

CHAPTER 10

Discomforting politics: 1970s activism and the spectre of sex in public

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In both scholarly histories and public memory, the 1970s are understood as the decade in which gays and lesbians ‘came out’ in Australian social, political and cultural life. After the stultifying heterosexism and homophobia of postwar Australia began to loosen their grip in the later 1960s, a visible and increasingly confident social movement directed towards the ‘liberation’ of some dissident sexualities and practices from legal prohibition and social and legal prejudice took shape.² The activists who propelled these transformations were not alone; the 1970s were a decade in which the forces of sexual, women’s and gay liberation interacted to remake norms of intimate life, not least through public discussion of ideas and practices once seen as either private or shameful. These respective political vocabularies all shared an assumption that the uneven but potent privatisation of sexual and intimate life maintained

1 This research was produced as part of the ARC-funded project ‘Gender and Sexual Politics: Changing Citizenship in Australia since 1969’ with Barbara Baird, Michelle Arrow and Robert Reynolds. Thanks to all three for their continued engagement on this project and the latter for discussions about this particular case.

2 Featherstone describes how differing authorities (legal and medical) battled for control over the ‘problem’ of homosexuality in the late 1950s, and these were challenged in the late 1960s by liberal humanist ideas about tolerance. Lisa Featherstone, *Let’s Talk about Sex: Histories of Sexuality in Australia from Federation to the Pill* (Newcastle Upon Tyne: Cambridge Scholars Publishing, 2011), 229–60.

sexual hypocrisy and gender inequality.³ Indeed, building on this political activism, queer and feminist theorists have since theorised the inherently political and almost impossibly freighted distinction between public and private in liberal democratic political cultures. Lauren Berlant and Michael Warner point out that ‘hegemonic’ political forms have been and are ‘founded by a privatization of sex’. Moreover, heteronormative cultures position sexual desire and identity as both organic (rather than social or political) and stable (rather than politically contestable and historically dynamic).⁴ When liberationists claimed that the ‘personal is political’ they fundamentally ruptured this distinction, turning narratives, experiences and identities once seen as private and personal into political and public concerns. Bringing (homo)sex into public life represented a challenge to its coding as a criminal, moral or medical problem, and disrupted a foundational boundary of liberal democratic political culture.

At the end of the decade, and shaped by the confident politics of liberation movements, a ‘kiss-in’ protest occurred in Melbourne that would seem to confirm a set of remarkable transformations concerning the discussion and practice of homosex in Australian public life. The kiss-in featured couples of varying gender combinations; these gay liberation and feminist activists dramatised the uneven application of public indecency laws in the Garden State by asking which couples the police should arrest for the same act of intimacy. A few days before, two men had been convicted of public indecency for kissing at that very site. The *Age* newspaper published photographs of the kiss-in with supportive but amused captions.⁵ The arrest and kiss-in soon became the object of folkloric gay and lesbian collective memories, in part because they became the centrepiece of a national ‘Summer Offensive’ later that year to mobilise a national gay and lesbian constituency by activists.⁶

3 Feminists argued that ideas about private life protected violent husbands from appropriation; sexual liberationists argued that ideas about shame and privacy concealed the multiple and varied possibilities of sexual life; and gay liberationists argued that a nexus of shame and privacy was one of the mechanisms through which homosexual oppression was maintained. See Michael Warner, ‘Public/Private’, in *Critical Terms for the Study of Gender*, ed. Catharine R. Stimpson and Gilbert Herdt (Chicago: University of Chicago Press, 2014), 359–92.

4 Lauren Berlant and Michael Warner, ‘Sex in Public’, in *The Routledge Queer Studies Reader*, ed. Donald E. Hall, Annamarie Jagose and Andrea Bebell (London and New York: Routledge, 2013), 172–73.

5 *Age* (Melbourne), 9 October 1979, 6.

6 ‘The Kiss Out’, *Gay Community News* 1, no. 1 (1980): 1.

Both the nature of this protest and its reportage reveal much about the changing attitudes concerning dissident sexualities and their public articulations in the 1970s. Only a decade before, newspaper readers were much more likely to read lurid accounts of homosexual depravity in the pages of *Truth* rather than encounter the *Age* providing editorial support for law reform.⁷ Indeed, a gay man in Victoria in 1971 would have had difficulty believing that sex between men would be decriminalised in the Garden State within a decade; a wider campaign that was unfolding alongside the kiss-in achieved legal reform in 1980. It is probable that ideas about desire, identity, politics and public life shifted to such a degree that a man with dissident desires in 1971 would have had trouble recognising *himself* a decade later, let alone the changed social and legal context of his life. While the language of liberation implied that a stable homosexual self was hiding in the shadows, (im)patiently waiting to ‘come out’ into social and cultural life, we need to be careful about such satisfying teleologies. Following Ian Hacking, we might say that this person was being ‘made up’ from a set of shifting ideas and their histories in the same moment that claims were being made for social and legal change in his or her name.⁸

Bringing male homosex into public as a legitimate rather than criminal or pathological act did not occur in one moment of liberatory rupture. Rather, activists grappled with what Kane Race describes as the ‘normative ideologies of healthy intimacy that have materially eviscerated queer lives’.⁹ Ideas of healthy intimacy, then as indeed now, normalise sex between a heterosexual couple in private. The question of sex in public, in both discursive *and* practical terms, was a key element in the story of legal reform concerning male homosex in Australia because the categories of public and private were crucial to its policing. In Australian jurisdictions, most forms of male homosexual intimacy remained criminalised in the 1970s, but the state was much more likely to deploy public indecency

7 For a longer history of homosexual practice being rendered visible in the language of shame and disgust, see Wayne Murdoch, “Disgusting Doings and Putrid Practices”: Reporting Homosexual Men’s Lives in the *Melbourne Truth*, in *Gay and Lesbian Perspectives IV*, ed. Robert Aldrich and Garry Wotherspoon (Sydney: Department of Economic History, University of Sydney, 1998), 116–31.

8 Hacking updates and revises some of his initial claims in a later discussion about the ‘looping effects’ by which specific modes of thought become the means by which people understand themselves, which, in turn, reshapes the categories themselves. We might think about the 1970s as an intensive period of these looping effects when the practices and actions of homosexual ‘looped back’ into medical, psychological and criminal definitions of homosexuality. Ian Hacking, ‘Kinds of People: Moving Targets’, *Proceedings of the British Academy* 151 (2006): 285–318.

9 Kane Race, *The Gay Science: Intimate Experiments with the Problem of HIV* (London: Routledge, 2017), 129, doi.org/10.1201/9781315544328.

rather than buggery as a mechanism to police homosex. It was much easier to find men ‘procuring’, ‘loitering’ or engaging in mild acts of intimacy that could be termed ‘offensive’ or ‘indecent’ than it was to discover two men engaged in ‘buggery’ in the bedroom.¹⁰ In Victoria, this issue was pushed into public debate in 1976, when police entrapment of men at a beat in Black Rock led to a raft of arrests for various crimes relating to public order and morality. Activist networks had long discussed ways to achieve legal reform, but the arrests provoked them into a fulsome campaign for decriminalisation.

Bringing a discussion of sex into public *and* engaging with the behaviour of public sex itself was thus doubly disruptive. While forms of queer sociability and world-making took place at beats, these were nonetheless sites normatively freighted with shame and disgust.¹¹ *Talking* about abstract (homo)sexual rights in public remained a radical proposition through much of the 1970s; tarrying with the *practice* of sex at beats was an even more unsettling proposition. The campaign for law reform in Victoria was thus a politically, discursively and affectively volatile project and was textured with cultural legacies that were less easily shucked off than the idea of liberation might imply. In this chapter, then, I want to bring a sense of this unsteady and uncertain ‘liberation’ into focus. Taking Victoria as a case study, I start with a discussion of the kiss-in protest and situate this within the broader context of campaigns for decriminalisation of sex between men. Graham Willett has argued that the ‘problem of sex in public seemed remarkably under-examined’ by activists in the midst of the campaign given sex at beats was a crucial provocation for reform.¹² I want to suggest, however, that we read this apparent under-examination a little differently. Haunting the edges of this campaign was an uncertain and unsteady politics of sex in public that activists struggled to discursively manage. In the second half of this chapter, I bring this psychologically fraught uncertainty into sharper focus. The kiss-in, then, looks less like

10 To put it bluntly, police could more easily find men engaged in kissing and fondling in a public toilet than they would find them engaged in penetrative anal sex in public or private. This was, in part, I suspect because the kinds of intimate acts engaged in at beats did not always meet the requirements of an act of buggery (in legal terms).

11 On the history of Australian beats, see Clive Moore, ‘Poofs in the Park: Documenting Gay “Beats” in Queensland, Australia’, *GLQ* 2, no. 3 (1995): 319–39, doi.org/10.1215/10642684-2-3-319. On the queer world-making that took place at beats in an era of illegality, see Robert Reynolds and Shirleene Robinson, *Gay and Lesbian, Then and Now: Australian Stories from a Social Revolution* (Melbourne: Black Inc., 2017), 58.

12 Graham Willett, *Living Out Loud: A History of Gay and Lesbian Activism in Australia* (St Leonards, NSW: Allen & Unwin, 2000), 148.

a moment of confident liberation politics and more like a mechanism through which to manage the fraught politics of male homosex in public by activists seeking legal reform.

The 'kiss-in' and the campaign for law reform

In early September 1979, Terry Stokes and Darren Turner were arrested and charged with offensive behaviour, and a month later the Melbourne City Court would hear evidence that a constable saw them engage in what he called a 'very passionate kiss—a form a tongue kissing [that lasted] for approximately 15 seconds'.¹³ Stokes, a PhD student at the University of Melbourne, was then expelled from his residence at Graduate House. A kiss-in protest—partly in response to the threat of eviction—was staged within days at the site of their arrest. Crucially, the protest was organised, not from within the networks of gay male activists, but by feminist students who supported Stokes. It then spread by word of mouth amongst activist groups. Challenging the notion that homosex was any different to heterosex, the participants offered a provocation to the police: would they arrest gay and lesbian couples while permitting the heterosexual couples to remain free? Kay Barry, the organiser, timed various re-enactments of the kiss for photographers from the *Age*, passers-by and reporters from Network Ten and 3AW. Here, then, would seem to be a politics of intimacy in public. The kiss-in dovetailed into a wider campaign of support for Stokes and Turner to appeal their conviction. Further public sparks flew when newspapers and broadcast radio in Melbourne reported on the possible eviction of Stokes and interviewed Graduate House staff for comment.¹⁴ While Graduate House had initially claimed Stokes was expelled because he had overnight visitors (which was against their rules of residence), when the Graduate House manager framed homosex in a radio interview as something 'disgusting' to the general public it was clear this was discrimination in action.¹⁵

Activists saw this as a cause that could do much to mobilise interest in the campaign for law reform. The first issue of *Gay Community News*, a Melbourne-based monthly magazine with national ambitions, adorned

13 'The Terry Stokes Case', *Gay Community News* 1, no. 1 (1979): 3.

14 'No Title', *Farrago*, 18 October 1979, 5.

15 See 'Submission to the University Appeal Committee, including transcript of radio interviews', box 3, file 2 (Terry Stokes Case), Julian Phillips Collection, 1992.0165, University of Melbourne Archives.

their first cover with a photograph from the ‘kiss out at the Woolshed’.¹⁶ The editors declared that even those who did not see themselves as ‘banner-waving political types’ should be able to support the Stokes and Turner case. Support was about ‘asserting our right to be visible, without fear’.¹⁷ As one appeal for support for a defence fund later suggested, accompanied by a rather handsome sketch of Stokes, ‘Is Terry Stokes Appealing? You bet he is—against a conviction for offensive behaviour’.¹⁸ Indeed, the kiss-in occurred in the context of a wider campaign for law reform in Victoria and the social movement from which it grew.

Early activists, however, had been tentative in their ambitions for law reform. Society Five, an organisation that emerged as the Melbourne equivalent after CAMP NSW ‘came out’ in the *Australian*, was keen to assert that it was a ‘reformist rather than revolutionary organisation’.¹⁹ As Clive Moore notes, this first generation of ‘activists’ were ‘fairly apolitical ... quieter and even conservative’.²⁰ Soon, however, the ideas of gay liberation circulated in these networks and nourished a different political sensibility among some activists. Often centred around university campuses, but also deploying practices of consciousness-raising adopted from the feminist movement to incorporate non-students into the political project, these ideas and practices sought a more radical reconfiguration of the social and sexual order. Liberation was not a plea for acceptance, it was a forceful disruption. As Rebecca Jennings writes of the UK context:

In contrast to earlier political groups, which had worked for social tolerance on the basis that homosexuals were ‘normal’ people, [the ideas of gay liberation] emphasized a gay identity as inherently positive through slogans such as ‘Gay is Good’ and argued that, rather than gay people attempting to adapt to hostile social values, it was the values and structures themselves that were responsible for the oppression of gay people and must therefore be changed.²¹

16 ‘The Kiss Out’, *Gay Community News*, 1.

17 ‘Editorial’, *Gay Community News* 1, no. 2 (1979): 4.

18 ‘Is Terry Stokes Appealing’, *Gay Community News* 1, no. 2 (1979): 2.

19 Society Five Newsletter, March 1974, box 9, file 9, Records of Society Five, ALGA Society.

20 Clive Moore, ‘Coming Out, Ready or Not: Gay Liberation Politics in Queensland, 1970s–1980s’, in *Australia’s Homosexual Histories*, ed. David L. Phillips and Graham Willett (Sydney: Australian Centre for Lesbian & Gay Research, 2001), 93.

21 Rebecca Jennings ‘From “Woman-Loving Woman” to “Queer”: Historiographical Perspectives on Twentieth-Century British Lesbian History’, *History Compass* 5, no. 6 (2007): 1901, doi.org/10.1111/j.1478-0542.2007.00482.x. At the same time, however, we should be careful in assuming that these political differences produced two discrete networks of individuals. Members from both Society Five and Melbourne Gay Liberation would contribute to the political efforts of both, and a counselling and phone service for gays and lesbians would be staffed by activists of all political persuasions. Moreover, by the mid to late 1970s, the temperature of the initial animosity had somewhat cooled.

In the early 1970s, activists from Society Five had often deployed the famous phrase from the 1957 Wolfenden Report in Britain that argued for the decriminalisation of homosexual acts that occurred between ‘consenting adults in private’. Mobilising these ideas, Society Five members quietly worked hard to secure motions of support for law reform among church, civil and community groups usually relating to the protection of private sexual acts between adults.²² Coverage in the *Age* soon began to look more sympathetic. In 1975 Phillip Adams wrote:

the police [have] raided the home of a quiet, middle class homosexual couple ... they were dragged into the bedroom and interrogated one at a time. In the mistaken belief that a relationship like theirs was perfectly legal behind closed doors [the couple] spoke frankly of their lives together ... it was this information, freely given ... that formed the basis of the subsequent prosecution ... Believe it or not, the men were charged with the ancient crime of buggery ... You may have heard Lindsay and John being interviewed [on radio]. They spoke of their deep love for each other and of their plans, now shattered, to buy a home together.²³

Public opinion, that ever-slippery measure of social attitudes, seemed to be shifting in relation to sex between men in private. At the same time, however, members of Melbourne Gay Liberation were suspicious about what:

law reform could achieve ... [particularly if] law reform stops at the legalization of private homosexual acts ... [L]aws that demand you hide your homosexual behavior from the public are a convenient means of preventing such homophobia being challenged ... The only pay-off for law reform ... might be respectability for the gay.²⁴

In Victoria, activists were prompted into more forceful action in late 1976 when a police ‘blitz’ at a Melbourne beat produced a wave of prosecutions for public indecency and loitering for homosexual purposes. In response to the arrests at Black Rock, the Homosexual Electoral Lobby was formed. Soon renamed the Homosexual Law Reform Committee (HLRC), these activists were informed by the practices of the Women’s Electoral Lobby, importing wholesale the practice of surveying candidates for their

22 For a discussion of these strategies, see Graham Willett, ‘The Church of England and the Origins of Homosexual Law Reform’, *Journal of Religious History* 33 (2009): 418–34, doi.org/10.1111/j.1467-9809.2009.00823.x.

23 Phillip Adams, ‘Boys in Blue’, *Age* (Melbourne), 9 April 1975, 8.

24 Melbourne Gay Liberation Newsletter, May 1975, box 3, file 1, Records of HLRC, ALGA.

attitudes on questions of sexuality and lobbying them for legal change. They faced some difficult questions about how to talk about homosexual that did not occur in the bedroom; very early in its formation the members of the HLRC made the decision to argue for legal 'equality' to resolve this question. The principle of 'consenting adults in private', the HLRC now argued, did not offer enough protection from the ways in which the application of ideas about public and private could be deployed to criminalise homosexual.²⁵ This would still make gay men 'second-class citizens' because they would still risk persecution for acts that would not be criminalised or policed in heterosexual couplings; activists frequently pointed out that amorous heterosexual couplings at the beach would rarely be policed like homosexual couplings, even if the acts were identical.²⁶ These arguments required not only a nuanced account of the ways in which homosexual was criminalised in explicit and specific ways at law, but also through the uneven application of provisions to criminalise public indecency. The liberal principle of legal equality soon framed most of the materials the HLRC produced, its public engagement with the question and discussions with lawmakers; equality, rather than privacy, was the rhetorical and political solution here.²⁷

At the same time, however, the HLRC ensured that the stories they told about homosexual life tended to resonate with conventional stories about public romantic coupling and private sexual intimacy in ways that mirrored the logic of Wolfenden. In a political context where sex at beaches prompted the debate, the HLRC worked hard to sidestep any mention of sex outside the bedroom.²⁸ The president of the HLRC even assured the premier that 'our proposals for law reform do not mean that public sexual acts ... would be decriminalised'.²⁹ Indeed, members of the HLRC clearly saw the Stokes and Turner case as something that illustrated the discriminatory and unjust operation of the law in relation to same-sex

25 Jamie Gardiner to R. J. Hamer, Premier of Victoria, 21 February 1977, overwritten with acknowledgement from secretary, Premier's Department, box 1, file 7, Records of HLRC, ALGA.

26 Second Class Citizens in Private, box 2, file 2, Records of the HLRC, ALGA.

27 'Equality for homosexuals, now', box 2, file 2, Records of HLRC, ALGA.

28 So too, the scandal of the Young Gay and Proud revealed the limits of liberal engagements with questions of sexuality. Daniel Marshall, 'Young, Gay and Proud in Retrospect: Sexual Politics, Community Activism and Pedagogical Intervention', *Traffic*, no. 6 (2005): 161–87; and Steven Angelides, "'The Continuing Homosexual Offense": Sex Education, Gay Rights, and Homosexual Recruitment', in *Homophobia: An Australian History*, ed. Shirleene Robinson (Annandale, NSW: Federation Press, 2008).

29 Carl Reinganum to Vance Dickie, Chief Secretary (cc), 17 March 1977, box 2, file 2/3, Records of HLRC, ALGA.

desire in ways that could secure wider public support; here was a case that did not evoke problematic intimacy in public. Their political instincts were not mistaken. The Stokes and Turner case was picked up by Melbourne broadcasters and media personalities including Derryn Hinch, Peter Couchman and Mike Willessee. Drawing on recent polling data that supported the decriminalisation of sex between men, all three broadcasters evoked broadly liberal principles to suggest that the prosecution of Stokes and Turner represented an inequitable application of the law.³⁰

The fears of activists regarding the discussion of public sex were animated, however, when they heard about the release of a US film *Cruising*. The film narrated the story of a policeman who was induced to go undercover in the leather and fetish scene in New York. In a world populated by sexual dissidents and the spectre of violence, he found himself lured into a subculture of semipublic sex textured by murderous intent. Activists were very nervous about what political impact this film might have—not only did it represent homosex in the very terms they worked hard to avoid through stories about Stokes and Turner and various other narratives, its release coincided with crucial stages of discussion and debate about law reform in parliament. The HLRC's efforts, and close engagement with the Attorney-General in particular, had produced draft legislation for far-reaching law reform.³¹ Members of the HLRC proposed they 'prepare material to counter the effect of "Cruising" and educate people attending cinemas'. Members thought that the HLRC needed to respond to the film in order to 'get across a pro-gay image which will be of benefit to the gay community'.³² It was, one reviewer noted in *Gay Community News*, 'the most oppressive, ugly, bigoted look at homosexuality ever presented on screen'.³³ Another reviewer noted that the film implicitly 'said that gay men are promiscuous, into violence ... and degraded'. This reviewer also gently suggested that the real 'world of clones and leather and promiscuity needs more thought' because they may well be forms of self-oppression. Once more, the ambivalence around the question of public and possibly promiscuous sex made its presence felt.³⁴ Soon, a coalition of 'concerned activists' emerged to 'work against'

30 Gays Big Chance, with two drafts, box 1, file 7, Records of the HLRC, ALGA.

31 Graham Carbery, 'Interview with Haddon Storey', *Latrobe Journal*, no. 87 (May 2011), accessed 2 July 2018, latrobejournal.slv.vic.gov.au/latrobejournal/issue/latrobe-87/t1-g-t15.html.

32 Minutes of HLRC meeting, 13 May 1980, box 2, file 1, Records of the HLRC, ALGA.

33 'Cruising', *Gay Community News* 1, no. 1 (1979): 49.

34 'Cruising', *Gay Community News* 1, no. 2 (1979): 43.

the film by distributing leaflets around cinemas.³⁵ In Victoria, where the spectre of sex at beats both inaugurated and then haunted the campaign, activists who confidently spoke a language of legal equality revealed their uncertainties when confronted with representations of homosex in public that exceeded the scripts of recognisable monogamous coupledom. Perhaps, moreover, this was not simply a political calculation to avoid harm. A closer examination of activist practices and ideas reveal varying degrees of discomfort and uncertainty about the place of public sex in homosexual life. The kiss-in, then, looks less like a confident liberation of gay men from shame and more like a respectable claim to reform the relationship between the law and male homosex.

The disruptive politics of sex in public

While the 'kiss-in' could suggest a politics propelled by resistant pride, reading this moment in relation to the question of sex at beats suggests a different emotional dynamic. Activists could not simply amputate histories of shame and their legacies. Many scholars have noted how an interlocking dyad of disgust and shame had been a (if not the) principal emotional motor through which distinctions between heterosexuality and homosexuality were maintained in the twentieth century. Because heterosexuality (or to follow Sarah Ahmed's work, a heterosexual orientation) has positioned penetrative sex between men as disgusting, the spectre of this disgust has both policed the slide between homosociality and homosexuality in cultural and social life as well as justifying moral approbation and legal discrimination.³⁶ Moreover, whether we see emotional patterns as psychological universals or historically specific affective circuits, it is clear that in the late twentieth century human objects of disgust were (and probably still are) normatively positioned to feel deep shame about their apparently aberrant bodily and sexual practices.³⁷ It is little wonder that assertive forms of gay liberation claimed

35 'Cruising for a Bruising', *Gay Community News* 2, no. 5 (1980): 11. In NSW, where activists would soon take a much more aggressive and assertive approach to law reform, and more forcefully frame questions in relation to public sex, *Cruising* didn't represent such a problem. As CAMP NSW asserted in their newsletter, the film 'wasn't worth being troubled about'. *Camp Newsletter* 56 (June 1980): 1.

36 It is helpful, I think, to see heterosexuality as an orientation in the phenomenological sense. Ahmed argues that particular 'orientations' normalise particular perspectives, obscure other possibilities from view and orient the subject towards objects in specific, and political, ways. Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others* (Durham: Duke University Press, 2006), 1–17.

37 Halperin and Traub's collection on gay shame brings together the key thinkers on this question. David M. Halperin and Valerie Traub, eds, *Gay Shame* (Chicago: University of Chicago Press, 2008).

public legitimacy in a language of pride; shame about the disgust of others had been central to the constitution of homosexuality. As early as 1971, mainstream press commentators could identify the emotional dynamics at play in liberation politics: unlike pleas for tolerance, these activists would bring ‘the homosexual cause ... out of the closet ... without shame’.³⁸

Activists in the 1970s were grappling with the potent legacies of this shame and disgust dyad. And, moreover, this disgust was often focused upon the spectre of public sex between men. Writing in support of law reform, one newspaper nonetheless opined that ‘Australians regard homosexuality as something in which a full blooded Australian male does not indulge ... A man who looks or acts like a fairy, a queen, or a poofter is a figure of fun and an object of derision and disgust’, not least because ‘public lavatories’ were the location of their ‘disgusting’ acts.³⁹ Indeed, these ‘Australians’, when confronted with the possibility that two men who ‘acted like friends’ might in fact be homosexuals would ‘shrink from this idea in disgust’.⁴⁰ The spectre of sex at beats was central to this imaginary. Homosexuals were, in this logic, ‘wilful perverts whose disgusting graffiti disfigures our public lavatories’.⁴¹ As Derek Dalton points out:

[B]eat sex attracts intense legal, social and cultural hostility as ‘dirty’ sex that is out-of-place, repulsive, disgusting and offensive ... Public conveniences are built and maintained for the purpose of enabling people to dispose of their bodily wastes. When these places become sites of sexual expression, this runs counter to their socially authorized use.⁴²

Disgust, then, was and is constitutive of the beat—both for its users and its observers. Moreover, these ‘disgusting’ cultures were intensively shamed. In the 1950s and 1960s, homosexual subcultures were routinely positioned as the ‘shame’ of the ‘Australian city’.⁴³ So too, others claimed that it was a ‘secret shame’ that these cities were ‘rotten’ and ‘decent citizens are cautious about entering public conveniences’. As cities like Melbourne and Sydney grew ‘bigger and more cosmopolitan’, this underbelly of ‘shameful’ sex in public would only proliferate.⁴⁴ Putting it bluntly,

38 ‘The Gay Revolution: An End to the Secret Life’, *Canberra Times*, 4 September 1971, 2.

39 ‘Homosexuality and the Law: Part III’, *Canberra Times*, 8 August 1969, 2.

40 ‘Primate Replies to Canon’s Theories’, *Canberra Times*, 29 July 1967, 6.

41 ‘Letters to the Editor’, *Canberra Times*, 16 July 1969, 2.

42 Derek Dalton, ‘Gay Male Resistance in “Beat” Spaces in Australia: A Study of Outlaw Desire’, *Australian Feminist Law Journal* 28 (2008): 110.1.

43 ‘The Shame of Sydney’, *Truth*, 2 May 1954.

44 ‘Sex Menace’, *Herald*, 10 April 1952, 3.

homosexual men, a 'citizen' observed in 1972, do 'shameful things with each other'.⁴⁵ It's little wonder, then, that queer thinkers have analysed the political and social consequences of shame for dissident sexual identities and practices; as Sally Munt writes, it is difficult to imagine a modern 'homosexual subject *not* formed from shame'.⁴⁶

In a political sense, a simple assertion of the right to privacy could be understood as both a response to these powerful dynamics and a solution that did not undo its emotional politics. Writing about the Wolfenden Report, Martha Nussbaum notes how even as the report argued for the legal protection of sexual acts between men in private, it also argued that the 'disgust' of the man on the 'Clapham omnibus' could not be ignored. In the logic of Wolfenden, intimacy between men required the protection of privacy, otherwise it might, in fact, disgust the public.⁴⁷ As Senthoran Raj argues, ideas about the 'right' to certain kinds of sex in private can easily become 'a legal container for public disgust' rather than a disruption of its heteronormative constitution.⁴⁸ Moreover, while an argument for the liberal idea of equality in Victoria might have side-stepped the question of shame and disgust, it could not make them disappear entirely because the beat was at the edge of this campaign. Indeed, elsewhere activists noted that 'even our straight supporters' are troubled by the fact that some have sex in 'those nasty little parks and public toilets'.⁴⁹

However, this was not simply the attitude of 'straights' towards 'gays'. Later activists would complain that the respectability of campaigns for law reform tended to uphold:

[A] gay hierarchy of glamour and acceptability which places dinner, dance and tupperware parties at the top; clubs and bars in the middle; saunas and other sex-on-premises venues down the lower end, and beats right at the bottom. The image of beats as the domain of marrieds, olds, desperates and poor dancers is often, unfortunately, held by beats users themselves.⁵⁰

45 'Homosexual Liberation', *Canberra Times*, 13 September 1972, 2.

46 Sally Munt, *Queer Attachments: The Cultural Politics of Shame* (London: Ashgate, 2008), 95.

47 Martha Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law* (Princeton: Princeton University Press, 2004), 12.

48 Senthoran Raj, 'Disturbing Disgust: Gesturing to the Abject in Queer Cases', in *Queering Criminology*, ed. Matthew Ball, Thomas Crofts and Angela Dwyer, (London: Palgrave, 2016), 83–101, doi.org/10.1057/9781137513342_5.

49 'To Beat the Bashers', *Gay Community News* 2, no. 1 (1980): 4.

50 'The Problem of Respectability', *Brother Sister*, 2 November 1995, 13.

This is not to say that earlier activists from Society Five ignored the beat—indeed, from the early 1970s Society Five offices included a map of ‘known’ Melbourne beats and engaged extensively with men who used them.⁵¹ The Gay Counselling Service often revealed to activists the locations where police were focusing their efforts (it was precisely this dynamic that would reveal the prosecutions at Black Rock), and Society Five members would ‘attend’ the beats in busy periods to hand out small printed cards, reminding men of ‘your rights’ and advising any man who was arrested to not ‘sign anything you until you have spoken to a lawyer’. As an early Society Five newsletter acknowledged:

[S]hort of blowing up all the most wanted public toilets in town ... there appears to be no way of dissuading certain of us from doing the beat ... if we are to persist with this ... we should arm ourselves with a working knowledge of our rights.⁵²

Here, then, early activists deployed the language of citizenship to frame encounters between public homosex and the law. Activists attempted to explain the limits of ‘Police Powers and Citizen’s Rights’ while encouraging men to be polite if they were questioned by police.⁵³ By 1974, however, the secretary of Society Five was acknowledging the difficult line the organisation was treading in relation to sex and beats, recounting how a ‘policeman’ responded to a question about the rights of a man at a beat with ‘poofers have no rights’. The secretary was ‘coming to the conclusion that it is time we stood up for our rights’. Let’s ‘refuse to co-operate. SAY NOTHING. DO NOTHING. SIGN NOTHING ... WE DO HAVE RIGHTS, DON’T GIVE THEM AWAY’.⁵⁴

Activists’ responses to sex in public in the later 1970s ranged from shame to excitement to confusion. An editorial in the newsletter for *Acceptance*, a social group for gay Catholics to work towards ‘accepting their sexuality’, conflated beat use with being ‘hung up’ and ‘not quite at ease’ with homosexual desire. Telling the story of a man who spent a tough year breaking up his heterosexual marriage in order to live as a gay man with ‘acceptance for who I am’, the spectre of the beat functioned as the point of absolute despair in this pedagogic narrative. The protagonist

51 Graham Willett, Wayne Murdoch and Daniel Marshall, eds, *Secret Histories of Queer Melbourne* (Parkville, Vic.: Australian Lesbian and Gay Archives, 2011), 109.

52 Society Five Newsletter, December 1973, box 9, file 9, Records of Society Five, ALGA.

53 Police Powers and Citizen’s Rights, box 12, file 12, Records of Society Five, ALGA.

54 Society Five Newsletter, July 1974, box 9, file 9, Records of Society Five, ALGA.

could be found, 'sitting drunk on a public (beat) toilet seat ... at midnight ... a person in a state of emotional turmoil, suffering'.⁵⁵ Reviewing a book about beat use in the United States, a member of Society Five framed his own use of beats as 'an addiction' of which he would 'shyly confess'.⁵⁶ Others more forcefully suggested that 'cruising the beats is a function of centuries of repression and furtiveness, of concealment, self-hatred and fear'.⁵⁷ For these thinkers, the beat was produced by social, cultural and legal prohibitions—a symptom of a culture in which homosexual desires were closeted from public life. Some pushed this analysis further to suggest deeper insecurities were at play. Men meeting each other for sex in public was a 'furtive and guilt ridden' practice, one activist suggested, and represented a 'sad humiliating expression of our insecurity'. Beats encouraged homosexual men to understand themselves as shameful and represented 'one of gay culture's more sordid characteristics'.⁵⁸

Some activists sought, however, to dispel this shame. In 1977, Garry Jaynes, whose political subjectivity was shaped by the tenets of gay liberation, wrote a letter to Ken Sinclair in Sydney. Reporting on a recent meeting about law reform, he noted:

[The] most contentious part was beats—how we should talk to the straight world, especially the press, about sex in public toilets. Should we assert our right to have sex anywhere; be evasive and talk about the straight equivalent of beats and why gays are 'driven to them;' or be apologetic and say 'not all gays, etc.' I oscillate between the first and second.⁵⁹

Others were even optimistic about the beat as a site of erotic and political possibility. Some thought beat sex revealed the hypocrisy of a social order hopelessly complicit with square life, 'a quick suck off in a bog [was] preferable to the weird games we play that pass off as social interactions at bars, parties and the like'.⁶⁰ In this rendering of public sex, the anonymity and danger of beats encouraged men to remake their assumptions about romance and monogamy. In an account of 'screwing around', a gay

55 *Acceptance Melbourne Newsletter*, no. 8, March 1977, box 3, file 4, Records of Society Five, ALGA.

56 *Society Five Newsletter*, December 1973, box 9, file 9, Records of Society Five, ALGA.

57 Mark Rowan, 'Polemic', *Gay Community News* 3, no. 4 (1981): 29.

58 Ronald Evans, 'Overcoming Homosexuality', *Campaign* 60 (December 1980): 39.

59 Gary Jaynes to Ken Sinclair, 29 September 1977, box 2, file 2/8, Records of HLRC, ALGA.

60 Brian Day 'Values Support Politics and Even Death', in *Papers and Proceedings from the First National Homosexual Conference* (Melbourne: Homosexual Conference Collective, 1975), 50.

liberationist reflected on his encounters with other bodies in the ‘beats and bogs’. There ‘seems to be a feeling these topics should be ignored because, we say, they represent sexual objectification ... this ignores the fact that they do exist and form an important part of many homosexuals’ lives’. For this activist, beat sex represented a moment when ‘defences and barriers come tumbling down’. Beats were nothing less than a site where danger and illicitness in public space created the conditions whereby neat divisions would be shattered—divisions between the ‘mind and the body’, the ‘public and the private’ and ‘the casual and the meaningful’.⁶¹

Conclusion

Perhaps, then, it was this liminal potency that made talk of sex in public such a volatile political project. As Lee Edelman argues, because beat sex occurs in places that are neither fully private nor fully public, it inaugurates a kind of counterpublic that challenges spatial dimensions of liberal democratic political culture.⁶² Thinking about the beat as a liminal or counterpublic space offers some explanation for the political potency it obtained. This was not simply a case of activists grappling with the shame of sexual identities and practices once coded as disgusting (although that was certainly at play). Rather, it is helpful to remember that beat sex—like liberation politics itself—destabilised the division between public and private. As Derek Dalton argues, beat sex ‘takes a supposedly private act and places it in the public domain yet does this in a way that is still partially privatised (behind doors, bushes etcetera) ... [Beat sex] moves continually in and out of public and private zones, and this disrupts the dichotomy itself’.⁶³ Indeed, in a psychoanalytic sense, because beats are liminal spaces they necessarily contain what Phil Hubbard described as a ‘distinctive current of psychic charge’.⁶⁴ Placing sex in public, then, was a politics textured by these currents and activists struggled to manage them.

The ‘kiss-in’, then, was both informed by liberation politics and an attempt to manage the unruly and destabilising politics of sex in public this protest implied. The Stokes and Turner case offered activists

61 *Melbourne Gay Liberation Newsletter*, April 1972, box 3, file 2, Records of HLRC, ALGA.

62 Lee Edelman, ‘Tearooms and Sympathy, or, the Epistemology of the Water Closet’, in *The Lesbian and Gay Studies Reader*, ed. Henry Abelove, Michele Aina Barale and David M. Halperin (New York: Routledge, 1993).

63 Dalton, ‘Gay Male Resistance in “Beat” Spaces in Australia’, 1106.

64 Phil Hubbard, *Cities and Sexualities* (New York: Routledge, 2012), 115.

a discursively and politically manageable spectacle through which to bring homosexual into public life (which isn't to say that Stokes and Turner did not feel the full force of the state in the moments of their arrest and conviction). Underneath this moment of assertive pride, then, was an uncertain and unsteady politics of sex in public. The sexual politics of the beat both reverberated with the politics of liberation and also exceeded the capacity of activist vocabularies to manage it. In a political field framed by what Janet Halley and Wendy Brown call 'left legalism', it is perhaps unsurprising that activists turned away from the sexual politics of the beat.⁶⁵ This was a sexual culture that, through its refusal to stabilise a distinction between the public and the private, disrupted the norms of 'identity, intelligibility, publics, culture and sex' that Berlant and Warner argue make heterosexual culture seem somehow foundational.⁶⁶ At the same time, however, we do these activists a historical disservice if we dismiss their efforts as hopelessly attached to the liberal democratic order—or, not queer enough. We need to remember that the liberation politics of the 1970s could be tremendously demanding in both discursive and psychological terms. Shucking off histories of shame and disgust in the space of a decade demands much of historical subjects in a context where they were trying to put themselves (back) together in ways that made a homosexual life liveable.

65 Wendy Brown and Janet Halley, 'Introduction', in *Left Legalism/Left Critique*, ed. Wendy Brown and Janet Halley (Durham: Duke University Press, 2002): 1–34.

66 Berlant and Warner, 'Sex in Public', 548.

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