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The Art of Offence: British Literary Censorship since 1970

The 1960s are known as a decade of liberations. In any modern history of censorship and interdiction the period is important, as a time when numerous political and cultural forces undermined established attitudes and institutions. Those forces included black power and civil rights, especially in the United States; the student movement; the origins of modern Gay Liberation and of second-wave feminism. To them can be added the irreverent mood associated with the satire boom, emblemized by the BBC's *That Was The Week That Was* and later *Monty Python*; and the unafraid energies of popular culture, notably the personae offered by the Beatles or Rolling Stones. Some of the actions of Harold Wilson's Labour government from 1964 to 1970 gave concrete legislative form to this atmosphere of liberalization. Roy Jenkins, as Home Secretary between 1965 and 1967 (and in a second spell from 1974 to 1976), was probably the most liberal figure ever to hold the post. He was closely associated with several liberalizing measures, including bills for the legalization of abortion, the decriminalization of homosexuality, and the relaxation of legal criteria for divorce. In the tumultuous year of 1968, he also oversaw the abolition of the existing system of theatre censorship. The verdict of the Lord Chamberlain was replaced by a new Theatres Act, which in practice protected the stage from prosecution.

Jenkins had also been the principal sponsor of the Parliamentary Bill which led to the Obscene Publications Act in the summer of 1959. This Act specified that material, 'taken as a whole', could be censored for demonstrating a tendency to 'deprave or corrupt'. (These terms derived from an 1868 case in which Chief Justice Cockburn defined obscenity as the 'tendency to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall' [Williams 1981: 9].) The new Act made provision for the police to confiscate materials suspected of being in this category. But it also officially aimed to 'provide for the protection of literature'. It allowed the defence of printed material for its overall contribution to 'the public good'. This includes 'the interests of science, literature, art or learning, or of other objects of general concern'. In practice, it would allow numerous works, clearly 'obscene' in the sense of containing highly explicit sexual content, to be defended on the basis of their artistic merit. Such a defence could be significantly strengthened by the testimony of expert witnesses, including literary critics. The most spectacular instance was the parade of thirty-five

expert witnesses called by Penguin Books to defend its publication of D.H. Lawrence's *Lady Chatterley's Lover* in 1960. The unbanning of Lawrence's novel was a watershed moment and the first major test of the new law.

The 1959 Act, amended in 1964, was not the only one pertinent to the prosecution of published material. The legislation coexisted with the Customs Acts which allowed for material to be confiscated upon importation if it was considered 'indecent and obscene', and with statutes providing the same basis for 'prohibiting the transmission of certain material through the post and the display of material in public places' (Williams 1981: 9). Other laws again would be opportunistically deployed by campaigners against alleged indecency. Nonetheless, in practice the Act amounted to a significant liberalizing move in the history of literary censorship in Britain. The last literary work to be successfully prosecuted under the Obscene Publications Act was Hubert Selby's *Last Exit to Brooklyn* in 1968. The novel was banned as obscene by a jury, but then effectively cleared when this verdict was overturned for technical reasons, by a court of appeal in July 1968 (Sutherland 1982: 71).

Between Roy Jenkins and Mick Jagger, the 1960s left behind an altered society. This essay commences at that point. Social attitudes had changed, or been challenged. Censorship had been relaxed, overturned, or made more difficult to achieve. Increasingly, a writer could publish descriptions of sexual activity without prosecution. Over the four decades after 1970, several other areas of liberalization would only increase. It would become uncontroversial to publish descriptions of gay, as well as straight, sexuality. Politicians would become viewed as fair game, in stand-up comedy or television satire for instance, along with other authority figures: priests, policemen, judges. This illustrates a decline of deference in public life. A decline in censorship has coexisted with a diminishing belief in the government's right to tell people what they can and cannot do, or read. Accordingly, there are in fact few major examples of literary texts being banned in Britain since 1970. Theatre is a somewhat special case, as we shall see. And even poetry could provoke an occasional furore. But the banned novel would become an almost defunct category. Several novels discussed earlier in this book, like *Ulysses* and *Lolita* as well as those of Lawrence, have been uncontroversially canonized as modern classics. Their status is heightened by the belief that in bravely confronting excessively puritanical laws, they contributed to the growth of freedom.

This tide of liberalization is the primary trajectory of the period. Yet counter-currents and ironies are also discernable, as we shall see. They include the altered political climate associated with the New Right; the changing profile of religion and

ideas of blasphemy; the potential alliance between elements of political right and left over pornography. Overall, though, the period in question has witnessed a shift from censorship to offence. Explicit bans upon literature have virtually vanished. Yet public discourse about the offensiveness of creative expression has not ceased.

The 1970s

'[F]or many politicized Britons', asserts Andy Beckett, 'the decade was *not* the hangover after the sixties; it was when the great sixties party actually got started' (2009: 209). In a sense this applies also to the liberalization of print. Yet in the 1970s one can discern a backlash against the previous decade's liberalizing motion. The early 1970s witnessed campaigns against obscenity, from members of the public and from figures in authority. These did not primarily affect literature, but they did threaten to change the law in ways that could have altered the climate for writers.

Kenneth Tynan's review *Oh! Calcutta!*, staged at Camden's Roundhouse in 1970, was not prosecuted despite its heavily sexual and scatological content. As the venue was in part subsidized by the Arts Council, many commentators were angry that taxpayers' money was underwriting this display of obscenity. This mood was evidenced by the formation of the Festival of Light movement in 1971. That September, this movement against the permissive society staged large rallies in Trafalgar Square and Hyde Park.

The Obscene Publications Act and subsequent legal proceedings had cleared the way for literary works to be published with impunity. Yet prosecutions were brought against publications on other grounds. These included the charge of 'conspiracy to corrupt public morals', under which the *International Times* was put out of business for its 'contact ads' in 1970 (Sutherland 1982: 104-5). The same charge was mounted against the counter-cultural magazine *OZ* the following year. The magazine was also charged under the 1953 Postal Act, as an indecent article sent by mail, and under the Obscene Publications Act itself. The longest obscenity trial to date in Britain, the *OZ* trial was the most prominent since the *Chatterley* proceedings. More explicitly than that case, it represented a confrontation between the establishment and a dissident milieu. The legal defence was led by John Mortimer, who handled most high-profile obscenity trials in the period. After a 27-day day trial, Judge Argyle found the magazine's Australian proprietors guilty of publishing obscene articles and abusing the postal service. He handed down sentences of jail and deportation. The defendants' long hair was shaved while they were remanded in custody. This seemed a gratuitously vengeful strike at counter-cultural style. The defendants were granted bail, however, and their appeal was heard in November

1971. As in the case of *Last Exit to Brooklyn*, a verdict which seemed to have changed the course of cultural history was rapidly enough overturned. Charges of obscenity were now rejected on the grounds that such material could have an emetic, rather than arousing effect.

The Labour peer Lord Longford was a Roman Catholic and a leading figure in the Festival of Light movement. In 1971 he set up a 50-strong committee which deliberated for 16 months and finally produced a 520-page report on pornography. The report was Longford's own independent initiative rather than a government commission. It reflected his disquiet at the success of *Oh! Calcutta!* and at the spread of pornography more generally. It proposed new legislation, in which the 'public good' of the Obscene Publications Act would, crucially, be unavailable. Instead of the definition of obscenity, in practice since the Act of 1857, as having a tendency to deprave or corrupt, the new definition would be of material 'whose effect, taken as a whole, is to outrage contemporary standards of decency or humanity accepted by the public at large'. This would be a more difficult criterion for a publisher to pass, and the abolition of a 'public good' test would make the prosecution of literary works more likely, returning the legal situation to its pre-*Chatterley* state. Longford's report was debated at length in the House of Lords, but it was not to be taken up by the government as the basis of legislation. Rather it stood as the testimony of an alleged 'silent majority' who were unhappy with the recent tendency of liberalization, and in particular with the more extreme productions of the pornographic industry.

In this it can be aligned with the Viewers and Listeners' Association (VALA), founded in 1965 by Mary Whitehouse. The formidable campaigner Whitehouse was among the loudest spokespeople for a reaction against the liberalizing tide, especially in relation to broadcasting. During the 1970s she also sought to prosecute several publications. Her most conspicuous success in this regard concerned the fortnightly paper *Gay News*. In 1976 it featured James Kirkup's lengthy poem 'The Love That Dares To Speak Its Name', with an illustration. The poem is narrated by a Roman soldier who takes the body of Jesus Christ down from the cross and manages to have sexual intercourse with it. The poem's tone is sometimes solemn:

So now I took off my uniform, and, naked,
lay together with him in his desolation,
caressing every shadow of his cooling flesh,
hugging him and trying to warm him back to life.

It is also sometimes saucy, imagining a promiscuous Christ who 'loved all men' and seeking *doubles entendres*. The crucified messiah is 'well hung'; the Roman soldier repeatedly ejaculates, 'as if each coming was my last'. In its sometimes pious diction – the soldier remembers this sexual encounter as occurring 'on that green hill far away' – the poem resembles an Edwardian or Georgian elegy as much as anything fractiously counter-cultural. It is, in any case, a literary text. In this respect it gained a relatively rare distinction in being banned in Britain after 1970. Mary Whitehouse did not seek to suppress the poem under the Obscene Publications Act. That Act had already proved an insufficient basis in court to proscribe even *Inside Linda Lovelace* (1976), the plainly mercenary ghostwritten memoir of an American pornographic actress. Instead Whitehouse initiated a private prosecution for blasphemous libel, against *Gay News* and its editor Denis Lemon.

This was an unexpected legal revival. The last imprisonment for blasphemy had been in 1921. A tacit presumption had settled that the charge was no longer an appropriate basis for prosecution. Lord Denning stated in 1949 that the blasphemy law was a 'dead letter'. Religion was often enough the target of at least gentle satire. Mary Whitehouse's redeployment of the law was thus a blast from the legal past. Defending *Gay News* in court, John Mortimer complained that it was 'as if we had been whisked on some time machine back to the middle ages'. The judge nonetheless ruled that Kirkup's poem was 'the most scurrilous profanity' (Sutherland 1982: 153-4). The jury followed his lead and agreed that the paper was guilty of blasphemous libel. So did the Law Lords on appeal.

A new, old way had apparently been found to prohibit literature. Its subsequent effect would, in practice, be limited. In 2002 the gay rights campaigner Peter Tatchell led a public reading of Kirkup's poem, challenging the authorities to prosecute. When they did not do so, Tatchell repeated – this time with more immediate basis – Denning's claim that the blasphemy law was a dead letter. In 2005 the group Christian Voice and the Christian Institute sought to obtain a ban on *Jerry Springer: The Opera*, but the case was dismissed on the grounds that the Theatres Act assured theatrical works the right of free expression. The offence of blasphemy was subsequently abolished in 2008, following the establishment of the Racial and Religious Hatred Act 2006. This legal change reflected a social one, in which other religions than Christianity would also advertise their opposition to creative works. All this lay some way ahead when Mary Whitehouse won her singular victory over *Gay News* in July 1977.

The Williams Report

The 1970s closed with a substantial, considered statement on obscenity and censorship. This was the Williams Report of 1979. In 1977 the Labour Home Secretary Merlyn Rees had tasked a committee to 'review the laws concerning obscenity, indecency and violence in publications, displays and entertainments in England and Wales, except in the field of broadcasting, and to review the arrangements for film censorship in England and Wales; and to make recommendations' (Williams 1981: 1). The committee was chaired by the professional philosopher Bernard Williams. He was a bold choice. An atheist and a liberal, he had also appeared as an expert witness for *Last Exit to Brooklyn* a decade earlier. Williams gathered a twelve-strong committee of experts, including the psychotherapist Anthony Storr and the feminist journalist Polly Toynbee. The committee reported in October 1979, with a 'unanimity of conviction' (Williams 1981: ix). Williams' report (for which in its 1981 reprint he claimed sole responsibility) applies a forensic intelligence to what he calls 'the chaos of the present law' (1981: 19). He finds inconsistencies and areas of incoherence, and records that 'almost all of our witnesses' wanted the 'deprave or corrupt' test of 1959 to be abolished, possibly to be replaced by more readily usable terms. He notes an apparent contradiction, raised by numerous witnesses, in the 1959 Act's implication that a work can 'deprave and corrupt' and yet be for the 'public good': 'as though it could be for the public good that readers be depraved and corrupted, so long as it was by art' (1981: 15).

Williams also notes a change in practical legal norms: 'experience in recent years has been of an astonishing contraction in the range of what juries determine to be obscene' (1981: 11). One synoptic paragraph describing the situation since 1959 makes plain what he considers 'the retreat of the law from the written word' (1981: 35). After the earnestly argued cases of *Lady Chatterley's Lover* and *Last Exit to Brooklyn*, Williams asserts, the 1976 acquittal of the flimsier *Inside Linda Lovelace* had announced a 'further, perhaps final stage'. The police had opined to Williams' committee that 'the failure of that prosecution meant that the law was unlikely to be invoked again against the written word. Their view (which appeared from his summing-up to have been shared by the trial judge) was that it was difficult to imagine what written material would be regarded as obscene if that was not' (1981: 35).

Williams' report reflects on the balance of free expression and society's need to check it, grounding itself in the liberal philosophy of John Stuart Mill (Williams 1981: 53-6). The committee makes a 'presumption in favour of freedom of

expression' (57), and argues that the suppression of any written ideas in deference to contemporary mores may be an offence against the unknown future in which the free development of ideas could lead to altered values (56). From these profoundly liberal foundations, it accepts 'harm' as the major reason for prohibiting an item. Harms might be to the consumers of material themselves (for instance, people who would be degraded by excessive pornography), or they might be to others, causally resulting from obscene materials (for instance, the victims of sexual assaults which were encouraged or conditioned by pornography). Williams also envisages a generalized harm to the social environment – the 'cultural pollution' of generalized pornography, as was then visible in Soho (59) – though he expresses doubt about the exact nature of the harm in such cases. He describes the committee's view that pornography should be seen an epiphenomenon of social change, more effect than cause: 'to regard pornography as having a crucial or even a significant effect on essential social values' is to get the problem 'out of proportion' (95).

The committee ultimately proposes that existing laws on obscenity and pornography be torn up, and new legislation introduced to replace it. The existing concepts of obscenity, indecency and the purported 'tendency to deprave or corrupt' are all to be abandoned, in favour of the term 'offensive'. The 'public good defence', such a signal element of the 1959 Act, is to be scrapped as unworkable, with the reassurance that material acting in the public good is unlikely to be found offensive anyway (126). Williams rejects the outright prohibition of all but the most extreme material, for instance that in the making of which minors are harmed. He proposes instead that existing obscenity laws be replaced by a thoroughgoing policy of 'restriction'. Thus pornographic material could not be exhibited in public or on the open shelves of a newsagent's, but only sold behind the closed doors of specially marked premises. This satisfies twin requirements, on one hand to preserve the liberty of the individual consumer and on the other to preserve the freedom of the rest of the public from the affront of pornography as it goes about its business. In a summarizing formulation, Williams specifies that 'Restrictions should apply to matter (other than the printed word) and to a performance whose unrestricted availability is offensive to reasonable people by reason of the manner in which it portrays, deals with or relates to violence, cruelty or horror, or sexual, faecal or urinary functions or genital organs' (1981: 160).

In the present context, the most significant element of this declaration is in the parenthesis: 'other than the printed word'. Williams had determined that print should be excluded from censorship. The committee argues that the written word is qualitatively different from still pictures or film. Summarizing the rationale,

Williams writes that 'The printed word should be neither restricted nor prohibited since its nature makes it neither immediately offensive nor capable of involving the harms we identify, and because of its importance in conveying ideas' (160). Whereas a pornographic image can suddenly confront and offend the unwary pedestrian in a public place, written pornography requires dedicated perusal to have the same effect. It is thus far more easily avoided, and in effect is only active upon those who choose to engage with it. Hence it needs no special spatial restriction to prevent its being a public nuisance. In the Preface to the 1981 edition of his report Williams acknowledges that this element of the committee's recommendations has 'attracted misunderstanding': 'Some have concluded from this that we must suppose literature to have a less significant effect on people than photographs do'. Williams denies this. He clarifies again that the distinction pertains to '*immediate involuntary offensiveness*': 'quite simply, to be offended by written material requires the activity of reading it'. He adds that there are no grounds for prohibiting print either, as the criterion for prohibition, harm to participants, 'does not apply to written material at all' (x).

In the main body of the report, Williams also avers that besides speech, the written word is 'the principal medium for the advocacy of opinions'. He makes it clear that whatever is to be considered offensive about pornography under the law, it is not its advocacy of any particular opinion, even the promotion of a "'swinging" life-style' (100). A broader point is being made here about freedom of expression:

Clearly some publications could have the effect of outraging or deeply upsetting many people because of the opinions or view of the world they advocated, which those who were outraged found deeply offensive to their own beliefs and outlook. However, many people would think that it would be contrary to basic principles of free expression even to restrict, let alone suppress, publications *on this ground alone* (as opposed, for instance, to controlling them on the ground that they incited to riot). (100)

The Williams Committee was primarily concerned with sexuality, obscenity and pornography. Yet in subsequent years, debate over the right to publish would revolve at least as much around those matters of 'opinion' and 'view of the world' that Williams had understandably treated as irrelevant to his remit. In the meantime, his committee had issued in a document remarkable for its lucidity and sober liberalism. If enacted, the report's recommendations would formally decriminalize the written word altogether.

Artificial Storms

The Williams Report, unlike Lord Longford's, had been commissioned by government. Yet like Longford's it did not directly produce new legislation. A probable factor in this outcome was a change of government. In May 1979 Margaret Thatcher was elected as Prime Minister of a new Conservative administration. She remained in post until November 1990. The political climate apparent as the 1980s commenced was not hospitable to the values that Roy Jenkins had promoted for the previous two decades. Faced with urban riots in 1981, Thatcher herself explicitly laid blame at Jenkins' door and rejected his claim that the 'permissive society' was the 'civilized society' (Campbell 2003: 115). Yet this did not mean, in practice, that the recent tide of decensorship would be rolled back. The decade's most celebrated case of prohibition was the government's unsuccessful attempt to suppress *Spycatcher*, a memoir by the former MI5 operative Peter Wright. If anything, the case demonstrated that political controversy, rather than obscenity, was now the likeliest spur to censorship.

The 1980s did produce one significant piece of legislation on the prohibition of published material. This was Clause 28, later Section 28, of the Local Government Act 1988. The Act's sponsors objected to what they viewed as the indulgence of gay and lesbian rights by local authorities. In particular, they wished to prohibit the presence in schools of children's books which appeared to present gay and lesbian relationships as healthy and acceptable. On these grounds, Susanne Bösch's *Jenny Lives with Eric and Martin*, translated from Danish in 1983, joined *Spycatcher* on the decade's roll of controversy. No prosecution was brought under Section 28, prior to its repeal by a Labour government in 2003. (Repeal came first in Scotland in 2000: this campaign was more controversial, thanks in part to a businessman who loudly funded a campaign to retain the law.) Its major achievement, by its sponsors' lights, was probably increased self-censorship on the part of nervous local authorities. But its largest consequence was unintended: to galvanize the gay community and its liberal supporters into renewed political activism. Section 28 demonstrated the sexual illiberalism of much of the Conservative Party at the time; indeed the party continued to support the law into the twenty-first century. But its ultimate repeal arguably illustrates the overall trend towards liberalization in British society, at least regarding sexuality and its cultural representation.

The last major legal battle to prohibit a particular literary work for its sexual content had been fought early in the 1980s. In autumn 1980 Howard Brenton's play *The Romans in Britain* was staged at the National Theatre in London, directed by

Michael Bogdanov. The play juxtaposes scenes from three different periods: a Roman invasion in 54 BC, the post-imperial chaos of 515 AD, and British troops in Northern Ireland in 1980. These periods overlap on stage. Broadly, the play appears hostile to empire, whether Roman or British, but its scope militates against the extraction of too simple a moral.

What shaped the play's fate was a scene in which a Roman soldier attempts the anal rape of a young, male Celt. The action is accompanied by the Romans' casual, brutally lighthearted banter, rendered in modern idiom. The *Daily Telegraph's* reviewer averred that if the Romans 'specialise in the rape of naked young men', likewise 'the play specialises in the rape of our senses' (Freshwater 2009: 97). The Festival of Light urged the Charity Commission to reconsider the National Theatre's charitable status. The mysterious 'South London Action Group' disrupted a performance by pelting eggs, flour and even fireworks at the stage (Boon 1991: 174). The far-right National Front protested outside the theatre. The *Daily Mirror* contacted Sir Horace Cutler, Conservative leader of the Greater London Council and member of the National Theatre board, to provoke a reaction. The belatedly alerted Cutler sent a public telegram to the National's artistic director Peter Hall warning that the National's state subsidy would suffer for this outrage. It did: in March 1981 the theatre's GLC grant was frozen, amounting to a cut.

The most serious challenge to Brenton's play came through legal channels. Mary Whitehouse never saw the play, but was informed that was indecent. She persuaded Scotland Yard's Obscene Publications Squad to examine the production, and unsuccessfully urged the Attorney General to prosecute those responsible. In earlier cases she had demonstrated her ingenuity in finding unsuspected legal avenues of attack. Now she found another. The 1968 Theatres Act appeared to guarantee the freedom of the stage. But owing to a small loophole in that Act, the play might be found guilty of the crime of gross indecency, under the Sexual Offences Act of 1956. Michael Bogdanov, as director, was accused of 'procuring' the indecency between the two actors involved in the Roman's attempted rape. In effect, the onstage scene was being treated as equivalent to a sexual encounter in a public convenience. As Richard Boon comments, 'the case turned on the question of whether the *simulation* of an act of gross indecency was *itself* an act of gross indecency' (1991: 176).

It is worth emphasizing the difference here between the play's status and that of prose fiction. Plainly, much fiction had been decried and, before the period covered by this essay, banned, for its 'simulation' of sexual acts – not just rape like that shown by Brenton, but consensual sexual intercourse in general. In the historical

period we are now considering, however, the representation of such acts in writing was no longer legally deemed an offence, even if it might offend sensibilities. The theatre differed from the novel in containing, not just verbal representations of actions, but actual, flesh and blood bodies. The *Romans* case hinged on the idea that the corporeal simulation of an act was a qualitatively different kind of representation from its depiction in print. Theatre's deployment of human bodies remained an avenue of attack for those keen to censor. The printed word, innately distinct from its object of representation, had now apparently passed beyond their jurisdiction.

The *Romans* case went to trial at the Old Bailey in March 1982. The play's defence was led by Lord Jeremy Hutchinson, who had contributed to the defence of *Lady Chatterley's Lover* in 1960. Justice Staughton rejected Hutchinson's submissions that the Sexual Offences Act was not applicable to the simulated behaviour of the theatre stage. This ruling was the trial's most decisive outcome. In principle, it appeared to mean that this play and others could legitimately be prosecuted for indecent display, or indeed other offences, in future. The protection of the Theatres Act was punctured.

At this point, the prosecution team requested an adjournment. The prosecuting counsel Ian Kennedy informed the defence that he did not wish to pursue the case. The Attorney General was obliged to enter the verdict of *nolle prosequi*, an unwillingness to prosecute. The trial's *dénouement* remains mysterious. John Sutherland, writing in 1982 (188), suggested that the 'canny' Whitehouse was content to have made her point – and hence to have left a Sword of Damocles hanging over British theatre. Geoffrey Robertson of the defence team would claim that Hutchinson had dismantled Ross-Cornes' credibility, and that the trial's discontinuation was the retreat of a defeated foe. Contrastingly, Mark Lawson (2005) speculates that Kennedy suffered a crisis of conscience, realizing that the defendant could be jailed on what was a spurious charge. Whatever the motives involved, the trial's outcome was nobody's resounding victory.

Brenton's play was taken to court for its 'indecent' depiction of an act of sexual violence. But for many commentators, the sense lingers that other things were more tacitly at stake. Richard Boon has offered a full expression of this view, proposing that the play was a useful occasion 'for a number of figures, inside and outside government, who wished both to test and to reinforce the new "moral climate" of the early eighties'. Its sexual content and obscene language were presented as evidence of the decline in moral standards since the 1960s. Its scepticism about nationalism and heritage contradicted Thatcherism's keenness for them. Its treatment of British military involvement in Ireland, Boon adds, 'lay behind

and fuelled much of the criticism it received'. Finally, its controversial occupation of the National Theatre, and specifically of its main stage, facilitated the complaint that state sponsorship should be withheld from such 'scandalous' artistic work: a view readily in keeping with Conservative scepticism about arts funding (Boon 1991: 209).

This view of the play's compound political offence would be echoed in relation to another controversy centring on another genre. Tony Harrison published his long poem *v.* in 1985. It tells of the poet's visit to the Leeds cemetery where his parents are buried. Vandals have sprayed graffiti, some obscene, on the graves. Harrison argues with an imagined skinhead, an alter ego, and the poem's texture becomes heavy with swearing. Overall, though, it laments this coarsened cultural world, which is also the fractious era of the miners' strike: the poem yearns for the unity forged in the Second World War. *v.* became controversial in 1987, when Channel Four televised a reading of it. Newspapers like the *Sun* and *Daily Mail* stoked expectations of 'FOUR-LETTER TV POEM FURY' (Harrison 1989: 40-1). Several Conservative MPs tabled a motion stating that 'the stream of obscenities contained in the poem is profoundly offensive and will serve to hasten the decline of broadcasting standards': they called on the Independent Broadcasting Authority to 'instruct Channel 4 not to broadcast the poem' (60). Numerous columnists piled in to attack or defend the poem, as the broadcast went ahead. In 1989 Bloodaxe reprinted the poem with facsimiles of this debate appended. Like Penguin's 1961 volume of the *Chatterley* proceedings, the publication was simultaneously historical archive, vindictory gesture and marketing move.

Harrison credibly reckoned it 'an artificially created storm' (43). The publication of the poem by Bloodaxe, and indeed the *London Review of Books*, had not been controversial. What stirred dispute was *v.*'s television – accompanied by its republication in the *Independent* newspaper. Several commentators made this point. Exemplary was Ronald Butt, a relentless campaigner against obscenity, who reasoned in *The Times* that 'the minority who buy and read the poem are unlikely to have their language or their spirit corrupted by it. However, it was another matter when it was decided that Mr Harrison should read it on Channel 4 late at night and that it should go into people's homes' (55). He likewise castigated Bernard Levin (an eloquent advocate for Harrison as he had been for Brenton) for quoting the poem in the newspaper: 'families' would be 'faced with obscenity on the breakfast table' (55). John Sutherland (1982), surveying censorship's history, repeatedly stresses the distinction between expensive hardbacks or small-press productions, and mass-market paperbacks. What sometimes passes untroubled in the former class becomes explosive in the latter. Offence, it seems, is not only about a text's content, but its

practical availability and cultural visibility. In *v.*'s case, television clearly plays the cheap paperback's role. By 1987 obscenity in literature was unproblematic. But *televised* literature remained another matter.

Blake Morrison, introducing the poem in the *Independent*, asserted that in such controversies 'the true source of dispute differs from the stated one'. *The Romans in Britain*, he adjudged, had offended not for 'nudity and buggery' but for its 'contentious history'. Likewise, the real shock of *v.* was its bleak portrait of 'a divided society' (Harrison 1989: 56). An equivalent case might be made for the Scottish socialist James Kelman's *how late it was how late* (1994), whose Booker Prize win provoked yet another four-letter-word furore. The novel tells the story of an impoverished, persecuted Glaswegian, Sammy, in a third-person narrative which permits itself ready access to his rhythms of thought. A sentence like the following is quite typical:

No if it was the worst ye had, if it was the worst; cause it was fucking happening and it was nay a nightmare it was right fucking now, right fucking now so okay, okay, ye still had to relax, ye still had to take it easy, okay, ye had to get it under control, it was nay a time for cracking up, we've all cracked up, we know what fucking cracking up means, this was nay a time for it, know what I'm saying, this was nay a time for it, so there's nay fucking problem ye just let it go, let it go. (Kelman 1994: 44)

We notice a number of features. The sentence is about 'cracking up', the mental stress of poverty and disenfranchisement. It rolls ahead, unconcerned with elegance or a quick ending: it depicts the monologue with which the protagonist talks himself into continuity and survival. The English is idiomatic – 'ye', 'was nay': this is a deliberately localized language, forged in phonetic defiance of Standard English and in attempted solidarity with the Scottish subject (Kelman 1992: 82). It is in this context that we read the repeated word 'fucking'. Clearly, the word's literal association with sex is long discarded here. It is serving as an intensifier, emphasizing a quality – 'right fucking now'. It also serves as a way of registering the character's incredulity or annoyance, distancing himself from a position: 'nay fucking problem'. Blake Morrison (1994) reckoned that 'fuck' appeared four thousand times in the book, and mischievously deduced that 'the word appears on average a mere ten times a page'. The word is too prevalent to retain the force we might associate with it in other contexts, where it can convey great anger or threat, and provoke shock. Rather, for Kelman's character it has become like a piece of

punctuation, an item of semantic furniture so standard that a paragraph without it might look suspiciously bereft.

Some were unsettled or annoyed by the acclaim given to Kelman. The Booker judge Rabbi Julia Neuberger distanced herself from the award, hardly raising the tone in declaring the novel 'crap'. The journalist Simon Jenkins more colourfully dubbed the novel 'literary vandalism' and likened Kelman to an 'illiterate savage' (Jordison 2011). Kelman himself used the award ceremony as the occasion for a protest about the suppression of 'indigenous' language from outside London. This is one more case, therefore, of a controversy over obscenity which opened on to broader social and aesthetic divides. The novelist A.L. Kennedy has opined that 'A lot of the reviews that complained about the language were actually complaining about the type of people who were being portrayed because they weren't the type of people who would be allowed in a "nice" novel. [...] The problem with Kelman was never that he said "Fuck", it was that he wrote about the wrong kind of people' (Dale 2002: 24). Kennedy's case may be overstated. By the end of the twentieth century, the notion of an exclusively 'nice' novel with which the London Establishment is repressing literary expression seems something of a straw target. But Kelman stands as an extreme case of writing that treats 'obscene' words as a regular, indispensable part of the rhythm of thought and speech, to the point where whatever was supposed to be obscene about the word becomes hard to recall.

'Liberal Censorship' and Literary Obscenity

Within Western democracies, censorship has often been associated with the illiberal intuitions of the political Right. But during the period in question here, debates on the value of censorship also proliferated across the Left. Some debated, for instance, whether material alleged to be racist should be available in school libraries. Probably the longest-standing site of what Peter Barry (1992: 233) calls 'liberal censorship', and John Sutherland (1982: 191) 'the censorship of Enlightenment', is feminism. In urging economic and political equality for women, the movement has also frequently complained at the representation of women (and indeed men) in the media, advertising and the arts. Feminists have alleged that reactionary depictions of women, fictional as they may be, affect real-world perceptions, and hence damage the cause of equality and justice between the sexes. Probably the extreme case of this complaint is pornography. It is commonly alleged that pornography presents a demeaning vision of women, which may affect the perceptions of those who encounter it. It is sometimes further alleged that pornography has helped to fuel male sexual assault. A feminist slogan of the 1970s puts it pithily: 'Pornography is

the theory, rape is the practice' (Morgan 1977). It is difficult to prove relations of causality between such representations and individual actions. Those who do so ally themselves, in this respect, with Mary Whitehouse, who claimed to be prosecuting *The Romans in Britain* because it would provoke men to assault young boys. A conservative and Christian movement for censorship and a radical movement for sexual equality would seem strange bedfellows. Many feminists have been accordingly wary of making a case for censorship, even of material that they deplore. Distrustful of puritanism, the maverick feminist Angela Carter promoted the benefits of erotic art and envisaged the Marquis de Sade as a model for sexual relations. An extensive theoretical literature developed around the debate (Cornell 2000).

Whatever their view of pornography proper, most feminists would be still more reluctant to call for the prohibition of literary works on these grounds. Yet the two areas may be seen to overlap. Literature's indulgence of a male sexual imagination can be presented as reason to question it, if not to ban it. A consideration of three male writers can illustrate this.

Alasdair Gray's 1982 *Janine* is the monologue of a middle-aged Scot, Jock McLeish, who routinely distracts himself with extensive pornographic fantasies. These improvise elaborate descriptions of women's clothes and bodies: 'the white silk shirt shaped by the way it hangs from her etcetera I mean BREASTS, silk shirt not quite reaching the thick harness-leather belt which is not holding up the miniskirt but hangs in the loops round the waistband of the white suede miniskirt supported by her hips and unbuttoned as high as the top of the black fishnet stockings whose mesh is wide enough to insert three fingers' (1985: 18). Perhaps more disturbingly, McLeish's fantasies also tend towards sadism and the violent punishment of his female characters. The first half of the book is dominated by this material. McLeish imagines an 'orgasm race' featuring 'hordes of waitresses in tight red satin slinky button-through dresses' which 'must come before the last and biggest gangbang which will leave me completely exhausted and unconscious' (119). The novel's depictions of sex and the erotic are not occasional but obsessive. The book is about a pornographic imagination, and it accordingly, unabashedly becomes almost identical with pornography itself.

There can be little doubt that this novel would have contravened the law on the printed word prior to 1959. Even at a much later date, its sexual obsessiveness is remarkable. Yet the work as a whole is far more complex than the summary above suggests. It ultimately shows McLeish's pornographic mentality to be symptomatic of his failures in life, even of a whole political era. Steeped in pornography, the novel

is also a critique of a society in which pornography is so prevalent. With extraordinary determination, Gray's book does everything that had been deplored both by traditional morality and by the feminist critique of pornography – while also exemplifying and endorsing that very critique. McLeish comes to understand that his fantasy of female entrapment is a projection from his own fearful existence: 'The woman is corrupted into enjoying her bondage and trapping others into it. I did not notice that this was the story of my own life. I avoided doing so by insisting on the *femaleness* of the main character. [...] My fantasies keep reliving that moment of torture for Janine because I have never fully faced it in my own life' (194).

Adam Mars-Jones saw the radicalism of Gray's work. His 1990 pamphlet *Venus Envy* is a critique of the insidious sexual politics that Mars-Jones perceived in the apparently progressive work of Martin Amis and Ian McEwan. He contrasted them both with Gray. *1982 Janine*, notes Mars-Jones, 'concentrates almost exclusively on the disreputable' in modern masculinity:

Alasdair Gray chooses as his subject the part of the male psyche that is almost by definition the most distorted and destructive, and finds in it, safely encoded, a simple message that has been scrambled everywhere else by the high-minded censors of consciousness. A profound truth has survived by allying itself with the strong unexamined current of sex, and has only been recovered by a willingness to start from the most unprepossessing materials (1997: 153, 155).

In the present context, *1982 Janine* takes on a remarkable, exemplary role. For it is a peculiarly clear example of what the Obscene Publications Act defends: a textbook case of an obscene work with a high moral agenda. The 'public good' defence of its publication would be easily articulated – and would coincide closely with the feminist critique that has attacked the effects of pornography during the period covered by this chapter.

Even so, pornography cannot necessarily be contained so cleanly. Gray himself, asked about the book's use of sexual fantasy for a critique of masculinity, has blithely admitted: 'Oh it does a bit, aye, but the thing is, I quite enjoyed writing the sadistic nasty bits' (Boyd 1991: 113). S.J. Boyd cites this remark and worries about the sexual content of Gray's work. He allows *1982 Janine* its justification, but in Gray's later novel *Something Leather* he finds a more plainly reactionary – indeed 'outrageous and dangerous' – pornography (122). Boyd does not, of course, call for the later novel to be banned. He is doubtless aware that the legal instruments to do

so no longer effectively exist. In any case, he would value Gray's artistic freedom of expression over his own political or aesthetic disagreement with the work. Here is the place of the erotically charged work of fiction by the 1990s: its politics and effects might be questioned or decried, but this has no implication for its right to exist and readers' right to experience it.

The same principles apply, more extensively, to Martin Amis. Far more than Alasdair Gray, Amis has earned a degree of public notoriety for his treatment of sex and gender relations (Dyer 1989: 62). His novel *Money* (1984) reflects explicitly on the pornographic industry. Its protagonist makes sexually suggestive TV commercials in Soho and consumes pornographic magazines extensively. In a 1984 interview Amis was asked about the pornographic element of his fiction. 'There are certainly one or two pornographic scenes in *Money*', he remarked. This looks like an interesting reclassification: one that a writer prior to 1959 could hardly have made. Opening the novel, one can readily encounter the kind of material Amis might have had in mind. Within the first few pages his narrator John Self has walked into a New York bar and started watching strippers:

there writhed a six-foot Mex with wraparound mouth, hot greasy breasts, and a furrow of black hair on her belly which crept like a trail of gunpowder into the sharp white holster of her pants. Now this is a bit more fucking like it, I thought. In my experience you can tell pretty well all you need to know about a woman by the amount of time, thought and money she puts into her pants. [...] And these pants spelt true sack knowhow. She danced like a wet dream, vicious and inane. [...] The face, the body, the movement, all quite secure in their performance, their art, their pornography. (Amis 1984: 8)

Money does not depict an especially large amount of actual sexual intercourse. But sexuality, desire, and specifically the kind of pornographic imagination instanced here are pervasive through the novel. From the start, the reader is confronted with a realm of strip joints, pornographic magazines and male entitlement (albeit coupled with male doubt and insecurity) which may well be uncomfortably unfamiliar. We watch Self in bedroom encounters with his partner, who relays sexual fantasies to him while wearing 'an extended black bodice that clasped between her thighs, and chrome stockings, and golden shoes' (73). Later he tells us of a session auditioning young actresses who are all asked to undress: a 'sun-bleached, snowblind vigil of booze and lies and pornography', in which the girls 'took most of their clothes off and gave you a lesson in their personal anatomy' (197-8). Self is ultimately undone

during two scenes in which he is tempted by the 'pornographic' sex that he considers his natural element (346, 369).

Money is incendiary, to the point of illegality, by the older canons of taste that prevailed prior to the Obscene Publications Act. Yet the book's fascination with the pornographic does not necessarily make it a member of that category itself. Amis, in the interview quoted above, immediately resists the assimilation of his work to the category of pornography: 'It's very easy for me to decide that I don't write pornography, because I'm sure that one of the definitions of pornography would have to be that the creator of pornography is excited by it, and I'm not excited by anything except by how I'm going to arrange the words' (Tredell 2000: 64). With this radical, even implausible aestheticization Amis steps away from the identification of his own work with pornography, and enshrines it once more as pure verbal art.

Amis knows, though, that pornography is no harmless, uncontroversial matter, even after a decade and more of decensorship. He even explicitly concedes that 'the feminists have got a very strong argument against pornography', apparently on the grounds that 'it's just a nasty way of making money for all the people who are in it' (Tredell 2000: 64). As Kaye Mitchell (2012) has shown, *Money* emerged in a period when feminist debates around pornography were at their height. The novel takes on board this brand of the 'censorship of Enlightenment'. John Self looks in a bookstore window at 'the most recent scrotum-tightener from the feminist front': *Not On Our Lives*, by Karen Krankwinkl, maintains that 'all lovemaking was rape, even when it didn't seem that way to either of the participants' (136). This is a satirical version of the radical feminism of Andrea Dworkin, a leading voice on the branch of feminism that wished to ban pornography. The novel depicts that campaign more explicitly in a British context, when Self is looking at pornographic magazines in a local newsagent's, and finds the magazine torn from his grasp by 'A plump, pretty girl with a sensible scarf, two badges on the lapel of her corduroy overcoat, her face and stance vibrant, unflinching, exalted' (158). The feminist demands 'Why aren't you ashamed of yourself?' and 'How can you *look* at those things?'. Self's responses are disarmingly candid, admitting to his own shame and putting up no case in his defence. The novel is thus peculiarly self-conscious about the issues of gender and exploitation: wallowing in pornography, it also gives voice to a characteristic contemporary opponent of pornography. Yet the feminist does not quite go unanswered. The novel also features a character called Martin Amis, avatar of its author, who meets John Self in a cafe soon afterwards. A witness to the scene in the newsagent's, Amis tells Self "'I thought you handled yourself pretty well, considering'", and suggests that

“you could have argued that the man [in the pornographic magazine] was being exploited too” (176-7). Characteristically, Amis seeks not so much to deny feminism as to incorporate and outbid it: precisely the manoeuvre that Adam Mars-Jones (1997: 128-56) would find so recurrent in his work.

The author of *Money* plainly understood what was considered offensive, and headed straight for it. Feminists have recorded their offence at Amis’s work, notably for its two-dimensional depiction of women. When Amis’s novel *London Fields* (1989) failed to appear on the Booker Prize shortlist, others took umbrage on his behalf. Jane Ellison wrote that the book had been disqualified for its ‘sleazy, nasty sex’ (a claim denied by a Booker judge), and defended it by asserting that it was women writers who were primarily responsible for ‘trashy, lurid blockbusters’ full of ‘pornographic sex’ (Tredell 2000: 97-9). Clearly the intersection of literature, pornography and misogyny was a site for critical argument at the end of the 1980s. Yet the debate necessarily remains in the realm of *offence* – or even, less emotively, of *disagreement* about the view of women suggested by Amis’s fiction – rather than of censorship. Amis’s critics might yearn for a period of silence from him, but none has called for his work to be banned for its proximity to pornography. The work is clearly self-conscious about the contested area into which it cheerfully intervenes: to the point where a feminist critic can cautiously state that ‘in his fictional and non-fictional treatments of pornography, Amis might be seen as adding to and extending our understanding of it’ (Mitchell 2012: 93).

A third example from the period shows how literature, decades after the *Chatterley* trial, could still provoke real anger and controversy. Philip Larkin died in 1985, but his profile rose again in 1992-3 when a volume of letters and biography were published. Some readers were shocked at what was revealed. In his private letters, many spiced with swear words, Larkin had (often with self-amusing irony) expressed views far to the political Right and casually disparaged black and Asian people. The poet Tom Paulin (1992a) commented that the racist letters’ ‘obscurity’ (by which he seemed to mean ‘moral enormity’) ‘simply adds to the ever-increasing barrage of racial abuse which persons of colour presently endure in this society – arguably it lends credence to such prejudice and to the increasing number of racial attacks in Britain’. The literary academic Lisa Jardine (1992) stated with satisfaction: ‘Actually, we don’t tend to teach Larkin much now in my Department of English. The Little Englandism he celebrates sits uneasily within our revised curriculum, which seeks to give all of our students, regardless of background, race or creed, a voice within British culture’. The poems might be worth studying to discover ‘the parochial beliefs which lie behind them’, but could not be defended as ‘humane’

when 'the student who consults the selected Larkin letters in the college library confronts a steady stream of casual obscenity, throwaway derogatory remarks about women, and arrogant disdain for those of different skin colour or nationality'. The veteran critic John Bayley (1993) disagreed with what he regarded as a new 'establishment's view 'that poetry is politics, and that Larkin's is now shown to be fundamentally out of order – "English" therefore bad'. Larkin's friend Maeve Brennan likewise dismissed 'political correctness' and opined that Larkin himself would have commented, 'with at least a two-finger gesture', 'that this was censorship of the most vicious kind which violated the principles of freedom of speech' (2002: 112).

This controversy over Larkin's political views does not relate primarily to obscenity in itself. But as Joseph Bristow notes, the swear words to which few had objected in Larkin's published poetry somehow became freshly offensive in the letters, amid attacks on Pakistanis and trade unionists. Jardine implies that Larkin's 'steady stream of casual obscenity' is innately offensive. But a like stream could be found in many of James Joyce's letters, not to mention the work that commenced the era of decensorship, *Lady Chatterley's Lover*. Bristow's reading in fact echoes Boon's and Morrison's view that controversies over 'obscenity' reflect other concerns. '[I]t is hardly the case', he reasons, 'that "fuck", "crap" and "piss" have suddenly turned into outmoded words in English poetry. It is rather that the letters went on sale at a time of immense political turmoil that enabled us to understand, much to our frustration, how Larkin's four-letter words issued from a conservatism that the nation had increasingly come to despise' (Bristow 1994: 160). The claim about 'the nation' looks ambitious. But Bristow is plausible in arguing for the compound nature of Larkin's offence. Obscenity alone may be tolerable. But when combined with other politically objectionable material, it has an additional inflammatory effect.

The Larkin case was a notable practical instance of disputes over the politics of writing, contemporaneous with the 'culture wars' in the United States (Bérubé 1994). One anonymous librarian declared that Larkin should be banned from library shelves, but others at the Library Association's *Record* rejected the call ('D.S.' 1993). Larkin had once, famously, mentioned 'the end of the *Chatterley* ban' in a poem. There was no prospect of Larkin's work being prohibited from sale as Lawrence's had been. The strongest conceivable outcome of his perceived offence was to be removed from a particular syllabus. More mildly and more commonly, his work would continue to be studied, but in a context that emphasized its political hinterland as a negative dimension. That seemed the implication of Paulin's complaint (1992a) that the letters had in fact been too censored already by their

editor Anthony Thwaite. Instead they should be published unexpurgated, with an Introduction that 'sought to place, analyse and understand – socially and psychologically – Larkin's racism, misogyny and quasi-fascist views', because 'We need to understand the culture that produced these monstrous hatreds'. This is a long way from censorship. In a sense it is the opposite: 'Let us have the missing [possibly racist] passages in print', Paulin repeated the following month (1992b). Yet it still suggests a form of culpatory special treatment. The implicit assumption appears to be that the work, if not carefully neutralized by contextual critique, could be harmful. In this respect the leftist response to work it deems objectionable retains something of the model that had long been present in censorship debates. Literature might not 'deprave', but without critical care it might still 'corrupt'.

The Rushdie Affair

When the Williams Report hypothesized a public protest that could cause offence, it imagined the scene '[if] someone burns an IRA symbol or a photograph of the Ayatollah Khomeini' (1981: 101). In 1979 the latter was a topical reference. A central figure in the Iranian Revolution that installed an Islamic regime, by the end of the year he held the position of 'Supreme Leader'. Williams could hardly have guessed that Khomeini, rather than any pornographer or student radical, would trigger the most extensive and intense debate over literary censorship in Britain in the next three decades.

In autumn 1988, Muslims began to protest against Salman Rushdie's new novel *The Satanic Verses*. In India and Pakistan they gathered to burn the book and denounce Rushdie. Religious leaders encouraged them. The protests spread to England, notably to towns with sizeable Muslim populations. British Muslims demanded that the government ban the book. In December 1988 a large crowd in Bolton attended its first British burning. It is unlikely that all the protesters had finished reading Rushdie's long, digressive novel. They nonetheless claimed to be offended by his depiction of their religion's founder, Mohammed. The controversy peaked on Valentine's Day 1989 when the Ayatollah Khomeini pronounced a *fatwa* on Rushdie. Every Muslim, he declared, was obliged to join a quest to hunt and kill Rushdie and others responsible for the book. Iranian organizations offered a bounty for the writer's murder. Rushdie went into hiding, protected by the Special Branch. For several years he surfaced only to make occasional appearances and pronouncements on his plight. The novel's paperback was delayed for three years as publishers feared violent reprisals. Bookshops stocking the novel were bombed in Britain and the United States. Some shops ceased to stock the book or kept it hidden

under the counter. The novel's Japanese translator was murdered in 1991. Others would die or be seriously injured in connection with the *fatwa*. In 1998 the Iranian government, manoeuvring politically as it re-established diplomatic relations with Britain, declared that it would no longer seek Rushdie's assassination. It maintained, though, that the *fatwa* technically still stood as only the now dead Khomeini had the power to lift it. Various elements in Iran have subsequently reaffirmed the *fatwa*.

The Satanic Verses has remained available in Britain. The state did not censor Rushdie but protected him. Yet this remains a major episode in the history of literary censorship, distinct in several ways. First, it involved various degrees of unofficial or de facto suppression: booksellers prudently declining to display the novel, readers being careful not to display it in public, the actual burning of large quantities of the book. It thus demonstrates that not all censorship need be legally sanctioned. Second, the affair was unusual in the levels of violence it involved, actually or potentially. These included riots, bombs and murders, as well as the mortal threat to Rushdie. Mary Whitehouse was not an interlocutor to relish, and Michael Bogdanov's cast cannot have enjoyed the missiles thrown at them by the South London Action Group. But these forms of opposition still look mild next to the violence of Rushdie's detractors. Third, the basis of the objection was not sex but religion. This marked a major shift. While British society continued to liberalize its norms of sexual representation and display, it now appeared that in another respect, freedom could be curtailed once more. Fourth, the case is unusual in very evidently involving ethnic difference. It was by definition a dispute within a multicultural society, in which different traditions and beliefs were now present. The objection to Rushdie was not framed in terms of 'contemporary standards of decency', or the 'reasonable person' hypothesized by the Williams Report. It could not claim the consensual basis that Mary Whitehouse – correctly or not – claimed for her own campaigns. It represented the voice of one particular ethnic and religious group, which in global terms was very large but in British terms was a minority population, primarily made up of relatively recent generations of immigrants. Within British society, the objection to Rushdie must appear as the pleading of a special interest, rather than (as many other objections, like Lord Longford's, have claimed to be) a case made behalf of the broad mass of British people. Indeed, it should be added that the case against Rushdie was not necessarily accepted by all Muslims, in Britain or elsewhere. One should be wary of assuming the homogeneity of such a group, and mistaking the claims of often unelected 'community leaders' for the views of many others who happen to belong to the same ethnic group but whose voices are not heard.

The Rushdie affair provoked much commentary, notably from novelists. It reminded writers of the precariousness of their freedom. Many wrote in support of Rushdie, in public letters and petitions. At the annually televised Booker Prize ceremony, winners paid tribute to their persecuted colleague. Arguably, all this was a salutary effect of the affair. The controversy clarified for many writers and critics the value and vulnerability of freedom of expression, and the virtue – and attendant danger – of defending it. The critique of censorship gained a new energy and urgency. Some of what was written was, if anything, over-elaborate. Writers expounded on literariness and its relation to ‘sacred’ discourse (Sammells 1992: 12). Our modern notion of literariness, with its paradoxical blend of verisimilitude and non-referentiality, is indeed interesting. Yet it is not strictly important to the defence of Salman Rushdie. To claim that it is is to imply that if Rushdie had written a non-fictional work, the Ayatollah’s death sentence upon him might have justified. This would be false. What was at issue was simpler than such lucubrations suggested: the freedom of a British subject to live and work in safety.

Subsequent events have occasionally echoed the Rushdie affair. In late 2004 Gurpreet Kaur Bhatti’s play *Behzti* was staged at Birmingham’s Repertory Theatre. The play shows sexual abuse and murder taking place in a Sikh temple. It was picketed by Sikhs angry at what they claimed was a desecration. The protests continued during the play’s run, culminating in a riot in which the theatre was attacked and the 800-strong audience evacuated. The play was then withdrawn, while the playwright received death threats. In the media, another stand-off took place between religious protesters and secular voices claiming freedom of expression (Freshwater 2009). In 2005, a Danish newspaper published a set of cartoons depicting the Islamic prophet Mohammed. Over the next five years, Muslim reaction to this publication would include the bombing of embassies and a violent attack on one cartoonist. In 2010 an American pastor attracted publicity for announcing plans to burn the Quran on the anniversary of the 9/11 attacks.

These last two examples take us beyond both Britain and literature proper. But they contributed to a sense that the most explosive offence today relates to religion, rather than concerns about obscenity which now seem all but extinguished in the United Kingdom. In Britain the emphasis on religion as basic to one’s identity was encouraged by the Christian Prime Minister Tony Blair, who promoted ‘faith schools’ where children would be taught by clerics. The Racial and Religious Hatred Act 2006 conformed to this climate, in its implication that religion should be given special protection. The Act amends the Public Order Act 1986. It specifies that it is an offence to speak, write, publish, perform or broadcast with the intention of ‘stirring

up religious and racial hatred'. The legislation was controversial, especially as prior to amendment it proposed to make an offence of 'threatening, insulting and abusive' language in relation to race or religion. Writers, comedians and civil liberties campaigners, including the National Secular Society and English PEN, recognized that the banning of 'insult' to religion was profoundly illiberal and retrogressive, though partially typical of the religiosity favoured by the Prime Minister. The bill was amended on its passage through Parliament, and in its final form the legislation specified both that offences must be 'threatening' (mere abuse and insult were no longer proscribed) and that the effects of threat or hatred must be intentional. This appears to lessen the legislation's capacity to diminish legitimate free speech in the name of religion.

The State of Censorship and the Nature of Offence

The censorship of printed literature for obscenity was considered to be a discontinued policy, for practical purposes, by the end of the 1970s. The Williams Report recommended its official abolition. While that report was not enacted, the prohibition of books on such grounds appears to be a thing of the past. Obscenity in drama retains an unresolved status since the inconclusive outcome of the *Romans in Britain* trial. The potential for prosecution under the Sexual Offences Act, or indeed another statute, has in principle hung over the theatre ever since. This is one major reason why Brenton's play has only rarely been revived. Any future attempt to prosecute a dramatic production on such grounds would have to contend with cultural climate. Thirty years after the *Romans* trial, suggestive postures verging on simulated sexual acts have been commonplace on mainstream television (for instance in comedy panel shows: *Shooting Stars*, *They Think It's All Over* and their successors). The general prevalence of such bawdy would affect the judgement of a jury and make prosecution less likely. The point is general. The cultural and media climate in Britain in the early twenty-first century is arguably more sexually explicit than at any other time considered in this volume. The prohibition of any literary work on sexual grounds is correspondingly less probable, absent a radical change in ideological climate.

Religion, however, has re-emerged as a ground on which censorship might justify itself. Since the *Satanic Verses* furore, the idea has gained traction that a work could offend on religious grounds and might therefore merit restriction: either to protect the sensibilities of those who claim to be offended, or on the more pragmatically prudent grounds that the text's circulation increases the likelihood of social disorder. The case of *Behzti* shows that similar pressures can apply to the

theatre. As Mark Lawson (2005: 10) puts it: 'at least in theatrical terms, God is the new sex'. In terms of the history of censorship, this is arguably a surprising development. It threatens to reverse the long-established direction of travel toward greater liberalization.

In the course of this essay we have observed a tendency for the legal prohibition of 'obscenity' to be replaced by the looser, usually less official fact of 'offence'. Had Lord Longford's Quixotic campaign succeeded, 'to outrage contemporary standards of decency' would be ground for prosecution. As it is, simply to offend is not generally a legal matter – however culturally explosive it may be in the realm of instant publication, reaction and debate furnished by the internet. If offence were a crime, most of Martin Amis's work would be proscribed. It is apparent, though, that the revival of religious anger and complaint, of which the Rushdie affair is the archetype, means that giving offence can be a serious matter. *De facto* censorship may occur; public order and the safety of the author may be jeopardized by the cultivation of offence by religious groups. Against this, Bernard Williams would have recalled us to the insistence of his lodestar, John Stuart Mill, that to be offended by another's opinion or expression may be regrettable, but is not grounds for censorship in a free society.

This robust line has been taken by two of the most intelligent recent commentators on the question of offence. Stefan Collini, in a polemical book on the subject, outlines the peculiar character of offence, as an emotionally subjective matter that nonetheless tends to lay claim to broader standards of agreement. Even though it appears that 'if someone does not feel offended, then they have not been offended', offence normally also involves 'some element of conviction that such a reaction is legitimate or justified. [...] [It] is not simply on account of some odd quirk or susceptibility of our own that we find ourselves offended' (2010: 11-12). Collini notes that questions of criticism and offence have lately acquired 'a new complexity and a new urgency', because of the tendency for 'offended' persons to speak on behalf of the underprivileged or minorities. Liberals, Collini perceives, are torn between 'treating all other people with equal respect', and giving special dispensation to those who can claim to be victims of 'existing disadvantages' (2010: 6). Yet he insists that criticism must not restrain itself simply because another party may claim to be offended: 'in those societies where relatively free public discussion is not just permitted by is protected by law, we should resist any temptation to equate offence with harm. [...] Offending someone's beliefs, no matter how central they think those beliefs are to their identity, does not constitute the kind of harm the law can rightly be used to prevent' (54-5).

Steven Connor takes a still stronger line against the emotive claims of the offended. At present, he says in a brief piece from 2008, it seems that ‘Artists and writers, and those who transmit their work, like producers, publishers and broadcasters, must maintain a constant state of vigilance with regard to the possibility of causing offence.’ Yet Connor has little trust in the term. He finds its use suspiciously incoherent – why do we talk of ‘hurting someone’s feelings’, rather than just of hurting them? He even finds offence itself implausible, to the point of non-existence, declaring:

I honestly don’t know what being offended is meant to feel like, in the way that I’m sure I know what it feels like to be angry, humiliated, jealous, sad, envious or fearful. What’s more, and no offence, but I actually mean that I don’t know what it feels like for *anyone* to be offended, and I don’t think they do either. [...] [O]ffence is always a vicarious feeling, which is felt, or claimed on behalf of some other putatively injured party. Being offended is therefore not something you feel, but something you do: it’s a demand, a claim to entitlement and, of course, reparation.

Collini seeks to put offence in its place, and weigh the rights of criticism against it. Connor virtually denies all validity to the category of offence. He seems to deem it a phantom feeling: not a genuine emotional basis for action, but a fiction concocted in order to further one’s own manoeuvres for authority. His case is extreme, and provocative – though like Collini he makes the plausible point that offence is very often taken (and Connor insists on the active sense in which this must be done) on behalf of others who may not have felt or expressed any offence themselves. This much was surely true of the clerics who first stirred protest against *The Satanic Verses*. We need not necessarily endorse Connor’s bracing, thoroughgoing scepticism about offence. Yet we can concur with Collini’s liberal view that the claim of offence, where actual harm is not threatened, should not be allowed to outweigh the freedom to inquire and criticize.

A last complexity merits remark. The official prosecution and banning of a work may be the most thoroughgoing way to limit the circulation of ideas and expression. But subtle limits can also result from the structures of cultural production. The field of expression, and of what is available to audiences, can be limited not just by proscription but by neglect, or by a cultural economy in which certain forms and possibilities are made unviable. A cultural economy run by oligarchs and corporations with profit margins uppermost may not engage in actual

censorship. But it may in effect offer a very limited range of cultural expression. In the British context, one can try to imagine what the effects would be if the BBC were abruptly abolished and the entire Arts Council grant withdrawn. These moves would not appear as 'censorship' as it is usually understood. But they would probably limit the range of cultural expression available to British society far more heavily than any prohibition of a particular text.

Arguably, freedom of public artistic expression depends not only on the absence of state censorship but also on a structure of cultural production and dissemination that actively protects diversity, and offers exposure to art that is not produced primarily for commercial ends. The Williams Report itself made this point, in differing from Mill's belief in a free market of ideas: 'falsehood indeed may prevail, if powerful agencies can gain an undue hold on the market'. 'Intervention', Williams concluded, was justified: 'it can take the form of such things as state subventions for the arts, or policies of refusing to design television programmes solely on the basis of ratings, or subsidising institutions of critical enquiry' (1981: 55). The absence of such policies can restrict diversity. We could thus say that censorship, in practice, can be a 'sin of omission' as well a determined activity. All this is pertinent to British society at the end of the period surveyed by this book. That is because the spread of neo-liberal values as political norms, within and without Britain, has threatened the future of institutions like the BBC, or indeed public higher education, which help to underwrite a mixed cultural economy and to promote diversity. The 'censorship' that matters most in Britain in the decades to come may be the limitation unwittingly imposed by the market.

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