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Section 28 and its impact on the LGBTQ+ community

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Prohlašuji, že jsem bakalářskou práci zpracoval samostatně a použil jen prameny uvedené v seznamu literatury. Souhlasím, aby tato práce byla uložena na Univerzitě Palackého v Olomouci v knihovně Pedagogické fakulty a zpřístupněna ke studijním účelům.

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podpis

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## Abstract

The thesis focuses on Section 28, issued in 1988 in the United Kingdom and its influence on the LGBTQ+ community through investigation of literature, newspaper articles, and internet articles. The thesis consists of a theoretical part that defines the section's development and course in British parliament and society. Later, the thesis describes how the section influenced everyday life, education, and politics in British society. The last part of the thesis analysis is research from 2019 with the author's commentary with respective views on the mentioned literature.

**Keywords:** LGBTQ+, Section 28, Great Britain, research analysis, 1988

## Abstrakt

Bakalářská práce se zabývá Sekcí 28 vydanou 1988 ve Velké Británii a jejím vlivem na LGBTQ+ komunitu pomocí rozboru literatury, novinových a internetových článků. Bakalářská práce obsahuje teoretickou část, ve které je objasněn vývoj i průběh sekce v rámci britského parlamentu a společnosti. Později se práce věnuje tomu, jak sekce ovlivnila každodenní život, vzdělávání a politiku tehdejší britské společnosti. Poslední kapitola práce se zabývá analýzou výzkumu z roku 2019 s vlastními komentáři autora.

**Klíčová slova:** LGBTQ+, Sekce 28, Velká Británie, analýza výzkumu, 1988

# 1. Introduction

The year 1967 marks a significant step toward the positive progress of the LGBTQ + community as the Sexual Offences Act passed decriminalising homosexual acts. However, a few years later, a clause was introduced mainly targeting the minority, marking another step backwards in the LGBTQ+ rights progress. In 1968, a children's book depicting a homosexual pair living together and raising a daughter was found in one of the Labour party-run libraries, starting an intense controversy that resulted in the implementation of Section 28. This thesis mainly focuses on the impact that Section 28 (known as Clause 28) caused on the LGBTQ+ community. In the 21<sup>st</sup> century, many European countries, including The United Kingdom, implemented a law supporting marriage equality. However, twenty years ago, the clause was still active in England and Wales, marking a significant step toward marriage equality in just a few years from then to now.

I chose such topic to show an insight into how the section influenced even daily life in the UK. There is also a rising movement in the UK called the "TERF" movement, which discriminates against transgender people. Once again, such a movement could evolve into something similar to the section. A few days back, the government of Florida has introduced a new act known as the "don't say gay" act, which, similarly to the clause, The republican legislation prohibits any instruction about sexual orientation or gender identity between kindergarten and third grade as well as bans school districts to avoid LGBT topics "when not age-appropriate or developmentally appropriate for students."

This project aims to investigate the impact of the clause through analysis of data, literature, articles, and newspapers. The objective is to spread awareness about the act that discriminated against the LGBTQ+ minority in the UK, showing the doubt and fear it spread for almost 20 years. The main goal was to determine if section 28 negatively influenced the LGBTQ+ minority and society. I also focused on which areas other than the school system of the UK, the section influenced, and to what degree. Lastly, I focused on whether the section had a positive influence. I studied answers to such questions through close analysis and examination of books, articles, and documents from the year 1986 up until now and analysed research focusing on this particular topic. Seeing how the state of Florida decided to limit education with the new act, it is essential to know how law can hinder the exposition of minorities' different gender identities and promote heteronormativity. The cure to end discrimination against minorities and to end homophobia is education.

## 2. Definitions

### 2.1. The term LGBTQ+

The term "LGBTQ+" is an umbrella term that originated in the United States and slowly spread worldwide through the mass media of the 21st century. The term is used to depict individuals who do not identify themselves as cisgender or straight or within the binary system of gender. LGBTQ+ stands for lesbian, gay, bisexual, transgender, and queer with the representation of identities who do not fit in the spectrum of the gender binary or heterosexual identities. "Queer" is another umbrella term describing individuals who identify themselves as nonstraight or with a non-normative gender identity. This acronym changed several times over the past decades (Strübel-Scheiner, 2011, p. 12). "LGBTQ+" term is now more inclusive of identities nowadays than previously known concept of this term refers to "homosexual", which was historically used to describe individuals who participate in the same-sex sexual behaviour (Asakura, Craig; 1989; p. 32).

### 2.2. Section 28 (Clause 28)

The Conservative Government introduced legislation that encouraged apparent discrimination against the LGBTQ+ community, mainly the lesbians and homosexuals. Such legislation affected many areas within the society of the United Kingdom, primarily family life and education. Hostility towards the LGBTQ+ community from society was still present, and the legislation – Section 28, made an even more significant negative impact. The Labour and Liberal parties attempted to amend the bill but were defeated within the House of Commons. The Labour party then proceeded to try to ban this bill with the support of Lord Willis but once again ended up defeated (McGhee, 2003, p. 1).

Section 28 or clause 28 was a legislative designation for a series of laws introduced in June 1988 across the United Kingdom. This law prohibited the "promotion of homosexuality" by local authorities, further spreading homophobia across the United Kingdom. Ratified on 24 May, the law stated that a local authority "shall not intentionally promote homosexuality or publish material to promote "homosexuality" or "promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship." This law was introduced by Margaret Thatcher's Conservative government and lasted from 1988 to 2000 in Scotland. The repeal of the clause in England and Wales was successful by 2003 (Durham, 1989, p. 25). It is important to note that Section 28 implicitly stated that it is prohibited to talk about gayness to anybody, especially children unless it is to say that it kills based on the



HIV/AIDS pandemic. Such words put many teenagers through self-loathing and self-editing, knowing that being gay is something that will once kill them (National Library of Scotland, 1980, p. 1 – 6).

### 3. Historical background

Table 1. A table depicts relevant events concerning Section 28. (Sanders, 2013, p.6)

Date	Event
1983	A literature copy of a book called <i>Jenny lives with Eric &amp; Martin</i> was reported found in one of the school's Labour-run libraries by the Daily Mail. This book was about a girl, Jenny living with her dad and his gay partner.
1986	Major controversy arose and marked the beginning of nationwide protests favouring passing Section 28.
1986	Lord Halsbury first introduced a Private Member's Bill in the House of Lords called <i>An Act to refrain local authorities from promoting homosexuality</i> .
7 December 1987	David Wilshire, a conservative MP, re-introduced an amendment to the Local Government Bill in 1988. With a similar idea and cause as Private Member's Bill, calling this amendment Section 28.
23 May 1988	Several protests, run mainly by lesbians, were staged. This included abseiling into Parliament and a famous invasion inside the BBC's Six O'clock News.
24 May 1988	The bill passed and became a law.
7 February 2000	The first attempt to repeal Section 28 ended up being defeated by a House of Lords with the help of a campaign run by Baroness Young.
21 June 2000	This year marked the repeal of the clause in Scotland.
24 July 2000	The Local Government Act 2000 was returned to the House of Lords with repeal re-introduced within the new amendment. Adjustments were made within the Learning And Skills Act 2000, which heavily stressed the importance of family values, hoping it would win over the opponents; however, the repeal was again defeated within the House of Lords.
September 2003	The labour government enacted legislation to repeal the clause as part of the Local Government Act 2003 by votes of MPs. This became successful in the House of Lords and received Royal Assent on 18 September.
18 November 2003	The repeal became effective.
2005	Michael Howard stated that: "That problem does not exist now. Nobody is fussed about those issues anymore. It is not an issue, so the law should not be around in the statute book. The clause was brought in to deal with what was seen to be a specific problem at the time." Saying this, he shed light on how problematic it would be to keep the clause until 2005
February 2006	The conservative party Chairman Francis Maude stated: "The policy was wrong and a mistake." This statement is coming from a chairperson of the conservative party whom some people perceived at the time as trying to appeal to people.

The political party of Thatcher sparked intense media interest and public fears over their policies, mainly toward homosexuals (Epstein, Johnson; 1998; p. 20 – 22). The involvement of Section 28 noted the social transition in British society, regarding homosexuality, from "illegal but discussed and considered" to "legal but not always approved," following the debates in the 1950s and 1967 decriminalisation of homosexual acts for those over the age of 21 in the Sexual Offences Act 1967. The years of 1980s heavily impacted society as the new government of Margaret Thatcher was elected, and the political years were turbulent about the new policies and the reaction to the AIDS pandemic.

*“The spread of AIDS had brought widespread fear towards the public as this was mainly directed towards the minorities, including gays, lesbians, and bisexuals. Some believed that sexual orientation played a great factor in the disease’s spread, creating negative sentiments towards the LGBTQ+ community.”* Such attitude supported the already existing policies in schools and media, mainly through confusion, fear and prejudice (Epstein, 1993, p. 40 – 45).

In 1983 the Daily Mail stated that a copy of a publication called "Jenny lives with Eric and Martin" was found in the school library of the Labour-controlled Education Authority; this was the book that started the clause. The book caused quite the uproar about a little girl who lives with her father and his gay partner. However, it was not until 1986 that significant controversy struck British society with demonstrations against the possible passing of Section 28 (Morris, 2003, p. 3).

### 3.1. Legislation

Many conservative political parties became concerned about the left-wing parties, especially regarding education and young children, stating that the left-wing parties are indoctrinating children with what they believed was called homosexual propaganda. In 1986 Lord Halsbury introduced “An act to refrain local authorities from promoting homosexuality.” At that time, the conservative government found Halsbury’s bill too misleading and risky to be introduced. The bill successfully passed the House of Lords and was adopted by Conservative MP Jill Knight. Halsbury’s bill was, however, overshadowed by the general elections in 1987 and ultimately failed (Redman, 1991, p. 20 – 23).

In the December of 1987, Conservative MP David Wilshire re-established a modification to the 1988 Local Government Bill for a similar clause, called Clause 28. This amendment was accepted and defended by Michael Howard, then Minister of Local Government (Redman, 1991, p. 23 – 25).

### 3.2. The chaos amongst the educational unions of the UK

When Section 28 passed, it was unknown whether it only applied to schools and teachers or the local authorities. This unresolved issue sparked confusion in teachers as clause 28 specifically did not mention anything about the teachers. Against this, the National Union of Teachers stated: *"While Section 28 relates to local authorities and not to schools, many teachers believed, albeit wrongly, that it imposes constraints regarding the advice and counselling they give to pupils. Therefore, professional judgment is influenced by the perceived prospect of prosecution"* (Morris, 2013, p. 2 – 5).

The Department for Education and Science shared their concern towards Section 28: *"Section 28 does not affect the activities of school governors, nor of teachers... It will not prevent the objective discussion of homosexuality in the classroom, nor the counselling of pupils concerned about their sexuality"* (Morris, 2013, p. 2 – 5).

In response to the National Union of Teachers and the Department for Education and Science statements, supporters claimed that they had been mistaken and that Section 28 did affect schools (Morris, 2013, p. 2 – 5).

Before the repeal of section 28, the clause itself was largely redundant as sex education in England and Wales has been regulated by the Secretary of State for Education since the Learning and Skills Act 2000 and the Education Act 1996. However, many liberal and conservative campaigners still perceived Section 28 as a symbolic issue and continued to fight their particular causes over it until the section was repealed (Sanders, 2003, p. 6).

## 4. The impact on daily life

Section 28 had a significant impact on family relationships, mainly targeting children. The law presented gay families as something impossible (stating that local authorities, and schools, in particular, should not promote homosexuality and the acceptability of homosexuality as a pretended family relationship). This law had also influenced support services for children and families as this undoubtedly affected the ability of gay families to access social services and adoption services. Because of this, many gay families suffered under this legislation. Such a story concerning one mother who went to court to get an order to keep her violent husband away, she realised what the jurisdiction system is like under section 28 influence. She explained her situation and came out as a lesbian, which suddenly resulted in the court turning on her. Rather than being concerned about her husband's violence, the judge was worried about her

being lesbian. This same woman was also accused of feminising her son. She learned that these were standard accusations in court against lesbian mothers, fuelling the anti-man myth concerning lesbians. Her husband's violence was justified, and she was banned from contact with her lover (McGhee, 2003, p. 1).

The target of Section 28 directly attacked lesbian mothers and their partners as it was referred to them in the clause under "pretended family relationships." *"Majority of such families faced difficulties obtaining the custody of their children in the face of the biased legal system. Ever since the introduction of the clause, there were multiple instances of indications that judges are becoming even more hostile in their attitudes"* (Sanders; Spraggs, 1989, p.32). Many lesbian mothers concealed their sexuality and relationships during such times as they feared losing their children. Others worried that their children might become victims of a peer group or that the teachers would dismiss any children's difficulties due to their home background. The general censorship supported this as the absence of lesbian-run organisations was, for such mothers, a big deal (Sanders; Spraggs, 1989, p. 33).

The UK's political parties took rather conventional political thinking towards the clause resulting in poor welfare of the young people as self-determination was not encouraged together with political self-expression. Such vague action targeted the young LGBTQ+ people heavily as not even the Advisory Centre for Education, an educational institution in the UK, did not stand against the clause. They, however, joined relatively muted or late attacks against the clause as they were fighting the 1988 Education Bill. The lack of support from such institutions against the clause proved far more detrimental to LGBTQ+ pupils and teachers (Sanders; Spraggs, 1989, p. 33 – 34).

The problematic introduction of Section 28 to daily life also negatively influenced cultural services such as libraries, museums, and theatres. One of the campaigns opposing Section 28 stated that there is a suggestion that the law implies the potential banning of artists such as Michelangelo or Leonardo Da Vinci and their works from daily life and education. (McGhee, 2003, p. 2) The censorship of books and reading material deemed "promoting homosexuality" was expected. Many books represented heterosexuality as something positive, but a relatively low number of books explored homosexuality in a positive light. Public libraries felt under increasing pressure having to remove all homosexual content from their shelves, putting copies of books and LGBTQ+ press behind the counter or "out of sight" of children. This meant that literature that could have supported those who felt isolated and confused about their feelings was hidden from their view leading them to social isolation (McGhee, 2003, p. 2).

#### 4.1. The naturalisation of family

The clause caused the UK to go through many campaigns for the minority or against the minority. Ever since the clause became law, there have been campaigns focused on supporting the LGBTQ+ community and concerned with sexuality and gender. These movements were primarily focused on eradicating some of the most possible worldwide known problems, such as inequality of traditional gender positions, lack of power over women's reproductive capacity, and the ever-lasting fight over equal wages. The more prominent one would be the persistence of heterosexism in official institutions, which the introduction of Section 28 could have caused. Such campaigns are often critical of the rigid boundaries of masculinity/femininity, men/women/non-binary identities, and homosexuals/heterosexuals. As broad as this seems, the campaigns did make a shift in critical theories. *"Theoretical agenda has moved from analysing inequalities and power relations between relatively given or fixed categories towards questioning the categories themselves"* (Epstein; Johnson, 1998, p. 30 – 32). Such a plan could have moved its analysis based on the problematic wave of doubt that the section set towards the LGBTQ+ community. Against such campaigns were starting new current movements in 1998 that set its goal to naturalise and reinstate the base model of family, meaning that such action is pushing the idea of standard family being man and woman, sympathising with the clause. *"Most obviously, traditionalist campaigning, where it gains power, can change the legal and legislative term of struggles to its advantage"* (Epstein; Johnson, 1998, p. 30 – 32). The moral traditionalist movement has gained the power to shift legislative and legal terms to their advantage. Such ideological movement can bear severe consequences for any individual, family, or partners as the movement forces specific individuals to trust in the ideology. However, the influence of such campaigns is relatively hidden yet profound. Such actions mostly erupted ever since the Sexual Offences Act of 1967. Many authors argued, e.g., Franklin, Lury and Stacey (1991), that the family form that the movements were pushing is somewhat idealised and perhaps short-lived. (Epstein; Johnson, 1998, p. 36 – 38)

When it comes to gender, some elements that the radical movements of the naturalisation of a family were presenting existed in the earlier history of the middle class – a version of separate gender spheres from the early nineteenth century in Britain. Some movements gave a newer ideal of heterosexual marriage as the legitimate centre for family, basing their opinions on the clause. During Section 28, women's primary role shifted from a domestic sphere into waged work as the post-war affluence and introduction of new laws undermined women's aspirations and careers. (Epstein; Johnson, 1998, p. 36 – 42)

#### 4.2. Sexuality, the HIV pandemic, and homophobia

During the years 1980 and 1990, there was a peak of interest in sexuality both within academics and popular media based on the worldwide outbreak of HIV. This fact was illustrated by BBC in the UK broadcasting several programmes concerning mainly heterosexual majority. Such frenzy was also introduced in books on sociology, women's studies, and cultural studies. Reasons for such increased interest in sexuality include the success of the lesbian and gay movement in putting sexuality on the political and academic spectrum of their agenda in the USA. In the United Kingdom, this had limited success as this was one of the themes of the moral panic orchestrated by the campaign of Thatcher's re-elected government in 1987. In 1988 this moral panic was brought to fruition by passing Section 28 as a legal document prohibiting the "promotion of homosexuality" by local authorities (Sears, 1992, p. 150 – 160).

The reason for the prominence of sexuality in social research in the late 1980s and early 1990s could be the pandemic of HIV and AIDS. The attendant moral panic has produced both the normative (racism, sexism, homophobia) discourses as well as counter-discourses that can be found in lesbian and gay politics expressed in many academic writings that focus on sexuality either in general or about lesbian and gay theory in particular (Epstein, 1993, p. 270 – 275). *"The years 1980 to 1990 were focused mainly on sexual behaviour with key agendas attentive to HIV pandemic. First, the more prominent agenda was concentrated on the "moral majority" by popular media with an emphasis on "normal" family life and abstinence as a solution for sexual ills"* (Sears, 1992, p. 25 – 30). Second, a counter agenda strongly reflected in the academy writings considering questions about sexual identities and cultures has accompanied the development of gay and lesbian studies (Sears, 1992, p. 180 – 190).

Early homophobic ideas toward the HIV pandemic, referred to as the "gay plague," have been well documented (e.g. Redman, 1991). However, this particular response to the HIV pandemic changed as it started to affect the white, Western heterosexuals. No longer was this considered a "gay plague", as it affected the majority of heterosexuals. With this result, neither government nor local authorities have been concerned to target education specifically at gay men. Instead, there were several commercials broadcast showing attractive, white young adults carrying the message that HIV is the result of "holiday romance "many of these commercials ended with "This is a true story, X is 23 and heterosexual (X for a name of the person). Broadcasting such commercials showing the possible spread of sexual illnesses within the heterosexual majority resulted in drawing people's attention and funding the research on sexuality and sexual behaviour by the Economic and Social Research Council. (Epstein, 1993, p. 276).

#### 4.3. The moral panic and normalisation

With the age of consent controversy in the UK, a "normalisation" of homosexuality has also occurred, including the visibility of lesbians and gay men in public and private domains, especially within popular culture. Further, the opinion polls and attitude surveys constantly demonstrated the pattern of acceptance of homosexuality throughout the 1990s. Even tabloids or popular press newspapers and magazines had begun to feature "normalisation themed" stories – for example, the front covers of two editions of OK! magazine featured famous lesbians in 1999 (Waites, 2000, p. 37).

Many instances of publishing the "normalisation" of homosexuality and the LGBTQ+ community. Neither of these "gay-normalisation" stories seemed to thrill much public debate at their release date, which changed dramatically in October 1999. At this time, a stir was caused by the announcement of Dame Elizabeth Butler-Sloss, the President of the High Court Family Division, stating she was in favour of the minority and supporting lesbians and gay men, saying that they should be allowed to adopt children in specific circumstances which could be perceived as a significant step towards the growth and acceptance of LGBTQ+ community (Jeffrey-Poulter, 1991, p. 12). Her comments set off a storm of criticism from family campaigners as her actions were perceived as putting political correctness above the welfare of children. A spokesman for the group Family Focus criticised her for being "politically correct to boost her chances of a peerage, "stressing that "a child has a right to be brought up by a male and a female. Butler-Sloss was also perceived badly by Ann Widdicombe, shadow home affairs spokesman. She said that children placed for adoption should be put in the standard background, which is that of a traditional heteronormative family. If one sets children in a homosexual environment, one robs them of their best start in life (Wise, 2000, p. 5).

The implications of this concerning other aspects of the family law were yet to be tested. On the other hand, it was clear that the opposition against the Section 28 had been gaining ground to solidify the importance and need for equal partnership. Against this, a spokesperson for the group Family Focus, Dr Adrian Rogers, explicitly stated, during his debate concerning the repeal of Section 28) the following: *"The movement to grant equality and normalise homosexuality, of which this ruling is a part, is a crazy and dangerous move for society. The next thing will be the repeal of clause 28 on promoting homosexuality in schools. Then in about three years, we will see a law that forbids any criticism of homosexuality"* (Wise, 2000, p. 2). Against such a statement, the following day, the Scottish newspaper the Daily Record published an article stating the intention of the Scottish Parliament to repeal Section 28. This marked the

beginning of the second public battle over Section 28 of the Local Government Act. Anti-repeal activists started to form alliances and groups in Scotland (where it is referred to in Section 28 as Clause 28), orchestrating themselves mainly through the activities and the use of the money of Brian Souter, the stagecoach of a transport company. He pledged millions to "keep the clause" and later funded privately organised public referendums in Scotland, expected to cost more than one million pounds. Meanwhile, mainly in England, opposition groups and policy positions were still forming (Burstein, 1999, p. 10 – 12).

## 5. The impact on education during the influence of Section 28

John Cunningham said the official Labour response to the clause on its first appearance, Labour environment spokesman, who stated that the ban of homosexuality is entirely reasonable and to be supported. *"However, he also expressed his worries about the second part of the clause banning authorities more specifically from promoting the teaching of the acceptability of homosexuality, saying that this would hinder teachers and school counsellors in their clerical function"* (Sanders; Spraggs, 1989, p. 12). He followed with the inclination to amend the clause if the government failed to address this issue (Sanders; Spraggs, 1989, p. 14).

Although society was growing interested in sexuality, gay, and lesbian studies, the works on such topics bypassed the world of education publishing. *"None of these books about sexuality and education engaged with the current agenda in the social sciences focusing on identity and community"* (Cartledge, Ryan; 1983; p. 15). Many books illustrate that mainstream social scientific debate does not mention education (Cartledge, Ryan; 1983; p. 20). However, school is a key to forming sexual and gender identities. It is the first public context for most children outside their heterosexual families in Western industrial countries. As was shown in Walkerdine's (1981) research, children are produced as heterosexuals as early as nursery school (Epstein, 1993, p. 245). *"Furthermore, there are penalties attached to failure of doing so as the possible stigmatisation of very young boys for being "poofs" or "sissies" is still present"* (Cartledge; Ryan, 1983, p. 40) as children get older and continue through the school educational system, the ways of practising heterosexuality change mainly in the later years of secondary school when most of the pupils are either sexually active or virtually conscious of sexuality in some form (Cartledge; Ryan, 1983, p. 48).

The curriculum in the school system of the United Kingdom had officially little to say about this, as sex education is focused on the mechanics of sex, contraception, and diseases. However, the presumption of unproblematic heterosexuality is present in every school's curriculum. From



Walkerdine's (1981) research, it was shown that children could develop sexual predatory behaviour from nursery school and forwards. Despite this research, schools tend not to take precautions against harmful heterosexuality in their classes. The problem is underlying in many pupils as they are survivors of child sexual abuse; as Kelly et al., 1991 stated, many lack confidence in themselves and their relationships and doubt their heterosexuality. As sexuality is a significant issue for many pupils, there is an urgent concern and need for it to be part of the school curriculum and research on what sexuality education should be (Wise, 2000, p. 3).

Education has been mainly focused on the "moral majority" about sexuality. Sears (1992) looks further in his work toward the problem of heterosexuality in the school curriculum, arguing that: *"The fear of homosexuality and the reluctance to include this topic in the school curriculum is due, in part, to the social threat that same-sex relations pose to male-dominated culture. Blurring gender roles and challenging sexual norms rock the very foundation of a society rooted in male privilege and misogynistic attitudes"* (Sears, 1992, p. 139). This suggests that one of the central objectives of sexuality education should be to challenge "categorical thinking," arguing for a move towards consideration of the fluidity and fragility of sexual identities (both gay and straight). Sears states that simply readdressing the balance by introducing more representations of homosexuality does not challenge the heteronormative agenda currently dominant in education and schools but simply "reaffirms a sexual caste structure in which the vast majority are heterosexual people a minority are homosexually oriented." Epstein (1993) agrees with such theoretical points but finds it difficult to put this theory into practice. She stated: *"Since lesbian and gay images are virtually absent from the school curriculum, any positive mention seems better than none. It seems a bit premature to start deconstructing the categories like lesbian and gay before being acknowledged within the school context, and invisibility remains a major problem for young lesbians and gays"* (Epstein, 1993, p. 281).

The National Council for Civil Liberties (NCCL), which favoured the repeal of the clause, commissioned legal advice forming the basis of a briefing to peers. This advice set out detailed fears of NCCL towards the vagueness of the phrase "promote homosexuality" that the clause was carrying. The guidance stated that the term "promote" would be interpreted by the Courts in ways that could impact far beyond the schooling system, which was the primary concern. *"Following such statement with expressing fears that the clause would lead to a witch-hunt of lesbian and gay teachers and aggravating the difficulties experienced by lesbian and gay pupils, damaging the confidence of children of lesbian mothers and detracting from the right of all*

*school pupils to receive full information*" (Sanders; Spraggs, 1989, p. 20 - 25). The Library Association expressed its concerns about the implications for public libraries of the ban on local authorities' publishing material to promote homosexuality. In law, the term "publish" means circulating and making available. The National Council for Voluntary Organisations (NCVO) feared that counselling and advice organisations that lesbians and gays ran would lose their local authority grants and organisations that operated favourable policies regarding lesbians and gays. The Family Planning Association saw the proposed clause as a threat to sex education. These policies were also supported by the Bishop of Manchester, speaking during the Second Reading of the Local Government Bill, saying that the government had no idea of the terrible dangers of encouraging prejudice (Sanders; Spraggs, 1989, p. 19).

One of the organisations most concerned about the clause was the Arts Council. The interpretation of the clause implied that even the homosexual relationships/acts used in education to serve literary, artistic, scientific, and educational purposes were against Section 28. On the contrary, the Falkland amendment was introduced, meaning such study materials could be used in the education system for legitimate educational purposes; however, this was not a satisfactory compromise for the government. The government expressed their anxiety over the revolt among Tory peers and their determination not to see the clause deleted (Sanders; Spraggs, 1989, p. 19 – 21).

Despite the many ways of interpreting the words "promoting homosexuality" in general, the ban includes encouraging and urging pupils to familiarise gay/lesbian lifestyles. Alternatively, to experiment sexually with other people of their sex, "*however it is nowhere stated that the teachers could not discuss homosexuality with pupils in the classroom objectively and honestly nor counsel individual pupils in a pastoral context.*" (Sanders; Spraggs, 1989, p. 30). There is also no mention of intervening in anti-gay name-calling or bullying cases, meaning the teachers are free to do so. Despite this, the situation revolving around the position of lesbian and gay teachers was not clarified yet, especially for those whose sexual identity is known by pupils. The fact is that in the past, such teachers were dismissed or forced to resign. It is clear that in practice, the position of such teachers was weakened and more delicate than previously, but this also depends on the authority of the school and in which school they teach (Sanders; Spraggs, 1989, p. 28 – 29). However, once again, nothing is implied in Section 28 that would state that authority must dismiss or discipline openly gay or lesbian teachers.

At the height of the campaign against Section 28, in January and February 1988, it was speculated that if it were passed, local authority funding and facilities would be withdrawn from

lesbian and gay groups, there would be heavy censorship involved in libraries and library books, plays and films and any mention about homosexuality in the classroom would be impossible and unacceptable. The actual state of affairs is somehow less dramatic but still very serious. As mentioned above, the clause's apparent legal implications relating to education are tricky and can be interpreted in many ways. Following the publicity given to the clause, many teachers undoubtedly feared the consequences of mentioning the LGBTQ+ community in good light. Even if teaching is done behind the closed doors of classrooms, many teachers were fearful of ending up in court or facing disciplinary proceedings. It is clear that teachers did the most to avoid bringing up such topics in the classrooms (Sanders; Spraggs, 1989, p. 30).

The problem is rooted in the little recognition among educators and the public in general, based on the damage that the clause caused. *“The activism of the LGBTQ+ community in education is still present up to this day with a goal of better understanding the issues of this community in the classroom. It is common for such efforts to be seen as dragging unrelated topics to the school’s curriculum, a topic outside the school”* (Trenchard; Warren, 1984, p. 145). However, the truth is that such topics of the LGBTQ+ community have always been present in the schools in the form of offensive jokes circulating among groups of pupils and staff. This topic is current in many insults circling among playgrounds and corridors of schools, among pupils who have heard such insults and are not sure what it is all about. This problem is present in isolation, fear, and confusion among many pupils. Some of these young pupils that have been victimised attempted suicide and might do so in the future (Trenchard; Warren, 1984, p. 145).

From 1988 to this date, many projects were initiated to bring awareness of such topics in all the schools worldwide. *“However, doing so is only a drop in the ocean of what needs to be done to raise educators’ awareness and provide appropriate materials.”* The purpose of such projects was never to indoctrinate pupils but rather to open up discussion on the diverse forms of sexuality and love within an ethical and tolerant framework. Crucial to such projects is to offer a space to individuals identifying within the LGBTQ+ community, through writing or speaking, to speak for themselves and break through the silence and provide alternative images to the vicious stereotypes of the tabloid press or the condescending stereotypes of heterosexual social science or psychology (Wise, 2000, p. 20).

LGBTQ+ individuals who work in education are essential in bringing the topic to the classrooms. Their personal experience of what it means to not be heteronormative in our society and their professional expertise in classroom techniques make them experts in such topics. However, a relatively small number of teachers come out to their classes. Their presence in

schools is significant as they contradict received notions of the LGBTQ+ community as social “casualties.” *“To teach children to understand themselves and others better is not to teach them to be lesbian or gay. It is to start to end the fear of the existence of this minority, the fear of insults and attacks towards many individuals among the minority, which many go through”* (Epstein, 1993, p. 35). It is a tool to show the children that the LGBTQ+ community should be not threatened. The purpose is to educate and tell the pupils the truth and not indoctrinate them (Sanders; Spragg, p. 31).

## 6. The repeal of section 28

In February 2000, the Labour Government introduced the first attempt to repeal the clause as a part of the Local Government act 2000 but was defeated by the House of Lords and their campaign led by Baroness Young (LGBTQ Plus Month History 2003, p. 2).

Section 28 faced many opposing campaigns, one of them being “Stop the Clause Campaign Education Group” this campaign came up with several goals to achieve opposing Section 28. The plans included making connections of the opposition to the clause, such as teachers, parents, and staff. To connect with equality within educational organisations and highlight the negative impact on pupils. Overall the goal of this campaign was to oppose the unlawful stopping of the promotion of homosexuality (McGhee, 2003, p. 3).

An article from the Guardian explored how Clause 28 affected the meaning of equality, stating this: *“In reality, the undefined image of the term ‘promotion’ will open the door to continuous legal challenges to any work by the local authorities to adopt non-discriminatory policies, support counselling, and advisory services or counter misinformation towards homosexual women and men. Clause 28 will prevent any council from responding to the needs of its lesbian and gay men in council employment and the delivery of services if it becomes law. We believe the clause attacks equality of opportunity for homosexuals; its implications threaten us all”* (Travis, 1988, p. 2).

The opposition did not consist only of the LGBTQ+ community but spread further towards the National organisations that supported the repeal of Section 28. Most prominent were The National Council for Civil Liberties and the Arts Council, stating in their legal advice that the term “promote” varies in its interpretation, therefore, fearing that the court could interpret it in many ways. Both of them were concerned about the well-being of gay and lesbian teachers and the curriculum in the schooling system of the UK (Sanders; Spraggs, 1989, p. 20 – 22).

The Local Government Act 2000 was redirected to the House of Lords with an amendment re-introducing repeal. This focused on adjusting the new “Learning and Skills Act 2000”, which emphasised family values and hoped to win over opponents. The repeal was once again defeated in the House of Lords. Despite the success of the defeats of the repeal in the House of Lords, the Labour Government then passed legislation to repeal the section as part of the Local Government act 2003 by a vote of MPs. This passed in the House of Lords and received Royal Assent on 18 September 2003 (Sanders, 2003, p. 2 – 6).

That being said, the newly formed Scottish Parliament was way more successful in the repeal process. Against this, the Scottish millionaire businessman Brian Souter privately funded a postal ballot as part of his “Keep the Clause” campaign, stating that 86% of voters favoured keeping the clause in effect. Although the postal vote of Brian Souter showed that the majority of the voters wanted to keep the clause, the clause was successfully repealed as part of the “Ethical Standards in Public Life, etc. Act 2000” in June 2000 with a 99 to 17 majority vote (Sanders, 2003, p. 4 – 6).

## 7. The opposition against the repeal of Section 28

The conflict over the reduction in the age of consent, with the voicing of hatred and mockery expressed during it for the LGBTQ+ community, turned out to be a rehearsal for the uproar that was to come over attempts to repeal Section 28 of the 1988 Local Government Act (Wise, 2000, p. 8).

*“Backlashes happen when taken-for-granted privileges are being threatened by removal. Moral panics occur in their own right. However, in the case of the campaigns against the repeal of Section 28, a moral panic is becoming the meaning or method of underpinning the organising backlash. The particular privilege here is “the family” and the right of only heteronormative people to call themselves “family,” together with the, by then UK’s system received, special social, legal status of heterosexual marriage”* (Faludi, 1992, p. 15 – 18). Naturally, the pro-family, family values lobby and militant religious groups attached to all the major religious groups in the UK have been involved and highly active in the campaign against the repeal of Section 28. More surprising was the use of biblical proportions as arguments against the repeal of Section 28. Through this, the movements formed unprecedented alliances mostly between religious groups and organisations such as right-wing newspapers, the Conservative Party, and wealthy businessmen emphasising the righteous traditional moral order in a manner that usually consisted of associating with the activities of the “moral majority” (Faludi, 1992, p. 21).

Section 28 was mainly supported by religious groups like The Christian Institute, the African and Caribbean Evangelical Association, the Christian Action Research and Education, the Muslim Council of Britain, and the groups within the Roman Catholic Church and the Church of England. Despite the difference in opinion within its ranks on the issue, the Conservative Party remained in favour of keeping Section 28. In the House of Lords, the campaign against the repeal of Section 28 was led by Baroness Young (Wise, 2000, p. 15 – 18).

In Scotland, the most visible supporters of Clause 28 were Brian Souter. The main argument he used in favour of keeping Clause 28 was the claim that it protected children from “predatory homosexuals” and indoctrination to vulnerable young people. *“Following arguments were further said to justify the need and the importance of the clause, including that promoting homosexuality in schools undermines marriage” section 28 prohibits the promotion of homosexuality*” (Sanders, 2003, p. 7 – 9). Still, it does not prevent legitimate discussion; section 28 did not prevent the counselling of pupils who were bullied. Lastly, public opinion favoured keeping the clause (Sanders, 2003, p. 6 – 10).

In early 1999 the proposal for the repeal of Section 28 was introduced. The Conservative Party leader William Hague imposed a three-line whip opposing repeal and dismissed the shadow cabinet minister Shaun Woodward for his support for repeal. While Hague favoured the reduction in the age of consent, the repeal of section 28 was one step too far. During the holiday break of the Christmas period, everything went silent; however, a significant shift happened on the change of the millennium in January 2000 (Waites, 2000, p. 55). *“During this time, the prominent three major church leaders spoke out publicly against homosexuality to further support the idea of campaigning against the repeal of Section 28”* (Waites, 2000, p. 50). Cardinal Thomas Winning, the head of the Roman Catholic Church in Scotland, referred in his speech to homosexuality as a “perversion” and pressed the silent majority in Scotland to act against the repeal and retain the prohibition that Section 28 implemented. His speech caused an uproar, and the public accused him of being a “raving bigot.” In his defence spoke out the Anglican Bishop of Liverpool, the first non-Catholic clergyman in England to support Cardinal Winning, stated that there are moral differences and the straight is the best. He cited the extinction of the species, the design of genitals, and the transmission of diseases (sexual diseases) in homosexual activities. He never mentioned heterosexual sexual activities, which supported the idea that HIV/AIDS is transmittable only during gay sexual activities. Lastly, the main point of his argument was that only the married state or the single state of celibacy is acceptable for both straight and gay people in the Christian tradition. Therefore, it follows the

idea that the prioritisation of marriage is not homophobic and the policies to repeal. Section 28 presented that straight and gay relationships are morally equivalent (Wise, 2000, p. 7).

Lastly, on the same day, a sermon by the Archbishop of Canterbury, George Carey, the head of the Church of England. His speech made no judgment against the repeal itself; instead, he discussed his worries about homosexual relationships being seen on an equal base with heterosexual marriage (Wise, 2000, p. 7 – 8).

## 8. The involvement of politics

The introduction of the clause was a catalyst to move the British gay rights movement into action. The resulting protest has risen into famous groups supporting gay rights, such as Outrage! or Stonewall. (Wise, 2000, p. 6)

While the gay rights movement was united towards Section 28, issues concerning this minority divided the Conservative party, mainly between the traditionalist and modernist parties. *“In 1999, William Hague, the conservative leader, sacked frontbencher Shaun Woodward for refusing to support that Section 28 should not be repealed. Such act was perceived controversial and prompted pro-gay-rights Tories to speak out against such decision”* (McGhee, 2003, p.3). The following year, the year 2000, the prominent gay Conservative Ivan Massow defected to the Labour party in response to the Conservative Party’s support of Section 28 (McGhee, 2003, p. 7).

There is, so far, only one case of Section 28 being used to bring an issue to the courts against a council. In May 2000, the Christian Institute took Glasgow City council to court for funding an AIDS support charity. The Institute allegedly promoted homosexuality, which was against the law. On the other hand, this court favoured the Glasgow City council, resulting in an unsuccessful trial of the Christian Institute. Such a case was the last of its kind ever (Sanders, p. 6 – 10).

The UK’s “New Labour” had made various promises to the lesbian and gay community both in public and private after their winning office in 1997. The LGBTQ+ and campaigning groups had good reason to be optimistic about the winning of the New Labour government and its programme of policymaking and legislation. *“During the years of the New Labour, many of its policies on equality and social inclusion developed from work in Labour’s local government stronghold.”* (Burstein, 1999, p. 20). Many of these local government Labour parties contained activists from the early lesbian and gay liberation movement in the 1970s who then moved into

politics in the 1980s and became activists in the local government and trade unions of the Labour Party. 1977 marked the victory of the Labour party, the lesbians and gay men had been crucially involved in the reformulation of the New Labour, getting LGBTQ+ rights onto their agenda and raising a more general sexual-political awareness among the heteronormative New Labourites. In the May 1997 General Election, the New Labour party sent out several lesbian and gay candidates (Epstein, 200, p. 14 – 16).

Between 1999 and 2000, some noticeable changes occurred in the UK, and to a certain extent, it seemed that the lesbian and gay lobby group Stonewall's "Equality 2000" campaign might be successful. This campaign had selected five areas of discrimination against the LGBTQ+ community, demanding equality at schools, in love, at work, and as parents. The success of these demands was achieved in the removal of the ban on lesbians and gay men in the armed forces and the changes in immigration for same-sex partners, while the aims to reduce the legal age of consent had yet to reach their goal (Burstein, 1999, p. 18).

*“Towards the end of 1999, several events took place as they were followed one by one in succession rather quickly”* (Wise, 2000, p.5). These events were potentially so radical that they caught the LGBTQ+ campaign groups off-guard and witnessed a major moral panic of these changes “going too far” among the society. Presumably, this moral panic was orchestrated and presented in the sections of the popular press by UK's major religious organisations and their leaders to present opposition to the proposed changes but also presumed attacks on a “normal way of living” (Giugni; Mcadam; Tilly 1999, p. 37).

The New Labour parties concluded many changes, for instance, lesbian and gay rights, concerning the lifting of the ban on LGBTQ+ personnel in the armed forces and the difference in the status of same-sex partners in immigration law. The New Labour also committed to reducing the age of consent for gay men despite being defeated twice within the House of Lords over this. Despite the defeat, the New Labour planned to use the Parliament Act to ensure that its policy became law during the parliamentary session (Wise, 2000, p. 6).

The opposition to the Labour government's policies focused on LGBTQ+ rights. Marking a start of a battle between the Houses of Lords and Commons was marshalled the Lords by Conservative peer Baroness Young. The debate both in the Parliament and press revolved around the obligation to allegedly "protect" vulnerable young men from making the "wrong" choice of living which they might regret later; this was countered regarding equality and that, if everyone else is deemed an adult at 16, so should be gay men. While the age of consent



discourse undoubtedly raised questions about homosexuality as a "choice" and as in "lifestyle" and so on, and the spectre of child protection and abuse. This debate has been in its essentials more than once concerned with who counts as "an adult." *"Even those who have been involved in opposing the lowering of the age of consent to sexual activities have stated their tolerance and support for lesbians and gay men who made choices as "adults," and the underlying issue on when an adult becomes an adult and what rights "non-adults" have and how and in what way they should be protected"* (Giugni; Mcadam; Tilly 1999, p. 30 – 35).

## 9. The present and the outcome

The clause made ripples in the teaching profession in general but also damaged the minority in the schooling system of the UK. The problem of the educational issues that Section 28 introduced was carried to the majority. The Eastern Conference of the National Union of Teachers, the largest teaching union, voted almost unanimously to resolve LGBTQ+ rights. This granted the minority full support from The Eastern Conference of the National Union and made harassment of or discrimination against the minority an offence under the union's rule book. The key factor to such a decision was the campaign against Section 28 influencing delegates' attitudes toward the Union (Sanders; Spriggs, 1989, p. 34).

One of the most favourable outcomes of the campaigns against the clause was that the public had a clearer vision of the discrimination against the LGBTQ+ community. Undoubtedly, some people found confirmation of their prejudice of the harsh bigotry displayed; some were left to reflect and recognise the justice of the struggles within the LGBTQ+ community. Another positive outcome is that the campaign connected many different groups within the minority. However, the problem of inequality is still present within the entire universe (Sanders; Spriggs, 1989, p. 34 – 35).

At the end of 2018, Scotland introduced a statutory requirement for schools to include LGBTQ+ themes in the curriculum. Such action was a huge step considering it took 13 years to decriminalise homosexuality in the UK. *"Even though that such requirement has been introduced and the teachers have been legally permitted to talk about same-sex relationships in their classes since 2001, research carried out by Stonewall Scotland in 2018 found that two in five LGBTQ+ young people said they had never been taught about safe sex in a same-sex relationship. Meanwhile, the LGBT Youth Scotland research in 2018 found that 92% have been bullied in schools"* (Wise, 2000, p.20). Such is the human cost of the political games that

occurred in the 1980s; through its actions, homophobia in schools was not only normalised; it was mandated (Logan, 2020, p. 1 – 3).

Even if the influence of the clause comes to an end, the fight for equality and the importance of education will still be ongoing. The priority is monitoring and publicising the behaviour of the local authorities and other organisations and putting out information to correct some of the widespread misunderstandings, something that Section 28 banned. It is essential to spread awareness in the educational systems worldwide to appropriately and truthfully educate pupils about LGBTQ+ lifestyles. It is crucial that the schooling systems' staff recognises the needs of LGBTQ+ pupils and their families and be prepared to take practical steps to improve their educational welfare (Wise, 2000, p. 15).

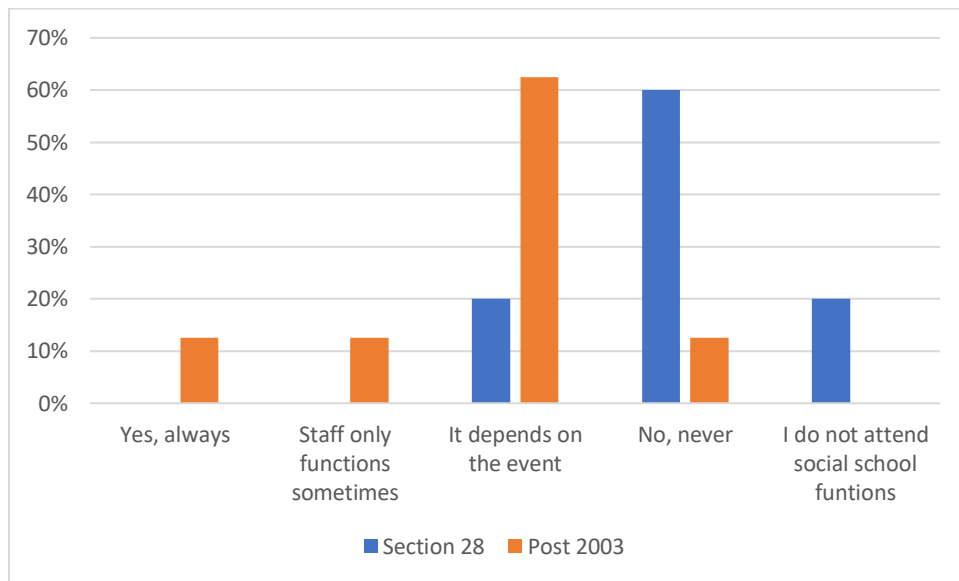
Many people believe that section 28 could never happen again. While that is true concerning the homosexual minority, it is worth looking at how transgender people are treated and discussed in mainstream media and public discourse. Trans rights have become an important topic, so the opposition to their advancement has grown, like the privileges of gays, lesbians, and bisexuals in the 80s and 90s. As the laws concerning self-identification have been proposed and discussed, various prominent people and publications have stated that trans people threaten cisgender women and children. Suddenly public bathrooms and changing rooms are not safe. Trans women are perceived as potential abusers, and children are becoming indoctrinated into being trans through the corruption of popular culture. The same homophobic hysteria brought such phantom fears in the 80s and 90s against gays, lesbians, and bisexuals, yet these ideas were quickly introduced into the public consciousness. (Nicholls, 2021, p. 1 – 4)

## 10. The research of modern days

In this chapter, I would like to focus on critical research by Catherine Lee conducted in 2019 concerned about the impact on the LGBTQ+ teachers fifteen years after Section 28 was repealed.

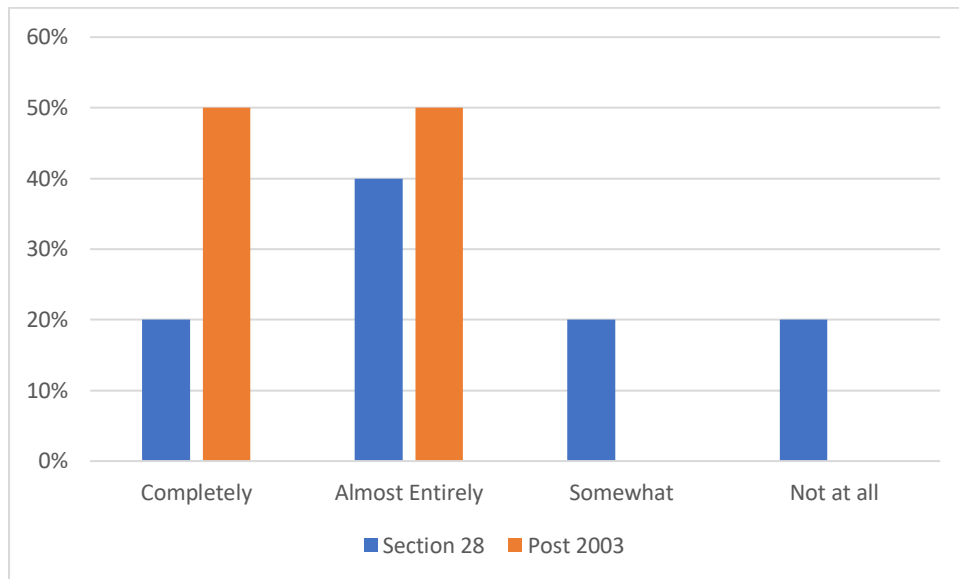
Lee gathered information from LGBTQ+ teachers with experiences in teaching during the influence of Section 28 and compared the responses with teachers who entered teaching right after the clause was repealed in 2003. She stated in her research that 46% of the respondents had been teaching between the years 1988 and 2003, referring to them in her study as “Section 28” the majority (54%) of teachers who entered the teaching career after 2003 are referred to as “Post 2003) (Lee, 2019. p. 6).

Figure 1. Does your partner accompany you to school social functions? (Lee, 2019, p. 8)



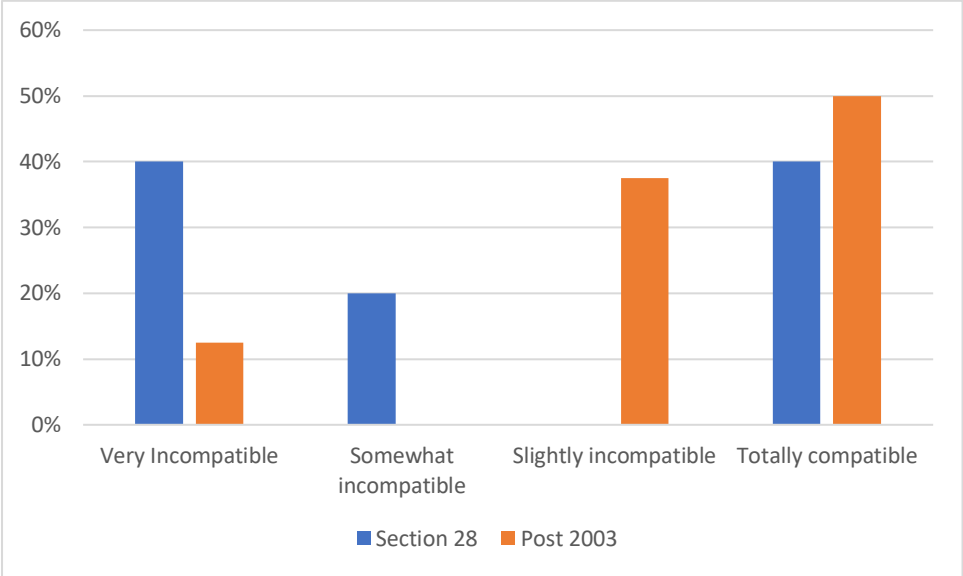
Based on research conducted by Lee, over 60% of post-section teachers visit school events with their partners, depending on what kind of event it is. Against this stand 20% of section 28 teachers. Less than 15% of Post 2003 never attends social school events with their partner, and around 60% of section 28 teachers never attend school gatherings with their partners. (Lee, 2019, p. 8). This shows us that during the influence of the clause, LGBTQ+ teachers may hide their personal life to gain privacy and keep themselves secure. However, over 60% of teachers after the year 2003 are hesitant to bring their partners to all social events the school is holding. This data may show us that the clause, despite being repealed a long time ago, had possibly implemented doubt, fear, and feeling of insecurity about teachers' sexual orientation/identity (see chapters 5 and 9).

Figure 2. To what extent do you feel you can be yourself in the classroom based on your sexual identity? (Lee, 2019, p. 9)



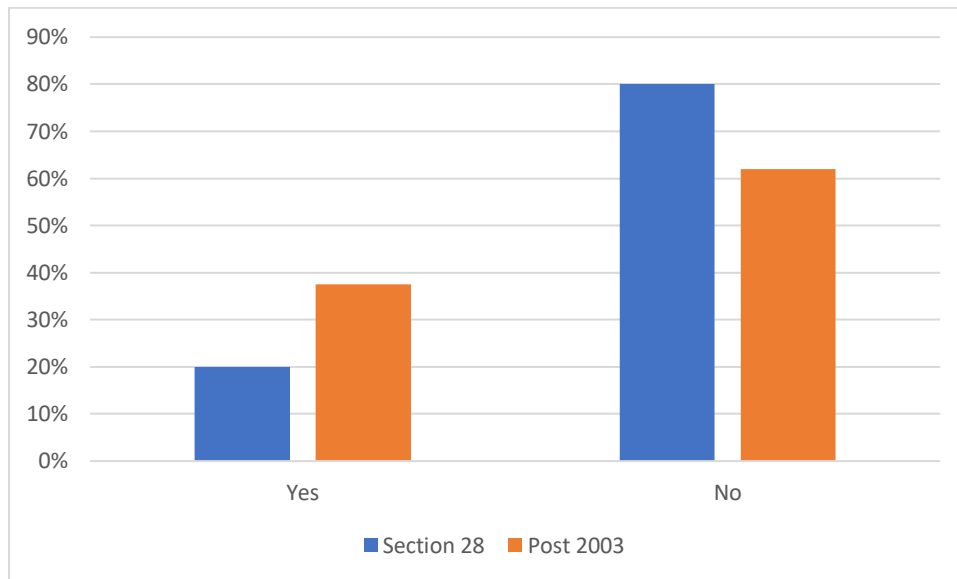
Only 20% of the section 28 teachers stated that they feel they can be fully themselves in the classroom; however, 50% of the post-2003 teachers think they can be themselves. 40% of section 28 teachers said they could be almost entirely themselves in the classroom, and against this, 50% of post-2003 teachers commented feeling almost wholly themselves in the school (Lee, 2019, p. 9). This shows us that after the repeal of the clause, teachers may feel better about being themselves in the classroom; on the other hand, during Section 28, most teachers felt the need to hide, even if being an LGBTQ+ teacher was not illegal. This might further prove the clause's unclarity regarding LGBTQ+ teachers and LGBTQ+ topics in the classroom (see chapter 5).

Figure 3. To what extent do you feel that your sexual identity and identity as a teacher are compatible? (Lee, 2019, p. 3)



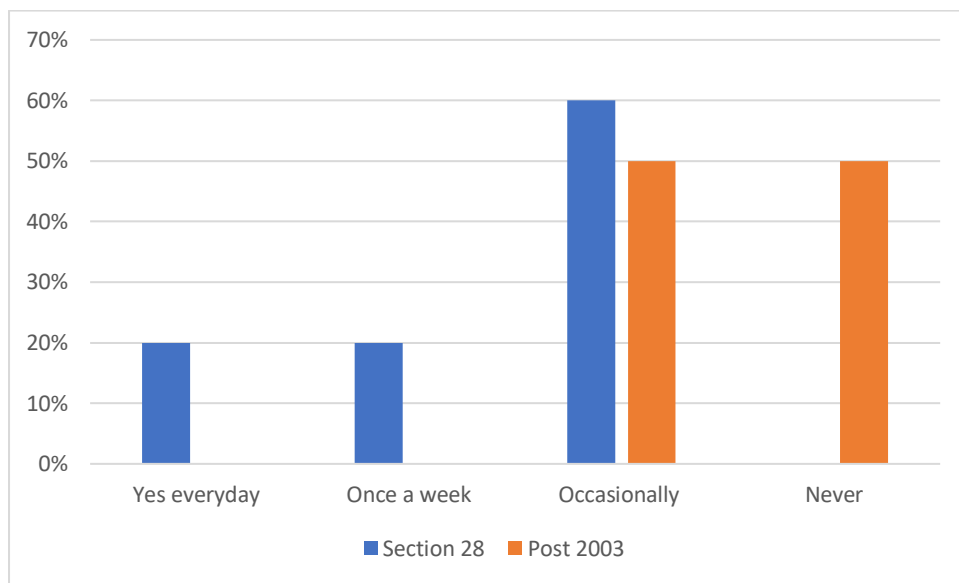
Interestingly enough, 40% of Section 28 teachers stated that their teacher identity and sexual identity are not compatible. On the other hand, another 40% said their identities are entirely compatible. The post-2003 teachers responded that they felt compatible (50%), and less than 40% said they felt slightly incompatible (Lee, 2019, p. 3). Edwards et al. (2014) stated: “*when self-censorship occurs for LGBT+ teachers, heterosexuality is the only sexual identity represented to young people.*” This is potentially problematic as Section 28 oppressed the LGBTQ+ rights and heavily influenced the schooling system (chapters 4 and 5). Further narrowing the view on sexuality and identity and promoting heteronormativity and heterosexuality, the clause failed to recognise diversity in identities, gender, and sexuality. The clause was also influencing the conversation on alternative families negatively. (chapter 4.1)

Figure 4. Have you ever experienced homophobia within the last five years of your teaching career? (Lee, 2019, p. 10)



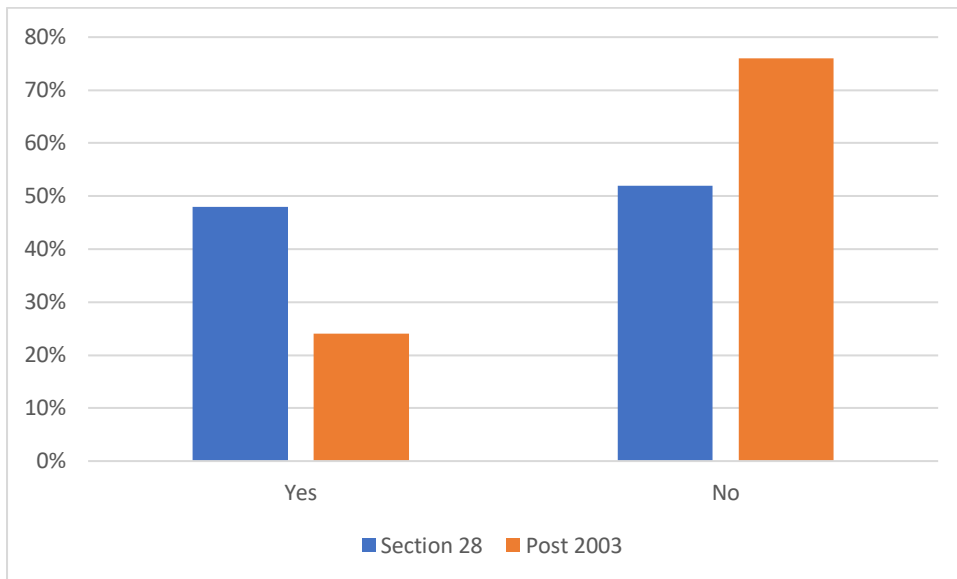
20% of the Section 28 teachers have said that within the last five years of their career, they did encounter homophobia, while 80% have stated that they have not. Regarding Post 2003 teachers, almost 40% have said they did experience homophobia, and over 60% have said they have not. (Lee, 2019, p. 10). This data shows us that teachers after the repeal of section 28 were more prone to homophobia. Such data could hint that the teachers were targeted after the repeal, showing us that the section's legacy is still present and helped spread homophobia as it targeted the minority (chapters 3, 4, and 5). Figure 4 is closely tied to figures 3 and 2. They might show us that Post 2003 teachers were prone to homophobia because they are more of themselves in classrooms and more open about their sexuality and identity, hence experiencing more homophobia. Their counterparts, Section 28 teachers, may not experience homophobia. During the clause, they tended to keep their privacy and career separated, not allowing themselves to be indeed who they are in their workplace.

Figure 5. Do you routinely hear homophobic language in your workplace? (Lee, 2019, p. 10)



To the data collected, 60% of Section 28 teachers mentioned that they occasionally encounter homophobic language in their workplace. In contrast, Post 2003, teachers stated that they either sometimes hear homophobic language (50%) or never (50%) (Lee, 2019, p.10). Section 28 teachers encountered homophobic language more often than the 2003 teachers. It is possible that Section 28 teachers felt no need to challenge homophobic language as they were not open about their identity in their workplace (see figure 2). However, the Post 2003 teachers may be more open about themselves, therefore feeling more comfortable stepping up into a conversation and stopping the homophobic language. This could also show that if a teacher is more open about their sexual identity to their pupils, the homophobic language might less likely take place.

Figure 6. Have you ever accessed help for anxiety or depression linked to your sexual identity? (Lee, 2019, p. 11)



This figure shows that almost 50% of Section 28 teachers sought help linked to their sexual identity, and over 20% of Post 2003 teachers did. However, over 50% of both categories stated they have not (Lee, 2019, p. 11). Comparing the data of the teachers seeking help for anxiety or depression, it is evident that Section 28 teachers felt much more depressed or anxious about themselves. This could cause the teachers to burn out much faster as society constantly pushes them to be heteronormative individuals (see chapter 3). The systematic oppression could also lead to self-doubt and self-loathing as the teacher might not be the role model they wanted to be. Such a statement comes from a Post 2003 lesbian teacher: *“I’m trying to manage lots of things on top of my job. I feel guilty half the time for not being a role model for the students struggling with their sexuality, but I also feel terrified when I think about the parent power at my school”* (Lee, 2019, p.19). This gives us an insight into what it was like being a teacher, even Post 2003.

The legacy of Section 28 is still lingering as some teachers feel the need to hide their true selves from their colleagues and pupils. Despite its damage to the LGBTQ+ community and the negative impact, I commented on it throughout this thesis. From this research, the data collected states that Section 28 teachers were more closed regarding their sexual identity and workplace than Post 2003 teachers. Regarding the teacher's compatibility and sexual identity, the Section 28 teachers felt more incompatible than the 2003 teachers. Post-2003 teachers experienced homophobia in their workplace more than Section 28. This presumably might be because 2003 teachers were more open about their sexual identity. Section 28 teachers encountered



homophobic language in their work more often than Post 2003 teachers. When it comes to anxiety and depression, almost half of the Section 28 respondents said they sought out help, understandably enough, as Section 28 was a law that implied homosexuality is wrong.

## 11. Conclusion

This thesis aimed to investigate the impact of section 28 in the United Kingdom through data, articles, newspapers, and research analysis. The first chapter focuses on definitions of terms needed to understand this thesis. The next chapter contains information about events leading up to Section 28 and its historical background, introducing the book that started the clause and the chaos that the clause brought towards educational unions within the UK—following that up with the impact on daily life where I investigate the involvement of mass media, the moral panic and the HIV/AIDS pandemic that played a vital part in promoting the clause. The next chapter focuses on the impact on education, how the section spread confusion and chaos among the UK teachers, and how negatively the clause influenced the curriculum—continuing with a chapter that analyses the repeal of Section 28, what led up to it and how it ended. The next chapter concerns the opposition against the repeal, showing who led the opposition and what groups the opposition consisted of. The following chapter focuses on the involvement of politics in the clause, showing what stance they took and how Tories favoured the clause. The next chapter investigates the outcome of the clause and how it impacted modern life. The last chapter, The research of modern days, focuses mainly on research conducted by Christina Lee (2019), where I comment on her findings with a respective view of the literature used to create this thesis.

During the data analysis, my main goal was to determine if the clause negatively influenced only the LGBTQ+ community. To my surprise, it affected every aspect of daily life, even the heterosexual majority. Lastly, I was also focused on finding out if the clause had any positive impact, and after my research was done, I could not find any. I believe the damage that the clause caused was reached far beyond the LGBTQ+ community and education, as these were the main targets. The section negatively influenced daily life as it possibly could include a ban of world-known artists. The promotion of the section was done through propaganda, using fear as driving fuel to make the majority believe that being gay kills you, including many valid researched data that shows us how the section turned the UK's society against itself, making its step backwards in education. The problem was underlying in the Tories' politics that made the section official, despite knowing the damage it would cause. The legacy of Section 28 is still present as teachers are scared to talk about the LGBTQ+ community and educate their pupils.

For further research, I would recommend looking into similar legislatives like Section 28 in different countries as same-sex marriage is not recognised worldwide and some countries still have active policies against the LGBTQ+ community. With the growing interest in Florida's "Don't say gay" act, I would recommend looking into this one particularly.

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### 13. Summary

Section 28, also known as Clause 28, was a bill prohibiting local authorities from promoting homosexuality; this clause was introduced in 1987. The problematic influence of Section 28 impacted many aspects of British society. The clause influenced the LGBTQ+ community and marked a step backwards in the minority's rights. The impact of the clause was so significant that it sparked moral panic throughout the United Kingdom. The media and press depicted homosexuality as a lethal illness and spread such propaganda. Teachers were often scared of even mentioning the LGBTQ+ community, meaning the minority's existence was almost wiped out, while the heterosexual majority was always mentioned in the best way possible. The politicians, especially the Labour party, took conventional thinking towards the clause. While teaching unions, parts of society, and teachers were displeased with the introduction of the clause, the repeal itself took place only a few years back in 2003 in the UK, 2000 in Scotland. My main goal was to determine if the clause negatively influenced only the LGBTQ+ community during the data analysis. To my surprise, it affected every aspect of daily life, even the heterosexual majority. Lastly, I was also focused on finding out if the clause had any positive impact, and after my research was done, I could not find any.

### Resumé

Sekce 28, taktéž známa jako klauzule 28, byla novela zákona zakazující jakoukoliv propagaci homosexuality místním úřadům v roce 1987. Sekce 28 byla zejména problematická, jelikož nepříznivě ovlivnila celou britskou společnost. Hlavním cílem Sekce 28 byla LGBTQ+ komunita, pro kterou tato novela znamenala velký krok zpět v rámci stejných práv pro minority v britské společnosti. Vliv Sekce 28 byl natolik velký, že v tehdejší britské společnosti způsobil takzvanou morální paniku. Státní média i noviny poukazovali na homosexuality jako na smrtící nemoc a tak vytvořila propagandu, která ovlivnila mínění společnosti. Učitelé se často báli zmiňovat cokoli dobré o LGBTQ+ komunitě, to znamenalo, že znalost o této minoritě byla velmi malá, až mizivá, zatímco heterosexualita byla vždy propagována hojně a v dobrém. Politici, zejména Dělnická strana, přistupovali k Sekci 28 konvenčně, zatímco učitelské sbory, části společnosti a učitelé byli nespokojeni se zavedením Sekce 28. Tato novela byla odvolána roku 2003 ve Spojeném Království, v roce 2000 byla zrušena ve Skotsku. Hlavním cílem této práce bylo zjistit skrze analýzu dat, zda novela opravdu negativně ovlivnila LGBTQ+ komunitu. Překvapením mi bylo to, že novela ovlivnila nejen LGBTQ+ komunitu, ale taktéž

každodenní život běžných heterosexuálů a to zejména negativně. Taktéž mne zajímalo, zda novela měla pozitivní dopad, nicméně jsem žádný nenašel.

## 14. Annotation

Title of the Bachelor Thesis: Section 28 and its impact on the LGBTQ+ community

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## Anotace

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