

How the state has tried to regulate lives

... Some months before my arrest I was walking along the Old Brompton Road. It was midnight, and outside a closed public-house I noticed two men loitering. A man aged about 70 came down the street, turned down a side ally, and went into a lavatory beside the public house. He was followed by the younger of the two men, and almost immediately there was a sound of scuffling and shouting. The older of the two men ran into the lavatory, and the dragged the old man out crying and struggling. When I shouted at them to let him go they told me they were Police officers. A woman who had joined us on the street corner asked what the old man had done, and one of the detectives said he had been "making a nuisance of himself".

1955, from Peter Wildeblood interview, p206 Wolfenden's Witnesses

R – aged 19, a 'brilliant' Cambridge undergraduate, who gassed himself five weeks ago (3rd June). Although well integrated into a group of other homosexuals at the university, a lifetime of persecution and ridicule had led to a sense of isolation, of which suicide seemed to him the natural sequel. At the inquest it was stated and confirmed that he had been driven to this death because of this persecution, and wished these reasons to be made public in the hope that his end might draw attention to, and thereby alleviate, the plight of his fellows.

1955, from p210 Wolfenden's Witnesses

"The great majority of homosexuals desire to lead their lives with discretion and decency, but are placed by the law of their country in a position of permanent danger." Peter Wildeblood speaking to the Wolfenden Committee, 1955 (Wolfenden's witnesses, p207)

" Introduced by Margaret Thatcher's government, Section 28 of the 1988 Local Government Act stated that councils should not "intentionally promote homosexuality or publish material with the intention of promoting homosexuality" in its schools or other areas of their work."

<http://www.bbc.co.uk/news/uk-wales-23768901>

"From midnight tonight, a piece of legislation described as "pernicious" and "homophobic" will be repealed. The new day will begin with the removal of a 15-year-old statute which gay people say made them second-class citizens under a "deeply offensive law".

Section 28 of the Local Government Act 1988 prohibited local authorities from "promoting" homosexuality or gay "pretended family relationships", and prevented councils spending money on educational materials and projects perceived to promote a gay lifestyle.

While no one was ever prosecuted under the section, it had a wide effect, with libraries refusing to stock gay papers and gay websites blocked on school computers. Section 28 did not directly legislate for schools, but it prompted staff self-censorship. Teachers were confused about what they could say and do, and were unsure whether they could act when pupils faced homophobic bullying." <https://www.theguardian.com/politics/2003/nov/17/uk.gayrights>

"The act prohibited any homosexual or bisexual person from disclosing his or her [sexual orientation](#) or from speaking about any homosexual relationships while serving in the United States armed forces. The act specified that service members who disclose that they are homosexual or engage in homosexual conduct should be discharged except when a service member's conduct was "for the purpose of avoiding or terminating military service" or when it "would not be in the best interest of the armed forces". - "Don't ask, don't tell" (DADT) - the official United States policy on military service by gays, bisexuals, and lesbians, instituted by the Clinton Administration in 1994, until September 20, 2011. (Wikipedia)

"One perspective was that state intervention in civil partnership – and sometimes also in

employment law – as an unwanted ‘imposition’ from the state. From this view, it was argued that the absence of state involvement had enabled people to create their own definitions and parameters for their relationships and working life It has shown that entering and experiencing civil partnership was not just about practical and legal ramifications for some couples, but about a far wider set of factors, including gaining social recognition and validation, a sense of legitimacy and an increased sense of security in the relationship. This again shows how ‘normalisation’ and legitimacy under the state umbrella was in fact welcomed by some same sex couples . This said , strong discomfort remained in some quarters with the continuing gap between civil partnerships and marriages. Opening up both institutions to gay, lesbian and heterosexual couples appeared to be the solution that had the best fit with the diverse set of views described above. This was regarded as a means of increasing equality between all types of couples as well as choice about which institution best suits a relationship, if any at all. " "Same-Sex Couples and the Impact of Legislative Change" <http://natcen.ac.uk/media/27329/same-sex-couples-fullreport.pdf> p.15

"W hen MPs debate the same-sex marriage bill on Monday in parliament they will be discussing legislation that doesn't quite live up to its aspiration of equality. Instead of fully including lesbian, gay, bisexual and transgender (LGBT) couples within the ambit of existing marriage law, some aspects of law remain different for gay and straight married couples. Prior to the early 1970s, there was no ban on same-sex marriage: it was de facto legal. The prohibition was introduced in response to the emergence of the gay liberation movement and the fear that a lack of legal impediment would allow transgender and same-sex couples to marryAlas , the government is now proposing different rules for LGBT marriages. For married heterosexuals, non-consummation and adultery with an opposite-sex partner are grounds for annulment or divorce according to the 1949 act. Under the current bill, however, non-consummation does not invalidate a same-sex marriage, and adultery with a person of the same gender is not grounds for divorce. While this may be a progressive reform of marriage legislation, it makes the law unequal.... In a democracy, everyone should be equal before the law. This includes the right of same-sex couples to marry and be just as happy – or miserable – as married heterosexuals. "

<https://www.theguardian.com/commentisfree/2013/may/20/same-sex-marriage-aspiration-equality>