (He began by massaging his body normally and after [the first accused] said that he did sexual things with many people, girls and boys, in the gymnasium and that those who had experienced [it] kept on wanting it. He asked him whether he wanted it or not and he replied: "Do whatever is good," and [the masseur] did so with his hand on surface, approximately one month ago). The [masseur] also established that the first accused presented himself at the gymnasium and accomplished only one session. He denied the allegations against him.

(4) As for the 49<sup>th</sup> accused, the first accused testified against him [by claiming] that he practiced sexual perversion with him, that he had three photographs with him, and that he had penetrated him by the rear. The accused himself also established that he had 12 obscene photographs among the photos [that were] seized. Eight of them [show] him naked and four [show him] practicing sexual perversion with another person.

The fact that the aforementioned accused, during the trial sessions, denied the allegations against them does not change anything, since the court is convinced [...]

(5) As for the 4<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup>, 41<sup>st</sup>, and 42<sup>nd</sup> accused, the medico-legal reports concluded irrefutably that each of them showed signs of repeated homosexual usage by the rear. This is what [the court] is convinced of and it carries the authority of complete evidence sustaining what appears from the investigation, by considering it as a consolidation of incomplete evidence.

Insofar as the court is convinced of the establishment of the fact that the accused [...] committed the crime of habitual debauchery/prostitution, it finds it necessary to condemn them to the [penalties stipulated by] articles 9c and 15 of Law No. 10 of the year 1961 regarding the practice of prostitution for the reason that they habitually practiced debauchery/prostitution in the aforementioned manner.

This enunciation of the reasons leading the court to condemn some of the accused corroborates our previous analysis of the document: that the ruling, although it organizes the penalty for debauchery/prostitution in formal legal terms, in fact results in the (legally unfounded) punishment of homosexuality as such. It is henceforth in an *ad hoc* manner that each of the accused was dealt with, according to any element tending to prove his homosexual inclination and not through the systematic collection of the elements that constitute what Egyptian law condemns under the title of debauchery/prostitution (i.e. repeated and indiscriminate sexual activity). In other words, the characterization of the facts for which the accused are blamed represents the conclusion of a syllogism whose invoked major (the law repressing debauchery) does not correspond to its underlying major (the condemnation of homosexuality) and whose minor (the facts of which the defendants are accused) refers to the underlying major while resulting in a conclusion referring to the invoked major. This is confirmed by the fact that the court clears all those for whom there is no evidence of homosexual practice (but not those for whom there is no evidence of debauchery/prostitution).

**Excerpt 10 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

Considering that, as for the rest of the accused [...], the court examined the documents with shrewdness and proper judgment and looked into the circumstances with the evidence [available]; it appeared that there is insufficient evidence to justify a ruling condemning the accused. The accused defended themselves by denying, at all the steps of the procedure, for the allegations against them. Nobody testified to committing the practices of which they were accused, and none of them was caught red-handed. As a result, [the court finds it] necessary to [issue] a ruling clearing them of the allegations against them [...]. What appears in detail from the aforementioned investigation does not change anything since the investigation, [the veracity] of which the court is convinced, does not stand alone as long as it is a simple presumption and does not constitute evidence. Criminal rulings that condemn must be grounded on evidence and not only on presumption, a fact established by the Court of Cassation [...]

Considering that the court indicates that, with regard to the accused whom it condemned, it stipulated the penalty that it estimated as corresponding to each of them according to the circumstances and the conditions of the request it examined, in the limits established by the law when it exists and according to what appears from the Court of Cassation's case-law [...]

In sum, the ruling discloses that the judge, in order to condemn homosexuality without speaking its name, made use of the law repressing debauchery/prostitution and that, in order to establish the latter, he took into consideration all the tokens tending to establish the former, while foregrounding his legalistic care for the identification of the penal-law text. The facts were characterized on the basis of that text, while condemnation of criminal behavior was made conditional upon the production of material evidence.

**Sentence**

At the end of this highly structured journey, the sentence is formulated as the necessary and unsurprising outcome of a reasoning that suggested its own

conclusion from the outset. In this regard, one must recall the retrospective nature of such a written document: although it is presented as a demonstration progressively unfolding before the reader's eyes, this text is actually the formalized justification of a previously taken decision. This part of the ruling is concise and precise, in the sense that a hasty reader (or the audience hearing the verdict before the publication of its conclusions) can quickly find the main point: the formulation of an acquittal or a condemnation and, eventually, its term and/or amount. Contrary to what the written organization of the ruling might lead us to assume, the sentence generally constitutes the starting point of the reading. What comes before it has little chance of ever being read by laypeople. On the other hand, this is precisely where professionals will find the data on which to base their work (and especially the basis for an appeal). Thus, whereas the analytical reading of the ruling spoils the suspense of the sentence, the usual practice makes this sentence the impatiently awaited element<sup>vi</sup>. It reads:

**Excerpt 11 (Summary court of misdemeanours (state of emergency), Case No 182 of the year 2001, Qasr al-Nîl)**

For these reasons

The Court of Misdemeanours / State Security (Emergency) rules:

1<sup>o</sup>) That the first accused serve [...] [a prison sentence] of five years, with labour, effective immediately, for the two accusations simultaneously; and that he be placed under police control for a term of three years, beginning upon the date of the end of the prison sentence and the expenses.

2<sup>o</sup>) That the second accused [...] [serve a term] of three years with hard labour, effective immediately, and expenses, for the crime sanctioned by Art.98/7 of the Penal Code; and that he be cleared of the second crime sanctioned by Articles 9c and 15 of Law No 10 of the year 1961 regarding the repression of prostitution.

3<sup>o</sup>) That the [3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 34<sup>th</sup>, 35<sup>th</sup>, 36<sup>th</sup>, 37<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 49<sup>th</sup> accused] [serve a prison term] of two years with hard labour, effective immediately; and that they be placed on parole for a term equivalent to the stipulated penalty, beginning upon the date of the end of the prison sentence and expenses.

4<sup>o</sup>) That the 47<sup>th</sup> accused [...] [serve a term] of one year with hard labour, effective immediately; and that he be placed under police control for a term equivalent to the stipulated penalty, beginning at the end of the prison sentence, and expenses.

5<sup>o</sup>) That the items seized be confiscated.

6<sup>o</sup>) That the [9<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, 31<sup>st</sup>, 32<sup>nd</sup>, 33<sup>rd</sup>, 43<sup>rd</sup>, 44<sup>th</sup>, 45<sup>th</sup>, 46<sup>th</sup>, 48<sup>th</sup>, 50<sup>th</sup>, 51<sup>st</sup>, 52<sup>nd</sup> accused] be acquitted of the allegations against them.

The clerk

The court's president

**Conclusion: The Ruling as Instructed Reading**

A court ruling resembles an instructed reading of the case at hand: it tells the reader how people, procedures and facts must be understood properly, and directs the reading to what must be taken as relevant, while leaving aside alternative



readings of the case, its circumstances, its social and moral framework, and the law that can be applied to it.

Indeed, all texts provide their reader with some kind of instructed reading. As Livingston (1995: 15) puts it, "a text provides an 'account' of its own reading; the text is a 'reading account,' a story about how its own reading should be done." Reading in action unfolds within, and as, the transparency, ambiguity, intelligibility, grammatical sense and non-sense of the text. As reading progresses, it finds the practical clues to proceed further in the direction in which it made its first steps. Reading is an ongoing accomplishment that leans on underlying competences, but not an *a priori* knowledge. It continuously accomplishes itself through the relationship between the text and the reading of the text.

A competent reader will have no difficulty identifying the genre to which this text belongs (i.e., court rulings) and what makes it different from other texts (e.g., literary, pedagogical, comic). The distinction it makes proceeds from the Gestalt texture of the reading work. Indeed, every text provides the reader with the semantic elements of its understanding, but also with contextual clues about its genre and therefore the reading that can be made of it (Livingston, 1995: 13-15). Children's literature often multiplies contextual clues and does not seek to avoid redundancies; it overdetermines the way that the story should be read. Technical texts multiply contextual clues but seek to avoid redundancies; they are adequate to their reading. Poetic texts, while multiplying clues, may seek to fragment them, to obscure their relationships; they underdetermine their reading. "The interrelatedness of these clues does not lie in the text, but in the activity of reading that uncovers them." (Livingston, 1995: 14) Court rulings multiply contextual clues, which are related to the production of procedural correctness and legal relevance (Dupret, 2006); they offer the reader a legally over-determined reading of the case. In other words, adjudication consists of issuing a compelling, instructed reading of facts as submitted to the judge's review. Such a text instructs the reader about how to read the facts of the case at hand. At the same time, this text displays its structure and grammar in a more or less transparent way. It provides the means of describing its own organization and production.

The ruling as instructed reading is only one of several possible readings of the case at hand. The analyst is not necessarily the accomplice of that particular account. On the contrary, it seems perfectly reasonable to consider that "given a text *T*, its analysis and a description of background commitment(s) *B*, position *P* can be found as generatable by *T* in its interaction with *B*, where *B* may very well be defensible, conventional knowledge (or indefensible, conventional ignorance) of a particular sort, or where *P* may well be indefensible (or defensible) from other points of view" (Jalbert, 1999: 37). What makes the specificity of the particular reading embodied in the ruling is its endowment with an authority that does not depend on the pervasiveness of its argumentation, but mainly on the locus of its production.

When looking at legal texts, we always miss the context of their production. Legal documents are written for legal purposes and, therefore, tend to hide the conditions of their own constitution. In other words, legal documents are polished versions that occult the performance that led to their production. From an action to an account of that action, from a verbal exchange to a written narrative, from a record to a report and from a report to a ruling, a huge transformation is achieved, creating a gap between what occurred, what is recorded, and what is made into law. Like any text of the legal genre, the ruling issued in the Queen Boat case displays a structure that offers the reader the means for its instructed understanding. It is sequentially and categorically organized in a way that smoothly proceeds from the facts

presented before the judge to the sentence as the logical outcome of the syllogistic application of law. It offers a polished version of the work carried out by the judge, who struggled with conflicting factual narratives and slippery legal provisions and definitions. Detailed analysis, however, can retrieve structural, sequential, grammatical and categorical practical usages that presided over the judge's writing, its retrospective and prospective dimensions, its dialogical constitution, its contested nature and the ways in which some of these narratives became dominant. It can show how mundane events are transformed into legal facts, how evasive terms evolve into compelling statutory provisions, how ordinary characters become parties to a case, and, in this specific case, how commonsense morality acquired the status of law.

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## Endnotes

- i We must point to the specific problem arising from translated data. One aspect of the difficulty is that any translation would have us run the risk of losing the original words used by the judge, whereas sticking to the original text often results in awkward turns of phrase. We tried to find a balanced solution, considering the tremendous importance of categorization devices in such a praxiological study of adjudication. Note also that dots between round brackets correspond to the omission of names for the sake of privacy, while words between square brackets correspond to words inserted by the translator for the sake of clarity and dots between square brackets to fragments omitted for the sake of conciseness.
- ii On this notion of a master narrative, cf. Lynch & Bogen, 1995: "a master narrative is the plain and practical version (or limited range of versions) that is rapidly and progressively disseminated throughout a relevant community" (p. 71). The two authors show how facts and legal truth are intertwined with the methods of their narrative assembly: "Factual information (e.g. documents and other archival materials, oral histories, firsthand testimonies, etc.) is collected and assembled categorically, with an eye to its inclusion (or exclusion) within a developing narrative." (p. 76)
- iii Lists are associations of items that "seem to have 'something to tie them together', some organizational principle that can accountably be seen as having informed the selection of the different items for *this* list." (Jayyusi, 1984: 75) Lists can be organized around internal principles (family resemblance, common denominator, normative tolerance) or external principles (instrumental or task-related list). The list of evidence collected by the police is organized around an internal principle: the features of all these items make them indicative of the criminal nature of the accused's activities. However, it seems that this list is also organized around an external principle, although in a manner that remains discreet since it cannot be avowed: the list associates different items related to the task of accusing and convicting the accused. In that sense, this specific list functions in a circular way, the internal principle being that the items share a family resemblance by virtue of their blame-implicative potential, and this potential is linked to the external principle by virtue of the task (i.e. conviction) that must be accomplished.

- iv Incidentally, the ruling concerning the persons only accused of practice of debauchery, to the exception of contempt of religion, was overruled in May 2002 by the Military Governor (i.e. the President of the Republic), who transferred the whole case to an ordinary court. This court, in its ruling of 15 March 2003, condemned the accused to more severe sentences than those issued by the State Security court. However, in its ruling of 4 June 2003, the Appellate Criminal Court reduced the sentence concerning the accused who appeared before it to a term equal to the time they already spent in prison, which theoretically made it possible to release them.
- v In Arabic, the word *di`âra* also refers to the notion of debauchery. However, it seems that in the case of this law, it directly targeted prostitution, even though the law gives no definition of the terms.
- vi The ruling condemning people on the ground of alleged debauchery, with the exception of those who were condemned because of their supposed contempt for religion, was overruled in May 2002 by the military governor (i.e., the President of the Republic), who referred the case before an ordinary jurisdiction. This court issued a ruling in March 2003 that condemned the accused to even more severe sentences. However, in a ruling issued in June 2003, an appellate court reduced the sentences of those who appeared before it to a term equivalent to the time they already spent in prison (which meant that they were theoretically released).

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Alexander Kozin

Freie Universitat Berlin, Germany

### The Body Artist. An Experience of the Sur-Real in the Context of the Embodied and Aesthetic Abnormality

#### **Abstract**

In this essay I explore a possibility of experiential synthesis of an abnormal body of a Contergan person with an aesthetic image of the visual body. For a method, the essay uses phenomenology; I therefore lean in on the studies of embodiment conducted by Edmund Husserl and Maurice Merleau-Ponty. In turn, Max Ernst introduces an aesthetic modality of the artistic body. A personal narrative about meeting sur-real bodies serves as a frame for theorizing abnormality. The study reveals how the encounter with the abnormal ways of constitution suspends normality toward producing sur-real effects.

#### **Keywords**

body; abnormality; phenomenology; surrealism

#### **Introduction**

In this essay I investigate the possibility of approaching the abnormal body as an experiential manifold. Specifically, I argue that under certain conditions, such as an aesthetic encounter, the experience of the embodied abnormality is given as a syncretism of several modes of givenness which produce a multilayered engagement with the sphere other than real. For a phenomenological grounding of abnormality, I call on Edmund Husserl. Maurice Merleau-Ponty enriches the Husserlian insights with his phenomenology of intercorporeality. Dialogically positioned, Husserl and Merleau-Ponty help us understand how the abnormal other could be revealed

beyond either representational aestheta or body-in-empathy to appear as an estranged but productive fusion of art and body in the sphere of its own, the surreal. I thematize the surreal with Max Ernst. The phenomenologically motivated argument opens with a personal experience of the abnormal body and its aesthetic context, which serves as the guiding clue for the subsequent analysis.

The encounter occurred in the Kunsthalle in Düsseldorf at the "Surrealismus" Art Exhibit in August of 2005. The actual meeting took place in the Max Ernst section of the exhibit. It is there that I saw a person whose appearance broke any and every anticipation of an embodied human being. The person "stood" next to Ernst's painting "The Teetering Woman". The person's face, haircut, and clothes indicated the female gender. I could guess her age as being about forty years old. Sunk deeply into the electrical chair, the woman was holding an audio-guide in her toes, bending toward it for better hearing. She had no arms and used her naked feet to adjust her child-like body to change the field of vision. Judging by the apparent ease with which she moved herself in the chair and, simultaneously, moved the chair, her comportment was unreflectively habitual to her; no noticeable disjunction of motility could be detected. After the guided message ended, the woman put the recorder in her lap, and, with the help of her feet, pulled herself up. Then, the short stub of her right shoulder touched the control lever and rolled the chair to the next painting. As she moved further away, I heard someone behind me whisper, "Contergan." I inquired. The results of that inquiry were various medical, social, and psychological consequences of the condition known as Contergan. Briefly, Contergan is a specific condition caused by the drug "Contergan" that contains the active substance Thalidomid (see Figure1).



Figure 1. Contergan Hypnotikum

Thalidomid was isolated in 1956 by German chemist Heinrich Mueckler and commercialized the same year by the German pharmaceutical giant Gruenthal AG as Contergan, a tranquilizer and sleeping aid. Owing to its presumed safety and effectiveness, the drug became especially popular with pregnant women. However, having been inadequately tested, Contergan proved to be faulty, causing severe side-effects. In its fetus affective capacity, Contergan seems to be potent only during the first trimester. Between 1958 and 1961, about ten thousand deformed children were born to the drug using pregnant mothers, mostly in Germany but also in the Netherlands, Denmark, and Sweden. All the drug-induced deformities concern upper and lower extremities, spinal column, and knee joints, resulting in the condition commonly known as dwarfism (see Figure 2).



Figure 2. Contergan Baby

Mental capacities of the Contergan patients remained largely unaffected. There had been very few post-natal degenerative effects as well. Except for the treatment of the spinal cord in most severe cases, no inpatient medical aid had been required for the Contergan population, only general, albeit involved, home care.<sup>i</sup> Those medical specialists who came to research Contergan and its effects in the wake of this social drama noticed that the abnormality of the Contergan people did not connote debilitation but has a productive, generative facet; it turned out that they are extremely adaptable to their environment, treating with extraordinary ease those technological implements that had been abundantly designed to assist them.<sup>ii</sup> By the same token, the Contergan people exhibited unusually strong artistic inclinations, often tending to extreme forms of abstraction. In the next section, I would like to reflect on the experience of meeting the Contergan person, for it is the lingering unease of that experience that alerted me to its complexity and, at the same time, significance. I begin with the general considerations as they refer to the abnormal body. On the basis of those, I argue for the relationship between aesthetics and corporeality, and, more specifically, between art in extremis and the abnormal body. I end by locating both in the surreal sphere.

### **Embodied Abnormality**

From the perspective of the normal body, a Contergan body is abnormal and therefore disabled. The mundane attitude allows for a range of acceptable forms of abnormalities, some of which are symbolically socialized into familiar types. That is how a person in the wheelchair or a person with a cane, or an armless person would have been experienced. Often, these types of abnormal bodies are given with their corresponding contexts that immediately connect us inferentially to the cause of their abnormality, be it a tragic accident, or natural disaster, or simply and, most inconspicuously, age. This type of knowledge was referred to by Alfred Schutz (1970) as *We-relationship*; "it is mediate and descriptive," that is identificatory (Schutz, *ibidem*: 223). Yet, with the artistic exhibit forming the aesthetic horizon for my perception, other factors notwithstanding, the experience of the Contergan person's dysfunctional abnormality arrived defamiliarized by other concurrent experiences. These other experiences prevented me from both simply stating the fact of abnormality but also connecting the abnormal body to the lived body of mine in an act of empathetic congruence. It did manage, however, to awaken the sense of wonder, the very awe that arises from encountering something, someone so odd that no available pre-formed measure is capable of giving the encounter any sensible explanation.

The Contergan body was out-worldly. It belonged to a place of which I had no conception, could never visit, never apprehend. This inaccessible homefulness of the other prevented me from assuming a superior position of the normal person, cut short a build-up of empathy, but also precluded blunt objectivization.<sup>iii</sup> The Contergan woman was wondrous. She was surreal. There was extreme art about her body. The extreme edge of this art made her gender-less, as if she managed to avoid the very powers of subjection that rise to “secure and maintain and put into place a subject as a particularly gendered body” (Butler, 1993: 34). Yet, importantly, her abnormality did not come with or at a distance but pulled myself to itself, as only utter vulnerability could pull. At the same time, this surge of responsibility was frustrated at the very moment of recognizing the other body, for the Contergan person was absolutely inaccessible to me, and so the call could find no outlet in an empathetic connection. The absolute and uplifted strangeness of the Contergan person compromised the horizontal reach of empathy, preventing me from taking empathy for the foundational structure of apprehending “the sick, diseased, and other abnormal subjects” as liminal subjects, that is, on the threshold of ethics and aesthetics.<sup>iv</sup> More was demanded of me. But, given the limitations of my own flesh, I could neither abandon my own embodied being, nor en flesh the other body by mine, for as Husserl intimated, my animate organism “holds me wholly”.<sup>v</sup> And so, amidst all this experiential complexity, if not confusion, I must begin my analysis at the point of the greatest inflection, by asking, *How can abnormality of the body can be available to us most generally?*

One can proceed answering these questions in a variety of philosophical tonalities: with Kant and the horrific sublime, thus emphasizing the transition from the speculative and manifest (passive) comprehension of monstrosity to the practical moral action as in rejecting the abnormal on the grounds of its abnormality; with Lacan and the drive to transform traumatic experiences into aesthetic manifestations; or with Kristeva and the subconscious abject that passes over any comprehension, a true mania of the ungatherable other.<sup>vi</sup> Each of these tonalities is worth exploring in itself; yet, none of these perspectives echoes the straightforward simplicity of the experienced awe. My experience was bereft of the other as some sublimated evil monstrosity, a disgusting creature of my nocturnal life; on the other hand, no call of the other moved me to an ethical response to the strangeness of the encounter.<sup>vii</sup> To me, the Contergan appeared as neither threatening, nor repulsive, nor objectionable. As I have already stated, she appeared wondrous. At the same time, having come from the other side of manifestation, wonder did not linger: after my awe receded, what remained in its most immediate appearance was abnormality itself. This prompts me to set my investigation in the traditional phenomenological register, with Merleau-Ponty’s analysis of the abnormal perception. Importantly, for Merleau-Ponty, the ownership of the abnormal perception is reversible; this conviction gives the analyst an opportunity to touch upon a wholly otherwise experience.<sup>viii</sup>

In his “Phenomenology of Perception”, Merleau-Ponty demonstrated that normally we constitute the world synesthetically, by and through gratuitous acts of self-centered intentionality. In other words, we rely on a unity of senses that, inseparably from each other, form a whole for our encounter with the whole of the external world, an alterity. Taken as a stage for apprehending this world, normality presents abnormality as a break in the unity of the sensorial input, in general, but more importantly, between the abstract and the concrete apprehensions. In introducing the distinction between the abstract and the concrete, Merleau-Ponty alters the Husserlian distinction between the active and the passive way of perceiving. Merleau-Ponty prefers the distinction between the abstract/reflective and



the concrete/unreflective. The distinction is grounded in the function of the perceived background. Merleau-Ponty (1962) writes, "The abstract movement carves out within that plenum of the world in which concrete movement took place a zone of reflection and subjectivity; it superimposes upon a physical space a virtual or human space" (Merleau-Ponty, *ibidem*: 111).

In other words, the normal modality possibilizes abstract movements through projection, filling the open space with what does not naturally exist by making it take semblance of existence. The fillings are words, gestures, and motions, all that which signify a human being capable of connecting to the world beyond its actual presence.<sup>ix</sup> From this perspective, the abnormal body appears to be ill-disposed of projecting meaning on what Merleau-Ponty calls "free" space; it dislocates, mangles this space. Using his favorite example for ab-normal perception, Mr. Schneider, Merleau-Ponty (1962) elaborates, "Schneider's abstract movements lost their melodic flow. Placed next to each other, like fragments, end to end, they often run off the rails on the way" (Merleau-Ponty, *ibidem*: 116). In other words, in the abnormal perception, the immediate synthesis is replaced by the interrupted stop-and-go activity predicated on the linear relationship between various senses. The abnormal perception is no longer at ease with the once familiar world; it constantly battles against its own failing memory.

From this account, I can interpret my experience of the Contergan's body as a rupture in the constitution of her free space. However, if I attend to her body as an origin of this rupture, I will inevitably fall into the mundane mode of appropriating the abnormal other vis-à-vis my normal constitutive self. In that regard, I will be taking the Contergan person as an assimilable aberration, a human freak performing the spectacle of abnormality for my voyeuristic gaze. I will be able of understanding her presence as an exemption from the normal world, its expectations and anticipations. Or, from a similar perspective, I can perceive her body as a disabled sick body, a reminder of human frailty and mortality. However, as I pointed out earlier, the Contergan body's abnormality did not indicate either a social deviance or a medical dysfunction. To me, she was simply, or as the following analysis intends to demonstrate, not so simply, wondrous: odd and, at the same time, inassimilable.

*What does this mean, inassimilable odd? What recourse does this definition have to our mundane experience?* In order to answer these questions we need to shift our focus, for Merleau-Ponty's medicalization of ab-normality clearly requires a modification. Based solely on the Schneider's case, Merleau-Ponty's descriptions posit the abnormal as an actual breach of normality (Schneider was a war veteran whose specific perception of the world resulted from a wound in the head). In contrast, the Contergan person's abnormality is an inborn condition, something that precludes the self or other comparative analysis. Simultaneously, we need to switch from the abnormal perception to the perception of the abnormal, as its only trough my perception of the Contergan woman that I came to know her. Although mutually implicated, abnormality as the perceived and the perceiving abnormality do not coincide already because I cannot possibly access the other's abnormal perception. It will be counter to the phenomenological explication not only to suggest that I can assume the other's experience, but also that I can perceive them in the same way as myself. I can typify my experience as to the other, but never access it, not even partially. This requisite becomes prohibitive in the case of the Contergan's body, whose radically different experiences I cannot even surmise.

## The Alien Abnormality: Toward the Body Art

Since Merleau-Ponty's notion of abnormality stems from Husserl's analysis of the aesthetic body, we might benefit from visiting "Ideas II", where Husserl addresses both the issue of the body and its ways of constituting the world and the other.<sup>x</sup> In contrast to Merleau-Ponty, in his analysis, Husserl situates abnormality within the normal experience. Although his notion of abnormality is devoid of the radical breaks in the perception of the world, his formulaic might be beneficial to our purposes. Its thrust is as follows: when an unfamiliar experience arises from its own anomaly, the body overcomes the anomalous by normalizing it, making it an optimality, even if temporarily. When the world challenges the body's normal way of proceeding with its Being-in-the-world, the body engages the same mode; it will seek to familiarize foreign experiences by making them optimal for the future encounter with them. As a result, Husserl's analysis shows that the structure of normality presupposes the encounter with the abnormal as an everyday occurrence.

In line with this reasoning, Husserl distinguishes between assimilable and inassimilable experiences. Assimilable abnormality is what can and becomes optimal for our perception. For example, a crutch creates optimality within the body's abnormal motions. In comparison, the experiences impossible to incorporate are called "alien." Such experiences include animal experiences (unattainable by definition), madness (an experience that cannot reflect on itself), childhood experiences (these become lost in the secondary repetitiveness of adulthood), and the experience of the cultural Alien. The animal case aside, only the cultural Alien falls into the category of the genuine alien, the alien that is given in the paradoxical mode of accessibility in the mode of original inaccessibility, according to Husserl. It is the intergenerational historical mode of constitution that makes the cultural Alien completely inaccessible. The Contergan body stands as the alien for two reasons: because, although accessible as a body, it is inaccessible in its very abnormality and because its specific abnormality is a group abnormality. Unlike the sick body getting better, that is granting access to itself through association or empathy, the alien body throws a radical challenge to the intersubjectively normal ways of constitution by constituting itself in and through a history of its own unique species.<sup>xi</sup>

At this point, I would like to offer a more detailed description of the Contergan body as belonging to a species of its own. Since the normal body is given as a spatially situated body but also a body moving itself and reaching outside of itself, I will focus only on three aspects of the Contergan abnormal motility: bodily spatial orientation, distance motions, and body proxemics. The three aspects are intricately interconnected and, most clearly seem to depend on the function of the upper and lower extremities. The upper extremities travel the body in space, constituting it at large and in relation to other moving objects and persons; the lower extremities, on the other hand, make the body at home in a place of its own, manipulating the most immediate environment and creating a reachable and graspable habitat.

Roughly, we might draw the distinction between the movement that intends to cover distance and the movement that "fixes" what has been attained by these other movements. The first kind deals with the constitution of space, the latter constitutes a place for the body to rest. In rest, the body may lie, or stand, or sit, or cuddle, or lean, or hang, or be in a number of statically justifiable positions. In motion, the body is directed toward something by moving itself or by moving what is about and around it. The normal body's reach is not unlike the one depicted in Leonardo da Vinci's famous drawings of the body and its proportions (see Figure 3). This is the normal body able to create a tree of projections and actions around it. Next to the painting of

Leonardo's human body is a photograph of a Contergan person (see Figure 4). The person is visibly deformed. His arms are cut at the shoulders and his legs are shortened. If put in the Leonardo's drawing, his tree of projections will be more of a desert brush, dried up and crooked.

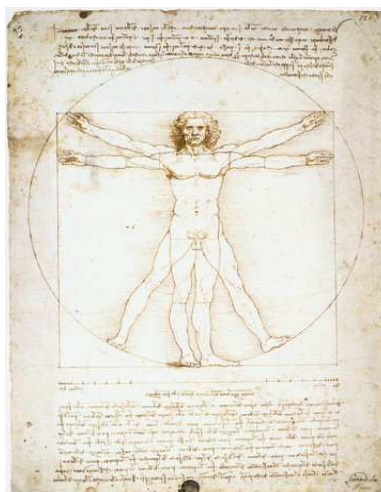


Figure 3. Leonardo da Vinci, 1510



Figure 4. Foto: Aktion Mensch, 1971. A Study in the Human Body Proportions  
Abulmueen Al Ahmad

As you can see, the options outlined for the normal body are not available for the abnormal body. More concretely, the Contergan woman that I saw at the exhibit had no arms; only a short right-shoulder stub. Her feet were deformed at the ankles preventing her from long-distance, if any distance, movements. At the same time, her toes had an unusually high level of dexterity that allowed her to use them for reaching, grabbing, and holding, as well as manipulating held objects. Yet, if not for the electrical wheelchair, she would not have been mobile; the chair was not just a needful thing but a place that held her, suspended her body in a sitting position of a normal body. But sitting her body was not, moving in the chair freely as a child would in the adult size arms chair (we should not forget that the Contergan torso is also dwarfed). In addition to the shoulder stub, she also used her toes to move the machine and herself in it. At best, she was slouching upwards, half sitting, half-lying. In this skewed configuration, the range of her outward movements and motions was limited but not devoid of precision and grace.

Despite its radical difference, however, the Contergan body does not exist outside of the relationship with the normal body, whether it is a relative, hired help, or any other “normal” person. The normal and the abnormal co-affect and co-constitute each other as both actual bodies and virtual projections. *How do they share this space?* In the Husserlian account, what relates embodied subjects is empathy which makes “nature an intersubjective reality and a reality not just for me and my companions of the moment but for us and for everyone who can have dealings with us and can come to a mutual understanding with us about things and about things and about other people” (Husserl, 1940: 91). Sameness in the constitution of space and time is a given; if an anomaly arises for one body, the other body would ignore it, carrying out the task of correcting the anomalous perception. In this set-up, the abnormal body of the other will remain abnormal unless the community, together with its source, accepts the abnormal way of constituting the world as optimal and thus normalizes the formerly abnormal perception.

If, however, the normal and the abnormal meet as radically different species, as a socially accepted fact, their co-affective constitution will not result in sameness but simultaneously unraveling differences. The projection onto the free space will bring about rupturing disjointedness, albeit given in abstraction. Since all the bodies are free to access, that is, constitute the free space, the interaction between the bodies is inevitable. This is what makes living bodies and the surrounding objects to interact in the fashion that allows for the perception of the world as *the life-world*: “between myself and the perceived world, there is a certain density of things in my body that permits the two to ramify in one another, to be accessible in and through the midst one another” (O’Neill, 1989: 19). The other’s body, whether normal or abnormal, serves as a completion of a social system, but also introduces constitutive possibilities as to the world itself. Merleau-Ponty explains: “This disclosure of the living body extends to the whole sensible world, and our gaze, prompted by the experience of our body, will discover in all other ‘objects’ the miracle of expression” (Merleau-Ponty, 1962: 197).

The body confirms and elaborates the pre-existent world. Due to its freedom to accomplish human history, the body ceases to be a mere fragment of the world, and turns it into a theatre, a remarkable prolongation of its own dealings. Merleau-Ponty writes, “Insofar as I have sensory functions, I am already in communication with others taken as similar psycho-physical subjects” (Merleau-Ponty, 1962: 352). The co-affective constitution of the world endows the abnormal body with the freedom that extends beyond a momentary disruption of the normality, turns it into a productive force capable of projecting the kind of meaning that can only be described as artistic.<sup>xii</sup> “The body”, writes Merleau-Ponty, “is to be compared not to a physical object but rather to a work of art” (ibidem: 150). He further elaborates this analogy in “The Prose of the World” (1973) and “The Visible and the Invisible” (1968), where the question of the body transforms into the question of pictorial art which “assumes and transcends the patterning of the world which begins in perception” (Merleau-Ponty, 1973: 61). A painting is thus not a product and certainly not a replica but precisely an extension. Moreover, what is extended is not the viewer’s monological perception, but rather a dialogue: the painted trees paint the painter.

These connections echo certain Husserlian considerations introduced in “Ideas” I. There, Husserl’s insights link art to abnormal perception. For Husserl, a painting is given as a quasi-being, or “neither as being nor as non-being” (Husserl, 1931: 287). In his “Logic of Sense”, Gilles Deleuze alerts us to this paradox when he talks about the givenness of color: the trees are given to us in action, “they green to us” (1990: 24). Less affected by the poetic and more so by the technical side of artistic

givenness, Husserl explores it as a neutrality modification of perception, meaning a partial suspension of normal perception of the world. The reduction is partial because of the body that can never apprehend the painting fully. But, even in its partial function, neutrality modification lifts the veil of the everyday, implicating the body. Husserl calls this kind of perception “fancy consciousness.” In other words, a leap of imagination is required to achieve the act of suspension. A combination of imagination and straight perception makes fancy consciousness a synthetic consciousness capable of fulfilling several acts simultaneously.

At this point, we are entitled to ask, *How?* Husserl remains ambiguous on this issue. Merleau-Ponty’s concept of style might help us with an answer. For him, style is a unity of tactile and visual percepts. Style is intrinsic not only to bodies but also to artistic expressions: “A novel, poem, picture or musical work are individuals, that is, beings in which the expression is indistinguishable from the thing expressed, their meaning, accessible only through direct contact” (Merleau-Ponty, 1962: 52). It is in this sense that our body is a work of art. In the same sense, the work of art has a body. Merleau-Ponty calls a painting a nexus of living meanings that speaks the primordial silence. It is from this silence that a subjectively oriented style arises. Visually, the silence is given as depth. Yet, the depth itself is not reachable by any visual means. It does not belong to the painting. Likewise, it does not belong to the body. But it does belong to the world. We understand art “only if we place, at the center of the spectacle, our collusion with the world” (Merleau-Ponty, *ibidem*: 429). The abnormal body gives away its specific unreplicable style. Its style emerges from the silence of the inassimilable alienness. Let us return to the description of the Contergan body.

She moved as if she was not assembled properly, as if her body parts were disjointed at the points that put the whole frame of her body in question. She was a collage made of odd objects; her arm stub and her twisted legs looked as if they came off from a non-human creature. Her stately head, much larger than her body, had a solemn expression giving her a distinctly nonaligned look. Her body, small and fragile, half a body, appeared to be torn apart by some mechanical mangler of flesh. This strange assimilation of incompatible parts made her movements as bizarre and as majestic as if she was a royalty raised from some underground dream-world, invading one’s peace and usurping it, leaving us with nothing but emptiness in the wake of explosive astonishment and awe. In a helplessly powerful way, she took away our so-called reality, making us realize that it does not really belong to us, that reality we are used to call home. The alien of her style awakened a being that could not be incorporated in the dynamic duration of normalizing. This style came into a remarkable constitutive relationship with the style of the normal body. The interaction between the two suspended the normal, giving birth to the surreal. It is time to ask ourselves, *What does it mean for the abnormal body to be given as surreal? What does the surreal body express?* Before we proceed answering these questions, a brief visit of key surrealist concepts is in order.

### **The Body of Surrealism**

The major tenets of surrealism were summed up by the end of its maturation in 1936 by André Breton who delivered the last surrealist Manifesto in Brussels to an audience associated with the movement. There, Breton confirmed the ongoing voyage of the surrealist “thought” as “it came normally to Marx from Hegel, just as it came normally to Hegel through Berkeley and Hume” (Breton, 1936: 3). The allusion

to philosophy was not made in jest; it indicated an intellectual tradition linked to the history of humankind. The thought erupted in surrealism through expressive action, instantly gaining into “a living moment, that is, to say a movement undergoing a constant process of becoming” (Breton, *ibidem*: 4). The key principle of surrealism, as Appollinaire called this idea in action, was to seek after new values in order to confirm or invalidate existing ones. Unlike the precursor of surrealism, Dada, the surrealists did not seek to destruct or shock. The search for the new values should result in bringing about “the state where the distinction between the subjective and the objective loses its necessity and value” (Breton, *ibidem*: 13). Reverberations onto the phenomenological view of the social world raise clear in the first definition of surrealism as “pure psychic automatism” (Breton, *ibidem*: 7). In order to reach this state, one needed to perform a kind of reduction that placed the surrealist outside all aesthetic or moral preoccupations in the collective subconscious of a Freudian kind.

The combination of dream and reality was what defined surrealism primarily. The surrealists were also keen on psychologizing chance; their ways of doing so included the technique of “anticipatory chance-making” when an artist would create by the means of chance, e.g., abrupt disruption of the artistic activity.<sup>xiii</sup> In opposition to the bankrupt values of the *petite bourgeois* that feared everything that is wondrous, surrealism offered the rediscovery of the wonder in the abnormal in the sense of the most surreal. At the same time, this very surreality should never leave reality; it should “reside in reality itself and will be neither superior nor exterior to it. According to Breton, “The marvelous is always beautiful, anything marvelous is beautiful; indeed, nothing but the marvelous is beautiful” (Breton, 1936: 9). The search for the beautiful involved initially incompatible objects, states, and events. Taken outside of their respective nexuses of meaningfulness and recombined in new states, meant to explode the solid mundane go of the world, on the one hand, and create an insight into the world before the socialized formulae.

Breton identifies three periods for surrealism. The initial, “intuitive” period is fascinated with psychoanalysis, the Freudian uncanny. It was also the period that sought to undermine any kind of self-moralizing normality. The second period that settled in the early nineteen thirties is characterized by the rational drive to turn dreaming into a myth of the dream, bring the myth from the recesses of the forgotten memory. The third and the final period, the one yet to come, for Breton, and the one that was ceased midway by the war, dealt with the history, the creation of an inter-generational narrative that would secure the transition from one generation to another. The three periods of surrealism find their representations in different kinds of arts: painting, photography, and narrative. Likewise, the abnormal body finds its surreal horizon, figure, and speech in these three interconnected modalities. I would like to begin by establishing the surrealist horizon.

### **The Surreal Horizon of Max Ernst**

In the description of my experience, I mentioned that the Contergan woman was situated next to Max Ernst’s painting “The Teetering Woman”, also known as “Equivocal Woman”.<sup>xiv</sup> Let us examine the painting closely (see Figure5).



Figure 5. Max Ernst, Teetering Woman, 1923

In the painting we see a woman whose body is suspended above the dark surface. It appears that she is trying to balance herself. However, it is not quite clear in relation to what she might be trying to achieve this balance. Her suspended state is suspect for the normal perception; she is not walking on any surface; nor is she leaning against any surface. She rather floats in a relation to the machine, being somewhat attached to its ambiguous mechanics. The machine also seems to be suspended. The green bars that go down into the darkness of the opening between the two columns are the only connecting structures that nonetheless fail to disambiguate the purpose of the woman and the function of the machine. As the second title for the painting suggests, the woman is equivocal; her only purpose is to maintain equilibrium at some limit. The woman's eyes are hidden behind the pipe that comes out of the machine but does not have its quadrilateral geometry. The pipe looks more organic than the woman herself, who, in her brownish, machine-matching color scheme looks dead, doll-like. The hair on the woman's head suggests that the body was inverted back to the upright posture from the original upside down position. The background of the painting is reminiscent of Chirico's landscapes: industrial columns, indefinite perspective, and an incidental object that gives the arrangement of figures in the painting a unity of focus. Yet, the depth of the appearance is compromised, broken. *How shall we interpret such a painting in relation to our topic?* First, we can say that the painting gives the encounter with the live abnormal body of the Contergan woman a context by way of horizon. Uniquely, the woman blends into the painting as it—the painting—creates a sense of indifferent dehumanizing environment, an environment, where the human body is dulled, robbed of motion and sight, suspended to meet its own dream as it walks without walking to gain a place it cannot by definition reach. The painting is a classical, for the early twentieth century, critique of technology that assists the person by delivering the person to sleep in a place where the sleeper walks erect, as if in the waken state. Her dream is a psychoanalytic dream of the broken memory, a history interrupted by its own deception. The woman blends with the machine, dependent but unaware of her dependence, just like the Contergan person, a product of the technological panacea mixed on the desire for a relief from being. She is also one with the machine in a phenomenological way as it is the machine that co-constitutes her movements. It suspends her by providing the ground upon the ground we share.



The painting's history testifies to its significance. Ernst did it in 1923 breaking a long stride of collage making. After many years of experimenting with collages, Ernst came to the realization that collage often lacks in the ability of creating a meaningful interface between different originally unrelated components. His new idea required a synthetic medium, a medium that would create a unified impression. But, some of the collages that immediately preceded the painting alert us to the possibility that the main constituents of the image were a female acrobat, a sleepwalker, and a machine for spreading oil on water. Ernst combined the acrobat and the sleepwalker in one image while "freezing" the oil coming out of the machine. The images were cut out from the medical, popular, and technical journals. The precursor to the teetering woman is the mechanical monster, "Celebes" (see Figure 6).<sup>xv</sup>



Figure 6. Max Ernst, Celebes, 1921

The elephantine meat grinder machine is in fact a reproduction of a photograph of a Sudanese corn holder. It was common for Ernst to re-use ready-mades, adding or deleting certain fragments so that the new reality would spell a different, often sinister, world. There is also the German rhyme that is associated with the painting: "The elephant from Celebes has sticky, yellow bottom grease..." By positioning the female torso in the front ground of the painting, Ernst indicates that she might be the end product of the machine's workings: creating sublime dreams of beauty and horror. As much as Ernst himself was teetering on the edge of abnormal and absurd, the abnormal body of the Contergan person was teetering on the edge of the surreal; beautiful as only surreal dreams could be beautiful. The encounter between the two-dimensional art and the abnormal body that spawned the experience of the surreal was serendipitous and unavoidable: sheer body art.

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## Endnotes

- i After the drug was taken off the market, in 1971, a class malpractice suit against Gruenthal AG was brought up in the civil court. At the end of the trial, the 2.5 thousand plaintiffs won over 26 million D-marks in lifetime pensions.
- ii The term used to describe this facility is "mimetism".



- iii For an in-depth analysis of the monstrous sublime, see Kearney (2003).
- iv In her examination of empathy, Depraz (2001) names four different stages that provide for the empathetic link on the level of the body. Among them, there are “a passive association of my lived body with your lived body and an imaginative self-transposal in your psychic states” (Depraz, *ibidem*: 172).
- v Husserl (1940: 315). Also, see Bernet (1998). In examining Levinas’s claim of self-abnegation vis-a-vis Merleau-Ponty, Bernet agrees with the latter who poses the skin as the limit to the Other’s claim.
- vi The sources mentioned here are Kant [1998]; Kristeva (1982); Lacan (2004).
- vii Here and elsewhere I use the term “other” to designate both the Other as person and the other as otherness more generally. The reason for such merger is implicated in the essay’s argument: the experience of the Contergan person allows for the experience of both dimensions.
- viii Levin emphasizes this very feature as crucial for the understanding of the perceived perception: “the chiasmic dynamics of the flesh suggest that certain *reversibility* take place in the perceptual field” (Levin, 1999: 84). This means, paraphrasing Merleau-Ponty (1962), that one may not know if he perceives or is perceived. At the same time, the perceiver’s body is always hers, although it may not be known as such.
- ix In his argument for the ambiguity of the body Gallagher suggests that “[body] appears as an ability or as an available potential to interact intentionally with the world” (1986: 143). In other words, between the present and the non-present body, there is a space of being connected to other bodies, in flesh. Most importantly, the latter faculty is not a function of the body itself but rather a contextual feature, a call of the world, as it were.
- x Following Behnke (2004), it might be more correct to speak about Husserl’s program being indicative rather than expository of intercorporeality; yet, given the phenomenological ground of Husserl’s indication, it can as well as be taken for a guiding clue into intercorporeality.
- xi For further elaborations on the home/alien structure, see Waldenfels (1996) and Steinbock (1995).
- xii The possibility for the artistic meaning to shine through the eye-to-eye encounter is also consistent with the Merleau-Ponty’s reversibility thesis. According to Dillon, seeing and being seen is an asymmetrical event that develops within visibility (Dillon, 2004: 304). The importance of seeing or being seen “as” is predicated on the function of the background or horizon. In the case of a painting, the horizon becomes a figure, hence the possibility of what is being seen to be being seen “as.”
- xiii In great detail, Dali (1932) describes this process of painting “unnaturally”: sudden seizures in front of the easel, “accidental” misapplications of colors, leaving sub-tasks unfinished, etc.
- xiv The painting is housed in Kunstsammlung Nordrhein-Westfalen, Düsseldorf, Germany.
- xv The painting is housed in the Tate Modern, London, UK.

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Frank Nutch  
Trent University, Canada

## The 35mm Solution: Photography, Scientists, and Whales

### **Abstract**

The field technique of photographic identification enabled scientists to individually identify and follow cetacea (whales, dolphins, and porpoises) through their life-cycle. Photographic identification relies on portable, high-quality photographic equipment and the naturally occurring markings of individual whales. Being able to identify cetacea individually has enabled scientists to engage in long-term field studies comparable to field studies of land mammals. Further, carrying out long-term field studies has contributed to an exponential growth of scientific knowledge of cetacea and has significantly altered the public's connection(s) to scientists and cetacea.

This article is based on interviews, published material, and observations made by the author at different research settings. It describes how photography and the use of naturally occurring markings of individual cetacea combined to produce photographic identification as a research technique.

As a study within the sociology of science and scientific knowledge, this article highlights the emergent character of scientific research; that is, the emergent confluence of cumulative knowledge, theory, method, and empirical observation.

### **Keywords**

Animal studies; anthropomorphism; fieldwork; naming; photographic identification of cetacean; reliability and validity; sociology of science and scientific knowledge

### **Prelude**

Imagine you are floating on the open ocean close to but out of sight of the shore. You have no landmarks to orient you. There are a few sea birds overhead, some resting, waiting on the water. Perhaps another vessel is in sight, but the ever-present ocean appears as an endless, undifferentiated, restless black sea surrounding you. It is a sea you know supports a cornucopia of life that is invisible to you from the surface. You are in this foreign territory of salt water, floating alone under a pale, listless sky. Somewhere off in the horizon, you notice a black dot

seemingly moving on the surface. Intuitively you know that this is one of many living forms revealing something of it self. You identify it as a whale, and in so doing the black dot is recognized as an object within a relatively undifferentiated field (Strauss, 1969:18-21). If you happen to more closely inspect that object, you will likely recognize specific behaviors, and with sufficient knowledge further differentiate species' behaviors and perhaps identify unique individual behaviors. If all of this occurs, then that "black dot" will have taken on the character of a subject, both as a "subjective" being and as a subject (object) of study. Should that subject become individually identified and catalogued solely on the basis of a particular body part with its distinctiveness, we would recognize this process as objectification. That is, that specific body part with its catalogued coding represents the whole, unique, individual whale. You have taken a long journey: from a dot on the horizon, to an object, to a subject, to objectification. But there is much more to this story.

## **Introduction**

Contemporary social studies of science have often relied on participant observation with research scientists at work. These studies (Fujimura, 1987; Knorr-Cetina, 1983; Latour and Woolgar, 1986; Lynch, 1985; Nutch, 1996; Roth and Bowen, 2001 and 1999; Zenzen and Restivo, 1982, for example) have focused on the numerous aspects entailed in the production of scientific knowledge. One result of these studies has been the recognition of the emergent character of scientific knowledge. In this regard, my study of the development of the scientific technique known as "photographic identification" demonstrates this emergent character of science as the interconnectedness between knowledge about, techniques for, and observations in and of nature. Each dimension impacts the others in producing reliable and valid knowledge of the world. Or as Dewey contended, "warranted assertability."

By sketching the development of photographic identification used by marine field biologists, the emergent character of sociological knowledge can also be understood more clearly. That is, looking at how the development of this technique increased knowledge of cetacea, points to the importance of method and technique in the production of scientific knowledge. While learning about "other" sciences, social researchers have had, in the light of their studies, the opportunity to reflexively consider their own work and the nature and character of the production of sociological knowledge. As Shapin (1995) has noted:

The sociology of scientific knowledge (SSK) is one of the profession's most marginal specialties, yet its objects of inquiry, its modes of inquiry, and certain of its findings have very substantial bearing upon the nature and scope of the sociological enterprise in general. (p.289)

What follows articulates the development of a scientific technique and the development of scientific knowledge based on extensive field research with marine field biologists.

## **Fieldwork with Field Scientists**

My research is grounded within the sociology of science and scientific knowledge (see, for example, Clarke and Fujimura (eds.), 1992; Collins, 1983; Collins and Evans, 2002; Lynch, 1997; Maynard and Schaeffer, 2000, Mulkay, 1983,

1978, and Wajcman, 2002). It has been primarily devoted to the study of the everyday life-world of field scientists “doing science,” especially the life-world of marine field scientists studying cetacea in their “natural habitats.” Within that context, I specifically focused on scientists who contributed to the emergence, development, and routine use of “photographic identification” of cetacea.

Data for this article are derived primarily from observing field scientists in their “natural settings.” For more than two decades I have “observed” scientists in the “field,” in their laboratories, onboard field research and commercial whale watch vessels. I have formally and informally interviewed more than sixty research scientists in these settings. Many of my interviews and observations of scientists were with those scientists who were/are involved with photographic identification of humpback and killer whales.

In addition, over the course of six years, I carried out a participant observation study of marine field scientists at a research laboratory in the Caribbean. This involved living at the laboratory, participating in the day-to-day activities of scientists at the facility, as well as serving as a “dive buddy” and research assistant to several scientists and one doctoral student.

Further, I accompanied field scientists who were collecting data while they served as *tour guides or naturalists* on commercial whale watch cruises. My observations of scientists as tour guides or naturalists have substantially contributed to the content of and photographs in this article. My photographs are of humpback whales, the most aerobatic of cetacea.

By accompanying scientists serving as naturalists, I had access to parts of the ship that are not accessible to tourists. I was, thereby, in a position to observe most of the “back region” of the commercial whale watch cruise (Goffman, 1959). Being behind the scenes was often awkward because I was trying to be close enough to observe scientists at work while simultaneously trying to keep “my” distance in order to not get “in their way.”

Eventually, I joined other passengers as a *fellow tourist* and observed the ways in which naturalists narrated the voyage whether or not the naturalist was a scientist. I spent two summer seasons, primarily on whale watch cruises based in New England cruises, taking notes and tape recording the narratives of the naturalists. I also used a video camera to record a whale’s surface behaviors, as many tourists would. In this way, I was able to capture the naturalist’s narrative while “shooting whales.” It is partially by way of these narratives that the name and biographies of individual whales are publicly disclosed.

## Shooting Whales

The past two decades have witnessed a phenomenal growth of interest in and concern for, as well as outrage over, environmental and ecological issues. One area of concern is the fate of marine mammals, especially cetacea. Cetacea (whales, dolphins and porpoises) have, ever since Flipper and Day of the Dolphin, captured the hearts, minds, and pocketbooks of individuals around the world. The bottle-nosed dolphin (Flipper), the humpback and killer whale (Free Willy), and near extinct species such as the North Atlantic Right Whale have attracted unprecedented public attention.

Media coverage of the beauty and plight of killer, humpback, and right whales has significantly contributed to the public attention bestowed on these marine mammals. Behavioral characteristics of different species, the songs of humpback

whales, for example, contribute to both media and public attention. Aquaria displays of captured dolphins and killer whales have also aroused public concern and affection for these animals as well as stimulated conflict and controversy over the ethics of maintaining these ocean roaming animals in confined quarters (see, e.g., Obee 1992). Commercial whale watch cruises, on the other hand, provide a somewhat more adventurous occasion for the public to observe cetacea in their natural habitat<sup>i</sup>. These occasions provide delightful photographic opportunities for (eco) tourists to permanently capture the inspiring aerial performances of cetacea.

The breath-taking photographic opportunities tourists enjoy are possible because of the behavioral predilections of cetacea. Humpback and killer whales present some of the more spectacular performances. Tourists, however, are not the only people who welcome such photographic opportunities. Scientists, as well, have been systematically photographing cetacea for more than three decades. Since the late 1960s, scientists have been observing cetacea in their natural habitat using the field technique of photographic identification. Photographic identification relies on the naturally occurring marks of an individual animal and uses photographs of these marks to individually identify an animal. For example, the underside of a humpback's fluke consists of a distinctive black and white configuration which can be used to identify an individual (see photos #1 and #2). As with human fingerprints, no two fluke patterns are identical. Researchers photograph these fluke patterns, which are visible when the whale raises its fluke in the air prior to a deep dive, and then use these fluke pattern photographs to build a catalog of individually identified animals.



**Photo 1**





**Photo 2**

An objective, permanent catalog of individually identified animals dramatically changed scientific knowledge of cetacea and the nature of cetacean research by enabling accessible, long-term biological studies of marine mammals. Photographic identification also facilitated the development of acoustic and DNA identification. Currently, then, both tourists and scientists are “out shooting whales,” and often doing so together.

This article explicitly focuses on how the combination of photography and the natural markings and behavioral patterns of cetacea contributed to the development of the scientific field research technique of photographic identification, a technique which has facilitated an exponential growth of knowledge about cetacea. Implicitly, the article addresses the emergent relationship between intimacy with and knowledge about species that inhabit a very different environment than their human observers. It also provides an example of how a specific research technique produces a unique set of data.

### **A confluence of factors**

Jane Goodall's work is highly acclaimed for the data she has painstakingly accumulated on generations of chimpanzees. Her data are from observations made on terra firma. It is one thing to do long term research with land mammals that are visible and share the researcher's habitat. Clearly, it is a more trying experience to attempt long term research with marine mammals - mammals which spend 90 percent of their time under water and who routinely only show a small portion of their body above the water's surface. Rarely, and only fleetingly, does one get the opportunity to glimpse the “whole” animal above the water. While there are different strategies and problems in studying land and marine mammals, doing long-term, intensive behavioral studies of either requires an ability to recognise, reliably identify, and track individuals. Photographic identification of individual cetacea provides a method of tracking individual mammals through their life course and to trace, as in Goodall's studies, generational relationships.



The ability to identify and track individual cetacea using photographic identification (photo-id) depends upon an integrated set of conditions, conditions which are either essential to or extremely useful for individual identification and subsequently long-term study.

### **Photographic Technology**

Obviously, photographing a whale satisfactorily requires a photographic technology that can deliver a reasonably fast, optically accurate image using portable and relatively inexpensive equipment. Scientists in the late 1960s and early 1970s were fortunate to have a reasonably sophisticated photographic technology they could appropriate for their studies (cf. Becker 1982). Technological advances since those days have improved the scientists' task of accurately recording an image for identification purposes (see for example Daston and Galison, 1992). Although not necessary, it is helpful, for example, to have high-speed film and a camera with rapid automatic advance. But even the basic 35mm SLR cameras with (300 mm) telephoto lenses available in the early 1960s were technologically sufficient to help develop photo-id and usher in a new (and revolutionary) era of cetacean research<sup>ii</sup>.

### **Durability and Reliability**

Using photographic prints of natural markings for long-term field studies requires the ability to identify individuals through their life cycle. The correct identification of individuals over a period of years requires skilled researchers who must correctly match photographs of the same whale taken at different times and in different locations (Katona and Kraus 1979; Daston and Galison, 1992:93; Wajcman, 2002:353) and presupposes (as well as contributes to) knowledge about the object(s) of study. Daston and Galison (1992) observed a similar process in terms of medical x-rays:

Precisely because of their conclusion that photographs did not carry a transparent meaning, the American Surgical Association unanimously counseled its members to use their medical knowledge and learn to read what might otherwise be misleading. (p. 112)

Further, "faith" in the viability of photo-id rests upon knowledge of the permanence of the morphological (shape of external body parts) and surface features (coloration or pigmentation patterns, scarring, etc.) used to identify individual whales. In turn, knowledge of these features rests upon the reliability of photographic identification. In the early stages of photo-id, scientists were unsure of the permanence of natural markings and, therefore, the viability of the technique for long-term studies. However, by routinely tracking individual whales at regular short-term intervals and painstakingly noting the degree and character of changes to specific natural markings (cf. Childerhouse and Dawson 1996), scientists began to be reasonably secure in their ability to correctly identify individuals, even with changes occurring to those features they focused upon. Scientists noted that although markings change, they normally change slowly and retain enough of the identifying characteristics needed for correct identification<sup>iii</sup>. By gradually expanding their knowledge about the morphological and surface features they were observing,

scientists were developing a greater degree of security in relying on photo-id for long-term studies. Within a decade, photographic identification became established as a reliable technique for long-term field research of cetacea. And in establishing photo-id as a research tool, scientists were also able to enhance their knowledge of morphological and surface feature attributes of cetacea. This dialectical process of scientific knowledge production, that is, the mutual evolution of scientific knowledge and research techniques, underscores the fundamental nature of scientific enquiry: that is, "science is a process of reducing the number of assumptions entailed in doing scientific research."<sup>v</sup>

### **"I've got the camera, the lens, the film but what do I shoot?"**

While morphological and surface features underpin photographic identification, other factors affect its viability. Species' behavior, population size and density, and habitat (open ocean or near shore) are equally important. Humpback whales, for example, are identified by the shape of their dorsal fin and the distinctive black and white color configuration of the underside and tattered trailing edge of their fluke<sup>v</sup>. While scientists use fin and fluke patterns in identifying humpbacks, these structures are also used because of the species-specific behaviors of these whales. When a humpback comes to the surface for a breath between dives, the shape and surface features of the dorsal fin are discernible, and in the initial stage of a deep dive, a humpback will begin its descent by arching its back (see photo #3).



**Photo 3**

Then, as it begins to glide down the water column, it will raise its fluke above the surface for a moment before it slips from view. If one is relatively close to and behind the whale, the underside (or ventral side) and trailing edge of its fluke will be

visible. Photographs #1 - #5 show the distinctive features scientists use in photographically identifying individual whales. (Notice, particularly, the shape of the dorsal fin in photos #4 and #5: one is nearly hook shaped, the other is rounded with a distinctive white and black pigmentation pattern.)



**Photo 4**



**Photo 5**

Morphological and surface features in combination with breathing and diving patterns contribute to the viability of using particular body parts for identification purposes. In addition, the amount of time a whale spends at the surface, the location in which it can be found, the size of the pod or tribe it associates with, and the speed at which it swims are also important and must be taken into account in producing

photographically identified animals. Thus, for example, while humpback whales are migrating thousands of miles between their winter calving areas in the Caribbean and their summer feeding grounds in New England waters, they are relatively close to shore and can be observed relatively easily. This is in contrast to Sperm Whales (*Moby Dick*) which are pelagic and may be, minimally, hundreds of miles off shore. Humpbacks are also known to congregate in small groups, spend a fair amount of time at the surface, and move slowly enough to be readily observed.

### **Humpbacks: one feature not used in identification**

A very distinctive feature of the humpback whale is its enormously long (up to 15 feet), brilliantly white flippers (see photos #6- #8). This morphologically unique feature can be seen when the whale is at the surface and holds its flippers underwater (see photo #6) or when it rolls on its side or back and lifts its flippers above the surface (see photos #7 and #8). When humpbacks roll in this manner, they often violently slap the water's surface with their flippers. Scientists could use the flipper as a naturally occurring marking for identification purposes.



**Photo 6**





**Photo 7**



**Photo 8**

However, when the whale is at the surface with its flippers below the surface, even though they are visible, distortion from the water's reflected light makes positive identification virtually impossible (see photo #6). Further, scientists would have to be directly alongside and above the animal to get a good, clear photograph of its

flippers. Getting such a photograph also requires an absolutely calm, flat water surface. Even if morphological and surface features could be used, photographing the flippers when the animal displays them above the water's surface is logistically problematic in that flipper display is not as common an occurrence as the dorsal fin and fluke display. Thus, while there is no reason why the distinctive morphological and surface features of the humpback's flippers should not or could not be used for identification purposes, the whale's behavior and habitat features make the use of such features quite difficult. Having the humpback display its dorsal fin whenever it's at the surface and having a relatively good chance of seeing the fluke's underside is advantageous for scientists when scientists seek individual identification and long term behavioral studies.

### **Snapshots, naming, and objectification**

Photographing a dorsal fin or fluke is only part of the identification process. The whale must also be catalogued, that is, given some assigned, unique, numeric identification code. While numeric coding is analytically sufficient for scientific research and analysis, whales may, nonetheless, be given names. There are at least two types of naming systems of which I am aware. Naming, as articulated by Ford, Ellis, and Balcomb (1997) and Ford and Ellis (1999) entails a letter and numeric code which includes the identification of an individual within a pod. Ford, Ellis and Balcomb (1997) noted:

We developed our naming system during the course of our research. The plan was to assign the same letter to each whale within a pod and then to give each individual whale a number. The following is an historical account of the identification of the first pod, which will explain some of the system's idiosyncracies. The first whale recognized was called A1, and because she was so well marked her pod was called A1 pod. (p. 41)

In the case of North Atlantic humpbacks, in addition to a numeric code used to identify, catalogue, and track individual whales over their life course, these whales are also assigned, by acclamation of participating research scientists, gender neutral names at an annual naming ceremony<sup>vi</sup>. This is a very different relationship than that which Phillips (1994) observed with laboratory research animals where naming, if not scorned, was neither encouraged nor actively carried out.

### **What's in a Name?**

Numeric identification is clear, precise, analytically necessary, and sufficient for research scientists to systematically collect and organize their data. However, numbered identification of individual body parts or individuals (and pod identification, as discussed above) are not the only, nor in some contexts, the best symbolic representations of the individual animal. A (proper) name is more engaging. For both the scientific researcher and the supporting public naming whales *subjectifies*. It brings life to an object (see Alia 1994). Indeed, naming creates an individual in ways that numeric identification of body parts cannot. It contributes to the construction of a "biography" that scientists and publics may use. This is contrary

to what Phillips (1994) observed with laboratory animals----animals that remained nameless and without biography.

It is easier to think about and relate to an individual whale called “SHARK” than to think about a fluke or dorsal fin designated as identified whale 2744. A name immediately enables us to think of an individual, a unique individual with a biography. It is an individual with a fluke, a dorsal fin, a mouth, a brain, and so forth. It is also an individual with “thoughts,” feelings, idiosyncratic characteristics, and particular behavioral tendencies. It is not just “another pretty fluke.” This can be compared to the laboratory animal that is “ontologically” different. Laboratory animals are thereby distinguished from “pets and wild animals” (Phillips, 1994:134). It is this distinction as well that facilitates the treatment of the laboratory animal as an experimental object that is sacrificed as part of research and as part of its “laboratory life cycle” (Lynch 1988 and Phillips 1994).

One can then imagine Shark or Fracture doing something unique, where one has difficulty imagining a numbered body part used to identify the entire organism doing anything. On commercial whale watch cruises, for example, and especially where research scientists serve as naturalists, (see photo #9) scientists (naturalists) will note that “Shark is very active and curious - almost every sighting involved close approaches, tail slapping, or breaching”<sup>vii</sup>; or he/she might indicate that “Shark is called Shark because of its dorsal fin.” And although this mark is not likely to be used for scientific identification purposes, nonetheless, it is descriptively memorable for scientists and publics alike – “a name is a truncated description” (Dewey and Bentley 1960: 292).



**Photo 9**

Furthermore, since scientists are often involved in conservation efforts<sup>viii</sup> requiring public support, naming enables the public to connect with these efforts through identification with a whale they have seen and come to know by name. For publics interested in conservation, numeric coding does not have the richness of

texture that naming invokes. The “Adopt a Whale Program,” organized by the Cetacean Research Unit of Gloucester, Mass., is designed specifically to help support both research and conservation work. For a small fee, the public (tourists) can feel they are simultaneously contributing to both scientific research and whale conservation and they contribute, in part, because of their identification with one or more named individual whales.

Indeed, tourists who regularly whale watch on commercial vessels might ask the naturalist a question such as: “How is Shark doing?” When asked in this form within the context of sighting named whales on a cruise, the tourist is indicating that “Shark” is a whale remembered from a previous trip. Their question is meant to inform the naturalist and anyone else in hearing range that: “Hey, I am not new to this scene; I know about these whales. I am not just another day tripping, whale watching, tourist out for the eco-experience; I am, after all, serious about conservation, whales, and science.”

Naming and identifying whales in the manner described above and under the conditions of the scientist as naturalist, collecting data in the presence of tourists and supporting publics, suggests a symbiotic relationship between tourism and science (see for example, Davis, 1997), between the tourists and the scientist which enables both to get the “shot” each wants<sup>x</sup> (see photos #9 and #10).



Photo 10

### **Naming, Biography and Anthropomorphism**

Commonly used names of species can have an anthropocentric character. For example, the humpback whale (whose scientific name is *Megaptera novaeangliae*) has different names in different languages. Unwittingly, these names may entail the imputation of human characteristics---characteristics which may not be shared by the species so named. For example, “*vessyl kit* (is) a Russian name meaning ‘merry whale’” (Clapham, 1994:4).



On the other hand, I have noted above two different methods scientists use in “naming” wild animals, animals “used” as research subjects by marine field biologists. One “alpha-numeric” name method was used in the field studies of Orcas. Another method used with humpback whales extends the numeric identification scientists use as a referent but also included gender neutral names, such as SHARK. These names, while gender neutral, are not randomly assigned to an individual whale. Usually there is something about the unique characteristics of a whale that prompts scientists to agree to one name over another; something about the whale that is indicative of the whale.

In assigning names, as mentioned, the construction of the named animal’s biography is directly and indirectly acknowledged and anticipated. While scientists are sensitive to and critical of anthropomorphizing, that may engage in such practices, nonetheless. For example, a researcher’s photo caption (Flukeprints, 1994: 4) about a whale named Zeppelin noted she “...was often an active 4-year old, entertaining many whale watchers with breach displays or close *inquisitive* approaches (italics added).”

It may be argued, however, that working as a behavioral field research scientist implicitly promotes anthropomorphizing on the part of these researchers. That is, unlike what Phillips (1994) reports about the absence of naming animals due to the structure of laboratory research, it is, indeed, the nature, structure, and conditions of field research that encourages naming, identifying, and constructing a biography that may well contribute to a “new anthropomorphism” (see, Kennedy, 1992). Laboratory animals have no name and no biography. Thus, they are not individually named and identified (Phillips, 1994). It is the very opposite case with cetacean researchers. For their research purposes, they need to identify individuals by name and construct an individually identified whale’s biography. It is necessary to do this in order for them to carry out long term research into the social structure and biology of the species. Further, they need to spend an inordinate amount of time in painstaking observation to fulfill these tasks and to understand the “meaning” of and an explanation for the behaviors they observed.

In this regard, researcher and commercial whale watch naturalist, Dr. Mason Weinrich reflexively notes (1987):

While we do maintain scientific objectivity in data analyses and conclusions, it is difficult not to become attached to the animals with which we spend so much of our lives. These feelings surfaced, recently, when one of our well-known animals, Beltane, washed ashore dead. I offer this article to let you, the reader, know something about what we learned from following a single animal and, moreover, to show a humane aspect of what is often viewed as insensitive, objective science. (p. 3)

In addition, we have noted that field research scientists may engage in a number of extra scientific practices, that is, conservation work and/or serving as naturalists with commercial whale watch companies. Under these social conditions of doing research, scientists may vividly experience tension between the demands of objective scientific work, the nature and structure of carrying out long term behavioral field studies, and the interests and demands of the tourist industry.

## **Discussion: Identification and knowledge**

Although I have mentioned other species of cetacea in my discussion of photographic identification, I have focused on humpback whales for illustrative purposes. Humpbacks are quite accessible for long term study in the North Atlantic and were, along with killer whales, two of the initial species to be photographically identified. Indeed, the killer whales of British Columbia and the humpbacks of the Gulf of Maine are two of the most systematically studied whale populations in the world. Knowledge about these populations is possible because of photographic identification. Through the use of this relatively simple field technique, scientists are beginning to piece together the biological and behavioral nature of cetacea about which they had little knowledge prior to photographic identification. As Weinrich noted (1987):

The past fifteen years have seen a major change in the nature of whale research. While most research was conducted using the carcasses of dead whales before the 1970s, attention is now primarily dedicated to non-lethal studies of population biology, ecology, behavior, social structure, and other related topics. (p. 3)

Thus, a change in the method of observation can usher in a change of research practices that facilitate both observational opportunities and revolutionary discoveries. There are several exciting examples one can mention of what scientists have learned using photo-identification, knowledge that was unlikely to have been discovered had photo-id not been part of their research repertoire. Research scientists studying killer whales off the British Columbia coast, for example, soon discovered with the use of photographic identification that these whales live in either "resident" or "transient" communities. Although the territorial ranges may overlap, each community has a distinct territorial range, and each community displays a different behavioral pattern<sup>x</sup>. In addition, one of the major social insights derived from long-term, photo-id studies of killer whales is that they live in matrilineal societies. This is especially significant in that male killer whales are much larger than females, and being larger is usually associated with domination. Female killer whales, at least off BC, dominate the consciousness and behavior of pods.

Another discovery derived from photo-id with killer whales was the development of acoustic identification, pioneered by John Ford (see e.g. Ford, Ellis, and Balcomb, 1997: 21-22 and Ford, 1985). Through his efforts, scientists learned of different dialects of BC killer whale pods, even though these pods are in proximity to each other and have overlapping territories. In other words, each pod has its own voice.

Photo-id based research on humpback whales has also produced some intriguing results. One of the first delightful research results that I learned about was migration patterns. Prior to the use of photo-id with humpback whales, scientists were aware of migratory patterns between northern feeding grounds off Alaska and calving areas along the western coasts of Hawaii, Mexico, and South America. Scientists believed that this migration pattern was simply that the same whales regularly moved to the same location each migration season. However, by identifying individuals, through the use of photo-id, scientists learned that the pattern of migration was more irregular. The same whale might spend one or more seasons in Hawaii and be observed in Mexico or South America another season.

As a result of being able to track individuals, scientists not only learned that humpbacks produced "songs" but that each season humpbacks would modify their tunes. They sang the same basic song, but also produced variations of the song each year. What this means exactly is unclear. However, to be secure in knowing

that whale songs change requires that one be able to reliably identify individuals over the long term.

## Concluding comments

The use of photography and naturally occurring marks to distinguish, record, and follow individual cetacea enabled scientists to pursue research in a manner consistent with their quest for relatively inexpensive, non-intrusive, long-term field studies of cetacea in their natural habitats. The use of photographic identification dramatically changed what scientists, as well as the public, know about cetacea. Furthermore, the development of photo-id as a reliable field technique enabled new techniques, such as DNA typing and acoustic identification, to become viable field techniques. Both DNA and acoustic techniques have further contributed to the knowledge about cetacea now amassing.

As photographic identification of cetacea changed cetacean research and opened windows to knowledge of cetacea for research scientists and informed publics alike, a study of the development of this technique opens windows to our sociological understanding of the interdependence of research technique, species' characteristics, and the development of scientific knowledge. What we know often is influenced by how we observe, and developing and refining our techniques of research may lead to a greater understanding of our world.

Reflecting on the nature, structure, and conditions of marine field research may raise an interesting set of challenges for sociological researchers within the contexts of qualitative sociology, sociological non-human animal studies (Arluke, 2002 and Kruse, 2002) and particularly qualitative research within the context of sociology of science and scientific knowledge. This may be especially witnessed when we compare sociological studies of scientists at work within the structure of a research laboratory to scientists at work within the context of biological *field* research. Indeed, it appears that long term behavioral studies of non-human animals may require specific forms of research techniques familiar to qualitative sociologists.

In addition, it is the case that attempting to understand the social dynamic, the social structure, of non-human species entails long hours, indeed, years of painstaking time dedicated to this understanding. Field biologists seem to be more aware of this than many of my sociological colleagues. Dr. Michael Bigg, a pioneer and leader in the field of photographic identification and field studies of Orca using photo-id humbly commented, after I had suggested to him that he write a book detailing his more than 15 years of field research with Orca, "I just don't know enough." Similarly, Nico Tinbergen's herring gull study entailed more than a decade of dedicated research. If ethologists such as Tinbergen and biologists such as Bigg recognize the need for long term study, might not qualitative sociological researchers also recognize the need to spend more time doing field work in attempts to understand the rich textured social dynamics of human animals?

Perhaps the most important lesson to learn from a study of photographic identification of cetacea is that it was the emergence and development of a particular technique that facilitated long term field studies which, in turn, enabled the amassing of knowledge about cetacea. The use of and results from this technique supported other relevant technological developments as tools for field researchers which further enhanced the creation and development of scientific knowledge. Indeed, as one physical oceanographer causally reminded me "since the 19<sup>th</sup> century, science has been technique driven."

While I have mentioned that it is the social structure, research conditions, and research goals that, in part, influence a scientist's relationship to his/her animal subjects, be that in the laboratory as Phillips indicated (1994) or in field research as I (Nutch, 1996) and others (cf, McKegney, 1980, Roth and Bowen, 1999 and Scarce, 2000) have investigated, there is an absolute dearth of qualitative field studies of field sciences and field scientists (see Nutch, 1996) . There may, however, be a more general disinterest and unattractiveness in pursuing any sociological studies of science, be that within the context of laboratory or field sciences. Shapin, (1995) has noted:

The sociological study of science makes demands upon initiates which all but a handful find difficult to fulfill. Despite the continuing scientific bent of North American sociology, few students come equipped with relevant competences in the natural sciences. There is a widespread, and partly justified, sense that SSK (*Sociology of Scientific Knowledge*) is 'hard,' and students searching for a secure career-track are encouraged to look elsewhere. (p. 293)

Students of SSK, however, may find that pursuing sociological field work of behavioral biological research is far more accessible and, thereby, more attractive to study than other branches of scientific investigations. If they do take up this challenge, it may serve to accomplish two things; mitigate what Shapin argues and simultaneously increase our understanding of the practices, structures and contexts of field science.

Nonetheless, in terms of contemporary studies of science which are primarily based in studies of laboratory sciences, it would be imperative for qualitative sociologists of science to ask themselves, "whose science are we talking about when we talk about science"?

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## Endnotes

- i Commercial whale watch cruises are also a subject of controversy. There is concern over the noise disturbances to cetacea and likely harassment as these ships attempt to give tourists great photo opportunities (cf. Baker, Perry, and Vequist 1988: 14-15).
- ii Michael Bigg, field scientist and early developer of photographic identification of killer whales in the coastal waters of British Columbia, has commented on the specific equipment and procedures in photographing cetacea for identification purposes. He notes, for example, the use of a 35 mm SLR camera with through-the-lens light meter, with shutter speeds of at least 1/1,000 of a second, 180-300 mm lenses, and Kodak Tri X film, etc. (Bigg et al., 1986:10).
- iii While "naturally occurring markings" are used in photographic identification research, scientist Michael Bigg surgically notched the trailing edge of the dorsal fin of a killer whale to test the reliability of using photographic identification based on visible surface and morphological features of killer whales. Bigg photographically recorded the changes to these notches over a period of eight years. While the shape of these notches changed, the animal was still readily identified by these notches. (Bigg 1983)

- iv Paraphrasing a comment made to me in conversation with research scientist Michael Bigg.
- v Scientists from the Cetacean Research Unit (CRU) in Gloucester, Massachusetts, are currently establishing the viability of using the “knuckles” aft of the dorsal fin of humpback whales (see photo #3) as a naturally occurring feature that will enhance the reliability of individual identification. CRU's research is yet to be published, and the above statement is derived from my conversations with research scientists at CRU who are working on this latest “technique refinement.”
- vi I first learned of this naming ceremony while interviewing a leading North American cetologist. There is an annual meeting in which research scientists get together to vote on naming a discovered individual who has no name. Often some characteristic of the whale is the basis for a name. There is a toast between naming, and according to my interviewee, names fly more freely toward the end of the evening. Here is a sample of names listed in *Flukeprints*, 1995 (March - April):2: Agasiz, Chablis, Double-O, Hornbill, Newton, Raven, Squiggle, and Zeppelin.
- vii This comment was taken from a caption under a fluke photograph of Shark in the Cetacean Research Unit's publication *Flukeprints* 1995 (March - April):4)
- viii Ironically, while many researchers are involved in conservation efforts to help recover cetacean populations, the smaller the population size, the more often viable field techniques such as photographic identification are meaningfully employed.
- ix This is especially the case in the New England region. Many research institutes rely on commercial whale watch cruises to facilitate data collection. Scientists will serve as naturalists and narrate the cruise while simultaneously collecting data. While this exchange is an economic opportunity, it does have its downside. There is an uneasy fellowship in this exchange. Scientists, commercial carriers, and tourists, while sharing an interest in the opportunity to observe whales in their natural habitat, do not necessarily share the view of what this observational opportunity should be. Often there are contradictory interests and normally, by satisfying the desires of tourists and commercial enterprises, basic scientific interests are compromised. In addition, Rik Scarce (2000) has detailed a similar process regarding West Coast salmon fisheries, where basic scientific questions regarding salmon are suppressed under the political sway of managerial and sports arenas. In general, both in whale watching and salmon fishing, when commercial, tourist, and scientific worlds intersect, basic science will likely be compromised.
- x Recently there has been the discovery of a third community labeled “offshore” (see Obee 1996). My thanks to Kate Paul for informing me of this recent discovery and to Professor J. Conley for calling my attention to the Obee article.

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## Contributors

**Yeslam Al-Saggaf** (PhD) is a lecturer in the School of Information Studies, an Associate Course Coordinator for GradDipInfoTech/MInfoTech/MInfoSys at Charles Sturt University, Australia and a Research Fellow at the Centre for Applied Philosophy and Public Ethics. He holds a bachelor's degree in engineering (computer and information engineering) from Malaysia, and a master of information technology and a PhD from Charles Sturt University, Australia. His research interests lie in the areas of online communities (both social and political) and the online political public sphere in the Arab world. He has published in those areas in a number of international refereed journals as well as presenting at a number of international conferences.

Contact: yalsaggaf@csu.edu.au

**Kirsty Williamson** (PhD) is the Director of the research group, Information and Telecommunications Needs Research (ITNR), a joint initiative of Monash and Charles Sturt Universities. Since the early 1990s, she has undertaken many research projects, funded by a range of different organisations including the Telstra Fund for Social and Policy Research, Department of Communications, Information Technology and the Arts (DCITA), and the Australian Research Council. Her interests are in a wide range of topics, many of which are related to the use of the Internet as is the present article. Kirsty also teaches research methods at Charles Sturt University and supervises PhD students there.

Contact: kirsty.williamson@infotech.monash.edu.au

**Bruce Arnold** (PhD) is an Associate Professor in the Department of Sociology at the University of Calgary, Alberta, Canada. With a background in quantitative sociology and anthropology, his current research interests questions are located within sociological social cognition, sociology of emotions, and death and dying drawing from phenomenological, autoethnographic and narrative analysis methodologies. Current research includes death and dying, phenomenology of self, and emotion and small groups dynamics.

Contact: barnold@ucalgary.ca

**Val Gillies** is a Senior Research Fellow in the Families & Social Capital ESRC Research Group at London South Bank University. She has researched and published widely in the area of family and social class. Her most recent publications include *Marginalised Mothers: Exploring Working Class Parenting*, along with various journal articles and book chapters on parenting and social policy, young people's family lives and qualitative research methods.

Contact: gilliev@lsbu.ac.uk

**Rosalind Edwards** is Professor in Social Policy and Director of the Families & Social Capital ESRC Research Group at London South Bank University ([www.lsbu.ac.uk/families](http://www.lsbu.ac.uk/families)). Her research interests mainly focus on family policy and family life, especially in relation to gender, class and ethnicity, on which she has published widely. She also has an interest in methodology as founding and co-editor of the *International Journal of Social Research Methodology: Theory and Practice*.

Contact: edwardra@lsbu.ac.uk



**Noriko Milman** (MA) is a doctoral student in the Department of Sociology at the University of California, Los Angeles. Her research interests include: childhood, primary education, urban schooling, and race/ethnicity. She is currently using qualitative methods to study kids' culture among first graders in an urban elementary school. Prior to graduate school, Noriko was a first grade teacher in the Compton Unified School District, located in southern California.  
Contact: nmilman@ucla.edu

**Jerome Rabow** (PhD) is Professor Emeritus, Department of Sociology, University of California, Los Angeles and Lecturer at California State University, Northridge. Recent books include *Voices of Pain, Voices of Hope: Students Speak about Racism*. Kendall Hunt, Dubuque Iowa, 2006; *Excellent Teaching in the Excellent University*, Academica Press, Bethesda MD, 2006; *Tutoring Matters: Everything You Always Wanted to Know about Tutoring*, Temple Univ. Press. Phila. PA.1999. (with T. Chin and N. Fahimian) In 2005 he wrote, produced, and directed a documentary about teaching race at university and high school levels. The video, "Voices of Hope" is available at [www.pyramidmedia.com](http://www.pyramidmedia.com).  
Contact: jrabow@soc.ucla.edu

**Robert A. Kenedy** is a sociologist at York University, Canada. He has been studying identity issues since 1984 with much of his research focusing on collective identity, as well as ethnic communities and identity formation. He has written the book *Fathers for Justice: The Rise of a New Social Movement in Canada as a Case Study of Collective Identity Formation*. His recent work examines ethnic identity within several different immigrant groups in the city of Toronto. Dr. Kenedy has examined divergent issues related to ethnic communities in Canada such as civic identity among immigrants, as well as Jewish identity and Diasporas.  
Contact: rkenedy@yorku.ca

**Baudouin Dupret** is educated in Law, Arabic and Islamic Sciences, and Political Sciences. He is research fellow at the French National Centre for Scientific Research (CNRS) and was based for several years in Cairo, Egypt, at the French Institute (CEDEJ). He is now based in Damascus, Syria, at the Institut Français du Proche-Orient (IFPO). He has published extensively in the field of the sociology and anthropology of law in the Middle East. His current work involves a praxiological approach to the production of truth in Arab contexts, including courts and parliaments, scientific expertise, the media, and religious education. He (co-)edited several volumes, among which *Standing Trial: Law and the Person in the Modern Middle East* (Tauris, 2004). He is the author of *Au nom de quel droit. Répertoires juridiques et référence religieuse dans la société égyptienne musulmane contemporaine* (Paris, Maison des sciences de l'homme, 2000) and *Le Jugement en action. Ethnométhodologie du droit, de la morale et de la justice en Egypte* (Geneva, Librairie Droz, 2006).  
Contact: dupret@link.net

**Alexander Kozin** (PhD) is a Research Fellow at the Freie Universität Berlin, Germany. His interests reside at the juncture of phenomenology, semiotics, and social interactionism. He published in the areas of phenomenology, semiotics, psychology, and communication. His current work is located in the sociolegal field, where, as a member of international project "Comparative Microsociology of Criminal

Defence,” he examines criminal defence casework in the legal context of the United States.

Contact: alex.kozin@gmx.net

**Frank Nutch** (PhD) teaches sociology of science and the sociology of everyday life at Trent University, Peterborough, Ontario, Canada. He received his MA from the University of Hawaii—Manoa and his PhD from York University, Toronto, Ontario. His main research focus in the sociology of science and scientific knowledge has been in investigating the use, history, and development of the scientific field research technique of photographic identification of cetacea (whales, dolphins, and porpoises). He is currently writing a book based on his two decades of participant observation research with marine field scientists, tentatively titled: *Scientists at Work: Reflections on doing fieldwork with marine scientists*.

Contact: fnutch@trentu.ca

## Author-Supplied Abstracts & Keywords

### **Yeslam Al-Saggaf**

Charles Sturt University and Centre for Applied Philosophy and Public Ethics, Australia

### **Kirsty Williamson**

Monash University and Charles Sturt University, Australia

*Doing ethnography from within a constructivist paradigm to explore virtual communities in Saudi Arabia*

Most of the studies in the recent literature focus on the method used but not the philosophy behind it. This article focuses on doing ethnography, from within a constructivist paradigm, to explore individuals' participation in virtual communities in Saudi Arabia. An aim of this article is to highlight how particular ethnographic techniques, viz unobtrusive observation and participation, were used in that study. The article argues that doing ethnography in this way allowed for placing the results within the social and cultural context of Saudi society. The article, which includes a sample of the findings from the two techniques involved for illustration, concludes that the one-year unobtrusive observation and the eight months' participation in two different but similar virtual communities, during the period 2001-2002, have produced findings that are deep, meaningful and rich in description.

### **Keywords:**

Ethnography; constructivist paradigm; constructivist ethnography; unobtrusive observation; NVIVO; virtual communities; Saudi Arabia; Saudi women

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### **Bruce Arnold**

University of Calgary, Canada

*Anticipatory Dying: Reflections Upon End of Life Experiences in a Thai Buddhist Hospice*

Death and dying offer an important paradox for investigation. Both are feared and to be avoided but also generate considerable reverence, curiosity and mystery. The latter is investigated through thick ethnographic data collected in a Thai Buddhist hospice and the following pages provide some description of an alternative cultural-spiritual framing of anticipating death. The former part of this paradox is explored using detailed autoethnographic-autobiographical data arising from the cognitive-emotional conflict between the researcher's cultural schemata and the phenomena in which the research process is embedded. Sociological speculations are offered as to the value and insights of this methodological approach and to anticipating dying as an important phenomenon for further inquiry into everyday social life.

### **Keywords:**

Autoethnography; autobiography; palliative care; cognitive sociology; death and dying

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**Val Gillies**

London South Bank University, UK

**Rosalind Edwards**

London South Bank University, UK

*A Qualitative Analysis of Parenting and Social Capital: Comparing the Work of Coleman and Bourdieu*

This paper will present an empirically based analysis of parenting in order to critically examine the work of two major social capital theorists. The work of James S. Coleman and Pierre Bourdieu is much cited, but while both focus on the links between individuals, families and wider social structures, their theories are based on very different interpretations of social capital and its implications. Drawing on qualitative data from a UK based qualitative study of parenting resources this paper will critically assess each theory using case studies. We argue that these two approaches allude to different social resources, with Coleman's work representing the tightly bonded solidarities more often found among working class communities, while Bourdieu focuses on the more diffuse, instrumental networking most associated with the middle classes.

**Keywords:**

Parenting; social capital; family; Coleman; Bourdieu

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**Noriko Milman**

University of California at Los Angeles, USA.

**Jerome Rabow**

University of California at Los Angeles, USA

*Identifying with the Role of "Other": "The Pink Triangle Experiment" Revisited*

The present study examines the impact of a politically-charged symbol on the everyday interactions of student-participants. Auto-ethnographic data gathered by undergraduate students donning a pink triangle pin indicates that participants often became identified with a gay/lesbian identity and were subsequently "othered." Students' testimonies highlight how the othering process prompted greater understanding of the struggles of gay men and lesbians, as well as other historically disenfranchised groups. Finally, their writings indicate that the experiment served as an exercise in self-reflection and in some cases, produced sentiments of self-empowerment.

**Keywords:**

Experiential learning; gay and lesbian; identity; identity management; stigma; self and society; social oppression

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**Robert A. Kenedy**

York University, Canada

*Researching the Intersection between Collective Identity and Conceptions of Post-separation and Divorced Fatherhood: A Case Study. Fathers For Justice, Fathers For Just Us, or Fathers are Us?*

This article explores the methodological implications of investigating the collective identity of Fathers For Justice (FFJ). More specifically, a three-pronged approach of employing participant observation, interviews, and content analysis is assessed as the basis for understanding FFJ's collective identity. This methodological approach reveals that meanings and practices related to post-separation and divorced fatherhood as well as the importance of children are a significant dimension of a FFJ collective identity. I conclude that an important part of the FFJ collective identity is not based on these activists perceiving themselves as self-serving (Fathers for Just Us), but as those seeking equality in terms of being recognized as continuous parents after separation and divorce (Fathers are Us).

**Keywords:**

Fathers rights movement; collective identity; participant observation; interviews; content analysis

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**Baudouin Dupret**

Institut Français du Proche-Orient, Syria

*Morality on Trial: Structure and Intelligibility System of a Court Sentence Concerning Homosexuality*

This article analyses the structural organization of a ruling issued by an Egyptian court in the trial known as the "Queen Boat case", where several people were arrested on the ground of their alleged homosexuality. With the text, and only the text, as data, it aims at making explicit the possibilities open to potential readers of the ruling. The praxiological study of texts constitutes a relatively new domain of inquiry in which texts are considered as produced objects whose intelligibility is structured and organized in a way that provides instructions for the texts' reading and accounts for their author's worldview and purposes. The article briefly presents the Egyptian legal and judicial system. Then, through close observation of each of the constitutive elements and organizational features of the ruling, it shows how this text serves as a vehicle for a limited number of possible logical options. In other words, it describes aspects of the practical grammar of written legal adjudication. Finally, in conclusion, some remarks are formulated concerning rulings as instructed reading of cases submitted to judicial review.

**Keywords:**

Law; ruling; praxiological study of texts; instructed action; intelligibility systems and resources; institutional context; legal relevance; procedural correctness; legal characterization

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**Alexander Kozin**

Freie Universitat Berlin, Germany

*The Body Artist. An Experience of the Sur-Real in the Context of the Embodied and Aesthetic Abnormality*

In this essay I explore a possibility of experiential synthesis of an abnormal body of a Contergan person with an aesthetic image of the visual body. For a method, the essay uses phenomenology; I therefore lean in on the studies of embodiment conducted by Edmund Husserl and Maurice Merleau-Ponty. In turn, Max Ernst introduces an aesthetic modality of the artistic body. A personal narrative about meeting sur-real bodies serves as a frame for theorizing abnormality. The study reveals how the encounter with the abnormal ways of constitution suspends normality toward producing sur-real effects.

**Keywords:**

Body; abnormality; phenomenology; surrealism

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**Frank Nutch**

Trent University, Canada

*The 35mm Solution: Photography, Scientists, and Whales*

The field technique of photographic identification enabled scientists to individually identify and follow cetacea (whales, dolphins, and porpoises) through their life-cycle. Photographic identification relies on portable, high-quality photographic equipment and the naturally occurring markings of individual whales. Being able to identify cetacea individually has enabled scientists to engage in long-term field studies comparable to field studies of land mammals. Further, carrying out long-term field studies has contributed to an exponential growth of scientific knowledge of cetacea and has significantly altered the public's connection(s) to scientists and cetacea.

This article is based on interviews, published material, and observations made by the author at different research settings. It describes how photography and the use of naturally occurring markings of individual cetacea combined to produce photographic identification as a research technique.

As a study within the sociology of science and scientific knowledge, this article highlights the emergent character of scientific research; that is, the emergent confluence of cumulative knowledge, theory, method, and empirical observation.

**Keywords:**

Animal studies; anthropomorphism; fieldwork; naming; photographic identification of cetacean; reliability and validity; sociology of science and scientific knowledge

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