



A criminal act?

Clause For Concern

'The pendulum is swinging back, and we ought to welcome and facilitate this.' Thus spoke the Chief Rabbi, Margaret Thatcher's favourite religious leader, on November 24, 1987. He was applauding a growing reaction against the 'permissiveness' of the 1960s and 1970s, and seemed to be looking forward to a new golden age when adultery, premarital sex and homosexuality would once again be illegal.

Barely two weeks later an obscure right-wing Tory MP, David Wilshire, introduced a clause into the local government bill which would make it unlawful for local authorities to promote homosexuality, to teach in maintained schools the acceptability of homosexuality as a 'pretended family relationship', or fund bodies or individuals promoting homosexuality or its acceptability. With gov-

ernment support, and a supine Labour response, the clause was accepted with scarcely a voice raised against it. By the end of the year only the House of Lords stood in the way of the first legislative limitation of the rights of lesbians and gay men for a generation.

There is no need to assume a causal relationship between statement and action. Both are, however, sparks from the same bush fire that is eating into the social reforms of the past 20 years.

Changes in the regulation of sexual behaviour rarely happen in isolation. They are usually part of an agenda of moral change. In 1967, when male homosexuality was decriminalised under certain narrowly-defined conditions (in private, in England and Wales, for men over 21 not in Her Majesty's services or the merchant navy) it was as

part of a wide-ranging programme of liberal sex reform.

We are now in the midst of a new period of moral reorganisation. The targets are those very reforms of the 1960s which at the time looked so moderate. Consider the reforms of the 1960s: on obscenity and censorship, on divorce, on abortion and on homosexuality. Then consider some current parliamentary flurries (not all, it must be said, coming from the far Right): moves to censor sexually explicit images on television and in publications; David Alton's bill to reduce access to abortion to 18 weeks; and clause 28 (formerly 27) of the local government bill banning the promotion of homosexuality.

None of the new proposals are straight repeals of the 1960s legislation. Nor do they all stem from the ideological redoubts of the new Right. But they are all undoubtedly attempts to narrow the space created by the moral revolution of the past few decades, and which the reformed laws have come to symbolise.

A moral counter-revolution has always been close to the heart of the Thatcherite project, and has been signalled by the leader and those close to her on various occasions over the past decade and a half.

At the centre of the project has been a reassertion of the virtues of traditional family life, summed up in the phrase 'Victorian values'. But moral enthusiasm has until recently been tempered by political caution. Now, in the third term, social issues are to the fore, and there is a new boldness in asserting moral priorities. A year ago, when Dame Jill Knight introduced a short bill identical to clause 28, the government opposed her. This time they supported the policy.

On this, as on so many other things, Thatcherism is setting the agenda, and the opposition seems to lack a political and moral language of its own with which it can respond. It is still too early to say how far we will see a full rolling back of the tide. Evidence from opinion polls and

social surveys tends to suggest that on most sexual issues popular opinion continues to be liberal. It is unlikely, moreover, that the government has a coherent strategy. But in supporting an attack on homosexuality, there is no doubt that the government feels it is on to a winner.

The background to this remains the association of homosexuality with Aids, and the fear and loathing it has aroused. In the last year or two this appears to have halted a slowly growing public tolerance of homosexuality. There are now clear signs of a public backlash against gays and lesbians, honed and nurtured by the tabloid press. And significantly, the liberal tide in the Church of England, which paved the way to acceptance of law reform in 1967, is beginning to retreat. Following the confused and confusing debate on homosexuality in the synod in early November, leading clergy now fall over one another to distance themselves from their gay brethren. As the Bishop of St Albans succinctly put it, the church could only gain popularity by taking a firm line against gays.

This is the social and moral context. The political context is the emergence of an explicitly anti-gay vote from former Labour supporters - the 'London effect' - waiting to be garnered by the populist Tory cause. As *The Guardian* sardonically put it (December 15): 'The reported activities of some London Labour gay and lesbian committees have not been a votewinner on many council estates.' Labour's confused response when the clause was introduced in early December (they were against the promotion of homosexuality but also against the clause) graphically illustrated the extent of its embarrassment at too close an association with the lesbian and gay cause.

Yet there is no doubt that the clause, if it does finally reach the statute book, will have a major impact on the lives of lesbian and gay people. Its practical effect on the

'promotion' of homosexuality in schools will be minimal, because it is doubtful if there has ever been any. It is likely, however, that there will be a much greater impact on the support given by a number of local authorities (some Tory as well as Labour and Alliance) to a range of services for the gay and lesbian community, from help lines to social centres.

But even more significant in the longer term will be the symbolic impact of clause 28. The partial decriminalisation of homosexuality in 1967 did not on its own revolutionise lives. But it became a potent symbol of a new readiness to accept the equal citizenship of lesbians and gays. Clause 28 will not recriminalise homosexuality, but it will provide an insistent message: that society is not prepared to accept the validity of lesbian and gay relationships and ways of life.

This is, therefore, a major crisis for the lesbian and gay community, and almost certainly a turning point for sexual politics as a whole. Yet at this critical moment, liberal voices were initially muted and uncertain, a good sign that the new Right's ideological offensive has bitten deep. Clearly, the Right is now able to mobilise deep currents of fear and anxiety in support of its moral agenda.

It is unlikely, however, that the moral Right will have it all its own way. The lesbian and gay community has proved remarkably resilient in confronting this threat. A protest march called at short notice for January 9 mobilised some 12,000 people. And as the clause came before the House of Lords the wider dangers became more apparent to a wider constituency. As Ben Pimlott put it in *The Times* (January 12), seldom 'has the duty to make a stand for common sense and justice been more clear cut'.

On the extent to which this is recognised in the labour movement and beyond will depend not only the fate of clause 28 but also the degree to which the pendulum will be allowed to swing back.

Jeffrey Weeks