

1968 – Forty Years of Activism

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It is forty years since May 1968. For some of us due to turn forty this month, the passing of those four decades has an especially personal significance. However, May 1968 has generated much more than a group of immature forty-somethings who still like to think of themselves as being part of the strange phenomenon known as ‘middle youth’ (we still like to go dancing at weekends; the Electric Picnic was invented for us!). The spirit of that turbulent month lives on in so many other ways; in songs, in film, in literature, in popular mythology. But most importantly, it lives on in the tradition of political activism.

Anyone who has ever been canvassing – including those out canvassing now on each side of the Lisbon Treaty Referendum – will know that the most disheartening comment to hear on the doorstep from potential voters is not the expression of political disagreement, but rather the apolitical words ‘I’m not going to vote’ or ‘There’s no point voting’.

This cynicism is understandable, especially with recent revelations about political corruption in the planning process, and with a government which has been in power for over a decade, on the basis that it would provide citizens with the public services they deserve - promises they simply have not kept. Really, it is no wonder that many people are reluctant to engage with the political process.

Unfortunately, though, if apathy takes hold, it can have a seriously adverse effect on our society as a whole. Where people lose the motivation to engage in political campaigns, then the status quo will remain. Nothing will ever change.

So it is worth remembering, as we face into the Referendum next month, the huge advances that have been made by political campaigners, many inspired by the spirit of civil rights now symbolised by May 1968, on a range of issues – women’s rights, the rights of people with disabilities, of workers, and of many others. But undoubtedly one of the most effective political campaigns fought in Ireland in recent decades has been the campaign for gay rights.

Gay rights activists did not retreat into negativity and cynicism about their power to bring about political change, even when faced with an utterly hostile and deeply conservative establishment in Ireland of the 1960s and 1970s. Embracing the mood for change that characterised the protesters in Czechoslovakia, France and elsewhere in 1968, they embarked upon a long but ultimately successful campaign in Ireland to change the law and repeal the 1861 legislation, enacted during the reign of Queen Victoria, which had made male homosexual intercourse a criminal offence.

In the early 1980s, the law reform campaign focused on the landmark case taken by David Norris, now a Senator, against the State. He argued that the criminalisation of homosexuality breached his constitutional rights, but lost his case in the Supreme

Court. The Chief Justice's judgment referred to gay sex as 'unnatural sexual conduct which Christian teaching held to be gravely sinful.' Fortunately, Norris appealed this decision to the European Court of Human Rights, which took a different view. That Court ruled in 1988 that the ban on homosexuality was in breach of Norris' right to privacy under the European Convention on Human Rights.

It took some years after this, before the Government finally removed the ban. The 1861 offence was only abolished in 1993. But the campaign for legal change by gay rights groups did not stop there, and they continued to lobby for new legislation to prevent discrimination against gay people.

More legal protections have since been introduced; against unfair dismissal or discrimination on the ground of 'sexual orientation', both in the workplace (the Employment Equality Act 1998); and in the provision of goods and services (the Equal Status Act 2000).

'Sexual orientation' is defined in both Acts as meaning 'heterosexual, homosexual, or bisexual orientation', so the campaign has been remarkably successful in bringing about progressive legal change for lesbian, gay and bisexual people. The movement has also generated immense cultural change in Ireland. An increased political confidence, a thriving gay scene, and enhanced visibility of gay people at all levels of economic and social life, has led to a common perception that homosexuality is now positively valued in Irish society.

Unfortunately, legal discriminations against gay people persist, especially in the context of gay partnerships, and in matters relating to the parenting and adoption of children. The many advantages that come with legal status, in terms of immigration rights, tax benefits and inheritance rights, for example, cannot at present be availed of by lesbian or gay couples.

Like the civil rights movements in the US and Northern Ireland, or the women's movement internationally, the gay rights campaign, born of that ideal of political action we associate most with the 1960s, has come a long way in a short time. But the reason this has happened is because a group of people refused to retreat into apathy or accept the status quo. We owe a lot to their fighting spirit. They insisted that political change was possible – and it was. It still is, just as much now as it was forty years ago this month.