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This is an accepted manuscript of a book chapter published by Routledge in the Routledge Handbook of Socio-Legal Theory and Methods on 30 August 2019, available from:

<http://www.routledge.com/9781138592902>

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On objectivity and staying 'native': Researching LGBTQI+ lawyers as a queer lawyer

Marc Mason¹

Abstract

This chapter is a critical engagement with the concept of objectivity borne out of a project where I as the researcher shared characteristics with the participants in the research project, namely that we were all LGBTQI+ barristers. The chapter summarises some of the findings of that research before going on to consider why distance or neutrality in research is not only an unrealistic expectation but is instrumental in maintaining problematic power dynamics. Through an exploration of feminist and queer thinking it goes on to explore strategies and approaches that can be used to think in a more engaged and ethical way about quality and rigour in research.

Introduction

As researchers we are often concerned that our research both is, and appears to be, objective. As lawyers too, objectivity is lauded as both attainable and desirable. This chapter is concerned with a moment in the planning of a research project where I had a (brief) crisis of conscience about my own ability to be objective. Writing this chapter (and a conference paper² that preceded it) has allowed me to take that moment and use it to build my understanding of what I believe to be a crucially important issue that we as researchers sometimes take as given.

This chapter arises out of a project on LGBTQI+ barristers.³ In undertaking this research we set out to look at the experiences of barristers who identified as LGBTQI+ in order to determine whether their sexuality played any role in their working lives, whether it led to any disadvantage, and how they dealt with this aspect of their identity. We carried out a survey of 126 barristers, QCs, professional training students, and pupils. This survey was delivered online and publicised as widely as possible⁴. We followed this up with face to face or telephone interviews of 38 of the respondents,⁵ using a semi structured interview guide. These interviews lasted for approximately an hour each, and allowed us to explore in more depth some of the issues that were arising out of the survey.

The research is currently being written up, but preliminary findings have been published (Mason and Vaughan, 2017). Findings so far have crystallised around a few themes. Of most interest to the profession so far⁶ appears to have been the prevalence of homophobia at the Bar. For example, we

¹ I am grateful to Naomi Creutzfeld, Kirsten McConnachie, and Victoria Brooks for their encouragement and comments on earlier drafts of this paper. I am also grateful to Alison Eardley for providing the conditions to work on a first draft of the paper during a writing retreat.

² SLSA Annual Conference, Bristol University, 27-29 March 2018

³ With Steven Vaughan (UCL)

⁴ We were concerned to publicise beyond the LGBT support and social networks at the Bar (Freebar and BLAGG) because we were anxious not to limit our sample to those barristers who in some way engage with those networks, and therefore might have a particular experience. We distributed the survey with the help of the Bar Standards Board, the Bar Council, and the Inns of Court.

⁵ The final question in our survey was an invitation to participate in face to face interviews

⁶ Headlines included "Inns of Court accused of not doing enough to combat homophobia as research uncovers discrimination" (Hilborne, 2017), and "Senior barrister told BPTC student 'I don't trust fags like you', shocking new LGBT+ research reveals" (King, 2017) (with similar in Wareham, 2017)

found that 26.5% of our respondents had experienced discrimination relating to their sexuality sometimes, often or frequently (a further 25.6% reporting it had occurred, but rarely). This can be compared to the general working population where Stonewall found that 19% of LGB employees had experienced verbal bullying because of their sexuality. The interviews allowed us to observe that barristers tended to minimise these incidents and were reluctant to confront prejudice.

More theoretically interesting, to me at least, was the way these barristers constructed their identities. We found that 58% of respondents had actively concealed their sexuality in a work context, and 40% had lied about it. Exploring this further in interviews it was clear that barristers were recognising the concealable nature of this characteristic and also that some questioned the propriety of being out in the workplace. Some gave explanations which revealed underlying constructions of the workplace as places free from sexuality, and of LGBTQI+ identities being solely about sex. The recent #metoo movement has given lie to the first construction, as indeed did some of our other responses, and made it easier to see the way in which the hegemony of heterosexual masculinity renders it invisible, giving the impression of an absence of sexuality, and in doing so serves the needs of that hegemony.

The research also allowed us to explore some of the more subtle ways that LGBTQI+ sexualities bring disadvantages in this context, particularly if they remain concealed. These included descriptions of the added cognitive work that results from having to be guarded in conversations whilst networking and well as negative impacts on general wellbeing. Conversely there was clear indication that the ability to 'bring your whole self' to your work and your relationship with clients was an advantage of being out, and from some, that there may be recognition of an ethical or political requirement to be out, either in solidarity with those who are unable to conceal their sexuality or as a general opportunity to push back against normativity in what is otherwise a strongly conservative profession.

The driver for this chapter is a consciousness that arose that I shared a particular social location with, or proximity to, the participants in the research. I had disclosed in the participant information sheet that I was a barrister who had practiced at the self employed bar and I came to realise during the interviews that I had been assuming that others would make assumptions about my sexual orientation simply from my engagement in this research, and perhaps from other aspects of my behaviour and presentation which may be readable. In the planning of the research I had viewed my professional status and experience a strength that allowed me to understand the working environment of the research participants, but hadn't really viewed my sexual orientation in the same way. My initial gut reaction to this issue had been to question my suitability to do the research, driven by concerns that were, at root, about objectivity, and in particular (on closer examination) a concept of objectivity tied up with distance and detachment. It is these questions that were the initial spark for the reflection and reading described in this chapter.

The starting point is a fairly traditional conceptualisation of objectivity, an example of which is:

"Objectivity (Objectivist, objective) refers to the removal of the persona (emotions, knowledge, experience, values and so forth) of the researcher from the research process. It is seen as central to the quality of research based on epistemological assumptions that truth can be determined as something distinct from particular contexts or participants" (Somekh and Lewin, 2005, p. 347)

Objectivity has variously been attributed to knowledge claims which are better supported than competitors, procedures which are assumed to be fair, often due to their standardization, types of knowledge seeking communities. It is commonly associated with the concept of neutrality. [Harding]

This chapter is based then on the journey I followed from a fairly naïve perspective on this issue, a perspective that I believe more easily gives me useful access to a process of discovery of various viewpoints. These questions allowed me to explore the literature on objectivity in methodology and I of course found a fairly rich literature, particularly from feminist scholarship (see below), but also from critical race theory and research concerned with colonialism and neo-colonialism (e.g. Wagle and Cantaffa (2008), Kanuha (2000), hooks (1989), Daza (2008), Whitinui (2014)) (see also Skeet, this volume). Each of these of course has its own particular concern and focus, as does the queer approach which is influential on my thinking here (and in general). Queer theory is notoriously resistant to definition, and indeed resistance to definition, boundaries and normative structures is one of its paradigmatic features. As Berlant and Warner (1995) describe “queer theory is not the theory of anything in particular, and has no precise bibliographic shape.” (p. 344) For me, queer theory’s interest and character lies in its rejection of normativity, binarism and fixity which has roots in its interest in sexuality and gender, and related dynamics of power, control, violence and resistance but which has potential to deploy its tools beyond this. See e.g. Marinucci (2016) and Warner (1993) (on meanings of queer), Butler (2002) (queering kinship and race), Halberstam (2011) (queering the concept of failure, and applying queer theory to neoliberalism). Its suspicion of normativity and boundaries, and sensitivity to power structures has clear utility when considering the concerns around the controlling nature of the rhetoric of objectivity which unfold over the course of this chapter.

This journey to a richer understanding of ‘objectivity’ broadly followed 4 stages, and the same route underpins the structure of this chapter. Firstly, I had the fairly swift realisation that sharing social location⁷ does not preclude a robust analysis of that social location. I arrived at this position initially through consideration of ideas of management or auditing of subjectivity and a recognition that access and trust can be obtained through a degree of matching. Here too there was also an inkling of recognition of the absurdity of the alternative: that only straight people can research queers, and only men can research women, only white people can research people of colour, and importantly the observation that the converse of each of these does not appear to be the practice. Next came the realisation that in fact striving for objectivism in the traditional sense has long been abandoned by many scholars. Thirdly was the realisation that there is a viewpoint that considers objectivism not only unnecessary but also undesirable and damaging. Finally, there was the discovery of a range of positions which each conclude that researching with a recognition and to some extent a utilisation of the self or subjectivity can be particularly enriching and empowering and can lead to ways of looking at research where other values come into play, that may feel more like they relate to ethics than to epistemology per se.

Difficulties achieving objectivity and benefits of membership: Auditing, access, authority and the problem of categories

Auditing

Researchers such as Peshkin (1988) demonstrate an auditing approach to subjectivity, suggesting a ‘formal, systematic monitoring of self.’ (p. 20) This is not limited to characteristics, but also include transient preferences and tendencies, such as justice seeking or a tendency to want to rescue. Whilst Peshkin recognises some benefits from his audited subjectivities, the general tenor here is that these are to be recognised so they can be guarded against or confessed. For example he talks of

⁷ Alternatively sharing a characteristic of interest to the research

taming his subjectivity, and considers the importance of giving himself a warning against 'perceiving just that which my own untamed sentiments have sought out and served up as data' (p. 20). He also claims that it can avoid the sense of producing an 'in house' work which would convey both permission to write and an interest in the subject's wellbeing or case, and would avoid the risk of 'going native' as he describes.

Access/trust

Whilst auditing guards against the risks that a researcher's social proximity might pose, proximity also offers direct benefits to the research which should be acknowledged. One of these is the trust that might be gained from participants. This was surely part of my motivation for including my professional status, but is also one that applies to other aspects of identity. The idea being that LGBTQI+ individuals are more likely to trust that aspect of their experience to someone who is also LGBTQI+. That as a result they are more likely to participate in the research and when they do so their responses are more likely to be freer. Justifications for this have included perceptions that the researcher is less likely to be biased and more likely to be accurate, a reduction in power relations between researchers and participants, or the promise of more effective communication (Rhodes (1994) and Gunaratnam (2003) cited in McDonald (2013)).

This is an aspect of the research process where the concealable nature of sexual orientation brings with it particular issues. Sexual orientation can be performed in countless ways, and where performance is ambiguous, can be assumed. On a practical level Wagle and Cantaffa (2008) describe how a researcher's gayness can become questioned when it is performed differently to the way that gayness is performed by participants. On an ethical level questions also arise as to whether there is a duty to disclose relevant characteristics, particularly where these are mistakenly assumed, given that the argument relating to recruitment suggests that social proximity matters to respondents (McDonald, 2013).

Authority/Voice

It has been argued that the only site from which knowledge claims can be made about a particular group is from within that group, primarily due to proximity to the experiences observed and contextual understanding (Smith (2008) cited in McDonald (2013)). Taking a more moderate approach are we able to hold that certain identities have more authority in making certain truth claims? As bell hooks (1989) does, do we say that those outside of the social location can write and research, but questions will remain as to whether they are the most authoritative. Standpoint epistemology, discussed further below, has been described as a performance of marginalised groups who are seen as having a more complete view precisely because of their marginality, and the need that this brings for an awareness of the dominant perspective in order to survive (Nielsen, 1990 cited in King, 1999).

From this perspective then, in addition to access to participants and their viewpoints, membership of the group also brings with it an insider knowledge that has the potential to lend authority to claims made. In this we begin to see a switching of the status quo where the distance currently equated with objectivity, begins to be an obstacle to knowledge. We also detect signs that closeness might offer something more important, which I will return to in the next section.

The problem of categories

Whilst the ideas around matching participants to researchers seem attractive there is also some uneasiness here. When we take our participants to be solely the characteristic that we are examining, that we also share, we are neglecting to consider all their other facets, some of which

might not be shared, and we are in danger of assuming a shared experience that may in fact be quite varied. Gestalt theory reminds us that individuals are part of a broader phenomenological field within which different aspects emerge from the ground to be figural, depending on the individual and their current circumstances (Joyce and Sills, 2018). Adopting a presumption of stability and homogeneity within any category (race, gender, sexual orientation etc) ignores the instability and heterogeneity that we know in fact exists. There is also, at first blush, something quite un-queer about all this talk of categories. Queer theory has a tendency towards breaking down stable categories (Berlant and Warner, 1995), yet here we are seen to be reifying them to justify our research methodologies. One response is to accept this, and to acknowledge it as a provisional and pragmatic essentialism, although perhaps here the terminology of distance becomes useful; rather than considering a binary of shared/not-shared what we are in fact discussing are degrees of closeness. That my respondents and I identify as LGBTQI+ doesn't mean that we share an identity, but rather that our social position is closer, at least on one dimension, so that in a multi-dimensional social space we come into closer proximity than if we occupied a different position on that dimension. It becomes an acknowledging of a propensity to shared narratives or histories, but not a guarantee. This does however require us to take a more nuanced approach to assessing the degree of authority a voice has. Letherby (2011) cautions us that "if we accept a position which implies that there is only one (real, accurate, best) experience this can only be built upon the suppression of less powerful voices" (p68).

The problem of objectivity

Whilst I have so far been discussing ways in which I found excuses for straying into territory that risks losing objectivity, there are stronger positions that can be taken that suggest that far from excusing ourselves when we stray into this territory, we should be going further and be taking a sceptical, if not hostile, view of the notion of objectivity. Katz-Rothman (2007) reminds us of the duty to offer more than a distant, uninvolved approach:

"Our work of sense-making is a basic human job, done traditionally through story-telling. Whether the stories we use are our own, or those of our informants, or those we cull from tables of statistically organized data, we remain story-tellers, narrators, making sense of the world as best we can. Our ethical obligations go beyond what we owe our subjects – as urgently important as it is to protect them, to preserve their privacy and their feelings. We owe something too, to our readers and to the larger community to which we offer our work. Among the many things we owe them, is an honesty about ourselves: who we are as characters in our own stories and as actors in our own research."

This line of thinking has been pursued further by adopting visual or spatial metaphors [cross ref to AL chapter?] for the traditional concept of objectivity. Haraway (1988) adopts a visual metaphor, one that is familiar in the sense that we are used to discussions of viewpoints and perspectives, and indeed it is these that we are often anxious to avoid when we strive for objectivity. She describes how the drawing of boundaries of inside/outside a certain position is a 'power move'. In this account the claiming of objectivity is the leaping of an unmarked body into a conquering gaze which allows it (him) to see without being seen. In claiming objectivity, the researcher claims for himself an identity free from characteristics that would make the research suspect. This very logic can be seen to be based on the problematisation of marginalised identities, which are seen as marked, and the valorisation of majority identities which are viewed as unmarked. The claim of objectivity becomes a 'god trick' of seeing from nowhere in particular, an unmarked position without limits or

responsibility. For Haraway, a more properly objective approach entails accepting that any view is from a particular and specific embodiment. There is no 'view-from-nowhere' or 'view-from-everywhere'. To acknowledge that this view is from a particular embodiment would acknowledge that knowing is never complete, but rather is always partial and constructed or stitched together imperfectly.

Whilst Haraway (1988) utilises a metaphor of vision to examine the power dynamics involved in objectivity Heshusius (1994) utilises distance. For Heshusius traditional objectivity is associated with distance between participant and researcher, and additionally with control of that distance over which the researcher is deemed to have both responsibility and power. The objective researcher is exhorted to maintain a distance from their subject. The dangerously close researcher is encouraged to take pains to confess that closeness, to manage it and to maintain objective distance. Heshusius describes how when we are confronted with subjectivity we seek to exclude, manage or restrain it, and therefore fulfil our desire for control. However, in doing so we are missing out on an important way of knowing. Instead Heshusius calls for a *participatory consciousness* where we embed ourselves in what we seek to understand through a recognition of kinship. She describes how this involves an attempt to *be with* the other: "I had to completely and nonevaluatively observe my personal reactions and in that attentiveness, dissolve (rather than manage or restrain) them, which opened up a mode of access that was not there before" (p. 19). The description of participatory consciousness does not call for either a particular distance from or closeness to the subject, rather it calls for an attempt to see the lives of participants in a way that echoes Roger's (1959) concept of empathy: an attempt to enter the world of the respondent.

For both of these theorists, adopting a critical approach to the traditional concept of objectivity is not simply about knowing better (although this can be read into each). It is, in addition, about an ethical imperative to challenge objectivity and therefore to challenge the underlying power structures that it is complicit in. Heshusius (1994) for example is critical of approaches which 'manage' subjectivity as legitimizing the purported link between knowing and control of distance, and in doing so leaving hidden power inequalities unchallenged. Using Haraway (1988) we can quite clearly see the radical power of claiming a perspective. The practice of drawing attention to one's perspective, in saying 'This is the location from which I am making claims', draws attention to the situated nature of *all* claims, even those which claim to be from no-where. We shine a light on the unmarked position and in doing so, mark it. In claiming a location therefore, we not only gain access to insights in our own particular research projects, but we challenge implicit claims that allow privileged access to assertions of purity of knowledge.

I argue that looking at these ideas of distance and vision through a queer (or even just LGBTQ+) lens allows us also to think about how the myth of objectivity operates within us as individual researchers. If I am exhorted to control my subjectivity and if this control strategy is internalised (and to operate effectively it must be), then there must be one "I" doing the constraining and another "I" being constrained. Looking at this in relation to concealable identifications and shiftable locations such as queerness allows us to raise particularly interesting questions. When I was, at the spark of this chapter, questioning my standing to do research because of a threat to objectivity was that the unmarked "I" speaking? That "I" after all is simply a white, middle class, western, cis-male. Was that the unmarked "I" silencing the queer "I"? As a gay, white, middle class, western, cis-male I have immediate access to a privileged unmarked position simply by hiding away the first of those descriptors. But what is the cost of that? And what if the descriptor I needed to drop was one that was inscribed on my body (e.g. woman, black) and could therefore not be dropped so easily and with such confidence that it would not be re-inserted by a reader. And in answering those questions, do I

again find kinship with, and answers from, my research participants? Do I step down from a position of power as the researcher and (metaphorically) ask my participants how to be? In doing so, to give me answers around the cost of adopting the unmarked position I would listen to the participants who said⁸:

“...that I think I’ve spent such a long time hating myself, a long time being shut away, a long time not being as productive as I can be because I wasn’t being the person I’m supposed to be” [P15]

“I think it’s really important because I remember how unhappy I really was in university when I wasn’t out and the efforts I made to lie about it... People are human beings, they’re going to ask you about your life, you know, where you go, what you do and there’s only so far you can continue to avoid it.” [B23]

“And so actually, a big part of working with someone to get them to the place where they will give of their best as a witness and in terms of giving instructions... Then, for me, that extra bit beyond the sort of pure intellectual evaluation and advice is about actually relating to them as a real person and trying to get the best out of them, or get them to the best place for something. And I don’t know how I would do that if I didn’t use ‘me’, and an honesty and an authenticity with them.” [QC39]

I would also hear the participants who said:

“ And then I’m thinking do I want to confuse the picture anymore being a black person, being somebody of 30, by adding to the fact that you’re gay.” [P15]

“I think sometimes it’s impossible really to separate that from the fact that I’m an ethnic minority and a woman because sometimes there’s so many things, so many factors that make me ‘other’ that that one is the only one that isn’t immediately obvious. So sometimes I think selfishly I make my life a little bit easier by slightly avoiding any questions [on sexuality] or anything that could bring it up in context where I just don’t want to deal with it, I just don’t want to deal with the reaction or with the awkwardness that the other person then feels because they’ve made a heteronormative assumption and then feel flustered about it. Sometimes I just don’t really want to deal with it. And I don’t like that, it’s not something I’m happy about in myself, but I must admit that does happen.” [S27]

In addition to the ethical issue of choosing to conceal when others cannot and thus being complicit in oppressional dynamics, and the practical issue of always being at risk of failing to conceal, there is also a personal cost. For example, the description of a socially desirable “I” silencing a more truly felt “I” echoes with theories from person-centered psychotherapy of discrepancies between an ideal self which becomes manifest and an organismic self which remains hidden leading to psychological distress (Rogers, 1959). The pressure or decision to conceal therefore becomes deeply anti-therapeutic.

⁸ All quotes from participants drawn from the publication referenced at Mason and Vaughan (2017)

Presence in research

If after considering all of the above, I am to reach the conclusion that 'objectivity' as traditionally defined is at least, not always necessary, or, as I think I do, that it is a concept that I have an ethical duty to hold as suspect, then where do I go from here? What other approaches do I have when considering the validity of my own, and indeed others, research? Participatory consciousness, standpoint epistemology, strong objectivity and theorized subjectivity all offer approaches which are, in places, subtly different, but provide a menu from which to draw tools to deal with the issues raised above. In this section I offer up a summary of each before considering how they build upon each other in the hope that it will afford the reader the opportunity to explore these ideas further:

Participatory Consciousness: Heshusius (1994) asks "Don't we reach out to what we want to know with all of ourselves, because we can't do anything else?" She calls for us to engage in participatory consciousness, a mode of being that seeks knowledge through recognition of kinship and a 'being with' the subject rather than attempting separation through managed subjectivity. As she describes, "it refers to a mode of consciousness, a way of being in the world, that is characterized by what Schachtel (1959) calls 'allocentric' knowing (as contrasted to autocentric knowing), a way of knowing that is concerned with both *'the totality of the act of interest'* and with the 'participation of the total person' (of the knower)" (Heshusius, 1994, p. 16). Here then we have an approach with degrees of identification and merging, of rejection of the necessity of individuation, objectification and indeed subjectification as starting points for knowing and acceptance of the self as being epistemically related to the other.

Standpoint epistemology: Here we see a range of approaches which are founded on an understanding that some social locations can facilitate access to knowledge whilst others are epistemic blockages (Hammersley, 2011). They take as their starting point a conflict model of society, recognising social inequality, in contrast to the consensus model which forms the foundation of objectivism (Harding, 2014). In an approach that evokes Oscar Wilde's statement (voiced by Lord Darlington) "We are all in the gutter, but some of us are looking at the stars" (Wilde, 1893) part of the reasoning of this approach is that those in marginalized positions have easier access to unexamined assumptions of the dominant group, either through their lived experience which in part runs contrary to these assumptions or through experiencing the impact of these assumptions (King, 1999). The approach also draws on the idea that those in dominant groups tend to have much less motivation to examine these assumptions as any effect they have on them is likely to be positive, whilst for marginalised groups accessing these insights can lead to liberation (Hammersley, 2011).

As discussed above, this approach in common with others raises some concerns, however these are not insurmountable. For example there is a need to find a way to avoid both homogenisation of categories and a setting up of a hierarchy of oppressions. This approach also seemingly implies a real, accurate, best experience, and as Letherby points out this seems inevitably to be built upon the suppression of less powerful voices. However if we consider Haraway's (1988) reminder that all knowledge is partial and needs to be stitched together we do, to some degree, ameliorate this position. King (1999) uses three criteria to assess standpoint work: Representation, identification and affiliation. Representation refers to the degree to which the writing evokes or connects to the phenomena that motivated the writing. Identification refers to the pragmatic essentialism of deploying a category, in order that that category can be represented. King (1999) points out that if this is not done then standpoint epistemology cannot be leveraged against the dominant ideology. Finally, affiliation is the positioning of the writer in relation to the identified category. King (1999) suggests "As a writer, I must find the part of my self(ves) that registers a trustworthy parallel to the

experiences of the subject I am describing/interpreting” whilst acknowledging that “trust is a discourse that is conditioned by effective use of language” (p. 487).

Strong Objectivity: Building on standpoint epistemology Harding (2014) suggests research should be evaluated based on who is putting forward a knowledge claims and what its implications are, including, but not limited to knowledge production, so that we also look at emancipatory aims and expose background structures and assumptions to scrutiny. Strong objectivity does not seek to abandon the valorisation of objectivity, but rather deploys the decoupling of the concepts of objectivity and neutrality, particularly as it observes the way that neutrality can mask the value laden and knowledge distorting interests that constitute a project (Hammersley, 2011). Harding (2014) emphasises the importance of extending what we consider to be ‘methodology’, and what we therefore consider to need an objective approach, to beyond the start of the research project. This therefore would include, for example, the decision to pursue a particular problem and ignore another. Brooks, in this volume, demonstrates the importance of also including consideration of ethics approval as part of the process of ‘methodology’.

Theorized Subjectivity: Some of the approaches above seem inclined to deny any special status of the researcher. Theorized subjectivity allows this back in, to a degree. In common with other approaches it acknowledges the personhood of the researcher and in fact claims that doing so “could feasibly lead to the conclusion that our work is more objective, in that our work, if not value-free is value-explicit” (Letherby, 2011, p. 70) in that it allows us to acknowledge both the inevitability of bias (even from the unmarked position) and the usefulness of reflection. This approach retains at least some of the kinship found in participatory consciousness, in that it acknowledges that we all, researcher and researched theorise our own subjectivities, but it also recognises that the researcher, when doing so, benefits from training in second order theorising and also will often have access to multiple accounts (for example through interview based research). This allows the researcher to make use of what has gone before, whilst also remaining open to use of their own subjectivity.

Here then we have a range of approaches that in combination (or perhaps individually) offer us a way out of the objectivity trap whilst allowing us to maintain a robustness and a trust in our research processes. From standpoint epistemology we have an empowering realisation that actually a marginalised position can not only be valid but can also be one which motivates and strengthens our abilities to see and be critical of normative assumptions and to make knowledge claims which are in fact more robust. Strong objectivity adds to that an additional criterion upon which we evaluate research: the degree to which it meets emancipatory aims. Participatory consciousness encourages us to do this in a way that allows us to be more fully with research participants, whilst theorized subjectivity provides an understanding of how we can do this, how we can acknowledge and use our subjectivity, be with the research participant, yet still bring in our training and our specific position as researchers (which after all is clearly a part of our own subjectivity).

Intersections

Whilst some of the benefits discussed have been related to the researcher’s social proximity to, or shared characteristics with, the specific issue examined, others may be more transferable. In the former category, issues of access or trust, and to some degree authority and voice, are clearly built upon proximity between researcher and researched and the (perceived or actual) knowledge gained from the researcher’s lived experience which may be specific to the issue of concern. However, some of the ideas discussed above hint at an opportunity to work across intersections. The god trick highlighted by Haraway as the mechanism by which power is taken by those who are ‘unmarked’ (1988) begins to be dismantled by putting the unmarked position into sharp relief against our open

acceptance of our markings. This emancipatory action is of service regardless of the type of marking, and indeed is surely stronger when the revealed markings collectively appear across a number of dimensions. Similarly, Heshusius' (1994) rejection of managed subjectivity is explicitly aimed at dissolving the purported link between knowledge and control of distance, which is complicit in allowing this unmarked body to see and not be seen (Haraway, 1988). Again, it seems to matter not which dimension this control of distance is operating on (as it appears to operate on all), and any dissolution of it is therefore of benefit. However, in addition to this one-for-all approach focused on the dismantling or erosion of power structures that detriment each, there is also support for the idea that experience of one area of subjugation allows, to a degree, a stronger claim to research in an alternative area. Haraway (1988) explains that the subjugated position is a vantage point with an advantage, vision is better from below in the sense that the subjugated standpoint is not an innocent one but is much more likely to be onto the god trick generally. "'Subjugated' standpoints are preferred because they seem to promise more adequate, sustained, objective, transforming accounts of the world" (Haraway, 1988, p. 584). This would seem to be true regardless of which characteristic has led to the subjugation. I also take a lead from some of the research participants who expressed the way that subjugation can lead to empathy across characteristics, for example:

"I'm known as being someone with good client care skills, I'm a good listener, I'm told that I'm sympathetic and empathic... is it the sexuality side of my personality coming through?... I think I do feel a more rounded barrister in that sense because of my sexuality.... I think that when you are a member of a minority, you have a better understanding of how majorities and minorities interrelate..." [B19]

Conclusion

The relatively small, and momentary doubt that started this chapter has led to a complete rethinking of the way I see objectivity and research more generally. And I suggest it is a momentary doubt that would not have been available to me had I not been a queer (or alternatively female, or black, or HIV+, or migrant, or disabled etc) researcher. Having been persuaded of not just the unhelpfulness but also the damaging nature of the traditional concept of objectivity, the conceptualisation related to distance and disinterest, I am left open to a range of ways of thinking differently about the robustness and the value of research. These new ways of thinking will shape my research and my research agenda and also shape the way I evaluate the research of others. In doing so there is no abandoning of the demand for quality, but rather a change in the way that I evaluate that quality both in my own work and that of others. In doing so I am taking what I believe to be a more ethical, critical and thoughtful approach through the use of the approaches listed on page above, not doctrinally but in a way that allows and requires a deeper, more reflective evaluation of quality. The insights from standpoint feminism relating to the need to shine a light on the unmarked perspective align with the idea that "[q]ueer commentary has involved a certain amount of experimenting, of prancing and squatting on the academic stage. This is partly to remind people that there is an academic stage and that its protocols and proprieties have maintained an invisible heteronormativity, one that infiltrates our profession, our knowledge..." (Berlant and Warner, 1995). Similarly, the tendency of queer theory to reject boundaries, and the potential it has to deploy its modes of understanding beyond its roots in thinking about sexuality and gender also has echoes in the insight from Haraway (1988) that "[t]he knowing self is partial in all its guises, never finished, whole, simply there and original; it is always constructed and stitched together imperfectly, and *therefore* able to join with another, to see together without claiming to be another"

(p. 586). The synthesis of these insights calls more widely for an approach to knowledge that is vigilant to stories that we are told, and that we tell, about who we need to be as researchers and how we relate to and differ from those we research. An approach which considers how we, queerly, reach across, dissolve and question the imagined boundaries that we find between 'us' and our subjects and between and within disciplines to strive perhaps towards a productively undisciplined (Halberstam, 2011) approach to socio-legal research.

Further Reading

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