

VICTOR LOWNES OPPOSING THE MOTION:

"A LICENCE FOR PORNOGRAPHY IS A DENIAL OF FREEDOM"

AS PROPOSED BY MRS. MARY WHITEHOUSE.

OXFORD UNION DEBATE: JANUARY 30TH, 1981

You can tell I didn't pick the emotive wording for the resolution " A License for Pornography is a Denial of Freedom".

When Andrew Sutcliffe, the President of the Oxford Union called me up and asked me if I would agree to debate Mary Whitehouse on pornography, I said I sure would.

Then he told me that she wanted to debate the resolution that "A License for Pornography is a Denial of Freedom". I said I didn't mind arguing against the motion but couldn't it be put in a more straightforward way. I suggested "Freedom of expression in areas relating to sex is too costly a luxury for a democratic society and what we all really need is a lot more sex censorship."

But, no, the censor had already been at work -"Mrs. Whitehouse does not debate censorship"- I was told. This is the language Mrs. Whitehouse insists upon. O.K.

The first thing I want to do is to discuss the problems inherent in the phrase "a license for pornography" and then I want to talk about the word "freedom" and the strange way it is being used here.

Mrs. Whitehouse says it's easy to define pornography, it is so obviously what it is. She says that D. H. Lawrence put it in a nutshell "Pornography does the dirt on sex". Though I'm a little puzzled as to how that clarifies everything. (Oh, by the way, D. H. Lawrence, who I am sure my opponent will not be too surprised to learn occasionally let down the side, also said "What is pornography to one man is the laughter of genius to another").

No, I don't think it's obvious. I think it is very difficult to define which ideas, words and images are poisonous and which aren't and the history of censorship is replete with marvellous absurdities - and I don't have to go way back in time to the days when unenlightened philistines were bowdlerising or banning the Bible or Shakespeare or Homer.

Oh yes, the list of the censored is a veritable Who's Who of philosophy, art and literature - Confucius, Dante, Galileo, Bacon, Voltaire, Gibbon, Martin Luther, John Calvin, Thomas Paine, Thomas Jefferson, Goethe, Shelley, Balzac, Victor Hugo, Hawthorne, Hans Christian Anderson, Elizabeth Barrett Browning, Darwin, Whitman, Ibsen, Tolstoy, Dostoyevsky, Mark Twain, Gilbert and Sullivan, Zola, de Maupassant, Shaw, Oscar, Wilde, Kipling, Jack London, James Joyce, D. H. Lawrence, Eugene O'Neill, Faulkner, Hemingway and Walt Disney - to name a few.

By the way, Mrs. Whitehouse has some very interesting theories about censorship of the classics, she says - "Notwithstanding the experiences of Zola, Guy de Maupassant, Havelock Ellis and Oscar Wilde, the fact remains that literary masterpieces are not at risk in today's society". It is a fact of literary history that the novels of Tolstoy, Dostoyevsky and the rest were published under conditions of stringent censorship and it demonstrates that even control of that kind does not always lead to repression of creative talents."

You see, you don't have to worry about the censor keeping the really good stuff down - it will get through somehow. She does not see this as demonstrating the futility of censorship - but rather she sees it as the miraculous irrepressibility of anything of genius quality.

This reminds me of that wonderful business about porpoises and dolphins. These playful water mammals are, as you may have read, great friends of man - not only do they not attack us like sharks - but there are many recorded cases of them pushing drowning people to shore after shipwrecks and the like.

I've always viewed this matter with a bit of skepticism... I figure that we just would not be likely to get many reports from drowning people they happen to push out to sea.

We don't know about the masterpieces that didn't survive, never got published or didn't even get written - while the lovable old censors were somehow making certain the really good stuff got pushed onto the beach.

I said that one doesn't have to go way back in time to show the absurdity of the sex censor in action.

The Lord Chamberlain had a priori censorship power over the theatre until his powers were swept away by the Theatres Act of 1968.

And not a minute too soon, consider these beauts:

March 1967: After a sketch has been seen by something like ten million people on television, the Lord Chamberlain, having discussed it with the Boy Scouts Association, banned it from the stage. It showed two officers talking during the Boer War. One says to the other that after the war he intends to go camping with young lads. The other replies: "Good Heavens, Baden-Powell, - you could get seven years for that."

October 1962: A sketch about a southern United States segregationist governor was banned because when he, the governor dies, and went to heaven, he found that God (who was not portrayed) was black and female?

In Fings Ain't What They Used To Be, the Lord Chamberlain objected to a ladder being carried at a phallic angle.

In Harold Pinter's The Caretaker, it was not permitted to say "Piss Off", The Lord Chamberlain substituted "Get Knotted".

In Osborne's "Luther", the Chamberlain objected to a reference to "the ball of the Medici", and suggested that "testicles" be substituted.

William James, who I'm afraid did not share Mrs. Whitehouse's belief that it's a piece of cake, once humourously underscored The Lord Chancellors apparent problem in defining pornography when he wrote "such discussions are tedious - not as hard subjects like physics or mathematics are tedious, but as throwing feathers endlessly hour after hour is tedious.

But, the feather throwers are forever with us and only a week ago you may have seen the report of an interview with the sponsor of the member's bill banning indecent displays. The Right Honourable Member, Mr. Tim Sainsbury, M.P. was asked how he defined indecency? After explaining that he did not regard Playboy as indecent - big sigh of relief - nor page 3 nudes - another big sigh - nor, for that matter "full frontal nudity". He said "Well I can't exactly describe it, I can't describe an elephant either, but I know one when I see one."

Those of us who do not have any difficulty in describing elephants may be slightly alarmed that our restrictive laws are being drafted by people who do and, one certainly hopes, Mr. Sainsbury's family firm doesn't decide to put him in charge of the meat department.

Regardless of his problems in describing elephants, Mr. Sainsbury will be pleased to hear that his difficulty in describing or defining "indecent" is not a personal failing.

Justice Black of the U.S. Supreme Court pointed out that it was once the law in Rome that a citizen could be arrested for obscenity and after the reign of Caesar Augustus it became obscene to criticise the Emperor.

Do you think this is far fetched in this day and age? You have heard Mrs. Whitehouse describe those things which offend her which she thinks possibly offend you, too. But it does not end there. Consider some of the things which she has tried, as a matter of record, to censor or suppress - this is a little like one of those connect-the-dot pictures which only gives us a bare outline - we must imagine the details and shading.

Well, aside from some pretty commercial rubbish which you might not necessarily have minded missing, Mrs. Whitehouses' list includes such

critically acclaimed movies as "Midnight Cowboy" (which she mysteriously labels as 'very violent'), "Last Tango in Paris", "The Killing of Sister George", "Rosemary's Baby", "The Wild Ones", "Straw Dogs", "A Clockwork Orange", and "The Exorcist".

In the T.V. field she has lodged objections to so many dramas, comedies and documentaries that it's hard to find anything including the Nine O'Clock News that hasn't drawn her fire. If not in its entirety, at least in part.

Here are a few of her targets in the T.V. field. In her own words she condemns "late night satirists who ridicule and denigrate our political leaders, the church, the family, authority in all its forms which are often anti-British, blasphemous and obscene".

On the news she has objected to continual depictions of violence in Ireland, Vietnam and elsewhere. On the one hand she has worried about people imitating violence or being desensitized by it. On the other hand, she has concerned herself that it might so shock the viewers that they might, as some feel happened in the U.S. with Vietnam, want no part of the continuation of even a just war. (Some of us might feel that this confusion alone justifies an absolute freedom of expression).

Other series and shows on television that have required Mrs. Whitehouses' attention include: "It Ain't Half Hot Mum", "Some Mothers Do Have 'Em", "TW3", "The Wednesday Plays", "Till Death Us Do Part", "Tonight Show", "Dr. Who", "Top of The Pops", "The Play For Today", Cathy Come Home", etc., etc.

Justice William O. Douglas of the United States Supreme Court once observed that "the standard of what offends the calm and conscience of the community conflicts with the concept of freedom of speech and of the press. Any test that turns on what is offensive to the community standards is too loose, too capricious, too destructive of freedom of expression.

With that test, juries can censor, suppress and punish what they don't like providing the matter relates to sexual impurity or has a tendency to incite lustful thoughts. This is community censorship in one of its worst forms. It creates a regime where, in the battle between the literati and the philistines, the philistines would be certain to win".

Some people display a curious set of values. If government employees were to come into the homes and start slicing off parts of the chairs, the tables and the television sets, they would have no doubt that what was happening was absolutely wrong. Not relatively or debatably, but absolutely wrong.

But when the same government slices their civil liberties, slashes their basic freedoms and saws away at their elementary rights, these people can only comment that the case is too complicated for a doctrinaire judgement, that much can be said on both sides of the matter and that in times like these the experts know what they are doing. (Sometimes I wonder whether it is quite fair to assume that the experts know what they are doing; perhaps it would be more charitable to assume that they do not know).

American actress Lilly Tomlin observes that when she was a child her mother told her three lies which she distinctly remembers. The first was that "Only tramps have their ears pierced", the second was that "What makes you happy, makes me happy", and the third one was that "People in Washington wouldn't be there if they didn't know what they were doing".

The point I am trying to make, is that the business of suppressing the pornographic, the obscene and the indecent has a way of creeping all over the place. Do you not see the parallel between the Romans finding it obscene to criticise the Emperor and Mrs. Whitehouse seeking to suppress "late night satirists who ridicule and denigrate our political leaders?" etc.

Justice Hugo Black of the United States Supreme Court, who you may have guessed by now is one of my personal heroes, was once asked if there was any kind of obscene material, whether defined as hardcore pornography or otherwise, that the distribution and sale of which he believed could be constitutionally restricted in any manner whatever.

Justice Black replied to that "My view is without deviation, without exception, without any ifs, buts or whereas's that freedom of speech means that you shall not do something to the people either for the views they have or the views they express and the words that they speak or write. As far as I am concerned I do not believe that there is any halfway ground for protecting freedom of speech and press. If you say it is half free you can rest assured that it will not remain as much as half free. James Madison explained that "if you make laws to force people to speak words of Christianity, it won't be long before the same power will narrow the sole religion to the most powerful sect in it!" I realise there are dangers in freedom of speech, but I do not believe that there are any halfway marks.

Another problem that arises in the campaign to ensure our "freedom" by revoking the "license for pornography" is the problem of choosing a censor. The would-be censor in any community is rarely the best informed and the best qualified for such a job. This is probably because real knowledge of a subject and an interest in suppressing it does not often go hand in hand. Even if the censor had the necessary insight, it would not justify the forcing of his own particular taste and interest on the rest of society, but most often it is actually a matter of dragging down the tastes and interests of the community to a decidedly lower level.

The censor may be driven by any of several motivations; he may anticipate some personal or political gain for his involvement in censorship; he may enjoy the sense of power achieved through a control over what others do and say; he may be a quite sincere, misguided citizen who believes the world would be a better place if only the rest of the community held the same values and beliefs that he holds; or he may be one of those whose dedication to the suppression of certain aspects of our society is itself a symptom of subconscious sexual needs and guilt feelings.

Frequently, the job of censorship goes by default to those in the community who have nothing better to do with their time.

Whoever is chosen, the fact remains that the anti-sexual in our society so fail to understand the true sexual nature of man that they try to suppress what is unsuppressable. In so doing, they hurt society in three distinct ways.

First, the censor curtails our freedom.

Secondly, the censor attempts to control our thoughts.

Thirdly, the censor impairs our mental health and wellbeing.

By suppressing the frankly sexual speech and writing that embarrasses and disturbs him, the censor unwittingly eliminates an emotional outlet that, most authorities agree is helpful for society.

What is more, the censor so little understands the nature of the thing he is about that he usually attacks first the more positive aspects of our sexual literature and art. The book, magazine, movie or T.V. show that equates sex with sin and suffering is less apt to bring down the censor's wrath than one that makes sex seem pleasurable or appealing, for the former can be said to have a "moral". If the seeming association between sexual activity and ugliness, grief and guilt, seems to matter not a bit to the censor. He is thus quite successful in projecting his own negative attitudes towards sex onto the rest of society.

Another thing, one very seldom finds young people involved in the business of suppression of ideas, words and images. I am reminded of the impudent verse by James Ball Naylor which goes something like this. In fact, it goes exactly like this:

"King David and King Solomon led merry merry lives,
With many, many lady friends and many many wives.
But when old age crept over them- with many many qualms,
King Solomon wrote the proverbs, and King David wrote the psalms."

That may also explain another interesting factor about censorship. We know that hard core pornography is always available as the censor is never completely successful in his avowed aim to rid the community of all its erotic art and literature. Nevertheless, it is interesting to note the apparent lack of any ill effect upon the censor, who presumably deals with obscene materials on a regular basis and that raises the question of who he is trying to protect and from what?

Now I would like to discuss the use of the word "freedom" in the resolution "A license for pornography is a denial of freedom".

In George Orwell's 1984, he demonstrates how it is possible to control thought through censorship of words. In his society of the future called "Ingsoc" for English Socialism, they've created a new language called NEWSPEAK. It is intended that when NEWSPEAK has been adopted once and for all, and OLDSPEAK forgotten it would be impossible to utter heretical thoughts or even think them insofar they depend on language.

To give a simple example the word "free" would still exist in NEWSPEAK, but it would only be used in such sentences as "This dog is free of fleas" or "This field is free of weeds". It could not be used in the old sense of "politically free" or "intellectually free." Does this sound familiar? Mrs. Whitehouse's "freedom" is not political or intellectual.

Freedom or the freedom to choose - it is freedom from the remotest possible direct or indirect risk of any kind of harm. It is freedom from temptation and, repeatedly, freedom from material which she finds offensive.

For example, Mrs. Whitehouse wrote the Prime Minister in 1973 calling for "...immediate and effective action. We want to emphasize that a wise and effective law is liberating and not repressive since it defends the freedom of those who would choose not to come in contact with material which they find offensive."

You might feel that it is often necessary in a truly free society for people to be shocked, disgusted, outraged - let alone merely offended.

So what is this freedom my opponent offers us? In the excellent book about her entitled "Whitehouse" it must be remembered that she herself approved the manuscript, the authors characterise her position as follows:

"Mary Whitehouse is, in fact, offering a total philosophical package - you take the lot or you take nothing. It is not, therefore, a case of reforming things a little here and tidying up a bit there. For her everything - the whole nature, quality, organisation and the style of life - must be revolutionised. In terms of what is available today it would be a world in which there would be restrictions on the kind of books, films and television available....."

It is difficult to see how, in a society which she and her followers would welcome, the law as it affects homosexuality and possibly abortion and divorce could survive."Life would be persistently and manifestly more religious. To some it would be boring and an inhibiting nightmare, a cross between a wet Sunday in Wales and eternal Songs of Praise; to others it would be, quite literally, Paradise Found.

"In short, there is to all her work - all her speeches, lectures, law suits, controversies and books - one specific and clear leitmotif, that man once more needs to have all his actions and thought guided by Christian principles. It was and is nothing less than the call for the creation of a theocratic state".

Now that is the kind of freedom Mary Whitehouse speaks of, and there is a very strong resemblance to the kind of freedom that Ayatollah Khomeini offers his Iranian followers. There's not much difference between Mary Whitehouse's goal of moral rearmament and the Ayatollah Khomeini's justification for executing adulterers and prostitutes. As he put it, "In Islam we want to implement a policy to purify society, and in order to achieve this aim we must punish those who bring evil to our youth. Like it or not, we cannot permit evil-minded people to spread their evil."

This business of freeing children from exposure to harmful ideas is a key argument of the theocrat advocating censorship. The Ayatollah's statement is not all that different from Mary Whitehouse's when she says "and when one thinks how much of the justification both in court and out for the wide distribution of porn is presented solely in terms of the "rights" of the adult to have what they call the freedom to buy even the most obscene material in the open market, and how little is said about the rights of the child to be protected, then one can measure how real - if acknowledged - as the deathwish of the Western World".

Baloney, the idea of reducing the reading or viewing material of everyone to the level of the sophistication of a ten year old, is a peculiar concept of how to run a society and, I think, a lousy way to prepare children for adult life. There is very little evidence to support the notion that children who are exposed to pornographic material are apt to be more delinquent than others. In fact, what evidence there is shows that delinquent children tend to read less of everything than other children.

In a marvellous attempt to protect children, one U.S. community contemplated banning the Tarzan books by Edgar Rice Burroughs because Tarzan and Jane had never been joined in Holy Wedlock and they must be living in sin in their jungle home. (We had always assumed as a youngster that they kept straight by relying upon the honour system). It never occurred to us in our innocent youth that Tarzan and Jane were anything but good friends.

.....It was Cheetah, the Chimp, of whom we were always a mite suspicious. He always seemed to be hanging around the treehouse when Tarzan was off on one of his vine swinging excursions).

In the United States the Supreme Court has ruled that it is illegal to censor literature on the basis that it may harm minors. In finding unconstitutional that section of the Michigan Penal Code that prohibited circulation of publications that might tend "to incite minors to violent or depraved or immoral acts", Justice Felix Frankfurter spoke for the unanimous court when he said "The State insists that by thus quarantining the general reading public against books not too rugged for grown men and women in order to shield juvenile innocence, it is exercising its power to promote the general welfare. Surely this is to burn the house to roast the pig."

With all this I say that the only way in which the people of a country can ever become mature enough for self rule is by setting them free to practice self rule. Similarly, the way in which a society can mature sexually, socially and philisophically is by allowing truly free and unfettered sexual, social and philosophical growth. By treating our own citizens like so many over-protected children we have produced our present, too often childlike, immature, hypocritical social order.

Finally, I would like to leave you with some thoughts from Gai Eaton's remarkable book "King of the Castle", subtitled "Choice and Responsibility in the Modern World". Like Mrs. Whitehouse, Mr. Eaton is a fervently religious person, but there, I'm afraid, the resemblance ends. Here is what Mr. Eaton has to say about the NEWSPEAK concept of freedom:-

"The Theory upon which contemporary societies operate is that we must have complete freedom to make the right choice. We are to be prevented, so far as may be possible, from making the wrong one, not only because this would be bad for us, but because it would very probably injure other people as well. Unfortunately, many of us do insist upon choosing wrongly all too often, and our benefactors feel obliged, in the public interest, to narrow the field of choice and restrict our opportunities for making mistakes. In this fashion the trap closes, not with a sudden snap, which might provoke a violent struggle to escape, but inch-by-inch, year-by-year."

"To assume that people will behave like irresponsible children if given the chance and, on these grounds, to deny them the chance, leads to a suffocating paternalism which ends by destroying what it most cherishes; and to insist upon protecting us against every possibility of injury from other men involves binding them securely, and binding us too, since we are the "other" in relation to them."

"There is a morality which insists that men's arms must be bound to their sides because some might want to use their fists and insists that their ankles be tethered because some might want to walk into trouble. There is only one logical conclusion to such overwhelming concern for our wellbeing - we must all be locked up where we can do no harm either to ourselves or to others.

"It is worth noting here a phrase which recurs again and again in the press, on television and in conversation: this is to the effect that when human lives are weighed against "a small loss of personal freedom" one should not hesitate to make the necessary sacrifice. This phrase may one day be carved over the grave of our liberties, for those who use it seem quite unaware that a number of "small losses" soon add up to one great loss. There have indeed been thousands, if not tens of thousands of such losses in recent years. They have been readily accepted because the majority of people think they know the limits beyond which they themselves would refuse to tolerate further deprivations of personal freedom".

I ask you to reject the resolution "A License for Pornography is a Denial of Freedom" and agree with this quote:

"With many of the so-called "freedom" movements the ultimate result - if not aim - is repressive rather than liberating, a dreadful conformity which is dictated in place of the freedom to choose and to "be".

Those words, by the way, are Mary Whitehouse's own.