Part 1

Cartographies of Normality and Normativity

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Unpacking Prejudice: Narratives of Homophobia in Cross-National Context

ABSTRACT: This chapter analyses homophobic responses in two distinctive European contexts, Poland and Britain. It is based on a multi-method research project conducted as part of the ERC-funded 'Living with Difference in Europe' research programme. It adopts a social topographic approach to produce a cartography of homophobia: the analysis looks at the ways prejudices against lesbians and gay men are refracted through the lens of different national histories and socio-spatial relationships. Our findings show that homophobia is more frequently expressed in silent and subtle ways in Britain, whereas in Poland it remains more salient and blatant. We argue that, despite a transnational narrative of the idealisation of the 'West' as 'homophobia-free', homophobia still is present in both countries. The chapter demonstrates that we need to pay more attention to the different ways homophobia is expressed across Europe, looking more closely at specific national contexts as well as at the inter-connectivity of homophobia in a transnational age.

Introduction

Although it is widely considered that it is easier to be a lesbian or a gay man in contemporary Europe than at any other time in history due to processes of individualisation and detraditionalisation as well as legislative change, including emancipatory success of the feminist and queer civil rights movement, nonetheless homophobia is still commonplace. To-date most of the research which has examined this form of prejudice has done so by drawing on the experiences of those who are targeted by this form of discrimination and harassment (Herek and Berrill 1992, Moran et al. 2003) rather than on

the attitudes of the perpetrators. Here, instead of focusing on the accounts of lesbians and gay men this chapter examines the way homophobia is rationalised and expressed by heterosexual people in everyday life in two diverse national contexts: Britain and Poland.

Britain is a European country that has been at the vanguard of processes of detraditionalisation and individualisation, and consequently is characterised by high levels of mobility and the public expression of diverse social identities and lifestyles. Following the introduction of a range of equality legislation including the introduction of civil partnerships (2004) for lesbians and gay men and subsequently gay marriage (2014) it is perceived to be easier to identify as gay in the Britain than at any previous time. In contrast, Poland as a communist state during the post-war period experienced a period in which international mobility was restricted, resulting in greater population homogeneity (Jasińska-Kania, and Łodziński 2009). Following the end of communism this is now being significantly unsettled by contact with 'others' as a result of the arrival of migrants from elsewhere and increased engagement with global media and cultures. While the new European Union (EU) accession states have been required to adopt European anti-discrimination and equality legislation (e.g. in relation to sexual orientation), the collapse of communism has also allowed a revival of the Church in some national contexts (e.g. Poland) and with it a re-, rather than de-traditionalisation of attitudes and values (most notably in relation to gender and sexuality). This paper therefore considers the significance of national institutions (e.g. State and Church) in the way they influence the nature and form that homophobia takes.

In exploring homophobia in cross-national context we adopt a social topographic approach to produce a cartography of homophobia (Katz 2001a; Katz 2001b). Specifically this approach moves beyond situating knowledge. (Yuval-Davis 1997, Vieten 2007) in specific contexts to provide an innovative framework for understanding relationships between apparently different contexts. In doing so, it transcends conventional comparative perspectives because it explores qualitatively some of the links that connect places (Valentine et al. 2015b). While physical geographers use contour lines to connect places at a uniform altitude to reveal the three-dimensional form of the terrain, the notion of social topographies is an alternative

cartographic approach which links selected different places analytically along lines that represent not elevation but particular relations to a process 'in order to both develop the contours of common struggles and imagine a different kind of practical response to problems confronting them' (Katz 2001b: 722). Hence, a social topographic approach enables us to move beyond a simplistic comparison of these distinct socio-cultural contexts, instead Britain and Poland are treated as nodes which are inextricably linked by wider global processes. In particular, both contemporary states are connected by a shared framework of European legislation and intra-EU mobility through which attitudes, values and social practices are circulated.

The evidence presented in this chapter was collected as part of a European Research Council funded study entitled 'Living with Difference in Europe: Making communities out of strangers in an era of super mobility and super diversity', which undertook quantitative and qualitative research in Leeds, UK, and Warsaw, Poland. Leeds is the second largest metropolitan district in England and the regional capital of Yorkshire and the Humber. It has a long history of industrial diversification and prosperity, as well as long histories of immigration and significant levels of deprivation. The share of minority ethnic groups in Leeds is close to the national average (app. 17.5 per cent, 2011 Census). Warsaw was selected for the study since it is the most socially and ethnically diverse big city in Poland. The transformation of the political system in 1989 brought an opening of national borders, freedom of expression and speech (e.g. the possibility of open discussion on individual identities and difference in the public sphere) and equal treatment for all citizens. In this context Warsaw is considered to be the most cosmopolitan city where all forms of visible difference are present in public space, yet such encounters are situated in a conservative normative structure (Piekut et al. 2014).

The first stage of the research involved a survey which was carried out to explore patterns of prejudice in both Leeds (n=1,522) and Warsaw (n=1,499). On the basis of the responses to the survey 30 participants were recruited in each city to take part in in-depth qualitative case studies. Each qualitative case comprised: 1) a time-line; 2) life-story interview; 3) audio-diary of everyday encounters; 4) semi-structured interview about attitudes towards difference; and 5) an interview reflecting on the emerging findings.

The advantage of using this biographical approach was that it enabled a focus on both the personal and public ways that lives develop and an opportunity to explore both continuities and change in participants' attitudes and values (Valentine and Sadgrove 2014). The interviews were recorded, transcribed verbatim and coded with qualitative research software.

Patterns of prejudice and homophobia in Britain and Poland

Homophobia is defined as 'unfounded fear and aversion to homosexuality and to lesbian, gay, bisexual and transgender people based on prejudice similar to racism, xenophobia, anti-Semitism and sexism' (European Parliament 2006). This is a form of prejudice which like other negative attitudes comprises: *affective* (feelings towards other people), *behavioural* (behavioural orientations) and *cognitive* (thoughts and knowledge) dimensions (Gerrig and Zimbardo 2010). In the survey we explored all three components. We measured *affective attitudes* with a 'feeling thermometer' (Dovidio et al. 2010). Respondents were asked to say how warm their feelings were towards some groups using a scale from 0 to 100. In Leeds the highest levels of prejudice were recorded for travellers, gypsies and Roma as well as refugees and asylum seekers. In Warsaw the highest levels of prejudice were directed towards gay, lesbian, and transsexual people. Figures 1 and 2 present mean values of out-group attitudes towards minority groups (calculated after exclusion of a given minority group) and in-group attitudes in case of attitudes towards white people (attitudes towards own group). Values were recalculated on a scale 0–1 and centred around, value 0.5.
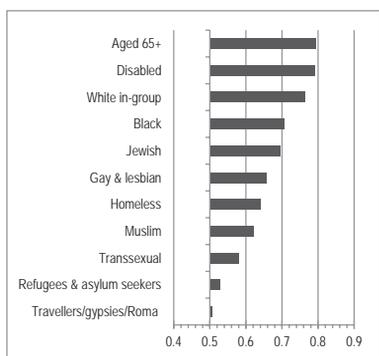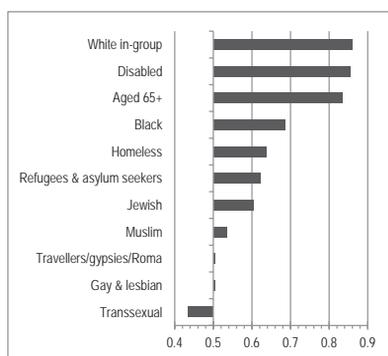
Figure 1. Affective attitudes in Leeds   Figure 2. Affective attitudes in Warsaw

Source: 'Living with Difference' survey, 2012.

Attitudes were described as affective prejudice if respondents expressed colder feelings than the assumed neutral reading of 50 degrees. In Leeds 9 per cent of respondents expressed negative attitudes (<50) towards lesbians and gay men; 41 per cent neutral attitudes (=50) and 50 per cent recorded positive (>50) responses. In Warsaw the distribution between three emotions was more even. Approximately a third (36 percent) of the respondents revealed negative feelings towards lesbians and gay men, the same percentage (36 per cent) were positive, with the remainder (28 per cent) opting for a neutral response. Although the level of prejudice towards gays and lesbians is lower in Leeds than in Warsaw, neutral feelings might indicate a more subtle form of prejudice (see Pettigrew and Meertens 1995; Valentine et al. 2015a). Namely there is a reluctance to admit negative feelings towards a given group, but equally an absence of positive feelings to this group. As Pettigrew and Meertens (1995) explain, while blatant prejudice is hot, close and direct, subtle prejudice is cool, distant and indirect. While the first involves rejection of a group, the latter involves opposition to a more intimate contact.

In the case of *behavioural attitudes* respondents were asked: 'If the following people moved next door to you, to what extent, if at all, would you be friendly or not to towards them?' Attitudes were recalculated on

the scale 0–1 (so it is easier to compare them with affective scores), centred around, value 0.5 and presented in Figures 3 and 4.
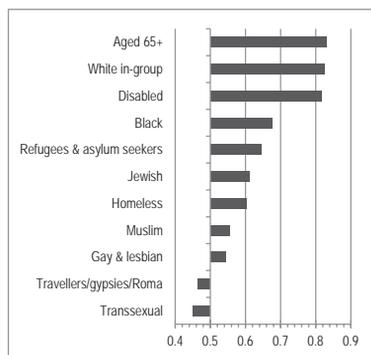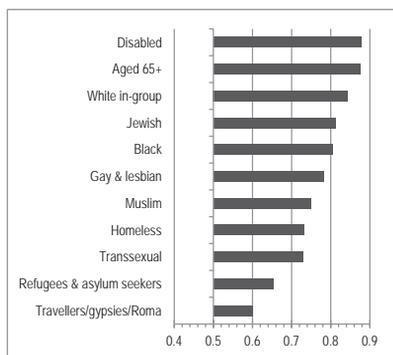

Figure 3. Behavioural attitudes in Leeds   Figure 4. Behavioural attitudes in Warsaw

Source: 'Living with Difference' survey, 2012.

Homophobic behavioural attitudes were again more common amongst Polish respondents. Most people in Leeds expressed positive behavioural attitudes towards lesbians and gay men (77 per cent) and transsexuals (68 per cent). In contrast, in Warsaw only 40 per cent of people stated they would accept lesbian and gay neighbours and 27 per cent transsexual neighbours. Behavioural attitudes were further investigated in relation to a more intimate form of contact. Respondents were asked to agree or disagree with the following statement (5-point scale): 'I would be uncomfortable if my GP or doctor was lesbian or gay'. In Warsaw opposition to a lesbian or gay doctor was expressed more strongly than in Leeds with 34 per cent of people disagreeing with the statement compared to only 8 per cent in Leeds.

Finally, we explored the *cognitive component of attitudes* by asking: 'Thinking about the past 12 months, do you think your feelings towards any of these groups have become any colder? Can you say which has changed the most? And why?' Every third respondent in both cities stated that their feelings towards one of 11 groups had become cooler in the last year. Attitudes towards gay men and lesbians or transsexuals had cooled among respondents in Warsaw (more homophobic – 22 per cent of positive answers, 5 per cent of respondents). This reflects the fact that sexual

minorities have become more visible in public spaces in Poland following its accession to the European Union (Graff 2010). Yet some Poles have struggled to understand or recognise this form of difference. In particular, the presence of lesbians and gay men disrupts the presumed heteronormative nature of public space, creating anxiety that the previously unrecognised or taken for granted hegemony of heterosexuality may be under threat (see Bell et al 1994, Bell and Valentine 1995). As respondents in Warsaw explained: *'they parade around too much, flaunting "otherness"'*, *'they spread intrusive propaganda in media'*, *'they talk too much'*, and *'they took control over media'*. Indeed, in the 2011 Polish parliament elections one openly gay person (Robert Biedroń) and one openly transgender person (Anna Grodzka) became members of the parliament; as a consequence these 'differences' have become more 'mainstreamed' and present in the public discourse. As sexual minorities have grown in visibility so it has mobilised prejudicial discourses about the threat lesbians and gay men pose to the existing social order, specifically the normative regulations regarding the family, sexuality and national reproduction (Piekut et al. 2014).

Although homophobia is more visibly present in contemporary Polish society than in the UK, it does exist in both societies. In Leeds similar prejudicial feelings towards gay men and lesbians also exist but these are generally expressed more subtly. Nonetheless, there are some similarities among the profile of people expressing homophobia in both places. Men are more prejudiced in both cities (Valentine 2010). Previous studies have suggested that this is because male gender roles are more fragile than those of women, and so when traditional gender roles are perceived to be violated men tend to react in more a negative and hostile way than women (Wellman and McCoy 2014).

Likewise, in both national contexts the older generation (people aged 65+) were the group least tolerant of lesbians and gay men. This perhaps can be attributed to the fact that this cohort has been socialised in different times, when sexual difference was not so openly discussed and LGBT rights were not recognised in both countries (see below). Moreover, in both contexts older people are less likely to have everyday contact with lesbians and gay men because the spaces within which they live and move offer them less potential opportunities to encounter or learn about difference

than other generations. This is because older people's everyday activity patterns are at least in part, a product of various processes (age segregation in housing markets, age discrimination and so on) that lead to the marginalisation or social exclusion of older people from public space and public life (Hagestad and Uhlenberg 2005; Vanderbeck 2007). Although it is also important to note that older people have the same capacity to change their attitudes as younger people when they come into sustained contact with gay people (Valentine 2014).

According to our survey, in both national contexts people who do not belong to any religious group are less homophobic than people of faith. Other international studies have also found a similar pattern which in part reflects the fact that sex is still understood by most faith communities to be a functional practice, solely for reproduction, rather than about pleasure (Adamczyk and Pitt 2009). In contrast, within secular society sexuality has become conceptualised in terms of expressions of intimacy and self-realisation, losing its connection with traditional ethical frameworks and wider responsibilities to produce the next generation (Giddens 1992). Thus many faiths have prohibitions against homosexuality (McFadyen 2000; Crockett and Voas 2003) – although research also suggests that heterosexual people of faith often separate their beliefs (as abstract practices) from their actual everyday conduct when they meet LGBT individuals. Their ability to do so is facilitated by: an ethic of care towards marginalised 'others' in recognition of their own complex intersectional identities (e.g. experiences of racism, motherhood etc.) and a religious commitment to compassion which is evident in most faiths. As a consequence while conflicts between sexual orientation and religion/belief as equality strands may be evident in debates about group rights in the public sphere (e.g. in the law courts, media and political/policy debates) they are less likely to be manifest between individuals in everyday public spaces (Valentine and Waite 2012).

In sum, although patterns of prejudice are dissimilar in both Poland and UK, those who expressed homophobic attitudes in both societies share similar motivations and ideological concerns. In the next section we explore further the different historical and societal contexts that refract the expressions of homophobic attitudes in Poland and the UK.

Situating homophobia in the two national contexts

A social topographic approach, linking analytically homophobia and the responses of national institutions to sexuality in each country sheds further light on the patterns of prejudice in both contexts. In Poland we observe a relatively recent growth of visibility of LGBT people and politicisation of the debate on their rights (Graff 2010). The gay and lesbian issues in the UK have already been 'domesticated' (Binnie et al. 2006) and the rapid development of equality legislation in late 1990s and early 2000s has reduced the open expression of homophobia in public space, although it has also contributed to what has been described as a privatisation of prejudice (Richardson and Munro 2013, Valentine and Harris 2016).

Poland: visible and politicised difference

In Poland during the socialism period the expression of any form of difference was not encouraged by the national state, nor followed by people. After the Second World War the authorities decided to promote ethnic homogeneity through a policy of the resettlement of non-Polish citizens and by marginalising the remaining minority ethnic groups in the country (Jasińska-Kania and Łodziński 2009). This policy was linked to the belief that the high ethnic heterogeneity of the pre-war state had contributed to ethnic conflicts and tensions and that becoming a more mono-ethnic state would guarantee a more peaceful coexistence with neighbouring states. This was facilitated by the power of the socialist security services or communist police in the People's Republic of Poland (PRP) to observe and recode ethnic or national difference as "an attempt to erase the borders between private and public" (Heinen 1997: 589).

Our respondents, asked about diversity in the socialist times, claimed that people preferred not to stick out in order not to be labelled as 'different';

otherwise the security services might become interested into them. Moreover, although homosexuality was not illegal after the war, it was used by the secret police as a means to put pressure on individuals to cooperate with the state to become secret informants. For example, between 1985 and 1987 over 11,000 people suspected of being lesbians/gay were arrested as part of Operation 'Hyacinth' which resulted in creating personal files called 'Card of a homosexual', where their personal information and finger prints were recorded (Tomasik 2012). As a consequence, sexual difference was largely hidden during the communist period. Even the 'Solidarity' move-ment (*Solidarność*), despite fighting for equality and democratic rights for all, failed to recognise the specific needs of either women or minority sexualities (Gruszczyńska 2009).

The political transition in 1989 brought democratic rights includ-ing: after all freedoms of expression, speech and international travel. Equal treatment of all citizens was guaranteed in a new democratic Constitution in 1997, which stated that 'All persons shall be equal before the law. All per-sons shall have the right to equal treatment by public authorities' (article 32, point 1); and 'No one shall be discriminated against in political, social or economic life for any reason whatsoever' (article 32, point 2). However, dis-course analysis of the Polish Constitution of 1997 reveals that it resembles the Catholic Church Catechism, especially in the way family and gender roles are described (Mizielińska 2001). For example, it defines a marriage as a union of a man and a woman (Article 18). Such an understanding of marriage, and more widely, of the family, was common among both more conservative and more liberal interviewees in Warsaw. For example, the same understanding was articulated by a woman who was born in Warsaw in 1992 and was bisexual and atheist, and by a woman born in a village in south-east Poland in 1960, who was heterosexual and Catholic. The latter explained:

> I think that a family means a woman and a man. And here, it's [homosexuality] more of a, it's some deviation from normality. I think this way - that it's not a family for 100%, but more as if people were sick [...] as if something bad was happening inside the head. Something not right. (Polish, female, 50–54, heterosexual)

The 'traditional' heterosexual family model, embedded in Catholic religious norms in Poland, has a profound influence on society (Mizielińska 2001;

Piekut at al. 2014). The Catholic Church played a crucial role as the defender of Polishness during the partitions (1795–1918) and during the Communist era (1945–1989). As a consequence, Poles developed a strong sense of identification with the Church, and after the political breakthrough of 1989, the Church was given a privileged political position, guaranteed by the Concordat signed in 1993 (Borowik 2002). Hence the significance of the Catholic religion in shaping the societal response – particularly along older generations – to the growing visibility of gay men and lesbians after 1989 cannot be underestimated. Research participants linked higher level of homophobia in the Polish society with the role played by the Church previously and contemporarily:

> I think that such lower tolerance [towards sexual minorities]… it is largely due to religious beliefs among the elderly, and among the older population on average. Among younger people, I think, I think that probably there's greater tolerance than among the older generation. (Polish, female, 20–24, heterosexual)

> And [prejudice towards] sexual minorities [reflection]… It's also a matter of the Church, well, because after all the Church has a definitely negative attitude and verbalises it. […] And obviously it's also about the fact that such people haven't met any homosexuals and they think that it is a form of degeneration. (Polish, male, 35–39, heterosexual)

> The influence of the Church, the influence of monoculture, [reflection] well and apart from that some [pause] delay in our civil development [PL: *opoźnienie cywili- acyjne*] related to, I don't know, the partitions, to German occupation. [pause] So this is why sexual minorities are perceived negatively, I guess. (Polish, male, 65–69, heterosexual)

In the 1990s, LGBT groups rarely disclosed their sexual orientation for fear of discrimination and social ostracism. This relative lack of visibility reduced the opportunity for contact, and as a consequence attitudes towards this minority group were shaped mostly by the media and the Catholic Church. However, gay rights became politicised after the presidential elections in 2005, when one of the candidates, Lech Kaczyński, used homophobic sentiments in his campaign including challenging what he described as 'homosexual propaganda' (Graff 2010). In the following years many grassroots initiatives and social campaigns have emerged, such

as 'Love Does not Exclude', 'In Relationship with Love' or 'Close Strangers' (Mizielińska and Stasińska 2014). Ordinary gay and lesbian couples or families with gay/lesbian members have started to talk more openly about their experiences of discrimination and institutional limitations. This increased visibility has in turn been mobilised to justify homophobia and to blame lesbians and gay men for provoking the discrimination they encounter. For example, some interviewees reflected that minority sexualities could be in fact blamed for the discrimination against them:

> I think homosexual people themselves make unnecessary hype about themselves which later causes them to be discriminated against. That's my approach to this, but it's hard to call that intolerance. (Polish, male, 30–34, heterosexual)

Analysis of the press discourse on same-sex relationships suggests that while the media coverage now includes more diverse voices in this debate, including liberal views (Mizielińska and Stasińska 2014), nonetheless in the period between 2011 and 2013 homophobic and exclusionary discourses have been on the increase. This follows heated parliamentary debates in 2011 about legislation to recognise same-sex partnerships (Arcimowicz et al. 2014). In this way, the growing visibility of LGBT activists and equality debates, on the one hand, and an increase in tolerance of different forms of family and relationships (CBOS 2013), on the other, have led to the emergence of more direct and homophobic discourses among some politicians and media (Arcimowicz et al. 2014). This is reflected in the narratives of many of our interviewees which demonstrate that the heterosexual majority still oppose the growing visibility of minority sexualities and their political efforts to gain equal rights. As the exemplary quote below shows, they are 'tired' of sexual minorities 'flaunting' their difference in the media:

> I don't like this... flaunting this difference... I could say that I'm intolerant in the sense that flaunting it annoys me because, the fact that someone is homosexual doesn't bother me, let them be. But it bugs me that they go on parades and take their clothes off at these parades, yeah, because unfortunately they are like this, these parades, they often look like this that they show their sexuality. Gosh, I'm hetero and I don't have to show it, and I don't show it. Why do you show it? (Polish, male, 30–34, heterosexual)

Although, the 1997 Polish Constitution guarantees basic democratic freedoms and condemns any form of discrimination, groups such as lesbians and gay men have not been protected by specific legislation. Until 2010, the Labour Code was the main element of Polish anti-discrimination legislation (amended in 2001, 2003 and in 2008 to comply with European equality directives). It regulated discrimination in the labour market, but not in other spheres of life. The Equal Treatment Act (ETA) – the *Act on the Implementation of Certain Provisions of the European Union in the Field of Equal Treatment* – entered into force on 1 January 2011 (Bojarski 2013). However, the ETA is criticised. First, some grounds for discrimination are excluded, and it does not provide a full protection against discrimination. Second, the compensation covers only material damage (not immaterial), what also limits its protective power. Third, only in employment cases the 'burden of proof' has been moved from the complainant to the respondent. Forth, it did not create a new equality body; instead it designated the existing Ombud's Office (Commissioner for Civil Rights Protection) as an equality body. It has limited resources and powers in terms of resolving conflicts between private parties (Bojarski 2013). Despite these limitations equality legislation and civil partnerships have become increasingly discussed in Polish public debates. However, the evidence of this research is that the growth of visibility and politicisation of sexuality has currently brought intensification rather than a reduction in homophobia; the expression of which had been suppressed during the socialist era. In the next section we will explore specificity of the British context.

UK: domesticated difference and privatised prejudice

After the Second World War homosexuality was illegal in the UK and punished by imprisonment. The *Sexual Offences Act* of 1967 decriminalised consensual same-sex acts – provided they took place in private, and involved two men only aged at least 21 years old. In the 1970s feminist lesbians and gay activist movements emerged campaigning for equal rights. However, in the wake of AIDS-phobia in the 1980s the negative perception of homosexuality was if anything strengthened (Bell 1991). In 1988,

the then Conservative Government introduced 'Section 28' of *the Local Government Act* which stated that local authorities should 'not intentionally promote homosexuality or publish material with the intention of promoting homosexuality' or 'promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship' (in force in the UK until 2003). Although no one was ever prosecuted under this legislation its implementation provoked a backlash which led to the growth of lobbying and equality organisations for sexual minorities such as – Stonewall (in 1989). It played a key role in the parliamentary lobbying in the 1990s and mobilisation of celebrity support for the gay/lesbian movement. In 1997, the newly elected Labour Government initiated a programme of equality legislation which included the introduction in 2004 of a *Civil Partnership Act* which gave same-sex partners similar rights to civil marriages. Full equality with heterosexual marriage was achieved in 2014 when gay marriages were legalised. In 2010 a new *Equality Act*[1] came into force which brought together over 116 separate pieces of legislation into one single legal framework. This legislation requires people to be treated equally in most aspects of public life, regardless of the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

The rights claims of lesbians and gay men and associated legislative change have led to sexual identities and cultures becoming more visible in the media and popular discourse and even achieving relative normalisation within British mainstream culture (see Nava's 2007 account of modernity and English urban cosmopolitanism). Indeed, some commentators have suggested that the lesbian and gay movement has allowed itself to be co-opted, exploited as a niche market – the so-called pink pound – and ultimately commodified (Altman 1997), becoming in the process respectable and acceptable. Although others have observed that while consumption may have played an important part in the sexual citizenship struggles of some gay men not all forms of cultural difference are as easily assimilated as the white middle class (Binnie 2004).

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1   See: http://www.legislation.gov.uk/ukpga/2010/15/contents (accessed 12/05/2015).

Indeed, despite these broadly progressive changes in legislation and relatively normalisation of some forms of homosexuality in British culture our research found that acceptance of minority sexuality rights and freedoms is still conditional upon an expectation that lesbian and gay relationships are not displayed in public space but rather remain 'private' (cf. Stonewall 2003):

> I mean when you see the [LGBT] rallies at Parliament Square and places like that. [...] They're going about it in completely the wrong way, because all they're doing is disgusting people. When you have families and mothers and kiddies walking along the pavement and they're camping it up and kissing... They're going over the top, they're not going to get much of a sympathy vote there. (White British, male, 30–34, heterosexual)

> We do when we watch the six o'clock BBC News and there's something on about gay marriages, my wife has very strong feelings about it that she doesn't think that it's right to have gay marriages. But I'm a bit agnostic over this issue because I always feel like look, there's loads of people that live together, men and women, and they don't bother about marriage, so why don't these people just live without having to make a marriage. That's my view. You don't have to go and make a public scene of the whole thing. If you're gay and you want to have another, just go ahead and live together and it's none of anybody else's business. (British Asian, male, 75–79, heterosexual)

Homophobic respondents expressed *discomfort* with the increased visibility and public representation of gay men and lesbians. Such discomfort – instead of an open and direct hostility – indicates that prejudice has become what Massey (2009) describes as more 'modern' or 'symbolic'.

In this respect, the views of some of the interviewees from the UK mirrored those in Poland despite the dissimilarities in the legal frameworks in place in the two countries. In a social topographic sense, the common contour which links these two specific national contexts is the shared framework of the European Union. There were clear connections in the way interviewees in both Poland and the UK claimed their own national contexts to have been reshaped by European discourses about equality and by the perceived power of European Courts with the consequence that minorities are perceived to have been afforded too much accommodation or tolerance (this point is explored further in the following section). For

example, in the UK some interviewees argued that their ability to voice disquiet about the acceptance of lesbians and gay men in public space has been silenced by equality legislation which is popularly described as 'political correctness' (Valentine and Harris 2016):

> Gay people – I mean now they're going to let them get married. I know what gay people do, I used to know them. It's called buggery isn't it? Believe me it's not a pleasant sight. Yet I can't say anything against them. I mean I went into a shop today and I asked for some cheese gays and they didn't know what I were talking about. I said but I'm not allowed to say puffs. (British-Caribbean, female, 50–54, heterosexual)

> You've got to be careful, you've got to be so careful of who's around you, because you can offend so many people in so many different ways… I think you've got political correctness. There are a lot of things that you can't say and do in everyday life that you used to be able to… I think that boils over because people are frightened of what they're saying. There's no real freedom of speech anymore, even though you're supposed – we do live in a society that says freedom of speech, but I can't say I don't want to see gays flaunting it. (White British, male, 30–34, heterosexual)

People holding negative attitudes towards lesbians and gay men argued that they can only express their views in private spaces – among family and close friends. As a consequence people refrain from expressing homophobia not out of acquiescence with contemporary social norms and equality legislation, but out of a fear of the social and legal consequences of doing so. In other words, there has been a privatisation of homophobia (Richardson and Munro 2013; Valentine and Harris 2016). As such, while equality legislation has contained the public expression of prejudice it has not been sufficient to erase homophobic attitudes from the British society and transform it into a truly progressive culture.

Like the interviewees in Poland, participants in the UK also justified their prejudice towards lesbians and gay men on the basis that same-sex relations are 'unnatural' and do not lead to procreation. One of the British participants explained:

> So I'm not a lenient person with homosexuals, I think they're just freaks. It's nature gone wrong. […] Like I say I'm not religious, I'm an evolutionist. […] So if the world was full of gays getting married, in a generation we'd be all gone. So it must be unnatural. So if that's unnatural marriage is unnatural. I mean marriage I suppose

I really believe that marriage is in church, even though I'm not religious. (White British, male, 65–69, heterosexual)

But you know, I mean at the end of the day they're all God's people. I certainly don't agree with lesbians getting married. I don't agree with like Elton John bringing up a baby, because I think in a home you need a woman and you need a man – whether they're married or not is irrelevant – but I think for a secure, a well-adjusted childhood there needs to be a male and a female. So this business of them getting married I think's stupid. But that's just my opinion. (White British, female, 80–84, heterosexual)

Drawing the social topography lines between both case studies demonstrates that although in both contexts homophobia was mobilised by increased visibility of gay and lesbian people in the public sphere (in the UK in the 1990s, in Poland in the 2000s), respondents in each city favoured different justifications for their 'discomfort' in relation to gay and lesbian people. In Poland homophobia appears to be anchored in the collective presumptions regarding how the nation and the national culture should be reproduced and with the dominant heteronormative understanding of gender norms and sexuality (Kulpa 2013). In the UK, however, were British people are more likely to support 'biological models' of homophobia than to relate their prejudice to social justifications (see also Furnhama and Saito 2009). It appears that as a consequence of the introduction of equality legislation for lesbians and gay men people do not publicly question the sexual citizenship rights of minorities anymore, as they still openly do in Poland. Instead, homophobic sentiments are privatised and are largely channelled through arguments about biological reproduction.

Cross-national discourses of homophobia – Europeanisation of prejudice

Minority sexual groups became more visible in Polish public discourse following Poland's accession to the European Union in 2004. This led to debates about how to harmonise Polish law with EU standards and the

consequences for national culture. For right-wing and nationalist groups LGBT rights became a symbol of EU interference in the Polish nation-state. As Graff (2010: 585) argues 'collective fears concerning EU accession were projected onto [...] an ultraconservative but only half-serious discourse on gender and sexuality'. Attitudes to sexual minorities have therefore become not just a question of the acceptance or not of non-heteronormative behaviours, but rather a boundary marker between the West and the East (see also Mayblin et al. 2016). Some Polish interviewees for example perceived the acceptance of gay and lesbian rights to form legally recognised civic partnerships as desirable so that Poland could become more 'western' in comparison while Russia and other Eastern European countries who were represented as having 'underdeveloped' equality legislation:

> And they were a couple who was really, they lived together, I met them at some friends', at some party. And they are still together. And I reckon that preventing such people from the right to... let's say medical information, or these inheritance issues, I guess, it is somehow absurd. Especially that I cannot understand how legal regulation of this sort, what threat it poses to Catholic morality in this country. I cannot see any bone of contention, but maybe I didn't tune in enough [laughter] in the topic. But anyway I reckon that it should be resolved legally. And after all Poland doesn't look good in the eyes of Europe. I mean we are not Russia where there can be no parade, but we don't facilitate life of such people. (Polish, male, 35–39, heterosexual)

Other interviewees framed Western European societies as having accorded 'too many' rights to sexual minorities (e.g. by allowing lesbians and gay men to marry or adopt children) with the consequence that the traditional Polish nuclear family is under threat (Mizielińska and Stasińska 2013). This tension is illustrated in the following narrative where the interviewee draws a distinction between the right to a civil partnership which he is willing to accept as a consequence of joining the European Union and the right of lesbians and gay men to adopt and raise children which he perceives as a step too far:

> Right now there is a lot of debate in Poland about the civil unions. Do you have any opinions on the topic? Should they be allowed?

> Unions, yes. Wow. Unions exist, right? Because of this profession [insurance advisor], I sometimes have the pleasure to talk with such people. I also had a problem with this at first, then I got to know it better. These unions are, were and will be. I think that statistics lie – worldwide a certain percentage of people are homosexual. And that's how it is and we can't change that. When it comes to marriage, real marriage and adopting children, I don't know. This may be old fashioned, but I would not be in favour of that. Civil unions, that's fine. If you want to live together, legally in a certain way that is possible. I don't have a problem with that. Because I know that such situations exist. But you see, everyone wants to be that perfect European [pol.: *pięknym*], super open. But on the other hand, when it comes to adoption or raising children [...] this just doesn't suit me. (Polish, male, 40–44, heterosexual)

Indeed high levels of homophobia, including in the media, and the continued acceptance of hate speech towards sexual minorities (including the banning of equality marches) (Mizielińska and Stasińska 2014) has meant that Poland has developed a reputation for homophobia, which Graff (2010: 583) argues represents 'its mark of difference in Europe' (Graff 2010: 583). As a consequence Western European countries have developed a patronising discourse towards the countries of Central and Eastern Europe, offering help and education. Kulpa (2014) suggests that Poland and other Eastern European countries are framed as a 'homophobic Other' in Europe, not sufficiently liberal and tolerant, a region that has to be 'taken care of' by more civilised Western countries. Such perceptions of Eastern Europe were also present among our British respondents:

> I've been reading up to go travelling next year after I finish university and I was just reading a Europe book, and it said about gay and lesbianism around Europe. It said, it's mostly, you know, fine, in the Western world – more in Western, than the Eastern. (White British, female, 30–34, heterosexual)

The reproduction of such narratives results in an idealisation of 'the West' as 'homophobia free' (Mizielińska and Stasińska 2014). Yet, as we demonstrated in the previous section, while it is not socially acceptable to express homophobia publicly in UK, this form of prejudice is still present – it has just been privatised. However the representation of the UK as a tolerant society compared to Eastern European countries may strengthen prejudice towards other nationalities and minority groups, i.e. Polish migrants,

who may be seen as representing 'backward' and 'homophobic' societies. More importantly, the belief that Western countries, including the UK, are 'homophobia free' may justify private prejudices, because they are not seen as 'harmful' – as they do not result in openly discriminatory behaviours or hate speech, which can be found in 'truly' homophobic countries like Poland.

Conclusions

This chapter has presented homophobic responses by people in two distinctive European contexts, Poland and Britain, confronted with the legal equality (Britain) and public visibility (Poland) of lesbians and gay men. It is based on multi-method research conducted as part of the 'Living with Difference in Europe' research programme. The analysis looked at the way prejudices against lesbians and gay men refracted through the lens of different national histories and socio-spatial relationships. We found out that although homophobic attitudes are expressed differently in Poland from the UK, there are number of similarities among both case studies. First, although the level of homophobia – that was measured in the surveys and talked about during interviews – is higher and more directly expressed in Poland, the demographic profile of people holding such prejudicial views was similar. Men, people aged 65 and over, and those with a religious belief were more likely to express prejudice towards lesbians and gay men in both national contexts. This homophobia was also framed in both places through a discourse about the unnaturalness of same-sex relationships, and in terms of homosexuality as a threat to family life and the reproduction of society. Here the former argument was most prevalent in the UK, where the Polish interviewees placed more emphasis on the preservation of family values and norms (socio-cultural argument).

To some extent the different nature of homophobic prejudice in both contexts is related to the different stages of the national debate about equality legislation and LGBT rights. In both countries equality legislation has

been amended in recent years in response to equal treatment directives from the EU. In Poland, following accession to the European Union in 2004, anti-discrimination directives were implemented for the first time, and in 2011 an Act on Equal Treatment was also introduced. As Poland was the only European member state without an equality body, this legislation established the office of the Ombudsman in this role, as well as providing protection from discrimination in all aspects of public life on the grounds of race, ethnicity, nationality and in part, gender. However, sexual orientation and age were only afforded such protection in relation to employment (Bojarski 2013). Poland won a partial opt-out in relation to the EU Charter of Fundamental Rights because of its concerns that the European Court of Human Rights interpretations of the law would lead to a change in the definition of 'family' and require Poland to recognise same-sex marriage. As such, legal recognition and protection for sexual minorities in Poland remains relatively limited and heteronormativity is still politically and institutionally legitimised (Binnie and Klesse 2013). Debates about equality for sexual minorities are only just gaining traction, and are still strongly opposed by the Catholic Church which remains a powerful voice in the public sphere in terms of shaping values and social norms.

In Britain, battles to establish lesbian and gay sexual citizenship have a much longer history. As the chapter has described, this began with the decriminalisation of same-sex acts by men in England and Wales in the 1960s, despite high profile activism throughout the late 1980s and 1990s the introduction of more fundamental equality legislation was only introduced as a response to EU directives in 2003 (Binnie 2004). Yet, despite the introduction of broadly comprehensive equality legislation and measures to combat discrimination in everyday life homophobia has not disappeared. It remains resilient taking on new forms and being mobilised in different spaces (e.g. in private spaces among close friends and acquaintances rather than in public life). In this sense, homophobia in the UK might be characterised as *silent and subtle*, whereas in Poland – it remains more *salient and blatant*.

However, overstressing the distinction between the two contexts in relation to the development of equality legislation risks defining one context, the UK, as more 'advanced' and 'developed' and the other, Poland, as

'backward' and 'less developed'. This hegemonic relation between the West and the East in Europe has been strengthened by the European integration process when countries from Central and Eastern Europe were expected to adjust their laws and standards to accord with so-called 'proper' European values in order to become members of the European Union (Kuus 2004). As Hegde (2011: 3) has argued, 'with the transnational circulation of media images, the hegemony of the West is reproduced in the global imaginary as the site of progressive sexual politics and cosmopolitan modernity' (see also Vieten 2012). Amongst both our Polish and British interviewees the West was commonly idealised as a place free from homophobia. While some Polish participants argued that as homophobia is challenged and reduced Poland will become more 'civilised', British respondents situated this prejudice in Central and Eastern Europe. Here, LGBT rights are falsely read as symbolic of a country's development and sophistication. This assumption that prejudice either happened in another time – the past – or happens elsewhere – Poland, rather than the UK – risks dangerous complacency.

Homophobia is not just a Central and Eastern European phenomenon. Rather, as we have demonstrated in this chapter, it is present in both the UK and Poland, albeit taking a different form and being visible to differing degrees in the two places. As such, we argue there is a need to pay more attention to the different ways homophobia is expressed across Europe by recognising the specificity of different national contexts while also continuing to recognise the connectivity between homophobia in different contexts. In this way we might expose the contours of prejudice which enable us to more effectively pursue policies to eradicate it in all its forms.

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Bibliography

Adamczyk, A. and C. Pitt (2009). 'Shaping attitudes about homosexuality: The role of religion and cultural context', *Social Science Research* 38 (2): 338–351.

Arcimowicz, K., Wasiak-Radoszewski, A. and K. Dębska (2014). 'Polski dyskurs publiczny dotyczący rodzin z wyboru w latach 2003–2013', *Studia Socjologiczne* 4 (215): 79–110.

Altman, D. (1997). 'Global gaze/global gays', *GLQ: A Journal of Lesbian and Gay Studies* 3: 417–36.

Bell, D.J. (1991). 'Insignificant others: lesbian and gay geographies', *Area* 23 (4): 323–329.

Bell, D., Binnie, J., Cream, J. and G. Valentine (1994). 'All hyped up and no place to go', *Gender, Place & Culture: A Journal of Feminist Geography* 1: 31–47.

Bell, D. and G. Valentine (eds) (1995). *Mapping Desire: Geographies of Sexualities*. London: Routledge.

Binnie, J. (2004). *The Globalisation of Sexuality*. Sage, London.

Binnie, J. and C. Klesse (2013). '"Like a Bomb in the Gasoline Station": East–West Migration and Transnational Activism around Lesbian, Gay, Bisexual, Transgender and Queer Politics in Poland'. *Journal of Ethnic and Migration Studies*, 39 (7): 1107–1124.

Binnie, J., Holloway, J., Millington, S. and C. Young (2006). 'Introduction: grounding cosmopolitan urbanism: approaches, practices and policies'. In: Binnie, J., Holloway, J., Millington, S. and Young, C. (eds), *Cosmopolitan Urbanism*, London: Routledge, 1–34.

Bojarski, J. (2013). *Report on measures to combat discrimination. Directives 2000/43/EC and 2000/78/EC. Country report 2013. Poland. State of affairs up to 1 January 2014*. Human European Consultancy & Migration Policy Group. Available online (accessed 28 January 2016): http://www.equalitylaw.eu/component/edocman/2013-pl-country-report-ln-final/Download

Borowik, I. (2002). 'The Roman Catholic Church in the process of democratic transformation: the case of Poland', *Social Compass* 49: 239–252.

CBOS (2013). Rodzina – jej współczesne rozumienie i znaczenie [Family – contemporary understanding and meaning]. *Komunikat z Badań BS/33/2013*. Warsaw: Public Opinion Research Centre.

Crockett, A. and D. Voas (2003). 'A divergence of views: attitude change and the religious crisis over homosexuality', *Sociological Research Online* 8(4) http://www.socresonline.org.uk/8/4/crockett.html

Dovidio, J.F., Hewstone, M., Glick, P. and V.M. Esse (eds) (2010). *The SAGE Handbook of Prejudice, Stereotyping and Discrimination*. Newburg Park, CA: Sage.

European Parliament (2006) *European Parliament resolution on homophobia in Europe*, 18 January 2006, P6_TA(2006)0018

Furnhama, A. and K. Saito (2009). 'A Cross-Cultural Study of Attitudes toward and Beliefs About, Male Homosexuality', *Journal of Homosexuality* 56(3): 299–318

Gerrig, R. and P.G. Zimbardo (2010). *Psychology and life (19th ed.)*. Boston, MA: Allyn & Bacon.

Giddens, A. (1991). *Modernity and Self-Identity. Self and Society in Late Modern Age*. Cambridge: Polity Press.

Graff, A. (2010). 'Looking at pictures of gay men: political use of homophobia in contemporary Poland', *Public Culture* 22(3): 583–603.

Gruszczyńska, A. (2009). 'Sowing the Seeds of Solidarity in Public Space: Case Study of the Poznan March of Equality', *Sexualities* 12(3): 312–333.

Hagestad, G. and P. Uhlenberg (2005). 'The social separation of old and young: a root of ageism', *Journal of Social Issues* 61: 343–360.

Hałas, E. (2000). 'Transformation in collective imagination', *Polish Sociological Review* 2(131): 309–322.

Hegde, R.S. (2011). 'Introduction'. In: Hegde, R.S (ed.), *Circuits of Visibility: Gender and Transnational Media Cultures*. New York: NYU Press, pp. 1–20.

Heinen, J. (2007). 'Public/private: Gender – social and political citizenship in Eastern Europe', *Theory and Society* 26(4): 577–597.

Herek, G. and K. Berrill (1992). *Hate Crime: Confronting Violence Against Lesbians and Gay Men*. London: Sage.

Jasińska-Kania, A. (2009). 'Poles' Values. Social values recognized by Poles in a European context', *Academia* 3(23): 8–11.

Jasińska-Kania, A. and S. Łodziński (2009). 'Guest editors' introduction. Realms and forms of ethnic exclusion in Poland', *International Journal of Sociology* 39(3): 3–14.

Katz, C. (2001a). 'On the grounds of globalization: a topography for feminist political engagement', *Signs: Journal of Women in Culture and Society* 26: 1213–1234.

Katz, C. (2001b). 'Vagabond capitalism and the necessity of social production', *Antipode* 33: 709–728.

Kulpa, R. (2013). 'Nations and Sexualities – "West" and "East"'. In: R. Kulpa and J. Mizielińska (eds), *De-Centring Western Sexualities. Central and Eastern European Perspectives*. Farnham: Ashgate, 43–63.

Kulpa, R. (2014). 'Western Leveraged Pedagogy of Central and Eastern Europe: Discourses of Homophobia, Tolerance, and Nationhood'. *Gender, Place, and Culture. A Journal of Feminist Geography*. 21 (4): 431–448.

Kuus, M. (2004). 'Europe's eastern expansion and the reinscription of otherness in East-Central Europe', *Progress in Human Geography* 28(4): 472–489.

Massey, S.G. (2009). 'Polymorphous Prejudice: Liberating the Measurement of Heterosexuals' Attitudes toward Lesbians and Gay Men', *Journal of Homosexuality* 56(2): 147–172.

Mayblin, L., Piekut, A. and G. Valentine (2016). 'Other' posts in "other" places: Poland through a Postcolonial lens?', *Sociology*. 50(1): 60–76.

McFadyen, A. (2000). *Bound to Sin*. Cambridge: Cambridge University Press.

Mizielińska, J. (2001) '"The rest is silence...": Polish nationalism and the question of lesbian existence', *European Journal of Women's Studies* 8: 281–297.

Mizielińska, J. and A. Stasiak (2013). 'Od „wroga rodziny" do jednej z jej form. Rodziny z wyboru we współczesnym polskim dyskursie prasowym', *Inter-Alia. A Journal of Queer Studies* 8: 105–128.

Mizielińska, J. and A. Stasiak (2014). 'Prywatne jest polityczne: strategie emancypacyjne rodzin z wyboru w Polsce. Studium wybranych przypadków', *Studia Socjologiczne* 4(215): 111–140.

Moran, L., Skeggs, B, Tyrer, P. and K. Corteen (2003). *Sexuality and the Politics of Violence and Safety*. London: Routledge.

Pettigrew, T.F. and R.W. Meertens (1995). 'Subtle and blatant prejudice in Western Europe', *European Journal of Social Psychology* 25: 570–75.

Piekut, A., Rees, P., Valentine, G. and M. Kupiszwski (2012). 'Multidimensional diversity in two European cities: thinking beyond ethnicity. *Environment and Planning A* 44 (12): 2988–3009.

Piekut, A., Vieten, U.M. and G. Valentine (2014). 'Seeking "the new normal"? Troubled spaces of encountering visible differences in Warsaw', *Polish Sociological Review* 4 (188): 541–558.

Richardson, D. and S. Munro (2013). 'Public duty and private prejudice: sexualities equalities and local government', *The Sociological Review* 61: 131–152

Stonewall (2001). *Profiles of prejudice: detailed summary of findings*. Stonewall, Citizenship 21 Project.

Stonewall (2003). *Understanding prejudice. Attitudes towards minorities*. Stonewall, by Gill Valentine and Ian McDonald.

Tomasik, K. (2012). *Gejerel. Mniejszości seksualne w PRL-u* [Gay-Republic. Sexual minorities in People's Republic of Poland (PPR)]. Warsaw: Wydawnictwo Krytyki Politycznej.

Valentine, G. (2010). 'Prejudice: Rethinking geographies of oppression', *Social & Cultural Geography* 11: 521–537.

Valentine, G. (2014). 'Intergenerationality and prejudice', in R.M. Vanderbeck and N. Worth (eds), *Intergenerational Space*, London: Routledge, pp. 155–168.

Valentine, G. and C. Harris (2016, in press). *Encounters and (in)tolerance: perceptions of the regulation of space*. Social & Cultural Geography.

Valentine, G., Piekut, A. and C. Harris (2015a). 'Intimate encounters: the negotiation of difference within the family and its implications for social relations in public space', *The Geographical Journal.* 181 (3): 280-294.

Valentine, G. and L. Waite. (2012). 'Negotiating difference through everyday encounters: the case of sexual orientation and religion and belief', *Antipode* 44 (2): 474–492.

Valentine, G., Winisarka, A., Jackson, L., Harris, C. and A. Piekut (2015b). 'Mapping the meaning of "difference": a social topography of prejudice', *Ethnicities:* 15(4): 568–585.

Vanderbeck, R.M. (2007). 'Intergenerational geographies: age relations, segregation and re-engagements', *Geography Compass* 1/2: 200–221.

Vieten, U.M. (2007). *Situated Cosmopolitanisms: the notion of the Other in Discourses on Cosmopolitanism in Britain and Germany*, PhD thesis, University of East London.

Vieten, U.M. (2012). *Gender and Cosmopolitanism in Europe: A feminist perspective*. Farnham: Ashgate

Yuval-Davis, N. (1997). *Gender and Nation*. Sage: London

Wellman, J.D. and S.K. McCoy (2014). 'Walking the Heterosexual and Narrow: Examining the Role of Traditional Gender Norms in Sexual Prejudice', *Psychology of Men & Masculinity* 15(2): 181–190.

Zick, A., Kupper, B. and A. Hovermann (2011). *Intolerance, prejudice and discrimination. A European report*. Berlin: Friendrich Ebert Stiftung.

DAVINA COOPER AND DIDI HERMAN

When Beliefs Become Property: Liberal Legal Discourse, Employee Resistance and Anti-Gay Christian Politics[1]

ABSTRACT: This chapter explores contemporary British conservative Christian legal demands that their religious-based objections to providing services to lesbians and gay men be accommodated by employers and other public bodies. Focusing on a series of court judgments, the chapter explores the dominant interpretation of the conflict as one of two groups with deeply held, competing interests. It argues that these interests can usefully be approached as social property – that is, as things that the state recognises, protects and empowers. Drawing on this framework to understand the conflict as one of property, the chapter explores the question of who conservative Christian workers' labour belongs to, whether a property framework can provide a useful language for thinking about resistance and transgression, and finally whether a radical politics in relation to religious beliefs and sexual identity necessitates going beyond property's terms.

Introduction

A striking development in early twenty-first-century Britain has been religiously motivated litigation over lesbian and gay equality arising from the development of recent anti-discrimination laws. Culminating in the

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1   This is a revised and edited version of a longer earlier paper, which appears as 'Up Against the Property Logic of Equality Law: Conservative Christian Accommodation Claims and Gay Rights', *Feminist Legal Studies* (2013) 21:61–80.

Equality Act 2010, the Labour government introduced an array of anti-discrimination measures, focused on employment, goods and services. These deepened coverage for existing 'characteristics' such as gender and race, and extended it to new 'characteristics', such as religion and sexuality. These reforms, particularly in relation to sexual orientation, parallel developments across other jurisdictions where anti-discrimination and liberal human rights have been extended. In Britain, developing legal protection for sexual minorities provided a late stage in the institutional manifestation of gay sexual politics, which moved from decriminalisation and the development of local government initiatives in the 1980s, to the equality measures of the post-1997 Labour government. But this move towards formal liberal equality did not go unchallenged. In the face of ongoing conservative Christian attempts to thwart or impede gay rights, twenty-first-century measures to extend anti-discrimination protection on grounds of both sexuality and religious beliefs opened up a new terrain of conflict. For the past few years, conservative Christians have sought to use anti-discrimination and human rights law to legalise their right not to comply with the new gay equality requirements. Cases to end up in British courts include a marriage registrar who refused to officially register gay civil partnerships;[2] a counsellor who felt unable to provide psycho-sexual counselling for same-sex couples;[3] a prospective fostering couple who refused to create a gay-positive home;[4] a church diocese that wouldn't employ a gay youth worker;[5] guest-house owners who wouldn't let gay couples share a room;[6] and a magistrate who asked to withdraw from family court decisions involving prospective gay parents.[7] Similar cases have occurred in other jurisdictions, with some variation in their legal framing, particularly in the USA and Canada.

2   *Ladele* v *LB Islington* [2009] IRLR 154 (EAT); [2010] IRLR 211 (CA).
3   *McFarlane* v *Relate Avon* [2010] IRLR 196 (EAT); [2010] IRLR 872 (CA).
4   *R (Johns)* v *Derby City Council* (2011) EWHC 375 (Admin)
5   *Reaney* v *Hereford Diocesan Board of Finance* 1602844/2006 (ET)
6   *Bull and Bull* v. *Hall and Preddy* [2012] EWA 83; *Black and Morgan* v. *Wilkinson*, [2013] EWCA Civ 820.
7   *McClintock* v *Department of Constitutional Affairs* [2008] IRLR 29.

In Britain, this legal drama over conservative Christian withdrawal has generated extensive scholarship (e.g. Leigh 2008; Malik 2011; Parkinson 2011; Rivers 2007; Stychin 2009a, 2009b; Vickers 2010, 2011). What is striking, however, given the diverse sexual politics of the different commentators, is the degree of academic convergence that has taken shape around a particular narrative of the conflict. This is a narrative of two groups with competing interests and attachments, whose respective claims to equality or freedom deserve tolerance, respect and understanding. In the discussion that follows, we seek to explore this shared narrative, which interestingly, despite many commentators' criticisms of the judgments, also pervades the courts' decisions. Our argument is that, at the heart of this narrative, is a 'social property'[8] paradigm in which beliefs and sexuality constitute part of individuals' estate – things that can be invested in, possessed and secured from the (destructive) reach of others. Thus, this approach extends Macpherson's (1962) influential work on 'possessive individualism' which underscored both the role property owning plays in capitalist liberal society, and the extent to which property relations anchor and frame people's relationship to their person, capacities and labour. Today, both sexuality and religious faith have become legally and politically intelligible within the British polity in these propertied terms, as characteristics that belong to subjects and which, to varying degrees, can be developed, shared, accessed, and left. British equality law has done much tacitly to consolidate this framework, with its emphasis on balance, 'property' conflicts and recognised interests. Yet, the terms of social property cannot be reduced to getting the balance right – making sure each identity has what is owed to it. Property claims are far more unruly and multifarious; and subversive practices, such as squatting, defacement, theft or re-appropriation, demonstrate how activities, rendered intelligible in property terms, can work politically to undercut new emergent hegemonies, including gay equality.

8   How religious belief and sexuality have come to function in this way is a complex story. It is also a very partial development, for sexuality and religion in Britain are not only conflicting interests or grounds confronting each other in disputes precipitated by equality law.

A social property approach

> There is no doubt that in many discussions culture is treated as a possessive property of individuals, as a free-floating signifier, as static and given and as a thing that we carry with us. (Anthias 2011, 204)

Dominant social characteristics make different kinds of capital, status and power available, as Cheryl Harris's (1992) influential work on whiteness as property demonstrates (see also Ahmed 2007; Grabham 2009; Keenan 2010; Lipsitz 2006). Masculinity, bourgeois class positioning, Christianity and heterosexuality, in Britain, arguably work similarly. On the one hand, they appear as properties or social characteristics of the self; that is, as qualities which people experience as integral to who they are. On the other hand, such properties function as 'investments' – as kinds of capital or wealth that can be accumulated, worked at and protected in order to maintain their wider social force and impact. Thus, it is perhaps unsurprising that conservative Christian organisations in Britain, the USA and Canada – most notably in the Boy Scouts of America case[9] – have sought to oust 'out' gay members, students, youth workers, and staff in an effort to maintain control over their collective bodies, to keep their Christian 'property' uncontaminated by dissident sexualities. In the past, such behaviour generated progressive concern but was largely untouchable through law. Now, equality law has entered the fray – a legal structure we can understand as *re-allocating* social property – or at least threatening to. In its refusal to prefer heterosexualities over gay ones or Christian beliefs over others – anti-discrimination law troubles the legal capital (and social power) that particular sexual and religious identities worked intensively to secure and protect; and which, in turn, they relied upon.

We can thus read the legal drama over conservative Christians' refusal to provide gay men and lesbians with equal treatment as a political response to equality laws' recalibration of Christian social property – a refusal on the

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9   *Boy Scouts of America* v. *Dale* 530 U.S. 640 (2000).

part of religious proponents to accept the explicit and implicit demotion of Christianity as a valuable attachment. Yet, what is interesting, and perhaps unexpected in the context of British constitutional life with its established Anglican church, is that Christian litigants' demands that their beliefs be respected as a legitimate basis for refusal was largely rejected by the courts. Judges refused to treat the requirement that Christian service-providers and employees treat gay people equally as a form of actionable discrimination against Christians. Drawing on our social property framework, we can understand this judicial denial as a diminishment of Christianity's capital, but how exactly did it take place?

Three judicial techniques stand out: narrowing what counts as the propertied 'object' (i.e. Christian beliefs); restricting the terrain in which such beliefs can exert effects; and authorising a counter-set of propertied interests, namely that of employers to their workers' labour. We will discuss each in turn. If, as Christian litigants claim, religious beliefs should rightly function as grounds for treating people differently (in other words, if religious beliefs can exempt their holders from complying with equality law requirements in relation to sexuality), the question arises as to what constitutes legitimate beliefs. In certain contexts, particularly in relation to 'philosophical' beliefs, this question becomes one of whether *the belief in general* is recognised by equality law.[10] In the cases discussed here, there was no question of whether Christianity, in general, constituted a recognised belief. Instead, a second question was posed: what actually constitutes *Christian* belief? In *Ladele*, a case concerning a London registrar who did not want to conduct same-sex civil partnerships on religious grounds, the judge, Neuberger MR, remarked: Ms Ladele's 'objection was based on her view of marriage, *which was not a core part of her religion*' (213, italics added).[11]

Judicial readiness to determine the parameters of the religious propertied object (just as they might determine the boundary to a piece of land) has not, however, gone unchallenged. Several commentators have

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10   E.g. see *Grainger PLC* v *Nicholson* [2010] IRLR 4.
11   *Ladele* v *LB Islington* [2010] IRLR 211 (CA).

criticised judicial attempts to distinguish between a religious core and periphery (the judicial implication being that the latter should not count as power-bearing property). Lucy Vickers (2010, 295), for example, writes: 'It is not for the court to determine the status of religious views as either core or peripheral, as these are matters which are arguably beyond the competence of any secular court.'

If the courts are not to determine the scope of the propertied object, and must simply defer to the views of property-holders themselves, what role, if any, can they play in determining the *geography* of use-rights – those sectors and places where religious attachments are to be recognised, since 'property here is not necessarily property there' (Keenan 2010, 429)? Judges go out of their way to express respect for religious (and other) beliefs as forming *legitimate* attachments. Nevertheless, the courts declare such attachments cannot function as acceptable reasons for withdrawing services or refusing to do one's job. In *Ladele*, the Court of Appeal declared, 'Ms Ladele was employed in a public job and was working for a public authority. She was being required to perform a purely secular task, which was being treated as part of her job.'[12]

Placing limits on *where* religious attachments can be legitimately actualised (and so able to make a social difference) has come under criticism (Stychin 2009a, 35; Ryder 2006).[13] Commentators claim that placing walls around the domains where faith can exert an influence – in effect privatising or closeting religious expression – damages subjects who inhabit multiple overlapping spaces; misreads the world-making character of (much) religion; and undermines the contribution and value of religious identifications. Commenting on the Canadian version of the *Ladele* case, Bruce Ryder (2006, 12–13) remarks:

> Religion is indeed functioning here as the new gay: just as the display of minority sexual orientations in the public sphere invited persecution in Canada in the past, now religious public servants... are being asked to choose between keeping their jobs and acting in accordance with their religious beliefs.

12   [2010] IRLR 211 at 213.
13   For a different approach, see Malik (2011); MacDougall and Short (2010, 149).

What this trade-off between beliefs and work reveals is the complex character of social property. On the one hand, at issue is the propertied attachment of Christian litigants (as public service providers) to their faith; on the other, is the property relationship between such service providers and their work. Central to several of the cases we are discussing is the question: who owns the labour? Does public sector work belong to those who do it, to their employers, to the state, even to God? And how, if at all, do workers' religious attachments affect the character and ownership of their labour? Is the service that Christian 'conscientious objectors' provide as counsellors, adjudicators, police-officers, teachers and marriage registrars *inevitably and legitimately* 'coloured' by their religious attachments or should conservative Christian providers be expected to exercise self-control in order to keep their religious attachments and investments away from their job? If they cannot exercise such self-discipline, what wider relations of belonging and attachment become precarious as a consequence?

Disavowed attachments

For those conservative Christians who refuse to comply with work-based obligations to sign civil partnership registers, provide psycho-sexual counselling to lesbian and gay couples, represent gay sexuality positively as teachers or raise fostered children in gay-sensitive ways, the stakes in the struggle over their labour are high. Disciplinary action, exclusion from state-organised fostering arrangements, and the risk of getting fired suggest conservative Christians' labour (like that of other staff) belongs to the state employer; and that it constitutes a human resource, which employers can use and direct as they deem fit (also Pateman 2002). But, these cases are not simply about litigants' refusal to support, through their labour, an agenda or project to which they are hostile. The relationship of conservative Christian objectors to what it is they are being required to do is more complex and contested since, from their perspective, something of themselves appears involuntarily to stick to the gay-positive future of legal relationships, sexual

coupledom, parenting, teaching and growing up that they are being asked, through their labour, to help create. Conservative Christian litigants seem *morally* implicated in what they do. Thus, they reject the claims of employers and the state that the work has nothing to do with them since they are employed to act on behalf of (or to represent) another body with authority or proprietary rights over what they have produced or done. Conservative Christians refute the moral alienability of their bodies and its actions, that they can simply be tuned (or re-tuned) as employees or public sector agents to a different moral project. If, in Lockean terms, property becomes vested in what subjects have made, here litigants make visible – even as they refuse – this relationship, demanding the right to disinvest.

Conservative Christian litigants' claims that their *disavowed attachments* to their work be recognised and respected have not been upheld by the courts. Rather, the courts argue, since workers' labour belongs to their employer, a local council can quite properly require that all its staff act in a non-discriminatory fashion. In *McFarlane*, a case concerning a Christian therapist who felt unable to give psycho-sexual counselling to lesbian couples, the court held that it was justifiable for his employer, *Relate*, to require that staff adhere to equality principles, which *Relate* regarded as fundamental.[14] Not only are the organisation's principled policies deemed to be beyond the control of (individual) employees, they are also deemed to be autonomous of laws emanating from a 'higher', theistic power. As Laws LJ remarked in the case of *McFarlane*, 'The individual conscience is free to accept such dictated law; but the state, if its people are to be free, has the burdensome duty of thinking for itself'.[15] For the state to behave otherwise would be to allow religious belief to act 'as a solvent dissolving all inconsistent legal obligations owed to the employer. That plainly cannot be right. Indeed, given in particular the fact that beliefs may cover a vast range of subjective opinions, the consequences would be extraordinary' (Elias J. *Ladele*).[16]

14   [2010] IRLR 196 (EAT); [2010] IRLR 872 (CA).
15   [2010] IRLR 872 at 876 (CA).
16   [2009] IRLR 154 at 163 (EAT).

But, while the courts declare that employers' property in their work-ers' labour, and organisations' property in their policies, can legitimately limit how staff manifest their religious attachments, commentators worry about the consequences. If religious beliefs lose their propertied value, will believers' social and political membership in the polity likewise dimin-ish? In other words, will a decline in what belongs to the religious subject affect the capacity of that subject to belong in turn? Bruce Ryder (2006, 18), writing in a context of rising Islamophobia in Canada, argues: 'The pressures to adopt policies that force people of faith to choose between adherence to their faith and full membership in Canadian society need to be vigorously resisted in the current context.' Ryder's words resonate with the cases discussed here given that a significant proportion of the British cases involve Black Christian members of minority churches – a constitu-ency arguably vulnerable to wider forms of social exclusion.[17] But while such Black British Christians may never have been able to exercise much power *as a result of and through* their faith, no property power is completely stable. It all depends on recognition by authorising bodies and, as such, any religious property can be vulnerable to becoming non-property or even a kind of negative property – in the sense of generating disadvantages rather than advantages for its members.[18] In the United States, activists and com-mentators have critically addressed the problem of making access to state

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17   The fact that a significant number of the cases involve black litigants raises for us important questions – particularly, in relation to how the racialised experiences of Black British employees affect individual choices to enact, and organisational deci-sions about responding to, non-conforming behaviour within public organisations. To what extent, for instance, do organisational cultures informally accommodate white non-compliance in ways not shown to black and other minority workers? Court judgments also need to be read in terms of their naturalisation of mainstream, white-dominated Anglicanism at the expense of more charismatic and evangelical alternatives, reinforcing the cultural association of Black churches with homopho-bia – an association explored in other contexts by Douglas, Jivraj, and Lamble, eds. (2011); see also Herman (2012).

18   For a discussion of non-property, see D. Cooper, 'Improper attachments, or who do anti-abortion posters belong to?' http://davinascooper.wordpress.com/2014/03/29/improper-attachments-or-who-do-anti-abortion-posters-belong-to

resources conditional on one's political acceptability, and the relations of exclusion that can ensue as a result (e.g. Hodge 2002; Reich 1964). In the present conflict, conservative Australian commentator, Patrick Parkinson (2011, 294) writes, the 'emerging policy of moral monoculturalism... [denies] employees the right to hold moral positions on the issue of same-sex relationships that differ [] from the majority acceptance of them'. He continues, 'the new majority... [needs to] offer a reciprocal level of respect to those who hold different beliefs' (295).[19]

The problem of excluding people from work, membership or state resources because of their beliefs acquires a particular shape in the court judgments discussed here. People are assumed to be self-possessed, rational, independent decision-makers who can be held responsible for the consequences pursuant to their decisions. Those who don't like the consequences should make different decisions; in other words, they should exercise the property held in their self differently. For Mr McFarlane, the *Relate* counsellor, his case is undermined by the fact that he signed up to his employer's equality policy when appointed – the implication being that if he did not support their policy he should not have taken the job. Maleiha Malik (2011, 34) makes a similar point in relation to *Ladele* – namely, if Ms Ladele did not like Islington Council's equality and diversity policy, she had the 'right to freedom of religion or belief by taking up another job'.

Adopting a liberal framework in which actors are seen to have, and so relied upon having, other options, the courts treat the sexuality equality requirements applied to those taking up public employment (and other goods) as acceptable.[20] Since they can leave and work elsewhere, employees

19   Certainly, in considering the right of public and private bodies to control employees or service users' behaviour, it is important to recognise the extent to which Christian organisations have sought to exercise control over the marital and sexual lives of their employees and members, through the legal right to exclude those, such as 'out' gays, whose personal decisions and identities do not conform to wider organisational values.

20   Although see case of *Eweida and Others* v. *The United Kingdom*; Judgment of the ECHR 15 January 2013, paras 106, 109.

always retain a residual property in themselves (a retention that is crucial, in liberal terms, if the temporary transfer of property in one's labour to an employer is to constitute legitimate employment as opposed to illegitimate servitude). Supporters of a religious right to exemption from sexuality equality provisions, in contrast, reject the notion that a fair choice exists. Adopting a position more commonly associated with the left, they argue that quitting a job so as to avoid compelled compliance with an employer's policies is not a free decision, but one forced on the religious worker. Yet, while conservative Christians question the market value of the residual property right retained in the self on which liberals heavily rely, conservative Christian refusal also provides a very clear affirmation of the 'property' remaining in oneself. This is not a property that is virtual or pending, activated only by quitting as liberals suggest, but a property that is claimed at the very moment that the labouring body refuses to perform the actions that their employer demands.

Beyond the balanced state

Approached through equality law, social property takes on a particular sheen – equated with fair shares and the need to ensure no one is legally dispossessed. Discussing the cases, Malik (2011: 34) argues for a balancing, which gives 'importance to both sets of rights'. Vickers (2012, 210) proposes an approach that is 'open textured', based on 'proportionality and equilibrium between competing interests'. For Stychin, an important part of the move towards resolution is the 'goal of civility and the hope that areas of common ground might be found' (2009b, 749). He remarks: 'we are left with tolerance as a basis for moving forward' (2009b, 753).

The attention commentators have paid to finding win-win forms of resolution is important. It recognises the value of protecting people's income and welfare; not creating embittered losers; being careful about the deployment of state power; and promoting dialogue and understanding

between different constituencies.[21] However, what can get lost in the process of identifying mutually agreeable resolution strategies is a perspective able to stand back from the naturalised attachments, which more proximate accounts of the dispute tend to generate. With some distance from the desire to resolve the conflict according to the terms on which it has been fought, namely of conservative Christian opposition to gay rights, we can consider the wider political stakes, including the demands of a progressive (even radical) institutional politics, and the place of conservative dissent within it. In the limited space remaining, we want to briefly identify how social property can illuminate this broader terrain, providing a language through which the relationship between progressive hegemonic developments and their on-going contestation can be both addressed and affirmed, in the face of equality law's tendency to identify trumping interests or find a compromising balance.

Focused on the relationship between attachment and power, the concept of social property centres belonging, and what it is that relations of belonging can do (see also Cooper 2014). Although the disputes we discuss are foremost concerned with the propertisation of religious faith and sexual orientation (alongside property in one's labour), they also gesture to another property stake – the attachment/ power nexus associated with the nation-state, where the nation is both that which belongs, and that which holds the belonging of others. For pivotal to this legal drama are the terms on which such nation-state belonging is to occur. As politically active conservative Christian organisations resourcing and supporting the litigants make clear, their ambitions go beyond mere accommodation. As the website of Christian Concern, who run the Christian Legal Centre that backed McClintock, McFarlane and the Johns, declares,

> At Christian Concern we have a passion to see the United Kingdom return to the Christian faith. Our nation has been shaped and defined by this faith for hundreds of years. Yet in the last few decades the nation has largely turned her back on Jesus and embraced alternative ideas such as secular liberal humanism, moral relativism

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21   For a useful discussion of ways of resolving equality disputes outside of the courtroom, see Afridi and Warmington (2010); see also Valentine and Waite (2012).

and sexual licence. The fruit of this is rotten... Yet we believe that this nation has a hope, and that hope can be found in Jesus Christ... We need to be passionate about our faith and became a light and a witness to the nation.[22]

Asserting historic ties of reciprocal belonging between church and nation, conservative Christian forces argue for the strengthening and sustenance of such connections (Herman 1997). Legal recognition of conservative Christian religious attachments, and what such attachments are entitled to receive, becomes integral to the task of re-attaching Britain to Christianity so that people can be saved and returned to God. Against this project is a liberal one, overtly less focused on the question of to whom (or what) the nation belongs than on who belongs to Britain. Thus, court judgments in this dispute emphasise Britain's pluralistic character. In *Johns*, the case of the prospective foster parents, unable to present sexual identity in gay-positive ways, Munby J remarked, 'We sit as secular judges serving a multi-cultural community of many faiths. ... the laws and usages of the realm do not include Christianity, in whatever form. The aphorism that 'Christianity is part of the common law of England' is mere rhetoric' [Johns, 506].[23] Similarly, in *McFarlane*, Laws LJ commented that no one faith belongs more than any other (877).[24]

Focused on the attachment-recognition-power relationship, the concept of social property elucidates these expectations, claims and relations. At the same time, it also offers a way of recognising and making visible challenges to hegemony – whether from the left or the right. But what value for a liberal democracy can be found in such dissident actions? According

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22   http://www.christianconcern.com/about [last accessed 13 January 2013].

23   *Johns* v *Derby CC* [2011] 1 FCR 493.

24   The proprietary character of this liberal form of multicultural belonging – in the sense of the obligations and conditions that attach to members – is not highlighted in the court decisions. This is left to other state processes. While an explicit depiction of citizens or residents as properties of the liberal nation-state (able to be deployed to extend the state's influence and impact) is rarely articulated in contemporary Britain, the *terms* of belonging frequently are – whether it is to speak English, become employed, bear an appropriately shaped body or refrain from 'radical' political activity (also Grabham 2009).

to agonistic feminists and others, institutional processes within a liberal
polity should not be too tranquil (e.g. Mouffe 2005). Even progressive forms
of order require some disorder, organisation some disorganisation, for a
vibrant, dynamic, responsive politics to flourish. Sarah Keenan (2010, 2014)
has written about subversive property practices in relation to Aboriginal
Australian politics. She (2014) describes such subversive practices as rela-
tions of belonging that are out of place – the introduction of things and
bodies that unsettle dominant forms of spatial legibility. The disputes
discussed here can also be read as dissident (or subversive) property rela-
tionships as litigants' refuse to do what is required of them, using the prop-
erty held in their bodies and labour to reject official policies. Indeed, we
might read Christian claims to be exempted from sexuality equality laws
as a form of 'squatting', staying in post and refusing to yield; making use
of available occupational resources to which they have an uncertain (or
denied) right. Thus, while legal commentaries largely focus on outcomes
– a focus that generates varying disquiet at conservative Christians' appar-
ent disenfranchisement, an account focused on conservative Christian
engagement in subversive social property acts recognises their capacity to
act, the performance and accomplishment of subversive property, without
necessarily valuing the grounds upon which such challenges are made (see
Cooper 2015).

Dissident social property practices are not, however, free-standing, iso-
lated events. Beliefs, bodies and identities can be used to assert a relationship
of belonging that, by simultaneously acknowledging and resisting exclusion,
expresses a desire to be included within the 'we'. Dissident practices can also
give rise to reciprocating counter-actions, of renovation, cultivation, and
stewardship, as other actors get involved, keen to resist the encroachments
of disavowed, dissident others. In *Ladele*, for instance, Islington council
appears, from the judgment facts, to have been impelled to act as a result of
the pressure coming from the Christian registrar's gay colleagues (157, EAT).
Perhaps motivated by the contingent and precarious character of their own
attachment to Islington council (as a place where they could belong and
comfortably dwell), council staff demanded that Islington recognise and
affirm ownership of its equality and diversity policy as a relationship that
created steward-like obligations of operationalisation upon it.

Using the concept of social property here, in relation to liberal democracies, allows us to explore the agonistic, turbulent, dynamic quality of political, social and legal claims and action; where what counts as theft, dispossession, settling, squandering, appropriation, borrowing, gifting, seizures or trespass depends upon one's perspective and the balance of force relations. But while property may identify, elucidate and *even affirm* the value and richness of conflicts often understood in other terms, it also has limitations. Particularly, we want to suggest, it is limited as a normative framework when it comes to sexual orientation and religious belief by its assumption that such phenomena are thing-like: that they can be possessed, invested in, deployed and protected from the predations of others.

Certainly, from a feminist perspective, the depiction of religious faith and sexuality as social property may seem a step on the road to rendering them less structural or systemic social processes. For, as social property, they can be extracted, harnessed and, at least theoretically, transferred or destroyed. Lisa Adkins (2005) makes a related point in her discussion of gender as a flexible occupational resource that male workers, in particular, can take up in non-conventional ways. While her work is critical of the corporate implications of this trend, we might read the de-structuring evident in the disputes discussed as, in part, the state's off-loading of its own social property. As sexuality and religious beliefs cease to be phenomena that *belong* to the liberal state, 'things' that states structurally and systemically deploy (even as the state is structured by them in turn), they become instead properties that individuals, groups and corporations are deemed capable of freely taking up (and, if they choose, relinquishing). But what would it mean to go further and actually *de-propertise* religion and sexuality so that they no longer constituted social properties at all?

Undoing attachments; fragmenting and diffusing sexualities and religious beliefs so that they become fluid and undefinable; refusing to convert either beliefs or sexualities into symbolic forms that make extraction from the social fabric possible; withdrawing the institutional recognition necessary for them to extend their property-holding subjects powerfully into the world – constitute some forms this could take. Certainly, we do not want to suggest such processes are especially evident in the cases discussed. Indeed, our discussion has been premised on the extent to which both judgments

and commentary appear, rather, wedded to a propertied logic of investment, accumulation and attachment, where sexuality and even more religious belief come to form coherent, knowable wholes. At the same time, a thinner conception of both faith and sexuality emerges in the *refusal* of judgments and commentators to compare faith and sexuality's respective normative worth, and in the equivocation expressed when it comes to the question of propertied objects' scope and geography – of what it is exactly that legally counts and where. Together, these tendencies gesture to the possibility of a different, less propertied way of understanding, but also of *forging*, social subjects' relationship to post-rational (or spiritual) beliefs and sexualities. We might imagine a context in which both appear – not as things which belong, or to which constituencies belong, that may be accumulated, fortified, mastered, and which, like other forms of property, help certain subjects to extend into the world in particular powerful ways – but instead as tastes, desires, stimulations, modes of enchantment and cares. What are the implications of such a move towards the plural and contingent re-assembling of faith and sexuality, within liberal democracies, as creative engagements and explorations that cannot be possessed and owned, and that do not, in turn, possess or own either? Might these be processes to which a progressive institutional and organisational politics could productively contribute?

Conclusion

Our analysis in this chapter was originally motivated by the surprising degree of common ground between legal commentators who, despite holding quite different political ideologies, were equally critical of what seemed – at least at first glance – to be gay-positive, secular-affirming court decisions. Our aim was to understand this common ground, to reflect upon its stakes, and to consider whether such stakes could be approached in other ways. This double-move of understanding and de-familiarising the framing of the conflict as one of competing interests, equally deserving of attention and respect, took us to a conception of social property.

Focusing on social property both highlights and re-frames the challenge that equality law poses by its unsettling and resettling of the power that different attachments can generate and exercise. Social property highlights equality law's buy-in to the myth of balance, an aspirational ideal in which different attachments co-exist in equilibrium – discrete entities whose relationship to each other is neither constitutive nor relational. At the same time, it highlights the current position, within British equality law decisions, in which one side's propertied win is the other side's propertied loss. And it also highlights the complex relationship between ownership of beliefs and identity, on the one hand, and ownership of workers' labour and public sector resources, on the other. From a progressive perspective, Christian litigants' refusal to fully give property in themselves or their work to their employers is striking. Treating compliance as moral approval of gay-positive futures, Christian litigants deny a narrative which treats their labour as belonging fully to their employer (or to public authorities). This stubborn refusal of those labouring to recognise the alienation that they have already formally acceded to is criticised by the judges; academic commentators vary in their response. However, where commentators and judges converge (with very few exceptions) is in the value to be afforded religious belief.

Transcendent, post-rational identifications, relations, practices and sensations may provide challenging, enriching, phenomenological ways of experiencing the world. But such forms of enchantment are not what these cases are about. What is, instead, at issue are the conservative dimensions of religious beliefs, where gay sex and same-sex unions are interpreted as 'contrary to God's instructions'.[25] Thus, while we recognise the dangers of excluding people from public resources and from participation within the polity, including through unemployment, our aim here has not been to affirm conservative Christian anti-gay refusal. Instead, we are interested in the challenge that such refusal poses for a progressive state politics.

Thus, in the final part of the chapter, we considered the contribution social property could conceptually make to thinking about the relationship between hegemonic and anti-hegemonic projects. Yet, while property helps

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25   *Ladele*, ET quoted in CA, 215.

us think about what is at stake, and while its frameworks and language can provide a grammar for exploring contested political claims and attachments, its emphasis on possession and reification is less useful for thinking about sexuality and faith themselves. Our argument is not that sexuality and religion should *return* to functioning as socially embedded formations (to the extent they no longer work in this way within liberal polities such as Britain, which we, like many others, would question). Rather, what we want to consider is what it might mean to take the recalibration of property in faith and sexuality, which equality law promises, further. Considering post-propertied versions of sexuality and faith is challenging on several fronts. It requires us to think about what disinvestment and detachment might look like; it also requires ways of imagining sexuality and faith as neither subject formations (to which people belong) nor as chosen goods or properties of the (individual or collective) self. Would this kind of detachment render both too light, losing much of the value that sexuality and faith hold in terms of group identification and belonging? Does it, perhaps, mean thinking about faith and sexuality separately from other kinds of collective ethnic and cultural investments? Conversely, could detachment suggest a stronger investment – in terms of 'being' rather than 'holding'? These are open questions, which bringing property's organisational logic into the framing of equality politics might help us – even provoke us – to explore.

Acknowledgements

Bibliography

Adkins, L. (2005). 'The new economy, property and personhood', *Theory, Culture & Society*, vol. 22, no. 1, 111–130.

Afridi, A. and J. Warmington (2010) *Managing different equality claims London*: EDF.

Ahmed, S. (2007). 'A phenomenology of whiteness', *Feminist Theory*, vol. 8, no. 2, 149–168.

Anthias, F. (2011). 'Intersections and translocations: New paradigms for thinking about cultural diversity and social identities', *European Educational Research Journal*, vol. 10, no. 2, 204–217.

Blomley, N. (2005). 'The borrowed view: Privacy, propriety, and the entanglements of property', *Law and Social Inquiry* vol. 30, no. 4, 617–665.

Callon, M. and F. Muniesa (2005). 'Economic markets as calculative collective devices', *Organization Studies*, vol. 26, no. 8, 1229–1250.

Cooper, D. (2014). *Everyday Utopias: The conceptual life of promising spaces* Durham: Duke University Press.

Cooper, D. (2015). 'Bringing the state up conceptually: Forging a body politics through anti-gay christian refusal', *Feminist Theory* 16, no. 1, 87–107.

Davies, M. (1999). 'Queer property, queer persons: Self-ownership and beyond', *Social & Legal Studies*, vol. 8, no. 3, 327–352.

Douglas, S., Jivraj, S. and S. Lamble (eds) (2011). 'Liabilities of queer anti-racist critique', *Feminist Legal Studies* (special issue) vol. 19, no. 2.

Grabham, E. (2009). '"Flagging" the skin: Corporeal nationalism and the properties of belonging', *Body & Society*, vol. 15, no. 1, 63–82.

Harris, C.I. (1992). 'Whiteness as property', *Harvard Law Review*, vol. 106, 1707–1791.

Herman, D. (1997). *The antigay agenda: Orthodox vision and the Christian Right*, Chicago: University of Chicago Press.

Herman, D. (2012). 'Hopeless cases: Race, racism and the "vexatious litigant"', *International Journal of Law in Context*, vol. 8, no. 1, 27–46.

Hodge, D.R. (2002). 'Does social work oppress evangelical Christians? A "new class" analysis of society and social work', *Social Work*, vol. 47, no. 4, 401–414.

Keenan, S. (2010). 'Subversive property: Reshaping malleable spaces of belonging', *Social & Legal Studies*, vol. 19, no. 4, 423–439.

Keenan, S. (2014). *Subversive property: Law and the production of spaces of belonging*, London: Routledge.

Leigh, I. (2008). 'Hatred, sexual orientation, free speech and religious liberty', *Ecclesiastical Law Journal*, vol. 10, no. 3, 337–344.

Lipsitz, G. (2006). *The possessive investment in whiteness: How white people profit from identity politics*, Minneapolis: Temple University Press.

MacDougall, B. and D. Short (2010). 'Religion-based claims for impinging on queer citizenship', *Dalhousie Law Journal*, vol. 33, no. 2, 133–160.

Macpherson, C.B. (1962). *The political theory of possessive individualism*, Oxford: Oxford University Press.

Malik, M. (2011). 'Religious freedom, free speech and equality: Conflict or cohesion?', *Res Publica*, vol. 17, no. 1, 21–40.

Mouffe, C. (2005). *The return of the political*, London: Verso Books.

Parkinson, P. (2011). 'Accommodating religious beliefs in a secular age: The issue of conscientious objection in the workplace', *University of New South Wales Law Journal*, vol. 34, 281–299.

Pateman, C. (2002). 'Self-ownership and property in the person: Democratization and a tale of two concepts', *Journal of Political Philosophy*, vol. 10, no. 1, 20–53.

Radin, M. (1982). 'Property and personhood', *Stanford Law Review*, vol. 34, no. 5, 957–1015.

Radin, M.J. (1993). *Reinterpreting property*, Chicago: University of Chicago Press.

Reich, C.A. (1964). 'The new property', *The Yale Law Journal*, vol. 73, no. 5, 733–787.

Rivers, J. (2007). 'Law, religion and gender equality', *Ecclesiastical Law Journal*, vol. 9, no. 1, 24–52.

Rose, C.M. (1991). 'Property as wealth, property as propriety', in J. Chapman, ed. *Nomos, XXXIII: Compensatory Justice*, New York: New York University Press.

Ryder, B. (2006) 'The Canadian conception of equal religious citizenship', in R. Moon, ed. *Law and religious pluralism in Canada*, Vancouver: UBC Press. [SSRN download version].

Stychin, C.F. (2009a). 'Closet cases – "Conscientious objection" to lesbian and gay legal equality', *Griffith Law Review*, vol. 18, no. 1, 17–35.

Stychin, C.F. (2009b). 'Faith in the future: Sexuality, religion and the public sphere', *Oxford Journal of Legal Studies*, vol. 29, no. 4, 729–755.

Valentine, G. and L. Waite (2012). 'Negotiating difference through everyday encounters: The case of sexual orientation and religion and belief', *Antipode*, vol. 44, no. 2, 474–492.

Vickers, L. (2010). 'Religious discrimination in the workplace: An emerging hierarchy?', *Ecclesiastical Law Journal*, vol. 12, no. 3, 280–303.

Vickers, L. (2011). 'Promoting equality or fostering resentment? The public sector equality duty and religion and belief', *Legal Studies*, vol. 31, no. 1, 135–158.

Vickers, L. (2012). 'Twin approaches to secularism: Organized religion and society', *Oxford Journal of Legal Studies*, vol. 32, no. 1, 197–210.

ROSEMARY PEACOCK, ANITA SARGEANT AND NEIL SMALL

Facial Difference, Consumer Culture and Being 'Normal'

ABSTRACT: More than half a million people in the UK have a significant facial difference. Some of these people are born with this. Some acquire difference through accident, for example burns, or as a result of medical treatment, for example for head and neck cancer. People live with visible facial difference in a society that has prevalent discursive formations of difference associated with gendered ideals about health and beauty. In this chapter we consider the relevance of the face for communication and examine implications of facial difference for social selves and, in particular, for personal communities. We report interviews that consider different aspects of an aesthetics of inclusion. Cultural cosmopolitanism requires an ability to empathise with the other, celebrate difference and diversity, and possess interactional and semiotic skills to convey this. There is a tension in achieving the openness to the other required by cultural cosmopolitanism for people with facial difference.

Introduction

The face is not the property of an individual; it is a key part of our communicating body. It is performed, in social interaction (Goffman 1982), and seen and responded to within historicised and gendered ideals of the normal and of beauty. The normal and the beautiful have a particular resonance in a visually mediated consumer society: 'looks matter'. But more than half-a million people in the UK have a significant disfigurement to their face (Changing Faces 2007). This chapter explores the way facial difference illuminates debates on bodily representation. It explores how people living with visible facial difference invoke discursive formations of

disfigurement (Garland-Thomson 2009). It asks how we encounter and respond to facial difference and examines how close personal relationships can offer a source of support. The chapter contextualises the relevance of the face for communication and then examines implications for social selves in personal communities. Seventeen people living with visible facial difference were interviewed as part of a PhD study and interview extracts illuminate different aspects of the aesthetics of inclusion. The study explored patterns of personal communities and the interplay with lived realities of people with visible facial difference. The quintessentially embodied nature of this sort of difference illuminates the experience of the cosmopolitan. Cultural cosmopolitanism requires an ability to empathise with others and to celebrate difference and diversity (Held 2002). It requires that we have the semiotic skills to interpret images of others (Urry 2000). We can see in both the self-perception of people with visible facial difference and in their accounts of the responses of others to them a continuing challenge to achieving cosmopolitanism. It is hard to look past the face.

Bodily representation

Images of the face, alongside idealised notions of self-transformation with the aid of surgery, style advice and appearance make-overs enable a presentation of the self that communicates confidence. These images are widespread in consumer society (Featherstone 2010). Ideals of beauty can be historicised and relativised with contemporary variants positioning beauty as something that can be bought, modified or fixed (Synnott 1988). People with visible facial difference have long lived alongside the promise of plastic surgery and its close relation, cosmetic surgery. Plastic and reconstructive surgery can save lives, improve function and offer a promise of restoring faces closer to facial normality. Cosmetic surgery on the other hand is better known for its promise to smooth over processes of ageing. A celebrity focussed, visual culture has been implicated in producing rising levels

of body dissatisfaction among 'normal' people (Rumsey and Harcourt 2012). It can, however, be viewed as making more commonplace the (surgically) changed appearance, questioning ideas of the 'natural' and thereby increasing interest in understanding the dynamics of altered appearance or modification of the body (Featherstone 2010). Images of facial differences are present in fairy tales, literature, films and on television in the form of make-over shows, dating games and documentaries of facial reconstruction. A range of character positions make apparently physiognomic linkages between visible disfigurement and moral judgements, positioning scarred or damaged faces with 'bad' or 'damaged' character (Twine 2002; Partridge 2012). Although the 'science' of physiognomy has had its day, it lives on culturally through these representations which serve as heuristic devices linking meanings of visible difference and moral judgments about what appearance may say about individual character. These images form part of our collective imaginations about the meaning of visible facial difference and serve as part of our social context.

Twine (2002) historicises discourses of physiognomy, finding indications that judging by appearance is neither timeless nor absolute. But he is not seeking to underestimate embodiment:

> ...my particular critique of physiognomy is not about excluding the body from our self-constitution, but about resisting the body's entrapment within physiognomic discourse that tends to define our bodies for us. (Twine 2002, 83)

Individuals who live with visible facial differences experience higher social visibility. Their difference can affect interactions with other people as well as feelings about the self (Rumsey and Harcourt 2005; Uttjek et al. 2007; Feragen 2012). But Twine (2002) questions the value of popular faith in direct representational relationships between a visual appearance and generalised meaning. This line of argument has been taken by others. Garland-Thomson (2011), taking a perspective informed by critical feminist disability theory, contends that shared human experience of embodiment is influenced by a cultural ability/disability system of significance. This affects how we see and live the limits of our bodies, their aesthetics and appearance. She defines the ability/disability system as:

...a pervasive cultural system that stigmatises certain kinds of bodily variation. (Garland-Thomson 2011, 17)

This perspective challenges ideas that differences associated with disability are about inferiority or tragedy. Instead comparison of bodies is seen as embedded in culture and used to interpret an unequal distribution of resources, status, and power within a biased social environment (Garland-Thomson 2011). This broader view of disability is able to include ideological categories such as 'ugly', 'maimed' and 'mad'. Garland-Thomson's argument is that this ability/disability system serves to privilege categories such as 'beautiful', 'healthy', and 'normal' and it is in the interaction between bodies and the world that disability becomes material above and beyond usual human variation.

Appearance norms have a long history within western culture (Synnott 1988) and the perspective offered by Garland-Thomson adds that health norms provide similar cultural functions. These cultural ideas, alongside market mechanisms, push bodies towards a set of standards called 'normal' and 'beautiful'. From this perspective, the idea of beauty has become suffused with the idea of normal, producing a tendency at an individual level to avoid associations of 'disabled', 'ugly', 'fat' or 'raced'.

Encountering facial difference

Two of Goffman's central areas of concern, interaction order and stigma, are key in the sociology of facial difference (Goffman 1963, 1982 and 1990). All encounters take place within an 'interaction order' with socially and culturally situated rules of conduct, which all individuals are both subject to and creative of. Within this order Goffman described 'face-work' as a technique and a metaphor for a version of the self which is projected socially. It has ritualised forms which are recognised by others, such that if we get the rules of an encounter wrong it can be mutually embarrassing. Garland-Thomson (2009) reasons that atypical faces throw simple recognition rituals into

chaos, the loss of ability to read the social situation heightens the risk of uninvited 'face-work' coming about such as staring (we examine staring as both useful and destructive later). Goffman (1963) conceived of stigma as exhibiting both psychological and social processes, it is a condition of the interaction order rather than an objective of it. He identified 'discredited' persons as those whose social status is stigmatised and argued that it is apparent to others who respond to it. There are 'discreditable' person's whose stigmatised social status is not apparent, but who are responded to as if it were. It is significant that Goffman draws from the early work of Macgregor et al. (1953) on facial disfigurement to illustrate his argument. For Goffman the face is not the property of an individual but something performed or acted in social interaction, it is symbolic. Coupled with his conceptions of stigma, 'face-work' produces ways of interacting that seek to maintain 'face' in encounters and social interaction. Social situations are maintained by strategic cooperation between people using reciprocal face-work to maintain their own face as well as others'. This account has been critiqued and developed to incorporate conceptions of power and discrimination into stigmatisation processes (Link and Phelan 2001, 2006; Scambler 2009). Kleinman and Hall-Clifford (2009) suggest that stigma affects 'that which matters most' to people within their social and moral local worlds. That which matters most includes wealth, education, relationships and life chances. The face is central in human interaction, it functions as a means of communication and our face becomes our unique social identifier (Seymour and Lupton 2004). 'Face-work' produces shared ideas about what faces should look like, and how they should move. What is in danger of being lost by the impact of stigma is the integrity of a person's social self. The practices of 'face-work' acts as a mechanism for coping with bodily stigma (Talley 2008). Our eyes are drawn to faces of other people as the face is a key part of our communicating body. Black (2011) uses the idea of a 'multiplex' as a metaphor to understand the fluidity, complexity and lack of fixity that is the face. He argues that multiple accounts of the face (from social, psychological, medical and cultural perspectives) do not fully capture what a face is and what a face does. To see the face only in terms of 'subjectivisation' underplays the anatomical and cognitive uniqueness of the face as a living organ of communication and he argues that it is untenable

to regard communication as detachable from bodily materiality. Turning to how the face is used, Black (2011) highlights the cultural specificity of the ways that social interaction occurs; he writes:

> …the face as a material component of the body, which is never fully fixed, grasped or possessed by the viewer of the face. (Black 2011, 21)

Socially constituted structures of significance are used to stabilise and fit faces into categories such as 'beautiful', 'ugly' or 'acceptable'. The face is presented as significant in the processes of recognition, communication and in creating relationships between bodies. Black concludes that the lack of fix in these biological and cultural processes leaves room for variation at the level of lived experience. Facial difference can be seen as having the potential to affect a number of complex, multiple, intra- and inter-personal processes involved in the interaction between an individual, the onlooker and society. Effects of bodily difference cannot be set aside in processes of interaction, having a body which is different affects perceptions and behaviour both of the person with the difference and of others. While visible facial difference may not (using a narrow definition of disability) disable, a loss of confidence connected to appearance can prevent people doing what others take for granted. People may need to negotiate difference in everyday life and being visibly different to others is important for both self-identity and inclusion.

A particular example of face work and of the operation of stigma is provided by Garland-Thompson. In 'Staring: How We Look' (Garland-Thompson 2009) she draws on Langer who hypothesised that people stare at 'novel stimuli' as a form of 'exploratory behaviour' (Langer et al. 1976, 461), as a means of reducing unease and uncertainty in an uncertain world. There is automaticity in staring:

> Stareable sights seduce us into an attention crisis in which random visual intrusions, not a disciplined will, assert control. (Garland-Thomson 2009, 21)

Staring has useful as well as destructive powers; it is a form of communication as well as an expression of dominance and stigma assignment. What Garland-Thomson argues is needed is a wedge between acts of staring and

negative judgements. She proposes an ethics of looking and of being looked at, and suggests that we consider how we should stare rather than whether we should stare.

> We become ethical starers by being conscious in the presence of something that compels our intense attention. What gives such attractions power in these formulations is their capacity to vivify human empathy through bearing actual witness.…… the impulse to stare at novel sights, whether we understand them as conventionally beautiful or repulsive, can move us toward recognising a 'newness' that can be transformative. These stareable sights disturb not just the visual status quo but the ethical status quo as well. (Garland-Thomson 2009, 188).

Face work and the operation of stigma, including staring and the experience of being stared at, are situated within personal lives and social worlds.

Personal lives and social worlds

Early work (Macgregor et al. 1953) positioned 'facial deformity' as a source of psycho-social difficulty. It was argued that there was a potential for exclusion because of challenges in finding employment or marriage partners. The family was regarded as a haven in a hostile world. The social world is much changed since the 1950s not least through the impact of civil rights, feminist, and disabilities movements as well as questions about whether families are still sources of social cohesion in an individualised, post- modern, post-industrial, consumerist, networked global world (Giddens 1992; Plummer 2001; Bauman 2003 and 2004; Spencer and Pahl 2006). Macgregor et al. (1953) began exploring facial disfigurement in plastic and reconstructive surgery clinics at the end of the Second World War. She identified that having an atypical face was potentially a significant social problem for the person affected, as the face was central to the person and their social relations and interactions. She found the main difficulty associated with facial disfigurement as being a psycho-social threat to mental health. Some people living with disfigurement found establishing relationships problematic

and were hampered by beliefs that they could not be loved because of their appearance. Her interviewees spoke of experiences of rejection and as feeling unsuitable for marriage or their desired employment. Her studies explored families with children who were disfigured from time of birth or during childhood, its impact on the family and specifically on maternal attachment. Adult family relationships were not explored in depth, although 'success' in achieving friendships and marriage was recorded. Interviews were interpreted as indicating that some people had perceptions of having constrained relationship choices and of having married 'beneath their class'. Since Macgregor's work feminist scholarship have challenged the idea of family as simply supportive by revealing gendered inequalities and the role of the family in perpetuating these (Gillies 2003; Jamieson 1998). There has been an increase of divorce, and lower levels of marriage as well as more single parents and greater numbers of step-families. These changes have been used to illustrate significant transformations in personal relationships as developed under the various forms of the 'individualisation' hypothesis (Giddens 1992; Bauman 2003). This hypothesis characterises society as becoming more atomised and individuated. There is an increasing lack of commitment to others and an increase in isolation for some. Shakespeare (2006) expresses concerns that people living with disability may be disproportionately affected by social changes that increase isolation and disconnection. As well as social connection, relationship with others can be seen as constituting the self as a social self (Burkitt 2008; Ketokivi 2012). Burkitt (2008 and 2012) extends conceptions of the social self by taking a dialogic perspective. This takes a thin view of the individual with a thick social relational view to the self (Smith and Sparkes 2008). He addresses how sociocultural conceptions of subjectivity are able to incorporate damaging and conflictive aspects of how humans are with each other and themselves.

The complex and textured personal worlds of people living with facial difference reveal narratives of resisting, developing, and adjusting to living with being visibly different to people who surround them. Through narration of linkages and connections, stories of embodied emotional bonds emerge within a wider web of relationships and with a sense of social location (Smart 2007; Plummer 2001). Experiences which are personal also have social significance; they speak of acceptance, love, reciprocity and

living across difference. They also tell of rejection and loneliness (Smart 2007; Shakespeare 2006). Shakespeare (2006) identified isolation and loneliness at particular points in the life course for people with disabilities that is neither easily overcome by barrier removal nor explained by oppression alone. There are, he argues, well documented difficulties of interaction, reciprocity and respect between non-disabled and disabled people. Social networks and personal relationships enmesh our cultural, emotional, psychological and social well-being (Phillipson et al. 2004). We become who we are through our contacts with others, our friends, companions and families. Benefits are found from support and participation in social networks in areas of health (Gallant 2003), ageing (Allen, Blieszner and Roberto 2000) wellbeing and living with chronic health problems (Vassilev et al. 2010). Individuals' networks are also doorways to resources in the wider social world of work and education. Networks deliver more than support, having relational and affective dimensions of love, friendship, companionship, intimacy and generation of purpose (Smart 2007; Gabb 2008; Mason and Davies 2011; McCann and Roberto 2012). In a study of friendship Spencer and Pahl (2006) used the concept of personal communities to extend understanding of how people in postmodern times value a range of social ties. Characteristically, relationships with families and friends overlap and inter-relate in their functions. They explored degrees of connectedness and belonging, commitment to others and patterns of reliance on 'given' and 'chosen' ties. No single 'normal' pattern dominated. Spencer and Pahl (2006) explored the meanings of relationships within social networks and asked what connections 'do' in individual lives. Their study contributes to a growing number of empirical studies which challenge an 'individualisation' thesis (Jamieson 1998 and 2011; Smart 2007). They suggest that friend and friend-like relationships from families act as 'social glue' and provide a range of social connections. In some people's lives friends were more important than family and they argue that the role of personal relationships is under recognised as a form of 'social capital' that has both health and social benefits.

Spencer and Pahl (2006), for example, investigated individuals' communities to capture patterns and functions associated with active and intimate ties. These are seen as 'communities in the mind', representations

of people's networks across different types of relationships, places and time. It is an approach that differs from a focus on place-based or family-based groupings (Pahl and Spencer 2004). By looking back over the life course, shared histories, times of adaptation and times of continuity can be seen. This has been described as a 'social convoy' and it includes people known at earlier times even if the contact has not been maintained (Antonucci and Akiyama 1987). A number of studies have explored subjective perspectives on personal social networks in self-care and management of long term conditions (Vassilev et al. 2011; Morris 2011), identity (Ketokivi 2010, 2012) and ageing (Kahn and Antonucci 1980; Antonucci and Akiyama 1987; Wenger 1990 and 1997). Wellman and Wortley (1989) found that no single type of relationship provided support, rather it flowed through informal networks, people found different types of support from different people. Ketokivi (2010 and 2012) investigated social selves and found both individuality and social bonds emerged from relational networks. She argued that this is at odds with the societal expectation of an autonomous individuality and that this becomes more apparent when people are dealing with change. Following up these considerations, in the next section a charity will be introduced, supporting people living with facial differences.

Visible facial difference

Changing Faces, a charity prominent in championing the rights of people living with facial differences, describe disfigurement as 'the aesthetic effects on facial appearance of a scar, mark, rash, or a skin graft on a person's facial skin or an asymmetry or paralysis to their face' (Changing Faces 2009, 1). These can be manifest at birth or develop or occur at any time of life. Appearance cannot be measured objectively and there is no specified range for normal appearance (Harris 1997). Expectations of how we 'should' look affect how we see ourselves and others, and they affect our ideas about

what is normal or different about our appearance as detailed above. Facial differences have an embodied and emotional social reality without their being a clear cut objective definition (Talley 2008).

OPCS's Disability Survey (Martin et al. 1988) estimated there were at least 400,000 people in the UK with a disfigurement to their face and/ or body defined as a scar, blemish or deformity which severely affected their ability to lead a normal life. This survey did not distinguish location of disfigurement and combined face with any other part of the body. Furthermore the focus of the survey was to identify impairments which interfere substantially with activities of daily living (Abberley 1992). Many people living with visible facial difference do not have continuing illness conditions or necessarily have conditions that affect activities of everyday life but may find themselves with difficulties in particular situations or types of relationships in their social and personal worlds. Consequently, the OPCS survey is thought to underestimate the number of people who live with a facial disfigurement by not including those whose lives are affected by the social or psychological consequences of difference (Newell and Marks 2000; Changing Faces 2007).

Changing Faces have estimated that 542,250 people in the UK have a significant disfigurement to the face (Changing Faces 2007). This estimate used a broader definition than the Disability Survey (Martin et al. 1988) and focussed on the face and head only. The *Changing Faces* estimate also differentiated disfiguring conditions by extent and by location on the face. They included: congenital conditions; accidental causes such as burns, scarring and facial fractures; cancer treatment and disease process; eye conditions such as loss of eye; facial paralysis and skin conditions such as psoriasis, vitiligo and acne. Facial difference does not just affect visual aesthetics; also implicated can be other facial processes and sensations such as smiling, facial movements, vision, speech, hearing and texture of the skin. The multiple categorisations of facial disfigurement complicate estimation of prevalence of disfigurement and no epidemiological studies appear to have been carried out which untangle this area. The subjective aspects of visible facial difference further complicate the ability to produce a judgement of when an appearance can be said to be altered or disfigured.

Recent work from within the field of appearance psychology indicates that the subjective judgement by the person affected is better able to account for degree of distress (Moss 2005).

There are a number of books written by people living with acquired facial difference in the UK; Christine Piff (1986), Simon Weston (1989 and 2003), James Partridge (1990) and Katie Piper (2011) are prominent. These accounts discuss challenges of resisting, adjusting, and achieving in the face of difference. The story of facial difference experienced since birth is different and one less frequently told as identified by Zitzelsberger (2005).

Living with visible facial difference: disruptions, continuities and normalities

A significant change in facial appearance can be a disruptive life event breaking biographical expectations in an acute way. It may require a re-working of relations with significant others, as well as a shift in self-identity (Bury 1982). For people who have lived with a disability or condition for all or much of their life Williams puts forward the idea of biographical continuity instead, with self-identities (both physically and emotionally defined) being generated reflexively through a cyclical process of 'biographical revisions' across the life course (Williams 2000, 57). As a group, people living with visible facial difference do not necessarily share life experiences or the same causative experience or condition even though they may share similar experiences of being stared at or experiences of discrimination (Clarke 1999). The diversity of biographies and causes of visible facial difference, work against there being any essential identity of visible facial difference, or of there being a single pattern of responses or of personal communities. As indicated in the beginning, seventeen people living with visible facial difference were interviewed as part of a PhD study. The following vignettes provide a glimpse of how the multi-dimensional nature of personal communities and the phenomena of living with visible facial difference come together and are mediated or hindered through a cosmopolitan gaze. The vignettes also illustrate a difference between respondents in the extent to which they experienced past or present personal communities as

supportive. They have been drawn from interview accounts, pseudonyms have been used and personal detail in the extracts changed or anonymised. Respondents were recruited via advertisements placed on the websites of charities and support groups concerned with issues of visible facial difference. Respondents volunteered for the study and were living with a range of visible difference from birth or acquired later in life. Interviews were carried out between September 2011 and August 2012.

Vignette 1: Incorporating visible facial difference

'Isobel' talked about how her personal community was strongly embedded within a large family network. In this quote she illustrates how other people outside this network can get confused about what her appearance might mean about her.

> So yes, I think it's being seen as being normal. That's what it always meant to me doing sort of normal activities and not sitting in a corner, but going out and getting on with your life, because you have to have a life at the end of the day.
>
> *Interviewer*: When you use the word normal what does that really mean?
>
> I don't know (laughs) what other non-disfigured people do or what I presume they would be doing. Do you know what I mean?
>
> *Interviewer*: This is an embarrassing question, but do you think that at some level being disfigured makes you abnormal?
>
> No it doesn't, no it doesn't does it, no, (laughs) no to some people it probably makes you abnormal, people think you have special needs and that, you know, educationally, do you know what I mean, but which is really bad that someone should think that because you have got a disfigurement that you are mentally handicapped. But then this view of mentally handicapped people, as well, is completely out of order. But I suppose it's doing what non-disfigured people do. And it's being part of that world as well, and the fact that I don't know, it's just being a part of everything I suppose. I mean there are a lot of people with disfigurement but, do you know what I mean, you are not going to be socialising with them all of the time and, do you know what I mean? I think it is important that you are out in the world.

In her everyday world 'Isobel' challenges assumptions that she is defined by her facial scars through her interactions and activities in her family, personal, and professional worlds. 'Isobel' has lived with visible facial difference from birth and had corrective surgery during her childhood. In her interviews she indicates ways in which she is ready to challenge assumptions at a more public level. She has joined a user council of a charity and is contributing to their development of resources.

Vignette 2: Finding unease in everyday life from the unpredictability of others

'Eve' has a job she loves. She finds the professional environment she has chosen to work in reduces the possibility of untoward comments and stares, enabling her to feel at ease and to get on with her role. A sense of unease can develop when she has to go to new environments as described in the quote below:

> And then meeting people like, part of my job is I go out to other businesses and try and sell [the] products and services that we can offer. Sometimes that can be quite daunting as well because you never know how people are going to react. Not that they ever say anything, but you can see the looks and just little things that you get used to and pick up on really. So it's quite hard. Inside my friends and family I don't think about it but then outside it can become quite uncomfortable.

> *Interviewer*: So what's the difference then?

> I think it's because with my friends and family I know they have accepted me and I know are not judging and I know they are not thinking, 'oh she is different'.

She has built up a pragmatic working knowledge of others, from a lifetime of encounters with people who have different conceptions of normal behaviour; Eve was born with a visible facial difference. She underlines that the processes involved are emotional and embodied, and contrasts being out in the world with her safer work environments. Her personal community of friends and family members provide a social space where unease can disappear.

Vignette 3: Contributions of friends and family

'Ken' talks about the processes of getting used to 'disturbances' other people experience in response to his facial appearance. He, his family and friends have had to learn how to deal with this in everyday life, after an accident in his childhood that left his face scarred. He calls this 'normalisation', and sees this as a process of developing a life that is not defined by his visible facial difference. For him part of this process included having to learn to recognise his own changed face, later he learned that other people also needed to go through a similar process. These processes of learning how to live with change gave him an understanding of the inter-subjectivity involved and a more flexible range of strategies he could draw on, including building up social connection and support. The significance of change over time can be seen.

> …. you know that what people are seeing is the image that you have got in here now, and then you build relationships and friendships around the fact that it's not that important, and the importance of the scarring and disfigurement goes down and down and down.

> And I would say to you now that the people that I have around as friends, family and all the rest of it, it's my visible difference is down here somewhere compared to 20 or 30 years ago. I was first of all aware that I was going to walk into a room and someone was going to stare at me.

> There are people who [say], I don't know how you put up with it. Put up with what? You know all those people? What people? I don't see them; I didn't see the people who stare. Sometimes I do and sometimes when I am not in the right mood, I get cross and I've got blinkers on I can remember developing those blinkers, but so you normalise everything.

> The friendships the relationships you are going to see are first and foremost about people who are, there are things about my family, obviously, they'll have to deal with the, people who stare, people who look, but they have done the same kind of things, the switching it doesn't bother them anymore.

Vignette 4: When illness has not stabilised

Building up a supportive network takes time and is contingent on one's own preferences as well as others' capability and resources. 'Tom' talked about how his social relationships have changed since his surgery in response to head and neck cancer.

> My illness has literally stopped my social life. It just went.
>
> *Interviewer*: Is that because you stopped organising things?
>
> We were the ring leaders and we stopped.
>
> *Interviewer*: Do you think whether social life is important when you are unwell?
>
> Yes, I think it depends on how ill you are. I have been ill and I am ill, but I can function. I still need to function and get my head on my shoulders and not lock myself in the house and not go anywhere… So I think if you don't, I think we can get into a little corner and you wouldn't see anybody then. You might get the odd call but people just assume 'Oh he doesn't do it anymore and doesn't get involved with anything' and people just leave you alone and you would lose contact with the real world really. I think if you can manage to get out and about and do things, or have people around, or just have some sort of life outside of the couple because you need other conversation. I mean you have to have other people apart from the two of you. I think you'll cease to function as a person I mean, and I feel like that at times.

This extract reveals some of the difficulties faced when confronting a dramatic change of bodily function, facial appearance and social circumstance, which can accompany a biographical disruption (Bury 1982).

Overall, the vignettes provide examples of individual agency on the part of people with facial difference. We have explored the impact of the way bodies are represented in society and of the prevalence and impact of appearance norms. We have considered interaction order and stigma and the active engagement of the person in seeking networks of support, many of them from within their family. But in these examples, although we do hear of the challenges of encountering the often unspoken reaction of others in the public sphere and the temptation to retreat to a safe zone

of the familiar, we also hear of the sense of acceptance and of normality that can be achieved through the individual's actions, supported by those closest to them.

Conclusions

People with a visible facial difference develop personal communities shaped by their life stories. Social experiences are embodied but mediated by the subjectivities of the self and the 'gaze' of the other. Networks and relationships offer positive experiences and meaning making that co-exist alongside negative aspects of disability and injury. A complex reconciliation of tensions is possible over the life-course, evident as a continuous process of adaptation rather than a process with a fixed end point. As Ungar puts it:

> The successful individual or family is the one that functions to a standard he, or she, or it sets in concert with others whose opinions are valued. In such a negotiated realm, individual families (and family members) will be looking to elicit from complex environments meaningful resources. The most resilient will have the most responsive physical and social ecologies. (Ungar 2010, 13)

Professionals are most likely to be helpful when they share with their clients the skills to help cope with change and complexity, focussing not on outcomes but on processes.

We indicated how living with visible facial difference raised particular challenges for the limits of cultural cosmopolitanism. The literature we have referred to, and the examples from the study we report, underline a continuing tension in achieving the openness to the other that cosmopolitanism requires. The tension in cosmopolitanism has been identified as one between hospitality to strangers and a fear of the other (Skrbis and Woodward 2005). This is resolved in many instances by a limited openness, shaped by an aesthetic of inclusion: we embrace and incorporate those who add to our particular formation of cosmopolitanism. In a visual culture this

means that we take few risks in extending hospitality to others who we find uncomfortable to our aesthetic. In Jonathan Glazer's film *Under the Skin* (Studiocanal, 2013) an alien with no compunction about murdering the humans she encounters meets one with a profound facial difference. She engages with him in a way that those in his own 'society' do not, seeming to not notice his face and complimenting him on his 'beautiful hands'. Our skills do not equip us to look beyond some manifestations of embodiment.

Bibliography

Abberley, P. (1992) 'A Critique of the OPCS Disability Surveys'. *Radical Statistics*, 51 (Summer), 7–20.

Allen, K., Blieszer, R. and K. Roberto (2000). 'Families in the Middle and Later Years: A Review and Critique of Research in the 1990s'. *Journal of Marriage and the Family*, 62, 911–926.

Antonucci, T. and H. Akiyama (1987). 'Social Networks in Adult Life and a Preliminary Examination of the Social Convoy Model'. *Journal of Gerontology*, 42 (5), 519–527.

Bauman, Z. (2003). *Liquid Love: On the Frailty of Human Bonds.* Cambridge: Polity Press.

Bauman, Z. (2004). *Identity.* Cambridge: Polity Press.

Black, D. (2011). 'What is a Face?' *Body & Society*, 14 (4), 1–25.

Burkitt, I. (2008). *Social Selves: Theories of Self and Society.* Second Edition. London: Sage.

Burkitt, I. (2012). 'Emotional Reflexivity: Feeling, Emotion and Imagination in Reflexive Dialogues'. *Sociology*, 46 (3), 458–472.

Bury, M. (1982). 'Chronic Illness as Biographical Disruption'. *Sociology of Health and Illness*, 4 (2), 167–182.

Changing Faces (2007). *The Incidence and Prevalence of Disfigurement.* London: Changing Faces. Available from: http://www.changingfaces.org.uk/show/feature/search/Facts-and-figures (accessed 17 September 2012).

Changing Faces (2009). 'Face Equality for Patients with Disfiguring Conditions: How Health and Social Care Professionals Can Support and Empower'. In: Changing Faces (ed.), London, Changing Faces Publication.

Clarke, A. (1999). 'Psychosocial Aspects of Facial Disfigurement: Problems, Management and the Role of a Lay-Led Organization'. *Psychology, Health & Medicine*, 4 (2), 127–142.

Featherstone, M. (2010). 'Body, Image and Affect in Consumer Culture'. *Body and Society*, 16 (1), 194–221.

Feragen, K. (2012). 'Congenital Conditions'. In: Rumsey, N. and Harcourt, D. (eds), *The Oxford Handbook of the Psychology of Appearance*. Oxford: Oxford University Press, 354–371.

Gabb, J. (2008). *Researching Intimacy in Families*. Basingstoke, Hampshire: Palgrave Macmillan.

Gallant, M. (2003). 'The Influence of Social Support on Chronic Illness Self-Management: A Review and Directions for Research'. *Health Education & Behavior*, 30 (2), 170–195.

Garland-Thomson, R. (2011). 'Integrating Disability, Transforming Feminist Theory'. In: Hall, K. (ed.), *Feminist Disability Studies*. Indiana: Indiana University Press, 13–47.

Giddens, A. (1992). *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies*. Cambridge: Polity Press.

Gillies, V. (2003). *Family & Intimate Relationships: A Review of the Sociological Research*. London: South Bank University.

Glazer, J. (2013). *Under the Skin* London: Studiocanal. Available from: http://www.studiocanal.co.uk/Film/Details/02b8d68b-3632–443d-9a23-a24c011a5cf0

Goffman, E. (1963). *Stigma: Notes on the Management of Spoiled Identity*. New Jersey: Prentice-Hall Inc.

Goffman, E. (1982). *Interaction Ritual: Essays on Face-to-Face Behavior*. New York: Pantheon Books.

Goffman, E. (1990). *The Presentation of Self in Everyday Life*. London: Penguin.

Harris, D. (1997). 'Types, Causes and Physical Treatment of Visible Differences'. In: Lansdown, R., et al. (eds), *Visibly Different: Coping with Disfigurement*. Oxford: Butterworth Heinemann, 79–90.

Held, D. (2002). 'Culture and Political Community: National, Global and Cosmopolitan'. In: Vertoves, S. and Cohen, R. (eds), *Conceiving Cosmopolitanism - Theory, Context, Practice*. Oxford: Oxford University Press.

Jamieson, L. (1998). *Intimacy: Personal Relationships in Modern Societies*. Cambridge: Polity Press.

Jamieson, L. (2011). 'Intimacy as a Concept: Explaining Social Change in the Context of Globalisation or Another Form of Ethnocentricism?' *Sociological Research Online*, 16 (4), 15.

Kahn, R. and Antonucci, T. (1980). 'Convoys Over the Life Course: Attachment, Roles and Social Support'. In: Baltes, P. and Brim, O. (eds), *Life Span Development and Behaviour*. New York: Academic Press, 253–286.

Ketokivi, K. (2010). *The Relational Self, the Social Bond and the Dynamics of Personal Relationships: A Sociological Analysis*. PhD. Unviersity of Helsinki.

Ketokivi, K. (2012). 'The Intimate Couple, Family and Relational Organisation of Close Relationships'. *Sociology*, 46 (3), 473–489.

Kleinman, A. and Hall-Clifford, R. (2009). 'Stigma: A Social, Cultural and Moral Process'. *Journal of Epidemiology Community Health*, 63 (6), 418–419.

Langer, E., Taylor, S., Fiske, S. and Chanowitz, B. (1976). 'Stigma, Staring and Discomfort: A Novel Stimulus Hypothesis'. *Journal Of Experimental Social Psychology*, 12, 541–463.

Link, B. and Phelan, J. (2001). 'Conceptualizing Stigma'. *Annual Review of Sociology*, 27, 363–529.

Macgregor, F. C., Abel, M. A., Bryt, A., Lauer, E. and Weissman, S. (1953). *Facial Deformities and Plastic Surgery: A Psychosocial Study*. Springfield, Illinois: Charles C. Thomas.

Martin, J., Meltzner, H. and Elliot, D. (1988). *The Prevalence of Disability In Great Britain, Report 1.* Division, O.O.P.C.a.S.S.S. Office of Population Censuses and Surveys,

Mason, J. and Davies, K. (2011). 'Experimenting with Qualitative Methods: Researching Family Resemblance'. In: Mason, J. and Dale, A. (eds), *Understanding Social Research: Thinking Creatively about Method*. London: Sage, 33–48.

McCann, B. and Roberto, K. (2012). 'Relational Systems: How Older Women With Chronic Health Problems Construct Close Relationships'. *Journal of Family Issues*, 33 (5), 559–583.

Morris, R. (2011). *Evolving 'Self'-Management?: A Qualitative Study of the Role of Social Networks for Chronic Illness Management in Primary Care*. PhD, University Of Manchester.

Moss, T.P. (2005). 'The Relationship Between Objective and Subjective Ratings of Disfigurement Severity, and Psychological Adjustment'. *Body Image*, 2, 151–159.

Newell, R. and Marks, I. (2000). 'Phobic Nature of Social Difficulty in Facially Disfigured People'. *British Journal Of Psychiatry*, 176, 177–181.

Pahl, R. and Spencer, L. (2004). 'Personal Communities: Not Simply Families of "Fate" or "Choice"'. *Current Sociology*, 52, 199–221.

Partridge, J. (1990). *Changing Faces: The Challenges of Facial Disfigurement*. London: Changing Faces Publication.

Partridge, J. (2012). 'Persuading the Public: New Face Values for the 21st Century'. In: Rumsey, N. and Harcourt, D. (eds), *The Oxford Handbook of the Psychology of Appearance.* Oxford: Oxford Unviersity Press, 468–485.

Phillipson, C., Allan, G. and D.H.G. Morgan (eds) (2004). *Social Networks and Social Exclusion: Sociological and Policy Perspectives.* Aldershot: Ashgate.

Piff, C. (1986). *Let's Face It.* United Kingdom: Sphere Books.

Piper, K. (2011). *Beautiful: A Beautiful Girl. An Evil Man. One Inspiring True Story of Courage.* United Kingdom: Ebury Press.

Plummer, K. (2001). *Documents of Life 2: An Invitation to a Critical Humanism.* London: Sage.

Rumsey, N. and D. Harcourt (2005). *The Psychology of Appearance.* Berkshire: Open University Press.

Rumsey, N. and D. Harcourt (eds) (2012). *The Oxford Handbook of the Psychology of Appearance.* Oxford: Oxford University Press.

Scambler, G. (2009). 'Health-Related Stigma'. *Sociology of Health and Illness*, 31 (3), 441–455.

Seymour, W. and Lupton, D. (2004). 'Holding the Line Online: Exploring Wired Realtionships for People with Disabilities'. *Disability & Society*, 19 (4), 291–305.

Shakespeare, T. (2006). *Disability Rights and Wrongs.* Abingdon, Oxon: Routledge.

Skrbis, Z. and I. Woodward (2005). 'Investigating the Idea of Cosmopolitan Openess: Strategies, Repertoires and Practices'. In: *TASA Conference.* Australia: 6–8 Dec. Unviersity of Tasmania.

Smart, C. (2007). *Personal Life: New Directions in Sociological Thinking.* Hampshire: Polity Press.

Smith, B. and A. Sparkes (2008). 'Contrasting Perspectives on Narrating Selves and Identities: An Invitation to Dialogue'. *Qualitative Research*, 8 (1), 5–35.

Spencer, L. and R. Pahl (2006). *Rethinking Friendship: Hidden Solidarities Today.* Princeton: Princeton University Press.

Synnott, A. (1988). 'Truth and Goodness, Mirrors and Masks - Part 1: A Sociology of Beauty and the Face'. *British Journal of Sociology*, 40 (4), 607–635.

Talley, H. (2008). *Face Work: Cultural, Technical and Surgical Interventions for Facial 'Disfigurement'.* PhD, Vanderbilt University.

Twine, R. (2002). 'Physiognomy, Phrenology and the Temporality of the Body'. *Body and Society*, 8 (1), 67–88.

Ungar, M. (2010). 'What is Resilience Across Cultures and Contexts?: Advances to the Theory of Positive Development Among Individuals and Families Under Stress'. *Journal of Family Psychotherapy*, 21, pp. 1–16.

Urry, J. (2000). 'The Global Media and Cosmopolitanism'. In: *Transnational America Conference*. Munich: Lancaster Unviersity, Available from: http://www.comp. lancs.ac.uk/sociology/soc056ju.html (accessed 31 May 2015).

Uttjek, M., Nygren, L., Stenbe.g. B. and M. Dufaker (2007). 'Marked by the Visibility of Psorisis in Everyday Life'. *Qualitative Health Research*, 17, 364–372.

Vassilev, I., Rogers, A., Sanders, C., Kennedy, A., Blickem, C., Protheroe, J., Bower, P., Kirk, S., Chew-Graham, C. and R. Morris (2010). 'Social Networks, Social Capital and Chronic Illness Self-management: A Realist Review'. *Chronic Illness*, 0, 1–17.

Wellman, B. and S. Wortley (1989). 'Brothers' Keeper: Situating Kinship Relations in Broader Networks of Social Support'. *Sociological Perspectives*, 32, 273–306.

Wenger, G. (1990). 'The Special Role of Friends and Neighbours'. *Journal of Aging Studies*, 4 (2), 149–169.

Wenger, G. (1997). 'Social Networks and the Prediction of Elderly People at Risk'. *Ageing and Mental Health*, 1, 311–320.

Weston, S. (1989). *Walking Tall.* London: Bloonsbury Publishing.

Weston, S. (2003). *Moving On.* London: Piatkus.

Williams, S. (2000). 'Chronic Illness as Biographical Disruption or Biographical Disruption as Chronic Illness: Reflections on a Core Concept'. *Sociology of Health and Illness*, 22 (1), 40–67.

Zitzelsberger, H. (2005). '(In) visibility: Accounts of Embodiment of Women with Physical Disabilities and Differences'. *Disability & Society*, 20 (4), 398–403.