

## **“Tory-Normativity” and Gay Rights Advocacy in the British Conservative Party since the 1950s**

Gay rights advocacy in the Conservative party since the 1950s played-down its difference from Conservative beliefs by emphasising pragmatism over emancipation; discretion over celebration; and responsibility over rights. This positioning was allied to a construction of gay men and women in the image of the idealised conservative citizen: law-abiding, entrepreneurial, and ultimately familial—a process I label “Tory-normativity”. Tory-normativity introduced gay rights advocacy into the party in an acceptable form, and consequently caused party policy to develop. Ultimately, the construction of Tory-normativity has been used to depoliticise gay identity: initially gay men, and then from the 2000s onwards, gay men and women.

### **Introduction**

Since the 1950s, the Conservative party has repeatedly impeded gay rights legislation. Yet at times individual Conservative politicians, and recently the leadership, have led on reform. The Conservative MP Humphry Berkeley in 1966 introduced a Private Member’s Bill to propose decriminalising male homosexual acts; the Conservative Lord Arran introduced this same Bill in the Lords; the Conservative Lord Boothby introduced the Bill in 1977 to decriminalise homosexuality in Scotland; in 1994, it was MP Edwina Currie who introduced an amendment to The Criminal Justice and Public Order Bill attempting to have the age of consent for gay men set at 16; and it was a Conservative led government who oversaw the Marriage (Same Sex Couples) Act 2013. With other gay rights legislation, such as the Sexual Offences Act 1967; the Sexual Offences (Amendment) Act 2000; the Adoption and Children Act 2002; and the Civil Partnership Act 2004, we see a number of Conservative MPs speaking in favour of progressive legislation. It is of interest, therefore, to examine how a Conservative strain of thought has encompassed issues of gay rights, and how members of the party are able to advocate progressive positions from within an anti-progressive institutional framework—(the meaning of progressivism, like so many

political words, is contested: here I take Griffith's (2014: 29) understanding that progressivism is a set of policies that is guided by optimism, is accepting of rupture and seeks social justice.)

There has been much study on the discourse of opposition to gay rights legislation (see Smith, 1994; Waites, 2000, 2003; Ellis and Kitzinger, 2002; Burrige, 2004; Baker, 2004; Love and Baker, 2014; and Findlay, 2017). This work empirically documents the numerous instances of gay rights legislation being opposed by Conservatives. Many Conservative MPs spoke vociferously, and often vulgarly, against decriminalisation in 1967 and 1977; age of consent parity; civil partnerships; and marriage equality. The range of the literature on Conservative opposition to gay rights legislation rightly reflects the extent of that opposition. Yet, as a consequence, Conservative gay rights *advocacy* has remained somewhat under-examined. There has been an excellent historical account conducted by McManus (2011), a Conservative party advisor. Yet the same language analysis regularly applied to the opposers of reform has not been applied to advocates. To address this absence, this article examines Conservative gay rights advocacy since the 1950s as evidenced in House of Commons and House of Lords speeches, as well as reflections in the media, diaries, and memoirs. This data is accompanied by archival analysis of the papers of the Conservative Group for Homosexual Equality held at the London School of Economics.

The analysis is divided into three attitudinal eras, following (*mutatis mutandis*) Page's (2014) typology of Tory progressivism: One Nation progressive conservatism (running from the 1940s to the 1970s); neo-liberal (anti-progressive) conservatism (through to the 1997 election defeat); and progressive neo-liberal conservatism (since 1997). Significantly, Page identifies the contingent nature of Tory progressivism: the immediate public order issues at hand are what dictate responsible action rather than values. As Page (2014a: 18) writes: 'actions [for the progressive Tory] are pragmatic responses to existing problems rather than part of some broader, transformative 'progressive' goal.' This observation is key to understanding Conservative gay rights advocacy: it was continually necessary (though the means change) to lessen the ideological

agenda. Rather, the issue was presented as common-sense practicality. There is no awkward liberal telos of emancipation. Consequently, Conservative gay rights advocacy has *applied* rather than challenged Conservative ideas. That is to say, fundamental conservative principles of tradition, responsibility, individuality, pragmatism, respectability, privacy and order have not been overhauled, rather these principles have been extended and cemented by being applied to new groups.

Furthermore, this tactic is aided by the construction of gay men, and latterly (though less strongly) gay women, around a Conservative exemplar: a process I label “Tory-normativity”. This term borrows from work on “homonormativity” (see Duggan 2002; Stryker, 2008), but here I emphasise a particular Conservative party version of this activity. ‘Homonormativity’, writes Duggan (2002: 179), ‘is a politics that does not contest dominant...assumptions and institutions...but upholds and sustains them...’ It is a term that sees the LGBT community internalising the values and hierarchies of the heterosexual hegemon, leading to the production of an idealised image of the acceptable LGBT individual. So, following this definition, Tory-normativity sees the ideal LGBT individual in specifically Conservative terms. Consequently, inclusiveness by the party becomes itself a form of normalising control: for excluded groups are included on the understanding they will behave in a conservative fashion: middle class, discrete, economically productive, and eventually, nuclear-family producing. There has been no great restructuring of dominant thinking: rather, a mere correction has been made, where-in a group previously seen as outside of acceptable Conservative behaviour has been identified as “one of us” all along.

Tory-normativity has been applied by gay rights advocates in the party to both gay men and lesbians, though it has heavily skewed towards gay men. In part, this was because legislation debates up to the 1990s concentrated solely or disproportionately on gay men—this includes Section 28, which though non-gendered in its intention evoked discourse (often linked to the AIDS crisis) that referenced gay men more than gay women (see Jeffery-Poulter 1991: 6; 220;

222). Consequently, though the LGBT community are advocated for and discriminated against across a number of intersectional identities, in this article I concentrate on the Tory-normativisation of gay men, singularly, up to the 1990s; there is then a change to include both gay men and women as advocacy shifts, especially since the 2000s, from a focus on issues around sex to a focus on issues around relationships and families.

Tory-normativity has acted as the central facilitating construction in the process of institutional change concerning gay rights advocacy in the Conservative party. An institutional actor can only argue for change in a non-crisis environment using a mix of new ideas and accepted old ideas. The “bridge” of Tory-normativity (as will be empirically demonstrated) has allowed the new idea of gay rights advocacy to meet old ideas of conservatism. This process of institutional change is labelled by Mahoney and Thelen (2010: 17-18) as *conversion*: ‘[it] occurs when rules remain formally the same but are interpreted and enacted in new ways....’ Torynormativity allowed for a reinterpretation of the rules of conservatism (be it traditional conservatism or neo-liberalism) to serve new purposes. The success of the conversion of beliefs to incorporate new purposes relied on specific actors using appropriate discourse: at first to convince *themselves* that their advocating was not apostasy, and then with time to convince all or part of the institution as well. This function of discourse in institutional change is highlighted by Schmidt (2008: 313):

Discourses succeed when speakers address their remarks...at the right times in the right ways. Their messages must be both convincing in cognitive terms (justifiable) and persuasive in normative terms (appropriate and/or legitimate). A successful discourse “gets it right” in terms of a given “meaning context” according to a given “logic of communication.” This suggests not only that the ideas in the discourse must “make sense” within a particular ideational setting but also that the discourse itself will

be patterned in certain ways, following rules and expressing ideas that are socially constructed and historically transmitted.

The empirical analysis that follows identifies these speakers, pinpoints the “right ways” in which they spoke, and traces how this articulation moved advocacy in the party forward. Finally, Tory-normativity, though it characterises the progressive neoliberal period, is present in the preceding periods. For though it has been identified (see Duggan, 2002; Bryant, 2008; and Searle, 2014) that parts of current gay culture have developed a neo-liberal tendency, what is under-examined is the function this process has played within the Conservative party over time.

### **1950s–1970**

Two members of the Wolfenden Committee were connected to the parliamentary Conservative party: Sir Hugh Linstead MP and the Marquess of Lothian. Interestingly, Hugh Linstead’s *Times* (1987) obituary makes no mention of his work on the Wolfenden Report, and goes so far as to say that he ‘took part in few dramatic controversies.’ This characterisation is not untypical. It is key to the success of Conservative gay rights advocacy that it de-radicalise the change that has been achieved. There is celebration of the accomplishments of Tory gay rights advocates; however, there is also an attitude of “getting on with the show” that offsets the idea that victories in one area necessitate some ongoing fuss, or broader egalitarianism. As the Tory MP and thinker Jesse Norman (2010) writes: ‘In ethics, [Conservatism] does not moralise or preach but works practically from case to case...’ In this formulation, the advocate deals only with particular issues, rather than being a lifelong *campaigner*.

Hugh Linstead did criticise the shelving of Wolfenden by the Government (the *Times* (1958) quotes him as saying: ‘I regret very much that no action has been taken’ ), but he was hardly a persistent proselytiser for gay rights. Sir Hugh did speak in Parliament on Wolfenden in 1958 (he lost his seat in 1964). His argument (HC Deb 26 November 1958 col. 412) is on the

*practicality* of the law against male homosexual acts: ‘...of all the laws,’ he states, ‘this one is probably more capriciously enforced than any other’. Linstead (in concert with the Wolfenden Report) insists on seeing male homosexual acts as not a legal or medical issue but a moral one. Says Sir Hugh: ‘the place where one must judge what male adults in private do is the field of morals and not the field of law...’

Linstead does not see decriminalisation as a step towards wider acceptance. Rather, he argues to correct a legal dead-end in the prosecution of such acts. He seeks to reframe the linguistic binary away from legal/illegal, which serves no purpose, and into the binary of moral/immoral. The second central binary that is employed is public/private. It is no coincidence that the other issue discussed by Wolfenden, and in this debate, is public prostitution. By linking the two areas (as they were in the Act that first criminalised “gross indecency” in 1885), the issue is placed as one of public decency not legal control. As Linstead states: ‘...what consenting adults do in private can morally be regarded as their own affair... when what they do in public offends against public decency, then the intervention of the law can be justified.’ Both of these binaries (moral/immoral; public/private) resonate with central Conservative tenets—indeed, Edmund Burke famously referred to politics as ‘morality enlarged’ (Bromwich, 2014: 258). In this view, the foundations of a good public order emanate not from law, but from individual responsibility. Linstead explicitly identifies the function of community as a morally disciplining force. Indeed, he goes on to enact an explicit Tory-normativisation of the putative homosexual man: ‘to change the law can put a new social and moral responsibility upon [gay men].’ (This view of homosexuality as tolerable if kept private was reflected in the number of gay men who were semi-openly gay within certain circles of the party but no further (see Bloch 2015)—a characteristic that remained in the party through the 1980s, where it was common to find gay party researchers at Central Office (see McManus 2011: 87). In the same debate, R. A. Butler—who had privately mooted law reform on homosexuality as Conservative Home Secretary (see Jago, 2015)—makes a similar point: ‘there are few things more important than to sustain the sense of individual

responsibility, whether it be civic responsibility or responsibility for private conduct.’ Butler, however, and despite personally favouring legislation, ultimately shelved the Wolfenden report due to worries on public support.

The second Conservative on the Wolfenden Committee, Lord Lothian (HL Debate 4 December 1957 col. 781), spoke similarly in the Lords:

I am not convinced...that the criminal law can be based on a precise grading of moral or ethical failings...[T]o emphasise the personal and private nature of immoral conduct is to emphasise the personal and private responsibility of the individual for his own actions...

What we see here, as Page (2014b: 145) writes in regard to Tory progressivism in general, is the language by which ‘conservatives reject the idea that it is possible, through a process of rational action, to improve either society or individuals over time.’ As a result, gay rights advocacy cannot be based on a moral language of acceptance and progress; rather the *moral* law must remain resolute and condemnatory, though statute law may be amended to remove the impracticality of a legal case. This language not only curtailed the idea that advocacy might be part of a longer movement towards acceptance (and even championing) of gay men, but actively precluded such a move. The frame of reference, in keeping with a Conservative philosophy, moved the issue of homosexuality out of the purview of the state (expressed in the law) and into that of the social (expressed in morality—but with the emphasis on private *responsibility* mediated by public condemnation).

This move, I argue, is a more controlling one than previously emphasised in studies of Conservative social progressivism. Mark Jarvis (2005: 11) writes of how ‘the legislative process...gave a clearer definition between the public and the private spheres...[and] the area of adult private behaviour was ‘no concern of the law’’. Yet the Conservative impetus was not one of progressive tolerance, but of refocusing the moral controlling function from the law to the

individual *in society*: within this, male homosexual behaviour was still to be presented under the Conservative conception of the responsible, discrete, buttoned-down citizen of the private sphere: there was to be no parading one's emancipation in the streets; for Tory-normativity made the presumption that hitherto marginalised groups would behave in a manner akin to the Conservative mainstream once legal encumbrances were removed.

At the end of 1965, the Tory MP Humphry Berkeley, winning the chance to introduce a Private Member's Bill, moved on Wolfenden's recommendations. His Sexual Offences Bill had its second reading in February 1966, where Berkeley (HC Debate 11 February 1966 col. 786) spoke at length in the Commons. He evoked, again, the place of morality:

All of us who are Christians...regard homosexual acts as morally wrong. On the other hand, all of us who are Christians, and many others, equally must have a feeling of compassion and justice for a minority of the population who find themselves in a condition for which they have no responsibility.

Here is the Burkean notion of an admixture of talents (see Dorey, 2010: 7ff): not all men are equally endowed with continence and fortitude. Nonetheless, they are rightly to be pitied. Notably, Berkeley spoke of 'those who, for perfectly honourable and natural reasons, find this a subject which they can consider only with revulsion...'. Overall, Berkeley's argument was juridical not personal, pragmatic rather than emancipatory.

Forty-eight Tory and Unionist members supported the Bill, but Wilson's snap election put an end to its progress. Berkeley lost his seat, though his re-election was strongly supported by one of the fathers of One Nation conservatism, Iain Macleod, then shadow chancellor, who wrote to Berkeley that "there is no one whose success in this goddam election means more to me than yours does" (quoted in McManus, 2011: 65-66). The issue of reform did not go away, however. Taken-up this time by the persistent Labour advocate Leo Abse, and co-sponsored by



Conservative MP Norman St-John Stevas, the Bill was debated in the following parliament, eventually receiving Royal Assent as the Sexual Offences Act 1967. It is in the Commons debates for this Act where we again see a particular articulation of Conservative gay rights advocacy. During the second reading of the Bill, former Conservative minister Richard Wood (HC Debate 19 December 1966 col. 1146) remarked in criticism of the current law that the 'more misbehaviour we bring or keep within the ambit of the criminal law the more we diminish the total moral responsibility borne by each individual.' Evoking the traditional Conservative concern with family stability, he emphasised (HC Debate 19 December 1966 col. 1147) that homosexuality is not the main threat to the family unit:

[If] we shrink from prohibiting sexual misbehaviour [such as adultery] which is comparatively more disruptive of family life... [there] seems to be a very slender reason for maintaining the legal penalties for private homosexual behaviour whose power to destroy a family circle... is comparatively small.

Wood's discursive tactic was to allow for legal tolerance of male homosexuality without any perceived lowering of his own conservative moral authority. The gay man was to be brought into the moral universe of the conservative mind, rather than the conservative mind being altered. If gay men could be understood as no real threat to nuclear family stability, then the hierarchy of Tory values would be maintained in its traditional form.

### **The mid 1970s to 2000**

The 1967 Act was a compromise: it did not deliver age of consent parity; it only applied in England and Wales; it excluded the Armed Services and merchant navy; and it facilitated the prosecution of anyone seen as procuring homosexual acts, so that bars, clubs and lonely hearts columns became targets of the law. Consequently, there was still much to do. In 1976, Ian Harvey, a former politician who resigned in 1958 after his arrest for gross indecency with another man in St James's

Park (see Harvey, 2011), founded GayCon—also known as the Conservative Group for Homosexual Equality [CGHE], and overseen by the academic Peter Campbell throughout the 1980s (see Parris, 2005). The stated purpose of CGHE (1981: 12) was ‘...to encourage support within the Conservative Party for the ending of laws and practices which discriminate against homosexuals *and* to encourage support for the Conservative philosophy and a free society within the homosexual community’ [emphasis added]. In CGHE literature there was a preference of pragmatism over dogmatism: on age of consent parity, the groups writes (CGHE 1981: 3): ‘...British legislators have tended to adopt a gradualist approach to reform and CGHE recognises that the next feasible step may be the reduction of the age of consent to 18...’ There was the use of Tory-normativity in constructing the Conservative gay man: ‘CGHE believes’, states a group leaflet (CGHE 1982), ‘that *most* homosexuals are *naturally* Conservative - many are self-employed or are making successful careers in business, many shoulder the burdens of mortgages and home ownership and *all* have a vested interest in the prosperity of the country’ [again, emphasis added].

The Tory-normativity displayed by GCHE was largely male centric. Indeed, Harvey (1977: 4) responded to this observation in a newsletter, writing: ‘Perhaps we should appeal to the lesbians for patients. How can we, as homosexual men, at this stage in our campaign, be expected to devote our energies to changing the attitude of society towards gay women from toleration to respect...whilst our own sexual activities are still largely illegal?’ The reason for the male-centricity of Conservative gay rights advocacy was fourfold: firstly, legal discrimination was more heavily on gay men and so this was seen as a priority (though there was a wealth of policy discrimination against women—regarding, for example, serving in the armed forces, or partner rights); secondly, non-gendered gay rights legislation (such as civil partnerships, adoption, and marriage) was not on the advocacy agenda at this stage; and, thirdly, the public stigma against homosexuality was largely male focused (especially with the AIDS epidemic) so that advocacy was shaped in its response by this discourse. The fourth reason is specific to Tory-normativity itself: it is a largely male-centric view of the idealised citizen. When it addresses and constructs the acceptable gay

individual in Conservative terms, this individual is more readily rendered male than female. Such a move was less stark in the 1950s to 1980s, since often the legal individual in question *was* male. But (as will be seen) as gay rights advocacy became less gender exclusive, Tory-normativity retained to a degree this male-centred emphasis.

Overall, CGHE literature did not seek to repudiate Conservative values, but rather argued that they could be employed towards gay rights advocacy. As Robin Squire MP wrote in the Group's magazine *Open Mind* (Squire, 1987: 3): 'Now equality is a dangerous word for a Conservative to use and we remember David Hume's strictures in the 18th century on the impossibility of absolute economic equality. Nonetheless, as Conservatives we do believe in equality before the law.' Yet, though the traditional themes remain present, there was with CGHE an interesting addition: Tory gay rights advocacy for the first time incorporated neo-liberalism, with references to state incursions on individual freedom. As the ideology of the party changed so did the language of Tory gay rights advocacy, which now combined two aspects: traditional Tory attitudes to pragmatism, legal equality, and responsibility *and* neo-liberal attitudes to the state. As a CGHE (1982) leaflet states, 'Individual freedom is the most basic plank in the Conservative platform, yet the Party prefers to ignore the issue as it relates to homosexuality...' Another leaflet (CGHE 1981) declares that the Conservative party 'prefers a free society to a society run by the State'; and a later leaflet (CGHE 1989) that 'it is clearly contrary to Conservative principles for the State to intervene needlessly in the private lives of its citizens.' This articulation—of gay rights advocacy to neoliberalism—highlighted the inconsistencies of the Thatcherite project: indeed, the vigour of state retrenchment actually *called forth* its equivalent in the moral sphere. An anonymised article in *Open Mind* (Westminster Watcher, 1986: 3) sought to do just this: to celebrate Conservative economic achievements whilst criticising their lack of expansiveness: 'the parliaments elected in 1979 and 1983,' it states, 'have made good progress with the legislative programme for privatising state industry, reducing state intervention in the economy and giving individuals more scope for running the economic aspects of their lives...Would that the same

could be said of the task of rolling back the frontiers of the state in respect of other aspects of life.’ Gay rights advocacy moved nimbly here within the party: looking always to apply rather than challenge a prevailing ideology.

Conservative party action towards gay men and lesbians in the 1980s to 2000 period was dominated by the introduction of Section 28 (Local Government Act 1988), the callousness of which has been well documented (see Stacey, 1991; Smith, 1994; Waites, 2000, 2001, 2003; Burridge, 2004). The section ordered that: ‘...A local authority shall not—(a)intentionally promote homosexuality or publish material with the intention of promoting homosexuality; (b)promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship’. The vote on the clause was whipped: only two MPs, Robin Squire and Michael Brown (both members of CGHE), abstained, and none voted against. CGHE engaged in private to ameliorate the wording of the policy as it was enacted, and referred to the whipping of what should have been a vote of conscience as disgraceful (CGHE 1987). Yet Conservative gay rights advocates were also happy to criticise perceived excesses by Labour councils. Robin Squire (1987: 3) wrote with disapproval in CGHE’s magazine of ‘left-wing organisations [that] *seem* to want homosexuality to be presented to children as a condition better than heterosexuality.’

William Hague would impose a three-line whip against the Labour government’s first attempt to repeal Section 28 in 2000. Yet the period between its enactment and repeal witnessed a minority group within the parliamentary Conservative party advocating for gay rights. In 1991, Conservative MPs (including Edwina Currie and Steven Norris) established the Conservative Parliamentary Group for Homosexual Law Reform. When in 1994 Currie (HC Deb 21 February 1994 col. 81) proposed an amendment to The Criminal Justice and Public Order Act to equalise the age of consent, she offered up a pantheon of Tory-normativised gay men: ‘...The image of gay men is at last changing. They are men whom we know, work with and whose work we admire. They are businessmen, civil servants, artists, actors, soldiers, judges, bishops, priests, peers and

Members of Parliament.’ The amendment, though it did not pass, was supported by forty-four Conservative MPs. Currie’s reasoning differed from the advocacy seen in the 1950s to the 1970s: there is an invocation of ideas of freedom that appeared a decade earlier in CGHE literature. Currie (HC Deb 21 February 1994 col. 81) argued that: ‘In a free society the onus to prove that restricting freedom is in the nation’s interests is on those who would discriminate.’ Whereas past gay rights advocacy had been pragmatic it now looked to complete the logics of neo-liberalism. The amalgam in Thatcher of liberal economic values with illiberal social policy was ideologically inconsistent but necessary to ensure the first order of business, the success of the free market. The state had to clamp down on those unruly elements of the left that might undermine it: this included not just trade unions, but all those that promoted disruption and dissent (see Gamble, 1988: 157). What Currie sought to do was *not* to reject the new principle of neo-liberalism, but to push for its apotheosis. Interestingly, work done by Read et al (1994) shows that Conservative MPs who supported the failed amendment for reduction of the age of consent to 16 (as well as the amendment that passed of a reduction to 18) were more likely to be young and to have entered the House in the 1980s: that is to say MPs who were politically socialised under Thatcher. Indeed, a nuanced understanding of Thatcherism highlights that it was centred in the long term more closely to economic priorities than moral ones. As Martin Durham (1991: 143) wrote at the time of the New Right: ‘...there are major tensions over the relative merits of the freedom of the individual and the needs of discipline and order.’ The moral view of the New Right was complex, but it was in part a pragmatic partnering with the Christian Right—which was not permanently allied to Thatcherism. This observation explains how Thatcherites in the party in the 2000s were able to disentangle Thatcherism from its moralising past and place the anti-gay agenda more clearly and separately within a Christian tendency in the party (see Monahan 2017: 4).

The individualist language of New Right economics differed from the rights based language of the Left (see Robin Cook’s speech [HC Deb 22 July 1980 col. 288] on his amendment to decriminalise homosexuality in Scotland; see also Jeffrey-Poulter, 1991: 143–145; and the

Equality Act (Sexual Orientation) Regulations 2007). It is not deontological *per se*, nor is it informed by the need for recognition; rather it is concerned merely with the role and size of the state in the lives of the subject. (Indeed, the rejection of rights language was explicitly stated by St John-Stevas (HC Deb 19 December 1966 col. 1120-1121) in 1966 when he spoke in favour of the Sexual Offences Bill. ‘If the Bill were passed,’ stated St John-Stevas jurisprudentially, ‘[it] would create no recognised status of homosexuality. It would remain contrary to public policy. Homosexual relations would give rise neither to rights nor to duties.’)

In 1998, the Labour government introduced the Crime and Disorder Bill, containing a clause to lower the age of consent for male homosexual acts to sixteen. The clause was supported by the Conservative MP Eleanor Laing, who spoke in its defence in the House. Her speeches (HC Deb 22 June 1998 col. 769-772; HC Deb 28 July 1998 col. 197-199) contained elements both of traditional pragmatism and neoliberalism. Laing engaged in what Epstein et al (2000: 19) term the binary of good gays/bad gays, a form of Tory-normativisation that looks to create allies only with those gay people who are seen to behave in a certain respectable manner: ‘constructions of the ‘good homosexual’,’ write Epstein et al (2000: 19), ‘have focused on a quiet life, on the margins, with as much conformity to, and with as little disturbance of, the central categories as is possible. Homosexual rights within this construct are subject to that condition.’ Laing used a series of constructions that echo advocacy in the 1960s. She was clear (HC Deb 22 June 1998 col. 770) that her support was not a moral one, nor was the institution of marriage at threat: ‘I have explained why I support the new clause. Its effect is not to challenge the Christian teaching of the Church...’ And she presented (HC Deb 22 June 1998 col. 772) the Conservative desire that the issue not be made into some long standing campaign: ‘There should be no need in this day and age for massive marches by gay people through the streets of our main cities...Let all the publicity-seeking pressure groups accept that equality will have been achieved, and let them leave the rest of society in peace.’ The measure passed the Commons only to be defeated in the Lords. Eventually it

required the Parliament Act to make it law in 2000. Laing's advocacy was indicative of much Conservative gay rights discourse up to the 2000s: more at home with pragmatic rather than deontic reasoning; and hoping with each new piece of legislation that the issue might be resolved. This form of argument resonates with the Tory scepticism of *endless* progress. As the Conservative thinker and politician Ian Gilmour (1977: 124) wrote: 'once the idea of inevitable progress is given up, 'change' is no longer progress. It is merely change; and it may be change for the better, for the worse, or more or less neutral.'

### **The 2000s onwards**

Iain Duncan Smith attempted to three line whip a no vote on The Adoption and Children Act 2002. IDS backed down when it became apparent that 30 Tory MPs were prepared to abstain and 8 Tory MPs intended to support the Bill (see Bale, 2010: 166). The Act allowed for same-sex partners to adopt, and though the extent of Conservative advocacy was limited, we see here for the first time a move that would come to influence Conservative thinking over the coming decade: that gay people rather than being a threat to the family unit could be used as a source of support.

In 2004, Michael Howard allowed for free votes on the issue of civil partnerships, which opened up clear division in the party. On a third reading, 43 voted for, 39 against, with 30 abstentions. But clearly for the first time in the party's history, a plurality of MPs were now prepared to vote for gay rights legislation. What we see in the early 2000s is a grouping in the party looking to retain the neoliberal legacy of Thatcherism but to uncouple it from its social conservatism. This grouping became labelled the "metropolitan modernisers", and would come to influence the Conservative leadership of David Cameron. It included future MPs Ed Vaizey, Nick Boles, George Osborne, and Michael Gove, as well as sitting MPs Michael Portillo, Francis Maude and Oliver Letwin, all in loose association. (Portillo had been one of the few MPs to defy IDS's whip in 2002—and from the wreckage of Portillo's 2001 leadership campaign grew the conservative modernising think tank *Policy Exchange*.) The metropolitan modernisers were one

of a number of tendencies in the party—notably they were in competition with the Christian tendency that came to prominence under IDS and who were less keen to advocate for gay rights (see Monahan 2017).

A key policy text by the metropolitan modernisers of this period was titled *Blue Tomorrow*, wherein Ed Vaizey, Nick Boles and Michael Gove (2001: 2) write that they ‘want to see a Conservatism which is more sensitive to the changing social mores of Britain.’ A call was made for an inclusive attitude to ethnic minorities, women, and homosexuals. However, though the advocacy of acceptance looked to embrace both gay men and women, often it defaulted towards gay men. For example, the Conservative MP Mark Field (2001: 134) argued that ‘the notion...that a gay man should be influenced in his voting intentions only by his sexuality rather than his views on free market economics...is perverse.’ The intention of the metropolitans was not to push a radical agenda, but to neutralise the issue of homosexuality, realign party policy with wider social opinion, and then move the debate towards more salient neo-liberal issues. As a *Telegraph* (Tweedie, 2008) profile on Conservative MP Alan Duncan, a gay rights advocate in the party, put it: ‘In winning stalwarts over it probably helped that Duncan was a Eurosceptic, economically dry and a *man* of traditional manners.’ [emphasis added]. Many of the supporters of progressiveness were very much Thatcherites in the Duncan mould, an observation supported by Michael McManus (2011: 11) who writes of how ‘a number of openly gay men have made a successful career in the party and have never been other than comfortable’, citing as examples, Sir Simon Milton, Daniel Moylan and Brian Coleman.

The metropolitan modernisers’ position, therefore, should not have been alien to many in the party. The metropolitans wanted only to make this more explicit and to clearly emphasise that gay people were potential fellow neo-liberals. This form of gay rights advocacy was positioned within a neo-liberal paradigm that was rooted in Thatcherism, and which constructed gay men and women to fit in with an already established image of entrepreneurial individualism. It allayed, of course, the multiplicity of gay identities across income brackets and family types. This directed



a construction solely towards an affluent subsection of gay people—gay men in particular—and then prioritised their economic interest over other understandings of gay rights history, such as social affinity for other groups, and a valuing of the role of the state in protecting marginalised individuals (an understanding which had long been the dominant paradigm for gay men: see Jivani, 1997: 151ff). Indeed, the conservative thinker Aidan Rankin (2001: 147), writing in *Blue Tomorrow*, argued that ‘of all socially liberal propositions, the most absurd is the idea that male and female homosexuals are somehow allied.’ As seen in the discourse of the 1960s, the intention here was to avoid seeing moves towards equality as encouraging a longer and larger social political movement. Rather, discrimination was to be removed in order to facilitate (economic) individualism and political expression beyond sexual identity. The prevailing view of Cameronism is that it was modernising on social issues; Heppell (2013: 341), for example, writes of how ‘Cameronism adheres to traditional Thatcherite neo-liberalism and Euroscepticism, but challenges the Thatcherite social conservative orthodoxy on the social, sexual and moral policy agenda.’ This is true; however, we see with gay rights advocacy how this challenge took shape: not in the form of repudiation of past practices but in their completion. In this view, the trouble with Thatcher’s attitude to gay rights was that it was not Thatcherite *enough* (for more on this argument applied across all of Cameron’s modernising agenda, see Kerr et al, 2011).

The metropolitan modernisers were in the ascendancy upon Cameron’s election as leader, and then his premiership. Their presence is clear in Cameron’s (2011) party conference speech, where he stated: ‘And to anyone who has reservations, I say: Yes, it’s about equality, but it’s also about something else: commitment. Conservatives believe in the ties that bind us; that society is stronger when we make vows to each other and support each other. So I don’t support gay marriage despite being a Conservative. I support gay marriage because I’m a Conservative.’ A 2012 *Policy Exchange* pamphlet *What’s in a name?* (Skelton and Flint, 2012: 22) further articulated the position: ‘Denying gay people the ability to join the institution of marriage and take advantage of its benefits could be seen as unconservative.’ Their argument states (Skelton and Flint, 2012:

20) that: 'equal marriage could be shown to be a conservative reform, which emphasised conservative principles such as the power of marriage in encouraging fidelity and commitment.' Though Skelton and Flint did state that the issue was one based on rights and equality before the law, they also linked this to a specifically conservative case, which sought to influence gay (mostly male) behaviour by using the social control of the institution of marriage. As a result, gay rights advocacy in this mode acted as a strengthening not an undermining of tradition. This formulation could be seen across the party, with Tim Montgomerie (former IDS Chief-of-Staff and co-founder of the Conservative Christian Fellowship) stating in 2012: 'For me marriage is one of the most important Conservative institutions...That is why I'm Out4Marriage...for gay people as well as for straight people.' (Gray, 2012).

Cameron's stance led to the Marriage (Same Sex Couples) Act 2013. In the debates we see Conservative MPs for the first time in large numbers supporting gay rights; we see Conservative MPs, both men and women, speaking *as* gay people, rather than the apostrophised rhetoric of the past; and we see too the use of words such as love and relationships. The gendered nature of gay rights advocacy in the party had lessened through the 2000s since legislative issues (such as adoption, access to IVF treatment, and civil partnerships) addressed both men and women. By 2013, there was a clear increase in the presence of lesbians, both as speakers and as referents: with Margot James (HC Deb 5 February 2013 col. 163), the first out lesbian Conservative MP, stating in the debate for the second reading: 'I am indebted to the Prime Minister not only for the Bill, but for the changes he has brought about within my party, which have led to my own election and that of many others and changed the face of the parliamentary party.' Yet, there was still a tendency to employ Tory-normativising rhetoric towards men rather than women: in particular when evoking commitment. Because advocacy was based in part on controlling behaviour it inevitably drifted towards the behaviour that was seen as being in need of control: which has (going all the way back to the Labouchere Amendment) more often been gay male rather than gay female behaviour. In this way, Tory-normativity reconfirmed gendered stereotypes in the process

of inclusion: when the *behaviour* (rather than the rights) of gay people were addressed the referent remained more often gay men rather than gay women—this is seen in the *Policy Exchange* pamphlet *What's in a name?* (Skelton and Flint, 2012); or, with civil partnerships, in a remark by Alan Duncan (quoted in Bachmann, 2011: 100), speaking in the debate: ‘As a Conservative, I believe in encouraging committed long-term relationships that strengthen society...For too long there has been perpetuated a negative stereotype of gay love as less committed, less stable and less valid than that between heterosexuals.’ The conservative line of thought held up marriage (and previously civil partnerships) as an idealised institution to which gay people could be admitted and their behaviour modified towards moral acceptability as a result. As Ingo Bachmann (2011: 95) writes regarding the Civil Partnerships debates of 2004: ‘Civil partnerships can be read as an example of homonormativity. Gay and lesbian couples are given an ideal they can aspire to which is based on (heterosexual) marriage.’ This Tory ideal of commitment in marriage as the bedrock of society was only strengthened by the 2013 Act. Indeed, it came to be advocated that progressive action on marriage equality not only should be advocated by conservatives, but *could only* be advocated with credibility by conservatives. As Emily Robinson (2017: 249) writes: ‘Cameron argued that ‘progressive ends’ motivated politicians right across the mainstream political spectrum. They then insisted that *only* conservative means were capable of achieving these ends.’ Consequently, Conservative support of marriage equality was strongly framed in conservative language and values. As Margot James (HC Deb 5 February 2013 col. 164) put it during the debate for the second reading of the Bill: ‘I support their right [gay people] to declare their love in a state of marriage. I can assure hon. Members that this will not undermine tradition.’ In the same debate, Conservative MP Gavin Barwell (who was to become Theresa May’s Chief-of-Staff) stated: ‘As a Conservative, I am a passionate believer in marriage as a force for good... I am a Conservative moderniser.’ This language of relationships sits more comfortably with conservatives than the language of sex. One can clearly champion conservative values when advocating for the inclusion of more people within marriage: an articulation that was

more difficult in 1967 when seeking to advocate for decriminalisation of male homosexual acts. Interestingly, Justine Greening (2018) (the first out Conservative cabinet minister) slightly rephrased what was achieved in 1967, when in an article for *Pink News* she wrote: ‘We have certainly come a long way since 1967 when it finally stopped being illegal for two men to be in a relationship in England and Wales.’—achieving in this neat euphemism a sort of Tory-normativisation *ex post facto*.

Advocacy since the 2000s also focused on gay men and women as potential electoral supporters for the party, and key to the revamping of the party’s image—part of the wider modernising and decontamination strategy enacted by Cameron (see Bale, 2018: 284). There was a genuine belief from the modernising Thatcherite tendency in gay rights; nonetheless, that this might likewise benefit a modernising electoral strategy made the move more attractive, and more sellable to the wider party. Indeed, throughout Cameron’s period of opposition gay rights advocacy was seldom uncoupled to the concomitant electoral advantages of such advocacy (see Denham and O’Hara 2007a, 2007b; Evans 2008). In 2009, for example, Cameron publically apologised for Section 28 (see Watt 2009)—such action was sincere; yet Cameron was also seeking such a “Clause IV” moment as a symbol of party change.

In part, the Conservative Party accepted gay rights because of the inevitable need to react to wider social change. But to achieve this acceptance gay rights had to be subsumed into two discourses: the pink pound neo-liberalising of gay identity; and the seeing of marriage equality as supporting the traditional institution of the family. Ivan Massow, who was seeking at the time the Conservative nomination for London Mayor, argued in an interview for *Attitude* magazine (Lees, 2015): ‘we [gay men] were expected [in the 1980s] to join the left side, even though we might be quite entrepreneurial and want to own our own houses and believe in small government, and all the things I personally—and especially gay men—tend to be. Gay males don’t realise it, but when you start to dissemble, and ask them the questions that are multiple choice, they’re Tory.’ Massow

clarified that he did, of course, not mean *all* gay men; but his comments do evidence a desire for the Conservatives to reveal to certain gay men that their “true” interests are on the right: and that the Tory image of who those gay men are is quite specific. Notably, Massow’s concentration on gay men over lesbians, reflects the advocacy from GCHE in the 1980s and a wider tendency in the party to focus more on men than women. Overall, what we see in all these arguments is the attempted depoliticisation of gay identity: since all major *legal* discrimination had been expunged by 2015 there were no more worlds to conquer: which leaves gay men and women to cease prioritising a legal equality agenda over other concerns, such as, say, aspirational consumerism, or voting for austerity fiscal policy. As Paul Baker writes (2005: 226): ‘...aspirational ideals again undermine the notion of a gay community where everyone is equally welcome, instead creating a hegemonic hierarchy where certain forms of identity are more highly rated than others.’ The conservative implication here was that civil rights were personal, self-interested, and utility-maximisable, rather than emerging from broad humanist principles that would march on. Indeed, this depoliticising of identity is the *sine qua non* of Tory-normativity; and it is an approach to gay rights advocacy in the party that strongly characterises the 2000 onwards, but, as we have seen, is there in previous eras too. For as Stuart Andrew MP said to McManus (2011: 302): ‘Someone’s sexuality shouldn’t define their politics.’

### **Conclusion: Tory-normativity and party change**

After the success of marriage equality, the presence, prominence and concerns of gay men and lesbians within the Conservative party only strengthened. The affiliated gay rights advocacy group LGBT+ Conservatives is now networked across the party, and its campaigns are regularly supported by senior party figures such as Justine Greening, Nick Boles, the leader of the Scottish Conservatives Ruth Davidson, and Theresa May. As landmark legislation is proceeded by statutory instruments and flagship policies (see the Government Equalities Office LGBT Action Plan 2018),

conservative gay rights advocacy has focused on issues of mental health, bullying, work place prejudice, and public healthcare. How the party reached acceptance of gay rights is due to a process of advocacy on conservative terms enacted through a three step process: firstly, a correction was advocated by a minority of actors to bring-in a previously excluded policy on a pragmatic basis, using the discourse of Tory-normativity. Secondly, this correction had the unintended consequence of facilitating, in part, wider societal change *beyond* that originally envisaged. This was because the Tory-normativising process contained within it a fundamental misrecognition of the other that it attempted to subsume; that is to say, many gay people have resisted Tory-normativity, and have not, to use Lord Arran's (HL Deb 21 July 1967 col. 522) famous closing remarks in 1967, 'shown their thanks by comporting themselves quietly...' And so, thirdly, a further new correction was required to catch-up with ongoing societal change. Thus, Conservative gay rights advocacy was pulled forward by its own pragmatism, constantly facilitating (in its small way) a progressive society by its attempts to subsume it.

Gay rights advocacy in the Conservative party has existed within the activity of a small group of actors. Though this group has been repeatedly on the losing side of the intra-party debate, nonetheless they are, by-and-large, not expelled from the institution. As Conran and Thelen (2016: 64) write: '[it should not be] forgotten that institutional outcomes have losers. And these losers often do not go away; they live to fight another day, and they typically carry out this fight from *within* the institutions...[where] they seek to renegotiate and reinterpret the rules.' This observation is particularly the case with political parties, which can harbour dissenting factions in their ranks for considerable time. Broader social change on gay rights was clearly exogenous to the institution of the Conservative party: that is to say, it was facilitated on the whole by the Labour party, the Liberals, and external pressure groups. However, the nature of gay rights advocacy *within* the Conservative party was not wholly exogenously driven. Rather, there have always been gay rights advocates within the party; these advocates have phrased their argument in a particularly conservative way, and have held that argument through numerous defeats, only for

their policy position to eventually find a route to the leadership through the particularly successful articulation of gay rights to neo-liberalism and the family. This route to the leadership was material as well as ideational: advocates had to take positions of power within the party; yet without the effective discursive tactic, long developed, of Tory-normativity those elite actors could not have acceptably presented gay rights advocacy to the party in parliament or at large.

Conflict of interest statement - The author declares no conflict of interests.

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