**LADY GAITSKELL HOUSE OF LORDS SPEECH ON SEXUAL OFFENCES BILL**

**12 May 1965**

(almost unique moment of modernism)

5.45 p.m.

[§](http://hansard.millbanksystems.com/lords/1965/may/12/homosexual-offences" \l "S5LV0266P0_19650512_HOL_148" \o "Link to this speech by Ms Anna Gaitskell) [*BARONESS GAITSKELL*](http://hansard.millbanksystems.com/people/ms-anna-gaitskell)

My Lords. I should like to add my thanks and gratitude to the noble Earl, Lord Arran, for initiating this debate. I thought his speech was absolutely brilliant, clear, restrained, thoughtful and humane, and I go all the way with him on it. I hope that the noble Earl, Lord Dundee, will not accuse me of being arrogant because I happen to hold fairly strong views on this subject. I have thought a great deal about it. I am not young, and I think that if one is not young one will have learned quite a lot about homosexuality in this life; and I agree with all noble Lords who have spoken in favour of the Wolfenden recommendations.

**I personally do not regard homosexuality as a disease. I should like to make this quite clear. I do not know, and I do not know how anybody else knows, that it is a disease. I believe that the sex instinct manifests itself in many ways, some more attractive than others, and that homosexuality is just one of its manifestations. When approaching the subject we have to try to lay aside, if we cannot divest ourselves entirely of them, any deep-seated historic prejudices that we may have, and try to be as objective as we can. This is not easy, because the whole subject of sex is so ringed round with sentimentality and self-deception that it is only by serious introspection that we can clear our minds and emotions, especially when we come to homosexuality.**

This is a subject where distaste so quickly turns into moral indignation, and this applies, as I say, more to homosexuality than to heterosexual behaviour. There are many reasons for it. After all, not everything in the heterosexual garden is lovely. We tolerate and we ignore, and we laugh at it. I wish we could do the same about homosexuality. Up till now, everything that is known about male and female characteristics in both sexes shows them to be mixed up in the human personality. Doctors, psychologists, lawyers, teachers and priests would be hard put to it to define normalcy with scientific precision. Certainly, it is not just the accident of a homosexual physical experience when young that makes a man into a homosexual when he grows up. A man is more likely to become a stubborn homosexual because of a possessive and over-protective mother for whom he conceives a strong unconscious tie, than because of a homosexual experience when he is a boy.

Recently, I read an article about an inquiry into the family background of a group of drug addicts. In every case there was a history of an over-loving possessive mother, who in some of the cases discouraged the cure of her son. Most young people pass through a homosexual phase on their way to sexual maturity. After all, everyone knows of the case of the schoolgirl "crush" and of the boy's hero worship. In fact, I would go so far as to say that the traumatic effect of a physical homosexual experience would be rare if we, as parents and teachers, gave our children more education in the matter of sex.

There is, of course, the case of the older man who corrupts young boys. This is the kind of case that comes up quite often before our magistrates. It is a most unattractive phenomenon. But is it really so much more unattractive than the picture of the young, good-time girls with their "sugar daddies"? I am not sure. Everything that I have known and learned about homosexuals came under [128](http://hansard.millbanksystems.com/lords/1965/may/12/homosexual-offences" \l "column_128" \o "Col. 128 — HL Deb 12 May 1965 vol 266 c128) the scrutiny of the Wolfenden Committee, and all their recommendations reinforce my own views on the matter. I am in entire agreement with their recommendations. I hope that research will continue into the aetiology of homosexuality and that all help—medical and psychological—will be given to those who desire it, for their own happiness.

The Wolfenden Committee recommendations were approved by twelve to one. If I had any grave doubts about my own attitude to this social problem, they were dispelled by the arguments in the minority reservation of Mr. Adair. Why? Because I do not believe that homosexual behaviour between consenting adults is harmful to the community, or can have a serious effect on the whole moral fabric, as it is called, of social life. The whole moral fabric of social life often looks somewhat tattered to me after I have read my morning newspapers, or even my Sunday papers. The misdemeanours between man and woman far outnumber those between man and man.

I do not believe that homosexual conduct in private between two consenting adult males injures the public, nor does its influence or its example have a harmful effect on the young. Young people should not be kept in ignorance about the complexities of human behaviour. I do not believe that our present laws keep homosexuality in check, and I do not believe that homosexuality would be increased if the law were liberalised. In fact, our laws as they are at present introduce an element of danger to those who flaunt them, and this very danger acts as a sexual stimulant rather than as a deterrent. We persecute these men for what they are, and we do not persecute heterosexuals for many of the perversions in which they indulge—we treat these as private and confidential. We expect a degree of self-restraint from them that is absolutely unrealistic.

What kind of loyalty can we expect from these people towards a society which hounds them, often in such a humiliating way? What can be more squalid than the police spy in the public lavatory? No blame on the police officer, for he is carrying out his instructions. But what of the general public, the doctors, the psychologists, the priests—are they to be informers, too? The whole business of being an informer is most repulsive in a democracy. How can we maintain such rigid attitudes in this day and age when sex is treated with candour? The argument is used that these laws are four hundred years old, and so are good because of this. On this premise we should bring back prison for adultery or hanging for theft.

So, finally, I make my plea that the recommendations of the Wolfenden Report be accepted by the Government and that the laws against homosexuals be amended to be in line with the laws against heterosexuals. The recommendations are not sentimental, and this fact has not been stressed enough in this debate. The recommendations of the Wolfenden Report are wise and realistic, and contain very severe penalties for sexual crimes. It is fashionable nowadays to criticise and run down this House, but here in this House we have a good opportunity to exercise the good wisdom that comes from maturity—and may I add also, perhaps sophistication; though I must say that I myself am more shockproof than a good many other noble Lords who have spoken. The aggregate of the years which we share between us in this Chamber would add up to a formidable figure.

In the Commons, whatever liberal views a Member of Parliament may hold, he can be inhibited, and sometimes hamstrung, by consideration of his constituents. Many of these are uninformed and fearful of homosexuality. It is in this House, where we can freely express our views, that we can have a better chance of changing public opinion and make it more tolerant and understanding. We can revise the prejudices and certainties of our younger days. I heard a most distinguished noble Lord in this House say that the older he got the less certain he was about some of the views he had held before. Our laws must be kept under continuous and strict scrutiny so as to keep them objective, to humanise them. There are often no simple solutions to complex problems. The simple solution is usually one empty of compassion.

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My Lords, I, too, should like to add my tribute to the maiden speech of the noble Marquess, Lord Queensberry, and I hope that when he reaches the great age of Lord Goddard he will still maintain the liberal views which he expressed. We have now discussed in depth the Wolfenden proposals on homosexuality which are embodied in this Bill. We have been somewhat discreet about the physiological explanation of this deviation, and I was hoping that Lord Brain, who has just spoken, might enlighten us a little. I myself, having failed my second M.B. examination many years ago, but having dissected the human body, think that all the ramifications of the human nerve system throw some light on the origins of this deviation, when the psychological explanations, good as they are, still leave us rather baffled. In fact, when judging this problem we need to muster all our knowledge of human nature, gleaned from our worldly experience, our [685](http://hansard.millbanksystems.com/lords/1965/may/24/sexual-offences-bill-hl-1" \l "column_685" \o "Col. 685 — HL Deb 24 May 1965 vol 266 c685) reading of poetry and novels, and psychology and philosophy, and, finally, from our own knowledge of ourselves. Only in this way can we begin to piece together the jigsaw puzzle of the human personality when many large pieces do not fit in with our preconceived ideas.

Here, may I refer to the speech of the noble and gallant Field Marshal, Lord Montgomery of Alamein? I think he performed a great disservice to the Forces when he suggested a collapse of morale if this Bill became law. He knows perfectly well that Section 66 of the [Army Act](http://hansard.millbanksystems.com/acts/army-act-1955) ensures that homosexual behaviour, even with consulting adults, is dealt with by court martial. Lord Shackleton pointed this out, but still the noble and gallant Field Marshal did not withdraw.

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My Lords, I am not a lawyer and therefore I cannot comment on that. I wish only to point this out, and when we hear the speech of the noble and learned Viscount, I shall then judge on what he says. I rather deplore the views expressed by the noble and gallant Field Marshal about the moral fibre of the young. I think there is too much nonsense talked these days about this lack of moral fibre in the young, and even in the middle aged and the old. Of course, our affluent society has its problems—we know that; but I sometimes wonder whether there is not more crime simply because there are more people. It seems a fairly reasonable explanation.

**As for the Armed Forces, and the foundations of morale being only in discipline, I think that this is perhaps too simple a view of morale. The Field Marshal was in brilliant command of millions of men, and he did a wonderful job. I am amazed that he did it with, in a way, so little knowledge of the sex habits of the men under his command. He asked, "How can we maintain discipline if the men know that two officers are committing homosexual practices somewhere or other?" But how can we maintain the morale of the troops when, after all, his men might know that two officers were committing all sorts of heterosexual but undesirable practices somewhere or other?**

However, to get back to what I wanted to say in my speech, all our discussions to-day, and those on the last occasion when this matter was discussed, converge mainly on the hazard to our young boys from older men if the laws are relaxed. Many people fear this kind of corruption. But the Wolfenden proposals would strengthen the laws against just this kind of corruption. They would increase the insurance against this risk. As for the idea that, with the relaxation of the laws against consenting adult male homosexuals, there would be a sudden and large defection from heterosexual ranks to join homosexual brigades, surely that is ludicrous.

**Those of us who are in favour of tempering the harsh attitude of the law against adult homosexuals and its incidental green light to blackmailers. feel as we do because, among other things, we cannot subscribe to the universal conspiracy of illusions about sex. These illusions snare and lure us into believing that everything about sex begins and ends with boy meets girl. The State does not pry into the private behaviour between men and women, between women and women, but only between men and men. Here, the law is based primarily on feelings of intolerance, disgust and indignation—natural feelings, you may say. But surely our laws are not based entirely on such instinctive feelings. Surely we endeavour continuously to scrutinise our laws and subject them to the light of reason and compassion. When this happens, I submit that many of our feelings of disgust and indignation are transmuted into understanding and tolerance.** So, finally, I should like to commend this Bill. Let us amend it in Committee wherever it is necessary; but let us try to influence public opinion—this body of men, with its experience, its knowledge and its ability to think clearly. Let us commend this Bill to the Government.