



DEPARTMENT OF POLITICAL SCIENCE

THE GOVERNMENTAL DISCOURSE TOWARD HOMOSEXUALS IN SWEDEN

A critical discourse analysis of the changing
discourse between the years 1935 and 2007

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Abstract

This Master's Thesis aims to examine how the governmental discourse of the attitudes toward homosexuals has changed in Sweden since 1935 up until modern day. To do this, selected quotes for deeper analysis based on a larger textual analysis of nine Government Commissioned Reports (SOU) between 1935 and 2007 are used, consisting of approximately 1000 pages. The method used is a Critical Discourse Analysis; the findings are explained using Discursive Institutionalism-theory and compared to observations of what discursive changes to expect with other international research. The findings show that the Swedish Government has been an active agent in reproducing negative attitudes toward homosexuals in the past, but during the last decades, the Swedish Government instead has worked to transform earlier power-relations, in an effort to equate homosexuals with the heterosexual majority. The findings also show that the main driver in changing attitudes in society has been the visibility, representation, and knowledge distribution of homosexuality. The Thesis concludes with a discussion on how this research is relevant to the field, and suggestions for future research.

Keywords: *Homosexuality, Sexual Minority, Discursive Change, Visibility, Representation, Government Commissioned Reports (SOU).*

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Introduction

In the modern world, Sweden is known for its liberal values and high acceptance toward sexual minorities, and homosexuals in particular. This has not always been the case. Before the 1970s, homosexuality was seen as a sin, a criminal act, and a mental illness. In this Thesis, I will examine the discourse change that has taken place in the Swedish Government between the years 1935 and 2007, by examining nine Government Commissioned Reports [*Statens Offentliga Utredningar*, SOU]. SOUs in Sweden are used either to produce a basis for political decisions, to create a knowledge overview of the concerned field, or to create an arena for different political actors to negotiate and compromise (Lundqvist, 2007). The SOUs are not the actual statement or law intrusion from the Government, but they are ordered by the Government and also used by the Government before reaching a decision (Andersson, 2016).

Problem

In the Western World, the rights of ‘Lesbian, Gay, Bi-, Trans-, Queer, Inter- and Asexual + other sexual minorities’ (LGBTQIA+) can sometimes be taken for granted, as if these rights have always existed. In Sweden in particular, the public’s acceptance toward sexual minorities are among the highest in the world. But what role has the Swedish Government played in these rights issues? While examining the literature in this field, it becomes clear that there is not much research done that analyses the changing attitudes toward homosexuals by the Swedish Government. The research found confirm that there has been a change in attitudes, but it does not analyze the change itself, in what ways it differs over time, or how it could be compared with international research. The gap found in existing literature is thus a deeper understanding to why the discursive change from the Swedish Government has occurred, and how it can be understood and compared with other international findings in the same field of science.

Aim

The aim of this Master's Thesis is to fill the gap mentioned in the Problem section, to examine when and how the discursive change from the Swedish Government occurred, and to compare this with international research to see if similar discursive changes can be found outside of Sweden. The study's focus will be 'homosexuals' since this is the word used by the Swedish Government when discussing most 'sexual deviations' in the past, and thus it can be used to find relevant data.

To do this, I will examine the discourse used by the Swedish Government in the past to frame the homosexual issue. To achieve the purpose of the study, Fairclough's Critical Discourse Analysis will be used to examine the power-relations between the Government, the society, and the homosexuals, and then explain the findings using Schmidt's 'Discursive Institutionalism'-theory and compare them with Richardson's five observations of what to expect in discourse change toward sexual minorities in neoliberal democracies. If done successfully, this should help fill the gap of *how* the discursive change from the Swedish Government has occurred, adding to the existing research and literature that mostly concern the fact that there indeed *has* been a discursive change, although not developing further into *how* this change could be understood.

Research Question

- *How has the discourse from the Swedish Government toward homosexuals changed from the 1930s up until modern day?*

Disposition

The Thesis begins with a Background of the issue of homosexuality in Sweden. This follows a chronological timeline in where the critical junctures of the development of how the issue of homosexuality have been framed in Sweden, including some international events that effected the Swedish development. A chapter follows this on Previous Research.

Thereafter, a Theory chapter will follow, discussing discourse analysis and particularly Critical Discourse Analysis as a theory, followed by a short introduction to Discursive Institutionalism and an explanation of the observations of discursive change that we are expected to find, based on Richardson's international studies. A Methods chapter that discusses Critical Discourse Analysis as a method and how this method will be used in this Thesis follows this chapter. The Methods chapter is followed by a discussion of ethical considerations.

A chapter that discusses the Data I will use in my analysis will follow. This chapter both explains what SOUs are more thoroughly, and discuss the empirical selection, the demarcation, and the data processing, before ending with a discussion of reliability, validity and generalizability.

In the Analysis, the SOUs that are to be analyzed will be presented in short, followed by the chosen quotes, and followed by the analysis. The Analysis is followed by the Results in which the findings will be explained with Discursive Institutionalism and compared to expected observations, answering the Research Question. The results are followed by a Discussion of the findings and how my research is relevant to the existing literature. Concluding, there will be some suggestions for future research, and a Conclusion that summarizes the whole Thesis.

After the reference list, there will be an Appendix, which gives the interested reader both the translated English quotes found in this Thesis, directly followed by the original Swedish quotes.

Background

This part of the Thesis summarizes the development of homosexuals' rights in Sweden. It examines what national and international events affected this development during the decades, summarizing the major events before the 1940s, and then each decade up until modern day.

Before the 1940s:

The Bible constitutes that "If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them" (Leviticus, 20:13). This passage from the Bible, along with other criminal acts according to the Bible, was added to the Medieval Swedish Law in 1608 (Rydström & Mustola, 2007).

In 1734, the Unified Law of the Swedish Realm replaced the Medieval Laws and criminalized all sodomitic sins. To avoid spreading knowledge about these sins among the people, they were not specified. People was therefore condemned by the Law of God, found in the Leviticus, and thus, the same law that was added in 1608 was still in power in the new 1734 law (Rydström & Mustola, 2007).

In 1864, a new Penal Code came into force which stated that "Anyone who commits fornication that is against nature with another person [...] shall be sentenced to up to two years' of hard labor" (Swedish Penal Code of 1864, Ch. 18, section 10). This included homosexuality, but the punishment was severely reduced from a death sentence down to two years of hard labor (Rydström & Mustola, 2007).

During the 1930s, the medical knowledge available in Sweden about homosexuality was imported from German-speaking Europe. The view of homosexuality as a medical disorder came from German scientists (Rydström, 2000).

In 1932, the largest daily newspaper in Sweden, *Dagens Nyheter*, ran a story about how homosexuals were being blackmailed, which was legal at the time, since there was no law against blackmailing but there was one against homosexuality. This was found unacceptable by the society, since prominent people of society could be accused of this sin, even though they were not homosexuals (Rydström & Mustola, 2007). This discussion resulted in a change in the Penal Code where same-sex sexual acts was removed from the Penal Code, though homosexuality remained as a criminal offense (Heuman, 1978). A proposal was prepared for

the Swedish Riksdag in the 1930s to decriminalize homosexuality, but the proposal was withdrawn with the argument that this could have unwanted consequences; that homosexuals' would corrupt not only minors but also young adults into their perverse behavior if they were allowed to express it more openly (Rydström & Mustola, 2007).

Homosexuality before the 1940s, and well up into the 1950s, was considered a taboo subject. If referred to at all, it was usually described as a sinful or perverted activity that took place in the capital city, or in other countries, but not in the rural areas or in the Christian Congregations of society (Rydström, 2008).

The 1940s:

In 1943, a new bill was presented, based on the statements from the SOUs of 1941. The new Penal Code would make it criminal to fornicate with people of the same sex if the person was under the age of 15, 18 or 21, with different punishments depending on the age of the younger party. The idea behind the Penal Code was to protect youngsters against the evil abuse of perverted adults (Rydström & Mustola, 2007).

In 1944, the new Penal Code came into effect, and consequently, homosexuality between persons above the age of 21 was decriminalized in Sweden (Hildebrandt, 2014). Instead, homosexuality became defined as a mental illness (Rydström, 2000).

The 1950s:

The 1950s was an era of homophobia, not just in Sweden, but also, in most of the Western World. The United States persecuted both communists and homosexuals, which affected the right-wing parties in Sweden in this direction. At the same time, the Soviet Union, which had made it criminal to be homosexual already in the 1930s, affected the left-wing parties in Sweden to dislike homosexuality as well. During this decade, the entire political spectrum joined forces against homosexuality in Sweden (Rydström & Mustola, 2007).

As a reaction to the cumulative homophobia in Swedish society, the organization 'RFSL' [*Riksförbundet för Sexuellt Likaberättigande*], or The National Organization for Sexual Equality, was founded in 1950 to inform society about homosexuality, promote rights issues, and make it easier for homosexuals to meet in safe places (RFSL, 2015a).

In 1951, a homosexual scandal involving the Royal Court of Sweden was published. A former restaurant owner named Haijby went public and told the media that the Royal Court had paid

him over 100.000 Swedish Krona between 1934 and 1947 to silence him from the claims that he had an affair with King Gustav V of Sweden, before he died in 1950. Haijby was sentenced first to a mental hospital and then to an eight year long prison sentence for extortion (Rydström & Mustola, 2007).

Another scandal in the early 1950s was a series of articles, also published by *Dagens Nyheter*, which claimed that young male students went to Stockholm to make easy money by selling sex to homosexuals. This 'boy prostitution' was seen as a decay of society, and resulted in public demand for politicians to take actions against homosexuality (Rydström & Mustola, 2007).

The 1960s:

The sexual liberation of the 1960s, known as the 'Sexual Revolution', was for women seen as the emancipation of female sexuality. But for both genders, the act of having sex changed from something that was only acceptable within the marriage, to be an activity accepted to participate in even as unmarried (Wouters, 1998). Initially, focus was not on homosexuals, but the liberalization of sex would in time contribute to more permissive attitudes in society toward homosexuality too (Rydström & Mustola, 2007).

In 1969, the Stonewall Riots in New York, and the police raid in the gay bar at the Stonewall Inn, sparked the gay and lesbian liberation movement that one year later was the beginning of Pride-marches. The Stonewall Riots sent shock waves through the gay communities around the Western World and started the mobilization of a homosexual voice in Scandinavia (Hildebrandt, 2014).

The 1970s:

In 1971, Alf Wennerfors, a Conservative Party Member of the Swedish Riksdag, tried to lift the issue of homosexuality in a private motion; he argued that he had met many representatives from the RFSL and gay and lesbian communities, and that he wanted to help these people. The Riksdag turned down the motion, but this was a first step toward a more open mindset within the Riksdag (Rydström & Mustola, 2007).

In 1973, the Swedish Left Communist Party submitted a proposal in parliament that marriage should be replaced by registered cohabitation, to be able for both homosexual couples and other family constellations to live as communes (Rydström, 2008). The proposal was turned down by the Riksdag, but the Swedish Parliament made an official statement which declared

that "...in the eyes of the society, the cohabitation of two partners of the same sex is a fully acceptable form of co-existence" (Rydström, 2008).

In 1978, the age of consent for homosexual relations was lowered to 15, the same as for heterosexual intercourse, and thus, penalization and prohibition of all homosexual acts was removed from Swedish Law. The same year, a government appointed commission was sanctioned to give a scientific documentation of homosexuality in society, and proposed measures needed in order to remove remaining discrimination of homosexuals in the Swedish society (Rydström & Mustola, 2007).

The following year, in 1979, [*Socialstyrelsen*], or the National Board of Health and Welfare (NBHW) in Sweden, removed homosexuality from their official list of mental illnesses, after a public occupation of the NBHW's staircase organized by the RFSL and homosexual activists (RFSL, 2015a).

The 1980s:

The AIDS epidemic in the 1980s actually helped the homosexual community in the long run. The great suffering of this minority group, and the many deaths that occurred, opened up a dialogue between activists, politicians and the local authorities for the first time. This resulted in many politicians first meetings with local citizens who identified as homosexuals, which in turn resulted in a more liberal understanding of homosexuality (Rydström, 2008).

In 1987, due to the AIDS epidemic, a new Act became legislative that forbade sex clubs, in order to prevent the spread of HIV, and placed HIV under the Communicable Diseases Act in Sweden. This obliged people to reveal their HIV status and made involuntary isolation of infected people possible for the state. These actions from the Government, and the fact that mostly homosexuals were infected with the HIV virus, sparked another era of homophobia in Swedish society (RFSL, 2015a). This happened at the same time as the Swedish Government updated the Penal Code to include protection against discrimination and defamation of homosexuals, which became legislative in 1988 (Rydström & Mustola, 2007).

In 1988, the Homosexual Cohabitation Act became legislative, giving homosexual couples more rights than before, even though unmarried heterosexual couples still had many more rights than their homosexual counterparts. This Homosexual Cohabitation Act was the first one in the world, which legally recognized relationships between same-sex partners (Rydström, 2008).

In 1989, “Denmark became the first country in the world to pass a law permitting registered partnerships” (Rydström, 2008). Instead of using the words ‘wife’ or ‘husband’ in the Act, the word ‘partners’ was used, which opened up the possibility for homosexual partners to register themselves as stable couples which were legally accepted by the Danish Government. The Registered Partnership Act would have the same legal effects as a marriage, with a few exceptions. It would not give the right to Church weddings, it would not include parental or adoption rights, and it was restricted to apply only for Danish citizens (Rydström, 2008).

The fall of the Berlin Wall in 1989, and the end of the Soviet Union, was a main trigger for decriminalization of homosexuality for countries of the Eastern Block in Europe. Not so much because of the local homosexual movements, but rather as a result of these countries wanting to become members of western organizations, and thus, adopting westernized laws in the early 1990s (Hildebrandt, 2014).

The 1990s:

In Scandinavia, the passing of the 1989 Danish Act of Registered Partnerships resulted in a gay and lesbian movement that completely swept away all arguments in favor of a separate Homosexual Partnership Act (Rydström, 2008). In 1993, Norway became the second country in the world to adopt a gender-neutral Act on Registered Partnership (Rydström, 2008).

The sudden successes for homosexual communities and their rights provoked a stronger resistance to this type of law. In Sweden, a strong and organized conservative Christian opposition to the Registered Partnership Acts characterized the debate in the press. The Government and internal conflicts obstructed the law proposal prepared by the Commission, based on the 1993 SOU on partnerships in Sweden. The Registered Partnership Act did not pass in Sweden until 1995 (Rydström, 2008).

Another main player, when it came to protecting the rights of homosexuals, was the European Union (EU). During the 1990s, the EU began drawing attention to other types of discrimination than that between genders, and thus, in 1997, the prohibition of discrimination based on sexual orientation was included in the Treaty of Amsterdam, forcing all member states to act against discrimination of homosexuals and other sexual minorities (Hildebrandt, 2014).

In 1998, the first Pride Festival in Scandinavia was held in Sweden – Stockholm Pride (SVT, 2017).

In 1999, Sweden legislated an Act on the Prohibition of Discrimination in Working Life on Grounds of Sexual Orientation (Rydström & Mustola, 2007).

The 2000s:

In 2002, Sweden legislated an Act on Equal Treatment of Students in Higher Education. The new act aimed to counteract discrimination related to sexual orientation within Universities and Colleges (Regeringskansliet, 2018).

In 2003, the Registered Partnership Act in Sweden was updated to give homosexual couples the same rights as heterosexual couples to be considered as potential adoptive parents (Rydström, 2008).

Also in 2003, the part of the Penal Code on Incitement toward Ethnic Groups was updated to include homosexuals as an ethnic group (Justitiedepartementet, 2001).

In 2005, assisted fertility for lesbian couple became legislative in Sweden (Rydström, 2008).

In 2006, Sweden legislated an Act on Prohibition of Discrimination and other abusive treatment of children and students in preschool, elementary school and high school. The Act introduced requirements for equal treatment plans and a ban on discrimination in relation to sexual orientation (Regeringskansliet, 2018).

In 2009, the Swedish Marriage Code was updated and became gender neutral, and same-sex marriage was legalized in the Swedish Church (RFSL, 2016; SVT, 2017).

The 2010s:

In 2011, the Swedish Constitution was updated, and the protection against discrimination related to sexual orientation was introduced in the Constitution (Regeringskansliet, 2018).

In 2012, the NBHW changed their guidelines so that even homosexual men had the right to donate blood. Since the AIDS epidemic in the 1980s, the rules about donating blood in Sweden said that 'men who have sex with men' were not allowed to donate blood. In 2012, the NBHW changed this so that if a homosexual man had abstained from sex with another man for at least twelve months, he would be allowed to donate blood. This might be compared to 'women who have sex with women', or heterosexual persons, which must only abstain for three months from the time they had sex with a new sexual partner (RFSL, 2015b).

In 2013, the Crown Princess of Sweden, Victoria, handed out the prize for 'Homosexual of the Year' at the QX Gaygala, to Jonas Gardell (Swedish Royal Court, 2013) for his trilogy "Don't Ever Wipe Tears Without Gloves". The book series reflects on the 1980s AIDS epidemic, and the situation for homosexuals who lived in Sweden at that time (Gardell, 2012). The QX Gaygala is held every year and broadcasted on National Swedish Television. The support from the future ruling monarch of Sweden was recognition to all homosexuals in the country that the Swedish Royal Court from that moment on expressed their support for gay rights.

In 2017, the Discrimination Act in Sweden was updated to make it mandatory for employers and education providers, to take active measures to promote equal rights and opportunities to all minorities that experience discrimination, including people of any sexual orientation (Regeringskansliet, 2018).

The 2020s:

In August 2020, the Crown Princess of Sweden, Victoria, once more expressed her support for LGBTQI+ minorities by acting as host of the opening of the Stockholm Digital Pride Parade of 2020. The parade was held digitally due to the COVID-19 pandemic, and the Crown Princess in her opening speech said that: "There are families and contexts where views of LGBTQI-people are still characterized by prejudice and ignorance. If you are one of those who cannot or dare not be open about who you are, I just want you to know one thing: You have the right to be exactly who you are, and there are many of us who stand behind you. I stand behind you." (Swedish Royal Court, 2020).

The RFSL is currently working on lowering the contenance for 'men who have sex with men' from twelve months, down to four months, to be allowed to donate blood. Blood donors in Sweden are rapidly decreasing and all donated blood is tested for viruses and bacteria. The standpoint of the RFSL is that even 'rainbow blood' should be allowed to be donated, since all blood is needed by the healthcare system (RFSL, 2015b). Another argument is that the law that prevents sexually active homosexual men to donate blood was drafted during the AIDS epidemic, and that the spread of HIV is no longer common in Sweden. Since 2014, the average is 452 new HIV cases per year in Sweden, and only 17% of these cases are reported having been infected within Sweden, which is about 77 persons per year (Folkhälsomyndigheten, 2019). Therefore, it is possible that the NBHW will change their

guidelines once more so that in the future, it will be easier for ‘men who have sex with men’ to donate blood.

In 2021, Scotland became the first country in the world to add LGBTQ+ history to their School Curriculum. The students in Scottish schools will since 2021 learn about the AIDS epidemic, same-sex marriage, and homo-, trans-, and bi-phobia (Gaytimes, 2020).

In late December of 2021, there was still 71 countries in the world where it was illegal to belong to a sexual minority group and where same-sex sexual acts or relations were deemed as criminal (Human Dignity Trust, 2021).

Previous Research

As have been shown in the Background, previous research shows that the attitudes toward homosexuality, both in the Riksdag, the Swedish society and in the Western World, has changed with time (Rydström & Mustola, 2007; Rydström, 2008). And whilst there is some previous research that discusses the different time periods and how homosexuality is perceived in society (Hildebrandt, 2014), I have not been able to find any research that analyses the changing discourse of the SOUs and how it can be understood. I intend to do this by conducting a Critical Discourse Analysis, and compare my findings with the theory of Discursive Institutionalism and the international observations by Richardson.

The only research that I can find that discusses homosexuality and the discourse from the Swedish Government, is a Doctoral Thesis called ‘The Laws of Desire’ [*Begärets Lagar*] by Sara Edenheim (2005). Therefore, this part of the Thesis will present a short description of the research of Edenheim and briefly discuss how her research differs from mine.

Edenheim’s (2005) research largely focuses on how homosexuality and heterosexuality are constructed from the definition of sex and gender, and how heterosexuality is used as a normative description of sexuality. In addition, the Doctoral Thesis note that homosexuality and other sexual minorities are being described in comparison to heterosexuality, and either defined or judged from this heteronormative perspective. Thus, Edenheim (2005) does not

focus on the governmental discourse to understand how this discourse has changed through time and in what way it has changed.

Where my research and Edenheim's (2005) research overlap is in the empirical data. Edenheim (2005) also analyzes some of the SOUs that I have chosen, but her focus is mostly limited to the SOU from 1968, which I have chosen to use only slightly to demonstrate the Government's opinion about homosexuals in this era. Since it discusses the concept of *intersexuality*, the focus in this SOU is not upon homosexuals.

I would say Edenheim's (2005) approach is grounded on Feminist Theory, and not on Critical Discourse Analysis as theory. This slightly shifts the investigative focus from 'homosexuals' toward 'female homosexuality' and other sexual minorities, such as intersexuals and transgenders.

Important to notice from the research of Edenheim (2005), is that in many of the SOUs from before the 1990s, female homosexuality is often not discussed and has not been viewed quite as abominating by society as male homosexuality has been. In the earliest SOUs, mainly male homosexuality is seen and discussed as a societal problem.

In addition, Edenheim (2005) argues in her conclusion that the change, which has occurred in society during the last decades when viewing homosexuality, is that instead of seeing homosexuality as the counterpart to heterosexuality, homosexuality is seen as a flawed copy of heterosexuality. I do not agree with this conclusion, as will be shown in my analysis. In later years, effort has been made from the Swedish state to not differentiate between heterosexuality and homosexuality, in an attempt to equate these sexual orientations to each other.

Theory

In this part of the Thesis, I will define what discourse means as a concept, and discuss the Critical Discourse Analysis (CDA) as a theory, focusing on Fairclough's CDA.

'Discourse' is a concept that is used differently by different scientists. In this Thesis, the theory is that discourse is a part of language that has structures, which can be examined. These structures are part of how humans not only perceive the world we live in, but also how we use different discourses to actively create or change identities and social relations (Jørgensen & Phillips, 2002). Fairclough (1992) argues that discourse is part of all human interaction with the world, and that we can understand discourse as a way to make sense of, and influence, the world around us.

The role of the researcher that uses discourse analysis is not to figure out what people really mean when they say or write something, or to try to discover the reality behind the discourse. The aim is not to prove whether a statement is true or false, but rather to examine what it is that has been said or written, to explore patterns and to identify social consequences of the different discursive representations of reality (Jørgensen & Phillips, 2002).

The theory of Critical Discourse Analysis

In CDA, *discursive practices* are understood as how texts are produced and how they are consumed. This is an important form of social practice, which constitutes social identities and social relations, which make up the social world (Jørgensen & Phillips, 2002). The discourse not only contributes to the shaping and reshaping of social structures, but also reflects social structures within a society (Jørgensen & Phillips, 2002). *Ideological effects* are also important to CDA, since discursive practices contribute to both the creation and the reproduction of unequal power-relations between social groups in society (Jørgensen & Phillips, 2002).

When understanding CDA, Fairclough (1992) views discourse as a social practice of language use. Therefore, discourse should not be understood as individual actions or the result of coincidences, but rather as a way for humans to interact with their surroundings or in relation to other people, and as a way to represent oneself. Discourses are both shaped and limited by social structures, but social structures are also shaped and limited by discourses, and thus, there is a dialectal relationship between the two (Fairclough, 1992).

When examining a text using CDA, it is possible to look at what type of voice is being used throughout the text. Is the voice *active* or *passive*? The active voice is used when the agent of a particular action is known, and thus emphasis lies upon the agent. The passive voice is used when the agent of an action is either unknown, assumed obvious, or deemed unimportant. The choice of active or passive voice can tell us whether the producer of the text regards the agent as important or not (Johnstone, 2008).

Fairclough (1992) also argues for the need to understand *modality* within the discourse. With modality, we examine to what extent the producer of the text, through the use of language, agrees with the statements of the text, and what consequences it has to the dialogue. *Subjective modality* refers to statements that are clearly tied to the producer of the text, whilst in *objective modality* it is not necessarily clear whose perspective it is that is being presented. Objective modalities are used to present statements as universal truths (Fairclough, 1992).

Another important part of understanding CDA is the *intertextuality* and the *interdiscursivity* of the text(s) that are being examined. The idea of intertextuality is that the dialogue of the text, and how it refers to and builds on other texts, is important for the understanding of the discourse (Johnstone, 2008). For example, this Master's Thesis is *horizontally intertextual* (Johnstone, 2008) in the way that it is built on information gathered from other researchers, and becomes an extension of already commonly used concepts, which help both the producer and the receiver of the text to understand the information presented. In addition, this Thesis is *vertically intertextual* (Johnstone, 2008), meaning that the structure of the Thesis and the disposition and titles and so on, are based on similar types of research. There is a Scientific and a University *discourse* and *model*, which should be followed when producing a Master's Thesis. Quotes or paraphrases are prime examples of intertextuality (Fairclough, 1992). Texts are also *interdiscursive*, meaning there is a previous discourse from which the producer of the text builds on. Depending on what is being discussed, different discourses may be used and combined to debate a topic (Johnstone, 2008).

Criticism of Critical Discourse Analysis

CDA receives some criticism which not should be ignored. For example, Jørgensen and Phillips (2002) argue that CDA gives a theoretically weak understanding of the processes of group formation, and does not explain how much control people have over their own language use (Jørgensen & Phillips, 2002). Other criticism is that the scholars of CDA are arguing for a

critical approach, without discussing the problem the critical views may cause, as if there was always a privileged agent above an underprivileged one (Breeze, 2011). Furthermore, CDA receives a lot of criticism for not having the same conventional purpose that research usually has. CDA advocates for research designed to fulfill political functions, such as exposure of inequalities, dominance, or injustice, whilst other types of research often aim to observe and interpret a specific phenomenon in society (Breeze, 2011). In addition, critics also accuse CDA scholars for having a left or right wing agenda before they even set out to conduct the research, and that this might color the results in an ideological direction (Breeze, 2011).

Another criticism is that CDA borrows from many different theories, and thus, becomes a broad and open theory, which some scholars disprove of, since this makes it hard to define what CDA actually is. Those in favor of CDA, on the other hand, argue that the openness in CDA is a strength, since it can be used in many different fields of science (Breeze, 2011). Breeze (2011) also describes some of the criticism against CDA, calling it ‘essentially negative’, and criticize the practitioners of CDA of repeatedly emphasizing that their aim is to create a better world by empowering the oppressed, and try to create a world where people are not discriminated against because of their minority traits.

Discursive Institutionalism

How can discourse change be understood? Although Critical Discourse Analysis might be used to examine how the discourse tends to be in a set of texts over time, it is not enough to explain why changes in the discourse have occurred. I will therefore use the framework of ‘Discursive Institutionalism’ (DI) developed by Schmidt (2008).

Schmidt (2008) argues that discourse must not be understood only by what is said, but also, by the *context* (where, when, how and why) combined with *agency* (who said what to whom). According to Schmidt (2010), the traditionally recognized institutionalism theories in political science, *Rational Choice Institutionalism*, *Historical Institutionalism* and *Sociological Institutionalism*, are all better at explaining continuity rather than change. In the traditional theories of institutionalism, change is explained as coming from outside of the institution, as a result of exogenous shocks, rather than ideas and discourses from within the institution.

Schmidt (2010) argues for the understanding of discourse as the exchange of ideas. This understanding is essential to explain how ideas can go from individual thoughts to collective

action. This is because the discursive abilities from the people within an institution “refer to peoples’ ability to think outside the institution in which they continue to act, to talk about such institutions in a critical way, to communicate and deliberate about them, to persuade themselves as well as others to change their minds about their institutions, and then to take action to change them” (Schmidt, 2010).

In addition, Schmidt (2010) finds evidence that leaders, social movement activists, and the public, can spur change through ideas that persuade through discourse. DI can therefore “add dynamics to the historical processes of ideational change, by focusing on who talks to whom where and when” (Schmidt, 2010). Discursive interaction occurs not only top-down, where policy elites generate ideas that are communicated to the public by political elites, but also occurs bottom-up, where opposition parties, the media, social activists and movements, experts, lobby organizations, and so on, also influence the politics (Schmidt, 2008).

However, can DI be used to explain institutional change? DI views institutions as the context where agents think, speak and act within, at the same time as the institution itself is a result of the thoughts, words, and actions of the agents. The institution can thus be understood as the structure that constrains the actors, but also as constructs created and changed by the same actors. This is possible due to the reflecting actors, who can think, speak, and act, outside of their institution whilst still being inside of it. This communicative logic can be used by the actors to persuade other actors within the institution, to either change or maintain, said institution (Schmidt, 2008). DI can therefore be used to explain why discourse change has occurred, by looking at how the agents of a fixed institution communicated with actors outside of the institution as well as within.

Testable theoretical framework

Even if DI can help explain why discursive change has occurred, we also need a sort of framework of what to expect when analyzing governmental discourse on homosexuality from 1935-2007 in Sweden. To do this, I use the work of Richardson (2000 & 2005) to identify how the discourse, when discussing homosexuality within governmental institutions in Europe and the USA, has changed from the end of World War II to modern day – to be able to structure what type of discourse changes we might expect in Sweden during the same period.

After World War II, there was a rising number of homosexual organizations formed in urban centers in the USA and Europe, as well as other westernized democracies like Canada, Australia and New Zealand. In the beginning, these organizations adopted the political strategy of a minority group seeking tolerance from a majority group, criticizing the social institutions and practices of society that historically have excluded the rights of homosexuals, by claiming that homosexuals were normal people just like heterosexuals (Richardson, 2005). Since the 1980s, the politics have shifted to evolve around “seeking access into mainstream culture through demanding equal rights of citizenship” (Richardson, 2005).

Richardson (2005) argues that this can be understood as neoliberal politics of normalization, where in the core of the argument, there is still a sameness to heterosexuals that is being emphasized. Rather than focusing on gay rights, the rights of the individuals as human beings are given more emphasis, and instead of seeking tolerance from the mainstream, the modern homosexual movement is seeking equality with the majority group of heterosexuals.

Richardson (2005) discuss five different observations in neoliberal societies that have influenced the discourse of modern politics regarding homosexuality.

The first observation is equality with the dominant group for a particular social membership, where the subject of equality (the homosexuals) should be entitled to the same recognition and resources as the dominant group (the heterosexuals), with demands for civil rights, access to the welfare system, and consumer rights (Richardson, 2005).

The second observation is that the economic and cultural participation of homosexuals in society has changed the old views, where homosexuals were viewed as having little contribution of positive value to society, to instead view homosexuals as citizens worthy of inclusion. The so called ‘risk’ that homosexuals posed to society in the past, has been rendered governable through the establishment of the ordinary, or ‘normal’, homosexual, who leads a lifestyle much like the heterosexual norm, primarily through the Civil Registration of Partnership Acts (Richardson, 2005).

The third observation by Richardson (2005) is called ‘professionalization of sexual politics’ and refers to the fact that openly homosexual individuals can choose other career paths than activism. In addition, knowledge production has become more institutionalized through Queer Studies in academia. Part of this professionalization was made possible during the 1980s when the AIDS organizations emerged from the failed response of governments and policymakers to handle the increasing needs of those infected by HIV or AIDS.

When governments took a step back, the void of handling the HIV and AIDS related issues fell on Non-Governmental Organizations (NGOs), which were often staffed with homosexuals, thus offering new career paths within the fields of health care, social services, advocacy and the judiciary – resulting in professionalized and well-rehearsed political debates from the homosexual community in the early 1990s.

The fourth observation is the construction of an international homosexual community, which has been aided by the global visibility of homosexuals in society through the international distribution of homosexual newspapers, magazines, books and films, which can be widely distributed and accessed through the Internet. This has mainly resulted in the distinction between sexual identity and sexual activity, where the focus on identity has helped shift the views of the activity away from something that is shameful and conducted by bad citizens (Richardson, 2005).

The fifth observation by Richardson (2005) is called ‘professionalization of knowledge’, where the knowledge production and dissemination of this knowledge has provided new opportunities for professional careers. While up until the 1970s, the ‘knowledge’ of homosexuality came almost exclusively from ‘experts’ in the fields of medicine or psychiatry, from the 1980s onward, the homosexual community struggled with the redefinition of what it meant to be a homosexual, by becoming knowledge producers that argued for their authority to speak for themselves. The need for governments to inform their citizens about the risks of HIV transmission during the 1980s also forced public officials to spend time with openly homosexual individuals, to be able to gather and publicize knowledge about homosexuality into society.

To summarize, the five observations by Richardson (2000 & 2005) that I will use to test if similar observations can be found in the changing discourse from the Swedish government are:

1. Equality through equal access to civil and social rights.
2. Normalization through representation.
3. Professionalization through participation.
4. Acceptance through visibility.
5. Understanding through knowledge.

Method

Critical Discourse Analysis as method

I will use the CDA developed by Fairclough, since his theory and method of CDA is the most developed and structured (Winther Jørgensen & Phillips, 1999), which gives me a good template to follow when conducting my own analysis. The idea with a *critical* discourse analysis is that the results of the research should be usable in the fight for social change (Winther Jørgensen & Phillips, 1999). According to Fairclough (1989), there are three dimensions of CDA that need to be examined. In Figure 1 (below), the analytical model by Fairclough (1992) is presented, followed by a definition of each dimension, followed by a structured definition of what questions should be asked in each dimension.

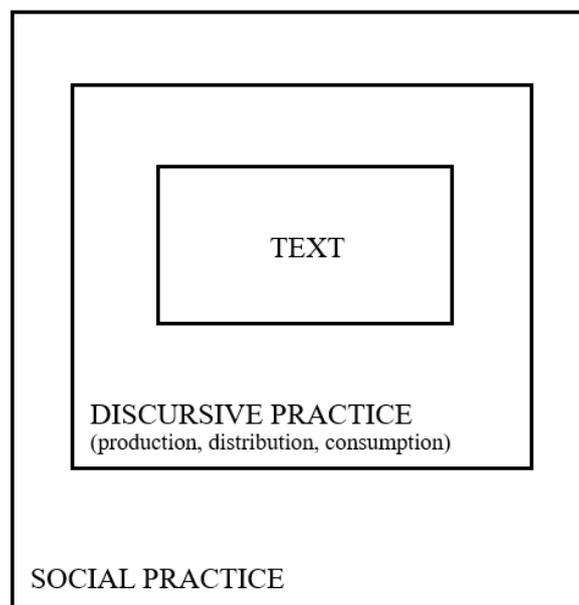


Figure 1 Fairclough's (1992) Three-dimensional concept of discourse.

As demonstrated by Figure 1, the first dimension, 'Text', is mainly the pure science of written language. Here, we examine what is being presented by the text and how the text itself is structured, and what type of voice or arguments are being used (Fairclough, 1992).

According to Fairclough (1992), we also need to look at the dimension he calls 'Discursive Practice'. This refers to the processes of producing, distributing and consuming texts. Different texts are produced in specific ways and within specific social contexts.

The last dimension is the ‘Social Practice’. Fairclough (1992) argues that a person’s ideology is being reflected within the produced text since ideology is part of our discourse, but that the relationship between ideology and discourse is dialectal – they both influence each other. Furthermore, power-relations are also part of this dimension, since the discourse either *reproduces, restructures* or *challenges* existing hegemonies (Fairclough, 1992).

How the method will be applied to analyze the quotes:

According to Fairclough (1992), when doing a Critical Discourse Analysis, we need to address the material that we want to examine in three steps. In the list below, an explanation of the three steps and the order of the analysis is presented, based on Fairclough (1992):

- A. *Discursive Practice:*** What can we learn from the intertextuality and the interdiscursivity of the text that we examine? To examine this, we need to ask the following questions: In what type of climate has the text been produced? What genre (discourse type) can we find in the text? Who has produced the text – is it individually or collectively produced? Who or whom are the receivers of the text? What is the purpose of the text?

- B. *Textual Analysis:*** Here we do an analysis of the text itself. We do this by examining these questions: What modes of argumentation and narratives are there? What types of ethos can we see and how are social identities constructed? Is there an active or passive voice in the text? What theme (or pattern) can we find in the text? What sort of modalities can be found, are they subjective or objective? Are there particular words that are being used, and what are their meanings?

- C. *Social Practice:*** Here we examine the social practice of which the discourse is part of by looking at the following questions: What social and hegemonic relations (power-relations) can be seen in the text? What effects can be found that contribute to reproduce or to transform these power-relations? How can we see a link between the discursive and the social practice? Are there any ideological or political effects of the discourse?

- ***Discursive Institutionalism and Richardson's observations:***

In addition to Fairclough's (1992) CDA, Schmidt's (2008) theory of Discursive Institutionalism, combined with the observations by Richardson (2000 & 2005), will be used to analyze whether the Swedish SOUs show similar development and discursive change that can be observed internationally. For convenience, I have summarized the observations by Richardson (2000 & 2005) into five shorter sentences, presented in the sub-chapter 'Testable theoretical framework' of this Thesis.

Critical evaluation of CDA as method in this Thesis:

The reason I have chosen to do a Critical Discourse Analysis, which counts as both theory and method, is that I want to point to the social meaning of language within discourse, rather than to try to find how often a phrase or a word is being used. Alternatively, I could have done a *Content Analysis* to examine how often a particular word is present in the examined material, and compare this with how often the word in question is found in connection to a certain modality (Marshall & Rossman, 2016). The problem with this approach lies partly in the data that is available to me, even though the SOUs are accessible as a PDF file on the Swedish Governments' web page, the SOUs produced before the 21st Century are presented as photographs of printed pages, and not available in a format that allows computerized word search. In addition, since I am interested in the discursive change that has occurred during the last decades, a Content Analysis would not be able to explain how the discourse has changed, or what societal and ideological events have contributed to this discursive change.

Another consideration of the method of this Thesis is the fact that I am doing a CDA on translated material. Since the material I will use is only available in Swedish, but the course I am taking is given in English, I do not have much of a choice but to translate the material. On the other hand, the fact that this Thesis is produced in English opens up all this information and historical display of the development for homosexuals in Sweden to a broader public, which might in fact be a good thing. Nevertheless, it is important to keep in mind that translating texts might be problematic (Marshall & Rossman, 2016). Fortunately, the amount of data that will be translated is not too great, since I only intend to use a few quotes from each SOU, and I will give the readers access to the original untouched Swedish quotes in the Appendix. I hope this will be sufficient to validate the translated quotes.

Ethical Considerations

The Swedish Research Council [*Vetenskapsrådet*] states that for research to be ethically produced, the researchers must maintain their professional integrity. The researcher must consider four aspects. First, the *reliability* is important and should be reflected by the design, method, analysis and resources. Second, the *honesty*, where the research ought to be open, fair, complete and objective, so that other researchers can trust the results. Third, the *respect*, where we as scientists should respect our colleagues, research participants, the society, the ecosystems, cultural heritage and the environment. Fourth and final, the *accountability*, where the researcher has a responsibility of the research that is conducted, and for the future consequences the research might have (Vetenskapsrådet, 2020).

According to Fairclough (1992), it is important to acknowledge that the results from a discourse analysis can be used as a resource in *Social Engineering*. However, since all my data is available to the public through the Swedish Governments' web page, those institutions that participate in Social Engineering would be able to access the raw data anyway. My research is therefore not conducted with sensitive information as other types of research might be.

Another ethical consideration that must be discussed is the fact that when translations of texts are done, there might be problems of worldviews or thoughts not being accurately represented in the new language (Marshall & Rossman, 2016). In my case, the data is government commissioned, and part of public records, written in an official language, which I would argue makes the translation easier. The official language used in these SOUs has an official equivalent in the English language, since Swedish and English are two languages represented by two westernized democracies. I would therefore argue that the similarities in the official languages are greater than the differences.

Data

The function of the Government Commissioned Reports (the SOUs)

Before legislation of laws in Sweden, preparatory work is continuously done to get some indications on how the law should be interpreted and whatever changes to existing laws should be considered (Axelius Borgström, 2009). The SOUs in Sweden are part of this preparatory work, and either the Swedish Government, or the Swedish Riksdag, appoints a committee, whenever there is a need for a change to a law, or the creation of a new law (Lundberg, 2011). The SOUs can also be seen as the knowledge base from where political actors get their information when determining an opinion or need to negotiate with other political actors (Lundqvist, 2007). The committees that produce the SOUs usually consist of politicians and experts who are directed to examine the issue at hand. The result from the commission and the proposal for new laws are then presented in the form of an SOU. The SOU later goes on remittance to different government agencies and other organizations that might have comments on the new legislative proposal (Lundberg, 2011). The remittance comments, together with the SOU, are then presented to the Council of Legislation [*Lagrådet*] who conducts a legal technical examination of the proposal of the new law, and sends it back to the Government with their own comments whether or not the new proposal is compatible with the Constitution and other general legal principles (Lagrådet, 2020). The Government considers the comments from all of the above, and makes necessary changes to the legislative text. Finally, the Government presents the new law to the Riksdag for voting (Lundberg, 2011).

Empirical Selection

The selection of the empirical material has been done with focus on finding Government Commissioned Reports, SOUs, with high focus on homosexuality. There are between 50 and 200 SOUs produced each year in Sweden (Lagen.nu, 2020). By searching for specific keywords (SOU, homosexuality, sexual, same-sex, discrimination, partnership) and by reading previous research, I have found the SOUs that I consider the most relevant to my own research. With this said, just because I have chosen these specific SOUs I make no claim of having used all the SOUs available that concern homosexuality or sexual minorities in general.

Demarcation

Due to the scope of this Thesis, I cannot do a CDA on the entire SOUs. The SOUs are often between 60 and 400 pages, and I intend to analyze nine of them. To do this, I have tried to find the quotes that I believe summarize the essence of each SOU. The chosen quotes need to contain the word 'homosexual', so that I can have some sort of selection when searching for a good quote. After reading the quotes repeatedly, I have decided to shorten them by removing text that is not relevant. In one case, the part containing the word 'homosexual' has been cut out to shorten the quote.

Data Processing

To begin with, I had to find out which SOUs there are that concern my topic. On the Swedish Governments' web page, there is a link where you can find all the SOUs ever created, dating back to the first one in 1922. Since they are all public documents, I could download the ones I needed directly from the web site. To find these documents, I read all the headlines of the SOUs and found the ones that concerned homosexuality, sexuality, and minority groups. While reading the literature that I have presented in the Background and Previous Research chapters, I also found additional SOUs that concerned my topic. After finding and printing the SOUs, I quickly realized that the amount of material is too much to process (over 1000 pages) if I want to be able to complete this Thesis. Therefore, the decision was made to limit my CDA to just a few quotes from each SOU. To find the right quotes, I have read the most prominent part of the SOUs again and again. The aim has been to find a quote that captures the essence of the SOU. After finding between 5-10 quotes from each SOU, I have read the chosen quotes repeatedly, and thereafter chosen which ones to keep and which to remove. Since the data is all in Swedish, the most challenging part of the data processing has been the translation of the quotes. I have tried to stay true to the original Swedish quote to the best of my ability, but since the Swedish and the English languages are structured differently, sometimes I have had to reverse the sentences to make them understandable to English speaking readers. In the Appendix to this Thesis, the reader can find the original quotes in Swedish and compare these to my English translations.

Reliability, Validity and Credibility

The *reliability* of the data might be questioned since I have translated the quotes from Swedish to English. According to Marshall and Rossman (2016), when the data has been translated, it is no longer raw data, but has become processed data. I still believe that this transformation of the data from raw into processed is acceptable, if I as a researcher am humble about the fact that this complicates things in a matter that would not be the case if this Thesis would have been written in the same language as the original data. The decision to translate the quotes derives in an effort to be able to present this Thesis in a coherent way, and not mix Swedish and English too much.

According to Marshall and Rossman (2016), there are many ways to achieve *validity*. For example, the researcher can search for alternative explanations, use rich data, or rely on comparisons. However, the main tool for achieving validity is through the researchers own reflexivity (Marshall & Rossman, 2016).

Marshall and Rossman (2016) also argue for the need of data reduction, to turn the data into manageable chunks of information and offer interpretations to be able to bring meaning to words in the chosen quotes. Also, alternative interpretations should be discussed, since different persons may have different understandings of the same data. This is important for the *trustworthiness*, *credibility* and *transferability* of the collected data. Therefore, I have chosen to use only a few quotes from each SOU, because this makes the data more manageable and easier for other researchers to examine and criticize.

Analysis

As explained in the Method chapter of this Thesis, the analysis will follow the structure set by Fairclough (1992). The disposition in this chapter will have the following structure: First, the examined SOU will be presented shortly, followed by the chosen and translated quotes. Then, I will conduct an analysis of the Discursive Practice (A), followed by the Textual Analysis (B) of the quote. Finally, the Social Practice (C) of the SOU will be analyzed. After this structure has been followed for each of the chosen SOUs, the Result will be presented in the next chapter with Schmidt's (2008) theory of Discursive Institutionalism followed by Richardson's (2000 & 2005) observations of what discursive development are to be expect in comparison with international research.

Each quote will be presented with a side note, q1-q20, where 'q' = quote, and the number represents the order of presentation of the quotes – so that references can be made with more ease when discussing the quotes later in the analysis. In the Appendix, the quotes and their original Swedish counterparts will be presented with the same side notes.

Some parts of the 'Discursive Practice' in Fairclough's (1992) CDA model are the same for every SOU. Therefore, these parts will be summarized already in the following paragraph to prevent repetition later in the analysis.

A committee, consisting of 3-10 persons, collectively produced every SOU (except for SOU1943:3 which was produced by a single individual). The receiver of the SOUs is always the Swedish Government. Most of the chosen SOUs was produced by the Department of Justice [*Justitiedepartementet*], with the exception of SOU1984:63, which was produced by the Ministry of Social Affairs [*Socialdepartementet*], and SOU1997:175, which was produced by the Labor Ministry [*Arbetsmarknadsdepartementet*].

1. SOU1935:68

‘Memorandum regarding Amendments to the Penal Code concerning the Penalties for Particular Crimes etc.’

This SOU was the first official document from the Government that concerned homosexuality. The focus of it was to make many changes to the Swedish Penal Code, and thus, the issue of homosexuality was covered in 12 pages only. The main argument in it is that homosexuality should be seen as a mental illness, and that society needed to be protected from homosexuals.

q1 In assessing the question of a possible repeal of the present Penal Code, it must of course be considered, whether this may fear a freer disclosure of homosexual inclinations or whether this is prevented already by *the perverts’ awareness of the instinctive disgust, felt by every healthy person for their abnormality*. The important question of *the protection of the youth against undue influences*, of course, deserves special attention. (SOU1935:68, pp.77-78, my translation, my cursive).

A. Discursive Practice

The SOU of 1935 was produced in a climate where there was not much knowledge about homosexuality in society. The Swedish Church still had a strong hold on society, and sex outside marriage, or between other types of constellations than a man and a woman, was seen as a sin, and a sign of moral decay of society. The genre found in the quote is the ‘morality discourse’, that there is a need to take actions to protect society against what is deemed morally wrong. The authors of the SOU discussed whether to repeal the existing law against homosexuality or not, since the existing law apparently was not effective enough in limiting homosexuality, and also, what could be done otherwise to ensure the societal protection from the moral influences of homosexuality.

B. Textual Analysis

Looking at the quote, the narrative assumes to be representative of the collective opinion of society. Indicating that the pervert (the homosexual) is aware of the wrongful sin he commits, and that every normal person in society views homosexuality with disgust. In addition, there is a general idea presented, that the youth need to be protected from homosexual influence. The ethos found are the construction of the ‘normal citizen’ with high moral values, the ‘dangerous citizen’ that society needs protection from, and the ‘exposed citizen’ that risks falling under the influence of the dangerous citizen. The voice in the quote is mostly passive, arguing the agent as a disembodied figure in society, a sign of moral decay, rather than a specific group of people within the society. Homosexuality is seen as an affliction, rather than

a specific personality trait. The theme found in the quote would, in the climate it was produced, be described as a ‘protective theme’. The modality found is, first, a strong agreement with the text from the producers, but also, an objective modality when assuming that ‘every healthy person’ feels in this particular way, and finally, a subjective modality when arguing for the need of protection of the youths. There is also some words or combination of words that are particularly interesting: *perverts, instinctive disgust, healthy person, abnormality, undue influences*.

C. Social Practice

The social practice found in this quote, is that homosexuals are described as ‘abnormal perverts’, and of making ‘undue influence’ to the exposed group of youths, whilst the ‘normal people’ in society are described as ‘healthy persons’ that feel an ‘instinctive disgust’ against homosexuality. Thus, shaping the idea that this is the ‘normal attitude’ from the society, and that to remain normal and healthy, you should agree with these values. The power-relations found in the quote, are the hegemonic relation between the majority group of normal people in society (the heterosexuals), who holds the legislative power against the minority group of perverts (the homosexuals). Also, there is the exposed group (the youths), who are vulnerable to the influence of the perpetrators (the homosexuals). Here, the power-relations are reversed, assuming that homosexuals has the power to influence the youths in a negative way, which would affect society as a whole negatively in the long run. The effects to reproduce these power-relations are clear. Since the majority group was described as sane, whilst the minority group was described as insane, it justified legislative or medicinal actions from the state to protect status quo. The link between the discursive and social practice is the reproduction of existing power-relations, and the fact that the Swedish Government choose to keep the law against homosexuality, since it remained being seen as a societal dangerous and contagious habit that contributes to moral decay.

2. SOU1941:3

‘Measures to Combat the Socially Dangerous Manifestations of Homosexuality’

The main argument in this SOU was that the previous penalty of imprisonment or hard labor had not successfully rehabilitated the convicted homosexuals, since they continued with their homosexual sin after their release. Instead, the writer of the SOU argued for a removal of homosexuality from the Swedish Penal Code, to classify homosexuality as a form of insanity.

Therefore, homosexuals should be placed in a Mental Institution, with force if necessary, to protect society from future homosexual misdeeds.

q2 In my opinion, the best way to combat the *socially dangerous manifestations of homosexuality* is, that not only insane and feeble-minded [...] but also all *distinctly homosexuals and bisexuals* [...] *be taken care of in mental health care*... (SOU1941:3, p.18, *my translation, my cursive*).

q3 In the case of those homosexuals who do not *belong to a more antisocial, parasitic type*, nor do they belong to the category of alcoholics, *care in mental health care* [...] *becomes the most appropriate treatment when they commit homosexual acts due to their abnormal sexual drive, which is criminal*. (SOU1941:3, p.20, *my translation, my cursive, my underlining*).

A. Discursive Practice

As in the case of the previous SOU, the climate had not changed much in the six years between these SOUs. In this SOU, there is even more of a ‘protective discourse’ going on, arguing for homosexuality as a form of insanity that actively threatens society, and needs to be dealt with in a more efficient way than has been done in the past. The purpose of this SOU was to protect society against homosexuality, and to do this, the argument was that it should be removed from the Penal Code, since punishment did not work to discourage or rehabilitate homosexuals. Instead, if they could be deemed as mentally ill, they could be locked up in a mental institution, and since mental illness is not a crime, no public trials were needed to be held before locking away the homosexuals from society.

B. Textual Analysis

In these two quotes, the narrative is focused on ‘solution oriented’ ideas. There is an assumed notion that homosexuality is dangerous to society, portrayed as if this was obvious. The solution presented is to remove them from society, to make them invisible. Since homosexuality should be decriminalized so that no public trials were needed, there would neither be any public reports of homosexuality. Homosexuals could instead be locked away in secret, thus preventing society from having to be exposed to the “socially dangerous manifestations” of seeing the word ‘homosexuality’. The ethos found in these two quotes is focused on homosexuals as a particular type of individual in society. Homosexuals are equated with insane, feeble-minded, and alcoholic people, in an effort to depict how they are deviant from normal people in society. The voice of the text is very active. The agent to whom actions must be taken is clear as the homosexuals, and as part of the group of mentally ill people in society. The theme is once again ‘protective’ if seen in the climate of where it was produced. The modality found is strongly attached with the author’s own opinion, and

thus agreed with strongly by the author. Furthermore, there is a clear subjectivity of the modality, since the author is clear with what his own opinion is, and how this issue should be dealt with. Interesting wordings in the quotes are: *socially dangerous*, *distinctly homosexuals*, *antisocial*, *parasitic*, *abnormal sexual drive*.

C. Social Practice

In the social practice it is found that homosexuals are viewed as ‘dangers to society with an abnormal sexual drive’, but also that there are some types of homosexuals that are both ‘antisocial and parasitic’. The distinction was made to point out that there are homosexuals who act like ‘normal people of society’, and do not necessarily possess these obvious character flaws of being *antisocial* or *parasitic*. Nevertheless, even the ‘normal acting’ homosexuals should be placed in mental care institutions because they committed criminal acts. Notice that in q3, the author argues for the incarceration in a mental care facility due to the fact that homosexual acts *are* criminal, but the SOU overall, produced by the same author, argues for a decriminalization of homosexuality. The argumentation is therefore no longer the moral decay of society, but instead tries to point to the fact that the act itself *is* criminal, and thus deserves this type of punishment. Also, the term “distinctly homosexuals” in q2, implies that there were homosexual acts that could be committed by people who were not themselves homosexuals, and should thus not be placed together with those who were ‘distinctly homosexuals’. In terms of social practice, as mentioned in the Background, in the 1930s there were many news articles published about homosexual blackmailing, where prominent people of society got threatened and accused of being homosexuals. Therefore, it is easy to imagine that it was likely important for the producer of the text to specify that only ‘authentic homosexuals’ should be incarcerated in a mental care facility. The power-relation in these quotes is ‘the disembodied society against the mentally ill parasites (the homosexuals)’. In comparison with q1, where the different agents were clearly specified, in q2 and q3 there are the agents of homosexuals and other mentally ill individuals, but there is no clear agent representing rest of society. Power-relations are both reproduced and reinforced with this text, judging homosexuals as parasites on society. The link to the discursive practice can be seen both by the reproduction of societal power-relations, and in that the following SOU resulted in the same type of arguments, and eventually even a political effect, when in 1944 there was a change in the Penal Code where homosexuality was decriminalized, but instead became defined as a mental illness.

3. SOU1941:32

‘The Penal Code Committee’s Opinion with Proposed Legislation regarding Measures to Combat the Socially Dangerous Manifestations of Homosexuality’

The main arguments in this SOU follow the ones from the previous SOU, also from 1941. The Penal Code Committee agreed with the previous SOU that precautions needed to be taken in order to protect society from homosexuality.

- q4** To the vast majority of the members of society, homosexuality appears as a deviation from sexual life and its manifestations seem [...] *repulsive and arouse feelings of reluctance and distaste*. [...] It must [...] be considered important to prevent homosexuality from being allowed to appear in a way that *hurts the general sense of decency*. (SOU1941:32, p.13, *my translation, my cursive*).
- q5** The need to satisfy *external decency and public order* should, in the opinion of the committee, lead to a far-reaching ban on homosexuals from exposing their homosexual inclinations in places where *the public is in danger of witnessing it*. To some extent, this also satisfies the considerable desire to *prevent the danger of mental infection*, which an open manifestation of a homosexual attitude may entail. (SOU1941:32, p.16, *my translation, my cursive*).

A. Discursive Practice

The climate when the text was produced was the same as in the previous two SOUs. Genres found is the ‘protective discourse’ and the ‘morality discourse’, which could also be found in the first SOU from 1935. The purpose was to find a way to protect society from both a moral decay, and from the dangers it imposed to social order if homosexuals were to manifest their tendencies in the public sphere. The main argument is that society needed to be protected from having to witness or talk about homosexuality, since this in itself was an offense to decency and public order.

B. Textual Analysis

When examining the quotes, the same narrative found in q1 can be seen, where a ‘representative public opinion voice’ is used to justify the proposed measures. The ethos is firstly the ‘normal citizen’, who is characterized by decency and public order. Secondly, it is the ‘dangerous citizen’, who infests the innocent public with reluctant, repulsive, and distasteful feelings. And finally, the ‘exposed citizen’ who, in comparison to q1, is no longer ‘youths’, but practically anyone in society who is decent, and therefore at risk of being mentally infected by the homosexuals. The voice is active, since the agent of homosexuals has become more specific, like a perpetrator who aim to bring ruin to the decency of society.

The theme is still ‘protective’, with the aim to protect the majority group. The modality within the text strongly agrees with its content, since the public opinion is presented firstly, followed by suggestions of measures to ensure that the vulnerable group of ordinary citizens should not have to encounter the morally decayed homosexuals. The modality is objective in q4 when describing that ‘the vast majority of people feel the same way when encountering public manifestations of homosexuality’ and, that ‘public manifestations of this will hurt the general sense of decency’. However, in q5, the modality is more subjective, since it argues for actions that the state should take in order to protect the innocent public. Interesting words in these two quotes: *repulsive, reluctance, distaste, external decency, public order, mental infection*.

C. Social Practice

As seen in q4, homosexuality was attributed to be causing feelings of ‘repulsiveness, reluctance and distaste among the public’. Therefore, it was important to protect society from these feelings, by preventing homosexuals from appearing in a way that would arouse these types of feelings. In q5, the argument is that homosexuals should be banned from expressing their homosexuality in public, to prevent the public from having to witness or encounter these morally decayed people. In addition, there is an expressed concern that open homosexual attitudes might cause a ‘mental infection’ in those who witnessed it, as if there was a sincere fear in society of people becoming infested with homosexual ideas, and become homosexuals themselves. Therefore, the power-relations once more are the ordinary citizens, worthy of protection, and the evil citizens, who aims to cause decay to public order. The effect of this SOU was that existing power-relations in society were reproduced and further spread the fear of homosexuals. The link between the discursive and social practice is visible by the fact that the climate of society, with the fear of homosexuality, both being represented and reproduced in this SOU. Also, it resulted in the political effect of the decriminalization of homosexuality in 1944, to be able to accuse homosexuals of mental illness to protect society from them in this way, instead of through criminalization.

4. SOU1968:28

‘The Gender Affiliation of Intersexual Persons’

The focus of this SOU was the issue of intersexuality, and whether the state should view ‘sex’ as a *biological* or *psychological* determinant. Since the focus is not on homosexuality per say, I will only use two short quotes from this SOU, as a demonstration on how the state viewed homosexuality during this period, as otherwise there would have been a gap between 1941

and 1984. This being the only SOU I have found that addresses homosexuality during this time.

q6 As far as the line between homosexuality and transsexualism is concerned, there now seems to be no doubt that *these are two separate conditions*. (SOU1968:28, p.29, *my translation, my cursive*).

When examining the issue of transsexuality, the commission of the SOU argued that it should be possible for people who perceived themselves as transsexuals, and belonging to the opposite sex of what they were biologically born as, legally to change their sex to the one as they perceive themselves. The commission also argued that this would *not* risk resulting in a ‘spread of homosexuality’.

q7 For the same reason, the inquiry considers itself able to completely disregard *any risk of spread of homosexuality*. (SOU1968:28, p.45, *my translation, my cursive*).

A. Discursive Practice

The climate this SOU was produced in was similar to the climate in the 1940s. The SOU was published one year before the Stonewall Riots, but after the founding of RFSL and after the Sexual Revolution. The genre found is influenced by previous SOUs, and in q7, a ‘protective discourse’ is detected, where the authors argue that transsexualism does *not* mean a risk for ‘the spread of homosexuality in society’. The purpose of the SOU was to examine transsexualism and not homosexuality, but the issue of homosexuality is mentioned, if just in passing. This gives a pointer to the societal and governmental attitude toward homosexuality during this period. As found in q6, transsexualism and homosexuality are referred to as separate ‘conditions’, which can be understood as a form of mental disorder. Thus, they were both viewed as mental illnesses, which should be dealt with in different ways, and not mixed together.

B. Textual Analysis

The narratives in the quotes are formal and descriptive. The ethos found is the construction of social identities of homosexuals and transsexuals as ‘mentally ill people’, but also, the identity of homosexuals as ‘carriers of an infectious disease’, which, if not contained, were at risk of being spread in society. Because the agents are known, the voice is active, and the authors refer to facts with statements rather than universal truths. The theme found is the ‘medical discourse’. The authors agree highly with the text, since they use wordings like “no doubt” and “completely disregard”. Also, there is a subjective modality found in both quotes. Interesting wordings to notice are: *conditions, spread of homosexuality*.

C. Social Practice

The social practice observed is the idea that ‘the mental condition of homosexuality was also a contagious disease that risked spreading in society’. The power-relations thus remained in the late 1960s, where the ‘normal’ and ‘healthy’ public needed protection from the dangerous homosexuals. Interesting is that the commission did not consider transsexualism as something that was dangerous to the public or to society. The statement “any risk of spread of homosexuality” shows that there was a prominent fear within the public, and perhaps even within the Government, that the investigation of transsexualism could open the door for the socially dangerous homosexuals. Even though this SOU per say does not have any clear ties to any political or ideological effects concerning homosexuals, it is still a receipt of what the attitudes were in Swedish society during the 1960s. The link found between the social and discursive practice is the reproduction of social values regarding homosexuality, and again, a description of homosexuality as a threat to society.

5. SOU1984:63

‘Homosexuals and Society’

The aim of this SOU was to shed light on the situation of homosexuals in Swedish society, and to acknowledge the fact that the only thing that makes a homosexual person different from a heterosexual one, is that the homosexual person is emotionally attracted to a person of the same sex. The SOU reports both that homosexuals were being discriminated in society, and that the Government should try to help the homosexual citizens in Sweden. The SOU also stated that the main problem for homosexuals was their invisibility; it therefore recommended that homosexuals should become more open with their sexuality, and that both state and media needed to start talking more openly about homosexuality.

q8 Our research has led us to the conclusion that two conditions are crucial to the social situation of homosexuals. The first is that *the silence about homosexuals and homosexuality is almost complete*. Homosexuality is not an integrated part of society; it is lacking as a social and cultural institution. The second condition is that *there is a social ban or taboo toward homosexuality*. (SOU1984:63, p.21, *my translation, my cursive*).

q9 However, information and education are in themselves insufficient, as they tend to lose their validity over time; i.e. it is not possible in the long run to inform that there are homosexuals, *if heterosexuals never meet them in everyday life. The importance of homosexuals conducting themselves in an open manner*, and creating conditions for this should therefore be emphasized once again. (SOU1984:63, p.130, *my translation, my cursive*).

A. Discursive Practice

The climate in which this SOU was produced had become quite different from the previous four. Political actors had started to express themselves in favor of homosexuality, and a decade earlier, the Government expressed the notion that same-sex cohabitation was fully acceptable in society. Sexual acts in general had become more liberal, the National Board of Health and Welfare had removed homosexuality from their list of mental illnesses, and the AIDS epidemic in Sweden had begun. In summary, a lot had happened in society on the issue of gay rights during the 16 years between 1968 and 1984. However, the committee still acknowledged the fact that homosexuality was a taboo subject in society, and that the state should act in favor of homosexuality, and that the homosexuals themselves should act to become more visible in society, and in doing so, lift the social ban. The genre found is an 'integration discourse', where the committee argues for more information and more openness of homosexuals in society. This was the first time in a SOU that homosexuals were being encouraged to become a visible part of society. The purpose of the SOU was to shed light on the situation of homosexuals in Swedish society, to examine what could be done for this vulnerable group. This was the first time homosexuals were viewed as an exposed party that needed help and protection, rather than being an evil agent that should be removed from society.

B. Textual Analysis

The narrative of the quotes is formal, focused on 'problem identification', and 'solution oriented'. Not much is said to why there was a problem to start with, but at least the SOU acknowledges the fact that there was a problem. The ethos found are homosexuals as the 'invisible citizen' that contributed to the current situation by reproducing the taboo, since homosexual individuals were not open with their sexuality. Heterosexuals are socially constructed as the 'naïve citizen' who did not see, and therefore, could not understand homosexuality, since they were not exposed to it on a daily basis. The voice of the quotes is very active, the agent is clearly emphasized as homosexuals. The theme can be described as 'informative' since it emphasizes the role homosexuals must take themselves to distribute information about themselves to the rest of the public. Since the focus is largely on what homosexuals themselves should do, it is obvious that the authors of the text agreed that this was the best course of action, and thus, the modality is subjective, since it is presented in the committee's opinion. Particularly interesting wordings in these quotes: *social ban*, *taboo*, *conducting themselves*, *open manner*.

C. Social Practice

The social practice found is that homosexuals are recognized as a vulnerable group that is not integrated in society, and the acknowledgment that there is a social ban and taboo toward homosexuals. In addition, ‘state intervention’ is emphasized with solutions like ‘information’ and ‘education’, to help this minority group become a more integrated part of society. There is also the emphasis on homosexuals themselves to take more responsibility in changing the attitudes toward them in society. This is where this SOU becomes interesting. In the four SOUs before this one, it has been shown that the state had a strong discursive role in reproducing negative attitudes toward homosexuals in the past. In this SOU, homosexuals was still viewed as the actors who had themselves to blame for their situation, since they were not open enough with their own sexuality. It is almost as if the producers of the SOU wants to swear the state free of guilt regarding why this minority group was being discriminated in society. Within q8, the power-relations found is ‘society versus homosexuals’, and the state as a main actor to accomplish change in the attitudes toward homosexuals. However, in q9, homosexuals are viewed as a powerful actor, equally as strong as the state in the ability to achieve change in public opinion. One could argue that there is an effort to try to transform the power-relations in q8, by expressing the need for homosexuals to become an integrated part of society. Nevertheless, in q9, the power-relations are being reduced by the fact that homosexuals were somewhat blamed for why they experienced discrimination in society. The link between the discursive and social practice from this SOU is however clear, it resulted in both ideological and political effects. In the years that followed, homosexuality was added to the Prohibition of Discrimination in the Penal Code, and the Homosexual Cohabitation Act was legislated. This SOU also laid the groundwork for the rest of the SOUs I examine in this Thesis.

6. SOU1993:98

‘Partnership – Part A’

This SOU aimed to discuss the different constellations of partnership, both with partners of opposite sex and with partners of the same sex. The main argument in it is that there should not be any differences between heterosexual versus homosexual relationships.

- q10** Our position has an ideological basis. It is based on the idea of the equal value and equality of all human beings before the law. *We acknowledge homosexual love as equivalent to heterosexual love.* We acknowledge – not deny – the love between people. Love is an important driving force for both personal and societal development. From this point of view, we believe that *it is not up to society to have views on people’s choice of cohabitation form.* Society’s role should instead be to make it easier for – not prevent – people to live in accordance with their own wishes... (SOU1993:98, p.11, *my translation, my cursive*).
- q11** *Although it may seem obvious to most people,* there is reason to point out that *homosexuality is not a disease. It cannot be ‘cured’ nor is it contagious.* (SOU1993:98, p.51, *my translation, my cursive*).

A. Discursive Practice

The climate in where this SOU was produced was more open than in the previous ones. In the time since the previous one, new legislation had come into effect. Denmark and Norway had enforced their Registered Partnership Acts, the Berlin Wall had fallen, and the Cold War had ended. Homosexuality had become visible in a way that it was not in 1984, and the attitude from the Government was more positive than ever. The genre found in q10 is an ‘equality discourse’, where for the first time, homosexuals are considered equals to heterosexuals. The purpose of this SOU was to discuss the different partner constellations found in society. It was also a celebration of love, arguing for the importance of love between people, and that this love help develop society in a positive direction. The SOU also clearly states that it does not concern neither state nor society who a person chooses to love or to live with.

B. Textual Analysis

The narrative of the quotes makes a statement, to show society where the Government stands regarding homosexuality, and to be an active driving force in raising awareness and acceptance of homosexuality in society. The ethos found is, for the first time, that both homosexuals and heterosexuals are socially constructed to form the same unity of citizens. According to the quotes, there is no difference between people based on their sexual orientation. The themes found are ‘equality’ and ‘human rights’, and the modality found shows the authors’ strong agreement with what is written in the text, with statements like “our position”, “we acknowledge”, and “we believe”. The modality is also very subjective in q10, with clear statements on what society should or should not have opinions on. At the same time, in q11, there is an objective modality when stating that ‘this should seem obvious to most people that homosexuality is not a disease’, almost as if this statement was a universal truth. There are some particularly interesting wordings: *homosexual love, equivalent, disease, cured.*

C. Social Practice

For the first time, in this SOU, homosexuals are not described as a different kind of people; they are described as equals to heterosexuals. Thus, there was an effort from the producers of the SOU to transform the power-relations in society, to give power to homosexuals. However, there is another power-relation visible in q10, the power of ‘the state versus those who oppose the idea of people’s equal value’. The statements are very clear. Society had no business in opposing homosexuality from this point forward. In addition, there is a transformation in the discourse, compared to the first four SOUs. In q11, the authors clearly state that “homosexuality is not a disease”, that “it cannot be cured”, and that “nor is it contagious”. This quote is an absolute contrast to the ideas from the 1930s up until the 1960s. Another important difference is that for the first time, the concept of love was attached to homosexuality, which helped remove the label of homosexuality as a deviant form of sexuality, to instead become understood as a lifestyle. The link between the discursive and social practice is seen in how the transformation of the homosexual discourse has taken place. Instead of being a minority group, homosexuals were incorporated in the societal discourse, thus blurring the boundaries between the majority and the minority, creating an equal union. This SOU resulted in the Swedish Registered Partnership Act, legislated in 1995.

7. SOU1997:175

‘Prohibition of Discrimination in Employment on grounds of Sexual Orientation’

This SOU aimed to identify the need for protection against discrimination based on sexual orientation in the labor market. The main argument was that an employer should not be allowed to discriminate against any sexuality, and should take actions against discrimination if an employee at the workplace reported it. However, a common attitude in the SOU is that if the discriminatory attitudes were not directed toward a specific individual at the workplace, this could be accepted and should not rest upon the employer to fix.

q12 *Surveys show that discrimination occurs, but not that discrimination is a truly burning issue.* (SOU1997:175, p.11, my translation, my cursive, my underlining).

q13 *Bullying and other types of harassment is a major problem for many homo- and bisexuals.* Such harassment is often due to negative attitudes toward homosexuals. (SOU1997:175, pp.13-14, my translation, my cursive, my underlining).

- q14** More people still *prefer to hide their homosexual orientation* rather than to show it openly. Often, the reason for this ‘strategy of concealment’ is fear of the reactions of those around you. *Many homosexuals experience this as a very big, daily problem*. In that sense, homosexuals and bisexuals are an exposed group. (SOU1997:175, p.96, *my translation, my cursive, my underlining*).
- q15** Probably, one of the best ways for homosexuals and bisexuals to gain increased understanding and acceptance is to *establish personal relationships* in the daily contacts with heterosexuals – employers and others – and show that sexual orientation does not matter in the work life. However, this sometimes *requires a change of attitude even among the homosexuals*. (SOU1997:175, p.106, *my translation, my cursive*).
- q16** In practice, this means that the individual who does not let employers and coworkers know that he or she has a homosexual or bisexual orientation *cannot invoke the law in this regard*. (SOU1997:175, p.136, *my translation, my cursive, my underlining*).

A. Discursive Practice

The climate of this SOU was in the aftermath of the SOU of 1993. Acceptance toward homosexuals was not the best in society, but on governmental level there was an effort to include homosexuals. The same year as this SOU was published, the Treaty of Amsterdam was presented by the European Union, which shows that the topic of homosexuals’ rights was high also on the European agenda. At the same time, the labor market in Sweden argued that there was no need to prohibit against discrimination toward sexual orientation in the work force, because this was scarcely a problem in workplaces. The genre found in the quotes is a ‘discrimination discourse’, where focus is high on where the responsibility of this discrimination lies. The purpose with this SOU was to examine whether there was a need for a legislative protection of homosexuals in the labor market.

B. Textual Analysis

When examining the five quotes there is a bipolarity between them, making it hard to capture where the narrative lies. On the one hand, q12 states that ‘even though discrimination in workplaces (toward homosexuals) occurs, it is not a burning issue’. However, q13 states that ‘bullying and harassment is a major problem for homosexuals’. It could be argued that the producers of the text aimed to please all parties, both the discriminated homosexuals and the discriminatory labor market. That the SOU of 1984 laid the foundation for the research in this SOU becomes obvious when examining the ethos. The social identities constructed are, once again, the ‘invisible citizen’, meaning the homosexuals, and the ‘naïve citizen’, portrayed as the heterosexuals. In q14, q15 and q16, homosexuals are deemed the villain as they ‘choose to hide their sexuality’, even though it is stated in q13 and in q14 that ‘the discrimination they

meet is a huge problem'. In addition, homosexuals were seen as part of their own discrimination, and that they would have to change their own attitude if they wished for a better work climate. If they were not open with their sexual orientation, they should not be able to invoke the law, because their 'naïve' coworkers could not know they were being discriminatory. The voice of the quotes is active, clearly separating between homosexuals and heterosexuals, thus reinforcing the idea that there is a difference between the two agents. The theme found in the quotes is 'discrimination'. The modality is not clear in these quotes. As q12 and q13 are each other's opposites, it is not certain whose side the authors of the SOU take. To some degree, the authors agree to what is written, but it becomes clearer in q14-q16 that the authors accept the premises from the SOU of 1984, that homosexuals are participating in their own discrimination. The modality is mostly objective in these quotes, since it is not obvious whose perspective the authors take, and neither do the authors present a clear perspective of their own. The most interesting wordings: *burning issue, prefer, strategy of concealment, establish personal relationships, change of attitude.*

C. Social Practice

The social practice found in this SOU is that homosexuals are described as persons who willingly *prefer* to hide their sexuality, as if this is something they want to do, due to some hidden agenda which is called a "strategy of concealment" in q14. The homosexuals' situation is not discussed as an oppression, even though it is stated that homosexuals feel a "fear of the reactions of those around you". However, this is not developed further. This discursive choice from the authors reproduces the power-relations between homosexuals and heterosexuals, rather than transforming them. Once again, homosexuals are designed as a 'minority group', separated from the 'normal' heterosexual majority. There is also a hegemonic relationship shown between the employer and the homosexual employees, where the homosexuals themselves must do the work against discrimination, and cannot blame the employer for providing a discriminatory work climate. The link between the discursive and social practice can be noticed by the fact that two years later, in 1999, a new law came into effect, which prohibited discrimination in working life on grounds of sexual orientation. The Government listened to the parts of the SOU that stated that homosexuals were discriminated against in the labor market, even though the authors partially took the side of the employers in the labor market.

8. SOU2000:88

‘Organized Crime, Incitement toward Ethnic Groups, Incitement toward Homosexuals, etc. – The Scope of Criminal Liability’

A part of this SOU aimed to examine whether or not ‘homosexuals’ should be added to the law against incitement toward ethnic groups. The committee also examined the degree to which homosexuals were victims of harassment and offenses, due to their sexuality.

q17 In our opinion, there is no doubt that homosexuals are an exposed group in our society. [...] *...that anyone at all is exposed to threats or violence because of their homosexuality is unacceptable* and there is reason to *forcefully react to this*. (SOU2000:88, p.238, my translation, my cursive, my underlining).

q18 One criterion that must be met in order for a restriction in the ‘Freedom of Expression’ to be permitted, is that it must be done for a purpose that is acceptable in a democratic society... [...] *That the interest in protecting the group of homosexuals against threats or other expressions of contempt is such kind of an acceptable purpose, is for us considered obvious*. (SOU2000:88, p.239, my translation, my cursive, my underlining).

A. Discursive Practice

The climate in which this SOU was produced was in the aftermath of the European Union’s Treaty of Amsterdam. Also, the Stockholm Pride-festival had been held three years in a row, and the act that prohibits discrimination in working life on grounds of sexual orientation had been in effect for over a year. The visibility of homosexuals was greater than ever before, not just in Sweden but in many western countries. The genre found in the quotes is the ‘protective discourse’, but compared to the protective discourse found in the SOUs from 1941 and 1968, in this SOU the homosexuals are the ones in need of protection. The state is even encouraged to react forcefully against heterosexual citizens that expose homosexuals to threats or violence. Between 1935 and 1968, society was the party in need of protection from homosexual manifestations. In the new millennia, homosexuals was the party in need of protection against negative attitudes in society. The purpose of the SOU was to examine the possibility to add protection of homosexuals in the protection against incitement toward ethnic groups act. For this to be possible, it first needed to be determined if homosexuals could be called a ‘minority group’.

B. Textual Analysis

The narrative found in the quotes is not very formal. It is rich on expressions and has a clearly stated opinion. The ethos found is ‘homosexuals socially constructed as an exposed minority group’. Once more, there is a separation between the majority group of heterosexuals and the

minority group of homosexuals. However, there is a hidden agenda by the authors of the SOU. Separating homosexuals from heterosexuals and describing them as a minority group is essential to the purpose: to add homosexuals to the protection against incitement of ethnic groups act. In q18, there is a discussion of what is necessary in order to make restrictions to the 'Freedom of Expression', and the protection of ethnic groups was considered a valid reason at that time. Thus, the construction of the social identity of 'homosexuals as a vulnerable minority group in society' was crucial to be able to make this argument. The voice of the quotes is active, since the agent is clearly specified. The theme found in the quotes is once again 'protective', focusing on protecting homosexuals from the negative attitudes found toward them in the heteronormative society. The modality of the quotes shows that the authors strongly agree with the text. Their statements are clearly subjective. In q17 for example, the authors state that it is '*unacceptable* that people are experiencing threats or violence due to their homosexuality', and in q18 they state that it is '*considered obvious* that the protective needs for this ethnic group trumps the Freedom of Expression'. Wordings worth paying attention to: *exposed group, unacceptable, forcefully react to this, expressions of contempt, considered obvious.*

C. Social Practice

The social practice from this is that homosexuals are constructed as an exposed group, and that the state is encouraged to forcefully react on those who express themselves in contempt of this group, and that this attitude from the state should be considered obvious. This sends a clear message, not just to the Government, but also to society as a whole, that from this moment on, homosexuals are to be seen as a valued part of society, and the state should with force protect their rights to manifest their love and human rights in public. This is a huge step forward from what the attitudes were before the 1970s. The power-relations have shifted completely, the once detested group of homosexuals has become highly valued members of society, worthy of the strongest protection there is. For the first time, the power-relations have shifted to give more protection to homosexuals than to heterosexuals. In the opinion of the state, the protection of homosexuals allows the use of force, even if this mean hurting a heterosexual individual or group. This transforms the power-relations once more, to actively defend the homosexuals' right of coexistence. The link between the discursive and social practice is visible in the way that these modern SOUs are always a prominent part of when a new law is enacted by the Swedish Government, and that the attitudes of society push for discursive change.

9. SOU2007:17

‘Marriage for Couples of the Same Sex – Marriage Issues’

This SOU aimed to discuss the proposal of making it legal for same-sex couples to get married. It evaluated different perspectives on the issue, and argued for equality between heterosexual and homosexual couples, proposing that same-sex marriage should become legalized and be viewed as part of human rights considerations.

q19 The legal effects of a registered partnership do not differ significantly from a marriage. However, in my opinion, *marriage may be considered to have a higher symbolic value*. Traditionally, marriage has been considered to involve a lifelong relationship based on love and care, and on mutual obligations between the spouses. Although the development of society has led to a slightly different view of marriage, ‘registered partnership’ does not have the same signification as ‘marriage’ does in the general consciousness. For homosexuals, marriage is important as a *measure of value* both for their own relationships and for the attitude of those around them. From this point of view, *there is no reason to make any distinction between homosexuals and heterosexuals in terms of the possibility of entering into marriage*. (SOU2007:17, p.16, *my translation, my cursive*).

q20 *...that the previous discrimination toward homosexuals has been gradually abolished in an effort to equate them with heterosexuals*. [...] Excluding homosexuals from marriage violates their dignity and entails special regulation for their part. *The current system further reinforces prejudice and discrimination toward homosexuals*. (SOU2007:17, p.222, *my translation, my cursive*).

A. Discursive Practice

This final SOU was produced in a climate where the rights of sexual minorities were truly on the agenda. In the time since the former SOU from 2000, an act of equal treatment of students in higher education became legislative. The Act on Registered Partnerships in Sweden was updated to allow homosexual couples to adopt. The new Cohabitees Act replaced the former one and became gender neutral. The Penal Code was updated to include the prohibition of incitement toward homosexuals. Assisted fertility became legal for lesbian couples. Finally, an act that prohibits incitement or abusive treatment toward children and students became legislative. All of this in the past seven years, and with this SOU, it was time for the Marriage Code to be updated. The genre found in the quotes is an ‘equality discourse’, where the authors argue for equal rights between heterosexuals and homosexuals. The purpose of this SOU was to make it legal for same-sex couples to marry, and by doing this, remove the final obstacle for homosexuals in their journey to become an equally valued part of society as the heterosexual majority.

B. Textual Analysis

The narrative of the quotes is personal and argumentative. It is also protective of the homosexuals' rights, arguing against discrimination and in favor of equality. The ethos found is the construction of homosexuals as a 'discriminated group' who is still lacking some basic rights held by the heterosexual majority group. The voice is very active, with a clear agent. The theme found is 'equal rights' no matter a person's sexual orientation. The modalities found are partly a strong agreement with the text from the author, but also a subjective modality, since it is argued that "there is no reason to distinguish between homosexuals and heterosexuals", and that "the current system further reinforces prejudice and discrimination toward homosexuals". In q19, marriage is argued to have a higher symbolic value than registered partnership, which help reinforce the values of equality and gives heterosexual couples a higher status in the eyes of the society, since homosexual couples at this time were not allowed to marry. Furthermore, if the argument from the authors in q20 is summarized it says that 'the previous abolishing of discrimination toward homosexuals in other parts of society was done in an effort to equate homosexuals with heterosexuals, and therefore, this must be done in the Marriage Code as well'. Interesting wordings to notice: *symbolic value*, *measure of value*, *reinforces prejudices*.

C. Social Practice

The social practice in these quotes is that marriage has a symbolic value, and that this value is measured as a significance of love, not just for heterosexual couples, but also for same-sex couples. The authors argue that the exclusion of homosexuals from this symbolic act further reinforces prejudice against homosexuals, and thus reproduces the power-relations between heterosexuals and homosexuals, where heterosexuals are the more powerful actor. The argument is thus in favor of a transformation of these power-relations, making homosexuals equal to heterosexuals, and by doing this, remove yet another discriminative aspect of society. The link to the discursive practice is shown by the fact that this SOU laid the groundwork for the 2009 update of the Marriage Code in which it became gender neutral, thus allowing homosexual couples to get married within the Swedish Church. In addition, in 2011, the Swedish Constitution was updated to include protection against discrimination due to sexual orientation.

Results

As have been shown in the analysis with CDA, there has in fact been a change in the governmental discourse when talking about homosexuality in Sweden. Also, as Classical Institutionalism Theories would argue, there is a correlation between exogenous shocks and critical junctures in the international and Swedish society, and the changing discourse from the Swedish Government. However, as Discourse Institutionalism Theory would argue, this is not enough to explain *why* this discursive change has occurred. As has been shown in the analysis of the quotes, the producers of the SOUs were a great part of maintaining or transforming the existing power-relations and attitudes toward homosexuals. What supports this theory is that in the SOUs from before 1984, the negative discourse used by the producers of the SOUs is based on knowledge gathered from within the institution and already accepted parts of society, whilst the parties actually affected by these SOUs (the homosexuals) were not heard. The existing power-relations are therefore maintained by the use of negative discourse. But from the SOU of 1984 and onward, when homosexuals themselves are being heard, there is a greater effort from within the institution by the producers of the SOUs to transform the existing power-relations, and to express themselves in a more positive discourse when talking about homosexuality. The argument made by Schmidt (2008 & 2010), that discourse should be understood as the exchange of ideas, is clear when examining the later SOUs. The producer of the SOU of 1993 is clearly able to reflect upon the issue, and think outside the institution, while still being a part of it. Thus, the producer is able to critically recommend a change in said institution to make it more inclusive. The discursive interaction spotted when analyzing the quotes from the later SOUs is not just top-down, where the state effectively changes laws and talks more openly about homosexuality to spark a change in attitudes in society, but also bottom-up. It is evident that the changing climate, and the work put in by homosexual activists and NGOs over time, has created a more open and accepting climate in the westernized world, which evidentially has affected the Swedish Government as well.

However, does the change in the discourse from the Swedish Government follow similar international patterns that could be expect based on other research? To answer this question, I will use the five previously mentioned observations by Richardson (2000 & 2005) presented as the headlines on the next page (numbered from 1 to 5), to test if the Swedish development can be compared to international discourse change regarding attitudes toward homosexuality.

1. Equality through equal access to civil and social rights:

As has been an ongoing process since the 1980s, reaching its climax in the 2000s, the equality between heterosexuals and homosexuals in Sweden has now reached its peak. Even though discrimination might still be an issue in some parts of society, in the eye of the Government, and in the face of the law, homosexuals in Sweden now have the same right to access both civil and social rights as heterosexuals.

2. Normalization through representation:

As has been argued in the SOUs since the 1980s, the visibility of homosexuals and their representation in workplaces, or in the media, as well as recognition by the state, has evidentially resulted in a normalization process where homosexuals are no longer seen as a deviant part of society. This normalization process is evident in how the Swedish laws regarding cohabitation, marriage and families has become gender neutral during the last decades, suggesting that there is no difference between heterosexual and homosexual love and family constellations.

3. Professionalization through participation:

As is evident from the change in the societal discourse, openly homosexual individuals can nowadays be found in every part of Swedish society, from homosexual priests in the Swedish Church, to political representatives, to daycare personnel and health care workers, just to name a few. The professionalized homosexuals, driving the LGBTQIA+ agenda forward not only in Sweden but also internationally, have been made possible by the acceptance of sexual minorities in society as a whole, through the positive discourse observed in recent SOUs.

4. Acceptance through visibility:

As witnessed in the SOUs changing discourse, the more visibility sexual minorities acquire, the more acceptance they gain. When the Government decided to start work on visualizing homosexuality, it was not long before society started seeing the emergence of pride parades in Sweden, followed by open support from most political parties, and even from the Swedish Royal Family through the actions of the Crown Princess.

5. Understanding through knowledge:

Knowledge about homosexuality becoming more extensive and detailed is also very evident when analyzing the SOUs. When homosexuals themselves were allowed to take part in the knowledge production and distribution of what it actually means to 'be' a homosexual, the understanding and acceptance of homosexuality extended outside the Government into Swedish society, the same development can be witnessed also in the EU.

Discussion

My findings in the Critical Discourse Analysis of nine SOUs prepared for the Swedish Government between the years 1935 and 2007, suggests that there has indeed been a discourse change regarding the governmental discourse toward homosexuality. The findings suggest that homosexuality, in the view of the Swedish Government, has gone from being a sign of moral decay and a mental illness, which society needed protection from, to viewing homosexuals as valued members of society in need of protection from different forms of discrimination. These findings show that *visibility, representation, education, and knowledge* are key components when boosting acceptance toward a minority group within an institution or a society, and that change is possible. The findings also highlight the importance of discourse and that *how, what, when* and, *to whom* different ideas or words are said, can affect an entire nation. In relation to other research, my findings support the theory of ‘Discursive Institutionalism’ by Schmidt. By applying the theory of Discursive Institutionalism to the findings of my Critical Discourse Analysis, it is shown that change was made possible through the reflexive abilities of persons within an institution, to critically evaluate said institution and bring in outside perspectives, thus successfully transforming persistent power-relations into new ones. The findings of this study also confirm that the international observations made by Richardson can be found in Sweden as well, and suggest that the road toward acceptance of homosexuality takes similar expressions throughout westernized neoliberal democracies. The limitation of these findings, however, is that they give no information regarding this being a successful concept to boost acceptance in other types of constitutions as well, or if this exclusively is a successful model for westernized democracies. This suggests that there is a knowledge gap for future researchers to examine – whether or not these patterns can also be found in other types of constitutions. The only unexpected finding in the analysis is the lack of recognition from the Swedish Government not to admit its own role in reinforcing negative attitudes toward homosexuality well up until late 1990s. Perhaps this is a common reaction from power holders when they are informed about their faults, but the data and the scope of this Thesis does not allow me to elaborate further into this matter. For future researchers, I would recommend looking beyond homosexuality, investigating the discourse of other sexual minorities. Why I chose to examine the governmental discourse toward *homosexuality* is because it exists official documents using this word dating back to 1935. But how does the governmental discourse toward other sexual minorities differ, and what type of discourse can be found in today’s modern society?

Conclusion

In this study, I examined how the governmental discourse toward homosexuals in Sweden has changed from the 1930s up until modern day. By comparing the discourse in nine Government Commissioned Reports between 1935 and 2007, my Critical Discourse Analysis concludes that the discourse has transformed from protecting society against homosexuality up until the 1980s, to protecting the sexual minority of homosexuals from discrimination in society from the 1990s onward. As previous findings and comparisons with international studies suggests, the development and the changing discourse follow similar paths in Sweden as it does in other westernized neoliberal democracies. This Thesis help filling a gap in the existing research since it effectively explains *how* the governmental discourse toward homosexuals in Sweden has changed from the 1930s up until 2007. It also builds on existing research, proving that this discursive change found in Sweden is not unique. The limitation of the study is that it cannot say anything about other types of constitutions, suggesting there is a knowledge gap that both could and should be examined by future researchers. Another important distinction to make is that this study examines the governmental discourse toward homosexuality, but not toward other sexual minorities, suggesting that this too is an opportunity for future researchers to expand on the research, alongside how the discourse toward sexual minorities is presented in modern day official documents produced after 2007.

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Appendix

In the part below, the translated English quote will be presented first, directly followed by the original quote in Swedish, for an easier comparison to the bilingual reader that speaks both English and Swedish. I, the author of this Thesis, have translated the English quotes used in the Thesis, and since Swedish and English grammar is structured differently, sometimes the quotes might not be directly translated word for word, and some sentences might have been reversed to help an English audience better understand the Swedish meaning of the translated quotes. Therefore, the original Swedish quotes are presented in the Appendix, so that the critical reader can access the full Swedish quote directly when reading the Thesis, and not have to search for the SOU in question to find the original quote. All quotes below are presented with the same side note (q1-q20) as can be found in the Thesis.

1. SOU1935:68

Memorandum regarding Amendments to the Penal Code concerning the Penalties for Particular Crimes etc.

[Promemoria angående ändringar i strafflagen beträffande straffsatserna för särskilda brott m.m.]

In assessing the question of a possible repeal of the present Penal Code, it must of course be considered, whether this may fear a freer disclosure of homosexual inclinations or whether this is prevented already by the perverts' awareness of the instinctive disgust, felt by every healthy person for their abnormality. The important question of the protection of the youth against undue influences, of course, deserves special attention. (SOU1935:68, pp.77-78, *my translation*).

q1

Vid bedömning av frågan om ett eventuellt upphävande av förevarande straffbud måste givetvis beaktas, huruvida därigenom kan befaras ett mera fritt ådagaläggande av homosexuella böjelser eller om sådant förebygges redan genom de perversas medvetande om den instinktiva avsky, som varje sund människa känner för deras abnormitet. Särskild uppmärksamhet förtjänar givetvis den viktiga frågan om den uppväxande ungdomens skyddande mot otillbörliga inflytelser. (SOU1935:68, s.77-78, *original quote in Swedish*).

2. SOU1941:3

Measures to Combat the Socially Dangerous Manifestations of Homosexuality

[Åtgärder för bekämpande av homosexualitetens samhällsfarliga yttringar]

In my opinion, the best way to combat the socially dangerous manifestations of homosexuality is, that not only insane and feeble-minded [...] but also all distinctly homosexuals and bisexuals [...] be taken care of in mental health care... (SOU1941:3, p.18, *my translation*).

q2

Med den uppfattning jag har, att bästa sättet att bekämpa homosexualitetens samhällsfarliga yttringar är, att icke endast sinnessjuka och sinnesslöa [...] utan även alla utpräglad homosexuella och bisexuella [...] bli omhändertagna inom sinnessjukvården... (SOU1941:3, s.18, *original quote in Swedish*).

In the case of those homosexuals who do not belong to a more antisocial, parasitic type, nor do they belong to the category of alcoholics, care in mental health care [...] becomes the most appropriate treatment when they commit homosexual acts due to their abnormal sexual drive, which is criminal. (SOU1941:3, p.20, *my translation*).

q3

I fråga om homosexuella, som icke tillhöra en mera asocial, parasiterande typ och icke heller tillhöra kategorin alkoholister, blir däremot omhändertagandet inom sinnessjukvården [...] den mest ändamålsenliga behandlingen, när de på grund av sin abnorma könsdrift göra sig skyldiga till homosexuell handling, som är brottslig. (SOU1941:3, s.20, *original quote in Swedish*).

3. SOU1941:32

The Penal Code Committee's Opinion with Proposed Legislation regarding Measures to Combat the Socially Dangerous Manifestations of Homosexuality
[*Strafflagsberedningens utlåtande med förslag till lagstiftning angående Åtgärder för bekämpande av homosexualitetens samhällsfarliga yttringar*]

To the vast majority of the members of society, homosexuality appears as a deviation from sexual life and its manifestations seem [...] repulsive and arouse feelings of reluctance and distaste. [...] It must [...] be considered important to prevent homosexuality from being allowed to appear in a way that hurts the general sense of decency. (SOU1941:32, p.13, *my translation*).

q4

För den vida övervägande majoriteten av samhällets medlemmar ter sig homosexualiteten såsom en avart av det sexuella livet och dess yttringar verka [...] fränstötande och uppväcka känslor av ovilja och avsmak. [...] Det måste [...] anses angeläget att förhindra att homosexualiteten får tillfälle att framträda på ett sätt, som sårar den allmänna anständighetskänslan. (SOU1941:32, s.13, *original quote in Swedish*).

The need to satisfy external decency and public order should, in the opinion of the committee, lead to a far-reaching ban on homosexuals from exposing their homosexual inclinations in places where the public is in danger of witnessing it. To some extent, this also satisfies the considerable desire to prevent the danger of mental infection, which an open manifestation of a homosexual attitude may entail. (SOU1941:32, p.16, *my translation*).

q5

Nödvändigheten att tillgodose yttre anständighet och allmän ordning bör enligt beredningens mening föranleda vittgående förbud för de homosexuella att ådagalägga sin homosexuella böjelse på sådana platser, där allmänheten löper fara att bli vittne därtill. Härigenom tillgodoses jämväl i viss mån det beaktansvärda önskemålet att förhindra den fara för psykisk smitta, som ett öppet manifesterande av homosexuell inställning kan innebära. (SOU1941:32, s.16, *original quote in Swedish*).

4. SOU1968:28
The Gender Affiliation of Intersexual Persons
[*Intersexuellas könstillhörighet*]

As far as the line between homosexuality and transsexualism is concerned, there now seems to be no doubt that these are two separate conditions. (SOU1968:28, p.29, *my translation*).

q6

Vad därefter angår gränsen mellan homosexualitet och transsexualism synes nu inte råda någon tvekan om att det här är fråga om två separata tillstånd. (SOU1968:28, s.29, *original quote in Swedish*).

For the same reason, the inquiry considers itself able to completely disregard any risk of spread of homosexuality. (SOU1968:28, p.45, *my translation*).

q7

Av samma skäl anser sig utredningen kunna helt bortse från risk för utbredning av homosexualitet. (SOU1968:28, s.45, *original quote in Swedish*).

5. SOU1984:63
Homosexuals and Society
[*Homosexuella och samhället*]

Our research has led us to the conclusion that two conditions are crucial to the social situation of homosexuals. The first is that the silence about homosexuals and homosexuality is almost complete. Homosexuality is not an integrated part of society; it is lacking as a social and cultural institution. The second condition is that there is a social ban or taboo toward homosexuality. (SOU1984:63, p.21, *my translation*).

q8

Våra undersökningar har lett oss till slutsatsen att två förhållanden är i avgörande för homosexuellas sociala situation. Det första är att tystnaden om homosexuella och homosexualitet är i det närmaste total. Homosexualiteten är inte en integrerad del av samhället; den saknas som en social och kulturell institution. Det andra förhållandet är att det existerar ett socialt förbud eller tabu mot homosexualitet. (SOU1984:63, s.21, *original quote in Swedish*).

However, information and education are in themselves insufficient, as they tend to lose their validity over time; i.e. it is not possible in the long run to inform that there are homosexuals, if heterosexuals never meet them in everyday life. The importance of homosexuals conducting themselves in an open manner, and creating conditions for this should therefore be emphasized once again. (SOU1984:63, p.130, *my translation*).

q9

Information och utbildning är dock i sig otillräckliga, eftersom de har en tendens att med tiden mista sin effekt; dvs. det går inte i längden att informera om att det finns homosexuella, om heterosexuella sedan aldrig möter dem i vardagen. Vikten av att homosexuella uppträder öppet och att förutsättningar härför skapas bör därför på nytt understrykas. (SOU1984:63, s.130, *original quote in Swedish*).

6. SOU1993:98

Partnership – Part A

[Partnerskap – Del A]

Our position has an ideological basis. It is based on the idea of the equal value and equality of all human beings before the law. We acknowledge homosexual love as equivalent to heterosexual love. We acknowledge – not deny – the love between people. Love is an important driving force for both personal and societal development. From this point of view, we believe that it is not up to society to have views on people’s choice of cohabitation form. Society’s role should instead be to make it easier for – not prevent – people to live in accordance with their own wishes... (SOU1993:98, p.11, *my translation*).

q10

Vårt ställningstagande har en ideologisk grund. Det bygger på tanken om alla människors lika värde och likhet inför lagen. Vi erkänner den homosexuella kärleken som likvärdig med den heterosexuella. Vi bejakar – inte förnekar – kärleken mellan människor. Kärlek är en viktig drivkraft för såväl personlig som samhällelig utveckling. Utifrån detta synsätt anser vi att det inte ankommer på samhället att ha synpunkter på människors val av samlevnadsform. Samhällets uppgift bör istället vara att underlätta – inte förhindra – för människor att leva i enlighet med sina egna önskemål... (SOU1993:98, s.11, *original quote in Swedish*).

Although it may seem obvious to most people, there is reason to point out that homosexuality is not a disease. It cannot be ‘cured’ nor is it contagious. (SOU1993:98, p.51, *my translation*).

q11

Även om det kan tyckas självklart för de allra flesta finns det anledning att påpeka att homosexualitet inte är någon sjukdom. Den går inte att ’bota’ och är inte heller smittsam. (SOU1993:98, s.51, *original quote in Swedish*).

7. SOU1997:175

Prohibition of Discrimination in Employment on grounds of Sexual Orientation

[Förbud mot diskriminering i arbetslivet på grund av sexuell läggning]

Surveys show that discrimination occurs, but not that discrimination is a truly burning issue. (SOU1997:175, p.11, *my translation*).

q12

Undersökningarna visar att diskriminering förekommer, men inte att diskriminering är ett verkligt brännande problem. (SOU1997:175, s.11, *original quote in Swedish*).

Bullying and other types of harassment is a major problem for many homo- and bisexuals. Such harassment is often due to negative attitudes toward homosexuals. (SOU1997:175, pp.13-14, *my translation*).

q13

Mobbning och andra trakasserier är ett stort problem för många homo- och bisexuella. Ofta beror sådana trakasserier på negativa attityder mot homosexuella. (SOU1997:175, s.13-14, *original quote in Swedish*).

More people still prefer to hide their homosexual orientation rather than to show it openly. Often, the reason for this 'strategy of concealment' is fear of the reactions of those around you. Many homosexuals experience this as a very big, daily problem. In that sense, homosexuals and bisexuals are an exposed group. (SOU1997:175, p.96, *my translation*).

q14

Fler döljer alltjämt hellre sin homosexuella läggning än visar den öppet. Ofta är orsaken till denna "döljandets strategi" rädsla för omgivningens reaktioner. Många homosexuella upplever detta som ett verkligt stort, dagligt problem. I den meningen är homosexuella och bisexuella en utsatt grupp. (SOU1997:175, s.96, *original quote in Swedish*).

Probably, one of the best ways for homosexuals and bisexuals to gain increased understanding and acceptance is to establish personal relationships in the daily contacts with heterosexuals – employers and others – and show that sexual orientation does not matter in the work life. However, this sometimes requires a change of attitude even among the homosexuals. (SOU1997:175, p.106, *my translation*).

q15

Sannolikt är ett av de bästa sätten för homosexuella och bisexuella att vinna ökad förståelse och acceptans, att i de dagliga, löpande vardagskontakterna med heterosexuella – arbetsgivare och andra – etablera personliga relationer och visa att den sexuella läggningen inte spelar någon roll i arbetslivet. Detta kräver dock ibland en attitydförändring även hos de homosexuella. (SOU1997:175, s.106, *original quote in Swedish*).

In practice, this means that the individual who does not let employers and coworkers know that he or she has a homosexual or bisexual orientation cannot invoke the law in this regard. (SOU1997:175, p.136, *my translation*).

q16

I praktiken innebär detta att den individ som inte låter arbetsgivare och arbetskamrater förstå att han eller hon har en homo- eller bisexuell läggning, inte kan åberopa lagen i dessa delar. (SOU1997:175, s.136, *original quote in Swedish*).

8. SOU2000:88

Organized Crime, Incitement toward Ethnic Groups, Incitement toward Homosexuals, etc. – The Scope of Criminal Liability

[*Organiserad brottslighet, hets mot folkgrupp, hets mot homosexuella, m.m. – straffansvarets räckvidd*]

In our opinion, there is no doubt that homosexuals are an exposed group in our society. [...] ...that anyone at all is exposed to threats or violence because of their homosexuality is unacceptable and there is reason to forcefully react to this. (SOU2000:88, p.238, *my translation*).

q17

Det råder enligt vår uppfattning ingen tvekan om att homosexuella är en utsatt grupp i vårt samhälle. [...] ...att någon alls utsätts för hot eller våld på grund av sin homosexualitet är oacceptabelt och det finns anledning att med kraft reagera mot detta. (SOU2000:88, s.238, *original quote in Swedish*).

One criterion that must be met in order for a restriction in the ‘Freedom of Expression’ to be permitted, is that it must be done for a purpose that is acceptable in a democratic society... [...] That the interest in protecting the group of homosexuals against threats or other expressions of contempt is such kind of an acceptable purpose, is for us considered obvious. (SOU2000:88, p.239, *my translation*).

q18

Ett kriterium som skall uppfyllas för att en inskränkning av yttrandefriheten skall vara tillåten är att det skall ske för ett ändamål som är godtagbart i ett demokratiskt samhälle... [...] Att intresset att skydda gruppen homosexuella mot hot eller andra uttryck för missaktning är ett sådant godtagbart ändamål, anser vi vara uppenbart. (SOU2000:88, s.239, *original quote in Swedish*).

9. SOU2007:17

Marriage for Couples of the Same Sex – Marriage Issues

[Äktenskap för par med samma kön – Vigsselfrågor]

The legal effects of a registered partnership do not differ significantly from a marriage. However, in my opinion, marriage may be considered to have a higher symbolic value. Traditionally, marriage has been considered to involve a lifelong relationship based on love and care, and on mutual obligations between the spouses. Although the development of society has led to a slightly different view of marriage, ‘registered partnership’ does not have the same signification as ‘marriage’ does in the general consciousness. For homosexuals, marriage is important as a measure of value both for their own relationships and for the attitude of those around them. From this point of view, there is no reason to make any distinction between homosexuals and heterosexuals in terms of the possibility of entering into marriage. (SOU2007:17, p.16, *my translation*).

q19

Rättsverkningarna av ett registrerat partnerskap skiljer sig inte nämnvärt från ett äktenskap. Äktenskapet får dock enligt min mening anses ha ett högre symbolvärde. Traditionellt har det ansetts innebära ett livslångt parförhållande byggt på kärlek och omtanke och på ömsesidiga skyldigheter makarna emellan. Även om samhällsutvecklingen medfört en något annorlunda syn på äktenskapet har det registrerade partnerskapet inte samma klang som äktenskapet i det allmänna medvetandet. För de homosexuella är äktenskapet viktigt som värdemätare både för deras egna relationer och för omgivningens inställning. Från denna utgångspunkt finns det således skäl för att inte göra någon åtskillnad mellan homosexuella och heterosexuella i fråga om möjligheten att kunna ingå äktenskap. (SOU2007:17, s.16, *original quote in Swedish*).

...that the previous discrimination toward homosexuals has been gradually abolished in an effort to equate them with heterosexuals. [...] Excluding homosexuals from marriage violates their dignity and entails special regulation for their part. The current system further reinforces prejudice and discrimination toward homosexuals. (SOU2007:17, p.222, *my translation*).

q20

...att den tidigare särbehandlingen av homosexuella gradvis upphävts i en strävan att jämställa dem med heterosexuella. [...] Att utesluta homosexuella från äktenskap kränker deras värdighet och innebär en särreglering för deras del. Nuvarande ordning befäster vidare fördomar och särbehandlar homosexuella. (SOU2007:17, s.222, *original quote in Swedish*).