

The Micro-Politics of Emotions in Legal Space: An Auto-Ethnography about Sexual Violence and Displacement in Norway

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Abstract

This article is an auto-ethnography of fieldwork carried out as part of a research project about the legal processing of rape cases in Norway. The author observed 15 rape trials and interviewed ten defense lawyers. During this fieldwork, the author repeatedly experienced the shortcomings of conventional fieldwork methodology as she tried to build rapport with defense lawyers. By examining ‘out of place’ emotions like embarrassment, shame and isolation, the author seeks to map the social world that is ‘filtered’ through the relations between researcher and researched. Using a feminist interactionist (Ritzer and Smart 2001) approach to analyzing ‘educational moments’ in field encounters characterized by participant’s resistance or dominance, this article asks how reflection on the researcher’s feelings and experiences (emotional reflexivity) can contribute to an understanding of the micro-politics of gender and power in the field.

Keywords: auto-ethnography; elite research; emotional reflexivity; feminist research methodologies; sexual violence

To date this interview has undoubtedly been the most difficult to complete. I walked away from it with an entirely different feeling than after the previous one, which was really successful in terms of not being branded with all sorts of prejudiced labels. [...] Generally, I felt that he didn’t like me or that he was uncomfortable in the situation. There was something about his quick replies, it appeared as though he wasn’t making any effort to think thoroughly through his answers. Other times it was just his body language. [...] By the end of our conversation, I asked how the interview had been or if he wanted to add something. He said wryly, without smiling: ‘Now you almost sound like a prosecutor by the end of a trial!’ I was completely taken by surprise by this statement – the intention was to allow him some space to talk about things he cared about since my questions had directed the conversation most of the time. In the methodology literature, this is considered essential and a good way to establish a more egalitarian relationship with the participants. [...]

I smiled disarmingly and said that it wasn’t meant like that. Then he suddenly uttered, confrontationally: ‘Where are you working, really? What is your department called?’ That was so

weird, given that he already had confessed to having googled me before the interview and knew about the book I'd written (plus the name of my employer is listed in my e-mail signature, as well as in the consent form I sent prior to the interview). [...] Maybe it's just me being insecure, maybe it actually was a master suppression technique, I don't know. Fearing that his skepticism and unease would be reinforced if I primarily identified as a feminist researcher, I told him that I'm a PhD student at the Department of Human Geography, but hesitantly added that my employer is the Centre for Gender Research. With what appeared to me as a stern look and a disinterested voice, he replied: 'Well, I'll have to google that gender thing, then.' I am not sure whether I should regard it as a threat or a promise (Field diary, November 25th2014)

Introduction

This article is written from a sense of displacement and is an auto-ethnography about my doctoral research on the legal processing of rape cases in Norway. As the excerpt above illustrates, I encountered certain difficulties when I attempted to recruit and establish rapport with defense lawyers and did not always feel as confident as I had hoped for. The purpose of this article is to interrogate what these feelings reveal about the micro-politics of legal spaces, in particular in terms of gender, power and the relationship between experts and 'lay-people'.

A central argument of this article is that there is a spatial component to emotions: When we feel disciplined, embarrassed or 'out of place', we are provided with data about normative landscapes and our location in them (Clark 1997; Cresswell 1996; Goffman 1959, 1967; Valentine 1998). Working to not lose one's face, according to Goffman (1967, 7), is about 'taking into consideration [one's] place in the social world beyond it.'

In this article, emotions are conceptualized as interactional effects (rather than internal psychological phenomena) and therefore data which should be treated as treasures for insight, rather than disturbances or sources of bias. Further, in taking emotions to be socially and spatially constituted and constitutive (Bondi, Davidson, and Smith 2007; Copp and Kleinman 1993; Hochschild 1979, 1983), this article explores how emotions like embarrassment, shame and isolation are related to micro-politics in the field.

Before a review of the method literature regarding rapport and trust-building in fieldwork is presented, a few remarks about my own positionality is required. In 2010, I entered the field of rape research with a genuine professional interest in issues like gender, power and sexuality and soon found an inspiring epistemic community among feminists and gender researchers. Before and during my time in academia, I have been working on these topics as a public media commentator, an author,

and in various human and women's rights organizations. Professionally, I have always felt inclined to understand the micro-sociologies and geographies of everyday life, in particular social spaces of difference and displacement. This is perhaps because I have often experienced myself as being 'different' – being raised by politically radical parents in the not-so-progressive countryside in Denmark, with a mother who suffered from bipolar disorder and alcoholism, I knew from an early age what 'different' meant, and how it often entailed social isolation and marginalization in status hierarchies. As an adult, personal experiences with sexual violence have taught me something fundamental about the inherent spatiality of emotions: I have learned how the shame of having been abused and raped sustains walls between oneself and the world of 'normals', an imaginary world populated by 'good guys and nice girls' (Bitsch 2017). Similar to many girls and women who have experienced coercive and violent sex, I did not identify it as such by that time. Rape myths in society are effective in blaming and silencing women who are sexually assaulted, in particular those who are raped by people they know in private spaces (Burt and Hendrick 1980; Estrich 1987). By the time I started doing the doctoral research, I knew very well that, according to the law, my experiences were in fact rape, but fearful of 'coming out' publically as a sexual violence victim, I simply decided that I would not ever disclose my rape experience, or in any way let it interfere with the research process. I feared colleagues or participants might think of me as less 'objective' or fit for doing the research.

The research process became more arduous than expected. Not because I was not prepared to take on my new role as a researcher, but because, as we shall see, the classical methodological textbook advice regarding strategic deception (Hammersley and Atkinson 2005) did not prepare me well enough. At several occasions, the fieldwork and the interviews 'failed'. Despite my attempts to convey respect and humbleness and adjust my social performance to the unfamiliar environment in which I worked, I sometimes felt that male defense lawyers rejected me or 'lectured' me as a lay-person, and more importantly, as a woman. Moreover, my personal experiences with rape influenced the research process in unforeseen ways.

The qualitative methodology literature has produced several accounts of how ethnographers can transform 'failed fieldwork', or tension between themselves and the participants, into a deep understanding of the field and its participants (Kvale 2006; Jacobsson and Åkerström 2013; Presser 2005; Ugelvik 2014; Vitus 2008;). When researchers make mistakes, emotional reflexivity can be turned into a rich source of data about social practices, cultural understandings, discursive resources, institutional logics, and political structures and agendas in the field (Vitus 2008, 468). Inspired by this approach, this article concerns what I have chosen to call 'educational moments', i.e. moments

that taught me something fundamental about norms and rules in the field, as well as the power relations and rape narratives that inhibits the legal space. The article aims to answer the following research question: How can reflection on and through the researcher's felt experiences (emotional reflexivity) contribute to an understanding of the micro-politics of gender and power in the field?

The conventional position

The importance of establishing rapport and gaining trust in the field has been extensively dealt with in the classical methodology literature, where researchers are recommended to perform a non-threatening researcher self in order to improve their chances to obtain insider status (Glesne and Peshkin 1991; Gold 1958; Hammersley and Atkinson 2005). Failure to do so may hamper researchers' ability to gather the data they desire for their work. Over-involvement, it is argued, can lead to over-rapport (excessive friendliness), which could negatively influence a researcher's mobility in the field as well as their ability to produce objective and/or analytical accounts of the social world under observation (Miller 1952). The researcher, therefore, should devise ways to hide their true self and find a balance between similarity to the group under observation and a detached, analytical distance (Adler and Adler 1987). Other sociologists have argued that researchers should avoid studying settings in which they have preexisting emotional conflicts or moral judgments (Adler, Adler, and Rochford Jr. 1986). Neutrality, in the sense of not being prejudiced towards research participants of different backgrounds and abstaining from taking sides/expressing political value judgments, is therefore a highly rated value in academia.

Because the researcher and researched may occupy different positions in status hierarchies, the social performance (Goffman 1959) of neutrality is instrumental for gaining access and keeping rapport, particularly for women who are researching cultures and institutional settings where male dominance and sexism are integral parts of everyday life (Bucerius 2013; Diphooorn 2013; Horowitz 1986). This pragmatic attitude is also crucial in research on elites, where scholars are advised to tone down their own political opinions and avoid challenging the elite participants' authority (Bergman Blix and Wettergren 2015; Conti and O'Neil 2007). Citing Goffman, the influential methodologists Hammersley and Atkinson (2005, 72) claim that a good deal of research entails 'impression management' and dealing with the fact that 'lying' can be necessary for successful collection of data.

But what happens when researchers find themselves in situations where they cannot choose to 'deceive'? What happens when participants are aware of the researcher's political inclinations and actively challenge their presence in the field? What happens when the researcher's emotions

unexpectedly influence the research process? In the following, an alternative approach that aims at tackling these particular challenges will be presented.

A Feminist Interactionist Approach

In contrast to the conventional position, some scholars suggest that moments during fieldwork that are characterized by conflict, displacement and uneasiness should be subject to analysis (Hage 2010; Jacobsson and Åkerström 2013; Kvale 2006; Vitus 2008). Rather than dismissing or hiding painful emotions in order to seek consensus and smooth interaction with field participants, as the conventional approach suggests, feminist and interactionist scholars regard the field as an arena for struggle over definition power. In the process of theorizing these struggles, emotions are perceived as central, because they alert us about power, positionality and injustice (Bondi 2007; Copp and Kleinman 1993; Fields, Copp, and Kleinman 2006; Jaggar 1989; Kleinman 1991; Kleinman, Copp, and Henderson 1997; Staeheli and Lawson 1994). If the research practice is conceived of as a site for mutual construction of meaning and negotiation of power and social relations, rather than a process of 'collecting data' (Holstein and Gubrium 1997), examining our emotional responses becomes as crucial as analyzing what the participants say. Moreover, attention to how gender is performed and accomplished (West and Zimmerman 1987) in the interaction between researcher and the researched might expose the micro-political realities of the field.

The starting point of this study is based on two different, but related, interactionist premises: First, researchers do not freely choose or take on a role and play it out in front of an audience (the field), they adjust their role and emotional displays according to social norms (Goffman 1959). Second, insofar as so-called display rules (Hochschild 1979, 1983) specify when and how emotions can be expressed, reflection on and through the researcher's felt experiences (emotional reflexivity) can potentially provide us with a comprehensive understanding of the field. Sociologically speaking, emotions are closely related to role taking, because the only way we can get an idea of having transgressed norms is by looking at oneself through the eyes of someone else. Embarrassment and shame arise in response to transgression of norms, and help people adjusting verbal and non-verbal behavior to external expectations (Stets and Turner 2006).

Before I turn to a discussion of emotions and micro-politics in the context of legal processing of rape in Norway, the methods, data and research ethics will be presented in the following.

Methods, Data, and Research Ethics

This article draws on data from an ongoing PhD project about the legal processing of rape cases in Norway. The project employs ethnographic fieldwork methods, such as ‘shadowing’, observation of trials, informal conversations with legal actors, and semi-structured interviews with defense lawyers. I observed 15 rape trials between 2012-2016 and 10 defense lawyers were observed during rape trials and interviewed after. Along the participant-observation continuum, I mostly occupied a peripheral membership role (Adler and Adler 1987). I was a complete observer during the formal court proceedings and had some informal interaction with lawyers, complainants, defendants and their relatives during breaks. All the interviews were carried out face-to-face and lasted between 45 minutes and two hours.

The 15 cases covered a wide spectrum, including forcible rape and incapacitated rape among people with and without prior relationship. The trials were observed in appellate courts that covered Southern, Western, Eastern and Northern Norway. As court proceedings are open to the public, participants did not have to consent to observation, but I informed court administrators and lawyers about my presence and the purpose of the project prior to each trial. Out of concern for privacy, names of complainants, defendants and legal professionals, as well as details about where and when the cases were processed, will not be disclosed. Moreover, revelations of backstage interactions are de-coupled as much as possible from the descriptions of the individual cases.

Each trial lasted between one and four days, on average two days. During the court proceedings, which were executed in Norwegian, I wrote notes by hand, which later were typed into electronic files. I also kept field diaries, wrote post-interview memos and audiotaped debriefs during fieldwork. For the purpose of writing this article, these data were translated from Norwegian to English.

Informed consent was obtained from the defense lawyers in connection with the interviews. The defense lawyers were interviewed about how they practically and strategically proceeded in different kinds of rape cases (with specific questions about the case I had observed prior to the interview) and how they felt about their job. The interview transcripts were coded and analyzed using HyperResearch, employing a stepwise inductive-deductive method (Tjora 2012) that generated 180 codes covering topics such as institutional norms, private ethics, emotions, dilemmas, role understanding, strategic considerations and narratives about rape, gender and sexuality.

This article is an auto-ethnography of this fieldwork. With auto-ethnography, I refer to an account about epiphanies that stem from, or are made possible by, being part of a culture and/or by

possessing a particular cultural identity (Ellis, Adams, and Bochner 2010). In this article, these epiphanies are conceptualized as educational moments, and the aspects of my cultural identity that shaped the research process relates to my subject position as an identified public feminist and an unnamed subject position sexual violence victim. Engaging with personal narratives allows for a simultaneous inquiry of peoples and spaces, and who the individual is and becomes in the context of our multiple environments (Moss 1999). The goal with auto-ethnography is not as much to generalize or even make universal claims based on individual experience as it is to illuminate (general) unfamiliar cultural processes (Ellis, Adams, and Bochner 2010). Acknowledging that the production of knowledge is always shaped by its context and therefore partial (England 1994; Haraway 1988), this auto-ethnography does not pretend to speak the whole truth about the everyday life in Norwegian judiciaries. It is not even representative of my fieldwork. In fact, most of the legal professionals I interacted with, defense lawyers included, treated me professionally and with normal courtesy. Nonetheless, engaging with atypical or extreme cases has a value of its own, since they often reveal more basic mechanisms in the situation studied (Flyvbjerg 2006).

The Micro-Politics of Engaging with Defense Lawyers

The Legal Production of Experts and Lay-People

According to Hammersley and Atkinson (2005, 84), members of less privileged groups and so-called deviants need particular emotional validation and reassurance that the researcher does not harbor negative feelings of disapproval, or intend to initiate action against them. They further claim that women hold a certain advantage in gaining membership in the field, because cultural stereotypes portray them as less threatening. None of these assertions applied to my fieldwork experience. As a White middleclass academic, I was quite similar to the legal professionals I studied, but they were no less on guard. On the contrary.

When I set out to observe the first rape trial, I was excited about the task that lay ahead of me. The case included charges for several instances of marital rape and aggravated domestic violence, including while the complainant was pregnant. I dressed conservatively for the occasion in order to blend in. I arrived at the courthouse 15 minutes before 9 am. As I entered the courtroom, the bailiff greeted me friendly and asked, 'When is your client arriving?' I smiled, feeling pleased that I had been mistaken for a lawyer. The 'disguise' did not work for very long. Even though I had informed the judge and the lawyers that I would be present in court, and had guaranteed confidentiality, the

defendant made it clear that he did not want me there. Claiming that the ex-wife had brought shame upon the family by taking the case to court, he called for protection of privacy and demanded that the trial should proceed behind closed doors. The request unleashed a rather heated exchange with the presiding judge, who argued that the principle of public transparency overruled his right to privacy. Although the Norwegian Centre for Research Data had waived the consent requirement for the project, I felt ambivalent about forcing my presence upon the court.

During the next break, I tried to catch the defense lawyer's attention. I wanted to reassure that I took his client's right to confidentiality and privacy seriously, but the lawyer avoided eye contact and otherwise ignored me. I went outside the court building to get some air, purposely placing myself as far away from the jury members as possible. However, it was raining and we were all crowded under one roof, so I could not avoid overhearing what they talked about. I looked the other way, trying to express with my body language that I was not interested in taking part of their conversation. Shortly before the break ended, the defense lawyer walked past me and as he climbed the stairs, he said with a stern look on his face: 'It really doesn't look good that you are chatting like that with members of the jury. You are well advised to keep some distance.' His tone was polite, but authoritative, and he rushed off before I could say that I had not been chatting with them at all. I felt embarrassed and lectured like a naughty girl who had broken a rule. Did he suspect that I discussed the case with them or otherwise attempted to influence it? The sulky attitude confused me and made me feel stupid and 'out of place'.

Since the defense lawyer seemed unwilling to engage in a dialogue, his motives remain obscured, but this educational moment fundamentally taught me to watch my step and be careful not to transgress my position in the social hierarchy. His confident body language, dark dress and exclusive leather briefcase signaled authority and entitlement. Standing there in my cheap dress, I felt like an amateur who had committed the mortal sin of challenging a male legal professional at one of the most profiled law firms in the country. I pondered whether, perhaps, my affiliation with gender studies had raised his suspicion and from then on, I adjusted my social performance in order to emphasize that I had no intentions of challenging the legal professionals' definition power or to interfere with the proceedings.

Although I observed that people tried to figure out 'whose side' I was on, I disciplined my feminist activist persona and did my best to perform neutral role. Activism or emotional engagement did not belong in the courthouse. Researcher neutrality, in other words, was basically about impartiality. This meant I had to accept the legal space as a non-feminist space. At times, I wonder

whether my attempts to display neutrality resulted in me studying the wooden hard floors of courtrooms as closely as I studied the legal professionals.

Whilst it was emotionally draining in its own ways to observe rape trials where I heard detailed accounts about sexual violence, some of them torture-like, the research setting of the courthouse was far easier to navigate than the direct face-to-face interaction with the defense lawyers. The excerpt from my field diary quoted at the beginning of this article shows how interviews, despite my attempts to establish a dialogue, occasionally turned into sites of resistance, leaving me with a feeling of being lectured, which again made me feel insecure and isolated.

During one interview, a defense lawyer, Greg, disallowed me to record the conversation. Because I had assured him with a consent form stating that recordings would be safely and securely stored, his apparent skepticism took me by surprise. Although I employed a variety of inclusive interviewing tactics (such as probing and mirroring) and invited him to share personal reflections, his body language remained closed (arms crossed, rarely smiled) and his answers were short and reluctant. Reflecting in my field diary about the part of the interview where he indirectly expressed that he felt he had been on trial when we talked, I wrote:

I think about the beginning of the interview where he told me about his law career and how much he enjoyed working as a prosecutor, a role he describes as “challenging” and “rewarding”:
“Without your contribution, the entire case crashes! You get to be the master of the circus”, he said, for the first time during the interview with some enthusiasm. So, if I am a symbolic prosecutor, does this mean that I am also the master of the circus? And, if so, where is his role in the play? On the sideline? (Field diary, November 25th 2014)

I felt that the research participant objected to my presence and I did not understand why he had agreed to be interviewed. This happened several times. These fieldwork experiences often took place in remote places in Norway and made me feel very lonely and isolated, socially and physically. It prompted me to think about whether they felt threatened on their home ground. During our interview, Greg confirmed this when he expressed dissatisfaction about the plasticity of the legal definition of rape. He stated that, ‘it is swinging from the legal domain to that of the experts.’ With experts, I suppose he referred to psychologists, social workers, and, possibly, gender researchers. I later observed that many legal professionals informally distinguished themselves from lay-people and experts. I here take lay-people to be persons without a law degree and experts to be persons who have (or claim to have) knowledge that is relevant for assessing the crime in question, particularly

psychiatrists and forensic medical practitioners. My position in the field was closest to the lay-people's, but more ambivalent, because I had some academic training in criminal law and feminist jurisprudence, and occasionally were used by the media as an 'expert' commentator on sexual violence.

Shortly after the interview with Greg, I received an email from him in which he objected to some media statements I had previously made about the high burden of proof in rape cases. In his opinion, cases were prosecuted and ended with long sentences despite weak evidence.

It happened regularly that the defense lawyers vetted me with background checks and google searches before the interviews or that they commented on statements I had made in the media. Whilst most of the lawyers expressed a professional interest in my viewpoints and engaged in fruitful discussions, others assigned me with unflattering and condescending labels. During an interview with a defense lawyer called Morgan, we talked about party-related rapes, and he constructed his position in opposition to his perception of me:

Interviewer: So, am I getting this right – do you think that women share some of the responsibility for the situation if a rape takes place?

Morgan: Yes, I think so. And I know many people probably would shoot me for saying things like that. But I can't help thinking that young women today are going out dressed up incredibly challenging, and get drunk [unclear speech] and tease men. But they don't want sex. [...] wearing a tong panty and a small bra, naked belly and a short skirt [illustrates with hands the length of the skirt], and is out partying, drinking and dancing and hitting on me in order to go home with me for an after party. Well, there's perhaps a reason that men, rightfully or not, take this to be an invitation to sex. And you or other Redstockings will probably say: "Holy shit, what an attitude", but I have lived a long life and have experienced many incidents where I understood why the man thought this was *carte blanche*.

During the course of my fieldwork, I remarkably often experienced how the interview context and informal backstage interactions in court reflected the public conversation about rape in Norway, and that I was positioned by participants as a political opponent ('Redstocking'). As the above examples illustrate, this conversation revolves around topics like consent, gender relations and power.

Although research shows that most rape victims do not file police reports and are more likely to understand rape committed by acquaintances or in a party-related context as mere 'accidents' or something else than rape (Smette and Stefansen 2006; Thoresen and Hjemdal 2014), discourses

about vindictive complainants or sexually risk-seeking women are fairly prevalent.

Research interviews do not take place outside the discourses in the wider society, but are filtered through them. Moreover, the subject positions of researcher and researched are constructed in relation and opposition to these discourses. Following Vitus' (2008, 484), conceptualization of context as 'a site not only for identity construction and negotiations, but also for political agonism (i.e., political struggles), I propose that the defense lawyer's condescending labeling of me as a 'Redstocking' or their resistance to feminist knowledge should be analyzed as expressions of contemporary gender relations and rape narratives in the Norwegian society. The interviews with Greg and Morgan are reminiscent of how particular understandings about rape are challenged by an influential feminist movement that have achieved a number of landmark victories on behalf of victims of domestic and sexual violence. I suggest that these two participants speak from a position of imagined dis-privilege where traditional gender roles and male entitlement to women's bodies are challenged culturally and legally.

As we shall see in the next vignette, the boundaries between my private, activist and researcher persona sometimes became inconveniently blurred during the interactions with the defense lawyers as these antagonistic positions in the public debate manifested themselves 'through us' in the context of the research interview.

The Legal Production of Female Silence

During my fieldwork, I made several unsuccessful attempts to recruit high-profile defense lawyers from large, urban law firms. Some of the potential informants never replied to e-mails, despite several friendly reminders, while others simply said no without offering an explanation. I also experienced that some lawyers looked right through me when I tried to initiate contact during trial breaks. Legal professionals are known to work on tight schedules and to be secretive (Conti and O'Neil 2007; Smigel 1958), so it was not surprising that I did not immediately succeed. However, some of the high-profile lawyers' dismissive attitude towards me in court made me worry that my feminist background deterred them from participating. As time was running out, I became more and more desperate. I wrote an e-mail to a lawyer – we could call him Scott – with whom I was remotely acquainted. He did not immediately reply, but I was persistent. When I learned that he was going to defend in a rape case, I showed up in person and presented myself. He agreed to participate. When I tried to schedule a date for the interview, Scott suggested that I could meet him in a city that takes almost nine hours to reach by bus, because he had work to do there at the time. It made me feel that I

should be grateful for his time. When the day of our interview arrived, he was 40 minutes late and kept me waiting in the reception. He hardly apologized when he finally arrived. During the interview, Scott seemed to be assertive and, unlike Greg, he appeared confident and expert-like. His back was straight, hands calm. He showed that he was aware of my evaluations of his answers (for instance, he hedged the most pointed statements by saying ‘I might say’), but asserted them boldly nonetheless. During a sequence where I probed Scott about cross-examination of complainants in prostitution, he asserted that these cases were ‘difficult’ and often would not make it to court. He explained:

Well, they can’t really claim: ‘No, I wanted to protect my body. No, I didn’t want sex. I had a boundary he crossed. I said no, but he did it anyway.’ Like... it’s a little – it is impossible for them to argue like that, right. Because there is actually just one question: Did they get the money or didn’t they, for the agreed service? [mm] (...) Because, I might say, it is – I might say, unfortunately or not, but in these cases, it is an incredibly good argument that when you in a way are willing to sell – sell your body for money, and afterwards file a report in a situation like that, and *then* ask for NOK 150,000 in compensation – how does *that* affect a jury, right? [mm]

Scott went on to explain how he, in a case involving a prostitute, hypothetically would proceed and suggest that the complainant might have tried to cover up consensual sex and robbery in order to get economic compensation. By the end of the sequence, he smiled and said: ‘It’s much easier for ‘nice girls!’ I shrugged disarmingly. I knew that I would not be able to keep up appearances if I continued to probe. In none of the other interviews, did I refrain from such probing. These interviews may have been marked by social distance between the lawyers and myself, but I did not feel dominated to the same extent as I did in this interview. It was disturbing to hear Scott talk about vulnerable women’s real problems with this emotionally detached attitude. But the context of our interaction was a research interview, not a political discussion, so I did not dare offering an alternative view. Besides, challenging him there in his nice office, with the exclusive design furniture, business magazines, beautiful orchids and pricey coffee, where I was invited as a ‘guest’, would simply be very inappropriate. Instead of staying on this contagious subject, I jumped to a new topic; Scott’s influence in determining how the Supreme Court previously had construed the rape statute. In defense of a conservative interpretation of the law, which stresses that victims must physically resist their assailants, Scott argued:

Because saying no alone is not, doesn’t make a, rape, right. It’s rape the moment you have to use power, violence, threats, install fear. Something like that, to get it going. [Yes] Well, you say no,

and in a way, still choose to spread your legs and say ‘yes, ok, come on, get it done!’ Right – that’s not rape. [No] It can be involuntary sex, but there’s a difference between involuntary sex and rape. [Yes] Like, involuntary as in you don’t really want it, but without resisting. [Yes] I’m pretty sure you find much of that in marriage too, like: ‘I don’t want to today, I’ve got a headache.’ [Yes] ‘No, come on!’ ‘Yes – go do it then. Get done!’ [Yes. Hm!] So, there’s a borderland between the involuntary and unwanted sexual activity, and what is a coerced sexual experience. (...) And regarding the last, you get a point: ‘Okay, the two of you went to bed together, you were at a party, you’d flirted previously. [Yes] None of you had a girlfriend or boyfriend. Both of you are – I might say – both of you have had sex before, to put it like that. Is it then that weird to think that someone in the situation *thought* it was voluntary, or *was* it actually voluntary? [Yes] Although you later reported it. [Yes]

I recall this encounter as a turning point in the interview, where I went from being upset on behalf of women in prostitution to feel personally violated to the extent that I stopped asking questions. According to conventional standards for good interviewing, I should have inquired more and overcome my negative feelings towards Scott. When I read the interview transcript with him, I was embarrassed about my poor interviewing skills. It was tempting to dismiss it as a ‘failed interview’.

I could have assumed a more confronting style by asking Scott to elaborate and explain his view. Scott’s use of the pronoun ‘you’ in the sentence ‘if you say no, but choose to spread your legs...’ felt invasive and offensive – hence my short ‘hm!’, which I recognize from other interviews as a paralinguistic marker (Flower 2014) that I involuntarily tend to utter when I get offended by what participants say. Unintendedly or not, Scott addressed me as an *individual* when constructing the sentence around the singular personal pronoun ‘you’ (rather than an indefinite pronoun, such as ‘someone’ or ‘somebody’), positioning me linguistically as a ‘promiscuous woman’ and himself as a male legal expert with the authority to do so. I boiled on the inside and felt my palms became sweaty from the adrenaline. The wound from my own rape experience 26 years earlier burst open again. The example Scott discussed in the excerpt cited above – situations in which women are passive and fail to resist during unwanted sexual activity – resembled my own rape experience. At the time, my self-blame was total and pervasive. I was far from being the autonomous, freely decision-making actor the Norwegian Supreme Court and judiciaries model their decisions upon. As most women do, I navigated my sexuality according to a normative landscape that teaches women to be sexy, but tend to punish them for being sexual. My ideas about sexual violence was positioned in, and framed by, a legal landscape that was, and is, stuck in ‘no’ as the only appropriate answer to unwanted sex. Rather than

supporting a positive definition of sex that places female pleasure and desire at the center, the law and its enforcers expect women to be chaste and guard their purity (Franke 2001). In this legal framework, as witnessed in the interview with Scott, female passivity is taken to equal consent. In other words, what can be inferred from the above examples is that the content and shape of research interviews will always be marked by their specific geography, that is the normative landscapes, in which they are carried out.

Being pulled back into the rape experience, which took place in my early twenties, was not only painful to me personally – it literally felt as if the site of the interview – in the nexus between man/woman and legal expert/lay person – was *burning*. No longer just an interview, but a micro-political arena for negotiations of gender and sexuality, it felt like I had been thrown into a war I had never signed up for. After all, I had just wanted to research legal elites and had made a rational decision months ago about leaving both my personal experiences and my feminist aspirations temporarily aside. In retrospect, I see how naïve this position is, but that was how I as a young female academic was taught to navigate sensitive research topics.

The interview with Scott was one of the most educational moments during the entire project, for two reasons. First, because the encounter exposed the ‘doing of gender and power’ (West and Zimmerman 1987), as well as how lay-people submit in the face of legal authority. Second, because the interview prompted me to approach my data anew and consider how they were shaped by gender politics.

Scott uttered these comments around 40 minutes into the interview. I sat there for another 16 minutes, struggling with my emotions. I was no longer angry, just overwhelmed. From the interview audio file, it appears that my voice becomes light and much more girlish than normal, which I recognize as an impression management (Goffman 1959) strategy to appear non-threatening, in particular in the company of men. This para-linguistic marker, however, was not purely strategic, it also reflected the ways Scott and I performed gender in the interview context. Not only was I trying to *appear* non-threatening, I wholly subdued. When I left his office, I had completed the shortest interview during my entire fieldwork, and it felt like I had been running a marathon. Exhausted and sad, I felt the same kind of isolation as the morning after I was raped. In the hours that followed the interview, I realized that, paradoxically, the worst part of having been raped not was the assault as such, but the silence and shame that came in its aftermath, the feeling of having been cut off from a community with ‘normal people’, of having no recourse. Although Scott was unaware of my sexual and emotional biography, and cannot be blamed for knowingly having unleashed this trauma, it felt as

though I – not being a ‘nice girl’ – was denied sympathy. My experience was worth *nothing* in the eyes of the law. Spatially speaking, in capacity of being a lay-person and a ‘complicit’ rape victim, I was placed at the bottom of the status hierarchy.

When I sat on the bus on my way home from the interview, I thought about the morning after the assault, my slight limp walk as I carried myself through the city’s streets at sunrise. This emotional memory flickered through my mind and body and merged with glimpses from the rape trials I had observed the past five years. Ona, Justina, Amelia, Catherine, Sophie. All these women left the courtroom, either during the trial or immediately after their testimony, after having been exposed to cross-examinations by defense lawyers who directly and indirectly accused them of lying and of having ‘asked for it’. However, such practices of defense lawyering were rather exceptional during fieldwork. Only a minority of the lawyers impersonated the feminist textbook example of sexist ‘Rambo lawyering’ (Pierce 1995) – in fact, most of them appeared professionally detached and posed questions in a polite manner. Still, the vast amount of the victims in these cases went from being relatively talkative and logical when examined by the prosecutor to becoming silent, insecure, or outright submissive. Liza. Olivia. Isabel. Audrey. Josephine. Before this interview, I had not fully comprehended why these women not had asserted themselves more. They were not exactly being harassed, I thought. However, following the interview, I had a clearer idea about how difficult it might have been for these women. Being approached by a person who treats your trauma in this business-like, instrumentally decent (Bitsch forthcoming) way feels very intimidating and almost worse than being offended up front, which at least would justify an emotional reaction.

I suggest that the interactional encounter between Scott and myself could be construed as a social situation in which the researcher subject position changes from professional researcher to personal sexual violence victim. The spatial component to emotions in this encounter becomes visible through the embodied experience of being ‘out of place’. The feeling body alerts us to our place in status hierarchies and, in Goffman’s (1967) words, the danger of ‘loosing face’. Small cracks appeared in my professional face. In these cracks lived a personal trauma, but also a shared life experience with other victims of sexual violence. Emotional introspection allowed me to connect with these experiences and provided me with insight about gender and power relations in the field. More specifically, it exposed how the law, the courts and the legal professionals assert authority over lay-people and victims of sexual violence by constructing legal space as rational and value-free, void of bias, emotion and politics.

Discussion and Conclusion

The neutral researcher strategy is frequently recommended and used in many types of ethnographic research (Adler and Adler 1987; Hammersley and Atkinson 2005; Miller 1952). Whilst this strategy has its clear advantages (it is generally a good idea to attempt to understand cultures and research settings on their own terms, and continued access to data may sometimes require a pragmatic approach where differences are toned down), the strategy was not particularly helpful for making sense of 'failed interviews' and rejections from participants during the kind of fieldwork I embarked upon. In order to reduce bias and maintain rapport with research participants, I had originally intended to render my feminist activism and personal experience with sexual violence irrelevant, but as the vignettes showed, you do not always get what you plan for. As noted by several feminist geographers, the boundaries between our personal and professional selves are often blurred (Staehele and Lawson 1994). Inspecting these blurred boundaries in an emotionally reflexive way may, however, allow us to engage with the micro-political aspects of fieldwork.

Contrary to conventional textbook advice, researchers cannot always cherry-pick membership roles for themselves in the field, or even freely choose in advance to initiate an egalitarian and dialogic approach with participants. Crucial aspects of our actual and perceived research personas, may it be gender, age, status, political beliefs or personal experiences, intervene in the research relationships, whether it is convenient or not. We cannot always decide to deceive, as Hammersley and Atkinson (2005) would have it. There are real limits to impression management (Goffman 1959), simply because our political and emotional biographies unexpectedly might travel into the research context and complicate matters.

Regrettably, whilst methodology textbooks discuss how gender, race, class or age shape field relations and available membership-roles, researchers at the beginning of their careers may not be well enough prepared to deal with the more intimate intrusions and dilemmas in the field (Jewkes 2014). According to England (1994), years of positivist-inspired training have taught us that impersonal, neutral detachment is an important criterion for good research. The discussions of detachment, distance, and impartiality, tend to reduce the personal and emotional to possible threats to objectivity. Although scholars working in disciplines as diverse as feminist interactionism (Copp and Kleinman 1993; Hochschild 1979, 1983; Kleinman 1991; West 1996; West and Zimmerman 1987), emotion geography (Bondi 2007; Humble 2012), sociology of emotions (Fields, Copp, and Kleinman 2006; Stets and Turner 2006; Bergman Blix and Wettergren 2015) and criminology (Jewkes 2012; Liebling 1999; Presser 2005, 2007; Ugelvik 2014) has offered many promising

methodological engagements with emotional reflexivity, the conventional approach maintains its hegemonic position. On the rare occasions confessions are being made, empirical fieldwork accounts are often portrayed as a rite of passage that ends with a 'breakthrough' where the researcher becomes accepted in the field. Whilst the tales about socially skilled researchers who, when exposed to testing, sexual advances/harassment or become witnesses to ethically problematic behavior by research participants are interesting and valuable (see for instance Bucerius 2013; Diphooorn 2013; Horowitz 1986; Norris 1993), researchers far too often neglect failed interviews, although these odd cases can be analytically intriguing and useful for teaching interviewing and qualitative methods (Jacobsson and Åkerström 2013, 719). My hope is that prospective methodologies will discourage those conceptualizations of researcher neutrality that entails 'lying' and rather stimulate analytical attention to emotionally reflexive tales of displacement.

Although neutrality and impartiality is the most comfortable position, it is fictional. As researchers, we are not *outside* the field, but *in* it, with our messy emotional biographies. The question, then, is not whether we should let these biographies influence our work or not. They inevitably will, but as noted by feminist interactionists, unless we engage in reflection on and through our emotions, we will never know how (Kleinman, Copp, and Henderson 1997, 478). Working with auto-biography and/or auto-ethnography is an ideal methodological choice place to do this from, because, as noted by Moss (1999, 21), engaging with biography provide us with an entry to understanding 'who we are in context of our multiple environments and give us some clues as to where our world comes from', and, I would add, perhaps also from where it can proceed.

By way of offering a conclusion, I believe this auto-ethnography bears witness to the fact that our bodies and emotions are part of existing circuits of power and discourse, and that introspection of 'out of place' emotions like shame, embarrassment and isolation may tell us something significant about our place and status in these circuits. In the context of interviewing elites, for instance, feeling shameful may reflect gender and power relations in that particular social space.

While I do not intend to suggest that personal experiences award researchers with epistemic privilege (Jaggar 1989) or are suited for generalization, emotional reflexivity can bring fresh perspectives to the table. When or if we feel displaced or silenced by participants, emotional introspection can generate new research questions concerning the micro-politics of field encounters, such as: Who else is being silenced by the worldview the research participants represent? What discourses and systems enable the assertion of claims as 'truths', which by others might be felt as oppressive? Being dismissed, lectured and ignored by research participants in the field always reflects

back on social rules and normative landscapes *outside* the research context. Conceptualized in this manner, these educational moments and the emotions they spur, should be treated as valuable data about geographies of power.

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Notes on Contributor

Anne Bitsch is working on a PhD project about the legal processing of rape cases in Norway. The purpose of this project is to analyze how rape cases are constructed in court proceedings and sentencing practice, and how this relate to cultural perceptions about gender, sexuality, race and nation. The project employs ethnographic methods and quantitative analysis. Her degree in human geography from the University of Oslo includes a minor in gender studies.

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