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ARTICLE

DEVIANT LEISURE: A CRIMINOLOGICAL PERSPECTIVE

Abstract

This article explains why an understanding of deviant leisure is significant for criminology. Through reorienting our understanding of 'deviance' from a contravention of norms and values to encompassing engagement in behavior and actions that contravene a moral 'duty to the other', the new 'deviant leisure' perspective outlined here, describes activities that through their adherence to cultural values inscribed by consumer capitalism, have the potential to result in harm. Using the ideological primacy of consumer capitalism as a point of departure, we explore the potential for harm that lies beneath the surface of even the most embedded and culturally accepted forms of leisure. Such an explanation requires a reading that brings into focus the subjective, socially corrosive, environmental and embedded harms that arise as a result of the commodification of leisure. In this way, this article aims to act as a conceptual foundation for diverse yet coherent research into deviant leisure.

Introduction

The study of 'leisure' is perhaps one of the central preoccupations of the social sciences. The expansion of consumer culture, the increasing precarity of work, and growing numbers of 'active retired' people has emphasized the role of leisure within contemporary western cultures. For the most part however, criminology has tended to gravitate toward the non-work practices of the young and marginalized. Whether scrutinizing drug use, joyriding, graffiti, skateboarding or smoking, much research in this area focuses on the activities of young people engaging in behaviours that, if not always illegal, appear close enough to the boundary between deviance and illegality to invoke discussion around police responses, policy initiatives, antisocial behaviour and crime prevention. As Keith Hayward (2015) has recently noted, cultural criminologists in particular have a rich tradition of exploring some of the most visible forms of 'deviant leisure' such as graffiti writing (Alvelos, 2004; Ferrell, 1996), street racing (Vaaranen, 2004), BASE jumping and innumerable exemplars of edgework (Lyng, 1990; 2005).

This article steps back from these spectacularly 'deviant' activities to explore the potential for harm associated with culturally accepted and embedded forms of leisure, which for the most part, reflect an unquestioning commitment to consumer capitalism. From the outset we maintain that commodified forms of leisure are incompatible with progressive political projects, resistance or citizenship (see for example Riley et al., 2013). Rather, we suggest that the leisure industries, nurtured because of their demand-side value to the global

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3 economy, must be scrutinised through a properly critical criminological lens.
4 Only then can we begin to understand activities that are often defended as
5 being social 'goods' or conduits for individual empowerment as inherently
6 harmful.
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9 The deviant leisure perspective draws upon advances in both cultural
10 criminology (see Hayward, 2015) and ultra-realist criminology (Hall and
11 Winlow, 2015). Since its earliest developmental stage (see Winlow and Hall,
12 2006), ultra-realism has maintained an interest in the relationship between
13 harmful subjectivities and the systemically corrosive values of global
14 capitalism. Cultural criminology's focus on deviance, symbolism and
15 consumer culture has evolved from a romanticised analysis of deviant leisure
16 as resistance to a more critical position that includes an increasingly
17 materialist critique of liberal capitalism and consumer culture (Ferrell et al,
18 2008; Ferrell, 2006; Hayward, 2015). We synthesize these theoretical
19 approaches in order to illustrate and understand how individual, social,
20 economic and environmental harms are structurally embedded within many
21 accepted and normalized forms of leisure. Exploring this relationship
22 necessitates rethinking and reorienting the concept of social deviance.
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25 Social deviance is a term generally applied throughout the social sciences to
26 describe behaviours that contravene socially accepted norms, values and
27 ethical standards (see Downes and Rock, 2007). However, for the purposes
28 of this article and the operationalization of a deviant leisure perspective, we
29 invert this traditional interpretation of deviance. In an era of 'cool individualism'
30 in which it is culturally imperative to form a unique identity that is distinct from
31 'the herd', to transgress or cultivate deviant identities is steadfastly conformist
32 (Hall et al, 2008; Hayward and Schuilenberg, 2014; Smith, 2014). In this
33 sense, what could under a more ethical social order be conceptualised as
34 deviant behaviour is harnessed, pacified and repositioned as a very specific
35 form of dynamism that propels desire for symbolic objects and experiences –
36 desires which are translated into demand within the circuits of consumption
37 dominated by the leisure economy. The deviant leisure perspective therefore
38 proposes a radical shift away from the influence of the 'new criminology' (see
39 Taylor et al, 2013) and their emphasis on norms and values toward a context
40 of social harm. Put simply, times have changed and in the contemporary
41 context it is the capacity for norms and values to be manipulated by the
42 ideological dominance of consumer capitalism that opens up a space for harm
43 to result from the individualistic pursuit of leisure, irrespective of what Bauman
44 (2009) refers to as a moral 'duty to the other'.
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49 While social harm approaches are not new (Hillyard and Tombs, 2004; Yar,
50 2012a; White, 2013), criminology has tended to treat 'harm' and 'deviance' as
51 two separate concepts which occasionally overlap. A deviant leisure
52 perspective aims to rectify this by offering a conceptual foundation of social
53 deviance in which 'harm' and 'deviance' can *always* be looked at in the same
54 analytical frame. By reframing 'deviant' forms of leisure not as a contravention
55 of norms and values but as a transgression of this ethical 'duty to the other',
56 we can discuss the harms of commodified leisure as 'deviance' whilst
57 acknowledging their conformity to social norms and values. This enables
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3 criminology to critically approach the harms of commodified leisure and its
4 systemic roots in the corrosive social and cultural values of late-capitalism.
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6 This preliminary exploration of a deviant leisure perspective includes a range
7 of illustrative examples, but is of course far from being an exhaustive list.
8 While deviant leisure remains far from a 'finished' theoretical perspective,
9 these initial examples and discussions will highlight the basic theoretical
10 approach in order to contribute to the on-going development of the study of
11 deviant leisure from a criminological perspective.
12

13 **Leisure, pleasure and social harm**

14 To some, it might seem counter-intuitive to be encouraging debate around
15 crime, harm and deviance against the backdrop of what has ostensibly been a
16 period of unprecedented success for administrative criminology. The West
17 appears to be experiencing a statistical crime decline (Parker, 2008),
18 particularly across a number of volume crimes such as burglary and car theft
19 since a peak in the mid-1990s. There are a number of critiques of this
20 supposed crime drop, but for our purposes, it is sufficient to point out that the
21 supporting evidence emanates from the highly restrictive socially constructed
22 definitions of crime that ignore a huge number of non-criminalised,
23 underreported and unrecorded harms. As ultra-realist thinkers have
24 continuously observed, while there has been a statistical drop in 'crime', many
25 harms are becoming normalised and embedded within circuits of consumption
26 (Smith, 2014). At the same time, the hyper-competitive realm of consumer
27 society fails to indicate any improvement in interpersonal social relations,
28 individual happiness or sense of wellbeing (Hall et al, 2008; Raymen and
29 Smith, 2015). It is to this field of consumer markets and commensurate harms
30 to which our attention will now turn.
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35 Much of the existing work around leisure focuses on the 'elective affinity'
36 between leisure and deviance (see Wolfgang 1958; Rojek 1995). Early work
37 by cultural criminologists (see for example Katz, 1998) claims that deviant
38 forms of leisure arise as a result of the timeless natural desire to seek thrills,
39 pleasure and excitement. Indeed, this view is pervasive across disciplines,
40 forming part of a liberal orthodoxy which tends to promote individual agency
41 and a naturalist view of resistance to authority in narratives of harm. In this
42 sense, the choice to seek thrills and excitement in a way that supposedly
43 challenges authority is often celebrated as politically charged. The notion of
44 harm tends to be addressed only in terms of negative liberty (Berlin, 1970),
45 positioning attempts to control or otherwise regulate leisure not just as threats
46 to individual freedoms and civil liberties but also to youthful attempts to
47 symbolise political resistance. Where harms are considered, they tend to be
48 limited to the individual within narratives of harm minimization and control.
49 Criminology and related sociological disciplines focus on the most visible
50 forms of harm, such as the small number of deaths associated with
51 recreational drug use, the drinking behaviours of 'Brits abroad', or the disorder
52 of Black Friday shopping. The opprobrium drawn by these clearly visible
53 forms of violence and illegality detract from the more pertinent source of the
54 violence and disorder, ignoring the capacity to locate harm within the social
55 structures of late modernity (Pemberton, 2015). Furthermore, this approach
56 tends to marginalise non-human harms (White, 2013). Continuation with the
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3 orthodox analysis of leisure and deviance serves to obfuscate the range of
4 harms that occur as a direct or indirect result of commodified forms of leisure
5 and their attendant cultural supply chains.
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8 Commodified leisure reflects global patterns of social inequality,
9 encompassing forms of 'slow violence' (Nixon, 2011) against the natural world
10 and inhabitants of developing nations. Reports of species depletion, coral
11 degradation and climate change can be associated with the economic
12 exchange mechanisms at the heart of the leisure industry – in short the
13 impetus to exploit and extract profit not just from the consumer and local
14 service workers, but also from the natural and shared environment of the
15 global commons. In this sense, we are reluctant to constrain the notion of
16 harm to the compromising of *human* flourishing (Hillyard and Tombs, 2004;
17 Pemberton 2015, Yar, 2012a), but aim to develop a cohesive approach that
18 incorporates and acknowledges an eco-justice perspective (See White, 2013).
19 This is most pertinent with regard to the environmental harms that result from
20 the expansive tourism and leisure markets such as beaches, golf clubs, and
21 ski-resorts which have the capacity to cause irreparable harms to the natural
22 environment and the development of natural eco-systems (Nixon, 2011). As
23 Veblen (1965) pointed out over a century ago, the majority of these leisure
24 practices are inherently wasteful, hedonistic and socially hollow symbolic
25 gestures of pecuniary and cultural status devoid of 'pro-social' value and
26 unnecessary for human flourishing when detached from their economic
27 function within the exploitative economic structure of consumer capitalism.
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31 One of the challenges associated with the harm-based approach is the role of
32 morality in deciding what we classify as harm. Detailed exploration will have to
33 be left for another time, but suffice to say that within the context of a
34 marketised leisure economy, we follow Bauman (1989) in his assertion that
35 morality is manipulated by dominant social structures and systems. As we
36 shall outline below, the harms associated with commodified forms of leisure
37 are disproportionately experienced along the social fault lines of race, gender,
38 class, religion and sexuality,. However, our central argument hinges on
39 recognizing that the competitive individualism at the centre of consumer
40 capitalism's economic exchange mechanisms constitute the impetus behind
41 the willingness of individuals to inflict primary or secondary harms upon others,
42 irrespective of identity politics. Moral decision-making is superseded by the
43 *special liberty* (see Hall, 2012a) that is synonymous with success in the hyper
44 competitive individualized environs of the current neoliberal social order.
45 Therefore, our exploration of contemporary leisure goes further than a critique
46 of firms and corporations unethically profiteering from leisure forms which
47 harm individuals, cultures or the environment. Rather, we problematize the
48 systemic absence of an imperative ethical commitment to leisure practices
49 which are 'harm neutral' or actively pro-social. This is underpinned by what
50 Bauman (1989) describes as a 'duty to the other', a non-obligatory collective
51 human responsibility to look out for, care, and act in such a way that not only
52 avoids harming others, but positively contributes to society, culture, and the
53 environment. However, the dominant neoliberal ethos of individualism has
54 continually eroded the social (Winlow and Hall, 2013), eradicating any
55 collectivist conception of morality in favour of moral relativism, privileging
56 consumer tastes and desires as a form of 'freedom' and liberal self-
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3 expression. The point here is that the capacity for harm is embedded within
4 culturally acceptable, value-normative behaviours, bound inextricably to what
5 Žižek (2002) terms the 'cultural injunction to enjoy'. Not only are these harms
6 often experienced as hidden, systemic forms of violence, but in many cases
7 are largely preventable. In short, *prosocial* forms of leisure are possible, but
8 lie beyond what we term a *hedonic realism*, the inability to see beyond the
9 horizon of a social order where leisure identity is synonymous with the hyper-
10 competitive and individualized arena of consumer capitalism.

13 **In search of a typology – some key examples**

14 In this section, with the simple aim of outlining a range of different types of
15 harmful leisure, we hope to provide a baseline or point of departure for critical
16 engagement with leisure and harm. Some of these examples may be familiar
17 to the reader, but our hope is that the engagement of an ultra-realist
18 perspective prompts a recasting of the familiar as the cornerstone of a re-
19 engagement with the notion of deviance, leisure and harm. Our typology uses
20 the identified harm associated with various commodified leisure practices as
21 its rationale. Initially we distinguish between illegal, spatially contingent and
22 harmful forms of deviant leisure, breaking the latter down according to the
23 primary focus of harms associated with them. They can be divided into the
24 following broad categories:

- 27 1. Subjective harms
- 28 2. Environmental harms
- 29 3. Socially Corrosive harms
- 30 4. Embedded harms

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33 While these categories are not without some degree of overlap, they are a
34 useful first step in better understanding the systemic violence of deviant
35 leisure, and we will now explain in some detail what is meant by these terms.

37 **Illegal leisure**

38 There are a number of forms of leisure that are most easily categorized as
39 illegal leisure, for the fact that they transgress criminal laws that approach a
40 degree of global consensus. Notwithstanding the geographical and historical
41 inconsistencies of the legal definition of criminality, we can position some
42 leisure forms as being universally abhorred due to the severity of the harm
43 associated with them. The utilisation of extreme forms of pornography,
44 participation in child abuse, consumption of snuff movies and murder would
45 likely fall within this category, contravening the rule of law on a near global
46 level.

49 **Spatially contingent harm**

50 This phrase refers to those leisure activities that appear to elicit a degree of
51 regulation, criminalization and control that seems disproportionate to the
52 identifiable harms that they pose. Furthermore, the level of public outrage and
53 thirst for punitive measures that they invoke appears to relate to the cultural or
54 physical space in which it is practiced. Capital has the privilege of defining
55 and redefining the legitimacy of a particular space, thus continuously
56 redefining the status of these activities as illegitimate 'deviance' or legitimate
57 leisure. Cultural lifestyle sports or forms of 'serious leisure' (Stebbins, 2007)

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3 such as skateboarding, parkour, and urban exploration (Atkinson, 2009;
4 Garrett, 2013) occupy a curious position at the nexus between deviance and
5 leisure which is riddled with contradictions. In some sense, they are
6 legitimised sporting and leisure activities with their own competitive events
7 and governing bodies. The spectacular imagery, and adventurous spirit of
8 their practice is frequently utilised for the commercial purposes of feature films
9 and advertisements. In many ways such activities can be conceptualized not
10 as 'deviant' but entirely conformist; embodying the risk-taking entrepreneurial
11 ethos of late-capitalism, and part of the drive to discover one's true self and
12 construct a persona of 'cool individualism' (Heath and Potter, 2006).
13
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15 However, as cultural criminologists have keenly noted, when this form of
16 leisure is practiced outside of its commodified format or near the spatial
17 realms of private property or designated zones of consumption, it requires the
18 arbitrary rule-making of the hyper-regulated city to sanitise the post-industrial
19 consumer city and 'keep space to its specificity' (de Jong and Schuilenberg,
20 2006; Hayward, 2004; Kindynis, 2016). Consequently, the cultural-economic
21 system of consumerism requires the legitimisation and cultivation of desire for
22 these 'transgressive' urban identities whilst also having to control, re-direct, or
23 prohibit those leisure behaviours into particular spatial contexts.
24
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26 In this context, therefore, it is imperative not to conflate the transgression of
27 rules with the transgression of *values* (Hall et al, 2008). Parkour's use of
28 space presents an opportunity for cities to break away from hyper-regulated,
29 exclusive, and sanitized asocial design to promote a fully public and inclusive
30 urban sphere. The harm of excluding what could, under different social
31 relations be deemed a form of pro-social leisure, is further amplified when one
32 considers how other more harmful forms of leisure, such as the night-time
33 economy, time-bound shopping sales, and gambling venues are advertised,
34 promoted and legitimized within the contemporary urban sphere of post-
35 industrial cities; often misguidedly positioned as a social good which offers
36 opportunities for creativity, sociality and resistance. As 'right' and 'wrong',
37 'deviant' or 'legitimate' have become increasingly synonymous with what is
38 'right' and 'wrong' for the *market*, there has also been a move towards a
39 spatial and, by extension, political and economic definition of what constitutes
40 harmful deviance and legitimate leisure.
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44 **Harmful leisure**

45 Our discussion is now going to turn to categorising a range of behaviours that
46 while legal, can directly or indirectly be linked to various forms of harm, and
47 can therefore be understood as morally injurious. The impact, direction or
48 victim of the harm dictates the category we use, although there are a number
49 of similarities across examples.
50
51

52 ***i) Subjective Harms***

53 We draw the term 'subjective harm' from Slavoj Žižek's (2008) distinction
54 between subjective and objective violence. Subjective forms of harm result
55 from the actions of an easily identifiable perpetrator causing harm to a clearly
56 identifiable victim in action related to a specific leisure activity. Subjective
57 forms differ from symbolic forms of harm, which emanate from language and
58 communicative forms of consumer symbolism in the pursuit of social
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3 distinction, and for Bourdieu, come to structure power relations, resulting in
4 discrimination (Žižek, 2008, and see also Bourdieu, 1991). Both subjective
5 and symbolic forms of harm take place against a backdrop of systemic
6 violence, described by Žižek as “something like the notorious ‘dark matter’ of
7 physics” – invisible but an integral precondition to “the smooth functioning of
8 our economic and political systems’ (Žižek, 2008: 1).
9

10
11 Subjective, systemic and symbolic violence are all present within the alcohol-
12 based night time economy (see Smith, 2014). The night-time economy has
13 become synonymous with rising levels of interpersonal violence, often
14 portrayed within the mainstream literature and media reporting as the
15 pathological behaviour of a minority of working class men whose actions taint
16 an otherwise unproblematic site of creativity and identity gain. The reality is
17 that the night-time economy is responsible for over a million hospital visits a
18 year (a somewhat conservative figure which is likely to underestimate the
19 reality of the number of assaults), in addition to the significant numbers of
20 assaults on ambulance and emergency room staff (IAS, 2015). Intertwined
21 with these forms of violence are an array of abusive behaviours and violence
22 meted out against other consumers, bar staff, takeaway workers, taxi drivers¹
23 and other victims of deviant leisure who find themselves victimized within
24 what can be described as a predominantly exclusionary space across lines of
25 gender, race, religion or sexuality.
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29 The visible eruptions of violence that permeate the night-time economy are
30 often short-lived, brutal encounters with occasionally significant and long-
31 lasting repercussions for the participants. However, as Žižek (2008) observes,
32 these encounters tend to be received with righteous indignation and shock
33 because of an assumption that the base-level norm in society is essentially
34 *non-violent*. In reality however, it is a pervasive anxiety surrounding the threat
35 of cultural irrelevance and a fear of missing out that drives the basic hedonism,
36 excess and competitive consumerism of the night-time economy. It is a form
37 of invisible and *systemic* violence which underpins the subjective violence of
38 the night-time economy (Winlow and Hall, 2006; Smith 2014).
39

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41 Night time leisure forms an important part of identity for young consumers. It
42 is characterized by a near universal adherence to intoxication and the
43 suspension of the moral regulation and behavioural norms of the daytime. But
44 in the starkest of terms, it is this problematic and harmful form of determined
45 drinking that is the most valuable from the perspective of the alcohol industry,
46 accounting for 60% of the industry’s profit (Boseley, 2016). By acknowledging
47 the ‘systemic’ violence of normal everyday life and the pressures surrounding
48 the ‘cultural injunction to enjoy’, the violence of the night-time economy is not
49 shocking and nonsensical but rather predictable. Consequently, the dominant
50 explanatory frameworks of violence in the night time economy are revealed as
51 unsatisfactory (see Newburn and Shiner, 2001; Richardson and Budd, 2003),
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56 ¹ Recent criticism of ridesharing services such as Uber have seen taxi drivers
57 accused of discrimination, assault and sexual offences, exemplifying the
58 potential for employment within the NTE to provide opportunity for further
59 harm (see Rogers, 2015).
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3 requiring us to situate this violence as a normalized consequence of
4 contemporary leisure and consumer capitalism.
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7 The activities and behaviours outlined above tend to radiate harm outwards
8 from the individual. However, the night-time economy also exemplifies the
9 capacity for harms to turn inwards on the participant. Elements of this leisure
10 sphere are synonymous with poly-drug use, and other forms of risky or
11 dangerous activities (Measham and Moore, 2009, Zonfrillo and Osterhoudt
12 2015). In these instances of subjective harm, leisure behaviours incorporate
13 an element of risk-taking that is barely managed and appears to be
14 undertaken not without knowledge of danger but in spite of it. In their extreme
15 form these behaviours, while largely conforming to cultural values of
16 consumerism and lifestyle, can be interpreted as illustrating a *parasuicidal*
17 disregard for life and wellbeing while at the same time being 'faithful
18 reflections of the drive-based models that marketing promotes' (Stiegler,
19 2013: 62).
20

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22 Parasuicidal forms of leisure are reflected in the depressive apathy which
23 characterises a generation on the 'road to whatever' (Currie, 2005). The fact
24 that the 'capitalist realism' (Fisher, 2009) of late modern society has an effect
25 on the mental health of its citizens is now beyond doubt (Pickett and
26 Wilkinson 2010). Depression is one of the most frequently treated illnesses by
27 the NHS, and appears to be affecting people at ever younger ages. Similarly,
28 Oliver James (2010) suggests that the opportunity for self-expression that
29 forms the backbone of consumer markets has innumerable effects that
30 appear to be deleterious to mental health. These have the capacity to
31 exacerbate subjective insecurities and delineate vicious social divisions that
32 arise in societies dominated by relentless social comparison and competitive
33 individualism.
34

35 36 **ii) Environmental**

37 Green criminology has done much over the last 25 years to direct
38 criminological attention at the harms inflicted upon the environment as a result
39 of non-criminal activities (see South 1998; White 2013) and harmful
40 behaviours that emanate from interaction with the global economy (Rugierro
41 and South, 2013). From a Deviant Leisure perspective, we interrogate not
42 only the harms that result from engaging with leisure cultures, but explore the
43 role of consumerism in the creation of individual desire and the cultivation of
44 harmful subjectivities willing to harm the environment to satisfy their consumer
45 desires. As commodified forms of leisure became democratised through the
46 rise of the budget airlines and all-inclusive deals, leisure activities began to
47 come into conflict with the natural environment on a global scale. The 100,000
48 flights per day (ATAG, 2014) which result in 705 million tons of annual CO2
49 emissions position countries who contribute the least in terms of greenhouse
50 gas emissions at the greatest risk of the effects of sea level change. This
51 aside, however, the democratisation of tourism places unsustainable strains
52 upon the global commons in the pursuit of private gain. Perhaps the starkest
53 example of this can be found in the case of the Maldives.
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57 An island chain of 26 atolls in the Indian Ocean, the Republic of the Maldives
58 is the lowest country in the world and probably the most vulnerable to the
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3 threat of sea level change. However, it also faces a compound danger
4 through its desirability as a honeymoon or status destination. The tourist
5 industry is paramount to the economic functioning of the area, and the
6 Maldives has become reliant on the rapid influx of tourism. With a population
7 of less than 400,000, the islands receive twice that number in visitors a year,
8 and in economic terms are becoming increasingly reliant on tourism. This
9 economic value however, comes at a cost, with waste disposal providing a
10 specific challenge. Perhaps most symbolic of the types of harm we are talking
11 about here is the creation of Thilafishu waste treatment and disposal site
12 (Scheyvens, 2011), an island atoll and lagoon sacrificed for the disposal and
13 treatment of waste. Waste is disposed of through a process of open burning,
14 contributing pollutants and gases that contribute to the global issues of
15 climate change and sea-level rise, in effect contributing to their own demise.
16 In fact, as sea levels rise, the delicate ecosystem of the coral reefs is
17 disturbed to the detriment of fish stocks, which negatively impacts the other
18 major industry on which the islands rely. As Matthew Hall (2015) points out,
19 the loss of fish stocks and the fishing industry is not just an economic loss, but
20 a cultural one as well.
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24 For us, the challenges faced by the Maldives are not the product of tourism in
25 an abstract sense, but are synonymous with the commodification of a range of
26 symbolism that is closely related to consumer culture. The ubiquitous image
27 that adorns specialist honeymoon magazines is of miles of white sands,
28 empty but for the carefree linen-suited groom and his sarong-wearing new
29 bride. However, the pristine beauty of the magazine is not as natural as we
30 might suppose. Rather, the islands have been sanitized; depilated, shaved
31 and plucked to the detriment of local ecosystems (Domroes, 2001).
32
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34 While the classic liberal defence of the tourist industry might rely on pointing
35 to employment created by the tourist industry, in reality very few well-
36 remunerated jobs go to indigenous islanders. 42% of the population earns
37 around \$1.50 per day (Scheyvens, 2011), while money leaks out of the
38 country due to high levels of foreign ownership and a high proportion of
39 expatriate employment (Shakeela et al, 2011). Furthermore, this argument still
40 fails to address the inevitable environmental problems associated with this
41 industry. This is an example of what Steve Hall (2012a) refers to as 'special
42 liberty', the individual belief that one is no longer constrained by ethical codes,
43 and has the right to freely express desires and drives, exonerated from the
44 need to acknowledge their harm toward others. Instead, individuals are able
45 to operate under the auspices of a fantasy that elevates them to the status of
46 the most transcendent free individuals in which their harm is negated due to
47 their powers of wealth creation, and their ability to drive new cultural trends. It
48 is in this way that the vastly unequal geographical and racialized distribution
49 of environmental harm is denied. Wealthy white tourists from the United
50 States and Europe are permitted to enjoy their extravagant holiday through
51 adhering to the claim that the economic impact of their consumerism is
52 'improving' the poor and deprived global south. It is the fantasy of special
53 liberty that allows the individual to abdicate from moral responsibility and
54 perpetuate the economic, social and environmental forms of inequality that
55 leak from commodified leisure. However, the environmental harms associated
56 with leisure and the piles of waste it builds are not restricted to the far-off
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3 lands of the Maldives, but are simultaneously experienced in multiple
4 locations globally, albeit unequally according to race and geopolitical power
5 (Campbell, 2016). As Jeff Ferrell (2006) identified a decade ago in *Empire of*
6 *Scrounge*, the environmental harm associated with waste produced by a
7 globalized consumer culture is only going to intensify over time as the
8 demands of a consumer economy and its neophilic subjects consume and
9 discard fashions, fads and trends in an ever-shortening life cycle of
10 commodities.
11

12 13 **iii) Socially Corrosive harms**

14 Within this section, we identify leisure forms that contribute to the erosion of
15 our shared social life. Baudrillard (1983) acknowledged the 'end of the social'
16 with the dawn of neoliberalism, positioning consumer-citizens as increasingly
17 atomised, cynical and disinterested in the possibility of collective interests.
18 The social is constructed through a coherent and comprehensive
19 sociosymbolic order based in shared meanings and codes. Their absence in
20 this postmodernist phase of consumer capitalism results in anxiety,
21 unhappiness and despair (Steigler, 2013), a constant state of emotional and
22 existential precarity that can only be temporarily assuaged by engagement in
23 consumer markets.
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26 A deviant leisure perspective must therefore examine the potential for leisure
27 to cut individuals adrift from the social, contribute to the further erosion of
28 social institutions such as family, class, community, and exacerbate the
29 fragmented and individualized nature of life under late capitalism. There are
30 many forms of leisure that would fall into this category, but one example might
31 be the creation of artificial scarcity, the privation of that which would otherwise
32 be plentiful and free to the public. The creation of 'club goods' has the
33 potential to create demarcated leisure zones of wealth and cultural capital. A
34 clear demonstration of this is embodied within Donald Trump's enclosure of
35 an enormous stretch of the Aberdeenshire coastline for the creation of a
36 'world-best' \$1.5 billion luxury golf-course, club, and hotel². Aided by a legal
37 system that assiduously protects the interest of private property, these leisure
38 spaces create cultures of fragmentation. Notwithstanding the environmental
39 damage done to local dune ecosystems, Trump's golf-course and other
40 similar country clubs become a no-go zone for those lacking the requisite
41 social, cultural and financial capital.
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45 Further examples of socially corrosive leisure are found in those which
46 seduce individuals to retreat from the social into the 'wallpapered worlds'
47 (Appadurai, 1986) of fantasy through violent gaming and pornography.
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50 ² Of course, Trump in his role as a neoliberal 'undertaker' (Hall, 2012a) has
51 argued that he is simply doing what has to be done in order to revitalize the
52 economy of the region, providing jobs and attracting tourism, despite vocal
53 opposition. Despite promises of 6,000 jobs only 200 jobs were created (Baxter,
54 2011), while residents experienced interrupted water supply for several years.
55 Exemplifying 'special liberty' (Hall, 2012a) Trump has transcended the ethical
56 codes of the symbolic order in order to achieve his aims, irrespective of the
57 effect it has on people.
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3 Atkinson and Rodgers (2015) describe this as the proliferation of 'murder
4 boxes', which create visually realistic zones of cultural exception based upon
5 human harm, domination, and the perpetuation of gendered and racialized
6 scripts of extreme violence and subjugation within a society 'labouring to feel'
7 (Gerhardt, 2010). The hyperreality of violence and domination is amplified as
8 the photo-realistic fantasy environments are increasingly and deliberately
9 based on real places, while games are becoming more humanly
10 interconnected through online multi-player competitive gaming and the acting
11 out of violence and harm through the player's own physical movements.
12
13

14 Most discussion centres on the violent tropes that dominate game narratives
15 (Black et al, 2012), and it is true to say that racialized and gendered violence
16 is ubiquitous within gaming environments. Using the *Grand Theft Auto* series
17 of games as a well-known example, we can observe the casual objectification
18 of women, whose use and exploitation is embedded and valorized within
19 gameplay. Similarly, the game features stereotypical caricatures of ethnic
20 groups which have the harmful effects of perpetuating populist racialized links
21 between particular ethnic groups and organized crime (Dill et al, 2005;
22 Polasek, 2014). However, we must not ignore the less visible harms
23 surrounding the steadfast adherence and promotion of neoliberal ideology
24 and subjectivity which is woven into the fabric of the gamescape (Atkinson
25 and Rodgers, 2015). Staying with the example of *Grand Theft Auto*, we see
26 the player advance through the game by aggressively elevating the self
27 through multiple property purchases, successful navigation of sexual
28 conquests and the accumulation of wealth and power at the expense of others,
29 even allies. This can be taken as a microcosm of the wider and more
30 pervasive competitive individualism of neoliberal society in which colleagues
31 are competitors on the job market, and friends are competitors in the circuits
32 of consumption. As a middle-class society that is technologically insulated
33 from the horrific traumas of subjective violence (Zizek, 2008), these deep
34 desires of violence and subjugation are not, as Elias (2000) suggests,
35 overcome through a 'civilising process'. Rather, these sublimated libidinal
36 energies are pseudo-pacified and harnessed for the purposes of capital
37 accumulation and circulation (Hall 2012a), occasionally breaching the surface
38 as consumer capitalism provides a semblance of authenticity through the
39 mediated spectacle of violent video games and pornography.
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44 Also of note here are the socially corrosive effects of the proliferation of social
45 media. Optimistic readings of technological innovation place emphasis on new
46 forms of sociability and the potential for the pursuance of progressive politics
47 (Jones, 2015), outbursts of solidarity and human empathy exemplified by
48 social media responses to mass shootings and terrorist events. However, this
49 belies a more consistent norm characterised by combative exchanges,
50 'trolling', cyber-bullying, revenge porn, and forms of hate speech (Shariff,
51 2008). Furthermore, social media provides another space and opportunity for
52 the competitive and comparative display of lifestyle, cultural and consumer
53 competence. From carefully-framed images of a plate of food, to a snapshot
54 of foregrounded tanned legs with a beach and azure sea in the background,
55 the everyday producer and disseminator of social media material is selectively
56 presenting *who they are* through the visual publication of an idealised self-
57 image. This is part of what Yar (2012b) describes as the 'will to represent',
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3 indicative of the competitive individualism of contemporary society and culture
4 which fragments and atomises users not as 'friends' but as individual
5 competitors in the display of cultural capital. As we have described earlier, not
6 only does this fragment 'the social' but perpetuates and intensifies a
7 permanent sense of objectless anxiety as individuals existential security is
8 contextualized against the public dissemination of others' lives on social
9 media.

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11
12 This ubiquitous 'will-to-representation' can also motivate more serious forms
13 of violent crime or humiliation which are then disseminated through social
14 media. Yar suggests that the role of the camera, the material's eventual
15 destination of social media and the intensified desire for social recognition
16 plays a criminogenic role in these behaviours. We are not talking here about
17 opportunistic or coincidental filming of violence and violent encounters. Rather,
18 an incident or event is "engineered or instigated with the specific and express
19 purpose of recording it and disseminating that record via electronic networks
20 of communication" (Yar, 2012b: 252). These are performative acts, enacted
21 for their value on social media and user-generated websites. In addition to the
22 more mundane lifestyle competitiveness of social media, these behaviours
23 are reflective of a particular form of egoism prevalent in contemporary society
24 which contextualises and elevates the self in relation to the downfall and
25 denigration of others.
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28 ***iv) Embedded Harm***

29 Within the category of embedded harm, we examine harmful leisure cultures
30 that are notable for becoming successfully entrenched within legitimate and
31 familiar consumer markets. Perhaps the most illustrative example is the
32 gambling industry, which has become legitimized and normalised through its
33 relationship with other forms of leisure such as the consumption of
34 professional sport, online social networks, and the night-time economy. With
35 an increasing array of gambling opportunities it is likely that 'social' gambling,
36 fiercely defended by the gambling industry as non-problematic, masks a
37 range of damaging social and individual effects. Furthermore, 'official'
38 thresholds for 'problem gambling' on the Problem Gambling Severity Index
39 (PGSI) remain far too high according to health surveys, helping to present
40 many of these behaviours as harmless (Wardle and Seabury, 2012).
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44 Existing criminological analyses tend to approach gambling within a paradigm
45 of 'edgework' (Banks, 2013). Only rarely have criminologists acknowledged
46 the social harms surrounding social gambling, while psychology and
47 consumer studies tend to individualise problem gambling in isolation from its
48 broader cultural context. The relationship between work, leisure and gambling
49 has previously been explored (see for example Downes et al., 1976), although
50 today the landscape of gambling has been rendered all but unrecognizable
51 through the proliferation of new technologies and the relaxation of gambling
52 and advertising laws. Furthermore, the democratization and diversification of
53 the role of gambling within broader circuits of consumerism, identity and
54 contemporary friendships has significant implications for new work in this area.
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57 While once subject to wide-ranging state control (Banks, 2013), gambling has
58 become an integral aspect of the night-time economy, sports fandom, and
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3 online forums of socialisation. With the rise of pub-based poker leagues and
4 the normalisation of high street casinos providing an alternative to nightclubs
5 for late night entertainment, knowledge and competence in the field of
6 gambling is becoming an important part of night time social capital (see Smith,
7 2014). Perhaps nowhere is the legitimized democratization of betting and
8 gambling more visible than in the proliferation of sports-betting, specifically
9 around association football. It is impossible to watch any sports channel
10 without being bombarded by targeted advertising of innumerable high-street
11 and online bookmakers. Major broadcasters have even created a 20-second
12 advert segment immediately before the kick-off of a televised game which is
13 exclusively dedicated to online sports betting companies. The technological
14 flexibilisation of gambling and its reorientation away from specific gambling
15 venues and towards more familiar environments of socialisation has infiltrated
16 football fandom to the extent that gambling has become an entrenched and
17 constituent aspect of masculine leisure environments.
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21 This is reflected in numerous television and Internet advertisements,
22 which visually situate the act of gambling within a wider weekend leisure
23 experience of friends, football and beer. The promotion of the casual 'lifestyle
24 gambler' positions organized gambling as integral to leisure identities. In this
25 sense, gambling can be compared to compulsive shopping (Perfetto and
26 Woodside 2009), where shopping is more than just a process of buying and
27 owning but rather an opportunity for self-affirmation and reinvention (Smith
28 and Raymen, 2015; Zukin, 2005). Gambling within broader circuits of leisure
29 and consumption is imbued with more than the simple outcome of winning or
30 losing. Rather, the act of betting becomes irretrievably entangled with identity,
31 with betting 'styles' or approaches such as those displayed in the 'Ladbrokes
32 Life' adverts having the potential to act as a reflective mirror of who we are.
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36 An identity-based culture of sports betting, combined with relentless promises
37 of 'easy wins' encourages impulsive bets and the chasing of losses. (Binde,
38 2010). In this way the cost of an afternoon watching football spirals, and can
39 loop into other areas of life. In the face of financial losses, becoming trapped
40 in the unforgiving and high-interest cycle of payday loans to cover gambling
41 losses or even afford more simple domestic outgoings becomes a real
42 possibility. The combination of the accumulation of social capital allied to the
43 allure of the gambling win, underscored by readily available credit, has the
44 potential to cast these young people into a new culture of indebtedness
45 (Horsley, 2015). The peaks and troughs of winning and losing, against the
46 background of the 'objectless' anxiety of late-capitalism (Hall and Winlow,
47 2015), perpetuates a leisure culture which, while culturally normalised, is
48 characterised by the harms of stress, financial uncertainty, emotional volatility,
49 depression and anxiety.
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52 **Re-thinking the Primacy of Commodified Leisure**

53
54 It is through leisure that we are culturally, economically, and even politically
55 positioned as exercising the freedom of our individual agency and internal
56 desires (Rojek, 2010). Commitment to the idea of leisure as a tool for
57 creativity and freedom is visible across the mainstream political spectrum. For
58 the liberal right, leisure and its associated freedoms is the product of the
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3 wonders of an untouched free-market. For the liberal left, they are an example
4 of the hard-won freedoms of a tolerant, progressive, and non-judgmental
5 society, and the realm in which the individual is free to construct her true
6 identity and express social and political resistance (Hebdige, 1979; Jayne et
7 al, 2006; 2008; Riley et al, 2013). As a result, the study and analysis of leisure
8 has been overwhelmingly one-sided. Broadly speaking, leisure and recreation
9 have been viewed as fundamentally positive in their pursuit and ends, while
10 harm and deviance tends to be sidelined unless overt and clearly visible
11 (Franklin-Reible, 2006; Rojek, 1995).
12

13
14 The discussions above regarding leisure's more interpersonal, social, and
15 environmentally corrosive cultural dynamics suggest a need for criminology to
16 end the moratorium on more critical approaches to commodified leisure. We
17 take ultra-realism's focus on the concrete reality of liberal-capitalism's most
18 systemic social harms (Hall and Winlow, 2015; Winlow and Hall, 2013), whilst
19 also adopting cultural criminology's interest in contested 'theatres of meaning'
20 (Ferrell, 2013) and how "situations are defined, individuals and groups are
21 categorised, and human consequences are understood" (*ibid.* 2013: 258).
22 This enables us to provide a deviant leisure perspective which can critique
23 how and why the myriad harms of commodified leisure forms have become so
24 culturally accepted and normalised in contemporary culture by positioning
25 them squarely in their cultural meanings and functions to both the individual
26 and economy in a global age of consumer capitalism.
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30 In doing so, we can understand some of the contradictions at the heart of
31 deviant leisure. Culturally conformist and low-harm practices such as parkour,
32 urban exploration or skateboarding are excluded from consumer-oriented
33 urban space; whilst the vast environmental and social harms of
34 honeymooning in the Maldives or maintaining fragile identities through
35 gambling and the night-time economy continue to be fetishistically disavowed
36 by both consumers and society. Contra Riley et al, (2013), most forms of
37 commodified leisure are not capable of providing "one of the few tangible and
38 mundane experiences of freedom which feels personally significant to modern
39 subjects" (Cronin, 2000: 3). Rather, the absence of more stable forms of
40 collective identity in contemporary society has intensified the need for a
41 coherent set of symbols through which to make sense of our lives. Thus, as
42 increasing swathes of the population have turned to leisure and consumer
43 markets for freedom and identity, they have appended their existential
44 security and self-esteem to the 'velocity of fashion' (Appadurai, 1986). This is
45 the precarious 'life cycle' of commodities, fads, and leisure trends and the
46 spirals and loops of cultural meaning (Ferrell et al, 2008), which further
47 intensify the *objectless anxiety* and the perpetual solicitation of the 'unfreedom'
48 of leisure (Hall, 2012b; Hall and Winlow, 2015; Rojek, 1995).
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51
52 The leisure industry itself has maintained a position at the centre of the
53 neoliberal project, ascending to unassailable dominance in terms of economic
54 value across the West. Some of the criticism we level at the industry here
55 might be countered with the claim the industry is capable of self-regulation
56 and adoption of ethical codes (see for example the Portman Group with
57 regard to alcohol and the night-time economy). This suggests that capitalism,
58 the backdrop to the burgeoning leisure industry, is somehow moral, grounded
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3 in the social and capable of ethical action. Supporters of this argument
4 unflinchingly point to professionally benevolent millionaires such as William
5 Gates, or Paul Hewson in order to illustrate the humanity of capitalism. Of
6 course we know this cannot be true. Capitalism is blind, and the ethical forces
7 attributed to the social order are no match for the violence of the market
8 (Zizek, 2008). While there are identifiable shifts in the market, (for example to
9 offer ethical holidays, environmentally friendly yurts or ecological
10 conservationism), we are not witnessing the conscious awakening of an
11 ethical heart of capitalism. Capitalism morphs and changes, not because of
12 any moral quality, but only that it may circumvent crises, obstacles and
13 blockades in its path to growth (Harvey, 2007). Indeed, it is this overwhelming
14 tendency to look at individualistic rather than systemic harms that have
15 allowed these supposedly benevolent capitalists to disavow the much deeper
16 systemic harms of a global capitalist system to which they are vital
17 contributors.
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21 To date, there has been limited critical analysis not just of how harm is a
22 predictable externality of the commodification of leisure and leisure practices,
23 but how the 'barbarity of leisure' (Veblen, 1965) is an intrinsic feature of the
24 drives and energies which motivate leisure behaviours. As an increasing array
25 of forms of 'deviant leisure' become culturally embedded within the
26 mainstream, and their attendant harms become normalised, we argue that
27 criminology's usual focus on legally-defined crime and forms of deviance
28 which controvert social norms and values requires some conceptual
29 expansion. For a criminology that intends to keep up with a rapidly changing
30 landscape economically and culturally normalised crime and harm, it is
31 necessary to distance ourselves from the concept of crime and instead direct
32 its attention towards the drives, desires, and underlying violence that underpin
33 consumer culture and associated leisure industries.
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36 **Conclusion**

37 We might be forgiven for assuming that the notion of deviant leisure reflects a
38 relatively small and insignificant number of actions and behaviours. Indeed,
39 according to international crime statistics, more serious forms of deviant and
40 illegal leisure appear to be declining. Joyriding, understood as the theft of a
41 motorcar for recreational purposes has undeniably diminished over recent
42 years (Farrell et al., 2011). Similarly, crimes against property and even young
43 people's alcohol consumption appears to be reducing at a rate that would
44 support the contention that we are experiencing a crime decline that relates
45 significantly to the notion of deviant leisure. However, in simple terms we
46 cannot reconcile a reduction in recorded crime with a meaningful reduction in
47 either harm or the motivation to partake in activities that have the potential
48 to result in harm. When the underlying violence of shopping explodes into
49 realised physical violence in time-bound consumption events (Raymen and
50 Smith, 2015); when sexual assault and violence is a normal, expected, and
51 even desired feature of the ubiquitous night-time economy (Smith, 2014;
52 Winlow and Hall, 2006); and when the humiliation and degradation of revenge
53 porn and torture become forms of entertainment to be consumed through
54 pornography and video games (Atkinson and Rodgers, 2015; Sherlock 2016),
55 criminology must look beyond what is socially-defined and culturally accepted
56 as affirming leisure cultures and instead interrogate the nature of leisure itself
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3 and its relationship with an increasingly liberalised consumer capitalism. As
4 choices around how we spend our time out of work become increasingly
5 limited to commodified forms of leisure and consumer experience, it becomes
6 more difficult to identify forms of *prosocial* leisure – leisure activities that have
7 the potential to contribute to human flourishing, positively impact the natural
8 environment and leave no identifiable traces of harm through their
9 commission. As cultural and critical branches of criminology hone in on
10 coherent definitions of harm, it becomes increasingly clear that post-crash
11 consumer cultures—driven by the endless quest for the creation of economic
12 growth out of fragile debt-based communities—sentence us to the repressive
13 requirement to live a life deemed worth living through intrinsically harmful
14 symbolism organized around degradation and harm to others or ourselves.
15 We observe that such cultures, driven by an underlying objectless anxiety and
16 fear of cultural obsolescence, are creating new forms of misery and abjection
17 which, far from revitalizing and liberating us from the workaday monotony and
18 tribulations of everyday life, are actively perpetuating such anxieties in ways
19 that contribute to the ongoing severing of positive social relations. Under
20 these interpersonal, social and cultural conditions, underpinned by the
21 demands of global capitalism, it would appear that unless we engage with a
22 deviant leisure perspective in order to understand and expose the myriad
23 harms associated with commodified leisure, a resurgence of morally and
24 ethically sustainable prosocial leisure forms is unlikely.
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