

5. In Trouble

Little is known about the collateral effects that law has in constructing individual subjects and shaping social organization through methods such as surveillance, stigma, and punishment ... scholars must examine not only the instrumental, or direct, impact of laws by evaluating their transformation of social meanings, but also the indirect or collateral effects these laws have in transforming social relations and individuals' sense of themselves.

Ryan Goodman, 2001.¹

Introduction

The statutes and cases discussed in Chapter 3 demonstrate how the law, both as given by the legislature,² or decided by judges, can either maintain or shift the boundary between the licit and the illicit. Selling sex and male-male sexual behaviour have been placed outside the boundary, and Chapter 3 has indicated some of the direct consequences of this process of criminalisation. Punishment may cause some criminals to reform, but when others do not have this option, or are unwilling to change, they remain outside the boundary, and may become the subjects of society's victimisation.³ In Chapter 4, I have already described some of the links between family abuse and selling sex, and some of the coping strategies gays have had to develop in order to survive in Port Moresby. But the story does not end there, and in this chapter, I examine the collateral effect of criminal sexuality laws, by describing some of the more extreme consequences of criminalisation: how the attitudes of the Papua New Guinea (PNG) *elites* support the policing of social boundaries; how stigmatisation and discrimination affect the lives of sex sellers and gays; and how the law and its enforcement agencies operate to legitimise discrimination and violence.

1 Ryan Goodman, 2001, 'Beyond the enforcement principle: sodomy laws, social norms, and social panoptics,' *California Law Review* 89: 643–740, 644–45.

2 The term is used here to refer both to the colonial administration and the post-Independence National Parliament.

3 Goodman, 'Beyond the enforcement principle,' 731–33.

***Pamuk Meri*—sex sellers in trouble**

The Tale of a raid

It was a hot Friday afternoon, 12 March 2004, in Port Moresby. Down a suburban side street, behind a high corrugated-iron fence, a live band was playing at the Three-Mile Guesthouse, and the premises were packed. The guesthouse is a converted colonial high-covenant house, with an added block of rooms behind it which are mainly let to women who sell sex and collect their own payments. Facilities include a bar, a snooker table and gaming machines; older women peddle cooked food, cigarettes and *buai* in the front yard or outside the gate; unlike many other nightclubs, it is open by day as well as in the evening, allowing housewives to drop by and augment domestic finances without the knowledge of their families.

However, not everyone at the guesthouse that afternoon was involved in the negotiation and conduct of sex. Many were there simply to enjoy a beer from the bar and listen to the band. Some of the young women were related to band members, and turned up to support their kin. Some were there for the first time, brought by a girlfriend or relative. Some were passers-by who could not even afford the two kina (then around 80¢ AUD or 60¢ USD) entry fee and peeped in through the gate to the yard. Some, men and women, were guesthouse employees: cleaners or security guards; entire families, including children, were in long-term residence.⁴

Mi no save raun olsem ol otherpela meri olsem ol save raun we painim moni. Mi save kukim kaikai na mi save go salim long dispela hap ... dispela em mipela save live long dispela kaikai moni (I don't play around like all those other women, the way they go round looking for money. I cook food and sell it here ... this is how we live, by selling food) (Barbara).

I was inside the guest house selling bettlenut and smoke [cigarettes].... I am married to a Simbu man who works in the Guest house as a security.... I sometimes stay with him at the guest house when he works but most of the time I am at Nine-mile with my in-laws who reside there (Miriam).

I was a security at the time of the raid (Jack).

4 Statements were made by many caught up in the raid a few days afterwards for use in possible damages claims. Outreach workers took down most of the statements, hence some are recorded in the third person. The texts have been reproduced without alteration to grammar or spelling. Many may have been made in Tok Pisin and were either recorded thus or translated on the spot, so it is impossible to say who may have erred, the transcriber, the translator or the respondent. All those used or referred to were approved for my use by the makers, though all wished their real names to be concealed: see Appendix 1.

She is only there waiting for her cousin brothers (band members) to finish play and go home (Meg).

I went to the guest house to check for my husband.... I am married with a small girl aged 2 years old (Emma).

Whilst on my way (to visit my aunty who lives nearby) I heard life band was entertaining the people ... so I decided to pip through the gate (Beth).

Then the police burst in through the gate.

A band of policemen ... forced their way in waving, pointing guns in the air and telling everyone to freeze. Some of the policemen were with sticks bashing men and women, about 18 to 19 policemen (Jill).

People tried to escape, but the police caught and beat them. They assaulted the women with rifle butts, pool cues and lumps of wood and iron. Food was dumped over the vendors, beer over the drinkers.

I was hit with a iron rod on my back and a wood on my head. I felt a bit dizzy as a consequence of the heavy beating. A policeman has ordered me to chew condom and swallow which I comply.... I was then ordered to sit with the girls in circle. The police pour water, beer, soft drinks and cooked food stuff all over our body (Eve).

I was frightened but then I thought they won't do anything. This is the first time in my life to experience this kind of situation ... it was very inhuman (Susie).

Police snatched people from the rooms, looted alcohol and the till takings,⁵ gaming machines and kitchen appliances,⁶ rifled through people's bags and confiscated money and valuables, and raped some of the women.

The police about 8 to 10 at the back with guns and sticks in their hands ... forced me to a room ... they had guns on my head and belted me with rubber on both of my hands and my left side of my buttock (bruised and black) and forced me onto a bed. They forced me to take my long jeans off with my pants which I did after fearing them and I was asked to open my both legs and one of them took a freshener can and pushed it into my vagina. I started to shout and they shut me down ... the same person took an empty SP bottle and began pushing it into my vagina. I shouted and another policeman came and hit me and said shut up ... then a last

5 Interview Poro Sapot (PSP) outreach workers, 19 January 2006.

6 Christopher Hershey, 2004, *Statement of Facts on Police Raid at 3-Mile Guesthouse 12 March 2004*, Port Moresby, Papua New Guinea.

person came ... and pointed a pistol on my head and asked me to suck his penis. He pulled his penis out and forced me by holding a pistol on my head and I sucked his penis three times. He then told me to wear my trousers and run out. They chased me out and as I was running out they hit me with an iron bar (Jane).

They confiscated condoms from the rooms and the bar and, by continual beating, forced the women to chew and swallow them.

A policeman who gave me the condom broke open one condom and instructed me to chew the condom. I chewed it as instructed. I chewed and felt vomiting so I started to take it out. He saw that and with his close fist hit me on my forehead and with his gun butt he hit me on my right buttock. So I swallowed the condom (Sally).

[The police] belt me with iron on my back. They swear at us, telling us that you should get married and stay back at the house, instead of selling your body passing the virus to another people, do your vaginas get pain or not (Debbie).

Everybody present—men, women and even children—was lined up and marched at gunpoint the two kilometres through the streets to the police station. The grim procession was headed by the police vehicles and a tipper truck loaded with the gaming machines and snooker tables.⁷ The women were forced to hold condoms in their mouths, or wave them like balloons above their heads as they marched. A crowd gathered quickly and, encouraged by the police, jeered at the unfortunate ones, spat on them, pelted them with stones and bottles and taunted them.

A policeman issued 4 condom and ordered me to chew 2 of them and swallow which I did with fear. I was forced to blow 2 balloons out of the condom, hold it in the air and march with the group.... The police beat me with an iron rod and stick and booted us while on our way to the police station. The police told the public about the reasons of our arrests and the general public subsequently participate by throwing sticks, stones and rubbish at us. The public make mockery at us and used abusive words against us.... I was very embarrassed when the general public and the police alike shouted abusive words and swear at us (Anna).

On our way, betel nut was spitted on me and beer cans was poured on me and other women. Public shouted 'see them they are AIDS carriers.' I felt really out of place (Lynne).

⁷ Interview PSP outreach workers, 19 January 2006.

I am really embarrassed about such action ... but excessive force used by police does not leave any room for us to protect myself.... There was a lot of abusive words by police and the public, words like 'prostitute,' 'pamuk meri' [slut], AIDS carriers, 'sik pulap' [riddled with disease], 'spread sik AIDS' [spreaders of AIDS], 'painim man o' [man-hunters], 'raunraun meri' [mobile/loose women], 'salim samting blong yupela tumas yupela save pilim pen tu o nogat' [you sell your 'things' so much, I guess it doesn't even hurt you] (Beth).

At the police station, reporters from the local TV station and the three daily newspapers were waiting, presumably alerted by the police.⁸ More than forty men caught up in the raid were freed, but the women and girls (a number of them aged under eighteen) were processed in batches. While they were sitting waiting on the grass outside the station, the Metropolitan Superintendent addressed them. He told them that the raid had been conducted to prevent those selling sex from contracting and spreading HIV. He claimed later that he knew that some of the women were HIV-positive and were probably infecting others through their behaviour.⁹

Some thirty-nine women and girls were charged for 'living on the earnings of prostitution' under Section 55(1) of the *Summary Offences Act 1977*, and locked in hot, crowded cells. Outreach workers from the National AIDS Council Secretariat (NACS), the National Capital District (NCD) Provincial AIDS Council, Poro Sapot, other NGOs and community organisations brought food and comfort;¹⁰ some NGO workers managed to gain access to the station and stayed with the women in the cells. Among those locked up were a pregnant woman who was badly injured and found extreme difficulty sitting in the cramped conditions, and a woman with a new baby which was held by a friend outside and brought in intermittently for breast-feeding, as the mother was not permitted to leave the cell. That night, some young women were taken out of the cells. Miriam reported, 'whilst we were inside policeman asked six women to come out and they went and never returned.... I just want to bring my sister in to give information about what happened to her when they took her out' (Miriam).

Outreach workers reported that four were offered a lift home but once in the police vehicle, were told they had to provide sex first. Two agreed, but two

8 Michael Goddard mentions this tip-off process in relation to other types of raids. See M. Goddard, 2001, 'From rolling thunder to reggae: imagining squatter settlements in Papua New Guinea,' *Contemporary Pacific* 13(1): 1–32; Goddard, 2005, *The Unseen City: Anthropological Perspectives on Port Moresby, Papua New Guinea*, Canberra: Pandanus Press, 20–21.

9 Hershey, *Statement of Facts on Police Raid*.

10 Hershey, *Statement of Facts on Police Raid*; National AIDS Council of Papua New Guinea, 2004, *Statement of Facts on Police Raid at 3-Mile Guesthouse 12 March 2004*, report prepared for National AIDS Council Secretariat, Port Moresby, Papua New Guinea.

refused and were returned to the lockup.¹¹ The women, stinking from the beer and foodstuffs poured over them, were held for a day and a half in the hot, overcrowded cells, without food, washing facilities or medical attention for their injuries. Firstly, the Duty Officer could not be found to release them on their own recognisance. Then it was decided that they should be photographed and fingerprinted—but the fingerprinting officer was not available. After some thirty hours, the women were finally released in the early hours of Sunday morning.

The next day, Monday, both PNG English-language daily newspapers ran the story. The *Post-Courier's* front-page report included a paragraph stating that both male and female prostitutes, including a thirteen-year-old girl, had been arrested.¹² The newspaper also ran an Editorial, 'Give thought to rehabilitation,' which commenced by castigating the police for mounting such a 'public humiliation ritual ... [t]hat's an interesting experiment in social reform or pre-trial processing. The defence lawyers will find it valuable in mounting a case against the prosecution. Certainly it must have been good entertainment for the street folk.'¹³ The author of the Editorial then proceeded to praise the police commander for his wise words of warning to the detainees.

The police commander who assembled the charged people on the lawn outside the police station and warned them of the perils of their so-called profession was doing the right thing.

But will they listen? it asked:

The only trouble is in getting those people to take note of it after they are dealt with by the courts. Looking to the future is not a thing that prostitutes are noted for....

Will any of those charged people get off the bottom rung or will they be inevitable dregs of the hospital wards soon and among those anonymous carcasses to be bulldozed into a mass burial pit at Bomana cemetery one day soon, victims of HIV/AIDS?¹⁴

The *National's* report included a photo and a small story, relating how the Superintendent had lamented the increase in prostitution.

It was a sad thing to see girls, as young as 14, 15 and 16 years of age sitting among the group ... some of these young girls' clients were men as old as 60 ... times were tough and prostitution among young women

11 Interview PSP outreach workers, 19 January 2006.

12 'Sex workers on parade,' 2004, *Post-Courier*, 15 March, 1.

13 Editorial, 2004, 'Give thought to rehabilitation,' *Post-Courier*, 15 March, 10.

14 Ibid.

was increasing ... [they] were risking their lives and could easily catch AIDS ... the women are drunk in most cases and do not take safety precautions like using condoms ... prostitution was the main cause of HIV/AIDS virus spreading like bushfire.¹⁵

The following day, Tuesday, the *Post-Courier* produced a dramatic front-page headline:



Figure 5.1. 'Males "freed" ... but 31 suspected female prostitutes charged!'

Source: *Post-Courier*, 16 March 2004, 1.

The story continued,

FORTY-FIVE men rounded up by police for alleged prostitution walked free yesterday because there are no provisions in the law to charge male sex workers.

However, 31 women were arrested and charged because Section 55 of the Summary Offences Act of the Criminal Code provides for female sex workers to be charged.

¹⁵ 'Police arrest 80 in brothel raid,' 2004, *National*, 15 March, 5.

However, a senior government lawyer yesterday said sections 55 and 57 of the law were not designed to single out women prostitutes.

The lawyer said the charging of people was the discretion of the police depending on the kind of information at hand.

It was not right to say that the provisions did not cater for charges being filed against male prostitutes.

A prostitute is someone who earns a living from sexual favours or earns a living by providing the venue for prostitution.

National AIDS Council lawyer Bomal Gonapa ... said outside court that 35 men were released from police custody because there was no provision under the current Summary Offences Act of the Criminal Code Act that covered male prostitutes.

'The release of the male suspects was not fair to their female counterparts because they were all engaged in such an activity,' Mr Gonapa said.¹⁶

This public reference to 'male prostitutes' seemed to come as something of a surprise, and was taken up eagerly by the media. Over the week following the raid, both newspapers solicited comments from prominent people on this topic. All commentators deplored the apparent gender bias in the police action, and explained that the law was gender neutral.¹⁷ In fact, however, there were no male prostitutes involved in the raid. The Three-Mile Guesthouse only catered for women and girls selling sex. The males released were guesthouse employees, clients, even the band members.¹⁸

A few days later, the NCD Provincial AIDS Committee convened a meeting of government representatives, NGOs and churches and those caught up in the raid.¹⁹ Among other things, court claims for damages and breach of human rights were proposed, so written statements were taken by and from many of those involved. The statements taken reflect the need to emphasise the injuries, both physical and psychological, that were visited on them. With AusAID support, a skilled criminal lawyer and former Public Prosecutor was retained to conduct their defence in the District Court.²⁰ The underage girls arrested had their cases

16 'Males "freed,"' 2004, *Post-Courier*, 16 March, 1.

17 Maureen Gerawa, 'Police wrong: NGO,' 2004, *Post-Courier*, 17 March, 4; Andrew Moutu, 2004, 'Crime to be a woman?' Letters to the Editor, *Post-Courier*, 17 March, 10; Michelle Yiprukaman, 'Kidu: probe raid on city brothel,' 2004, *Post-Courier*, 18 March, 4.

18 Hershey, *Statement of Facts on Police Raid*.

19 The National AIDS Council established these committees for each province and the National Capital District.

20 See also Karen Fletcher and Bomal Gonapa, 2010, 'Decriminalisation of prostitution in Papua New Guinea,' in *Civic Insecurity: Law, Order and HIV in Papua New Guinea*, ed. Vicki Luker and Sinclair Dinnen, Canberra: ANU E Press, 141–52, online: <http://press.anu.edu.au?p=94091>, accessed 8 April 2014.

removed to the Juvenile Court. But soon it became evident that all the cases would collapse. The defence asked to see a copy of the search warrant. There was none. Four weeks after the raid, the police prosecutor admitted that the raid was conducted improperly and withdrew the cases, giving the face-saving excuse that public criticism compelled it, and claiming that any further action would be delayed until an investigation could be mounted into the incident.²¹ The NGO Individual and Community Rights Advocacy Forum (ICRAF) lodged a claim against the State for damages with the Solicitor-General's office, but the Solicitor General²² stated in September 2004 that he required further particulars as to which specific policemen were allegedly involved.²³ The then Police Commissioner refused to take any disciplinary action until individual complainants appeared at a police station to substantiate their allegations.²⁴ Another claim for compensation for abuse of human rights was filed on behalf of the women and the guesthouse owner by the law firm which provided the defence lawyer, but it too has not been pursued.

In June 2004, the Ombudsman Commission notified the Police Commissioner that it proposed to investigate the matter.²⁵ However, it was five years before the Final Report was presented to the Speaker of the National Parliament on 21 December 2009, for tabling in March 2010.²⁶ The Commission observed that proper arrest, detention and bail procedures had not been followed, and made a number of recommendations including improvement to police operational instructions and courses for police on human rights, and urged that the police implicated should be dealt with appropriately under the *Police Act* 1998.²⁷ Unfortunately the Report was tabled at the same time as two other more politically significant reports, and it was never debated.

This tale provides a useful picture of some of the issues and problems faced by those who sell sex in PNG, and specifically in the nation's capital. Raids such as

21 'Police withdraw case against 40 women,' 2004, *National*, 8 April; 'Police withdraw prostitute case,' 2004, *Post-Courier*, 8 April, 3.

22 Statutory head of the Solicitor-General's Office, which is responsible for representing the State in civil actions by and against it.

23 Human Rights Watch, 2005, *'Making Their Own Rules': Police Beatings, Rape, and Torture of Children in Papua New Guinea*, New York: Human Rights Watch, 116; see also Ombudsman Commission of Papua New Guinea 2009, *Investigation Report into the Alleged Unlawful and Abuse of Human Rights by Police, Three Mile Guest House, Port Moresby, National Capital District*, Port Moresby: Report to the National Parliament, which noted that detailed evidence was not available for many of the assertions made about police conduct.

24 Human Rights Watch, 2006, *'Still Making Their Own Rules': Ongoing Impunity for Police Beatings, Rape, and Torture in Papua New Guinea*, New York: Human Rights Watch, 35.

25 Ombudsman Commission, *Investigation Report into the Alleged Unlawful and Abuse of Human Rights by Police*, 1.

26 'OC hands inquiry reports to Speaker,' 2009, *National* (online), 22 December.

27 Ombudsman Commission, *Investigation Report into the Alleged Unlawful and Abuse of Human Rights by Police*, 19–23.

this are common policing strategy in PNG towns, usually conducted in urban settlements in 'fishing expeditions' searching for stolen goods and suspected criminals and procedural accountability is poor, as shown in the lack of a search warrant in the Three-Mile Guesthouse Raid.²⁸ Accompanying violence, including sexual violence, is commonplace and derives partly from a perception on the part of the police and the community in general that the imported model of criminal justice is failing, and partly from a policing tradition based on early frontier-pacification strategies.²⁹

Violence in the sex trade

However, police raids do not usually target commercial sex venues, apart from the Three-Mile Guesthouse, which is owned by a controversial former politician and diplomat. The brutality evidenced in these raids seems to be increasing. In a raid in 1996, reportedly the 'biggest to date,' the women were trucked to the police station.³⁰



Figure 5.2. Front-page, 'Forty held in capital city brothel raid'.

Source: *Post-Courier*, 25–27 October 1996, 1.

28 Sinclair Dinnen, 2001, *Law and Order in a Weak State: Crime and Politics in Papua New Guinea*, Adelaide: University of Hawai'i Press and Crawford House Publishing, 64; Dinnen, 1998, 'Criminal justice reform in Papua New Guinea,' in *Governance and Reform in the South Pacific*, ed. Peter Larmour, Canberra: National Centre for Development Studies, The Australian National University, 253–72, 258; see also Goddard, 'From rolling thunder to reggae.'

29 National Research Institute (Papua New Guinea), 2005, *Port Moresby Community Crime Survey, 2005: A Report Prepared for the Government of Papua New Guinea's Law and Justice Sector's National Mechanism*, Boroko: National Research Institute, 48, 51–52, 54; Dinnen, 'Criminal justice reform in Papua New Guinea,' 260–61; Carol Jenkins, 2000, *Female Sex Worker HIV Prevention Projects: Lessons Learned From Papua New Guinea, India and Bangladesh*, Geneva: UNAIDS, 22.

30 Isaac Nicholas, 'Forty held in capital city brothel raid,' 1996, *Post-Courier*, 25–27 October, 1.

But in 1998, when police claimed that ‘the problem was worsening,’ the women were ‘force-marched.’³¹

There is nothing surprising about the violent treatment of those caught up in the Three-Mile Guesthouse Raid. In 2005, the international NGO Human Rights Watch (HRW) published a report which documented many instances of police violence against young people in PNG, and there is no reason to believe that adult women have not been treated in the same way.³² The following year, Amnesty International produced a report devoted solely to violence against women in PNG, in which it agreed that most of the existing long list of recommendations should be implemented and added further recommendations of its own.³³



Figure 5.3. *Post-Courier* report of 1998 raid, referring to a ‘forced march,’ *Post-Courier* photo accompanying, Robyn Sela, ‘Midday raid of house sees 25 behind bars’.

Source: *Post-Courier*, 17 December 1998, 3.

31 ‘Police parade suspects in the streets,’ 1998, *Post-Courier*, 17 December, 3; Sela Robyn, ‘Midday raid of house sees 25 behind bars,’ *Post-Courier*, 17 December, 3.

32 Human Rights Watch, ‘*Making Their Own Rules*,’ 23–43.

33 Amnesty International, 2006, *Papua New Guinea: Violence Against Women: Not Inevitable, Never Acceptable!* online: <http://web.amnesty.org/library/Index/ENGASA340022006>, accessed 5 September 2006.

The literature on violence against women in general in PNG is vast.³⁴ In addition, the daily newspapers carry regular reports of rape, gang rape, spousal rape, violence and even murder. Violence specifically towards sex sellers is not so commonly reported. And it is even less commonly acted upon. In 2009, however, the *Post-Courier* carried a report of a woman 'believed to be a sex worker' killed by alleged police brutality in Lae.³⁵ That night, a police ten-seater van picked up several women around the town, beat them and dropped them off again. Eye-witnesses said that the dead woman was among those picked up, although police claimed to have found her unconscious in the street.³⁶ Although a report was ordered by the Assistant Police Commissioner, nothing more was heard from the police, which prompted a letter-writer to question, some months later, why the police were so concerned to investigate police brutality against a businessman building the police barracks in the nearby town of Wau, in contrast to the lack of police action regarding the 'sex worker incident.' She wrote, 'What is the difference? Is it because one was a sex worker that you don't care and one is a businessman building your police barracks that you care?... I call on you ... to tell PNG why one dead sex worker brutally murdered by police does not matter?'³⁷ Not surprisingly, no response was published.

The HIV factor

The 1998 raid was the first to be claimed publicly as having been motivated by HIV-related concerns. A report in the *Post Courier* announced, 'Supt. Gawi said apart from curbing suspected brothels, the police effort should be seen as an attempt to eliminate the spread of AIDS and other sexually transmitted diseases.'³⁸ By 2004, HIV prevention was claimed as the prime motivation for the Three-Mile Guesthouse Raid, as evidenced not only by the epithets hurled at the marching women by the gathering crowd or the address of the Police Metropolitan Superintendent, but also by the way in which condoms featured strongly (and symbolically) in the abuse of the women.³⁹

The police had intended to use the fact that condoms were discovered at the guesthouse during the raid as circumstantial evidence of prostitution on the premises, possibly in the knowledge that this kind of evidence had already

34 For a good listing, see Human Rights Watch, *Making Their Own Rules*, 19n35; and Margaret Jolly, Christine Stewart with Carolyn Brewer (eds), *Engendering Violence in Papua New Guinea*, Canberra: ANU E Press, online: <http://press.anu.edu.au?p=182671>, accessed 31 March 2014.

35 'Sex worker bashed to death,' 2009, *Post-Courier* (online), 13 May.

36 'Top cop wants bashing report,' 2009, *Post-Courier* (online), 14 May.

37 Mother of one, Bumbu Compound, 'Police boss, look into businessman's attack,' 2009, *Post-Courier*, 12 October, 10.

38 'Police parade suspects in the streets,' 1998, *Post-Courier*, 17 December, 3.

39 The advocating of condoms for HIV prevention is a highly controversial issue in PNG: it has even been suggested that the State should be liable in damages for their promotion. See Avisat Nyan, 2006, 'Reconsider condom policy,' *National* (online), 7 December.

been used in New South Wales (NSW).⁴⁰ The newspapers were quick to pounce on this theme too. The *Post-Courier's* editorial quoted above spoke of mass graves of victims of HIV/AIDS; the *National's* piece of 15 March reported the Metropolitan Superintendent as saying that 'prostitution was the main cause of HIV/AIDS virus spreading like bushfire.'⁴¹

It is commonplace to attribute the threat of disease to women. Mary Douglas, in her classic study of pollution and taboo,⁴² suggested that pollution beliefs are a way of imposing control on such chaotic phenomena as illness and desire, which threaten social boundaries. These are particularly vulnerable in sexual relations, which breach the body's boundaries and can entail fluid connections across segregated classes or races. In PNG as elsewhere, patterns of traditional beliefs of the potential dangers to men of sex and other contact with women, particularly with menstrual blood, are widespread.⁴³ Current fears of HIV infection through sexual contact sit well with these pollution beliefs, as well as meshing with the general attribution of pollution and disease to women.

The perceived threat posed by women increases exponentially when the woman sells sex. The view of such women as vectors of disease and infection has been well-documented in the metropolises. Maggie O'Neill describes the situation in nineteenth-century France, where one of the main concerns regarding the regulation of prostitution was the fact that its practitioners were seen as diseased.⁴⁴ In England, concerns about the spread of venereal disease in military garrisons led to the enactment of the Contagious Diseases Acts in the 1860s⁴⁵ and these Acts were often exported to the colonies.⁴⁶ 'Prostitutes' were condemned for carrying disease while their male clients were not—I term this 'the doctrine

40 *Bankstown City Council v Le* 2003 WL 23103843; [2003] NSWLEC 362; [2005]ALMD 2742.

41 'Police arrest 80 in brothel raid.'

42 Mary Douglas, 1966, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo*, London: Routledge & Kegan Paul.

43 Jeffrey Clark, n.d., *Huli Sexuality, the State, and STD/AIDS Prevention Programmes*, Goroka: PNG Institute of Medical Research, 191; L.L. Langness, 1999, *Men and 'Woman' in New Guinea*, Novato, CA: Chandler & Sharp Publishers Inc., 170; Wardlow, *Wayward Women*, 54–56. Such beliefs are not unique to PNG, although the attribution of pollution has been questioned elsewhere. See Alan F. Hanson, 1982, 'Female pollution in Polynesia?' *Journal of the Polynesian Society* 91: 335–81; Margaret Jolly, 2002, 'Introduction: birthing beyond the confinements of tradition and modernity?' in *Birthing in the Pacific: Beyond Tradition and Modernity?* Ed. Vicki Lukere and Margaret Jolly. Honolulu: University of Hawai'i Press, 1–30, 20–22.

44 Maggie O'Neill, 1997, 'Prostitute women now,' in *Rethinking Prostitution: Purchasing Sex in the 1990s*, ed. Graham Scambler and Annette Scambler, London and New York: Routledge, 4–28, 5–6.

45 Judith R. Walkowitz, 1982, *Prostitution and Victorian Society: Women, Class, and the State*, Cambridge and New York: Cambridge University Press, 1; Lynn Sharon Chancer, 1993, 'Prostitution, feminist theory, and ambivalence: notes from the sociological underground,' *Social Text* 37 (Winter): 143–71, 145.

46 Phillip Howell, 2004, 'Sexuality, sovereignty and space: law, government and the geography of prostitution in colonial Gibraltar,' *Social History* 29(4): 445–64; Richard Phillips, 2002, 'Imperialism and the regulation of sexuality: colonial legislation on contagious diseases and ages of consent,' *Journal of Historical Geography* 28(3): 339–62; Phillips, 2005, 'Heterogeneous imperialism and the regulation of sexuality in British West Africa,' *Journal of the History of Sexuality* 14(3): 291–362; and for Australia, see Roberta Perkins, 1991, *Working Girls: Prostitutes, their Life and Social Control*, Canberra: Australian Institute of Criminology, 73–74.

of immaculate infection.’ The local sex industry was structured by regulation and policy to cater for single men,⁴⁷ a theme often repeated in the developing world, both during and after the colonial era.⁴⁸

This view of those selling sex as vectors of disease and infection was imported into PNG through the Anglo-Australian colonisation process, both through metropolitan laws and policy and through mission preaching. Later, as the HIV epidemic spread in PNG, international organisations and aid donors moved swiftly to introduce and encourage the implementation of prevention and management strategies. Much of it was later proved to be less than perfect: Abstain, Be faithful, Use Condoms (ABC), High Risk Settings Strategy (HRSS). This Strategy was intended to enhance prevention efforts by designing and implementing behaviour change programmes ‘targeted at high-risk groups, such as sex workers and men who have sex with men.’⁴⁹ It was developed in 2004 and rolled out in 2006,⁵⁰ but was extensively criticised and discontinued shortly afterwards.⁵¹ UNAIDS soon recast the terminology involved in a less stigmatising light (terms such as ‘high risk groups’ should be replaced by ‘key populations at higher risk’),⁵² but nevertheless it is likely that ‘economic and power differences make it probable that the identification of risk groups will contribute to the stigmatization of marginalized people.’⁵³ And this is what has happened, as indicated by the reports of the Three-Mile Guesthouse Raid, and other newspaper reportage. The ‘risk’ associated with sellers of sex is not *to* them but *from* them to those having sex with them. It is a further easy step to link these women with the dangerous polluter of traditional culture, as shown by the abusive names used to humiliate the marching women. Jane’s account of sexual assault with an air freshener canister was more than just a tale of rape: it was the symbolic sanitisation of a source of pollution.

The stigmatisation continues. In September 2007, the *Post-Courier* ran a front-page story on the stigma and discrimination confronting some HIV-positive women selling sex in the Highlands. They had been pressured to leave home by

47 The irony is that impartial studies which favour investigation over judgement show that the reverse is often the case. Sex workers are aware that they are more endangered, and are more likely to develop strategies to safeguard their health. See Chancer, ‘Prostitution, feminist theory, and ambivalence,’ 149–50; Interview Maggi, who declared firmly that she always insists on condom use, because ‘It’s my life!’

48 Phillips, ‘Imperialism and the regulation of sexuality,’ 343; Ann Laura Stoler, 2003, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule*, Berkeley: University of California Press, 48; Larissa Sandy, 2006, ‘“My blood, sweat and tears”: female sex workers in Cambodia—victims, vectors or agents?’ Ph.D. thesis, Canberra: The Australian National University, 201, 235–38.

49 National HIV/AIDS Support Project, 2006, *High Risk Settings Strategy Report: Moving Beyond Awareness*, Milestone 90, Port Moresby, PNG: NHASP, 2.

50 *Ibid.*, 1.

51 Bettina Beer, 2008, ‘Buying betel and selling sex: contested boundaries, risk milieus, and discourses about HIV/AIDS in the Markham Valley, Papua New Guinea,’ in *Making Sense of AIDS: Culture, Sexuality, and Power in Melanesia*, ed. Leslie Butt and Richard Eves, Honolulu: University of Hawai’i Press, 97–115, 113.

52 UNAIDS, *UNAIDS Terminology Guidelines (2011)*.

53 Beer, ‘Buying betel and selling sex,’ 98.

family and community ‘because of their reputation as sex workers’ or because of their HIV status. They had been obliged to sell sex for survival, and reported that despite being offered condoms, most of their customers refused to use them. The story itself was reasonable, and supported by an Editorial entitled ‘Help our HIV/AIDS brothers, sisters,’ but the large-font story headline, a sub-editor’s creation, nevertheless blamed them, the vectors.⁵⁴

It’s a hard life—gays in trouble

The Tale of an activist⁵⁵

Victor grew up in the provinces where both his parents worked as teachers. As a little child, he preferred to play with the girls, and was tormented by the boys at school for his effeminate looks and behaviour. When he was only ten, a man lured him into the bushes with bribes of lollies—it was his first sexual experience. Throughout his teenage years, Victor experienced a number of sexual encounters with various boys. Some were consensual, but others were forced on him by threats, usually to reveal his sexual activities to his parents. Victor was terrified of this, knowing that disclosure of his sexuality would bring shame on him and his family and lead to a beating. The stigma in rural areas was enormous, and Victor learned to be very circumspect about his sexual encounters.

Victor left home for tertiary education and a good job. His work gave him opportunities to travel on overseas trips, to experience the pleasure of meeting and socialising with other gays in the freedom of countries where there was no criminalisation of sex between males. By the year 2000, he was working in Port Moresby in awareness and intervention programmes in relation to issues such as human rights, child abuse and HIV. Gay groups in the urban centres of PNG used this work as a cover for discussion and action on gay issues. But the cover was not perfect, and on occasion, the media gave unwelcome publicity to a range of activist projects. Victor went along with it. He and his friends had already learned that the best way of achieving social acceptance as a gay was to earn respect by giving back to the community. Media coverage reinforced his status and that of his family. But it had adverse consequences too. Victor encountered abuse from strangers on the street and nuisance phone calls to his workplace. It was impossible to retaliate. He simply bore it, until one night

54 ‘Sex workers spread HIV,’ 2007, *Post-Courier*, 10 September, 1; Editorial, ‘Help our HIV / AIDS brothers, sisters,’ 2007, *Post-Courier*, 10 September, 10.

55 As written by Victor himself. A fuller version of this story appeared as Christine Stewart, 2010, ‘The tale of an activist,’ *HIV Australia* 8(2): 42. *HIV Australia* is published by the Australian Federation of AIDS Organisations.

when he was returning home after a publicity event. A truck dropped him off at the short-cut track up the steep hill to his home. Half way along, a group of *raskols* ambushed him at gunpoint, dragged him into the bushes and took turns raping him. He was shaking, begging his assailants at least to use condoms, but this only aggravated them further, and they turned violent, beating and raping him to unconsciousness.

When he came to, he staggered home and sat thinking until dawn. Should he report the incident to the police? No, not in PNG. The police would insist that he had simply brought it on himself by the very fact of being gay. They would not respect any confidentiality. And should they actually investigate and make any arrests, Victor would be in great danger from the friends and relatives of the youths who raped him. The PNG 'payback' system would ensure that in retaliation for the arrests, Victor would be harmed in return.

He had never had an HIV test. Should he get one now? No, a positive result would not be treated with confidence by hospital or clinic staff. Victor was well-aware of the problems gays in PNG experienced in locating user-friendly and genuinely confidential health services.

So Victor packed his bags and fled the country. Once safely away from PNG, he felt far more comfortable about having an HIV test.

It was positive.

Now, Victor feels he can never return to PNG. He has reasoned it through. Due to his reputation as an activist, his HIV status would quickly become public knowledge, and the coupling of that with the news of his sexuality would render him extremely vulnerable to discrimination and shaming. This would reflect badly on his family and community. They would reject him.

But more significantly, he feared for his personal safety. He was already well aware of the treatment meted out to people with HIV. One of the biggest problems in addressing HIV in PNG is the issue of stigma and discrimination. Many people believe that HIV transmission is associated with transactional sex and males who have sex with other males, in the face of 'mountains of evidence' that marital fidelity poses as great a risk.⁵⁶ As a result, gays and sex sellers are targets for social stigmatisation. If the person is positive, the stigmatisation is redoubled. The community sees it as bringing great shame to all, especially the immediate family. Victor knew of instances of people being killed or buried alive due to a combination of their HIV status and their sexuality.

56 Hammar, *Sin, Sex and Stigma*, 1, 4 and elsewhere.

And worst of all, because HIV infection is attributed to sex sellers and gays, the youths who raped him would blame him for infecting them, not the other way around. They would hunt him down and exact their revenge. His life would be in danger. This may not be the case in an overseas country, but it is a real worry in PNG. The police would be of no help. Victor was all too aware of the many incidents involving police brutality directed against gay and transgendered people.

Victor the activist, determined to help 'all those powerless and vulnerable gays back in PNG,' coping with HIV, is now an exile from his own land.

Victor's tale illustrates a range of the problems confronting gays in PNG today. Although he grew up preferring girls' play, clothing and activities to those of the boys, he is not particularly effeminate—certainly not immediately identifiable as a 'sister-girl.' He learned early to dissemble, fearing a beating and other consequences in his family. He was coerced into sex at a young age, and threatened with exposure should he ever tell. As an adult, he had to endure stigma from total strangers, culminating in his horrific rape and the consequent HIV infection. As if that were not enough, he felt he could not seek help from the police or the PNG health services. He was even in fear of his life, expecting blame and revenge from his assailants for 'infecting them' due to his sexuality, which is associated with HIV infection, and retaliation from their kin if they were to be prosecuted.

Home and family

Victor's tale also demonstrates the importance of family approval in PNG. While some gays in PNG are welcomed and regarded well by their families and communities, many are not.

I had an argument with my younger brother and he exposed me.... Mum was good, Dad was alright ... my other family, my own blood brothers and sisters ... it was in the village, and you know, when there is an argument, people come gathering ... that was one of the worst things that ever happened to me in my life ... when that happened, I distanced myself from the whole family ... if it's from a blood relative that is the worst (Len).

[My sister] called me up and said 'Are you homosexual?' and I said 'Yes.' And she said 'Listen, young man' (I still remember, today) 'listen, young man, from now on you're no longer my brother, and ... as soon as I hang up here I'm going to call my Mum, and you're not going to Mum's house, and I'm going to call all your brothers and sisters in Port Moresby and in Lae' (Henry).

Fortunately for Henry, his brothers did not react as expected. They behaved no differently. One told his little girls, who had called him *geligeli* in front of him 'Uncle is not *geligeli*. He's just different from me.' And another brother is happy to let Henry's gay friends come to the house and 'hang out.'

Being thrown out of home is common.

The worst thing was, I was rejected from my family too. I didn't have the strength to stand up to them. My mother and sisters, they do accepted me, but my dad and my brother didn't agree, they belted me badly, my dad and my brother, so I had to leave (*Palopa*).

Me, I was rejected, so I just left without letting them know ... was fifteen. I came, I met this one in HB. I was living there, it was good, I was more safe there, then this one came, we were living together in the house, then 'she' came along, we built up a family, we shared our problems. My sisters too, sometimes come and visit to HB. I don't go to my family, I only went once, twice, with my gay friends and I didn't feel good. I had to let them know that I am a gay (*Palopa*).

Even those who manage to keep their family life intact continue to be troubled. As Henry explained, 'Your family can never be your family, if you're gay, that's it ... family will always be family, I can only live with them for a month, [but] I can live with gay men forever.'

One of the major problems for gays in PNG is the family pressure to get married. In some societies, brothers are even expected to get married in order of age, oldest first, and a failure on the part of one to do his duty will block his younger siblings.⁵⁷ Many give in to this pressure, with unhappy consequences.

They still have this feeling, but it's how society, pressure from the family ... the society they were brought up in. Most of them [gays] still live in hiding and think there's no-one else, end up getting married. Then the marriage often lasts only a short time (Colin).

My children's mother and I had some problems ... [then I had] my second relationship with the same sex, but then that ended a couple of years later, then I got married to my children's mother ... she told me that she had all this time known ... but she didn't care and all that, she loved me, and then we left it at that ... she got a restraining order and a maintenance order against me when I left (Fred).

His wife was trying to counsel [a gay's wife]: 'You've got to realise that the men need to have sex with other partners, you shut up, be a good

57 This was the case in my adoptive Hula family in Central Province in the 1970s.

wife, look after the family, and give them the status they want, you're not going to have any problems. I've had to do that with [my husband] for years. I know he's got his girlfriends and his boyfriends, but I just ignore it, and I've got a lovely family.'... One Sunday, he got in the house and burned the house down with himself in it, so he obviously wasn't coping as well as she was coping (Adam).

Adam also tells stories of an effeminate gay who had to get married to meet family obligations, though he claimed never to have consummated it—children came along, but the wife may possibly have 'made her own arrangements.' Another gay had his boyfriend in the house and would sleep with him while the wife was there with the children—this went on for about five years until the wife gave up and divorced him. The marriage of yet another broke up when his wife found letters between him and his boyfriend in Australia (Adam).

Occasionally these marriages succeed. Peer pressure got Ned into marriage. His parents had already made two arrangements which didn't work out, so he chose his wife himself. She is supportive and he thinks she probably doesn't know about his relationships with men (Ned).

Some have managed to resist the pressure to marry, but often at the price of estrangement from their families.

One time my mother said, I've got a question to ask you, that lady there, we're going to approach that family to pay brideprice, and ... I took off. When I'm with my parents, I'm only there for about ten minutes and then I'm out. I don't want them to start talking about brideprice (Barry).

Now, I'm not married ... one of the old ladies, our grandmother, says, why aren't you getting married? So I say, no, I have to work and get money, and she says, if you don't want to get married, we'll marry you [off].... I'll just have to tell her straight off. All my life growing up, I was hiding myself.... I don't like showing it, nobody knows ... I'd rather not [get married], I don't want to hurt [any woman I might marry] (Robin).

In and out of work

Employment in the formal sector is a significant feature of town life in PNG, even though it accounts for only a small percentage of the population nationwide.⁵⁸ Because jobs are so hard to get, it is easy for employers to discriminate

58 Approximately 10% according to the 2000 census. 'Labour force statistics,' in *Papua New Guinea Statistics Office*, online: http://www.spc.int/prism/country/pg/stats/Pop_Soc_%20Stats/Social/Labour%20Force/labour.htm, accessed 9 April 2014.

against gays and transgenders. ‘The only jobs are in clubs. “Girls” who are over-*geli*, “open flowers”, hard. I left school for that whole reason as well. Boys were hurting me’ (*Palopa*).

Once employed, it can be hard to get promotion. The presence of a wife seems to be a crucial factor. Without one, sexuality is suspect, promotion is much harder, and a gay can never achieve a top position (Adam, Eric). Identity must be concealed in the workplace. As Peter explained, ‘I don’t come out too much. Due to work. Any “girls” who are working, hard to act themselves. At work, people are calling me boss, I have to really put on an act as a man, play a man’s role. I have to control the way I’m talking.’

And then there is the ever-present threat of dismissal.

I’m always worried that any time I could lose this job if they found out I’m gay. And it doesn’t have to be me taken to the court for a real thing and be prosecuted, it could be just a story. So that’s my biggest fear. I’ve been harassed by security guards at my workplace ... and then one time I just stood up to them and I had a knife pointed at my neck and I got threatened (Henry).

Violence

More troubling even than the accounts of discrimination are the tales of violence threatened or enacted. These reinforce the sense of unease that permeates the lives of gays whenever they encounter discrimination or stigmatising behaviour—they are fully aware that insults and hatred can easily translate into action, as Victor found out. His tale of rape is an extreme example of PNG ‘gay-bashing’—but for him, the consequences were far worse than they might have been in many other countries. He feared further violence from unsympathetic police, reprisals from the relatives of his assailants, breach of confidentiality from the health care services should he seek an HIV test, and further violence from his attackers who would blame him for infecting them.

For gays, danger lurks everywhere. I heard of gays walking innocently through the daytime streets, or shopping in malls, who were forced to flee, otherwise they were liable to be beaten, robbed, abducted, raped (Oscar, *Palopas*, Douglas, MSW).

We had some really hard times, with gay-bashing ... one of my friends was killed. If they know that there’s a gay around, there are also other people who don’t like them, decide to follow them and do stupid things, what they do, maybe just destroy their lives (Mitchell).

Expatriates are particular targets, because they have money and valuable goods, and gay expatriates living alone are vulnerable. Moresby is a small place, and word can get around.

I've been identified as being single, you become targeted for break and entry ... there was a knock on my door about half past six, I'd been playing squash in the afternoon, I came out, there was a gun and a knife, I was taken in and tied up, a gun at my head ... they ransacked the place ... fortunately they didn't take my computer ... but everything else including half a packet of soap powder.... I was there just in my shorts, a gun at my head, the fellow with the gun at my head said, my friend wants to screw you, and I said I'd rather he didn't, and fortunately they didn't (Adam).

I was held up outside the Z hotel at the time ... this friend came out and had a knife to my throat, made me drive ... he pulled a knife out, that's right. Anyway, I got out of it by jumping out of the car and flagging someone down and going to the [Z] police station ... they took the car and burnt it and all that ... the police were very good. I had a good police report but the guys never came back to town. It was all set up by a bad mixed-race guy (James).

As a PNG gay explained, many expatriates have developed coping strategies, such as 'family' friends (relatives of former partners), who ensure protection. They do not cruise, but stay within their familiar circle (Douglas).

Blackmail

The violence is sometimes an end in itself, but also may be used as a threat to ensure compliance with blackmail demands. Henry was blackmailed at University by his first sexual partner.

It was at the University ... one of the students was doing final year ... he seduced me, and ... he beat me up so badly in his room ... he told me to give him all my things, and he said, every allowance day, I'll give him the K20 that I got.... I kept giving him the money, I think for two or three allowances. But the worst thing was, he started telling people about me, and so I had knocks on the door, and people were spitting at me ... the other provinces were okay, but [the people from my province] became very violent towards me, and then [they] decided to have a go at me, and they came in a group. And then after that I ran away from the University (Henry).

He was persuaded by his family to go back to University, where he was beaten up again. A friend told him that the Student Director was aware of the situation, and was threatening to call the police. So Henry went to see the Director, who immediately began 'saying all these nasty things,' like '*yu dispela man salim as long ol manki long skul na ol lektura na ol sekuriti gad*' (you are the one selling your arse to all the students, the lecturers, the security guards), and threatened to call the police unless Henry left the University immediately. The Student Counsellor also refused to help him.

Blackmail in the workplace can be an issue too.

I was threatened when I was at B [company] by ... phone calls, tell me that they are going to see my boss, reveal my lifestyle to my boss ... one of those guys was a person that I had an affair with and somehow found out where I was working and he threatened me with ... give me some money or *bai mipela toktok long bos bilong yu* [we'll tell your boss].... I left (Len).

As well as suffering violence, the better-off, particularly single white men, are highly vulnerable to blackmail attempts. Young men who want money set up a blackmail situation, often in organised ethnic groups. Off-duty police may also be involved. The threat of arrest is very real. Frank was not alone in his fear—many expatriates are forced to flee the country at a moment's notice. Some even commit suicide (Adam, James, Kevin).

The gradual reduction in the numbers of long-term expatriate residents has meant that PNG men of means are also targets. As Henry explained,

I was coordinating a lot of workshops there [at a Port Moresby hotel] and I had lots of money and I had good Nike shoes ... and carry a laptop and things like that, and I'm always scared about it, so mostly I tell the people working there, the securities ... that I'm a volunteer with the church ... and I don't have any money. The reason why we tell this story is because, like, you know about the problems with expatriates ... whites equals money. Papua New Guineans, if you're a gay man, if you're on the streets, if you don't have a job, anyone can take advantage of you and have sex with you and no problem. If you're a Papua New Guinean man, especially with a degree from the University and a good job, you'll be treated like an expatriate now. So we'll make up a story ... they can take me to the police station, I'll say I've finished from Grade 6 and I don't have a job, the police will probably let me go. If the police know I'm from University and I've got a good job, they'll hold me up too, because they want to get something out of me.

Apart from such dissembling, another technique is to call the blackmailers' bluff, by threatening to expose the blackmailer himself.

The first time it happened to me, I was really terrified, and I did have to pay ... he sodomised me but said you forced me, I had no idea how to handle it, I just paid the guy, 500 kina ... I was happy to pay it, it really frightened me. But after talking to some other friends, they advised me how to handle the situation in the future, because I enjoy it both ways, so the next time it happened, I said okay, you go to the police, you tell them you did it to me. I said *Mi no poret* [I'm not afraid], you tell them ... the law is, you fuck me ... *yu iet* [it's you who did it] ... you enjoyed it, I enjoyed it, it's consensual ... so I've been able to successfully ... are you going to go to the police and tell them I fucked you, in this case? They're going to laugh at you, say 'You're a *geligeli!*' But it does worry me (Eric and Fred).

Conversely, some gays I talked to admitted that they would try various subterfuges, including blackmail, to get money from gay clients. Again, exposure to the police, or to the man's wife, may be threatened (MSW and *Palopa*). Or trickery is employed.

One time both of us bumped into this landowner, he wanted to take me out, so I told him, it's okay if 'she' could come with me, he agreed, and then the three of us had a couple of drinks, then he wanted us to go to his office, so we went and then, I told the guy to give 'her' the money before, and then he didn't want, he wanted the three of us to have sex ... was busy with him and 'she' pinched the money ... then he walked off and we went out and locked the door, he was screaming, please come and open the door. He was really rough with me, sorry, I don't do that kind of ... like, I'm a human being too.... We didn't complete too, we told him to drop us, we went down [to our place], he dropped us, we told him to give us some money, when he opened the wallet, he found that there was only K25 in it.... He said who's got my money, I said I don't know ... you probably wasted it all on food and beer ... we pretended to call in the dark, Uncle John, but there wasn't any Uncle John around, he had to give us the K25 and drive off, we said if you don't give us the money we'll call our uncle and get him to break your windscreen.... I said: Girl, let's go shopping ... we bought foodstuff for the house because we're living with this family (*Palopa*).

While in Port Moresby, I was twice asked by indigenous gays for my opinion on possible 'compensation claims' against expatriates—in reality, actions capable of being classed as extortion. One was enquiring on behalf of a friend in prison for murder, who claimed to have been acting under the influence of some strange

drug given him by an expatriate; the other wanted me to write a letter ‘to the Court’ because he felt he had not been paid enough for a sexual encounter. I told the first that the claim had evidentiary problems in establishing an adequate chain of causality; and the second, that he was endangering himself too along the lines of *R v M.K.* Both decided to desist from seeking ‘compensation,’ or at least to stop trying to enlist my assistance.⁵⁹

Moses Tau—‘A very brave man’⁶⁰

There are exceptions to this seemingly endless process of discrimination and abuse. By the late 1990s, gays were well and truly stigmatised in PNG. That was when a gay Motuan gospel singer from Central Province a little to the east of Port Moresby was wooed away from his village gospel group by the PNG recording giant CHM Supersound Studios, who urged him to go solo. He adopted a generic Pacific style of singing, using falsetto voice, and so his first song *Aito Paka Paka* was born. It was an instant hit, and was soon followed by others.⁶¹ The accompanying video clips were all designed by Moses himself: the island-girl dancing style and costumes, lavishly replete with flowers, brightly coloured sarongs, outrageous hats and of course, the Pacific-signature swaying grass-skirt. He even managed to work a selection of tropical fruit into the dance scenes—the symbolism is obvious. It was the first public display of cross-dressing and transgenderism in the country—and it worked wonderfully. Moses became a star.⁶²

Nevertheless, it wasn’t all easy.

When [the *Aito Paka Paka* clip] came out, it sort of brought this whole thing to the public, and those who were known as *geligelis* were harassed, they were called names ... it came out to expose the lifestyle, and at the same time, had a negative side of it ... it was sort of an awareness thing when Moses came out ... he overdid that [the sarong and the flowers] ... when Moses came out with his video clip, that was an issue among also the people here, and poor guy, I heard that he had a bad time too ... people started stoning his car whenever they saw him, they were calling him names ... very brave (Len).

He’s a very brave man (Adam).

59 Field notes August–September 2007.

60 Interview Adam, Port Moresby, 12 January 2006.

61 A compilation of Moses’s video clips, headed by ‘*Aito Paka Paka*,’ was later published as Moses Tau, 2005, *The Best of Moses Tau: Beats and Dances*, DVD, Boroko Papua New Guinea: CHM Supersound Studios.

62 When a gay friend held a barbecue and invited Moses on my behalf, all the girls in the friend’s office were excited and envious, claiming: ‘We love his music!’

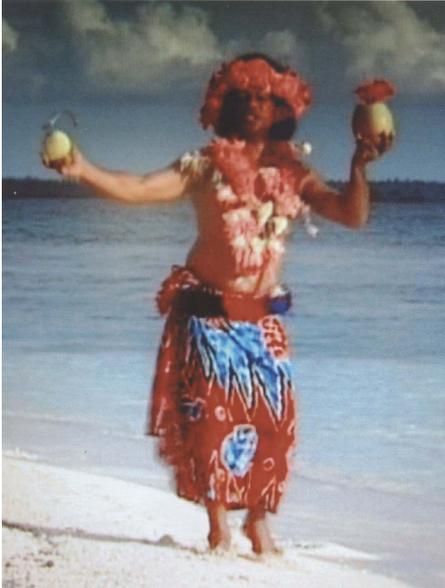


Figure 5.4. *Aito Paka Paka*, flowers, brightly coloured sarongs, outrageous hats ... and fruit.

Source: Image taken from the video, Moses Tau, 2005, 'Aito Paka Paka,' in *The Best of Moses Tau*.

But Moses was more than just a new pop singer sensation. He was a gay on a mission.

It is a very difficult thing in PNG to show your sexuality ... is very scary, because it is not an accepted thing in PNG. I just want to do what I have and who I am. I also did it not for myself but for the suffering of we people through many years ago. And I told my friends: look, I'll try it out, if I fail I fail. If I go through it with success, we will all benefit. So I'm targeting to educate the people of this nation to really know that there's gays living in Papua New Guinea. So I did it. I went through it. It was very painful (Moses Tau).

Moses was invited to Cairns shortly after, for Independence celebrations.⁶³ Then early in 2001, he was invited by the PNG community in Sydney to take part in the famous annual Mardi Gras parade. The PNG community there was constructing a float in the form of a *lagatoi* [seafaring canoe], to feature Moses as the 'Pacific Queen,' dressed as a traditional 'Hiri Queen.' Sponsorship was offered by PNG's commercial radio station NauFM, 'because he has not only

⁶³ Cairns, a north Queensland town, is less than 1½ hours' flying time away from Port Moresby, and has a large resident population of PNG people.

developed into a prominent musician but has developed a good character. He has also developed a good following and has really lifted the image of PNG music.’⁶⁴

However, this decision was not an instant hit with many. The *Hiri Hahenamo* [celebration of Hiri culture] refers to an annual Port Moresby festival which celebrates the Papuan tradition of the Hiri trading expeditions from the Central Province north-west to the Gulf Province, returning again as the winds change towards the end of the year. Special *lagatois* are built and a feature of the festival today is the Hiri Queen competition, open to girls from all surrounding Motuan villages who dress, dance and sing in a traditional manner. The Motu-Koitabu Council, which represents the Motu and Koitabu villages surrounding Port Moresby, took offence, its Chairman saying,

We [Motu Koitabuans] ... do not approve nor do we encourage homosexuality in our society—traditional or contemporary ... [we] are disgusted and not happy at all—to say the least—to have a very important and serious aspect of the culture portrayed at a festival for homosexuals.⁶⁵

We are totally against the Hiri Hanenamo [*sic*] concept, which promotes morals and good behaviour, being taken and abused at such a morally wrong festival ... we do not approve of or encourage such practices, and if Moses Tau wants to represent his personal beliefs and ideals, we suggest he represent himself personally by tailoring his own outfit on a theme which does not threaten to bring our name and culture into disrepute.⁶⁶

This statement was followed by letters to the Editor and an FM-Central government radio talk-back show in which callers were divided.⁶⁷ Many Motu-Koitabuans protested the desecration of their culture but others supported Moses, praising his talent, his openness and his right to perform as he wished.⁶⁸

Moses was very troubled. He claims a deep respect for traditions and culture, and points to his background in the church and his family’s tradition as gospel singers.⁶⁹ He immediately called a press conference and denied the reports of the *lagatoi* float and the Hiri Queen costume. He said his Mardi Gras appearance was to promote his album and not to represent the PNG gay community.⁷⁰ The matter

64 ‘Moses Tau gets invited to Sydney Mardi Gras,’ 2001, *Post-Courier*, 12 February, 34.

65 ‘Motu Koita Council offended,’ 2001, *Post-Courier*, 13 February, 2.

66 ‘Tau’s Mardi-Gras plan draws sharp rebuke,’ 2001, *National*, 13 February, 1–2.

67 For example, Traditionalist, ‘Please don’t degrade out [*sic*] tradition,’ 2001, *Post-Courier*, 23 February, 10.

68 Jacqueline Kapigeno, ‘Uproar over singer’s new “Queen” role,’ 2001, *Post-Courier*, 13 February, 2.

69 Interview Moses Tau, Port Moresby, 24 January 2006.

70 Theresa Ame, ‘Tau clears air over Mardi Gras visit,’ 2001, *National*, 14 February, 5.

was kept in public view by a further news item showing Moses receiving his visa from the Australian Deputy High Commissioner, and relating how Sydney radio stations were carrying reports of the difficulties he was facing and the concern of the Mardi Gras organisers.⁷¹ But in the end, Moses did not ride on a *lagatoi* float or wear traditional Hiri Queen costume—instead, he wore yet another of his ‘Pacific’ creations, and danced his way along the street.⁷²

After Moses returned from Sydney, his success and position were assured, with club appearances,⁷³ sky-rocketing music sales and even a brief squabble between recording studios over him.⁷⁴ Club performances of ‘Mardi Gras’ nights were staged, and were so successful that when another was proposed, Moses called on his gay friends to do a ‘queen’ show. To his surprise, many Filipinos also took part. These shows became a great success, attracting cosmopolitan audiences and many other clubs followed suit, and became the foundation for the drag shows of today.

But it was about more than fun. Moses took the opportunity to promote awareness after every show, saying,

We have these kind of people, this kind of community of people, that live in this country. We have no choice, we can’t change them, but let’s give them a chance to show their package, what they have. Give them a freedom for what they can do, for them to enjoy life. We can’t keep them in a cage for them to live in fear all the time (Moses Tau).

He continues his community outreach work, travelling around villages at his own expense, distributing condoms and promoting awareness about gay rights, HIV, the dangers of consuming homebrew alcohol and marijuana. Although he receives no funding support for this work, he has achieved a strong measure of fame throughout the country, and in January 2006 was invited to sing at the funeral of Bill Skate, the first PNG Prime Minister to die in office.

Opinion is divided as to whether the recent trend towards coming out was due to Moses or not.

One of the break-throughs I think especially in Moresby was Moses Tau’s [*Aito Paka Paka*] clip. That made people talk about it. That’s the turning point, it’s like an awareness that there are these sort of people around (Barry and Colin).

71 ‘Tau takes off today for Sydney festival,’ 2001, *National*, 16 February, 3.

72 ‘Floating through the Mardi Gras,’ 2001, *Post-Courier*, 8 March, 1.

73 Public Notice, 2001, *National*, 13 March, 10.

74 ‘Studios squabble over Moses Tau,’ 2001, *Post-Courier*, 5 March, 5.

Before 'she' [Moses Tau] brought out the clip [*Aito Paka Paka*], we came out to the public before, the younger ones. As far as from what I see, those bigger ones, we've got plenty but because of the culture and the traditions ... people are still hiding and some are forced to get married, and some, they just keep themselves locked up ... like the group now we have here, like as for myself, at first I didn't come out ... but through those ones, I can see that ... it's not Moses Tau, it's these ones ... they're the ones like, coming out, all this stuff (*Palopa*, indicating others in the meeting).

Even if Moses was the catalyst, the gains have been small and there is still a long way to go, even for committed activists, as Victor's Tale above demonstrates.

The continually escalating cycle

Papua New Guinea suffers from a culture of violence which abuses all known human rights ... [these] abuses often occur outside the accepted legal order, sometimes coinciding with wrong political and cultural practices that [are] now accepted as a way of life.

Bernard Narokobi, 2000.⁷⁵

Violence in PNG takes many forms: the violence accompanying street theft and armed robbery; spousal violence in the privacy of the home; sexual violence and rape perpetrated on both women and men; acts of sorcery and the retributive violence of witch-hunts; ethnic violence derived from customary responses to conflict situations; the structural violence wrought by poverty and urban drift; and the institutionalised violence of state agencies, sometimes the very agencies tasked to deal with violence.⁷⁶

As can be seen above, the threat of police violence is ever-present in the lives of both street women and gays. The Three-Mile Guesthouse Raid is one of the most extreme examples of police violence, carried out in the name of protecting society. But some police violence can be no more than something for personal pleasure, taken by force from those least able to defend themselves.

75 Cited in Carol Kidu, 2000, 'Reflections on change, ethnicity and conflict: family and ethnic violence in Papua New Guinea,' *Development Bulletin* 53 (November): 29–33, 29.

76 Sinclair Dinnen and Allison Ley, 2000, *Reflections on Violence in Melanesia*, Leichhardt, NSW: Hawkins Press: vii–ix; Kidu, 'Reflections on change, ethnicity and conflict.'

Two Tales from the barracks

Irene's Tale⁷⁷

One evening not long after the Three-Mile Guesthouse Raid, Irene and her girlfriend Carol were walking the Boroko beat behind the Post Office when a police mini-bus came roaring towards them. Carol saw them first and fled, but Irene was too late. The bus swerved and stopped in front of her, and the driver invited her to hop in. Irene refused, but another policeman jumped out and belted her with a piece of wire cable. Terrified, she climbed into the bus. There were seven police inside.

The bus headed to the police barracks. Two married police were dropped off at the married quarters, and then the bus stopped behind the single quarters. Another four got out, leaving Irene with the driver. He climbed into the back seat with her and started forcing her head down into his lap. Irene resisted, so he gave up on that, and started pulling her trousers down. Another struggle began, but Irene eventually gave in, fearing another belting. The driver raped her and left.

Irene started pulling her pants up, but she had no chance. One by one, the other four climbed back into the bus and raped her, until she was weak and dizzy with the roughness of their attacks. The only thing that saved her from further molestation was the arrival of a policeman friend of hers. He finally persuaded the rapists to let him take her to the safety of his room until morning. Then he escorted her to the bus stop, gave her a few coins for a bus fare home and advised her never to come back to the barracks again.

Peter's Tale⁷⁸

Peter says he had never felt closer to death. There was a fundraiser at a newly opened club, it seemed like a 'safe' event, so he and his *Palopa* friends all put on their drag clothes and hair extensions, went along, and started enjoying themselves. A good-looking man from the Islands region approached him, saying he had a car, would Peter like to go with him?

Peter had always been a sucker for a really cute pick-up. And he had had a bit to drink, so he agreed, and out they went together. But when he saw that the promised ride was a police vehicle, he was apprehensive. However, his escort

⁷⁷ From a statement taken at the same time as the Three-Mile Guesthouse Raid statements, following a report made to Poro Sapot.

⁷⁸ Interview Peter, 21 April 2006.

reassured him, saying that police were well aware of law and order issues. He took Peter to the police barracks mess, treated him like a princess, bought more drinks, and finally seduced him.

Afterwards, Peter lay there exhausted, wondering why he could hear mumbling in the room. Then he realised that two more police had come in and watched them having sex on the bed. But that was not all. Now he was being raped! What should he do? Scream? No, it's their territory, what good would that do? And indeed word had got out that there was a 'girl' in the room, everyone wanted to join the mob. They were all coming into the room, one after the other, and taking turns, trying group sex, oral and anal, threatening him if he resisted. By the time number eleven landed on top of him, Peter was sobbing and shaking. The newcomer threatened to hit him, saying: 'Don't cry, this is nothing new to you, you are "that sort" of lady, you like it, why are you crying?'

Peter recognised the voice. It was a cousin of his! He gasped: 'Are you my cousin? Don't you know me?' His cousin switched on the light and got the shock of his life. Peter was shaking, begging him: 'Get me out of here!' The cousin offered to take him to the entrance gate of the barracks and call a cab. But when he tried to pull Peter up from the bed, the pain was too much. There was blood everywhere, Peter couldn't walk. He thought he would die. The cab rushed him to Emergency, where the doctor who came to attend to him was a Highlander. It seemed to Peter that his trials would never end—Highlanders are notorious for discriminating against gays. But true to his profession, although the doctor could see Peter's hair extensions he pulled the curtains around the bed and started treating Peter, praising his bravery.

Peter was in hospital for two days, healing. Thereafter, he vowed never to go out with any of the disciplinary forces again. Now, whenever someone comes up and says he's with the Defence Force, or he's a policeman, he gets told in no uncertain tones: 'You are totally off!'

'A routine part of policing'

Sinclair Dinnen attributes the retributive, violent nature of PNG policing first to the historical traditions of frontier pacification, reinforced after Independence by localised outbreaks of disorder, particularly 'tribal fighting' in the Highlands, and then the militarisation of the state response to the Bougainville conflict in the 1990s. Violence has long been tolerated in PNG as a strategy for resolving problems—leaders themselves tacitly support violent militaristic tactics to solve law and order problems. Police abuses are enmeshed in a continually escalating cycle.⁷⁹ Whether due to institutional weaknesses or the fact that the imported

79 Dinnen, 'Criminal justice reform in Papua New Guinea,' 260–62; and see also Sinclair Dinnen, 1997, 'Restorative justice in Papua New Guinea,' *International Journal of the Sociology of Law* 25: 245–62.

criminal justice system is inappropriate in PNG's circumstances, the police perform poorly and are generally regarded as incompetent at best and a threat to the personal security of the citizenry at worst.⁸⁰ Retributive police action has become an acceptable response to conflict, and no amount of money and aid poured into institutional strengthening of the police force seems to have done much to alleviate this situation.⁸¹ A National Research Institute survey conducted in 2004, the year of the Three-Mile Guesthouse Raid, revealed that many of those surveyed at various sites around Port Moresby considered the police to be 'ineffective ... inappropriately violent, corrupt, and even the perpetrators of crime.' The survey listed some of the specific concerns regarding police behaviour as violence, dishonesty, accepting bribes, theft, indiscriminate arrests, and preoccupation with alcohol and sex. Most of the crime victims surveyed did not report the incident to the police, knowing that they would not receive satisfaction. Hardly any of those who did report were satisfied with the response they received.⁸²

The situation has not markedly improved. A recent *Post-Courier* Editorial, for example, complained, 'After the big pay increases awarded to police in recent years, and the millions being spent on new barracks and houses, we deserve better!'⁸³ And even though Poro Sapot has been in the forefront of intensive ongoing efforts to work with the police and raise their awareness of issues involving sex sellers and gays, outreach workers report that police harassment and victimisation continues.⁸⁴ The *Askim na Save* survey found that

family members, followed by the police, were the two most common abusers in participants' experiences of physical abuse, while clients, followed by police, were the most common sexual abusers. Moreover, more transgender [*sic*] were forced to have sex by the police (21%), and physically abused by the police (21%) compared to women (15% for both physical abuse and forced sex) and men (both forms of abuse at 9%).⁸⁵

80 Dinnen, *Law and Order in a Weak State*, 52–54; increasingly numerous newspaper reports and Letters to the Editor in my collection.

81 Dinnen, 'Criminal justice reform in Papua New Guinea,' 253, 258.

82 National Research Institute (Papua New Guinea), 2005, *Port Moresby Community Crime Survey, 2005: A Report Prepared for the Government of Papua New Guinea's Law and Justice Sector's National Coordinating Mechanism*, Boroko: National Research Institute, 48, 51–52, 54.

83 Editor, 'Crime spots: where are our police?' 2001, *Post-Courier* (online), 17 June.

84 Reid, 'Putting values into practice in PNG'; and see also the interviews and description of early interventions in Carol Jenkins, 2010, 'Sex workers and police in Port Moresby (1994–1998): research and intervention,' in *Civic Insecurity: Law, Order and HIV in Papua New Guinea*, ed. Vicki Luker and Sinclair Dinnen, Canberra: ANU E Press, 153–64, online: <http://press.anu.edu.au?p=94091>, accessed 8 April 2014.

85 Angela Kelly et al., 2011, *Askim na Save (Ask and Understand): People who Sell and/or Exchange Sex in Port Moresby*, Sydney: Papua New Guinea Institute of Medical Research and the University of New South Wales, 25.

Nevertheless, the report also found that some women specifically work in army barracks and police stations.⁸⁶

The overall picture is one of police exploiting their position as the State's front-line law enforcement agency for such advantages as financial gain through bribes or as blackmail participants, or personal satisfaction through such power displays as violence and sexual abuse, all carried out in the knowledge that they would not be called to account. The HRW report sets out a long list of incidents of violence and sexual abuse,⁸⁷ calling it 'a routine part of policing in Papua New Guinea.'⁸⁸ The Ombudsman Commission's investigation into the Three-Mile Guesthouse Raid found that the entry was unlawful, the arrests and detention were unlawful, and that the excessive and unlawful force used did not constitute necessary policing activity.⁸⁹

The fact that police are rarely if ever called to account for their actions makes this state of affairs possible. State agencies were able to fend off all attempts to bring the police to account for the violence in the Three-Mile Guesthouse Raid.⁹⁰ The Metropolitan Commander even supported the raid as a necessary part of HIV/AIDS control. Both Peter's and Victor's tales demonstrate the inability of individual outgroup members to seek redress for their assaults through normal legal processes.

Irene was in an even worse position: street workers are easy targets. The HRW notes that the most targeted are those who are the least powerful and most stigmatised, including sex sellers and gays: 'the illegality of certain acts serves as an excuse to inflict on-the-spot punishment and to deter victims from complaining.'⁹¹ Designed as the agency responsible for front-line law enforcement, the police have become exploiters of the law they are supposed to uphold. This state of affairs persists so long as the force refuses to take responsibility for the illegal actions of its members.

Less dramatic though equally alarming for the victims is police collusion in blackmail. Some police augment their incomes by any means available, including complicity in blackmail. Adam has told of the difficulties caused by

86 Ibid., 19.

87 Human Rights Watch, *'Making Their Own Rules,'* 23–54.

88 Ibid., 23. Enjoyment of such benefits of power may well be a modern-day outcome of the privileges enjoyed by victorious warriors of old, but little seems to have changed despite the enormous amount of training supposedly bestowed upon the police of today.

89 Ombudsman Commission, *Investigation Report into the Alleged Unlawful and Abuse of Human Rights by Police*, 16–18.

90 Human Rights Watch, *'Making Their Own Rules,'* 116; Human Rights Watch, *'Still Making Their Own Rules,'* 35.

91 Human Rights Watch, *'Making Their Own Rules,'* 47. To the HRW list may be added illegitimate urban settlers. See G. Koczberski, G.N. Curry and J. Connell, 2001, 'Full circle or spiralling out of control? State violence and the control of urbanisation in Papua New Guinea,' *Urban Studies* 38(11): 2017–36, 2025.

the persistence of police intent on extortion. Expatriate Kevin tells how one of the security guards at his compound reported his ‘suspicious actions’ at two police stations, resulting in a visit from the police in the middle of the night. Kevin refused to admit them, fled the apartment, and laid a complaint, but he continued to be harassed by one of the police visitors until with the help of a lawyer he managed to defuse the situation.

The preceding is not always true of all police. Both Irene and Peter were rescued from their predicaments by police who knew them personally. But this may be less a matter of ‘good’ police taking control of the situation than of the power of kin and *wantok* networks prevailing over the less strongly cohesive group solidarity of the police. James, Fred and Eric told me how they have defused blackmail attempts by threatening to take the blackmailers themselves to the police—Henry however only feels safe from police complicity in blackmail by concealing his education and employment status. With the help of Poro Sapot outreach workers, Angelina was able to obtain redress against several police who assaulted and possibly raped her.⁹²

Conclusions

In this chapter I have presented a very small sample of the types of abuse experienced by sex sellers and gays. In the years since I commenced research, other reports have appeared. HRW published a major report on a survey conducted in 2005 of beatings, rape and torture of children by police and prison guards, which included many accounts of the abuse of sex sellers and men and boys suspected of homosexual conduct.⁹³ This was soon followed by a further report which found little improvement in the situation, although there had been some institutional responses in the meantime.⁹⁴ At the same time, Amnesty International conducted an investigation into domestic, sexual and state violence against women in PNG, finding much the same situation—an unacceptably high level of violence, and the impunity enjoyed by state agencies, particularly the police.⁹⁵ However, participants in the recent *Askim na Save* survey reported higher levels of physical abuse from family members than from police, followed by significantly lower levels from partners, clients and other community members. Clients were the most common sexual abusers, followed by police. But the rate of physical and sexual abuse of transgenders by police exceeded that of women by police.⁹⁶

92 Interview Angelina, 13 September 2007.

93 Human Rights Watch, *Making Their Own Rules.*

94 Human Rights Watch, *Still Making Their Own Rules.*

95 Amnesty International, *Papua New Guinea: Violence Against Women.*

96 Kelly et al., *Askim na Save*, 25.

All these findings beg the question: why is all this so? The law is there to ensure that there are limits to the exercise of individual will and boundaries to the normal. It has not retreated so far as to decriminalise physical violence. Assault and rape are crimes, so why are they not being prosecuted?

Part of the answer lies with the police culture of today. HRW refers to the 'near-total impunity for violence' of the police.⁹⁷ Other state agencies collude in this, as evidenced by the four-year delay in the production of the Ombudsman Commission report on the Three-Mile Guesthouse Raid and the glib way in which investigators and state lawyers were fobbed off when trying to call the police to account.⁹⁸

I conclude that something else is operating to render these acts of violence invisible in certain circumstances. To identify and understand it, I turn in the next chapter to an analysis of the views expressed by PNG's citizens since the time of Independence on the vexed topics of 'prostitution' and 'homosexuality,' and then canvas a theory which offers an explanation of much that is taking place on the streets, in the courtrooms and most importantly, in the minds and hearts of the people of PNG.

97 Human Rights Watch, *'Still Making Their Own Rules,'* 2.

98 I do not mean to imply that the Ombudsman Commission investigators were wanting in this regard. I am well aware that the Commission is under-resourced and overstretched. The delay can probably be attributed more to a general view that the vicissitudes of a group of sex sellers ranked well below current political dramas in terms of priority.

This text taken from *Name, Shame and Blame: Criminalising consensual sex in Papua New Guinea*, by Christine Stewart, published 2014 by ANU Press, The Australian National University, Canberra, Australia.