

tion in the struggle. Yet under the influence of pop-psychology trends, such as "sensitivity training," gay groups of this kind often became an end in themselves, to all intents and purposes serving as harbingers of the self-absorption of the "me generation." In the self-improving middle classes, the period saw a shift in fashion from individual therapy to group therapy, a model which the consciousness raising groups all too easily adopted—the difficulty being that the new **psychotherapy** (like the old) fostered adjustment to the prevailing mores of society, while the gay/lesbian groups fitted their members for participation in a heterodox, dissident movement. By the end of the 1970s the CR vogue, part of the period's general enthusiasm for "doing things collectively," was effectively spent.

Whatever the weaknesses of consciousness raising in practice, it did address a pervasive problem in modern society, that of social atomization which frustrates the aspiration for solidarity with like-minded others. Modern consumer society engenders social isolation, and this can only be combatted by forming intermediate structures of group affinity. Moreover, homosexuals tend to meet only for sexual purposes: the consciousness-raising groups, together with coffee houses and community centers, were a laudable attempt to create an alternative. The consciousness-raising process served to spread the new ideology of the insurgent gay movement to broad circles of individuals who until then had been exposed only to the hostile indoctrination of the mass media; it initiated them into the beliefs and mores of the political community they were joining, following the original model of consciousness raising which in its homeland had functioned to incorporate the peasant masses into the fighting force whose victory founded the People's Republic of China. Historical hindsight, of course, reveals pitilessly the romantic illusions of such attempts at replaying a revolution, and once this incongruity was

perceived, consciousness raising as such was doomed.

CONSENT

Consent is broadly defined as "voluntary agreement to or acquiescence in what another proposes or desires." For the purpose of this article, however, it will to be taken to mean "willingness to engage in sexual activity with a partner of the same sex." Consent to a course of action does not imply a mature understanding of the consequences of that course of action, but merely a willingness that it should take place. Homosexual offenses are classified as consensual or non-consensual. The legal application of this distinction is not as clearcut as it would at first seem. The law is not obliged to recognize consent as a defense (for example, in incest cases); moreover, when it does, the persons must be over a certain age.

Homosexual behavior is criminal when it occurs without the consent of the other party. Rape is by definition non-consensual and so always satisfies this condition, as does indecent assault except in some cases involving minors; buggery (anal intercourse) may fall under this heading.

Homosexual behavior is criminal with a person under the age of consent, a demarcation which varies considerably from one jurisdiction to another, and may be higher than the age of consent for heterosexual intercourse. Likewise homosexual behavior is criminal if included in a category of sexual behavior that is globally prohibited, such as incest or intercourse with a mental defective. Finally, homosexual acts committed in public or in a place of public resort are criminal even with the consent of both partners.

That no one, even a hustler or a prostitute, should be compelled to engage in sexual activity against his or her will is a sound and unchallenged principle of law. The borderline cases are those in which consent was given grudgingly or promises

or enticements were utilized to secure the consent at first withheld. The legislator has directed the concern of the law mainly to adolescents thought to be in need of protection ("corrupting the morals of a minor"). In some jurisdictions the adult who engages a minor for homosexual prostitution is subject to prosecution, even if the consensual act was not in and of itself a crime.

In some jurisdictions (approximately half of the United States, and several Australian states) all male homosexual acts are illegal; in these areas consent is no defense, since the behavior is criminal under all circumstances, whether committed in public or in private.

The issue of consent arose when the first proposals were made to abolish the laws criminalizing sodomy and other homosexual offenses. One of the arguments for repeal was that when the partners to a sexual act consent to its performance, no wrong is committed which the state would have an interest in redressing. Only intrusive enforcement practices—prying and entrapment—can hope to ferret out such offenses. The opponents of reform argued that society has an interest in enforcing its moral code, even if the authorities seldom learn of consensual sexual activity. A further argument was that there is such a thing as public consent, which differs from the consent of private individuals to relationships between them. In this view consent cannot legitimate behavior which public opinion regards as morally wrong and injurious to the best interests of society. On the other hand, a pluralistic society that recognizes the moral autonomy of the individual as a cardinal principle does not have the right to impose the moral standards of one part of the community upon another which flatly rejects them.

In all legal systems rape, that is, sexual gratification obtained with the use of force or of threats against the non-consenting party, is a criminal offense. (At present, however, some states do not rec-

ognize male rape as a statutory offense.) The issue of the age at which an individual can give valid consent to a sexual act is a disputed one, and in the course of decriminalizing homosexual behavior between adults some jurisdictions set a higher age of consent for homosexual activity than for heterosexual. Equal justice would require that the age of consent, and the other conditions establishing consent, be the same for both classes of acts.

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CONSERVATISM

Setting aside significant national differences and viewing the phenomenon as a whole, the political philosophy known as conservatism has several main features. First, there is a belief in the natural hierarchy of society which must be defended against the onslaughts of egalitarianism and demagogic populism. Then conservatives display a strong attachment to the time-honored, traditional elements of civilization, together with an abhorrence of sudden revolutionary change and social "experimentation." This reverence for tradition marks the sexual sphere in particular, where the norm is lifelong monogamous heterosexual marriage—the antithesis of the "gay lifestyle" with its tolerance of casual unions that can be terminated at the wish of either party. Many conservatives, though not all, look to organized religion and its moral codes as a bulwark against unwanted social shifts. The final hallmark of the conservative mentality is an idealization of the past as contrasted to the "decadent" and "corrupt" present, with the recurrent, even obsessive notion that homosexuality is increasing and that "something has to be done" to stop the spread of the vice before it leads to the moral ruin of society, if not to outright race suicide. This attitude is documented over so many centuries and in so many countries that it is a virtual cliché of conservative lament over the loss