

# THE DISTURBINGLY HOLLOW MESSAGE OF THE ALAN TURING PARDON

Famed World War II code breaker, and computer pioneer, Alan Turing has been pardoned by the British government. From the New York Times story:

Nearly 60 years after his death, Alan Turing, the British mathematician regarded as one of the central figures in the development of the computer, received a formal pardon from Queen Elizabeth II on Monday for his conviction in 1952 on charges of homosexuality, at the time a criminal offense in Britain.

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The British prime minister, David Cameron, said in a statement: "His action saved countless lives. He also left a remarkable national legacy through his substantial scientific achievements, often being referred to as the 'father of modern computing.' "

Mr. Turing committed suicide in 1954, two years after his conviction on charges of gross indecency.

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When Mr. Turing was convicted in 1952, he was sentenced – as an alternative to prison – to chemical castration by a series of injections of female hormones. He also lost his security clearance because of the conviction. He committed suicide by eating an apple believed to have been laced with cyanide.

That is about as nice, concise and antiseptic a take as can be had on the matter. The truth, and

scathing comment on society therein, is quite a bit darker and uglier.

As Alice Bell put it in the Guardian:

That Turing's work helped win the war, and that it has had such a large social and economic impact beyond that, makes his treatment by the state especially embarrassing. But his life and his homosexuality are no more meaningful just because he was a genius we (perhaps despite ourselves) managed to benefit from. To use his work in computer science as a basis for this pardon seems to trivialise both the huge contribution of that work and, perhaps more importantly, the history of gay rights.

Right. But it is even darker than the common story of privilege and celebrity gaining advantage. That the pardon came nearly sixty years after Turing's death in forced shame (whether by suicide or not), makes the pardon act almost sad and meaningless. It does nothing for Turing, at this point it is mostly a cute and happy Christmas feel good move for the British throne and government. The hollowness of the move at this point saps much of the joy.

The criminal charge Turing was convicted of was section 11 of the Criminal Law Amendment Act 1885. Turing was hardly an isolated case; we hear now about him only because of his celebrity. As David Allen Green relates, there were a LOT of others:

In practice, if the police obtained sufficient evidence they would normally prosecute, and the courts would then usually convict. In all there were an estimated 75,000 convictions under section 11 (and its successor offence in the Sexual Offences Act 1956). One of these convictions was of Oscar Wilde, who was sentenced in 1895 to two years' hard labour (the "severest sentence that

the law allows” remarked the judge). But, perhaps counter-intuitively, most of these prosecutions did not happen in the days of Victorian prudery, but in the two to three decades after 1931.

One of these prosecutions was to be of Turing.

And the pardon was not just meaningless to Turing because he was dead the date, lo some 59 years later, when it was issued, it was meaningless too because if Turing were still alive, the equivalent would had already been available by act of law. As David Allen Green further relates:

A recent statute – the Protection of Freedoms Act 2012 – provides a scheme where those who had been convicted of the section 11 offence (and similar offences) can apply for their entire criminal records to be removed if the facts of the case would no longer count as a crime. It would be as if the offence had not been committed at all. These are not pardons – they go much further: the 2012 scheme removes the taint of criminality altogether, and with no fussing about not affecting the conviction or the sentence.

But the 2012 scheme is only for those still alive.

Lastly, Green goes back to the “why only Turing” bit that ought to gnaw at all who celebrate the pardon today:

Turing’s conviction was just one of about 75,000 under a vindictive law. But here is no logical reason why his should be regarded as a unique case. The actual wrong done to Turing was also one done to many thousands of men, and so any righting of that wrong must apply to those men too.

If Alan Turing is to be pardoned then so should all men convicted under section 11 if the facts of their cases would not be a crime today. But a better posthumous gesture would be to simply extend the 2012 scheme to all those who are now dead. Removing the criminal records completely of all those prosecuted who would not be prosecuted today on the same facts would be a better legislative gesture than a single statutory pardon, if there is to be a legislative gesture at all.

Precisely. If you want to honor Turing, make right not just by him, but all those similarly situated. And there are a lot of such men in history. This supposedly benevolent act of the Queen and British government rings hollow and self serving, there is much more than one heroic man to atone for.

Lastly, I urge a full read of David Allen Green's piece in the New Statesman. It is long and detailed, but truly tells the full tale that ought be told regarding the atrocious history of Alan Turing's offense, conviction then, and disturbingly hollow pardon now. And, the beauty of it is, Green penned his piece over six months ago, long before today's pardon came down.