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WORLDS IN COLLISION: THE GAY DEBATE IN
NEW ZEALAND 1960-86

Laurence David Guy

A thesis submitted in fulfilment of the requirements for the degree of Doctor of
Philosophy in History, The University of Auckland, 2000
ABSTRACT

This thesis examines the public debate on homosexuality in New Zealand in the period 1960-86. Its focus is primarily on male homosexuality because the central issue was the continued criminalization of male same-sex sexual acts. The thesis notes irresolvable problems of definition of homosexuality involving discussions of behaviour, orientation and identity. Nevertheless, the debate proceeded on a binary basis, that homosexuals and heterosexuals were two clearly defined groups of people. The thesis begins by noting the repression and invisibility of homosexuals in the 1960s. It then explores the origins and significance of the New Zealand Homosexual Law Reform Society and the gay liberation movement. Because of the significance of religion in regard to the debate, a chapter is devoted to major change and cleavage that occurred within the churches relating to homosexuality in the period reviewed. Finally the intense fifteen months of debate that occurred prior to decriminalization of male homosexual activity in July 1986 is studied at depth. The thesis highlights the intensity of feeling that the debate engendered. This was the result of the clash of fundamentally different worldviews and value systems. Behind the particular issue lay the question of the moral and social status of homosexuals and homosexual acts. So fundamental was this division that from both sides the very future of society seemed to be at stake. Worlds were in collision.
ACKNOWLEDGEMENTS

My grateful thanks go first to the very professional and willing help of archivists and librarians without whose assistance this thesis would not be possible. These include Vern Keller (New Zealand AIDS Foundation Library), Marcia Baker (Methodist Church of New Zealand national archives), Yvonne Wilkie (Presbyterian Church of Aotearoa New Zealand national archives), Douglas Dean (New Zealand Baptist Historical Society national archives), Lesley Utting (Carey Baptist College Library), Helen Greenwood (Kinder Library, College of St John the Evangelist), Cyril Bradwell (Salvation Army national archives) and the interloans staff of the University of Auckland Library. My particular thanks go to Phil Parkinson, curator of the Lesbian and Gay Archives of New Zealand, for the huge amount of help he gave me during my many weeks of research at LAGANZ. His knowledge and helpfulness, not only in relation to the LAGANZ archival records, but also in relation to many of the events of my thesis study, leave me with deep gratitude for his support.

I am grateful to the many participants in the debate listed in the bibliography who agreed to be interviewed by me, and to others who corresponded with or made verbal comments to me. The level of co-operation from all quarters was remarkable, given the intense polarization that occurred within the debate, especially as that debate has since assumed new forms with a polarization that persists to the present.

My thanks also go to my two supervisors Linda Bryder and Judith Bassett who have been encouraging mentors in the thesis process. They have given me unfailing support and guidance along the way.
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For the privilege of undertaking this research, and for the personal enrichment it has given to my life, I want finally to say, Deo gratias.
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# LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>AJHR</td>
<td>Appendices to the Journals of the House of Representatives</td>
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<td>APA</td>
<td>American Psychiatric Association</td>
</tr>
<tr>
<td>CCC</td>
<td>Coalition of Concerned Citizens</td>
</tr>
<tr>
<td>CHE</td>
<td>Campaign for Homosexual Equality</td>
</tr>
<tr>
<td>GTF</td>
<td>Gay Task Force</td>
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<tr>
<td>HLRB</td>
<td>Homosexual Law Reform Bill, 1985-6</td>
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<tr>
<td>HUG</td>
<td>Heterosexuals Unafraid of Gays</td>
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<tr>
<td>IGA</td>
<td>International Gay Association (later known as the International Lesbian and Gay Association)</td>
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<tr>
<td>ISIS</td>
<td>Institute for the Scientific Study of Sexuality</td>
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<tr>
<td>LAGANZ</td>
<td>Lesbian and Gay Archives of New Zealand</td>
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<tr>
<td>MP</td>
<td>Member of Parliament</td>
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<tr>
<td>NCC</td>
<td>National Council of Churches</td>
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<td>NGRC</td>
<td>National Gay Rights Coalition</td>
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<tr>
<td>NZAF</td>
<td>New Zealand AIDS Foundation</td>
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<tr>
<td>NZHLRS</td>
<td>New Zealand Homosexual Law Reform Society</td>
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<tr>
<td>NZJH</td>
<td>New Zealand Journal of History</td>
</tr>
<tr>
<td>NZLJ</td>
<td>New Zealand Law Journal</td>
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<tr>
<td>NZMedJ</td>
<td>New Zealand Medical Journal</td>
</tr>
<tr>
<td>NZPD</td>
<td>New Zealand Parliamentary Debates</td>
</tr>
<tr>
<td>NZPL</td>
<td>New Zealand Parliamentary Library</td>
</tr>
<tr>
<td>NZUSA</td>
<td>New Zealand University Students' Association</td>
</tr>
<tr>
<td>SPCS</td>
<td>Society for Promotion of Community Standards</td>
</tr>
<tr>
<td>STD</td>
<td>Sexually Transmitted Disease(s)</td>
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INTRODUCTION

All the world is queer save thee and me, and even thou art a little queer.¹

My thesis will focus on the public debate on homosexuality in New Zealand 1960-86. A huge shift took place in public attitudes towards homosexuality in this period. By the end of that time the tides of public opinion were running strongly against the conservative position, beginning to push it to the margins of social and intellectual acceptability. Yet this same position was what most people believed 25 years earlier.² Such a major shift provokes the question, ‘Why the change?’ Probing the public debate over male homosexuality provides a way of exploring this remarkable shift of perspective.

This chapter will begin by considering the problematic nature of the term ‘homosexual’. Is it a term that has a clearly defined referent? After discussing this point I will justify my decision to limit the discussion to male homosexuality only. This thesis will then argue that the New Zealand debate must be understood in the context of international debate on that topic. At the same time, the broader New Zealand context, and movement for change in relation to other New Zealand issues, will be emphasized. After a brief preview of the various chapters of the thesis, I will finally in this chapter draw attention to the primary issue that underlay so much of the debate - the social and moral acceptability of homosexuality and homosexual behaviour.

There is a paucity of literature on the history of homosexuality in New Zealand.\(^3\) Internationally the last quarter century has produced a flood of writing on homosexuality, but almost none of this is New Zealand material. There are some semi-popular articles on the New Zealand experience.\(^4\) A few theses, articles, and research essays also cover aspects of the New Zealand situation.\(^5\) The writing that does exist has tended to focus on gay liberation as a social movement. Apart from a few articles, there has been no major historiography on the specific focus of my thesis - the public debate that occurred in the period 1960 – 1985.\(^6\) My research has therefore drawn heavily on primary research material, aired for the first time in major academic discussion. A distinctive feature of the thesis is an attempt to hear all the voices in the debate and to understand the context and perspective from which they emerge. My thesis will not be the last word on the topic, though it may claim a path-finding role as the first.

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Problems of definition:

Public debate on homosexuality has commonly assumed that there is a fixed group of people, with clearly demarcated identity-boundaries, called 'homosexuals' or 'gay men'. Criminal sanctions against male homosexual behaviour in New Zealand until 1986 intensified such an assumption. The law 'fixed' identities by claiming to speak about them. This sense of fixity, of binary homo/hetero opposition, has, in fact, been a crucial aspect of much of the homosexual pro-reform argument, that homosexuals are a precisely defined group of people, just as left-handed people can be precisely defined. Such a perspective justifies the demand for acceptance and for rights. Underlying pro-reform argument on homosexuality 1960-86 lay an essentialist assumption of the binarism of sex, that people were either homosexual or heterosexual. Closer analysis indicates, however, that defining homosexuality in binary fashion is problematical. The comparative image of left-handedness, though much less problematical, points to the difficulty - how does one classify ambidextrous people? Similarly, how does one classify bisexual people?

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8 In arguing for human rights, reformers used the parallel of left-handedness as perhaps the most common image to argue for the injustice of criminalizing male homosexual behaviour and of discriminating in regard to homosexual orientation.
One solution is to move from two categories to three - people are heterosexual, homosexual, or bisexual. The question must, however, be asked: is bisexuality always a clear and fixed category, or is it sometimes a convenient ‘rag-bag’ description, an attempt to resolve the categorisation problem by providing a simple descriptor for a complex grouping of people? Recognizing the problem raised by bisexual behaviour means that one may argue that bisexuality is not so much an identity as a vantage point from which one can examine and deconstruct the bipolar framework of gender and sexuality. Bisexuality points not so much to a third category as to the malleability of sexual desire. In 1985 Max Abbott, then director of the Mental Health Foundation of New Zealand, was one of the few voices stressing the flexibility of sexuality: ‘Many people, including scientists, assume that there are two main kinds of people in the world: homosexuals and heterosexuals. It makes life easier and less confusing to think in terms of simple categories, in terms of opposites – black and white, good and evil, us and them. But reality is far more complex.’

Given the striking influence of American researcher Alfred Kinsey on many aspects of the subsequent debate, it seems surprising that his categorization warning of 1948 was so seldom heeded: ‘[I]t [is] apparent that the heterosexuality or homosexuality of many individuals is not an all-or-nothing proposition. . . . Males do not represent two different populations, heterosexual and homosexual. The world is not to be divided

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12 This seems to be an assumption of the NZ Family Planning Association booklet, S. Liggins et al., Affirming Diversity: An Educational Resource on Gay, Lesbian, and Bisexual Orientations, Auckland, 1994. One aspect of the booklet is an emphasis that there are three fixed orientations (four if one distinguishes between male and female homosexuality), and students need to clarify which orientation they are.


into sheep and goats. . . . The living world is a continuum in each and every one of its aspects. The sooner we learn this concerning human sexual behaviour the sooner we shall reach a sound understanding of the realities of sex. Kinsey’s own solution was to have seven categories in relation to sexuality - the famous ‘Kinsey scale’ - with each individual categorized against the numbers 0 - 7, depending on the relative proportions of their heterosexual or homosexual behaviour.

Those arguing for a sharply defined classification may seize on the fact that Kinsey was studying behaviour, and not orientation or identity. Sexual behaviour is certainly complex: adolescent experimentation, lack of preferred sex (as in prisons and the army), and social conditioning delaying the recognition of one’s state, all contribute to a fluidity and variability in the sexual behaviour of many individuals. But, the argument goes, what is being classified in the modern debate on homosexuality is not behaviour but orientation (which may then result in a sense of self-identity, and possible identification with a distinct community). It is orientation that is fixed, certain and unvarying.

What then is orientation? This has typically been classified as sexual attraction to and/or sexual preference for members of the opposite sex, the same sex, or both

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sexes. How then is that assessed? Simon Le Vay has indicated four possible ways of doing so. The first is physiological response to potentially erotic stimuli. For males this means penile wiring to a meter, something which may be possible for one individual, but hardly applicable for assessing society as a whole, and also not necessarily predictive of a person’s affections. The second method of determining orientation is to assess fantasies. However, a Masters and Johnson study indicated that same-sex imagery is one of the most frequent fantasies of heterosexuals, and cross-sex imagery is even more frequently reported by the homosexual group. The third approach is to base orientation on people’s actual sexual behaviour. However, this then destroys the originally-made distinction between behaviour and orientation. The final approach is that of self-labelling. Since this may vary at different times of a person’s life, this also erodes the concept of a fixed orientation.

One way of dealing with the difficulty of fixed orientation is to distinguish between conscious orientation and subconscious orientation that is subsequently recognized. Bill Logan’s story in 1988 illustrates this. Despite having been married for a number of years, Logan argued that he was ‘irreversibly homosexual’ long before he started high school even though it was an ‘unconscious homosexuality’. What evidence did he have for this? Logan referred to going around the playground at ages seven or eight with his arms around other boys’ shoulders. In his words, ‘There is no doubt there was

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17 Many references support this. Two examples are C. Parkin, The Queer Law, Wellington, 1968, p. 2; M.R. Saia, Counselling the Homosexual, Minneapolis, 1988, p. 35.
something sexual in it, although entirely unconscious and non-genital.' Though homosociability may be a better pointer to homosexual orientation than liking the colour green and being unable to whistle,\(^{21}\) nevertheless Logan’s criterion for self-assessment, if applied to the conduct of schoolboys generally, might leave very few without a basic homosexual orientation.

The notion of subconscious orientation also appeared in the submissions of the New Zealand Homosexual Law Reform Society (NZHLRS) to the Statutes Revision Committee dealing with the Homosexual Law Reform Bill (HLRB) in 1985. Though the society included a number of eminent academics, and was therefore normally very careful in its statements, this quality was not altogether present in the 1985 submission. Despite asserting, ‘All the evidence suggests . . . that basic orientation in any direction is inherently robust and can almost never be changed’, the only evidence referred to was an extract from the autobiography of a gay Anglican theologian, H.R Williams. The reproduced extract included the following statement:

‘It wasn’t surprising really [that I had no genital response to women]. When I was six or seven and we were still living in France, I had my only two pre-adolescent erotic dreams, at least the only two I can remember. I felt a warm, glowing and delightful love in the first dream for a sergent-de-ville who used to be on point duty not far from our house, and in the second for a conductor on a tram we used sometimes to take. Thus in my case homosexual feeling proceeded puberty by a number of years.’\(^{22}\)

On such a basis all childhood same-sex hero worship would be a certain pointer to a fixed homosexual orientation.

\(^{21}\) See G. Ngaei, ‘Homosexuality (And It’s [sic] Social Implications’), 5\(^{th}\) year preventive medicine dissertation, University of Otago, 1967, p.20 regarding comments concerning case 3, a fifth year university student, of his sense of orientation at age 13: ‘Not long after this he read somewhere that “Homosexuals prefer green and they can’t whistle” – This applied to him and convinced him beyond any doubt that he was a homosexual.’
What this discussion shows is that a precise classification of people according to fixed sexual orientation is extremely problematical. Whichever way the matter is tackled, major difficulties emerge. Careful reflection may well suggest that 'a clear and unambiguous method of classifying people as homosexual or heterosexual does not exist'. Miriam Saphira perhaps thought she had found a way through the thickets of definition - by fudging the issue: 'Homosexual orientation is defined as having sex, and/or a sexual attraction to, and/or an emotional preference for people of the same sex, and/or identification as a homosexual.' Because different answers may well be given to the different aspects of her definition, and because the outcome of this means that a person may well be homosexual according to some criteria and heterosexual according to other criteria, her definition of homosexuality is arguably worthless.

Our discussion indicates that the very concept of a sharply defined body of people who can be identified by orientation is problem-laden. This is something that has very much come to the surface in relation to AIDS prevention. Because AIDS in New Zealand has primarily, though not exclusively, affected gay men, preventative targeting has significantly focused on the gay community. The problem is that a significant number of men engaging in at-risk homosexual practices do not identify with the gay community and/or do not self-identify as gay. Such men, according to their own self-assessment, simply happen to have sex with men. As a consequence, much AIDS

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23 Heather Looy, quoted in M.S. Van Leeuwen, 'To Ask a Better Question', p.146.
educational material has to be targeted in that way - at men who have sex with men - at a behavioural level, rather than at an orientation or group identification level.25

Study of the lifestyle of homosexual men indicates a tremendous diversity of pattern. Why should we assume that people who have one aspect of their lives in common, in this case a certain sexual preference, are therefore to be categorized as if most of their life had a common pattern to it, that there is in fact a homosexual lifestyle?26 Researchers responding to this issue have been inclined to refer to ‘homosexualities’ rather than to ‘homosexuality’.27

The diversity of homosexual behaviour and identity has been recognized also in social construction theory. The argument is that it is the social context which determines so much of the meaning of a term such as ‘homosexual’, that homosexuality, as the West now knows it, is a product of history, and has come into existence in a specific era.28

Rather than there being a single, basic, uniform pattern ordained by nature itself, what

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25 See, for example, the late-1990s New Zealand AIDS Foundation (NZAF) pamphlet series: *Project Male Call*. The series is further described as ‘a study of New Zealand men who have sex with men’: NZAF library.


28 See J. D’Emilio, *Making Trouble: Essays on Gay History, Politics, and the University*, New York, 1992, p.5 where he rejected ‘the myth of the eternal homosexual’, and p.101 where he denied that those practising homosexual behaviour in ancient Greece and Rome were the ancestors of the modern homosexual. See also Gagnon’s statement that ‘scientific concern must be tempered by an awareness that the numbers we observe are an outcome of the peculiar conditions of sexual learning and development in
we know as 'homosexuality' is a product of many influences and social interventions.29 This means that twentieth-century Western homosexuality should not be equated with that in ancient Greece,30 or that expressed among the Sambia of Papua New Guinea,31 or even that of modern Thailand.32 Recognizing this fact then raises the issue as to whether there is even a uniform homosexuality that can be spoken of throughout the West, or even within one particular country. Does homosexuality mean the same thing for different ethnic communities, different genders, different generations within New Zealand?

The problematic nature of identifying gay men has also been highlighted by the late-twentieth-century emergence of queer theory. Essentially queer theory, wrestling with issues such as I have already discussed, is a critique of the very concept of sexual identity. It is a challenge to a rigid heterosexuality/homosexuality paradigm, a loosening of identity categories.33 One reason for this challenge to binarism is that one

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32 M. Diamond, 'Homosexuality and Bisexuality in Different Populations', Archives of Sexual Behavior, XXII, 4, 1993, pp.291-310 at pp.300-1. For comment on homosexuality as a term which is meaningful only in affluent countries of the First World, see D. Altman, The Homosexualization of America: The Americanization of the Homosexual, New York, 1982, pp.50-1.
side of the dichotomy is thereby likely to be privileged. Much current lesbian and gay theorizing attacks this privilege by destabilizing these categories, to show that the borders are fluid, not fixed.\textsuperscript{34}

Queer theory rejects bipolar models of gender that lead to homosexuality being defined in terms oppositional to heterosexuality.\textsuperscript{35} It shatters old assumptions that identity is stable, coherent and amenable to neat classification by homogeneous grouping.\textsuperscript{36} It makes the boundaries between identity categories problematic.\textsuperscript{37} In the words of Annamarie Jagose, ‘Queer is always an identity under construction, a site of becoming’.\textsuperscript{38} Identity, then, is fluid and provisional, subject to change and renegotiation.\textsuperscript{39} David Halperin articulated similar perspectives: “The homosexual” [in discourse] ... is ... an incoherent construction that functions to stabilize and to consolidate the cultural meaning of heterosexuality by encapsulating everything that is “other” than or “different” from it. “The homosexual” is defined by negation and opposition as everything the heterosexual is not. In short, “the homosexual” is an identity without an essence.\textsuperscript{40}

It is not to be thought that queer theory creates the problem of sexual identity. Rather it examines the realities of sexuality, and the unexamined contradictions of much of the understanding of that sexuality, and brings this into the academic spotlight. Concepts

\textsuperscript{37} W. Morgan, ‘Queer Law’, p.31.
\textsuperscript{38} Jagose, Queer Theory, p. 131.
\textsuperscript{39} W. Morgan, ‘Queer Law’, p.33.
of sexuality in 1985 were already problematic. They have now become more patently problematic.

Significantly, despite the increasing academic recognition that cut-and-dried categorization of people as homosexual is extremely problematical, almost the entire debate over homosexuality in the period examined by this thesis proceeded on the basis that homosexuality was a clearly defined state or identity. The voice of Dr Gerard Wall, MP, in 1975 was a notable exception:

In the course of the evidence brought before the committee I was greatly disturbed by the constant assumption by people who should, professionally and educationally, have known better, that all homosexuals were of one type – that they were a homogeneous group whose problems, whose tendencies, and whose difficulties were identical. Now nothing could be further from the truth, and a moment's reflection, without any knowledge of this problem but with just a knowledge of human beings, must cause members to realise how absurd that proposition is. Yet that was the basis of a great deal of the scientific evidence put before the committee.41

Wall's voice was very much a lone one, swamped by the unceasing waves of binarist speech. During the period studied by this thesis, a binary approach to sexuality was very important to those arguing for reform. The concept of homosexuality as a fixed and clearly defined state was a powerful one, very crucial to political argument, and therefore very persistent. Plummer, for example, in highlighting the way the label 'homosexual' was misleading and distorting, noted also that homosexual 'liberation' was unlikely to have been achieved without that label and identity.42

We should note that the concept of a fixed homosexual nature is a relatively recent one. Prior to the late-nineteenth century, homosexuality had been regarded as simply an

41 Dr Wall, NZPD, 1975, 399, p.2786.
aberrant behaviour. Only in 1869 did the Austrian writer, Karl Maria Kertbeny coin the term *homosexualitität* to describe a more or less permanent state as opposed to a specific behaviour.\(^4^3\) This term passed into the English language as ‘homosexuality’ twenty years later through the writings of Havelock Ellis.\(^4^4\) However, late-nineteenth century sexologists quickly drew a distinction between two types of homosexual: those who were inherently, perhaps congenitally, homosexual - the ‘inverts’; and those who were basically heterosexual but behaved in homosexual ways from lust - the ‘perverts’.\(^4^5\)

Such terminology largely disappeared in the later part of the twentieth century, along with the medical model of the previous hundred years. Even the term ‘homosexual’ went out of fashion, at least as a self-description, being largely replaced by the terms ‘gay’ (in relation to men) and ‘lesbian’ (in relation to women). However, the underlying concept of a fixed group of people, previously thought of as inverts, the genuine homosexuals, remained, though now understood in terms of the more modern classification of ‘orientation’.

Despite the problematic nature of fixed sexual orientation, most of the modern debate took place on the basis that sexual orientation was fixed. Certainly the matter was disputed by some voices, especially some opposing reform, but the dominant public voice assumed fixity of orientation, and debate largely took place on that assumption.\(^4^6\)

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\(^{43}\) M. Herzer, ‘Kertbeny and the Nameless Love’, *Journal of Homosexuality*, XII, 1, 1985, pp.1-26 at pp.1ff.

\(^{44}\) Weeks, *Against Nature*, p. 16.


\(^{46}\) For example, even the main anti-reform publication of 1985, rather than contesting the concept of orientation, to some extent accepted it in making the statement that ‘there is in fact no law against
This was a crucial matter, because the side that is successful in defining the issue at stake is halfway to winning the argument. To have the major strand of public opinion largely accepting the concept of a firmly fixed orientation was a significant building block in the campaign towards homosexual law reform.

Despite the concept of fixed sexual orientation being very much subject to challenge, especially since the advent of queer theory, nevertheless, the historical debate, from the 1960s onward, proceeded largely on the basis that it concerned a fixed and clearly definable group, that 'we know what we are talking about when we are referring to “homosexual” or “gay” men'. Because this thesis is dealing with public debate, it uses terms such as 'homosexual' as if they had a clear referrent, because that was the assumption of most public discourse.

**The reasons for focusing on male homosexuality only in this research:**

The focus of this thesis is the gay debate in New Zealand. While the term ‘gay’ came to refer to (male) homosexuals in widespread fashion only during the 1970s, I will use it freely to refer to male homosexuals throughout the period under examination. Although the term ‘gay’ may relate to both genders, commonly its use is restricted to males - gay males over against lesbians. The term ‘gay’ is used in this way in this thesis. This then indicates that the thesis examines the debate with regard to male homosexuality only. The thesis will include reference to lesbians because their situation at points impinged on the gay debate, for example, in relation to medical and

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homosexuality, i.e. the orientation'. C.J. Bacon (ed.), *The Social Effects of Homosexuality in New Zealand*, Christchurch, 1985, p. 23.
psychological theories regarding homosexual orientation and also in relation to their role within gay liberation. However, the focus will basically be on the debate regarding male homosexuality.

There are several reasons for limiting the thesis to debate over male homosexuality only. The first is the perennial one asserted by doctoral candidates: reasons of space and word limitation. That alone, however, is not sufficient to justify omission of a significant part of the homosexual population. Such an excuse simply perpetuates the invisible-woman dimension of earlier historiography. This omission is not acceptable in the modern Western world. It is primarily for deeper reasons that my research does not address the issues of female, as well as male, homosexuality.

A stronger reason for the restriction of the focus to male homosexuality is to recognize fundamental difference between the homosexual acts of men and of women. Lesbian behaviour is not the mirror-image of male homosexual behaviour. This has significant implications in relation to medical aspects of homosexual behaviour, particularly relating to the high incidence of some sexually transmitted diseases among male homosexuals, especially in regard to AIDS which became a crucial dimension of the homosexual law reform debate from the mid-1980s onwards. This was accentuated in the New Zealand debates by the insistence of anti-reform forces on focusing the argument on anal intercourse.

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47 Exemplified in the name ‘Lesbian and Gay Archives’ in Wellington.
49 Norman Jones, M.P., repeatedly referred to Fran Wilde’s bill as ‘the sodomy bill’. Graeme Lee, M.P., at the time of the public presentation of the Hay-Tait petition to parliament, stated ‘New Zealand
There was a widespread perception in Western society that male homosexual behaviour was somehow more abhorrent than female homosexual behaviour. This perceptual difference stands out in a 1986 speech of Lord Halsbury to the House of Lords: 'Lesbians are not a problem. They do not molest little girls. They do not indulge in disgusting and unnatural acts like buggery. They are not wildly promiscuous and they do not spread venereal disease.'

Conservative focusing of the debate on anal intercourse was aided by the fact that adult consenting female homosexual relationships have never been subject to criminal sanctions in New Zealand. Thus the principal focus of public debate up into the mid-1980s was on the decriminalization of behaviour which, in a direct sense, penalized men only. The debate was essentially a debate over male behaviour. Only with the non-discrimination debate was there significant focus on lesbian orientation and/or behaviour as well.

In addition to the distinction between male and female acts, it is often asserted that where male homosexual relations commonly focus strongly (and perhaps predominantly) on the directly sexual, female homosexual relations commonly have a broader focus on the total relationship, with the sexual dimension not necessarily being so central. What this means is that not only may the experience of the sexual acts be

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people are opposed to the normalisation of sodomy' (as reported in the Dominion, 25 September 1985, p. 1). In a submission accompanying the presentation of that petition, Keith Hay and Sir Peter Tait stated, 'We refuse to accept sodomy, a cause of disease, as part of our natural family and way of life'. Patricia Bartlett's written submission on behalf of the Society for the Promotion of Community Standards in regard to the reform bill, claimed (wrongly) that 'it is not homosexual tendencies but anal intercourse which is the criminal act'.

50 Quoted in W. Morgan, 'Queer Law', p.18.
radically different, but the broader experience of homosexual identity may also be radically different between homosexuals of different genders. Jeffery Weeks observed: ‘Male homosexuality and lesbianism have different social implications. For men, male homosexuality is seen as a rejection of maleness, with all its socially approved connotations. For women, it can be an assertion of femaleness, of separateness from men, and of identity.’51 While this comment may be an over-generalization, and while it may be truer for the 1970s than for the present, nevertheless such aspects of homosexuality have significantly influenced public discourse so that it has commonly been conducted quite differently with regard to homosexual men, in contrast with that with regard to homosexual women. On this basis, to discuss both sexes in this thesis would be to take the discussion in significantly divergent directions.

Furthermore, not only may the experience of homosexual men and homosexual women be significantly different, but also the politics of the gay and lesbian movements has been markedly different. Lesbian women have had a double battle, not only against heterosexism, but also against male patriarchy. Often this was not appreciated by pro-reform men. As American gay historian, John D’Emilio, commented in 1973, ‘Rarely do gay men understand that the lesbian’s oppression stems as much from her womanhood as from her gayness; rarely do they couple their expectations for lesbian cooperation in the gay movement with a commitment to women-related issues, rarely do gay men appreciate the interconnectedness of the feminist struggle against traditional sex roles and rigid gender identification and the gay male’s fight for

acceptance. This has meant that gay men and lesbian women have not always presented a united front in relation to reform. For such women the ‘enemy’ has often been men in general, and that ‘enemy’ could even include gay men. It is significant that when *New Zealand Gay News* became *Out!* in 1976, there was a policy change that the renamed magazine would no longer attempt to cover equally both gay male and lesbian issues, but would focus on male issues only; to attempt to cover both would involve a conflict of interest.

For a number of reasons such as these, it seems inappropriate to deal with public debate on homosexuality as if it were equally, or in the same way, covering homosexual men and homosexual women. Furthermore, it would certainly be totally inappropriate to discuss issues of homosexuality with regard to men only, but with the implicit assumption that the discussion applied equally to lesbians. This thesis focuses on male homosexuality while recognizing that an analysis of the historical debate on lesbianism needs to be told elsewhere.

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53 An example of gay/lesbian tensions is the annual general meeting of the National Gay Rights Coalition (NGRC), 1980. There, a proposal to grant lesbian groups a right of veto over all NGRC decisions was rejected. This led to a walkout by some lesbians and the subsequent resignation of some lesbian groups from NGRC (1980 NGRC Annual Report, LAGANZ: MS Papers 79, Box 5, NGRC 10/2). An even more extreme example of lesbian feeling against males is shown in a split of Wellington lesbians, leading to the subsequent formation of the Lesbian Project in 1978. The split was over the issue of male children being present at lesbian-only events. Lesbians of the new group included members with male children (Wellington Lesbian Network Newsletter, Jan. 1980, as reported in J. Glamuzina, *Out Front: Lesbian Political Activity in Aotearoa 1962 to 1983*, Hamilton, 1993, pp. 52-53). See also the statement of SHE (Sisters for Homophile Equality) that ‘in certain areas of our lives we are as oppressed by gay men as we are by straight men.’ Reproduced in Glamuzina, *Out Front*, p. 48.

54 ‘Twenty Years’, *Out!* 129, October/November 1996, pp.24-33 at p.24

The significance of overseas influence on the New Zealand situation:

While the focus of this thesis is on the New Zealand debate, it would be naïve to examine this debate in isolation from its international context. New Zealand’s relative geographical isolation kept the country less influenced by international social and moral developments than most other Western nations from the colonial period until the 1960s (though there was still significant influence from such developments). However, the degree of New Zealand’s isolation lessened significantly from about 1960 with the advent of large jet aircraft, leading to an immense increase in overseas travel and to the resultant exposure of a much larger proportion of society to direct influence from other countries. More potent still was the introduction of television to New Zealand in 1960. International entertainment, different lifestyles and alternative attitudes were all brought into household living rooms. By 1969 there were 628,017 television licence holders.\textsuperscript{56} Increasingly New Zealand was becoming a part of Marshall McLuhan’s ‘global village’. It became much more exposed to international trends. One consequence was a shift towards liberalizing laws and attitudes in relation to homosexuality.

Not all Western countries had legislation in place against male homosexual behaviour at the start of the twentieth century. Most, nevertheless, did so. Increasingly, however, the trend was towards decriminalization, especially after World War Two, and even more so in the 1960s and 1970s. By 1985 New Zealand was an isolated hold-out in the Western world, lumped in with countries like the Soviet Union, Romania, Chile, South

Africa, and Ireland in still criminalizing adult, consenting, male homosexual acts.\textsuperscript{57} While this thesis focuses on the distinctive New Zealand situation and debate, all this took place against a backdrop of liberal change internationally.

Much of New Zealand’s debate is reflective of international change, as can be seen, for example, in the tremendous influence in New Zealand of Britain’s Wolfenden Report. Constant appeal was made to this report by those seeking reform, especially in the early years of the debate when articulating the case for reform was a risky thing to do.\textsuperscript{58} The Wolfenden Report, emanating from eminent leaders of British society who expressed themselves reasonably and persuasively, gave respectability to what was potentially a disreputable position. The significance of that report can be seen in the way NZHLRS was known for a few months as the Wolfenden Association until it adopted its permanent name. International influence generally, and this report specifically, clearly had enormous influence on the New Zealand debate.

Much of the raw material of the debate was sourced in international data. There was a tremendous amount of appeal to Kinsey’s statistics on sexual behaviour in the parliamentary debates, 1985-6. Likewise, there was strong appeal to more recent Kinsey Institute material\textsuperscript{59} in pro-reform submissions to parliament in 1985.\textsuperscript{60} Most of

\textsuperscript{57} Report of the Department of Justice on Part I of the HLRB, 1985: LAGANZ Pam 729.75.
\textsuperscript{58} It is significant that when parliament debated the ‘no recommendation’ decision of the Petitions Committee in relation to the 1968 petition of NZHLRS, and only two M.Ps were prepared to show any sympathy for the petition, that sympathy fell far short of endorsing the call for decriminalization. Yet once he had ceased to be an M.P., Dr Martyn Finlay, one of those two speakers, indicated support for reform in the 1980s to the extent that he became a vice-president of NZHLRS. For the original debate see NZPD, 1968, 358, pp. 2980-4.
\textsuperscript{60} Examples include the submissions of the Gay Task Force, 25 signatures from the Victoria University of Wellington Faculty of Law and Institute of Criminology, the New Zealand Association of Social Workers, the New Zealand Sociological Association, the New Zealand Psychological Society, and ten
the discussion of the behaviour of male homosexuals, and of the incidence of homosexuality in society, was American material. Only belatedly, in 1985, did gay activist Phil Parkinson, facing the exigencies of the reform debate, provide some data on the behaviour of New Zealand homosexual males. The interviewees were not selected randomly, but rather recruited through gay networks, and the total number in the survey was only 179. Despite these limitations, the survey was the best New Zealand material available to the pro-reformers. Scarcity of New Zealand data meant that almost all the data needed for the debate was drawn from overseas.

This feature applied just as much to the anti-reform forces. This is very evident in relation to the 1985 submission to parliament of the Coalition of Concerned Citizens (CCC). The pro-reform movement closely compared statements made in that submission with statements made in the homophobic writings of the American psychologist, Paul Cameron. Setting samples of the two documents side by side indicates that the CCC submission drew heavily from Cameron's writings, even to the point of using Cameron's language in referring to 'fisting' practices which include insertion into the rectum of 'bottles, carrots, or even gerbils'. Materials such as this

signatures from the staff of the University of Auckland Philosophy Department: LAGANZ: MS Papers 098.

61 P. Parkinson, 'Homosexuality Debate', NZMedJ, XCVIII, 1985, p.867. Parkinson, in 1985, was the administrator of the Lesbian and Gay Rights Resource Centre, and a prodigious researcher, writer and propagandist for the reform cause. Comment about being a, or the, chief propagandist for the reform movement is a self-description made by Parkinson in a conversation with the author, 20 October 1997, and earlier affirmed by Fran Wilde in an oral interview by Laurie Guy, 18 October 1997.

62 LAGANZ: MS Papers 098.

63 I am reluctant to use the word 'homophobic' because it is often misapplied pejoratively, and for propagandistic reasons, against anyone not fully supportive of homosexuality. Strictly, use of the word should be limited to situations where there is marked irrational fear or hatred of homosexuals. Despite my extreme caution in use of such a term, I have applied it to Cameron because of the extreme nature of significant parts of the style and substance of his argumentation.

64 Italicization has been done by me to highlight reference to a rodent that is not present in New Zealand. Comparison of the CCC document and extracts of Cameron's writings was done by a member of the pro-reform position in 1985. See New Zealand AIDS Foundation (NZAF) library, 'Paul Cameron' file.
show that both sides to the debate fought with weapons manufactured in, and imported from, overseas. Accordingly, the international dimensions of the New Zealand debate must always be kept under consideration.

At the same time, however, aspects of the international dimension of the debate need to be treated with caution. Uniformity with other countries cannot be assumed in relation to all aspects of homosexual behaviour, experience and community. There was huge difference between America and New Zealand, for example, over the impact of AIDS in the 1980s. Because the disease had gone undetected for so long in America, it had much more widely infected the gay community there. Assuming that New Zealand’s situation was the same as America’s led to the Health Department producing figures which, if extended in projection, would have meant the wiping out of the entire population of New Zealand in a decade. What this means is that while international dimensions must be considered if one is to obtain a comprehensive grasp of the New Zealand gay debate, this consideration needs to be done carefully, reflecting in each case as to whether the overseas situation applied to New Zealand.

The relationship of homosexual law reform to other reform issues:

The gay debate cannot be studied satisfactorily as a one-off reform movement. Other major, often related, reform issues were simultaneously stirring the country. Effectively, major public debate over homosexual law reform began with the petition of NZHLRS to parliament in 1968. That time was a hinge period in New Zealand

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65 See more on this point in chapter 6 of this thesis.
history.\textsuperscript{66} All sorts of movements emerged in a relatively few years, and all sorts of debates fired with intensity around that period: military involvement in Vietnam, abortion, Maori issues, second-wave feminism, film censorship. Michael King expressed the watershed nature of the change with the words, ‘If the 1940s and 1950s could be regarded as hinged moulds of conformity for most New Zealanders, then the 1960s were to see these moulds smashed . . . . The decade ended in a maelstrom of diversity on a scale the country had never seen before . . . . It was as if New Zealand, after two decades of somnolence, was suddenly advancing on dozens of fronts simultaneously.’\textsuperscript{67} Homosexual law reform issues need to be considered in the context of that broader ferment.

This was the time when gay liberation movements started. Choice of the term ‘liberation’ suggests that supporters of gay liberation saw significant parallels to, and had strong empathy with, a number of other ‘liberation’ movements that had sprouted about the same time.\textsuperscript{68} Numerous commentators have drawn attention to the significant identification with ‘New Left’ thinking which underlay many of these radical

\textsuperscript{66} 1968 was the year of race riots in the United States and student ferment around the world. I retain memories of being a full-time student at the University of Auckland 1965-7 and 1970, and being initially stunned on returning in 1970 by the radical shift in the outlook of university students. I therefore found the comment of Bill Logan, ‘I am a child of 1968’ in my interview with him most illuminating (transcript of interview of Bill Logan by Laurie Guy, 19 October 1997, p.1). Logan became a Trotskyite Marxist at that time, a position he still adhered to at the time of my interview with him. In the early 1980s he ran the radical Spartacist Bookshop which served as a focal point for the Wellington gay community. He had a key role in the pro-reform movement in 1985-6 as one of three co-ordinators of the Wellington Gay Task Force.

\textsuperscript{67} M. King, \textit{After the War: New Zealand Since 1945}, Auckland, 1988, p. 91.

\textsuperscript{68} As one of numerous assertions of solidarity with other movements, one can note Suzanne Pharr’s article, ‘Fighting Homophobia’, \textit{Broadsheet}, CXXXII, September 1985, pp. 34-36 at p. 35. In the article she drew attention to similarities between homophobia and other forms of oppression: ‘The Norm, those with power in Western cultures, are usually male, rich, white, owners, or managers, Christian, heterosexual, able-bodied, and adult. Those without power, the Other, are usually women, poor, people of colour, homosexual, workers, disabled, Jews, and children.’ She urged that ‘identification with each other and alliances among members of the Other would change the balance of power’.
movements, including the gay liberation movement.\textsuperscript{69} Factors such as these illustrate the point that agitation for homosexual law reform was not an isolated issue, but part of much larger agitation for change on a number of apparently quite disparate issues.

The fact that social shift in regard to homosexual law reform, and in regard to social acceptability of homosexual people, was part of broader shifts in society, is particularly pertinent with regard to shifts in the broader area of sexuality generally. Clearly massive changes were taking place in New Zealand (as in most of the rest of the Western world) concerning sexual outlook and sexual behaviour in the period under study. University of Waikato psychology professor James Ritchie referred to the ‘permissiveness’ of the 1960s.\textsuperscript{70} Ritchie put the matter bluntly: ‘We got with sex in the sixties’.\textsuperscript{71} The extent of shift in sexual behaviour may be exaggerated, but was still very marked. There were high rates of ex-nuptial births and of pregnant brides even in 1960,\textsuperscript{72} but there was much less open occurrence of de facto relationships, unmarried


\textsuperscript{71} Ibid., p. 6, col. 5.

\textsuperscript{72} Keith Sinclair in 1969 quoted an illegitimacy rate for first babies to mothers in the age group sixteen to twenty-five at twenty-seven per cent, and the rate of first babies born to married women within that age group less than eight months after marriage at forty per cent. K. Sinclair, \textit{A History of New Zealand}, 2\textsuperscript{nd} edn, London, 1969, p. 288.
cohabitation, and couple partnerships at that time. The biggest shift though was in publicly accepted standards of sexual morality.\footnote{Peter Davis, for example, noted ‘research conducted elsewhere indicating growing liberalisation of sex norms since the early 1960’s [sic].’ P. Davis, ‘Early Sexuality and Sexualisation: Some Recent Data for New Zealand’, \textit{Australian and New Zealand Journal of Sociology}, XIII, 1977, pp. 119-25 at p. 122.}

A significant distinction needs to be made between those public standards and private behaviour. There was diversity in the latter, but very little in the former. Jesson, Ryan and Spoonley assert of the 1960s, ‘In terms of sexual relations, there was an overwhelming acceptance of only one form of sexuality - that of monogamous heterosexuality within marriage.’\footnote{B. Jesson, A. Ryan, & P. Spoonley, \textit{Revival of the Right: New Zealand Politics in the 1980s}, Auckland, 1988, p. 27. Such a view was still reflected in Roberta Page’s comment in 1975 that ‘New Zealand law and society is, in general, opposed to premarital sex and the use of contraceptives by single young people.’ R.A. Page, ‘The Sexual Behaviour and Attitudes of Young People’, MA thesis, University of Auckland, 1975, p.156.} Marked social attitudinal shift took place in the 1960s, partly because of the advent of the birth control pill which led to an increasing separation of a link between pleasurable sexual activity and the often-unwanted outcome of pregnancy. For many, consenting sexual behaviour, at least in a heterosexual context, ceased to be a moral issue and came to be regarded as ‘just another body activity like wearing clothes or eating’.\footnote{\textit{Sunday Times}, editorial, 6 September 1970.} Such change in general sexual mores had enormous implications in terms of social perspectives on homosexual behaviour. If sexual activity was primarily recreational,\footnote{See B. Gidlow et al., ‘Leisure’, in P. Spoonley, D. Pearson, & I Shirley, \textit{New Zealand Society: A Sociological Introduction}, Palmerston North, 1990, pp. 242-58 at p. 245 in relation to the use of the term ‘recreational sex’.} if it was no longer primarily linked with procreation, and if it was increasingly unconstrained by moral perspectives in relation to mutually pleasurable heterosexual activity, then why should such a perspective not also apply to homosexual behaviour?\footnote{See B. Gidlow et al., ‘Leisure’, in P. Spoonley, D. Pearson, & I Shirley, \textit{New Zealand Society: A Sociological Introduction}, Palmerston North, 1990, pp. 242-58 at p. 245 in relation to the use of the term ‘recreational sex’.} This led to the observation of Nyberg and Alston that liberal attitudes to homosexuality are dependent on more
liberal attitudes toward sexual behaviour per se. Consequently the homosexual debate needs to be assessed within the broader context of debate in relation to sexual behaviour generally.

The central argument of this thesis:

This thesis explores the public debate over homosexuality. Chapter one investigates the strong social stigma and condemnation attached to homosexuality in the 1960s. Social pressures were such that homosexuals were largely invisible. This was partly attributable to minimal discussion of homosexuality in the media. It was also partly because so many homosexuals were in the closet. Given the heavy criminal sanctions against homosexual acts at that time, their secrecy is not surprising. It took the radicalism of the late 1960s to bring the issue of homosexuality into the arena of public controversy.

Chapter two argues that the role played by NZHLRS was crucial to the early years of the debate. Cautious and respectable, NZHLRS kept to a single focus: irrespective of what one might feel about homosexuality, the current law was bad, and needed reform to decriminalize private consenting male-adult homosexual acts.

The succeeding chapter shows how the advent of gay liberation cut across the unfolding debate. It argues that gay liberationists were not simply a younger and more radical version of NZHLRS. Their foundations and goals were significantly different.

77 See the gay liberation argument along these lines articulated by L. Taylor, 'Aspects', p. 127.
They were part of a movement concerned with identity, self-worth and social acceptance. Reform on any basis other than full standing in society was largely rejected. This uncompromising, angular, socially-challenging movement, cut across NZHLRS gradualism, and increasingly became the driving force for legislative and social change.

Chapter four considers shift and conflict within New Zealand's churches over the issue of homosexuality. The thesis views the churches as having a crucial role in the debate. At the outset the churches buttressed anti-homosexual feeling. Significant sections of the churches were subsequently at the forefront of revisionist thinking. This u-turn provoked deep division with fellow Christians whose views had not changed.

Chapters five and six examine the heated debate that occurred during the legislative reform period March 1985 – July 1986. For gay liberationists, dignity and social acceptance took the issue way beyond the narrow question of whether their expression of sexuality should remain criminal. For many of their opponents the well-being of society itself might collapse if legislative change occurred. These chapters seek to trace the strategies of the two camps and to identify their arguments and motivations.

A major theme that emerges in the thesis is that of complex conflict. The conflict was not just a conflict of values between two camps. There was conflict of both ideology and strategy within gay liberation, and between gay liberation and the pioneer reform

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advocates, NZHLRS. Values conflict within and between the Christian churches is another expression of the conflict motif.

The complexity and intensity of the conflict is partly to be explained by the foundational convictions of the debate combatants. Fundamentally different worldviews underpinned the conflicting arguments. Whether gayness was determined or chosen, whether it was good or evil, whether it was identity or behaviour, all led to radically different conclusions. Within the complexities of the debate, foundational beliefs were often not articulated and examined. As a consequence the debates involved people commonly talking past each other, not hearing each other, simply acting as two ships passing - colliding - in the night.

The gay debate really began in public with the NZHLRS petition to parliament in 1968 seeking decriminalization of consenting male homosexual acts in private. The struggle for decriminalization was so prolonged, and fought so vehemently immediately prior to its implementation, that it fostered a perception that the issue in the homosexual debate was simply one of decriminalization. There were, however, two other issues that also had great importance.

One of these issues was legislating for human rights (non-discrimination) to protect those of homosexual orientation. Because decriminalization occurred prior to human rights protection for homosexuals in New Zealand, and because one might assume that no government would give special rights against discrimination to a group of people who were in breach of the criminal law (ignoring lesbians, and ignoring any distinction between orientation and behaviour), there is a tendency to see human rights legislation
as a second and less significant step than decriminalization. A perspective downplaying the importance of the human rights legislation is accentuated because there was much less focus in the 1985-6 debates, on Part II of the bill (the human rights issue), than on Part I (the decriminalization issue). Furthermore, the 1993 debate (focusing on human rights protection) was far less heated than the 1985-6 debate (largely focusing on decriminalization). This seems to confirm the impression that the decriminalization issue was the primary issue in the period under discussion.

However, the sequence of events in New South Wales showed that governments could seriously consider implementing human rights protection prior to decriminalization.\(^7^9\) Moreover, some thinking, at least in the gay rights movement, argued that human rights legislation rather than decriminalization should be the priority for the movement.\(^8^0\) Such a view would commend itself to lesbian activists, for whom this was the key aspect of Fran Wilde’s bill.\(^8^1\) These points show that we should not view the debate as first ‘a’ (decriminalization), then ‘b’ (non-discrimination). In many people’s minds the two issues were bound together, and priority of one over the other was debatable. The two matters should not viewed as sequential issues, simply because that is the way the legislation was effected in the end.


\(^8^0\) See the argument in New Zealand Gay Liberator, April/May 1975, p. 9 that decriminalization at 20 would not make much difference, and the immediately subsequent demand ‘that all discrimination be made illegal’. Note, too, the focus on non-discrimination rather than decriminalization in Wellington Gay Liberation Newsletter, April 1978, LAGANZ, MS Papers 077, Series 2, Folder 27. For his part Bruce Morrison argued in 1986 that the proposed amendments to the Human Rights Act were as important as, or more important than, decriminalization: B. Morrison, ‘Political Implications of the Homosexual Law Bill’, Race, Gender, Class, III, July 1986, pp. 50-1 at p. 50.

\(^8^1\) Atmore, ‘Drawing the Line’, p.39.
The other issue, apart from decriminalization, was that of social acceptance. The issue was not simply whether homosexuals should go to jail. Underneath that issue lay another - the standing of homosexual people and their behaviours in society. In the 1960s there was clearly little social acceptance of homosexuals. This is patent in 1966 in the New Zealand-circulation edition of *Time* magazine:

> Even in purely non religious terms, homosexuality represents a misuse of the sexual faculty and, in the words of one Catholic educator, of 'human construction'. It is a pathetic little second-rate substitute for reality, a pitiable flight from life. As such it deserves fairness, compassion, understanding and, when possible, treatment. *But it deserves no encouragement, no glamorization, no rationalization, no fake status as minority martyrdom, no sophistry about simple differences in taste - and, above all, no pretense that it is anything but a pernicious sickness.*

This article in an influential magazine shows that even in the mid-sixties, at least in America, the issue of social acceptability was beginning to emerge. The vitriolic nature of *Time* magazine's attack indicates a determination to chop the emerging plant off at ground level. In hindsight, movement not only towards reform but also towards social acceptance was already so significantly established that such onslaughts could not root out the trend towards change.

The issue of social acceptance weighed strongly with those opposing legislative reform. And it weighed strongly with those most supportive of reform: gay activists. At its deepest level the law reform debate on homosexuality, at least from about 1980 onwards, was not over decriminalization or over human rights. Rather the debate was fundamentally about the social and moral acceptability of homosexuality. Ostensibly this was often not the case. Nevertheless, this was the sub-text of the debate. This explains why early pro-reform protagonists like Don Mathieson, who could not accept
the more radical liberation message, ceased to be major agents for reform in the years immediately preceding the Wilde bill. It also explains why moderate voices on the conservative side were not the primary voices of conservative argument. Values for and against social and moral acceptability were felt so deeply that public controversy was often not at the level of rational reflection, but more at the level of an all-in bar-room brawl.\footnote{\textit{Time}, 'Essay: The Homosexual in America', Australian edition, 21 January 1966, pp. 52-3 at p. 53 (emphasis added).}

On the back of this issue rode a whole raft of fundamental values and issues. On the one side was the value of human rights and of the individual human person, the need to allow a plurality of values in modern pluralistic society, and the essential neutrality of consenting sexual behaviour of whatever form. On the other side was the need to preserve universally valid moral values, to preserve society from disease and destruction, to incur the blessing and avoid the wrath of God - hence the caption on the front page of the Hay-Tait petition to parliament, ‘For God - For Family - For Country’.

What was at stake was a struggle for supremacy between two different value systems erected on different axioms. Fundamental values were at stake on both sides of the debate. It was this factor that explains the incredible passion of the debate, a passion matched in the 1980s only by the passion of the 1981 South African rugby tour, and

leading to the same depth of national division. The struggle was not primarily over decriminalization; it was primarily over acceptability.

The values underlying the homosexual law reform debates made the debates a touchstone for other issues. If homosexuality was acceptable, then numerous other matters were acceptable. If homosexuality was not acceptable, then neither were a lot of other things. For conservatives the homosexual law reform issue was a kind of test case. Could the moral landslide be stopped? Could New Zealand be rescued from its precarious position teetering on the edge of a moral precipice?\textsuperscript{84} Historically, the debate in New Zealand seemed successively to concern decriminalization, non-discrimination, and social acceptability. In fact the third debate underlay the other two, and explains the depth of feeling generated during those first two debates. Moreover, the debate was not just over homosexuality. It was a broader struggle over values, over worldviews. The earth tremors that took place at that time cannot be explained by surface factors. It was the pressure of colliding tectonic plates that explains the cataclysmic shaking. The homosexual debate signalled the collision of two worldviews, two visions of the world. One would become dominant, the other marginalized. Which would prevail?

This perspective explains the choice of title for this thesis: ‘Worlds in Collision’. The remainder of this thesis to a great extent is a fuller exploration of this theme. Certainly, the thesis looks at organizations and events, their social and intellectual contexts, their

\textsuperscript{84} Expressed for example in the statement of Patricia Bartlett, founder and secretary of the Society for Promotion of Community Standards, ‘Society may still be pulled back from the brink.’ Quoted in A.
tributaries and outcomes. But as the forces marshalled for the legislative struggle, the backdrop was 'The Great Struggle' - Armageddon. Worlds were indeed in collision.

CHAPTER ONE: ‘POOR DEVILS’: MALE HOMOSEXUALS IN NEW ZEALAND IN THE 1960s

I believe that we must set our face very sternly against it [homosexuality], not because we are not sorry for the poor devils who are caught up in this mess, but because the moral standards of society must be protected.¹

Examining the situation of male homosexuals in the 1960s several decades later highlights the very marked shifts that have taken place in New Zealand society since that decade. The language of the quotation above is extremely significant. Homosexuals were ‘poor devils’, at once pathetic and evil. Were they in control of themselves? Could they change? Could they be healed? Some said yes; many said no. The quotation captures that uncertainty. If the sad and bad ‘poor devils’ were ‘caught up’ in a ‘mess’, then maybe there was inevitability with regard to homosexual orientation. Nevertheless homosexual behaviour must be rooted out of society, or it would cause its downfall: ‘we must set our face very sternly against it’. What were the views of society in relation to homosexuality in the 1960s? Why did society hold such perspectives? Such questions are the basis of inquiry in this chapter.

The 1961 Crimes Act:

The starting period for investigation by this thesis is the 1960s. The year 1961 saw a major revision of New Zealand’s criminal legislation with the passing of a new Crimes Act. Since indecency of a male with a male, and since sodomy with either sex both remained criminalized under the new legislation, one might have expected focus on this continued criminalization during the legislative debates. Especially is this the case

given the strong continuing New Zealand focus on British law, and the prominence in
Britain of the Wolfenden Report 1957, which argued persuasively for the
decriminalization of consenting male adult homosexual acts done in private.

The issue of homosexual criminalization had been given the attention of the previous
Minister of Justice, H.G.R. Mason, before 1961. Saddened by the suicide of a
homosexual friend, Mason had sought to lessen the penalty for male homosexual
offences in 1959. That minor move towards reform provoked strong societal opposition
with consequent political embarrassment for Mason. That is the implication of Jack
Marshall’s comments from the Opposition benches when Mason’s bill was reported
back to the House:

I wish particularly to refer to the provisions relating to homosexual acts which
caused considerable public comment at the time. It is fair to say that the
Attorney-General was unfairly and inaccurately accused of wishing to amend
the law to permit homosexuality between consenting males. What he in fact
proposed was that such acts should be dealt with merely as indecent assaults and
carry a lighter penalty. As I have said, however, he was unfairly accused of
wishing to adopt the recommendations of the Wolfenden Report in England
when such was not the case.

Prior to the bill being reported back to parliament by the Statutes Revision Committee,
the original sanctions against male homosexual behaviour were reinstated in the bill.
To seek any sort of homosexual law reform seemed to be out of the question at that

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2 Formally entitled the report of the Committee on Homosexual Offences and Prostitution 1957.
3 For the controversy stirred up by Mason’s proposals see ‘Holy Name Society Concerned over Crimes
Bill’, Dominion, 23 September 1959, p.13; ‘Correspondents views on Crimes Bill’, Dominion, 29
September 1959, p.6; ‘Rushing It’, NZ Truth, 15 September 1959, p.22. For discussions of the
delivered at Victoria University of Wellington on 28 June 1979, LAGANZ: MS papers 9; J. McNab,
Issues in New Zealand, Palmerston North, 1997, pp.117-38 at p.120.
4 NZPD, 1960, 322, pp.659-72.
time. As the *NZ Herald* commented, ‘perversion remains perversion, and it is well that legislators should know that the country will not condone it’.5

After a general election and a change of government, revision of the Crimes Act as a whole came before parliament in 1961. On this occasion, re-enactment of criminal sanctions for homosexual acts went through with no parliamentary debate. Maybe it was the lesson of Mason’s bill - that mud would stick to anyone arguing for any sort of homosexual law reform. Maybe it was simply the fact that there was a strong consensus in society that male homosexual behaviour was a dastardly offence, requiring heavy penal sanctions. The focus of debate with regard to the Crimes Bill, 1961, was the matter of capital punishment, not homosexuality.

The silence of 1961 is startling, given the extent of debate in the succeeding decades. Why was there no debate in 1961? To address this issue I will examine the New Zealand social context generally in the early 1960s before examining perceptions of homosexuality at that time and highlighting the extremely negative public perception of homosexuals as ‘poor devils’.

**Conformity in New Zealand society in the early 1960s:**

My topic focuses on homosexuality in New Zealand, not on society and social attitudes generally. Despite this narrower focus, it is important to recognize that attitudes to homosexuality and debate thereon, did not occur in a vacuum. The broader social

5 'Wisdom of Second Thoughts on Crimes Bill', *NZ Herald* editorial, 23 September 1959, p.12.
context cannot be ignored if one is to understand the more specific matter of public
debate on homosexuality.

One of the most striking aspects of mainstream New Zealand society at this time was
its sense of uniformity. Post-war New Zealand society was marked by strong patterns
of conformity. Michael King referred to New Zealand of the 1940s as a ‘single-culture
society’. In comparison with England, the United States, and even Australia, New
Zealand had been the country most actively and consistently emphasizing
equalitarianism. This pattern was intensified through the climate fostered by the far-
reaching social welfare legislation passed under the first Labour Government, 1935-49.
A tendency towards equalization of income, notwithstanding markedly different skill
and training levels, together with the development of a social welfare net ‘from the
cradle to the grave’, led to historian Keith Sinclair’s boast that New Zealand ‘must be
more nearly classless . . . than any advanced country in the world’.

Equalitarianism often fosters conformity. Being the same as others can become a
virtue. Pride in equality of income can easily become pride in similarity of customs and
intellectual outlook. Even in 1969, Sinclair showed sympathy with the suggestion of
political scientist R.S. Milne that New Zealand was ‘a country without issues’.

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6 For the author’s earlier reflection on this matter see L.D. Guy, ‘The Cinematograph Film Censorship
7 M. King, Being Pakeha, Auckland, 1985, p.9.
8 D.A. Hansen, ‘Social Institutions’, in A.L. McLeod (ed.), The Pattern of New Zealand Culture,
10 See, for example, Graeme Dunstall’s stress on New Zealand after World War II having a ‘high
The Oxford History of New Zealand, Oxford, 1992, pp.451-81 at p.452. For comment on the significance
11 Ibid., p.305. For similar perspectives see C. James, New Territory: The Transformation of New
Sinclair’s 1969 work is significant in its perception of New Zealand’s homogeneity in the 1960s, while also hinting at change in the offing:

Ten years ago, in the first version of this chapter, the writer agreed with an American journalist that the European New Zealanders were a remarkably homogeneous people. Clothing, for instance, seemed uniformly dowdy. This is now less true. Young people are attractively and colourfully dressed, if in the fashionable international uniforms. Nor do young (or middle-aged) men choose the traditional local short-back-and-sides haircut. Still, a certain sameness persists. Country people cannot be distinguished from ‘townies’ by their clothing or manners. People mostly speak alike, with few regional variations. If we ignore the Maoris, customs differ little from one locality to another.12

Sinclair’s perceptions are significant in highlighting the degree of uniformity and conformity of the earlier part at least of the 1960s. One aspect of that conformity was in relation to gender roles. For example, historian Michael King recalled his gender-stereotyped upbringing in post-war New Zealand: “‘Girls were girls and men were men’ in the words of the popular song, and each sex was allocated a set of predetermined values’.13 An aspect of this was the image of the stereotypical Kiwi bloke who lived a sharply defined gender role. Such a standardized outlook intensified negativity towards homosexuals.14 Conformity meant that one way was right and the other wrong. As the editor of Thursday expressed such a viewpoint as late as 1969, ‘A heterosexual way of life is accepted by the great majority of people as “normal”. Deviations from this are considered, by the majority as “abnormal”.’15

Uniformity encouraged homogeneity of intellectual outlook - a ‘country without issues’.16 Noteworthy was the failure to consider minority positions. ‘If we ignore the

12 Ibid., p.286.
13 King, Being Pakeha, p.9.
15 ‘Memo from the Editor’, Thursday, 4 September 1969, p.3.
16 See footnote 11 above.
Maoris', said Sinclair, in the passage just quoted. Conformity, yes, if one shut one's eyes to minorities. It was a case of ignoring Maoris, ignoring women, ignoring homosexuals - mainstream society rules. Minorities then become largely invisible - swept under the carpet. As retired Methodist minister Selwyn Dawson recalled of that period, 'homosexuality was never mentioned [in preaching]. It would never have occurred to us that some in our congregation might be fighting a lonely battle, their sexual orientation hidden from all'.

Gay activist Bobby Pickering claimed that homosexuals were invisible until the emergence of Gay Liberation in 1972. While this is an overstatement, there was certainly a tendency, at least in the 1950s for people to avoid discussion on homosexuality. Moreover, social and legal pressures kept most homosexuals underground. When medical student, G. Ngaei, sought to interview homosexuals for a research project in 1967, he encountered a lot of reluctance to cooperate because of fear of possible exposure to friends, to police, and to blackmail. Ngaei’s experience led him to the conclusion: 'Most homosexuals are constantly pre-occupied with disguising their homosexual behaviour.' Invisibility made debate over the circumstances and status of homosexuality difficult. The tendency towards homogeneity was strong and favoured. Expression of diversity in such a society was very difficult. Thus writer, Noel Virtue, recalled his return to his New Zealand family in the mid-1960s after participating in the gay community in Sydney for several months: 'To be truly accepted back into the family I was expected, bluntly, to stop even

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18 Pickering, 'Where Have All', p.4.
20 Ibid., p.31. Also p.17.
21 I retain a strong personal memory on this point. I was in an undergraduate law class at the University of Auckland lectured by Emeritus Professor Davis in 1966. One student came in late while Davis was lecturing. Contrary to the very conservative and homogeneous appearance of law students at that time, the late student had long flowing hair, duffle bag, and sandals. The place was quiet as Davis stopped his lecturing, eyeing the student until he had taken his place. Then Davis spoke, 'Not in the traditional legal
mentioning anything to do with my being gay, never to talk about it in the matter-of-fact way to which I had grown accustomed, and to think seriously, now I was back in New Zealand, about marriage'.

An outworking of the conformist situation was a tendency for homosexual discourse to be beyond earshot of public consciousness in most Western countries. American psychiatrist Edmund Bergler could write in 1958 of a ‘conspiracy of silence’ by newspapers, magazines, radio, and television on the topic of homosexuality. The New Zealand Methodist in 1967 noted that until a few years previously the word homosexuality ‘had all the overtones of pornography’ and ‘was explosively loaded with emotional feeling’. An expression of the almost total marginalization of homosexuality at that time was the way that convicted homosexuals could not even have their incarceration in mainstream prisons until the mid-1950s. For over thirty years, beginning in 1917, ‘sexual deviates and perverts’ were largely sent to their own special prison at New Plymouth lest they contaminate others. Such an atmosphere meant that it was exceedingly difficult for pioneer advocates of homosexual law reform to present their case in a climate where antipathy, apathy and ignorance predominated.

manner’. The student body erupted with laughter at the late student’s expense. It would be a brave law student who would challenge dress norms after such treatment.

25 B.L. Dallard, Fettered Freedom: A Symbolic Society or Anarchy? Wellington, 1980, p.64. A decision to phase out the practice was made in 1952 and the phasing out was completed in 1954.
Collectivity in New Zealand society in the early 1960s:

Linked with its uniformity, New Zealand society in the early 1960s displayed a strong sense of collectivity. There was a sense that without the glue of shared values the nation would degenerate. Presbyterian minister, J.G. Matheson, expressed this type of thinking in *Landfall* in 1961. Matheson argued that the philosophical, religious and moral foundations of Western civilization had crumbled. He claimed that any coherent society needed to have 'a commonly held religion or mystique', a sense of identity, and an accepted code of morals. He lamented a lack of religious content in New Zealand life. This, he perceived, would lead to a 'more or less rapid disappearance of morals'.

Matheson was not arguing for Christianity: 'It would be better for a child to be brought up in a false faith than in none', he argued - even if that false faith were Communism.

What Matheson was arguing for was collectivity, expressed in a common set of values and morals: 'There has to be an accepted code of morals, shading out into a standard of manners. There cannot be community without recognizable right behaviour and wrong.'

The consequences of losing a strongly-held, shared ethic were viewed in quasi-apocalyptic terms - the collapse of society as currently experienced. Arthur Herman, in examining the concept of decline in relation to society, noted the persistent influence of Edward Gibbon's *The Decline and Fall of the Roman Empire* (1776): 'Gibbon's

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26 J.G. Matheson, 'New Zealand since the War. Part 3: Where there Is No Vision', *Landfall*, XV, 1, 1961, pp.58-67. One should note that the second half of the title is a biblical quote which is succeeded by the words, 'the people perish' (Proverbs 29.18 King James Version).
28 Ibid., p.63.
29 Ibid., p.61.
30 Ibid., p.59.
conception of the Roman Empire as doomed to self-destruction by its own success had a profound impact on the modern historical imagination. All great empires and societies reach an end point, it suggested, a point of no return, after which they must inevitably be replaced by something else. “The course of empire” necessarily embodied a cycle of growth, decay, and destruction”.

Gibbon’s continuing influence is evident in the assertion of Rev. John Brinsley of the Presbyterian parish of North Invercargill in 1985: ‘I do not want to be part of a nation which is being blindly led by politicians who ignore the Laws of God, and who govern as if the fall of the Roman Empire didn’t take place for the reasons which Edward Gibbon clearly identified 200 years ago in his majestic history of that awesome collapse of the most powerful nation the world has ever seen’.

Herman went on to note the loss of confidence in Western civilization’s powers of self-renewal in influential sections of the twentieth-century mainstream intellectual community - hence the ready market for overarching historical schemes pointing to the almost inevitable decline of the West, by writers such as Spengler and Toynbee.

Moreover, such theses of decline seemed to be confirmed in major events of this century, such as the two world wars, and the rapid loss of Western colonial empires.

33 While such views may be less fashionable today, they had sufficient influence for Keith Sinclair to give them prominent consideration in his History III Special class at the University of Auckland in the 1960s and early 1970s (personal knowledge of the author). One who held and promoted these views was E.M. Blaiklock, who had a long and influential chair in the classics department at the University of Auckland until his retirement in 1967, and who wrote weekly columns in the Weekly News and later in the New Zealand Herald for forty years altogether under the pen-name ‘Grammaticus’. For the influence of Toynbee on him, see E.M. Blaiklock, Between the Foothills and the Ridge, Palmerston North, 1981, p.32, and E.M. Blaiklock, Between the Morning and the Afternoon, Palmerston North, 1980, pp.35-6. A further significant figure holding such views was Judge Devlin, whose debates with Professor Hart on the proper function of law were studied by a generation of New Zealand law students: See P. Devlin, The
A conflation of the theses of Gibbon and Toynbee could lead to the notion that the seeds of decline were located in the area of sexual licence. One who had marked influence in linking a society's standing with its degree of sexual restriction or permissiveness was J.D. Unwin. In his view, societies with sexual freedom occupied 'the highest position on the uncivilized cultural scale'. Conversely, societies which reduced sexual opportunity to a minimum for at least three generations would begin to display 'such energy as the world has seldom seen'. Clearly Freud's ideas on sublimation shaped Unwin's views to a significant degree, as is shown by the following material directly quoted from Freud:

We believe that civilization has been built up by sacrifices in gratification of the primitive impulses, and that it is to a great extent for ever being recreated as each individual repeats the sacrifices of his instinctive pleasures for the common good. The sexual are among the most important of the instinctive forces thus utilized: they are in this way sublimated, that is to say, their energy is turned aside from its sexual goal and diverted towards other ends, no longer sexual and socially more valuable.

In an often-quoted dictum, Unwin warned that a society could not both have its cake and eat it: 'Any human society is free to choose either to display great energy or to enjoy sexual freedom; the evidence is that it cannot do both for more than one generation'.

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Enforcement of Morals, New York, 1965, at p. 13 where he states that history shows that the loosening of moral bonds is often the first stage of disintegration.

34 J.D. Unwin, Sex and Culture, London, 1934.
36 Ibid., p.430. Unwin asserted that throughout history there had been only three indisputable instances of societies demonstrating such a pattern of behaviour - the societies of the Athenians, the Romans, and the English: ibid.
37 S. Freud, Introductory Lectures on Psychoanalysis, quoted by Unwin at p.314.
38 Unwin, p.412. As an example of usage of this claim, see submission of the Associated Pentecostal Churches of New Zealand on the 1985 HLRB: LAGANZ: MS Papers 098.
While such views may be debunked today, they had a powerful effect on the generation after World War Two. Thus John Reid, president of the New Zealand Film Institute (and later professor of English at the University of Auckland), after expressing concern at the seductive influence of cinema in 1949, noted that this raised warning bells from history: ‘our whole society is now becoming closely parallel with that of the Roman Empire, when the gladiatorial spectacle replaced living drama’. Likewise, Dame Hilda Ross, in expressing concern at ‘the unclean literature which is flooding the country and debasing the minds of young people’, gave warning in parliament in 1954, ‘We cannot afford, spiritually and for our national welfare, any importations which will lower our morale and debase our youth, for in their hands and in theirs alone is the New Zealand of tomorrow. This grave menace which is in our midst today threatens to destroy the very basis of our Christian civilization’.

Such linking of concerns about sexual morality and about the future of Western civilization or of New Zealand society, can be seen in the comments of J.T. Watts, already referred to in part at the start of this chapter, in parliamentary debate in 1960, as to the appropriate punishment for certain homosexual offences: ‘On my reading of history it seems that a greater prevalence and toleration of such offences is either a symptom or a cause of decay in civilisations. . . . I believe that we must set our face very sternly against it, not because we are not sorry for the poor devils who are caught up in this mess, but because the moral standards of society must be protected’.

The notion that the fabric of society would be destroyed by tolerance of homosexuality was to persist in conservative quarters throughout the period of this study. It was the basis of the parliamentary submissions of the Society for the Promotion of Community Standards (SPCS) in relation to the Venn Young decriminalization proposal in 1974. Similarly, Rev. Tom Woods of St Andrew’s Presbyterian Church, New Plymouth, in fulminating against homosexual behaviour in 1975, claimed that permissiveness was the cause of the collapse of the great Roman and Grecian civilizations, and that unless society steered clear of becoming obsessed with pleasure it was doomed. On such a basis, sexuality generally, and homosexuality in particular, were not stand-alone issues: the fate of society rested on adherence to traditional Judeo-Christian values.

New Zealand communicator, Winkie Pratney, popular with Christian youth audiences, expressed such views with extreme force. Calling homosexuality ‘the final horror’, he asserted:

> The real horror of homosexuality is the utter bondage it makes on the will. It is harder to break free from deep homosexuality than from almost any other selfish lust. A Sodomite becomes a worshipper of human flesh. He defiles and profanes the God-given sexual relationship between man and woman. EVERY CIVILIZATION freely misusing sex has degenerated by the result of continuously re-lowered standards until almost the entire society has become reprobate. At EVERY POINT of such history God has quickly allowed the total DESTRUCTION of this civilization before its perversion spread to others. It was so in the days of the Flood, Sodom, and Rome. It will be so again in our generation unless the tide is checked by a revival of purity.

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42 See article, ‘Homosexual Law “Would Destroy Society”’, *Dominion*, 28 November 1974, p.3. This view was reiterated in the SPCS newsletter 18 March 1985: LAGANZ MS Papers 0403, Box 8, Folder 8.


44 Hence the statement of Arthur Herman, ‘It is this assumption - that modern Western civilization functions as a whole, and that its problems require holistic, not piecemeal solutions - which lies at the heart of ... the pessimistic persuasion ... ’ A. Herman, *The Idea of Decline*, p.448.

Expressed in less colourful form, views like this were foundational for a significant number of members of parliament opposing decriminalization in 1974-5. Thus K.R. Allen asserted: ‘Any law which proposes to legalise acts between members of our community which are indecent, abnormal, and immoral can be nothing but the forerunner of the cancer that will destroy our community. I will not wear it. History gives us many examples’.47

Such thinking persisted in Keith Hay’s written submission supporting the 1985 Hay/Tait petition. Hay used the popular history of Will Durant to make the point that both ancient Greece and ancient Rome collapsed from within, that ‘when the family arrangement broke down because of sexual immorality, the [Roman] empire went into decline’. On such a view, at stake were not only aspects of sexual behaviour, but also the breakdown of the family and the nation. While such a view might have been increasingly passé in 1985, it was a powerful shaper of much public response to homosexuality in the 1960s: homosexuality must be controlled for the sake of society. Such was explicitly articulated in an article title of 1962 that warned ‘Unless Moral Standards Rise, the West Will Fall Like Ancient Rome’.48

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48 J.L. Jenkins, ‘Unless Moral Standards Rise, the West Will Fall Like Ancient Rome’, Management, IX, 6, 1962, pp.18-19, 52-55. This article, though originating in the Tribune in Tulsa, Oklahoma, was reproduced with approval in the New Zealand Institute of Management journal. Bemoaning the ‘gobs of sex’ appearing on the screen, it went on to state, ‘Recently the screen industry solemnly announced that henceforth perversion and homosexuality would no longer be barred from the screen provided the subjects were handled with “decency and taste”. Good Lord!’ (p.52). For similar views on the national implications of sexual ‘perversions’ see Dallard, Fettered Freedom, p.105. Dallard was Controller-General of Prisons in New Zealand 1925-49.
The continuing influence of Christian ethics in the early 1960s:

Implicit in the above discussion is the continuing strength of traditional Christian ethics in New Zealand society into the 1960s. There was commonly an affirmation that society was based on Christian values. The Currie Report on education in 1962, for example, stated: 'The ethical values and attitudes of what is best in our society are for the most part identical with the ethical values and attitudes of Christianity. These are inevitably reflected in the teachers in our schools, whether they themselves are active members of churches or not.' It is significant also that the earlier Mazengarb Report (1954) could take for granted the value of religion, and urge the practice of family religion as a major antidote to the problem of underage sex.

Such strong continuing Christian influence may seem surprising, as church attendance has never been a majority activity in New Zealand. Church attendance is difficult to measure accurately. Hugh Jackson produced figures indicating that from an early lower percentage, church attendance peaked at 48.3 per cent of the adult population of New Zealand in 1886 (about 28 per cent of the total population). By 1926 usual attendance had dropped to 27 per cent of the adult population, reducing further to about twenty

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51 Among reasons for early figures lower than those in Britain, Jackson highlighted remoteness and low populations leading to inadequate access to church buildings and/or clergy. H. Jackson, 'Church-Going in Nineteenth Century New Zealand', NZIH, XVII, 1, 1983, pp.43-59 at pp.51, 53; 'The Late Victorian Decline in Churchgoing: Some New Zealand Evidence', Archives de Sciences Sociales Des Religions, LV1, 1, 1983, pp.97-106 at p.99.
52 Jackson, 'Church-Going', p.51.
per cent of the adult population in the 1960s.\textsuperscript{53} On the basis of such figures, Hill and Zwaga commented that 'the notion of a "golden age" of religiosity seems singularly inappropriate to New Zealand'. Their perspective with regard to religious attendance is 'a picture of gradual disengagement from religious involvement, with a large percentage of the population having always been prepared to adopt a nominal religious label while being otherwise inactive'.\textsuperscript{54}

However, while measurable church affiliation shrank after the mid-1960s,\textsuperscript{55} and while the statistics for the century as a whole are figures of decline, we need to recognize that the period immediately post-war was one of relative strength for the church, with many of the denominations recording growth in the 1950s.\textsuperscript{56} The Presbyterian Church of New Zealand, for example, increased from 358 parishes to 442 parishes in the decade 1951-61. Only in 1967 did that church experience its first annual decline in the number of its communicant members since 1939.\textsuperscript{57} Similarly, the Baptist Union of New Zealand experienced a 6.6% increase in membership in 1960, with slight membership decline occurring, as with the Presbyterians, only in the late 1960s.\textsuperscript{58} While the Methodist Church has suffered the greatest decline of all the major churches in the

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\textsuperscript{55} Jim Veitch noted that the Presbyterian denomination, for example, suffered a 26% decline in membership, and a 46% decline in attendance at worship in the period 1967-1984: J. Veitch, \textit{A Church in Mid-Life Crisis: The Debate of 1966-1970}, Dunedin, 1984, p.2.
\textsuperscript{57} Proceedings of the General Assembly of the Presbyterian Church of New Zealand, 1967, p.306a.
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twentieth century in New Zealand,\(^{59}\) Methodist membership underwent major increase in the 1950s.\(^{60}\) Church membership increases in the 1950s, and on into the early 1960s, provide warning against underestimating the influence of the church in New Zealand society in that period.\(^{61}\)

In the broader context of Western society, British criminologist, D.J. West, writing as late as 1977, in noting Christian condemnation of homosexual behaviour, commented, ‘The effect of this religious condemnation must not be understated. Although formal religious affiliations have declined, and attendance at churches has fallen away, the ethical ideas propagated by religion live on in the population. Christian teachings must be held to a considerable extent responsible for the automatic and unthinking revulsion towards homosexuality in any shape or form shown by so many otherwise gentle and tolerant people’.\(^{62}\) New Zealand television interviewer, Lindsay Perigo, similarly noted the religious underpinning of the criminalizing of homosexual acts in 1973: ‘Any law prohibiting a certain form of conduct has an implied moral basis and the moral opposition to homosexuality seems to have been based over the past thousand yeard [sic], on grounds of religion, specifically Jewish and Christian beliefs.’\(^{63}\)

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\(^{60}\) Ibid., pp.26, 45. W.S. Chambers, *The Winds of Change: A Short History of the Methodist Church in North and South Canterbury from 1950-1975*, n.p., 1976, p.10, indicated that Methodist membership was at its peak in North Canterbury in 1967, while the membership in South Canterbury peaked nine years earlier.

\(^{61}\) For growing church attendances in Auckland see ‘Growing Church Attendances: Return to Religion in Auckland’, *NZ Herald*, 27 April 1960, p.16. For the view that Christchurch attendances were not markedly increasing, but were keeping up with population growth, see ‘No Marked Return to Church Found in City’, *Press*, 6 May 1960, p.22.

One aspect of the continuing influence of the churches in 1961 may be seen in the low percentage stating that they had no religion or objecting to state that religion in the national census of that year. Only 9.1% of the population stated either that they had no religion (0.7%) or objected to state their religion (8.4%). This is in marked contrast to the 1991 census when 27.7% stated either that they had no religion (20.1%) or objected to state their religion (7.6%). Wilson has rightly cautioned against making a simple correlation between statistics for ‘no religion’ and increasing irreligion. Other factors contributing to the marked change may include different wording of the census question on religion, people who previously objected to state their religion later listing themselves as having no religion, and parents increasingly being reluctant to state a religion for their infant children. Despite such cautions, the change is so marked that Wilson viewed the study as supporting the notion that New Zealand society was becoming more secular.

The idea that Western society became increasingly secular in the twentieth century has become almost a truism in many quarters. Urbanization, technological progress and material affluence seem to have gone hand in hand with a decline in Christian influence. MacDonald appears to have noted this in claiming that the ‘obsolete Christian compact’ of the 1950s broke down in the 1960s, leading to the abandoning of a ‘Christian world of postponed pleasure for a hungry secularism fed by technological

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65 Ibid., p.62.
conveniences'. While such assertions may be overly simplified, there has been a fair degree of consensus that a process of secularization has been occurring in the twentieth-century West. In fact, many writings take the matter for granted.

More recently the claim that secularization has continually been increasing in the modern West has been subject to a significant amount of rigorous criticism. Hadden, for example, noted the situation in the United States of America, drawing attention to Gallup polls 1935-85 which inter alia showed belief in God, church attendance, and the practice of personal prayer to be about the same at the end of the period as at its start.

One outcome of the debate sparked by sociologists like Hadden has been clarification of the term ‘secularization’. A problem of past analysis has been looseness in the use of the term. One insight from the debate is that secularization does not necessarily mean a decline in religious beliefs or religious observances, but rather a decline in the scope

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71 Hadden, for example, challenged secularization theory on the basis that it involved ‘a hodgepodge of loosely employed ideas rather than a systematic theory: Hadden, ‘Toward Desacralizing’, p.598.
of religious authority. The focus of secularization theory is not the decline of religion but rather its transformation. Pressures of secularization result in religion ceasing to be foundational to society, so that it is utilized to a much lesser extent in providing legitimation for social structures. Religion is now relativized to being one of a number of competing influences in a pluralistic society, and it is increasingly relegated to having a role only in the private spheres of life. In the words of Richard Fenn, ‘Secularization... does not drive religion from modern society, but rather fosters a type of religion which has no major functions for the entire society.’

Dobbelaere’s emphasis on secularization being a multi-dimensional concept has helped bring clarity. He noted three dimensions to secularization:

- a process of ‘laicization’ whereby social institutions such as politics and education are withdrawn from the religious sphere
- ‘internal secularization’ whereby attempts to modernize religion lead to religious groups becoming part of and like the world
- changes in religious involvement, such as less attendance at church services.

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74 Chaves, ‘Secularization’, p.756.
77 K. Dobbelaere, ‘Secularization: A Multi-Dimensional Concept’, pp.5-10. Also his ‘Secularization Theories and Sociological Paradigms: Convergences and Divergences’, Social Compass, XXXI, 2, 1984,
The issue then is not simply one of how many people still attend church. For Dobbelhaere, the basic test of whether a society is undergoing a secularization process is the answer to this question, ‘To what extent does religion still integrate, and provide legitimation for modern societies?’ On the basis of such a test, and considering Dobbelhaere’s categorization of three dimensions of secularization, the reality of secularization trends in twentieth-century New Zealand seems patent. There has been a decline in religious practices, evidenced *inter alia* by waning church attendances. There has been internal secularization in the church, a feature commented on by Knox Theological College lecturer Ian Breward in 1967: ‘All churches have been profoundly secularised. Even when they retreat into a hardshell sectarianism, the shape of this is deeply influenced by what a secular society will allow to religion and by the disturbing question posed by other bodies which lay equally firm claim to the possession of ultimate truth.’

Along with internal secularization there has also been a waning of religious influence in society at large. Religious studies lecturer Colin Brown highlighted this waning of religious influence in various areas of society in 1982: ‘A simple test is to ask, “At
what point, now, do relatives and friends of the critically ill summon a clergyman?" More and more, perhaps, he or she is summoned by the funeral director.82

An aspect of this process of secularization and of waning religious influence has been the progressive detachment of sexual values from religious values.83 In this and in other areas, secularization processes were starting to cause Christianity to lose its crucial role in defining the public norms of society by 1960, a process that has accelerated since that date. Rowan Ireland's judgment of the 1980s has significance also for the early 1960s: 'There are no signs in modern societies that religious institutions will ever be able to restore "the sacred canopy" and integrate social life under norms derived from the sacral cosmos of religious faith. On the contrary, all the signs suggest that religious institutions may hope only to compete in the marketplace of norms and values, even for the hearts and minds of the faithful.'84

Even with increasing secularization, the churches still had marked residual influence in New Zealand society in the early 1960s.85 Significant aspects of New Zealand legislation continued to bear the influence of Christianity as a shaping and preferred religion in the country. Laws giving churches a privileged position with regard to rates,

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83 Weeks, Sexuality, p.92.
84 Ireland, The Challenge, p.23.
85 The terms 'residual' and 'vestigial' Christianity were used by the historian Bill Oliver. See W.H. Oliver, 'Religion in New Zealand: Christianity among the New Zealanders', Landfall, XX, 1966, pp. 4-20; also L.H. Barber, 'The Historical Aspect: The Religious Dimension of New Zealand's History', in B. Colless & P. Donovan (eds), Religion in New Zealand Society, 2nd edn, Palmerston North, 1985, pp. 15-29, quoting Oliver at p. 27. Bryan Wilson, Religion in Sociological Perspective, p.149 referred to Western culture living off 'the borrowed capital of its religious past'.

and laws restricting commercial activities on Sundays, are examples of that situation.\textsuperscript{86} Church views remained dominant in relation to collective public ethics concerning sexual behaviour in the Western, English-speaking world. The 1954 Mazengarb Report, in addressing the issue of underage sex, could take it for granted that New Zealand’s codes of behaviour were ‘based upon the Christian faith’.\textsuperscript{87} The amount of discussion devoted to the importance of religion in that report is remarkable today, indicating the strong levels of societal consensus regarding the importance of Christian values at that time. In the words of Janet Soler, ‘Of all the “moral campaigners” the church with its strong traditional base and expressed anxiety over moral welfare, had the greatest influence upon the content of [sic] Mazengarb Report.’\textsuperscript{88} Christian influence in New Zealand still had sufficient strength in 1968 for Margaret Wilson, General Secretary for the New Zealand Council for Christian Education, to assert that ‘the Christian religion furnishes the groundwork for almost every element in Western civilisation, its literature, art, philosophy, ethical values and history’.\textsuperscript{89}

In relation to sexual matters, American writer, Ira Reiss, noted religion as a key factor in providing some restraint in the trend towards sexual permissiveness in the 1960s.\textsuperscript{90} Harrison Wright similarly noted that influence from a British perspective. In arguing for acceptance of liberal sexual behaviour, he stated, ‘In order to clear the field of thought so that new ideas can take root and grow, it is necessary to be certain what of

\textsuperscript{86} See L.L.M. Richardson, \textit{Religion and the Law}, Wellington, 1962, generally, and his summary on p.61, on this point.

\textsuperscript{87} Mazengarb Report, p.43; also p.46. For similar sentiment see report of talk by H. Miller, librarian at Victoria University College, ‘Factors Which Influence Our Character’, \textit{Evening Post}, 31 October 1957, p.14.


\textsuperscript{89} M. Reid, ‘Do We Give the Best Training for Life in a Secular Society?’ \textit{National Education}, L, 1 August 1968, pp.299-300 at p.300.
the old mental prepossessions have to go. We must wrench our minds free from the
domination of religion over sexual matters.91

There was not a totally uniform church position with regard to sexual behaviour and
sexual morality in the early 1960s. Nevertheless, the mainstream position, held by most
churches, was that sexual activity outside of heterosexual marriage was sin. A corollary
was that homosexual behaviour was sinful.92 Dr Fisher, then Archbishop of
Canterbury, spelt this out very directly in 1953, ‘Let it be understood that
homosexuality is a shameful vice and a grievous sin from which deliverance is to be
sought by every means’.93 This view was echoed by Bishop Gowing, Anglican bishop
of Auckland, in the 1960s when supporting decriminalization: ‘I desire to state most
emphatically that such recommendations in no way involve the slightest mitigation of
the Church’s condemnation of sin and moral evil’.94 Though such denunciations might
later be deemed ‘quaint and unscientific’,95 they provided a strong religious
underpinning for the continuing criminalization of male homosexual behaviour.

**Sexual values in New Zealand society in the early 1960s:**

I have already argued that there was strong and continuing influence of Christian ethics
in New Zealand society in the early 1960s, and that such views included a perspective

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92 West, *Homosexuality Re-examined*, p.310. Despite an increasingly liberal view in many Western
countries such as New Zealand, the 1998 international Anglican bishops Lambeth Conference continued
to endorse traditional views on sexuality in general and on homosexuality in particular by a four to one
majority. See D. Eaton, ‘Biblical Norms Upheld at Lambeth’, *Reality*, XXIX, October/November 1998,
p.39.
93 Reported in *The Times*, 25 November 1953, as recorded by D.J. West, *Homosexuality*, Chicago,
that the only legitimate expression of sexual activity was sexual intercourse within marriage. As late as 1975 Roberta Page could assert that 'the church is a social institution with a strong condemnatory attitude towards premarital sex' and that 'New Zealand law and society is, in general, opposed to premarital sex . . .' While Page may have been overstating the situation for 1975, her perspective was significantly accurate with regard to 1960.

A consequence of religious influence on publicly held sexual ethics was that any homosexual behaviour was commonly regarded as wrong or sinful. In addition, because of the strong sense of conformity in society at that time, even if there was not a moral judgment leading to the label 'sin', there was yet a strong sense of departure from the normal. So homosexuality was a 'deviation', a 'perversion'. It was commonly lumped in with other 'perversions'. Association of homosexuality with some of those more abhorred behaviours increased the abhorrence of homosexual behaviour. Thus Wellington professor of psychology Ernest Beaglehole could explain 'sex perversions' in 1950 as being 'homosexuality, "interference" by men with young boys or girls, and the like'. Similarly, William Rowe could write an article in Australia on 'the treatment of homosexuality and associated perversions'. Likewise the editorial staff of Sexology, in identifying homosexuality as a deviation in 1951, then listed other deviations: 'masochism, sadism, flagellation [sic] (whipping),

96 Page, 'The Sexual Behaviour', pp.149, 156.
97 For example, Medlicott, 'Sociopathic Personality Disturbance', in P.J. Lawrence (ed.), Mental Health and the Community: The Proceedings of a Conference for Professional Groups Organized by the Canterbury Mental Health Council as a Contribution to the World Mental Health Year, Christchurch, 1961, pp.373-5 at p.373 (re 'deviation'), and Bevan-Brown, The Sources of Love and Fear, 3rd edn, Christchurch, 1960, pp.5-6, 61 (re 'perversion').
98 E. Beaglehole, Mental Health in New Zealand, Wellington, 1950, pp.6-7.
A common belief was that ‘most homosexuals decidedly [sic] prefer youngsters’. So they were a menace to children - child predators. The notion that homosexuals were potential paedophiles appears in a 1962 thesis examining the aetiology of paedophilia. While the thesis itself did not substantiate this claim (only two of the hundred paedophiles surveyed were apparently homosexuals), in reviewing academic literature the author noted that ‘latent homosexuals’ were one of the thirteen types identified in the literature as a whole as having a propensity towards paedophilia. This highlights the strong persisting association in the public’s mind between homosexuality and paedophilia irrespective of the scientific data on the matter. Even when scientific literature did not make a direct linkage between homosexuality and paedophilia, implicit linkage was common, for example through mention of homosexuals sublimating their urges by leading scout groups or boys’ choirs. Such perspectives meant that homosexuality evoked a widespread response of horror and disgust in early post-world-war-two New Zealand.

Because homosexual behaviour is located in the broader context of sexuality generally, it is important to consider that broader perspective, and not just homosexuality in isolation. It was the increased sexual freedom of society that helped open the way for

103 Ibid., pp.37, 64.
an increased toleration of homosexuality. Conversely, if homosexuality came into increasing acceptance, this would encourage permissiveness on a broader front. Sexuality in general, and homosexuality in particular, were two very intertwined issues.

Much gay liberation rhetoric came to argue for a sexuality based on pleasure without restriction, so long as there was mutuality. An example of this is Allen Young’s statement, ‘Gay, in its most far-reaching sense, means not homosexual, but sexually free. This includes a long-range vision of sensuality as a basis for sexual relationships’. The implications of this were clearly much more far-reaching than for homosexuality alone. As Carter Heyward observed, ‘One of the methodological problems in attempting to study an issue like “homosexuality” or “marriage” is that, like a domino, once touched it affects everything else’. Greenberg commented on the relationship of various sexual issues as follows:

Not without justification, moral conservatives see the various sex and gender issues as linked; permissiveness about homosexuality therefore implies equal permissiveness on abortion, premarital and extramarital sex, pornography, and the role of women in society. Alarm about liberalization on one of these issues is consequently heightened by the perception that it carries implications for other issues. Antigay campaigns thus become invested with the anxieties and agendas associated with sexual permissiveness in all its machinations. It is not just normal heterosexuality they defend, but a whole way of life.

Because of the intertwining of issues of sexuality broadly, and of homosexuality specifically, this section of the thesis looks in more detail at the broader sexual values of New Zealanders in the early 1960s. Such examination confirms public adherence to the mainstream Christian position on sexuality at that period in time.

106 See, for example, J. Weeks, *Sexuality*, p.92ff. drawing attention to liberalization of attitudes broadly with regard to sex, and the locating of attitudes to homosexual behaviour within that broader context.
In considering mid-twentieth-century sexual values in New Zealand, we need to cast our minds back to the nineteenth century. To some extent the notion of a rigid, tightly controlled sexual code in Victorian New Zealand is a myth. Furthermore, far from sex being a taboo topic of conversation, Foucault has drawn our attention to the tremendous extent of Western discourse on sexual matters in the nineteenth century, albeit within certain defined channels. Nevertheless, the dominant public view was that marriage was a prerequisite for sexual activity. In keeping with such a view the New Zealand Chief Justice could freely speak out in the 1930s against 'the alarming extent of the promiscuity of sexual intercourse that apparently exists amongst unmarried persons'. Implicit in this statement is the sense that decent mainstream society accepted this perspective: sex was off-limits for the not-yet-married.

Marriage itself did not mean unbridled licence. There was a widespread belief in the nineteenth century that too much sex was damaging, especially to the nervous system. Most dangerous was non-procreative sex, particularly masturbation and homosexual acts. John Money, an American sexologist (originally a New Zealander), put the blame for the spread of these sorts of ideas especially on Simon

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110 See, for example, S. Eldred-Grigg, *Pleasures of the Flesh: Sex & Drugs in Colonial New Zealand 1840-1915*, Wellington, 1984, pp.248-9. However, while arguing that colonial New Zealand had a new freer sexual morality, Eldred-Grigg still observed, 'Heterosexual marriage certainly remained the only respectable sexual partnership.' Ibid., p.249.
113 Reported in 'Serious Social Questions', *Evening Post*, 17 February 1937, p.10.
André Tissot’s 1758 *A Treatise on the Diseases Produced by Onanism*.116 That work argued that degeneracy was brought on by semen wastage and semen depletion, the result both of masturbation and of excessive conjugal relationships. In Money’s perspective, Tissot’s views ‘released a two-hundred-year cascade of medical, moral, and religious antisexual mania’.117

Insanity was commonly attributed to masturbation.118 Baden-Powell contended, in his *Scouts for Boys*, that masturbation led to hysteria, insanity, blindness, and loss of memory.119 Thirteen years later Truby King argued that chronic constipation needed careful monitoring as it led to catarrh of the rectum, which led to thread worms, which led to intolerable itching, which led to sexual excitement, which led to masturbation. King’s exposure of the linkage between chronic constipation and masturbation ended with this warning in relation to masturbation: ‘This interferes with proper cerebral evolution, and the entire individual is thereby altered.’120 Views such as those of Baden-Powell and Truby King illustrate the extent to which sexuality was viewed as a dangerous force in the nineteenth century and the earlier part of the twentieth century.121

It is important to recognize society’s high level of concern in relation to sexual ethics at the start of the 1960s. For many, sex was perhaps the most crucial moral issue. Around
this time there were several ‘moral panics’ in relation to sexual licence, for example, the storm of concern over teenage promiscuity in Lower Hutt in 1954.122 Even in 1975, Colin McGeorge could note the tendency for ‘“moral education” to be equated in the popular imagination with sexual morality or religious instruction’.123

Homosexual acts were a particularly grave breach of sexual morality. Maurice Gee brought this out graphically in imaginatively portraying a father’s discovery of his son in homosexual activity in the 1920s:

I saw what it was inevitable to see. It stunned me. I had a moment of utter blackness. I almost fell. When I came to my senses I found I had gripped the branch of a tree to hold myself on my feet. And my mind became full of a clamorous boiling rush, full of Old Testament bloodiness. I cried that they were unclean, that they were filth. And I called down death upon them, I called down brimstone, fire; I smote them so they died. It is true. I saw life go out of their eyes. I saw a death come on them. Their flushed men-faces grew white and bestial. They croaked like toads. And I fled from them, I fled back through the orchard, but it was an orchard no longer, I ran through the slimepits of Siddim, where the kings of Sodom and Gomorrah fled and fell. I ran on the plain and did not turn my eyes, for behind me the smoke of the evil cities went up as the smoke of a furnace.124

In Gee’s Trilogy Alfred’s sister restored relationships with him in the 1960s, but with a great deal of diffidence:

I meant to come up gradually on his world. I had the idea that the whole of a homosexual’s life was sex. When they were not actually ‘at it’ (Rebecca’s phrase) they were getting ready, or recovering from it, or circling round each other, passing signals and intriguing. . . . I never lost my nervousness of homosexuals. Touching between them, words of affection, made me

121 A. Gray, Expressions of Sexuality, Auckland, 1985, p.3. See also Unwin, Sex and Culture, passim, linking the rise of societies with sexual expression and their fall with sexual freedom.
122 For full discussion of the term ‘moral panic’ see Soler, “‘Drifting’”, pp.13, 34, and passim. See also R. Shuker et al., Youth, Media and Moral Panic in New Zealand (From Hooligans to Video Nasties), Palmerston North, 1990, passim.
uncomfortable. I was afraid they might start enjoying their sex lives in front of me, like dogs.\textsuperscript{125}

One legacy of widespread anxieties about sex generally was to reinforce beliefs about the need to maintain a rigid standard in relation to sexual behaviour. This matter came to a head in 1954. Extensive under-age sexual activity came to light in Lower Hutt. Police comment on the matter was that there was a ‘shocking degree of immoral conduct among adolescents in the Hutt Valley’.\textsuperscript{126} New Zealand’s Prime Minister, Sid Holland, called it a ‘grave social problem’.\textsuperscript{127} In the ‘moral panic’ that followed, the government rushed to set up a special committee to report on moral delinquency. Its terms of reference were ‘To inquire into and to report upon conditions and influences that tend to undermine standards of sexual morality of children and adolescents in New Zealand, and the extent to which such conditions and influences are operative, and to make recommendations to the Government for positive action by both public and private agencies or otherwise’.\textsuperscript{128}

The resulting Mazengarb Report was quite direct in opposing any social acceptance of pre-marital or de facto relationships: ‘Such a view is opposed to all the ideas of chastity which are inherent in our morality.’\textsuperscript{129} It described ‘sexual immorality’ as a ‘clandestine vice’.\textsuperscript{130} As Alison Gray noted, ‘Implicit in the report is the idea that marriage is still the only legitimate arena for the expression of sexuality and that young people’s curiosity and desire to explore their sexuality is abnormal, dangerous and

\textsuperscript{125} M. Gee, \textit{The Plumb Trilogy}, Meg, pp.174, 180.
\textsuperscript{127} Ibid.
\textsuperscript{128} Mazengarb Report, p.10.
\textsuperscript{129} Ibid., p.48.
\textsuperscript{130} Ibid., p.13.
pervasive. This perspective was not peculiar to the report writers. An *Auckland Star* editorial on the Mazengarb Report, for example, began with the heading, 'Helpful report on moral delinquency'. The solidarity of society in this matter can also be seen in the way the Presbyterian church, in looking at 'maladjusted and anti-social youth' a few years later, could recommend the need for 'simple, consistent practical teaching of legal and moral codes by family, school, Church, trade unions and employers'. An assumption in such a statement is that all sectors of society were in lock-step on matters of morality.

Certainly there was an occasional voice of dissent to that perspective. One such was an anonymous writer in *Here & Now* in 1954. However, his concern was not so much with the public's morality but with the fact that this morality was so often observed in the breach rather than in the observance. His solution was to have more organized leisure, on the principle that 'Satan finds work for idle hands to do'.

The high standing of the Mazengarb Report can be seen in the fact that the Government had it printed and distributed free to each of New Zealand's families. Redmer Yska commented, '[T]he morals committee had served the National Government well. By

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133 S.C. Francis, *Report on Maladjusted and Anti-Social Youth* (prepared by the Special Committee of the Assembly's Social Service Committee, for presentation to the meeting of the General Assembly at Invercargill 1959 (Stuart C. Francis: convenor)), Christchurch, n.d. [c.1959].
134 Anon., 'Young Sex and Old Society', *Here & Now*, 41, August 1954, pp.5-6 at p.5.
135 Ibid., p.6.
spelling out the conventional values it felt New Zealand was abandoning, it fired a warning shot that echoed for the rest of the decade.¹³⁷

Rigidity in relation to maintaining sexual standards can be seen too in relation to film censorship. Much of that censorship was a self-imposed one by the film industry itself. The revised American Hays Code, which regulated this self-censorship, asserted in its 1956 version that ‘the sanctity of the institution of marriage and the home shall be upheld. No film shall infer that casual promiscuous sex relationships are the accepted or common thing.’¹³⁸ Off-limit subjects included explicit treatment of adultery, clear identification of brothels, open-mouthed kissing and lustful embraces, anything more than a suggestion of seduction, and specific references to abortion.¹³⁹ In 1956 the New Zealand censor, Gordon Miram, excised from the film Rock Around the Clock the words of one jiving teenage girl to another, ‘Have fun, you’d be amazed at the number of men around the country who don’t want to get married’.¹⁴⁰ If diversity of sexual expression was not publicly acceptable with regard to heterosexual behaviour, what chance was there for such diversity to be acceptable for homosexual behaviour?

The result of such attitudes was a markedly uniform public view of sexual morality - a view that only heterosexual marital activity was legitimate.¹⁴¹ Department of Health material in 1955, for example, asserted, ‘Sex can be a very beautiful thing, but it is very

¹⁴¹ See, for example, Stallworthy, The Facts, pp.72-3. New Zealand’s public perspective probably goes back to the Victorian era. For the public/private distinction in regard to sex in the Victorian era, see Tosh, ‘What Should Historians Do’, p.182.
easily spoilt. It is only in the sanctity of marriage that it can be enjoyed freely, unashamedly, and with the sanction of society.\(^{142}\) Such perspectives led Olssen to make the observation that between 1900 and the 1950s, it was ‘clear to all but the unregenerate ... what behaviour was tolerable and right’.\(^{143}\) The unregenerate might include bodgies and widgies – A.E. Manning disclosed that some of them disagreed with the Christian ethic that sex outside marriage was wrong – but Manning set his readers’ thinking straight in the title of his book: *The Bodgie: A Study in Abnormal Psychology*.\(^{144}\) While Wily and Stallworthy’s assertion in 1962 that ‘some aspects of the law reflect the Puritan view that sex under any circumstances is regrettable’,\(^{145}\) is an overstatement, it nevertheless highlights public strictness in relation to sexual matters in mid-twentieth-century New Zealand.

The model social unit was the two-parent family in which all sexual activity was to take place. Reinforcement of this model can be seen in the Social Security Amendment Act 1945 granting a universal family benefit in New Zealand. Despite the ‘universal’ language, the benefit was not granted in respect of children born out of wedlock and raised by single mothers - such children were not considered part of a family.\(^{146}\) Such a legislative decision to exclude situations that failed to conform was part of a pervasive reinforcement of family and sexual values.

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This is not to say that all, or even most, conformed to this socially accepted pattern of sexual behaviour. The behaviour of private citizens has commonly diverged markedly from public standards, especially with regard to sexual ethics. As Kingsley Davis asserted, ‘an orderly integration of the sexual drive with social life taxes to the utmost the normative machinery’.147 Similarly we have the observation of Kardiner that ‘Kinsey has taught us that sex convention is one thing and practice another’.148 The always-significant levels of non-marital sexual activity may have increased in twentieth-century Western society as early as the 1920s.149 Certainly, a major shift was taking place with regard to non-marital sexual activity after World War Two.

The change stemmed from a host of factors, including increased urbanization, the emergence of adolescent identity and autonomy, the conceding of control over their courtship patterns to young people, their greater access to private motor vehicles, increased higher education, and women gaining more social freedom, especially through their greater participation in the paid work-force.150 Such changes also affected patterns of homosexuality. Jock Phillips has drawn attention, for example, to the

147 Quoted in Reiss, The Social Context, preface.
growth of large New Zealand cities as a post-world-war-two phenomenon that enabled gay sub-groups to emerge and provide solidarity for gays against societal pressures.\(^{151}\)

The American sociologist, Ronald Inglehart, developed a comprehensive explanation for post-World-War-Two values changes.\(^{152}\) Drawing from the ideas of Abraham Maslow, he argued that there was now unprecedented affluence and security in most of Western society.\(^{153}\) Because these basic needs were satisfied, intergenerational shift was now occurring, with younger people increasingly moving from ‘acquisitive’ or ‘materialist’ values to ‘post-bourgeois’ or ‘post-materialist’ values.\(^{154}\) The result was a much greater focus on the ‘subjective aspects of well-being’,\(^{155}\) on the ‘qualitative aspects of society’,\(^{156}\) on giving priority to fighting ‘the dehumanizing tendencies inherent in Industrial [sic] society’.\(^{157}\) The move was away from authoritarianism and towards liberal tolerance of diversity.\(^{158}\) This value change had implications for sexuality: ‘[T]he rise of Postmaterialism itself seems to be only one aspect of a still broader process of cultural change that is reshaping the religious orientations, gender roles, sexual mores, and cultural norms of Western society’.\(^{159}\) Inglehart regarded shifts in perspectives on homosexuality as part of that liberal shift.\(^{160}\) A feature of Inglehart’s views has been his stress that change is not immediate or right across society; rather the


\(^{155}\) Inglehart, The Silent Revolution: Changing Values, p.16.

\(^{156}\) Ibid., p.365.

\(^{157}\) Ibid., p.366.

\(^{158}\) Inglehart, Culture Shift, p.70; Modernization, pp.23, 90.

\(^{159}\) Inglehart, Cultural Shift, p.66; Modernization, pp.4, 37.
change of values takes place in young people in their formative years, with societal change as a whole gradually occurring as the new generation takes the place of the previous generation. \(^{161}\) While Inglehart’s views have not had total acceptance, especially with regard to a shift towards non-materialism, there is a fair degree of support for the notion that post-war affluence has significantly altered values in a much more liberal direction across the globe. \(^{162}\)

Such changes were in their infancy in 1960. The change was intergenerational; and the first post-war babies were now only in their early teenage years. However, change was afoot as the new generation matured and increased in numbers and influence. \(^{163}\) Increasingly, this created contradiction between public values and private behaviour. James K. Baxter bitingly satirized the situation in Dunedin in the 1960s:

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160 Inglehart, *Culture Shift*, p.12; *Modernization*, pp.5, 41.

161 Inglehart, *Modernization*, p.34.

162 Verity Burgmann made the biting comment, ‘Perhaps those who have written with such conviction about a change from a dominant paradigm of economic values to an alternative paradigm of quality of life values have been dazzled by the shining political moment of the 1960s and early 1970s, and blinded to the changes that have occurred since’: V. Burgmann, *Power and Protest: Movements for Change in Australian Society*, St Leonards, NSW, 1993, p.3. For in-depth critique see R.M. Duch & M.A. Taylor, ‘Postmaterialism and the Economic Condition’, *American Journal of Political Science*, XXXVII, 3, 1993, pp.747-79; S.C. Flanagan, ‘Changing Values in Advanced Industrial Societies: Inglehart’s Silent Revolution from the Perspective of Japanese Findings’, *Comparative Political Studies*, XIV, 4, 1982, pp.403-44; S.C. Flanagan, ‘Measuring Value Change in Advanced Industrial Societies – A Rejoinder to Inglehart’, *Comparative Political Studies*, XV, 1, 1982, pp.99-128. While all authors queried Inglehart’s view of a shift away from materialism, Flanagan gave solid endorsement to the notion that peace and prosperity lead away from authoritarianism towards more liberal values. For another view, critical of Inglehart, see H.D. Clarke, N.D. Dutt, & J. Rapkin, ‘Conversations in Context: The (Mis)Measurement of Value change in Advanced Industrial Societies’, *Political Behavior*, XIX, 1, 1997, pp.19-39. For argument that a complex of factors (parental socialization, familial and societal formative security, education, contemporary influences) better explain a materialist-to-postmaterialist shift, see G.N. Marks, ‘The Formation of Materialist and Postmaterialist Values’, *Social Science Research*, XXVI, 1997, pp.52-68.

163 Inglehart noted that it was in the 1960s that postmaterialists ‘first emerged as a major political factor’: Inglehart, *Culture Shift*, p.67.
Are all you bastards melancholics?
Have you forgotten that your city
Was founded in bastardry
And half your elders (God be thankit)
Were born the wrong side of the blanket?¹⁶⁴

D’Emilio and Freedman quoted the reminiscence of one American woman in relation to the confusion and contradiction of sexual mores of that time, ’’’Postwar America was a society with Stop-Go lights flashing everywhere we looked . . . . Sex, its magic spell everywhere, was accompanied by the stern warning: ‘Don’t do it.’’’¹⁶⁵

Change in the incidence of pregnancies occurring out of wedlock signalled changes in sexual behaviour. The illegitimacy rate in New Zealand (number of ex-nuptial live births per 1000 never married, widowed, divorced, or legally separated, non-Maori women aged 15 - 24) increased from 8.0 in 1940, to 20.6 in 1960, while the bridal pregnancy ratio altered from 12.4% to 20.1% in that same period.¹⁶⁶ Changes in publicly held sexual values started to become evident in the 1960s, especially with the advent of the contraceptive pill which became a symbol of sexual freedom.¹⁶⁷ As one writer expressed it in 1965, ’’[T]he pill requires a rethinking of our concepts of sexual morality and a thorough re-examination of the motives behind our present crippling

¹⁶⁴ J.K. Baxter, A Small Ode on Mixed Flaving: Elicited by the Decision of the Otago University Authorities to Forbid This Practice among Students, n.p., n.d.
¹⁶⁵ D’Emilio and Freedman, Intimate Matters, p.264.
sanctions against those who deviate from the narrow arbitrary paths imposed by those who call themselves Christians'.

The pill was quickly seen as a crucial factor in New Zealand becoming a more sexually permissive society. This was evident in a 1971 NZUSA publication: ‘[H]ave you ever wondered why society has become more “permissive”? The answer is simple: more efficient contraceptives have removed the main reason for moral taboos.’ However, the significance of the pill may perhaps not have been so much its actual influence on behavioural patterns, but rather its influence on changing sexual outlook - a revolution ‘not in bed but in the head’. One outcome of this was that earlier argument that homosexual acts were wrong because they were sterile, lacking potential for the perpetuation of the species, ceased to carry force within society. This was now true also of most heterosexual acts. Such a fact led to sexual acts coming to be considered within a different frame of reference. An aspect of this change was a basic shift from sex-denial to sex-affirmation.

While some change in sexual patterns took place in the 1960s, significant change had already been occurring in the 1950s, albeit in more clandestine fashion. In fact, several researchers have identified seeds of the changing pattern in the upheavals of the

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169 Anon., Living with Sex, (NZUSA publication), n.p., 1971, p. 32.
170 This was a major emphasis of the thesis of Danielle Moreau. It rebutted views of people like Linda Grant that a sexual revolution would not have occurred without the availability of the contraceptive pill. See Moreau, ‘Living with the Pill’, pp. 120-1; L. Grant, Sexing the Millenium, London, 1994, pp. 18, 60.
171 However, the elderly B.L. Dallard was still using this argument in 1980: Dallard, Fettered Freedom, pp. 104-5. For comment on the implications of the birth-control pill for attitudes to homosexuality, see V. Burgmann, Power and Protest, p. 152.
172 Dr Evelyn Duvall quoted by L. Kirkendell, ‘Teen-Agers Sex Attitudes’, in Genné, Foundations, p. 84.
war years, with an ever-increasing outworking thereafter. Jeffrey Weeks, in rejecting a focus on a calendar decade in relation to the emergence of Western permissiveness, argued that the ‘permissive moment’ [sic] covered a period roughly from the mid-1950s to the mid-1970s, while conceding that this might vary from country to country. Nevertheless, though behavioural change was taking place much earlier, publicly held consensus persisted in New Zealand in the early 1960s that sex was for marriage alone. Such a view put homosexual behaviour altogether beyond the pale of acceptability.

Especially was this the case because sexual morality was then a central moral concern. In mid-twentieth-century New Zealand this was illustrated by the way newspapers would discretely report that a ‘morals case’ was before the courts. Readers of that time knew that a ‘morals case’ meant an issue of sexual morality. While the view that sexual issues were at the core of moral issues did not persist for society at large into the 1980s, it did for many conservative Christians. For example, anti-reform spokesperson, Barry Reed, when involved in public debate with Fran Wilde in 1985 in relation to decriminalization, asked her ‘What right have you to inflict upon N.Z. no morals?’ Reed’s views at this point were no longer those of a majority of society. Back in the early 1960s, however, such a perspective was much more widespread, and this intensified pressures on homosexually oriented people.

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175 Weeks, _Sexuality and Its Discontents_, p.20.
176 Personal knowledge of the author.
177 Transcript of Barry Reed’s speech 10 June 1985, p.1. He repeated the ‘no morals’ language at p.5 of the transcript. Copies held by Barry Reed, 92 Marsden Ave, Mount Eden, and by the author.
Medical understandings of homosexuality in the early 1960s:

In the nineteenth century the church was the main institutional shaper of perceptions of homosexuality. However, by the end of that century medicine was challenging the church as moulder of public opinion. In the words of Jeffrey Weeks, ‘[I]ncreasingly in the twentieth century the “medical model” of the homosexual has cast an enveloping shadow over homosexual consciousness’. An outcome of such shift was a tendency to see the homosexual as sick rather than as sinful. Presbyterian ministerial student J.A. Elvidge, for example, wrote a five-page article on homosexuality in the Knox College student magazine in 1965. Any suggestion in the article that homosexual behaviour is sinful was implicit at most. On the other hand the language of ‘sickness’ and ‘disease’ came through the article forcefully and repeatedly.

In noting the change from an image of sin to an image of sickness, we need to highlight the enormous influence of Sigmund Freud over the twentieth-century West, including New Zealand, in relation to perceptions of sexuality (and homosexuality as a sub-set

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181 See, especially, pp.44, 45, 48.

182 See, for example, the marked influence of Freudian theory in J.B. Denford, ‘The Psychodynamics of Homosexuality’ in Forum: A Magazine for Presbyterian Ministers, XXII, 5, 1969, pp.2-4. Denford was a psychiatrist and an assistant lecturer in psychological medicine at the University of Otago. See also Freud’s influence on Ken Stallworthy (medical superintendent of Tokanui Hospital), on M. Bevan-Brown (Christchurch psychiatrist and president of the New Zealand Association of Psychotherapists) and on a number of University of Otago medical students of the 1950s and 60s: Stallworthy, The Facts, pp.143-6; Willy & Stallworthy, Mental Abnormality, pp.9-10; M. Bevan-Brown, The Sources, pp.xi, 1-3; N. R. Perrett, ‘Homosexuality’, 5th year preventive medicine dissertation, University of Otago, 1956, p.12; H.E. Williams, ‘Homosexuality’, pp.9, 48; S.W. Twemlow, ‘Sociological Pressures on the Homosexual Male’, 5th year preventive medicine dissertation, University of Otago, 1965, p.32.
of sexuality). One New Zealand psychology lecturer, Ernest Beaglehole, seemed almost to give messianic status to Freud: "This change from fear, ignorance, horror and superstition to science, reason, objectivity and a calm appraisal of relevant causes we owe more than anything else to the genius of one man, Sigmund Freud."183 Gagnon and Simon have well summed up the influence of Freud, "Freud remains the superego of nearly all researchers into the sexual, since we must in some measure conform to or rebel against his body of ideas."184

A major feature of Freud's thought was his emphasis on sexuality as embedded in the core of one's humanity.185 Greenberg expressed the significance of this perspective as follows: "In tracing virtually every aspect of human life back to sex, Freud implied a vast expansion of the sexual sphere. In his writings all roads lead to sex; it provides the secret of our innermost existence. It follows that our sexual orientations are not merely one attribute of many that characterize us, but the key to who we really are."186

In contrast to earlier theoreticians, Freud viewed this sexual instinct as being present not just from adolescence but from infancy.187 While sublimation, resulting in a period of latency, might characterize much of later childhood, Freud regarded the earliest years (ages two to five) as full of manifest sexuality, something that was "accessible to

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183 Beaglehole, Mental Health, p.2; also pp.18, 74.
185 Ibid., p.12.
observation round about the third or fourth year of life'. Those earliest years were auto-erotic, with a wide diversity of experience and manifestation of infant sexuality: thumb sucking, sucking any part of one's body (even one's genitals [sic]), defecating. Freud's spacious view of the erotic meant that even breast-feeding was an erotic experience: 'No one who has seen a baby sinking back satiated from the breast and falling asleep with flushed cheeks and a blissful smile can escape the reflection that this picture persists as a prototype of sexual satisfaction in later life.'

Identifying such experiences with sexuality, however, is clearly problematical. Is it appropriate to use adult categories of thought to describe the blurry inner state of an infant, which the child itself cannot describe, and later maybe cannot remember? However, the purpose of this discussion is not so much to critique Freud as to note his enormous influence. It was Freud, more than any other thinker, who caused Western society to view sexuality in such a pervasive manner, and to see it as a powerful and nearly immutable instinct, which could be diverted, if at all, with the greatest difficulty.

The French philosopher, Michel Foucault, has drawn attention to the remarkable centring of Western focus and discourse on sex: '[T]he west has managed... to bring us almost entirely - our bodies, our minds, our individuality, our history - under the sway of a logic of concupiscence and desire... Sex, the explanation for everything.' The outcome of such a perspective is to view sex as being at the core of

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188 Ibid., pp.178, 176, 232.
189 Ibid., pp.179-85.
190 Ibid., p.182.
personhood. This clearly stands out in a working paper on homosexuality of the
Christchurch subcommittee of the Methodist faith and order committee in 1985: ‘We
must be prepared to allow people to become their true selves, even though that may
mean something different from the majority. When the church insists on the validity of
only heterosexual expression, then it is denying the personhood of a very significant
minority.’

Foucault viewed the eighteenth-century development of the church confessional, with
its careful and detailed focus on sexual desire as well as sexual act, as providing an
explanation for the scientica sexualis, with its inordinate amount of discourse, which so
characterizes the West. While this may contain a great deal of insight, there still
needs to be an explanation for what Foucault himself observed, the medicalization of
the effects of the confession. May it be that Freud is a great part of that explanation?
If this were the case, this would make Freud enormously influential in turning the
attention of the West to the significance of the sexual, and in providing a way of
viewing that pervasive dimension.

Part of Freud’s thinking on sexuality related directly to homosexuality. Freud regarded
infant sexuality as lacking gender focus, and therefore being innately bisexual:
‘Psychoanalysis considers that a choice of an object independently of its sex - freedom
to range equally over male and female objects - as it is found in childhood, in primitive

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Zealand’, dissertation for the diploma of Scholar in Theology to the Joint Board of Theological Studies,
Aotearoa New Zealand, September 1990, located in the Kinder Library, St John’s Theological College,
Auckland. For similar perspective on sexual orientation being ‘a fundamental aspect of any person’s
being’, see Burgmann, Power and Protest, p.139.
195 Ibid., p.67.
states of society and early periods of history, is the original basis from which, as a result of restriction in one direction or the other, both the normal and the inverted types develop."^{196}

While Freud acknowledged the influence of biological factors in the development of homosexuality, he primarily attributed such development to environmental psychodynamic factors.\textsuperscript{197} In 1915 he added this claim to his original *Three Essays*, "In all cases we have examined we have established the fact that the future inverts, in the earliest years of their childhood, pass through a very intense but short-lived fixation to a woman (usually their mother), and that, after leaving this behind, they identify themselves with a woman and take *themselves* as their sexual object. That is to say, they proceed from a narcissistic basis, and look for a young man who resembles themselves and whom *they* may love as their mother loved *them*.\textsuperscript{198} Freud's focus was primarily on the mother. However, he also noted the absence of a strong father in producing a homosexual outcome.\textsuperscript{199}

In the case of a homosexual person, the 'germs' of the 'perversion' were located in childhood, and the outcome was the arrest of a development process: 'A formula begins to take shape which lays it down that the sexuality of neurotics has remained in, or been brought back to, an infantile state.'\textsuperscript{200} Such a person fails to suppress the

\textsuperscript{196} Freud, *Three Essays*, pp.145-6. This part of Freud's thought was added to his *Three Essays* in the 1915 edition of those essays.


\textsuperscript{199} Ibid., p.146. Emphasis original.

\textsuperscript{200} Ibid., p.172.
homosexual instinct in adolescence and move on to normal heterosexuality.\textsuperscript{201} A homosexual does not become a pervert but remains one.\textsuperscript{202}

While Freud did not profess to have full understanding of the processes that resulted in adult homosexuality, he regarded that state as typically immutable.\textsuperscript{203} Hence he was pessimistic with regard to ‘cure’.\textsuperscript{204}

Freud left an enormous legacy in relation to perceptions both of sexuality generally, and of homosexuality in particular. While he may have seen homosexuality as abnormal,\textsuperscript{205} he denied that such persons were degenerate or mentally sick: ‘Inversion is found in people who exhibit no other serious deviations from the normal.'\textsuperscript{206}

Nevertheless, the theoretical underpinnings of his conclusions opened the way for many of his disciples in psychoanalytical understanding to view all homosexuals as ‘sick’. Freud’s medical language, his terminology of ‘neurosis’,\textsuperscript{207} his complex explanation of distorted early developmental origin,\textsuperscript{208} and his view of persisting homosexuality as an ‘inhibition of development’,\textsuperscript{209} all gave scope for subsequent disciples to view homosexuals as being psychologically maladjusted and emotionally ill. Mondimore drew attention to this point, arguing that Freud’s views were

\begin{footnotesize}
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\item \textsuperscript{201} Ibid., p.176; Bayer, \textit{Homosexuality}, p.22.
\item \textsuperscript{202} Dollimore, \textit{Sexual Dissidence}, p.176.
\item \textsuperscript{203} Ibid., p.182.
\item \textsuperscript{205} He used the language of both inversion and perversion with regard to homosexuality, apparently without always making any sharp distinction between those terms. See \textit{Three Essays}, which refers to inverts (‘people with contrary sexual feelings’) at p.138, but seems to use ‘perversion’ in an equivalent sense at pp.172, 231, 236.
\item \textsuperscript{206} Ibid., p.138.
\item \textsuperscript{207} Ibid., p.172.
\item \textsuperscript{208} Ibid., p.146.
\item \textsuperscript{209} Ibid., p.208.
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catastrophic for homosexuals, his writings being used by psychoanalysts to argue that homosexuals were disturbed in all their relations.\textsuperscript{210}

An example of such perspective is that of American psychiatrist, Edmund Bergler, who, in 1956, viewed homosexuals as 'sick people', having a 'neurotic distortion of the total personality', and bluntly asserted, 'There are no healthy homosexuals.'\textsuperscript{211} Another psychoanalyst, Gustav Bychowski, drew attention in 1961 to 'deep affinities between homosexuals and the whole schizophrenic group' and to 'some striking parallels between the homosexual and the adolescent'.\textsuperscript{212} Similarly, British psychiatrist, Clifford Allen, after referring to the 'immaturity and lack of emotional development' of homosexuals, asserted that they were 'ill inasmuch as a dwarf is ill because he has never developed'.\textsuperscript{213}

At first Albert Ellis decided that all 'exclusive homosexuals' were 'necessarily neurotic'.\textsuperscript{214} Their behaviour was a 'fetishistic sickness'.\textsuperscript{215} He had straight advice for homosexuals: 'Let you homosexuals face it, therefore: all of you, every mother's son of you who is exclusively desirous of homosexual relations, is indubitably neurotic . . . . [A]ll of you are just as neurotic as you could possibly be, and you had better run, not

\textsuperscript{210} Mondimore, \textit{A Natural History}, pp.51, 76.
\textsuperscript{211} E. Bergler, \textit{Homosexuality: Disease or Way of Life?} New York, 1956, p.9. Also his 'What Every Physician Should Know', pp.685-90. An earlier psychoanalyst expressing similar views was Wilhem Stekel. His statements include the following: '[A]ll homosexuals are unhappy. . . . 'I see in every homosexual and neurotic an atavistic element . . . . 'We will never find a homosexual who has not other stigmata of a neurosis.' W. Stekel, 'Is Homosexuality Curable?' \textit{Psychoanalytic Review}, XVII, 1930, transl. B.T. Frohman, pp.443-51 at pp.444, 446; emphasis original.
walk, to the nearest psychotherapist’.216 Shortly thereafter Ellis expressed the view that homosexuals who feared ‘heterosexual participations’ were ‘essentially phobic’.217 Later he adopted the view that ‘most fixed homosexuals’ were ‘borderline psychotic or outright psychotic’.218

The views of psychoanalysts such as Bergler, Ellis, and Allen were very influential throughout the Western world including New Zealand in the early 1960s.219 This perspective led to the Australian edition of *Time* magazine (the primary edition for New Zealand) describing homosexuality in 1966 as ‘a pathetic little second-rate substitute for reality, a pitiable flight from life’, and as ‘a pernicious sickness’.220 It is also significant that when New Zealander, Bernadette Noble, wrote an article in 1969 sympathetic to homosexuals and to law reform, she could still write of homosexuals: ‘many of them are neurotic, unstable, immature and odd’.221 Even for liberals, homosexuals were poor devils.

The image of homosexuality as mental illness was very much to the fore in the celebrated Parker-Hulme murder trial subsequent to the murder of Honora Parker in 1954. The two accused, who were found to have battered Honora Parker to death, were teenage girls who had a close, intense relationship, which was alleged to be lesbian in

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216 Ibid., pp.412-3.
219 Kimball Jones, for example, in querying the views of Bergler and Albert Ellis in 1967 noted that ‘among the lay public, they are two of the most widely-read observers of the homosexual problem’: H. Kimball Jones, *Toward a Christian Understanding of the Homosexual*, London, 1967, pp.46-7.
nature. One of the accused was Pauline Parker, daughter of the victim. The alleged motive for the murder was to kill the mother before she could carry through her plan of separating the two accused and ending their relationship. In rejecting the prosecution claim that the co-accused were dirty-minded little girls, T.A. Gresson, defence lawyer for Juliet Hulme, exemplified the pervasive view of homosexuality as mental illness: ‘[T]hey were nothing of the kind, but were mentally sick and were more to be pitied than blamed. Their homosexuality was a symptom of their disease of the mind’.223

Understandings of homosexuality in the 1960s:

American psychologist, Evelyn Hooker, undertook a very significant, but little noticed, study in the 1950s to test whether male homosexuals were otherwise maladjusted individuals.224 Through the Mattachine Society, she obtained access to thirty male homosexuals who were not in therapy, and matched them with thirty controls. She had them submit to the Rorschach test and submitted the data without identification, apart from age, to two clinicians who were experts in Rorschach. The purposes of the analysis were to obtain an unbiased judgment of personality structure and overall adjustment and to determine whether the experts could differentiate homosexual from heterosexual records.

222 The accused were described, for example, in the Mazengarb Report as ‘abnormally homosexual in behaviour’: AJHR, 1954, IV, H-47, p.8.
No overall differences were found between the two groups with regard to adjustment ratings. One of the judges was able to identify correctly the homosexual and the heterosexual in only 17 of the 30 matched pairs, and the other judge got 18 right.\textsuperscript{225} Hooker noted that neither judge was able to do better than chance. Hooker then concluded that there was 'no inherent connection between pathology and homosexuality',\textsuperscript{226} that 'some homosexuals may be very ordinary individuals, indistinguishable, except in sexual pattern from ordinary individuals who are heterosexual',\textsuperscript{227} and that 'if one assumes that homosexuality is a form of severe maladjustment internally, it may be that the disturbance is limited to the sexual sector alone'.\textsuperscript{228} The fact that Hooker's language was couched in terms of 'pathology', 'maladjustment', and 'disturbance', even though Hooker was rebutting these perspectives, indicates the pervasive extent of medical perspectives in academic and popular thinking in that decade.

So strong was the negative perspective on homosexuals that British psychiatrist Clifford Allen could write (without supporting data) that it was usually accepted that all forms of schizophrenia appeared more frequently in homosexuals than in 'normal' people, that there was some connection between homosexuality and manic-depression, and that homosexual murder (i.e. murder within homosexual relationships) was common.\textsuperscript{229}

\textsuperscript{225} Ibid., p.23.
\textsuperscript{226} Ibid.
\textsuperscript{227} Ibid., p.29. Emphasis original.
\textsuperscript{228} Ibid., pp.30-1.
\textsuperscript{229} Allen Homosexuality, pp.58-60.
That negative type of perspective was reflected strongly in a more popular-level study of six boys involved with homosexuals in New Zealand, reported in 1949 by J. Ferguson, an employee of the child welfare division of the education department. The six boys were described in strikingly stereotypically terms: ‘below average in intelligence’, ‘unstable’, ‘apparently lazy but probably lacking interest’, unable to form ‘any stable relationships with other boys’, ‘immature’, presenting ‘a more sorry picture than most adolescents’. Ferguson included a seventh boy, ‘to provide an interesting comparison’, who was known to have rejected the advances of an adult homosexual. This boy was ‘assertive’, ‘sophisticated’, ‘sure of himself’, ‘alert’. Marked differences were noted between this boy and the others: ‘In one word pictures the exception and the group may be placed near the extremes of an “alert-apathe tic” scale.’

Ferguson, in an addendum, had to sadly report that he had discovered ‘a certain fickleness on the part of the “control”’ after the article had been submitted (the fickleness being the boy’s involvement with adult homosexuals several months prior to Ferguson’s investigative period), which would upset certain of his conclusions. Despite this, Ferguson re-affirmed his stereotypes, arguing that his basic conclusion remained valid: ‘if there is amongst boys any susceptibility towards participation in homosexual practices with adults then the type of boy here described in the first six cases would appear to be more prone than some to this kind of conduct. If this conclusion is correct, then it would be advisable for social workers and those having much to do with children to be aware of this fact and so be on their guard.’

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231 Ibid., p.72.
232 Ibid.
233 Ibid.
Ferguson’s conclusions appear to be a case of ‘my mind is made up: don’t confuse me with the facts’. The article points to the power that labelling and stereotyping exerted in relation to homosexuals in New Zealand in the post-war period.

Even supporters of homosexual law reform in New Zealand often held significantly negative views of homosexuals. The standard liberal position, according to writer, Sue McCauley, was to approve of legal reform while expressing personal abhorrence of such activities.\(^{234}\) Taranaki Methodist minister, Richard Hendry, for example, in supporting the New Zealand Homosexual Law Reform Society petition in 1968, referred to homosexuality as ‘unnatural’, a condition which ‘afflicted’ people, and which was ‘just a bare shadow of an effective heterosexual relationship’.\(^{235}\) Why then support for homosexuals? According to Hendry, ‘The Christian’s view must always be one of extreme compassion for a man in an extremely unenviable condition. A condition which, at best, falls far short of the joys and the unity of marriage and offers little but a life-time of furtive relationships and constant fear of discovery’.\(^{236}\) Despite Hendry’s negative views on homosexuality, NZHLRS was very welcoming of Hendry’s supporting submission and offered him travel reimbursement.\(^{237}\) In that early period of law reform lobbying, pro-reform views could often go hand in hand with quite negative perceptions of homosexuality.

\(^{234}\) S. McCauley, ‘Queen Victoria Wouldn’t Believe It . . . .’, Thursday, 4 September 1969, pp.25-6 at p.25.
\(^{235}\) Ibid.
\(^{236}\) Ibid.
The prevailing perspectives of society meant that even those sympathizing with those involved in homosexuality might see them as ‘deviates’ and ‘emotionally immature’. A sympathetic article by medical doctor, E. Philipp, still referred to homosexuals as ‘socially deviant’. Such understanding of homosexuality as ‘deviation’ was so strong that Felix Donnelly, a strong champion of gay rights from 1970 onwards, used this term of homosexuals in 1970, though clearly he would not do so later on as his thinking developed. In similar vein, Basil James, a senior lecturer in psychological medicine at the University of Otago, while accepting that many homosexuals were well-adjusted, nevertheless viewed homosexuality in the 1960s as ‘an escaping and avoidance behaviour’.

At both popular and medical level, homosexuals were seen as people who for some reason had not developed in ‘normal’ fashion and therefore remained ‘emotionally immature’. The dominant view was that this was the result of early childhood influence, essentially flawed family patterns, particularly from a dominant, over-smothering mother, and commonly, too, from a cold, distant or absent father. Rev. 

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238 Time magazine essay ‘The Homosexual in America’, Australian edition, 21 January 1966, pp.52-3, which was largely negative towards homosexuals, used these terms at p.52, col. 1. See also ‘The Third Sex’, Newsweek, LXIII, 1 June 1964, p.46.
239 E. Philipp, ‘Homosexuality as Seen in a New Zealand City Practice’, NZMedJ, LXVII, 1968, pp.397-401 at p.401. He asserted at one point that there was good evidence that ‘many homosexuals are well adjusted personalities accepting their sexual deviation and appearing aberrant only in terms of their preferred sexual outlet’: B. James, ‘Learning Theory and Homosexuality’, NZMedJ, LXVI, 1967, pp.748-751 at p.749.
240 Ibid., p.751.
Selwyn Dawson, for example, noted the consensus of a 1968 meeting in Christchurch of 120 doctors, ministers, priests, welfare workers, psychologists and psychiatrists that 'homosexuality is not a normal condition, but the result of a blockage in development', and that 'it is involuntary, having its roots in very early disturbed family relationships'. So strong was this sort of view that James asserted, 'There ... seems to be complete unanimity regarding the importance of early family influences, not only in determining psychosexual identity but also in determining the sex to which the adult impulse will be directed.' While this view faced academic challenge in the 1970s, it reigned almost without question in the 1960s.

It was common for this image of distorted development to be understood in terms of psychopathology. Psychiatrist, Laurie Gluckman, for example, when discussing lesbianism, stated, 'Lesbianism is more commonly in my experience seen in the psychopath and in the neurotic. It may be associated with paranoid difficulties and with schizophrenia ...' Gluckman gave a diagnostic summary of the 100 lesbians he had treated, labelling 68 with terms such as 'psychotic and pre-psychotic disorders' (11), 'psychopathic disorders' (21), 'neurotic disorders' (18), and 'essential lesbians' (15). Gluckman seemed to assume that lesbians, by definition, must have some psychopathology: 'The 32 patients incapable of classification would have fitted into

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244 W.S. Dawson, 'A Plea for Compassion', NZ Methodist, 24 October 1968.
245 B. James, 'Learning Theory', p.750. Stallworthy was a little more cautious, stating that nobody was sure of the cause of homosexuality, but accepting that abnormal relations between mother and son might be a factor: K.R. Stallworthy, 'The Wrong Sex', New Zealand Family Doctor, VII, 1963, pp.23-4 at p.24.
246 M. Siegelman, 'Parental Background of Male Homosexuals and Heterosexuals', Archives of Sexual Behavior, III, 1, 1974, pp.3-18 at pp.3, 16; Bell, Weinberg & Hammersmith, Sexual Preference, passim.
248 Ibid., p.448.
one of the more defined groups had more adequate data been available'. Gluckman invented new classifications to imply psychiatric disorder in homosexuals. Thus he later classified certain Maori lesbians as suffering from ‘heterochromophobia’, that is from ‘a sexual neurosis in which sexual expression is stimulated by a racially different skin colour to that of the patient’.

Homosexuality as mental illness was starkly expressed in the submission of psychiatrist S.L. Pugmire on Venn Young’s private member’s decriminalization bill of 1974-5. Pugmire, then medical superintendent of Lake Alice Hospital, viewed homosexuality as a ‘mild schizoid’ form of schizophrenia. It was a thought disorder which could be eliminated by early treatment, but was untreatable and unchangeable if allowed to persist over a number of years. The latter outcome was the result of neurotic pleasure that the ‘bizarre thought disorder’ provided. In Pugmire’s words: ‘Every addict, every maniac, every homosexual and every Schizophrenic prefers to remain in the happy acute phase of his illness and all these patients strongly object to being changed by mind changing drugs like Melleril which bring them back to normal.’ The medical expert had made his diagnosis - who dared challenge? Interestingly, Pugmire began his submission by acknowledging that his views came from experience [or, should one say, prejudice?], and not from systematic research: ‘[T]he following are my own personal beliefs on the subject of homosexuality, which I

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249 Ibid., p.448. The objection might be made that ‘essential lesbianism’ is not a psychopathology, but the way Gluckman listed it seems to suggest he thought it was.
252 Ibid., p.3.
253 Ibid., p.2.
254 Ibid., p.4.
know from experience to be true, although I cannot prove them in a scientific manner’.255

Such stigmatization of homosexuals meant that they were perceived as misfits and freaks, as well as criminals. Dr K.R. Stallworthy, in an article fairly sympathetic towards homosexuals in 1963, referred to them as ‘the wrong sex’, most of whom ‘hide themselves out of mind and create no problems’.256 This sort of perspective meant that a high percentage kept their orientation and/or behaviour ambiguous if not totally concealed. An example of this was the outstanding New Zealand writer, Frank Sargeson. In 1929 the police caught Sargeson, then known as Norris Davey, and another man involved in mutual masturbation. Davey testified against the other man and received a suspended sentence; the other man received a jail sentence of five years with hard labour.257 Subsequently Davey changed his name and never came out explicitly about his sexuality in his writings.258 However, homosexual themes were prominent in his writings.259 In the words of Rhodes in 1955, ‘Sargeson . . . turns . . . to the maladjustments and even the perversions of the sexual instinct; and he turns to them because they seem to provide a fitting accompaniment to his main theme.’260 The nearest that Sargeson seems to have approached any coming out publicly as a homosexual was the sort of comment he made in an interview in 1970, in part of which

255 Ibid., p.1.
259 King, Frank Sargeson, pp.158-9.
he discussed the fact that there were far more ‘deviations’ and variety than most people imagined:

As a last word on this I would say, ‘Men have tits. Why?’ Doesn’t it occur to people that we must naturally be bi-sexual? Some have held that we must naturally be bi-sexual. Some have held that the male is concerned with culture and was differentiated out at a late stage of human development and that if you want to look at the type figure of the human race you look to the female. I think that’s a pretty sound idea. No doubt you will get the absolute pure heterosexual. At the other end you get - well we’ve all seen pure homosexuals. But all the rest of us are somewhere in between.261

While Sargeson’s homosexuality was known to his friends, it was never acknowledged unequivocally in public: the early brush of Sargeson with the law had likely taught him caution. That part of his life must remain in shadow world - neither clearly straight nor clearly queer.262

The ‘cure’ of homosexuals:

Images of the homosexual as neurotic and as miserable,263 led in that earlier period to an intense interest in the homosexual as patient. Was his disease curable or not? Freud’s pessimistic answer to such a question had a great deal of continuing influence.264 Based either on Freudian pessimism,265 or on clinical experience, many

262 For further discussion see T. Wilson, ‘A Gay Outing’, NZ Listener, 1 February 1997, pp.48-9 at p.49. King, Sargeson, at p.407 noted of Sargeson in the mid-1970s, ‘[H]e was by now almost completely allusive (not to say elusive) on this topic [his own homosexuality] in his writing; and he was still nervous about exposing himself to the kind of attention which might attract ostracism or abuse, or even public revelation of his 1929 conviction’.
263 Homosexuality was described as ‘misery concentrated’ in ‘The Strange World’, Time (Pacific edition), LXXIV, 9 November 1959, p.36.
remained sceptical of cure, or viewed it as a solution for only a small percentage of homosexuals.266

While this was probably the dominant position in the early 1960s, a new position, quite optimistic of long-term change or ‘cure’, was starting to exert significant influence. Thus Christchurch psychiatrist, M. Bevan-Brown, claimed in 1960 that homosexuality was ‘amenable to treatment by psychotherapy provided the individual is dissatisfied with his condition’.267 Optimism as to cure was expressed by American psychiatrist Edmund Bergler as early as 1956: ‘The statement that psychoanalytically oriented psychiatry can cure male homosexuality and Lesbianism [sic] could not have been made a decade ago. At that time, a sterile pessimism on this score pervaded science; the best science had to offer was a process by which the homosexual was reconciled to his “fate”; in other words his conscious guilt was removed . . . . Today, psychiatric-psychoanalytic treatment can cure homosexuality.’268 Even earlier, Clifford Allen had asserted in 1952 that once governments subsidized suitable treatment, ‘homosexuality will be abolished’.269 While most did not go as far as Allen and Bergler’s optimism of a potential one hundred per cent success rate, success of treatment was commonly put by therapists who believed success to be possible, at between 20 and 50 per cent of homosexuals seeking change of orientation.270 Standard approaches to the cure of

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268 Bergler, Homosexuality, pp.8-9. An article in Time 9 November 1959, p.36 stated, ‘Dr Bergler holds that every homosexual can be cured in about eight months of psychiatric treatment.’ Another psychiatrist expressing measured optimism in 1958 in relation to cure was Clifford Allen (Homosexuality, p.111).
270 Bieber in 1962 (p.276) claimed a 27% success rate with 106 patients - raised to 30 to 50% success rate in 1978 (p.416). See also I. Bieber, ‘Homosexuality - A Psychoanalytic Study of Male
homosexuality included psychoanalysis and group therapy. However, aversion therapy, using emetics or electric shocks, came commonly to be employed.\textsuperscript{271} In 1985 a gay New Zealand Presbyterian minister noted that earlier, in sheer desperation, he had sought aversion therapy on a couple of occasions prior to coming to self-acceptance.\textsuperscript{272} While aversion therapy was in theory self-chosen, in practice it could sometimes be less than fully voluntary because of family, social or judicial expectations.\textsuperscript{273}

The period seemed to be one of remarkable experimentation, even recklessness, with new ‘cures’. Lysergic acid diethylamide (LSD), for example, might be used to treat

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homosexuals.\textsuperscript{274} Female hormones were used in Britain on computer pioneer Alan Turing as an alternative to prison for ‘gross indecency’.\textsuperscript{275} The anguish caused by the treatment was a likely factor in his suicide two years later. Masculine hormones were apparently offered to New Zealand author Noel Virtue in his youth to cure his gayness.\textsuperscript{276} Earlier he had been given shock treatment (ECT) for the same reason.\textsuperscript{277} At times even castration was considered, though largely rejected or discouraged.\textsuperscript{278} Science in the early post-war period was at the height of its reputation and scientists could do no wrong.\textsuperscript{279}

Pessimistic views in relation to cure were later to reassert themselves and dominate professional opinion from the mid-1970s onwards.\textsuperscript{280} In 1977 Victoria University of

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\bibitem{note276} Virtue, \textit{Once a Brethren Boy}, p.53. For brief mention of hormone therapy for homosexuals in a New Zealand medico-legal book, see Wily & Stallworthy, \textit{Mental Abnormality}, p.248.
\bibitem{note277} Ibid., pp.44-7.
\bibitem{note278} The possibility of castration for homosexuals was raised in a question and answer column of \textit{British Medical Journal}, 4894, 1954, p.1001. The reply rejected such treatment but the respondent acknowledged that he/she had carried out such a procedure twenty years earlier on a ‘homosexual of a very low type’. The matter of castration of homosexuals was also discussed by Peter Scott in 1964. Scott, while noting that castration was illegal in England and that it did not necessarily mean loss of libido, also noted that voluntary castration was possible in Switzerland and Denmark: P.D. Scott, ‘Definition, Classification, Prognosis and Treatment’, in I. Rosen (ed.), \textit{The Pathology and Treatment of Sexual Deviation: A Methodological Approach}, London, 1964, pp.87-119. For a New Zealand reference to various treatments including castration, see B. Noble, ‘One in Twenty’, \textit{Thursday}, 4 September 1969, p.18. See also discussion of possible voluntary castration for certain sex offenders (which could possibly include homosexuals) in ‘Plan to Treat Habitual Sex Offenders’, \textit{Dominion}, 6 December 1966, p.13.
\bibitem{note280} Jeffrey Satinover produced striking figures in relation to changing attitudes towards therapeutic ‘cure’ of homosexuality in the last three decades. He noted that a medline database search for the period 1966-74 revealed 1021 articles on the treatment of homosexuality; for the period 1975-79 there were 42 articles; and for the years 1992-4 there were 2 articles, one of which was an historical review of Freud’s attitudes. See J. Satinover, \textit{Homosexuality and the Politics of Truth}, Grand Rapids, 1996, p.169.
\end{thebibliography}
Wellington lecturer in psychology, Michael Ross, identified moves having begun only two or three years earlier away from behaviour modification therapy.\textsuperscript{281}

In the 1960s, however, there was widespread belief in the possibility of change of sexual orientation.\textsuperscript{282} The burgeoning popularity of behaviourist approaches to therapy aided this optimism. In the words of Max Abbott, who was significantly involved in gay counselling in the late 1970s and who is currently head of the health sciences department of the Auckland University of Technology, ‘their [behaviourists’] approach basically was that behaviours that were deemed undesirable or that people wanted to change, they had the technology to change it, and ... they didn’t necessarily go into the rights and wrongs of it too much’.\textsuperscript{283} Mid-twentieth-century optimism in regard to ‘cure’ of homosexuals is evident in a survey response from 129 professional therapists in the San Francisco Bay area in 1971. This indicated that 72\% believed that change of sexual orientation was possible, though only 38 indicated that they would treat a homosexual with the direct aim of changing sexual orientation.\textsuperscript{284}

If homosexuals were sick, miserable, pathetic creatures, then it was appropriate to attempt rescue and cure. It is noteworthy that even Basil James, who held that ‘many homosexuals are well adjusted personalities accepting their sexual deviation and appearing aberrant only in terms of their preferred sexual outlet’, nevertheless sought to provide cure by aversion therapy. Maybe this was because homosexuality was a

\textsuperscript{282} Barton, ‘Social Attitudes’, p.8.
\textsuperscript{283} Transcript of interview of Max Abbott by Laurie Guy, 15 June 1999, p.1.
deviation - 'an escaping and avoidance behaviour'.\textsuperscript{285} There was also, however, the fact that some at least of such people were suicidal in relation to their situation, needing urgent answers to their plight. As James later stated, "[E]ven if one had held the view that psychosocial change was the way to go, it was often of relatively little comfort to the suicidal patient who turned up in hospital on a particular day'.\textsuperscript{286} Something needed to be done. Homosexuals, even if they were not otherwise abnormal, were still poor devils standing in need of a cure.

Whether the call was for repentance, therapy or penal sanctions, homosexuals were not left undisturbed in the early 1960s. Church, medicine and state were all commonly interventionist in their approach to homosexuals. Forbearance was seldom considered, let alone acceptance. The smudge of homosexuality on the fabric of society could not be tolerated.

\textsuperscript{285} B. James, 'Learning Theory', pp.749, 751.
\textsuperscript{286} Letter Basil James to Laurie Guy, 27 May 1999.

Change the law, remove the reason for even such moderate pressure groups as the Homosexual Law Reform Society, take the subject out of the political arena and it can sink to a decent obscurity.1

The previous chapter sought to show that society displayed a pervasive negativity towards homosexuals in New Zealand in the early 1960s. Were such attitudes frozen in permafrost, or was a melting on the way? This chapter will begin by exploring academic post-war developments which provided a platform for change. It will then look at the formation and early endeavours of the New Zealand Homosexual Law Reform Society (NZHLRS).

Factors for change in the early 1960s: the Kinsey report:

While any chance of legislative relief for practising male homosexuals seemed unlikely in the early 1960s, there were, nevertheless, significant factors already in existence that would prove to be seed-beds for reform. While popular opinion seemed set against any reform, academic perspectives were emerging which made reform much more likely in the long term.

Perhaps the most significant of these factors was the research of Alfred Kinsey and his associates. At Kinsey’s death in 1956, his Institute of Sex Research in Indiana, had taken the case histories of the sexual behaviour of more than 18,000 subjects over a
period of two decades. Kinsey’s first major work on the human male, published in 1948, was a bombshell.² A feature of Kinsey’s research was his classification of people on a seven-point scale ranging from 0 to 6, with the two extremes being either totally heterosexual or totally homosexual in behaviour throughout their adult lives, and with the other five positions having various levels of both heterosexual and homosexual behaviour. Using this scale, Kinsey’s team claimed, on the basis of their research, that 37% of American white adult males had some homosexual experience between the beginning of adolescence and old age,³ that 10% of such males were more or less exclusively homosexual (having a rating of 5 or 6 on the Kinsey scale) for at least three years between the ages of 16 and 55,⁴ and that 4% of such males were exclusively homosexual (a rating of 6) throughout their lives, after the onset of adolescence.⁵ Not only did this indicate that homosexuals were a very sizeable minority of the population, but it also suggested that criminal prosecutions covered only a minute proportion of offences committed, and that more than a third of the male population had committed such offences. Could society treat such a large minority of its members as criminals; and was it fair to bring prosecutions against the very small proportion who were unlucky enough to get caught?

Kinsey’s investigations had major methodological flaws. His interviewees were not a random sample, but were drawn from people accessible to him - university students attending his courses, prisoners, people who attended his public lectures etc. Many came through snowballing, i.e. they were associates of other interviewees and

¹ NZHLRS submission to the Select Committee on the Crimes Amendment Bill 1974: National Archives: ABGX Acc. W3706, Box 11.
² Kinsey, Sexual Behavior in the Human Male.
³ Ibid., p.623.
⁴ Ibid., p.651.
volunteered to be interviewed. Public attitudes in America were probably such that Kinsey could not have obtained better data through a genuinely random sample at the time he did his research; too many would have declined to be interviewed or would have falsified the information they gave on such a sensitive subject. In addition to the survey not being random, the interviewees were clearly not proportionate to their numbers in society as a whole, with students and prisoners being over-represented. This was especially the case with prisoners (25% of Kinsey's overall male sample), a particularly serious matter given the perception of much higher levels of homosexual behaviour among male prisoners than among male society as a whole. While Kinsey's conclusions were disputed when first published, major attempts to discredit them gathered currency only much later.

When first released, Kinsey's material had enormous effect. The stereotype of married suburban bliss and perfectly happy families was called into question. Human sexual behaviour was evidently much more diverse than previously thought. In particular, the percentage of males engaging in homosexual behaviour was very large. The influence of Kinsey's statistics on this matter can be seen in their being quoted at length in the 1968 report of the public questions committee of the Presbyterian Church of New Zealand. This report led the Presbyterian Church to adopt a resolution the same year to

5 Ibid., p.651. Kinsey provided a number of statistical percentages of which these are simply a sample.
9 Yska, All Shook Up, p.55.
support decriminalization of male homosexual acts. The influence of Kinsey was well summed up by Mondimore, ‘His [Kinsey’s] findings - that homosexuality is commonplace and that gay and lesbian people form a significant proportion of the population - resounded like a thunderclap throughout the psychological and psychiatric community.’ One aspect of this was that the widespread extent of homosexual behaviour cast doubt on its being pathological.

Despite its academic nature, Kinsey’s 1948 book gained huge circulation. Although its first printing was only 10,000 copies, interest was such that 200,000 copies were sold within a few months of its release. A significant aspect of the Kinsey figures was their very authoritative nature, based not only on the magnitude of the research, but also on the fact that no other research provided comparable data on the nature and incidence of homosexuality for at least two decades after Kinsey’s original publication. Thus an Otago medical student in 1965 could view Kinsey’s work on sexual behaviour as ‘the most authoritative ever published’, while a fellow-student in 1967 called it ‘the most quoted study’, noting that no such study had been done in New Zealand.

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10 Proceedings of the General Assembly of the Presbyterian Church of New Zealand, 1968, pp.46, 167a. See also Presbyterian Church of New Zealand, Reports of Committees and Other Papers to be Presented to General Assembly 1975, p.304 where, in a paper on ‘The Church and Sexuality Today’, the public questions committee of the church again used Kinsey’s percentages in similar fashion.
11 Mondimore, A Natural History, preface xiii.
One outcome of Kinsey’s work was the bringing of discourse about sexual behaviour into general public consciousness and discussion in a manner that would previously have been unthinkable. Bullough, for example, regarded Kinsey as the major figure in transforming attitudes about sex, helping the public ‘to come to terms with the existence of real sexual behaviors that had previously been ignored’. In D’Emilio’s words, Kinsey ‘mapped the unsurveyed landscape of the nation’. Generally accepted notions of normality were challenged: what was formerly abnormal was now arguably normal behaviour for a sizeable minority of society.

Thus another outcome of Kinsey’s research was to give homosexuals a sense that they were not a rare breed. Kinsey produced a number of different statistics, depending on what exactly he was discussing. Furthermore, he talked not of homosexuals but of homosexual behaviour. It was only the latter that could be empirically recorded. In his words: ‘It would encourage clearer thinking if persons were not characterized as heterosexual or homosexual, but as individuals who have had certain amounts of heterosexual and certain amounts of homosexual experience.’ Such caution was largely ignored: most writers saw heterosexuality and homosexuality as a simple

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dichotomy. One consequence was that at a popular level Kinsey's data was eventually used to justify the claim that 10% of male society is homosexual.

Ultimately, Kinsey's work contributed to the emboldening of homosexuals - 'we are everywhere'. In New Zealand at least, however, this emboldening was a much later development. The marked quoting of Kinsey in the parliamentary debates of 1985-6 indicates how influential Kinsey was in the shaping of New Zealand understanding of homosexuality. Kinsey must rank alongside Freud in shaping perspectives on homosexuality in the Western world including New Zealand.

Factors for change in the early 1960s: anthropological studies:

In relation to views on the 'normalcy' or otherwise of homosexual behaviour in the 1960s, we must also note the impact of emerging social science research. Early challenge to conventional views came especially from anthropology. One particularly influential work was that of Ford and Beach, Patterns of Sexual Behavior, in 1952. Ford and Beach looked at research on seventy-seven societies with regard to sexual behaviour.

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22 Le Vay, Queer Science, p.61; Painton, 'The Shrinking Ten Percent', p.37; Schmidt, Straight and Narrow?, p.102.
23 Bergler, Homosexuality, p.271; Bayer, Homosexuality, p.44. 'We are everywhere' was the theme used in Gay Pride Week in 1979: Parkin, 'The Gay Rights Movement', p.10.
24 Among members of parliament directly quoting from Kinsey in those debates were Helen Clark, Richard Northe, Trevor Mallard, and Roger Maxwell (NZPD, 1985, 461, p.3529; 461, p.3531; 466, p.7204; 467, p.7800), while other members quoting a 10% figure for the percentage of homosexuals in society without direct reference to Kinsey, included Fran Wilde, Margaret Shields, Noel Scott, Bill Dillon, David Butcher, and Derek Angus, the latter two specifying a range of 5-10% (NZPD, 1985, 466, p.7254; 466, p.7263; 466, p.7440; 466, p.7608; 466, p.7613; 477, p.7794). While Kinsey did not make such a direct statement and saw a degree of fluidity with regard to sexual behaviour, it was through (mis)use of Kinsey data that the 10% figure emerged.
behaviour. Their conclusion was that in forty-nine (64%) of these societies ‘homosexual activities of one sort or another are considered normal and socially acceptable for certain members of society’.26

Ford and Beach used evolutionary theory to justify their drawing attention also to what they saw as widespread homosexual behaviour in the animal world, and to the significance of that behaviour in an understanding of human homosexuality.27 They argued that parallels between the human and the animal world suggested a hereditary and biological aspect to human homosexual behaviour.28 Ford and Beach’s arguments with regard both to the animal world and to other human societies provided much data with which to challenge traditional concepts of what should be regarded as normal and natural with regard to sexuality. While this challenge was not marked at the time of publication of the book, it certainly did provide data for use along such lines in the 1970s and 1980s.29 The image of the homosexual as ‘poor devil’, locked into a pattern of abnormal behaviour, would later itself be under challenge.


27 Ibid., pp.250-1, 3-4.


29 See, for example, the use of Ford and Beach in H.J. Heald, ‘Notes on the Sociology of Homosexuality in New Zealand’ (a paper presented at a Gay Liberation teach-in June 1972), reproduced in Craccon, XLVI, 20, 12 August, 1972. See also the submissions of D.R. Russell, co-ordinator of Gay Liberation (Dunedin), with regard to the 1974-5 Venn Young reform bill: National Archives: ABGX Acc. W3706, Box 11. See also Barton, Social Attitudes, p.6. See also report of the public questions committee of the Presbyterian Church of New Zealand entitled ‘The Church and Sexuality Today’ p.306 in Presbyterian Church of New Zealand, Report of Committees and Other Papers to be Presented to General Assembly 1975.
Factors for change in the early 1960s: the Wolfenden Report:

Major challenge to the image of homosexual as poor devil occurred earlier in England than in New Zealand with the release there in 1957 of the Wolfenden Report. In 1954 the United Kingdom parliament set up a ‘Committee on Homosexual Offences and Prostitution’. The Committee was a highly respected body of eminent persons chaired by Sir John Wolfenden. Its report, released after long and careful research and deliberation, argued for the decriminalization of male homosexual acts, when done by consenting adults in private. The report drew significantly upon the Kinsey findings.\(^{30}\) It rejected any generalization of homosexuals as poor devils: ‘On the criteria of symptoms . . . homosexuality cannot legitimately be regarded as a disease, because in many cases it is the only symptom and is compatible with full health.’\(^{31}\) The report drew a sharp distinction between the sphere of crime and the sphere of sin, with criminal law having a much more limited role than to provide sanctions against all sin.\(^{32}\) The function of criminal law was simply ‘to preserve public order and decency, to protect the citizen from what is offensive and injurious, and to provide sufficient safeguards against exploitation and corruption of others, particularly those who are specially vulnerable because they are young, weak in body or mind, or in a state of special physical, official or economic dependence’.\(^{33}\) Law should not cover all aspects of sexual behaviour: ‘It is not, in our view, the function of the law to intervene in the private lives of citizens, or to seek to enforce any particular pattern of behaviour,

\(^{30}\) Report of the Committee on Homosexual Offences and Prostitution, [The Wolfenden Report], Authorized American Edition, New York, 1963, p.32 (para. 22). Weeks, Sex, p.242, in arguing that the long-term effect of the Kinsey material was to undermine the idea of a nature-given normality, asserted that this created the climate out of which the Wolfenden Report emerged.

\(^{31}\) The Wolfenden Report, p.32 (para. 27).

\(^{32}\) Ibid., p.48 (para. 61).

\(^{33}\) Ibid., p.23 (para. 13).
further than is necessary to carry out the purposes we have outlined. On such arguments the committee argued for qualified decriminalization of male homosexual behaviour.

It took ten years for the report to be implemented in England and a further nineteen years before New Zealand came to the same decision. Nevertheless, the quality of the argument of the report was such that it stood as a remarkably influential document throughout the intervening years. It is significant that this English document came to have a great deal of prominence in New Zealand, its views quickly being affirmed, for example, from some legal and medical perspectives. Jock Phillips' observation that the report 'made no public impact here' in 1961, while arguably true if we simply look at the 1961 parliamentary debate on the new Crimes Act, is, therefore, to be rejected.

Favourable comment on the Wolfenden report as 'a liberal and courageous document' was made in an editorial in the New Zealand Listener the year following its release. In 1960 the Conference of the Methodist Church of New Zealand charged its public questions committee with investigating the issue of legal toleration of homosexual

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34 Ibid., pp.23-4 (para. 14).
35 Decriminalization of homosexual acts in private between consenting males aged 21 or more occurred for England and Wales in 1967. For Scotland this occurred in 1980. In 1994 the age of consent was lowered to 18 for England, Wales and Scotland. There have been moves at the end of the twentieth century and the start of the twenty-first to lower this age to 16 to match the age of consent for heterosexual acts.
36 See, for example, the appeal to the report by Trevor de Cleene, M.P. during the 1985 debate: NZPD, 1985, 461, p.3521.
37 For example, Wily & Stallworthy, Mental Abnormality, pp.239, 242; Medlicott, 'Sociopathic', p.375.
practices. The report led to the Methodist Church in 1961 being the first denomination in New Zealand to come out in official support of decriminalization. It is significant that the 1960 resolution was in response to a report of the public questions committee, and that major parts of that report were lifted almost word for word from the Wolfenden Report.\(^\text{40}\)

By 1963 both the Howard League for Penal Reform and the justice committee of the Auckland branch of the National Council of Women were using the Wolfenden Report to argue for homosexual law reform.\(^\text{41}\) In 1964 Arthur O'Halloran, president of the Howard League for Penal Reform, berated the 1961 parliament for its ‘timidity’ in not considering homosexual law reform when it overhauled the Crimes Act, and urged that all MPs take the time to read the Wolfenden Report.\(^\text{42}\) Similarly, the director of research at the Justice Department of New Zealand, D.F. MacKenzie, used the Wolfenden Report in cautiously arguing for homosexual law reform in 1967.\(^\text{43}\) It is noteworthy that when the New Zealand Homosexual Law Reform Society, the first influential organization formed specifically to seek decriminalization, was constituted that same year (1967), its name for the few months prior to its formally constituting was the Wolfenden Association, and the objects of that Association were to attain the objectives of the Wolfenden Report.\(^\text{44}\) Two years later when the Anglican Church in

\(^{1959}\text{, p.10; ‘Wisdom of Second Thoughts on Crimes Bill’, NZ Herald editorial, 23 September 1959, p.12.}\)
\(^{40}\text{Minutes of the Annual Conference of the Methodist Church of New Zealand 1960, pp.94-6.}\)
\(^{44}\text{See P.F. Blizard, ‘The Law, Homosexuality and the Wolfenden Association’, Comment, III, June 1967, pp.7-8; letter J. Goodwin to Allan Pyatt, bishop of Christchurch, 16 February 1967, LAGANZ MS Papers 083, Series 1, File 1; also LAGANZ MS Papers 295.}\)
New Zealand produced a report on homosexuality, it noted that there was little information on the New Zealand situation, and that therefore most of its information was drawn from the Wolfenden Report.  

Despite its being an English document, the Wolfenden Report was extremely significant in the long-term shaping of public opinion in New Zealand. Most significant was its distinction between law and morality. As gay minister David Bromell argued, ‘By distinguishing between legality and morality, many Christians and several churches felt able to support law reform, whatever they may have thought about the morality or immorality of homosexual acts in private.’ In the 1960s New Zealanders supporting homosexual law reform were commonly very careful to note that this did not condone homosexual behaviour. Thus, when the Wellington branch of the National Council of Women voted to recommend decriminalization for consenting male adult homosexual acts their report added a rider, ‘Note: It is not the intention of this recommendation to condone homosexuality but to seek a more effective manner of treatment.’ The law/morality distinction enabled conservative groups to support law reform without supporting homosexuality per se.

The influence of the Wolfenden Report was particularly marked in the 1974-5 parliamentary decriminalization debate. Venn Young’s bill was very much a
Wolfenden-type measure, and quite a number of members of parliament made reference to the Wolfenden Report in supporting decriminalization.\textsuperscript{48}

Factors for change in the early 1960s: the Hart-Devlin debate:

Part of the significance of the Wolfenden Report for New Zealand lay in its alerting law academics to the issue of homosexuality. In 1959, Judge (later Lord) Devlin delivered the Maccabean Lecture in Jurisprudence at the British Academy on ‘The Enforcement of Morals’. Devlin argued for a wider role for the law than that expressed by the Wolfenden Report, arguing that the law also existed for the protection of society.\textsuperscript{49} On that basis society did have an interest in areas of private morality and could appropriately legislate in those areas.\textsuperscript{50} Devlin’s argument was that religion and morals were inextricably intertwined,\textsuperscript{51} that society was built on the bonds of common thought and not just on a political structure,\textsuperscript{52} and that the law might appropriately enforce morality where that was necessary to safeguard society’s continuing existence.\textsuperscript{53} The following statement of Devlin’s substantially sums up his argument: ‘[A]n established morality is as necessary as good government to the welfare of society. Societies disintegrate from within more frequently than they are broken up by external pressures. There is disintegration when no common morality is observed and history shows that the loosening of moral bonds is often the first stage of


\textsuperscript{50} See New Zealand Law Society submission 966, pp.1-6, on the HLRB 1985, regarding Hart’s lecture and the subsequent Hart-Devlin debate: LAGANZ: MS Papers 098.

\textsuperscript{51} Devlin, \textit{The Enforcement}, p.4.

\textsuperscript{52} Ibid., pp.9-12, 22-3, 89 and \textit{passim}. 
disintegration, so that society is justified in taking some steps to preserve its moral code as it does to preserve its government and other essential institutions.54

Reply to Devlin came from H.L.A. Hart, professor of jurisprudence at the University of Oxford, in the Harry Camp lectures at Stanford University 1962.55 Hart based his thinking on the libertarian views of John Stuart Mill, that individual liberty was of such value that criminal sanctions should be used only to ‘prevent harm to others’.56 The negative value Hart ascribed to restriction of freedom meant that any enforcement of morality called for justification, and there was no empirical evidence to show that immorality jeopardized or weakened a society.57

What made the ongoing Hart-Devlin debate so significant was that it served as a focus for a generation of New Zealand law students,58 and that the most specific issue at stake in the minds of most of those studying the debate was the continuing criminalization of homosexuality. Hart’s position on the purpose of the law, with particular reference to continued criminalization of homosexual acts, provided useful material for later reformers. It was a major factor in law lecturer and NZHLRS vice-president Don Mathieson’s support for decriminalization despite his view that homosexual acts were sinful.59 Likewise Rev. S.H. Rae appealed extensively to the Hart-Devlin debate in 1969 in espousing the New Zealand Presbyterian moves to

53 Ibid., pp.8, 22 and passim.
54 Ibid., p.13.
56 Ibid., pp.4, 47.
57 Ibid., pp.82, 50.
58 It was a major focus at the University of Auckland when I studied jurisprudence in 1967.
59 Transcript of interview of Don Mathieson by Laurie Guy, 20 October 1997, pp.1, 3, 5. For more particular critique of Devlin’s position by Mathieson, see D.L. Mathieson, "Intolerance, Indignation and
support decriminalization in 1968.\textsuperscript{60} Similarly, Venn Young, in promoting his private member’s decriminalization bill in 1974-5, made explicit appeal to that debate.\textsuperscript{61}

The Hart-Devlin debate was itself precipitated by the Wolfenden Report, Lord Devlin noting that when he appeared before the Wolfenden Committee in 1957 he held the view that the law should not concern itself with private morality, but that on further reflection he had changed his mind.\textsuperscript{62} Devlin appeared to support the continued criminalization of homosexual behaviour: ‘[B]efore a society can put a practice beyond the limits of tolerance there must be a deliberate judgement that the practice is injurious to society. There is, for example, a general abhorrence of homosexuality. We should ask ourselves in the first instance whether, looking at it calmly and dispassionately, we regard it as a vice so abominable that its mere presence is an offence. If that is the genuine feeling of society in which we live, I do not see how society can be denied the right to eradicate it’.\textsuperscript{63} Despite this impression of support for continued criminalization, Devlin was in fact opposed to that position - the misery the law caused to homosexuals and its haphazard enforcement were factors of greater weight than the low level of good that punitive measures might achieve.\textsuperscript{64} Devlin’s argument gave focus to the specific issue of homosexuality; so also did Hart’s argument. A sign of the times, however, is that despite Hart’s generally liberal approach, he noted the instinctive revulsion in society for homosexuality and the deep

\textsuperscript{60} S.H. Rae, ‘Homosexual Law Reform’ in Forum, XXII, 9, October 1969, pp.8-11. See also a further article by Rae, ‘Morals and Society’ in Forum, XXII, 9, May 1971, pp.4-5.
\textsuperscript{61} V.S. Young, NZPD, 1975, 399, p.2765.
\textsuperscript{62} Devlin, The Enforcement, preface v-vi.
\textsuperscript{63} Ibid., p.17.
\textsuperscript{64} Ibid., preface v.
feeling that such practices were 'unnatural'. This common, deeply felt Western understanding of that period is an indicator that major public attitudinal change to homosexuals was unlikely to happen overnight.

An academic platform for change:

The previous chapter noted the marked medicalization and stigmatization of homosexuality - homosexuals were poor devils. However, academic foundations, discussed above, that were being laid after World War Two, began to challenge such labelling. The work of Kinsey and other social scientists was fundamental in this regard. This provided significant data to the Wolfenden Committee in its challenge to the status quo on continued criminalization. That report in turn sparked debate in the academic world of law, which sensitized a generation of lawyers to a viewpoint alternative to the status quo, something very significant when one considers the very considerable influence of lawyers generally with regard to law reform. The significance of earlier academic argument is obvious in the way the New Zealand Law Society in its 1985 submission on the HLRB spent the first six pages of its submission providing jurisprudential background to the bill, particularly the Hart-Devlin debate. Though there were few voices in New Zealand in the early 1960s in favour of homosexual law reform, there was now an academic foundation providing credibility to such voices. One voice soon to emerge was NZHLRS.

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65 Hart, Law, p.67.
67 LAGANZ: MS Papers 098.
The formation of the New Zealand Homosexual Law Reform Society in 1967:

Moves to establish the society did not come out of the blue, but were the natural outcome of other developments. We have noted already shifts in academic thinking which were preparing the intellectual ground for argument in favour of law reform. We can note, too, shifts in the positions of some of the churches, with the Methodists and Quakers already arguing for law reform, and with the Presbyterians and the Associated Churches of Christ soon to do so.\(^{68}\) It was particularly important to NZHLRS that much of its early support was seen to be drawn from university, church, and other professions.\(^{69}\) Thus the first president of NZHLRS was Jim Robb, professor of sociology at the Victoria University of Wellington. Of the twelve vice-presidents, five were academics (four from liberal arts and one from law), three were lawyers, two were Anglican bishops, one was a medical practitioner, and one was the former head of Wellington Teachers' College.\(^{70}\) Significantly, few, if any, were themselves homosexually inclined. Activists who were themselves homosexual were more likely to be found among the members of the committee of NZHLRS, doing much of the hard work from behind the scenes.

While early academic and church support for homosexual law reform significantly focused on rational reasons for reform, we should also take cognizance of the compassionate motivation of much of that early support. There was much public

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\(^{68}\) See fuller discussion of shifts in the churches in chapter four of this thesis.

\(^{69}\) An article in the *Evening Post*, 7 August 1967, p.7, in asserting that the ordinary citizen was not receptive to any change in the existing law, went on to state, 'I will concede, however, that more interest is now being shown by some Church leaders and in the universities'.

awareness of the plight of homosexuals - risk of imprisonment, blackmail, assault, depression, alcoholism, suicide etc. Thus homosexuals were 'poor devils', pathetic as well as evil. They were 'unfortunate people', with an 'unfortunate condition'.

Public perception of the homosexual as evil came into sharp relief with regard to a prosecution over the killing of a homosexual man at Hagley Park, Christchurch in 1964. The crown evidence was that six youths went at night to the park to find a homosexual and assault him. The victim was badly beaten in the assault and later died from his injuries. Because the victim had a thin skull, a decision was made to bring a charge of manslaughter rather than of murder. Despite what appeared to be clear evidence in the matter, the jury acquitted the accused. It left the impression that the acquittal was based on the victim's homosexuality, which made him fair game for a bashing. This certainly was the opinion of 'V. O'S.':

The trial itself often read like a conspiracy against a dead man. Continually the defence acted as though the court should consider the morality of the attacked man rather than the culpability of those who caused his death. If the defending counsel did not actually say that a homosexual deserves to be killed, they most certainly did claim that if a gang calculatedly baited and assaulted a man, and so brought about his death, the sexual proclivities of the victim should somehow alleviate the guilt of the accused. In some way the vice of one rubbed off as virtue on the other ...

This especially tragic incident was the sort of catalyst to move sensitive and thoughtful people to reconsider the plight of homosexuals. One such person was Ian Breward,

70 Appendix II of the NZHLRS submission to parliament in support of its petition in 1968: LAGANZ: MS Papers 109.
72 A term used by Don Mathieson in his address, 'The Law, Abortion and Homosexuality', delivered to the Social Sciences Section of the New Zealand Royal Society, April 1967: LAGANZ, MS Papers 295, folder 3.
professor of church history at Knox College, subsequently also moderator of the Presbyterian Church of New Zealand, who became a vice-president of NZHLRS. It was the Hagley Park incident that led Methodist minister Selwyn Dawson to preach his first-ever sermon on the plight of homosexuals. Significantly Dawson advised his congregation of the topic a week in advance to forewarn 'any who felt this unwise or distasteful'.

We have noted significant university and church support for the formation of NZHLRS. However, the role of homosexuals themselves in the process should not be underestimated. The Dorian Society, a social club for homosexual men, was established in Wellington in 1962. The following year (March 1963) a legal subcommittee of the society was established. Out of fear of unwanted publicity for the semi-secret Dorian Society, the sub-committee was established to be independent of the society. The stated aim of the subcommittee, according to the secretary of the society, was:

- to educate the public on all aspects of homosexuality.
- to work with others for a removal of legal restrictions on consenting adult males.
- to advise and assist club members on legal and social matters.

The secretary then went on to specify how these aims would be met:

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76 Dawson, Appointment, pp.165-6.
77 Ibid., p.165.
78 Dorian Society papers held at LAGANZ: MS Papers 359, 2/1, p.178, memorandum of the Dorian Society Legal Sub-Committee.
79 Ibid. Memorandum of the secretary of the Dorian Society legal sub-committee to the committee, 15 March 1963.
Towards these ends the sub-committee will seek advice on organization and practical matters from the Homosexual Law Reform Society in Britain; locally it will contact members of the legal and medical profession, people in academic positions, the Churches and any others who may be interested or sympathetic.

It will build up a reference library and make recommendations for the club library; it will also file Press cuttings and court judgments of interest.

Members of the sub-committee will also be alert to public statements or newspaper correspondence which call for a reply in the interest of educating and informing the public.\(^80\)

Much of the above anticipated the aims and strategy of NZHLRS a few years later. This is not surprising, given that certain members of the Dorian Society were key figures in the moves to establish NZHLRS. One of the four original Dorian Society sub-committee members was Jack Goodwin. Significantly it was Goodwin who wrote to key public figures seeking support for reform on the eve of a public meeting called to consider the launching of a reform movement; it was Goodwin who publicly introduced the chairman of the meeting; it was Goodwin who was the first secretary of NZHLRS; and it was Goodwin who was remarkably active as a media letter and press release writer to keep the issue in the public eye.\(^81\) The significance of Jack Goodwin within NZHLRS was such that when he died in 1981, NZHLRS issued a special memorial newsletter devoted solely to reflection on the contribution he had made.\(^82\)

While the legal subcommittee of the Dorian Society as a body may not have achieved much publicly, it was a forerunner of NZHLRS. And it did network with likely sympathizers, a number of whom either joined NZHLRS later and/or promoted the cause of homosexual law reform. A memorandum of 11 July 1963 noted that friendly

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\(^{80}\) Ibid.

\(^{81}\) Transcript of interview of Jim Robb by Laurie Guy, 21 October 1997, p.5.
contact had been made with a number of people including 'Dr Robson, Secretary of Justice; Mr R. Taylor, psychologist with the University and Justice Dept; Dr Diana Mason; Mr W.J. Scott, Director of Teachers' Training College; Mr M.H. Holcroft, Editor of N.Z. Listener; Dr B.D. Inglis, Law Faculty, Victoria'.

The informal network of people who called the public meeting for 17 April 1967 was very cautious with regard to its stated objectives. Jack Goodwin wrote to a number of prominent figures seeking their support. In his letter to Allan Pyatt, Anglican bishop of Christchurch, he stressed the fact that minors would continue to be protected and that reform did not mean approval of homosexual behaviour: 'It is recognized that minors must be protected - and the British proposals would give youths five more years than their sisters to decide on their way of life. . . . Support of a change in the law in no way implies moral approval of homosexual activity. Like most churchmen, you would probably regard it as a sin, but we hope that you would not wish it to continue to be a crime.' A general letter dated 20 March 1967, advising of the public meeting in April, made the same point: 'Membership and support in no way implies moral approval of homosexual conduct'. One needed to tread carefully. Homosexuality was both unknown and abhorred. An April 1967 Sunday Times article, for example, in mentioning the impending interest meeting for homosexual law reform, referred to the 'twilight world' of homosexuals.

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82 Located in LAGANZ: Pam 378.75 GOO.
83 The Dorian Society Legal Sub-Committee, memorandum to the Executive Committee, 11 July 1963: LAGANZ, MS Papers 359, 1/2, p.200.
84 Letter, 16 February 1967: LAGANZ, MS Papers 083, Series 1, File 1.
85 This letter made up the contents of NZHLRS Newsletter, number 1.
86 'Compass Spotlight on Twilight World', Sunday Times, 16 April 1967.
Argument for reform was largely based on toleration rather than on affirmation. Homosexuals could live in society so long as they did not make a noise or frighten the horses. Societal pressures fostered attitudes of timidity and caution among homosexual men. Mike Waghorne, who was involved in both NZHLRS and gay activism from the mid-1970s, recalled the aftermath of a media reference he made in the 1970s to the Christchurch Dorian Society as a gay social club:

I was astonished when, about two or three days after the interview appeared in the paper, I received a delegation of some half a dozen men from the Dorian [sic]. What on earth was I on about? The Dorian Society a gay club? Good heavens, they had no idea of the sexuality of their members - this was simply a pleasant gentlemen's [sic] where men could go for a few drinks and relaxation. I was threatened with legal action if I did not withdraw the allegation. Of course, I did not and they had no intention of doing anything about it – it was simply a panic reaction from some very frightened men.

Caution was needed, not only because society had deep anti-homosexual feeling, but also because older gay men tended to favour caution. This caution was strikingly expressed by the constitution of the fledgling society in two ways. First, decriminalization was sought only with regard to adults. In no way could it be argued that this then put children or youth at risk. Second, clause 4 of the NZHLRS constitution stated, ‘The society does not seek moral approval of homosexual behaviour . . .’ This was to allay fears that law reform was the thin end of a wedge that would lead to the normalization of homosexuality.

It is noteworthy that NZHLRS, in its argument in 1974, persisted in using language implying acceptance of social non-approval of homosexuals: ‘Change the law, remove the reason for even such moderate pressure groups as the Homosexual Law Reform

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87 Reference to not frightening the horses was a commonly-used saying in arguing that private sexual activity of whatever sort was of no concern to the public. It originated with Beatrice Stella Tanner (Mrs Patrick Campbell): ‘It doesn’t matter what you do in the bedroom so long as you don’t do it in the street and frighten the horses.’ See Partington, The Oxford Dictionary of Quotations, p.176.
88 Email Mike Waghorne to Laurie Guy, 26 April 1999, pp.6-7.
Society, take the subject of homosexuality out of the political arena and it can sink into a decent obscurity.\textsuperscript{89} The NZHLRS chairman's report the following year made the same point: 'Again and again it is declared that a change in the law will not change public attitudes but can only contribute to understanding and adjustment of the homosexual in society.'\textsuperscript{90} NZHLRS was narrowly focused on effecting legal change.

**Conservative support for NZHLRS:**

NZHLRS disclaimer of any assertion of moral acceptability of homosexual behaviour was important in its early years as it sought to draw support from prominent figures, and from as broad a base of support as possible. One can observe this in the case of Eric Gowing, Anglican bishop of Auckland and a long-time vice-president of NZHLRS. In accepting the honorary post, Gowing stressed that he was accepting in his private capacity and not as bishop of Auckland, and that this action must not treated as endorsement by him of homosexual acts.\textsuperscript{91} Gowing reiterated his caution to Jack Goodwin again in 1974:

> You will recall that when accepting the office of Patron [sic] of the Society, I made it clear that I am not campaigning for the allowing of homosexual acts between consenting adults; but that I am opposed to the punishments often meted out to those who have been convicted of breaking the law and are sent to prison. I desire to see reform of the law, so that offenders would be kept under surveillance and given remedial clinical treatment.\textsuperscript{92}

\textsuperscript{89} Submissions of NZHLRS to the Select Committee on the Crimes Amendment Bill 1974 (the Venn Young Bill). Emphasis added: National Archives: ABGX Acc. W3706, Box 11.

\textsuperscript{90} Report of NZHLRS chairman [S.W. Ransom] to the annual general meeting 1975: LAGANZ, MS Papers 083, Series 4, Folder 2.

Despite this caution, securing such big-name support evoked a lot of satisfaction in NZHLRS, even when that support was qualified. Thus Jack Goodwin, in writing to the Anglican bishop of Wellington, noted happily that Bishop Gowing had also agreed to be a vice-president of NZHLRS: ‘While it would be wrong of us to find any satisfaction in “head hunting”, we cannot help but be encouraged [sic] by such eminent approval as we believe that the first part of our work is to replace prejudice with understanding.’

At the same time as Gowing was a vice-president of NZHLRS he was also a patron of Patricia Bartlett’s organization, SPCS, and had signed Patricia Bartlett’s petition in 1970 calling for a definition of indecency so that there would be greater on-screen restraint in sexual matters. If the society wished to retain the public support of morally conservative people like Gowing, it needed to be very careful to distance itself from any positive endorsement of homosexual behaviour.

Some of the other vice-presidents were in a not-dissimilar position. One of these was law lecturer, Don Mathieson. His clearly and carefully articulated jurisprudential case for reform was extremely helpful in the early history of the society. His influential role can also be seen in his being given the position of chairman of the inaugural public

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92 Letter Bishop E. Gowing to Jack Goodwin, 24 July 1974: LAGANZ, MS Papers 083, Series 1, Folder 11.
meeting on 17 April 1967, which led to the formation of NZHLRS. Mathieson had significant links with evangelical Christianity, having earlier been a president of the Inter-Varsity Christian Fellowship. He had a faith system built directly on the Bible record, leading him to view homosexuality as a sin. His support then for homosexual law reform was more as an enlightened conservative than as a radical reformer.

Another conservative was Ian Breward who in 1976 described himself as 'probably a very conservative member of the association [NZHLRS]'. He became increasingly uncomfortable with his NZHLRS position after the advent of gay liberation, 'not want[ing] to be implying approval for positions arguing that homosexual intercourse was a normal sexual activity on the same level as marital sexual relations and the creation of children'. His position was that adultery and homosexual acts were 'equally sinful'. Attitudes of vice-presidents like Gowing, Mathieson and Breward indicate limits to the extent to which NZHLRS could push the gay cause.

Goodwin continued to recruit as many prominent people as possible as NZHLRS vice-presidents over the succeeding years. These included John Robson, former Secretary of Justice, Felix Donnelly, senior lecturer in community health at the University of Auckland School of Medicine, and Martyn Finlay, former Attorney-General in the

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96 LAGANZ, MS Papers 083, Series 1, File 1.
102 Letter of acceptance from Felix Donnelly to Jack Goodwin, 6 December 1973: LAGANZ, MS Papers 083, Series 1, Folder 10.
1972-5 Labour Government. While some held views close to that of gay liberation, others were far more conservative, and continuing caution was needed if their support was to be retained. Use of eminent New Zealanders to provide credibility and respectability was an important part of NZHLRS strategy. In the words of Chris Parkin, the society ‘wheeled the vice-presidents out’ to provide an image of rationality and respectability at various critical junctures to bolster the NZHLRS cause. In the 1974-5 parliamentary decriminalization debate, there was much contrast between the ‘extravagant’, ‘radical’, ‘aggressive’, ‘wild-fringe’ gay liberation movement on the one hand, and the ‘reasonable’ and ‘sensible’ NZHLRS on the other hand. The presence in the society of ‘eminent New Zealanders’ was particularly commended by two MPs in the 1974-5 parliamentary debate.

Conservative and radical streams within NZHLRS:

While NZHLRS began as a significantly conservative organization, changing social mores and the emergence of gay liberation later led to more radical perspectives within NZHLRS. In the light of Chris Parkin’s later support for more radical gay liberation objectives, it is interesting to note his early conservatively stated position on the issue of whether support for decriminalization meant support for homosexual behaviour. Parkin, at various times a committee member, and at one time the president of NZHLRS, was responsible for the production of two early publications of NZHLRS in

\[103\] NZHLRS Newsletter, XLVII, November 1979.
1968. In *The Queer Law* he drew attention to the fact that NZHLRS was not seeking moral approval for homosexual behaviour, and he explained homosexuality as 'what we might call a personality disturbance, a sort of arrested development of a very complicated nature.' In *50/50* he stated, 'Most religious teaching says that homosexuality as such is not sinful though homosexual acts are. A growing minority, however, regard this distinction as inadequate.' Later in the pamphlet he emphatically denied that any change in the law would seem to condone homosexual conduct: 'There is a great difference between toleration and approval.' Parkin’s early cautious statements were thus fundamentally different from the radical assertions of gay liberation just a few years later.

Parkin’s caution in 1968 is also to be contrasted with his statements in two publications a decade later. In ‘The Gay Rights Movement’, Parkin strongly affirmed gay liberation. A major object of that movement was the gaining of social approval, the seeking of such approval being signalled in the annual ‘gay pride’ weeks from 1973 onwards, and in sentiments along the lines of a need not just for legislative change but for ‘a truly revolutionary change in sexual attitudes’. Parkin’s support for gay liberation seemed to signal that he was now moving from advocacy of toleration to advocacy of social acceptance.

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110 Ibid., p.10.
112 See LAGANZ: MS Papers 077, Series 1, Folder 8 regarding Gay Pride Week held at the Victoria University of Wellington 26-30 June 1973.
In the second later publication, 'Keeping the Wolfenden Report from the Legislative Door', Parkin was much less sensitive to conservative Christian sensibilities than he had been a decade earlier. This is particularly shown in his attack on St Paul whose writings in the New Testament are probably the most crucial texts in the Bible for Christian argument against homosexual behaviour. Rather than seek a re-interpretation of St Paul's texts, Parkin directly attacked their value: 'Contempt for women, and a failure to place any positive value upon sexual experience, produced a deep-rooted antagonism to homosexual practices as not only contrary to natural instinct but also an impious degradation of the divinely created superiority of male over female, and without the saving grace of the marital dispensation.' If people like Parkin had their way, clearly NZHLRS would need to shift from its earlier cautious and minimalist approach.

The point of this discussion is to highlight the limited objectives and conservative expression of NZHLRS in its beginnings in contrast to later developments. When NZHLRS began it was very important for the society to have distinguished, respectable vice-presidents. The organization acknowledged this in its second newsletter in 1967, noting with satisfaction the election of 'prominent officers' of the newly formed body, including 'university and church leaders whose knowledge and judgment must be

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respected', leading to 'some of our best publicity . . . being published, unsolicited, in the leading church newspapers'. Many of these vice-presidents were much more conservative than the emerging gay community was. Such vice-presidents wanted tolerance, not social acceptance; decriminalization, not human rights. They were liberals, not liberationists, and some of them would become increasingly uncomfortable in a more radical environment. Mike Waghorne noted the conservative tenor of NZHLRS officers in 1974: 'Some of them have pretty negative attitudes towards homosexuality. For example, there are Bishops [sic] on the committee who would still describe homosexuals as sinful. There's a psychiatrist on that committee who still uses aversion therapy against homosexuals so that all they are basically is a "civil liberties" campaign.'

With the advent of gay liberation, NZHLRS soon faced challenge from more radical perspectives. The society had an early awareness of that challenge. Thus its annual report for 1972, after noting the emergence in New Zealand of a gay liberation movement, commented, 'There are indications of impatience among homosexuals with this Society.' The following year the NZHLRS chairman expressed optimism about relationships between gay liberation and NZHLRS in his annual report: 'There has been a continuing fraternal liaison with Gay Liberation Front, at Christchurch, Wellington and Auckland. It is very much appreciated that G.L.F. has been anxious not to embarrass this Society by diverting public attention to their own demanding

115 NZHLRS Newsletter number 2, September 1967.
116 See Weeks, Sex, p.14 for a contrasting picture of liberals seeking legal relaxation within a traditional framework of family values, and radical libertarians advocating a transformation of values.
117 'Interview with Mike Waghorne', Gay Liberation Front (Christchurch) Newsletter, September 1974, p.2.
118 Annual report 1972: LAGANZ, MS Papers 083 Series 4 Folder 1. See also NZHLRS Newsletter, number 21, April 1973.
objectives. . .'. NZHLRS needed to be a broad-based society, but it walked a tightrope, with sentiment to the left and to the right wanting it to move more in one direction or the other.

Most of the NZHLRS vice-presidents, as people of social eminence, were 'pillars of society', and thus likely to be cautious as to how far they would go when advocating reform. This policy of caution was articulated by Stuart Ransom, chairman of NZHLRS at its 1975 annual general meeting: 'He said that although a policy of non-aggressive pressure on MPs had not had the desired effect and needed to be reconsidered, he believed that the Society had won public respect which could not be lightly exchanged for the disruptive tactics favoured by some other political persuaders.'

Thus NZHLRS was seeking to gentle the horses, at a time when gay liberation was prepared to frighten them.

Resignation of conservative vice-presidents:

The advent of gay liberation caused several of the more conservative vice-presidents to be uneasy about their ongoing role in NZHLRS. In late 1974 Gowing wrote to Jack Goodwin resigning his vice-presidency, both to prevent 'misunderstanding' of his position in the community at large, but also because gay liberation voices were by then arguing for social acceptance and not just for tolerance and decriminalization.

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121 Letter Bishop Gowing to Jack Goodwin, 4 December 1974: LAGANZ: MS Papers 083, Series 1, Folder 12. Also subsequent letter Bishop Gowing to Jack Goodwin, 13 December 1974: LAGANZ: MS Papers 083, Series 1, Folder 12. When Gowing was talked into staying on as a vice-president, Goodwin.
Goodwin stalled on the matter of accepting the resignation. He met Gowing in February 1975 and persuaded him to stay on as vice-president on the basis that the issue was decriminalization and not morality. However, Gowing remained anxious as to what his position as a vice-president of NZHLRS might imply. In confirming to Jack Goodwin in March 1975 that he would stay on, he wrote: ‘I am willing to have my name listed as one of the Vice-Presidents, on condition that I can refer those who criticise me for approving of homosexual acts to you, so that you can support my statement that I have always made it clear that I do not give approval to such activities.’

Gowing finally succeeded in resigning as vice-president of NZHLRS in 1980, just as its crisis over taking a more liberationist stance was coming to a head. The fact that the correspondence indicated that Gowing no longer wished to receive NZHLRS newsletters is a pointer to his increasing disenchantment with the society.

The need to be sensitive with regard to such support was demonstrated with regard to Don Mathieson’s resignation as a vice-president of NZHLRS in December 1980, consequent on NZHLRS making constitutional changes, the most significant being to seek equality of heterosexuals and homosexuals (decriminalization with an age of consent of 16, rather than 18, 20, or 21), and removal of the statement that the society did not seek moral approval of homosexual behaviour. Mathieson cited two main
reasons for his resignation. The first is that the constitutional changes were a capitulation to pressure from the National Gay Rights Liberation Front. However, the changing of a policy through pressure, does not seem reason enough for resignation from an organization unless one is opposed to the substantive change itself. Thus the second reason is likely the more significant one, that NZHLRS would cease to have church support. Why? Mathieson alluded to the age of consent, noting that he now preferred 18 rather than 20. Age 16, just two years less, was not acceptable. Given that Mathieson had much earlier shown sympathy for 16 as an appropriate age of consent, it seems to indicate that either Mathieson had shifted in a significantly more conservative direction, or (more probably, given his consistent view that homosexual behaviour was a sin), the constitutional changes carried the connotation of implicit acceptance or endorsement of homosexual behaviour, something that Mathieson could not accept.

Another vice-president who resigned in 1980 was Ian Breward. Although the resignation was precipitated by his taking a lecturing position in Melbourne, he had grown increasingly uneasy with radical gay militancy. This had led Breward to seek to resign his vice-presidency in both 1974 and 1977, but on both occasions he had been dissuaded from such action by Jack Goodwin. With conservative-versus-radical tensions rising within NZHLRS in 1980, the offer of a professorship in Melbourne in

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126 See letter, 16 December 1980; also NZHLRS Newsletter, LI, February 1981.
128 LAGANZ: MS Papers 077, Series 1. Letter Ian Breward to Jack Goodwin 2 July 1977: LAGANZ, MS Papers 083, Series 1, Folder 16. Goodwin replied on 7 July 1977 asking for a deferral of the resignation until there could be fuller discussion: LAGANZ, MS Papers 083, Series 1, Folder 16. Goodwin wrote again on 7 September 1977, referring to previous talks and hoping that Breward would stay on as a vice-president: LAGANZ, MS Papers 083, Series 1, Folder 16. Breward wrote to Goodwin on 20 September 1977, thanking him for his helpful letter, and not referring to the resignation issue: LAGANZ, MS Papers 083, Series 1, Folder 16.
that year came at a fortuitous time, enabling Breward to exit from NZHLRS in gracious fashion.

The generally more conservative nature of the vice-presidents was noted by the NZHLRS executive committee when NZHLRS surveyed its members in 1980 to see whether the society should adhere to its original Wolfenden-style approach, change to an advocacy of the liberationist principle of equality, or shut down. While a great majority of NZHLRS members indicated a desire to reformulate the society aims along the lines of equality, the executive committee noted that the vice-presidential responses were ‘largely at variance with the majority of other members’.\textsuperscript{129} Not surprisingly, when the constitutional changes went through in November 1980, several of the vice-presidents responded by resigning their positions. Chris Pottinger, a prominent lawyer with Buddle Kent Anderson & Co, expressed his conservative feelings in resigning: ‘I suppose I have also come to the stage of realising that I am more conservative now than I originally was. I have certainly become less tolerant of the shriller voices claiming human “rights” when in fact it is not rights they seek but privileges. As you can gather I have little sympathy with Gay Rights Coalitions - and although the Society will be a separate organization, I would prefer not to be associated.’\textsuperscript{130}

NZHLRS should not be seen as cynically using these conservative vice-presidents to gain respectability for the reform cause, and then casting them off when they were no longer needed. Jack Goodwin, for example, expressed major concern at the way he felt Don Mathieson had been treated at the meeting that made the constitutional changes in

\textsuperscript{129} Minutes dated 5 October 1980: LAGANZ, MS Papers 109.
\textsuperscript{130} Letter to Chris Parkin 5 December 1980: LAGANZ MS Papers 077, Series 6, Folio 1.
1980, particularly in the light of all that he had contributed to the society in the past.\textsuperscript{131} The conservative wing was an integral, fully accepted wing of NZHLRS, making an important contribution to its early strategy.

Especially in its earliest years of existence, NZHLRS needed to be extremely careful in its official position and in its public pronouncements. It needed the vice-presidents to give it public credibility. At the same time, it was using people who were increasingly less acceptable to the more radical wing of those they were seeking to help. Their help was 'from a distance' rather than in full empathetic solidarity and endorsement. Michael Ross, president of Gay Liberation, Victoria University of Wellington, expressed this bitingly in 1973: "[T]o my mind, the worst form of oppression is toleration from patronising liberals; they tolerate you as a superior tolerates an inferior. They can overcome their hostility on an intellectual basis, they can rationalise homosexuality, but they haven't overcome their emotional hang-ups over it."\textsuperscript{132} Increasingly there developed a sense of contradiction in NZHLRS, of key office holders being in support of homosexual activity as far as decriminalization went, but not necessarily being in support of homosexual activity, in terms of moral and social acceptability. Eventually this precipitated crisis, division and change.

**The climate in which NZHLRS initially operated:**

There was not, however, that sense of contradiction or crisis at the beginnings of NZHLRS. Then was not the time to argue for full social or moral endorsement of

\textsuperscript{131} NZHLRS Executive Committee minutes 11 December 1980: LAGANZ MS Papers 109.
homosexual behaviour. The weight of public opinion was set against such acts. That perspective was typified in the response of Viscount Cobham, former Governor-General of New Zealand, to an invitation in 1967 to become patron of NZHLRS. In declining the position Cobham referred to homosexuals as ‘mentally sick’ and as having a ‘disease’ which was ‘contagious’. For the sake of the majority there needed to be legislation against homosexual acts: ‘Many people, including myself, are deeply sorry for these unfortunates, but at the same time we think that it is of vital importance to prevent the corruption of the young.’ Cobham perhaps sensed that much of what he was saying was not in harmony with modern academic thinking. Such seems to be suggested by the postscript to his letter: ‘I am not so sure as I once was that reason is as sure a guide as emotion, if one can equate emotion with instinct!’ That postscript suggests that much of public opinion may have been based on unreflective public prejudice. People did not give much thought to the matter at that time. Better to have things swept under the carpet and not talked about.

Those who did talk about homosexuality could be withering in the extreme. This was evident in an address given by Detective-Superintendent F.A. Gordon, head of the Christchurch C.I.B. to a Lions Club meeting in 1967. Gordon observed that on the one hand there was the non-offending ‘unfortunate’ who had latent homosexual tendencies. On the other hand, however, there was the ‘pervert whose depravities

136 Ibid.
revolt all normal standards of common decency'. Legalizing homosexual behaviour would lead to corrupting of youth, male prostitution and increased use of drugs. The outcome of homosexuality becoming an ‘accepted cult in society’ would be that our cities would be ‘overrun with pimps, pones, pansies, pussyfoots and perverts’. Noting this ‘outburst’ by Detective-Superintendent Gordon, the Inter-Church Council on Public Affairs commented that ‘the subject of homosexuality almost invariably raises strong emotions both for and against’.

Loathing and intense feelings in relation to homosexuality meant that homosexuals typically lived in a ‘twilight world’ - twilight because it was risky for gays to come out, and twilight because the media had a marked reluctance to air matters relating to homosexuality. Jack Goodwin claimed that in the 1960s a number of newspapers would not even use the word ‘homosexual’. Don Mathieson noted in 1967 how ‘few people are prepared to listen. Many, especially older people simply “close up” when you try to make the point that immorality in private is one thing, criminal sanctions

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137 Ibid.
138 Ibid.
139 Ibid.
141 For the description ‘twilight world’, see ‘Compass Spotlight on Twilight World’, Dominion Sunday Times, 16 April 1967, p.5.
142 Letter J. Goodwin to W. Freer 18 July 1979: LAGANZ, MS Papers 077, Series 6, Folder 5; letter J. Goodwin to J.P. Hauenstein of Panmure, 20 November 1973: LAGANZ, MS Papers 083, Series 1, Folder 10. Also NZHLRS Newsletter, number 37, August 1977; also J.W. Goodwin, ‘Some Considerations of the Homophile Alternative’, an address to the Social Science Section of the Royal Society of New Zealand, 26 September 1973, p.2: LAGANZ, MS Papers 100; also P. Parkinson, ‘God’s Own Country and the Legal Status of Gay People’, first draft of a paper subsequently read in absentia at an international gay Toronto conference which had the theme, ‘Sex and the State: Their Laws, Our Lives’, Wellington, 1985, p.7: LAGANZ, MS Papers 217. The claim that many newspapers would not use the word ‘homosexual’ in the early post-world-war-two period highlights their invisibility, but is somewhat misleading. For examples of newspaper usage of that word in the 1950s see ‘Vice Squad Probe in City Suburb’, Evening Post, 12 July 1957, p.16; ‘Discussing Perversion’, Press editorial, 28 September 1959, p.10.
If people did think about homosexuality, they were barely open to alternative perspectives. At its best homosexuality was a ‘definite antisocial abnormality’. More commonly most knew in their gut that homosexual practices were ‘unnatural’ and ‘revolting’. Rev. Colin Clark, a Methodist advocate for reform, for example, acknowledged that when he first began to look at the topic in the later 1950s he had to ‘overcome a natural revulsion to the church becoming involved in the study of homosexuality’.

An example of the lack of supportive data for negative images of homosexuals is evident in the submissions of clinical psychologist Varian J. Wilson, M.A., M.N.Z.Ps.S, in opposing the 1968 NZHLRS petition:

While there is some unjustified public prejudice against the homosexual, social pressures have been greatly exaggerated. Society generally abhors the pervert not for what he does in private, but because he is an objectionable public nuisance. He is often a cadger, a loafer and dishonest, because he believes society is in his debt. In countries where homosexual practice is tolerated by the law, the most noticeable effect is that they are even more of a public nuisance. Any change in the law can only be a victory for a noisy and aggressive anti-social group.

Instinctively held judgments were still being expressed in parliament in 1985. This was particularly evident with Invercargill MP, Norman Jones: ‘I have a gut feeling that

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148 LAGANZ, MS Papers 109.
homosexuality is wrong for the human race. Jones was not going to be swayed by academic cleverness: ‘The logic can be argued intellectually; that is not valid for me.’

The depth of largely unreflective feeling was such that there was no way that parliamentarians wanted to be associated with a‘perversion concerning which strong emotional attitudes are held by many people’. These just-quoted words came from the Speaker of the House in ruling there was a prima facie case that the Evening Post had committed a breach of privilege in its reporting of a submission supporting decriminalization made by Professor Jim Robb, president of NZHLRS. The Speaker ruled that Robb was entitled to assert that ‘if members of parliament are a statistical representation of the community as a whole, then it would be reasonable to expect that at least four members are homosexual’, even if such illustration was ‘ill-judged and inept’. However, the large Evening Post headline ‘Statistical Claim is Made that Four MPs are Probably Homosexual’ distorted what Robb said and lessened the esteem of parliament in the eyes of the community. The fuss parliamentarians made over this minor incident indicates how jumpy people were at that time over the issue. The gulf between them and homosexuality must remain patent.

In the late 1960s it took considerable courage to campaign in any way for decriminalization or for any amelioration in the plight of homosexuals. Mike Waghorne noted this in his eulogy of Jack Goodwin in 1983:

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149 NZPD, 1985, 461, p.3523.
150 Ibid.
152 Ibid.
In these days of relative (although increasingly endangered) 'liberalization' of gay existence in New Zealand it is sometimes difficult for newer/younger gay men to appreciate the courage required in the 1960’s [sic] to speak openly and in favour of homosexuality. It is relatively easy to espouse political purity and uncompromising principle in today’s circumstances. It takes a sense of history to recognize that the base from which such confident speeches can be made was created by people such as Jack who risked so much at a time when no other supportive groups could be counted on to spring to one’s defence.153

The caution of the NZHLRS petition in 1968:

The climate of public opinion meant that arguments for reform needed to be put very cautiously and carefully. Bob Tizard, MP for Pakuranga, advised NZHLRS in March 1968 that a considerable period of publicity and public information was needed before any petition was presented. He gave the society a warning: 'You will be up against a lot of emotionalism, as well as old-style puritanism, as you will be well aware, and the closer you can stick to demonstrable facts the better it will be for carrying conviction.'154

The submission of NZHLRS in support of its 1968 petition was careful to accept that there were differences of opinion on the morality of homosexual acts even among those seeking a law change. In its view, decriminalization did not mean approval. In advancing standard reasons for decriminalization - reducing the suffering of homosexuals, eliminating the illogicality of treating male and female homosexual acts differently, removing a law that was haphazardly enforced - NZHLRS gave as its final point, 'Punishment of homosexuals is on balance a greater evil than the evil it is

153 NZHLRS, Special Memorial Newsletter, December 1983.
designed to prevent'. From this one should note that NZHLRS was prepared to concede at that time that homosexual acts might well be an evil; but this did not justify the greater evil of imprisonment for such actions. NZHLRS knew that to challenge the perception of homosexual acts as evil directly would not succeed in the climate of 1968. Better then to concede the argument and then argue that, even so, decriminalization should occur.

There was very little sense of propaganda or rhetorical exaggeration in the NZHLRS 1968 submissions. It was a case of sticking to the facts and to widely accepted views. For example, in terms of homosexual numbers, NZHLRS suggested that four per cent of adult males were exclusively homosexual. While this is a Kinsey statistic, the society sourced it to published Justice Department material (which presumably drew it from the Kinsey data). There was none of the recklessness with which figures were later used, such that the 4% increased to 10%, to 12%, even to 18%. In most of its public argument, NZHLRS exhibited a carefulness of assertion - something that was

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156 The figure of 10% became a standard figure in most gay argument through to decriminalization in 1986. See, for example, Auckland University Gay Liberation Submissions on the Venn Young Bill, 1974: LAGANZ MS Papers 077, Series 6, Folio 3, pp. 18, 20. Ten per cent was the figure used by Fran Wilde, mover of the reform legislation: NZPD 1985, 466, p.7254. Often usage was quite wild and loose. For example, Gay Liberation Front Newsletter (Christchurch) early April 1974, in its editorial (p.1), notes New Zealand’s population at that time as being 2,984,099, and using the 10% statistic to state not only the number of male homosexuals ‘to some degree’ at 149,305, but also the number of female homosexuals at 149,105. These apparently precise statistics ignore the general recognition that the percentage of male homosexuals is significantly higher than that of female homosexuals, and also the fact that pre-adolescent children are included in the figures.
157 NGRC produced a radio advertisement as part of its propaganda for the 1978 election which included the statement, ‘At least one in every eight New Zealand adults is homosexual or lesbian.’ (‘Progress Report No. 2 from NGRC election campaign’: LAGANZ MS Papers 077, Series 2, Folder 24; reproduced also in NGRC Newsletter November 1978). Most of the radio stations declined to run the advertisement but it was run on Radio Waikato and Radio Hauraki. Later, Auckland counsellor, Evan Sherrard, suggested that between 10% and 15% of the general population are homosexual in orientation: E. Sherrard, ‘Physiological and Psychological Aspects’, in J.J. Lewis et al. (eds), Homosexuality: A Christian Perspective, Auckland, 1991, pp.42-59 at p.51.
not surprising given the substantial proportion of its members with an academic background.

The exceeding caution of NZHLRS in its 1968 petition to decriminalize consenting adult homosexual behaviour done in private can be seen in the way it carefully listed 42 prominent individuals and 2 groups (branches of the New Zealand Howard League for Penal Reform) as signatories to the petition in addition to the officers of the society.\textsuperscript{159} Very significantly, 21 of those 42 individuals were clergy, and a further 10 were either psychiatrists or academic or practising psychologists. This suggests that prevailing public opinion viewed homosexuals as bad or mad, and these people were brought in as signatories to counteract that opinion. The fact that significant numbers of experts in the classification of badness and madness were arguing for decriminalization meant that the petition had to be treated seriously.\textsuperscript{160}

Despite its arguments and big-name support, NZHLRS had little hope of success in 1968. Deep seated societal prejudice meant that NZHLRS was pushing water uphill. An example of that prejudice is to be found in a letter of the clinical psychologist, Varian Wilson, to the chairman of the parliamentary petitions committee, opposing the NZHLRS petition: 'I do not believe that there is any evidence to show that any

\textsuperscript{158} The 18\% figure is found in the \textit{Dominion}, 14 September 1985, in a reprint of an article by Peter Ward in the \textit{Weekend Australian}.

\textsuperscript{159} Not counting seven less well-known signatories belonging to the Society of Friends (Quakers), who seem to have appended their signatures when the Clerk of the Public Questions Committee of the Society of Friends was asked to sign.

\textsuperscript{160} See NZHLRS \textit{Newsletter}, number 6 which, in reporting on the imminent presentation of the petition to parliament, stated, 'The number of prominent and knowledgeable signatories is most gratifying. They cannot be dismissed lightly.'
homosexuals are content to confine their sexual acts to consenting adult males.\textsuperscript{161} In other words homosexuals were guilty (of paedophilia) until proven innocent.

The presence of a hostile chairman on the petitions committee, who regarded homosexuality as ‘illegal, revolting and unnatural behaviour’, certainly did not help the reform cause.\textsuperscript{162} The committee brought back a motion of ‘no recommendation’, the least favourable response it could make. Despite the clear disclaimer of NZHLRS that changing the law did not mean moral approval, the issue of approval was clearly in the minds of some at least of the MPs.\textsuperscript{163} The chairman of the committee, G.G. Grieve (Awarua), was particularly outspoken: ‘I believe the practice of homosexuality is revolting. We all stand for certain moral principles, and the legalising of homosexuality would indicate to society that we do not really condemn homosexual behaviour. If this were made legal the public could not feel that it was immoral.’\textsuperscript{164} Similar sentiment was expressed by R.L.G. Talbot (Ashburton): ‘I believe there is very wide support for a firm stand to be taken against any lowering of moral standards and codes by condoning in any way these unnatural acts - and I repeat, these unnatural acts.’\textsuperscript{165} Only five MPs spoke in relation to the matter, and only two, Arnold Nordmeyer and Martyn Finlay, did not speak of homosexual acts in heavily condemnatory terms. It is significant that despite showing some sympathy for the plight of homosexuals, neither Nordmeyer nor

\textsuperscript{161} Letter Varian Wilson, MA, MNZPsS, to the chairman parliamentary petitions committee, 24 October 1968: LAGANZ, MS Papers 083, Series 6, Folder 2.

\textsuperscript{162} G.G. Grieve (Awarua), NZPD, 1968, 358, pp.2980-1; see also Parkin, ‘The Gay Rights Movement’, p.3.

\textsuperscript{163} In those early years of argument some opponents of reform continued to base part at least of their opposition on the issue of moral approval. An example of this is J.S. O’Neill in his argument with Don Mathieson in the New Zealand Law Journal: ‘If the law is repealed I am not in any doubt that there will be an increase in homosexual behaviour and there will be very strong influences at work to make homosexuality respectable.... Repeal of the law would result in a change of attitude towards homosexual acts which would be detrimental to the interests of society.’ J.R. O’Neill, ‘Homosexual Acts - Why the Law Must Not Be Changed’, NZLJ, XLVIII, 1972, pp.241-2.

\textsuperscript{164} NZPD, 1968, 358, p.2980.
Finlay was prepared within the debate to come out and assert that the law should be changed - the very point of the petition. This seems to show the temper of the times. Politically, it was too dangerous to be publicly supportive in 1968, even though Finlay was later sufficiently supportive of NZHLRS to become a vice-president of the society after his retirement from parliament.

NZHLRS was not surprised or unduly disappointed at the failure of its petition. It noted the significant exposure the issue had had in the press, with much comment being on the lines of ‘we are not ready yet’, and ‘the petition was some distance ahead of public opinion’.

Clearly a major task was the education and shifting of public opinion. A major focus of NZHLRS endeavour at this time was the print media. Jack Goodwin, a journalist by trade, was an indefatigable letter writer, seizing on any opportunity to put the case for homosexual reform into the newspapers. One very good piece of publicity for reform was an article by Cherry Raymond in the mass circulation NZ Woman’s Weekly in 1972. She argued that arguments against decriminalization were ‘usually based on some peculiar emotional reactions with no reference at all to logic and reason, nor to plain humanity and the ultimate good of society’. The publication of this sort of material was almost too good to be true for NZHLRS - they could not have written it better themselves. In fact a lot of that material actually did come from the society.

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166 NZHLRS Newsletter, number 7, December 1968.
169 Minutes of NZHLRS Committee 2 March 1972 record: ‘The society had provided information to Cherry Raymond for a favourable full-page article in the “New Zealand Woman’s Weekly”, circulation
The beginnings of a shift in public opinion:

Continuing education and propaganda endeavours, together with major shifts in the value systems of grass-roots New Zealand, began to turn the tide in favour of the society’s aims in the early 1970s. The National Party annual conference voted in support of decriminalization in July 1970 by a nearly two-to-one majority. Significantly the move was initiated by the Young National grouping within the party. In May 1971 the Labour Party annual conference also voted in favour of decriminalization. A shift in public opinion was highlighted in a Heylen Poll in 1973 which undertook a random survey of 1000 adults asking whether the law should permit homosexual acts between consenting adults in private. Apart from the significant majority in favour of reform (59.2% would permit, and 35.3% would prohibit), a significant feature was the percentage of younger people in favour of reform. While only 35% of people 55 and over supported reform, 60.7% of those aged 30-54 supported reform, and 71.4% of those aged 18-29 supported reform. Two years later, a survey organized by political scientists Stephen Levine and Alan Robinson in November 1975 produced similar responses. A major shift was taking place among the young, and the simple passage of time might well bring NZHLRS nearer to victory.

230,000. See also letter from Cherry Raymond, NZ Woman's Weekly, to J. Goodwin, 15 March 1972: LAGANZ, MS Papers 083, Box 1, Folder 7.
Throughout the early period NZHLRS persisted in its endeavours to shift the opinion of MPs as well as that of the public at large. A notable lobbying success was the influencing of Venn Young, MP for Egmont, who subsequently introduced a decriminalization bill for adults 21 and over in July 1974. At that time Young indicated that he had been opposed to law reform in 1968 and had been neutral earlier in 1974. He explained how his stance had changed: 'I have since made a closer study of it and met members of the Homosexual Law Reform Association.' Clearly Young did not know much prior to that study. A confidential circular letter from Jack Goodwin to officers of NZHLRS discussed a meeting with Young and observed: '[A] point which became apparent during their meeting [was that] Venn [Young] thought that homosexual acts = sodomy and nothing more'. The continuing influence of NZHLRS with Venn Young can also be seen in a letter to Jack Goodwin in May 1975 asking whether Goodwin could 'find an appropriate person to assist with that portion of the speech notes I will require for the second reading debate on the Crimes Amendment Bill'.

The Venn Young private member's bill, 1974-5:

This bill can best be described as a Wolfenden-type decriminalization measure: decriminalizing homosexual acts between consenting males in private where both parties were aged twenty-one or more. It was strongly motivated by compassion for

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175 'Confidential circular letter to committee members and other officers of the society' by J. W. Goodwin, 19 July 1974: LAGANZ, MS Papers 295, Folder 5.
176 Letter Venn Young to Jack Goodwin, 16 May 1975: LAGANZ, MS Papers 083, Series 1, Folder 13.
homosexuals whose sufferings were intensified by criminalization. Specific reference was made in parliament to the plight of homosexuals with regard to alcoholism, suicide, blackmail and even the threat of murder. The bill passed its first reading and returned to the House in 1975 after its select committee stage, basically intact except for the substitution of 20 for 21 as the age of consent. There it met defeat on its second reading: 34 to 29, with 24 members not voting. The margin of defeat was quite narrow when one considers how the NZHLRS petition was treated just seven years earlier. Clearly NZHLRS-type views were becoming more persuasive.

Ostensibly the point at issue with regard to the Venn Young bill was a simple one: whether consensual adult homosexual acts done in private should cease to be criminal acts. Perhaps the greatest opposition to the bill, however, was based on the argument that the current law made a negative societal statement about homosexuality, and that to alter the law would foster social acceptance of homosexual behaviour. Young highlighted this by noting that at select committee stage, each of the church groups opposing decriminalization was asked whether, if there were no law on the matter, they would be seeking criminalization. With one exception the answer was ‘No’. This indicated that few positively wanted such a law, but that they opposed change to the existing law on the basis that this would give sanction to homosexual behaviour. Air

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Commodore Gill expressly acknowledged this in the parliamentary debates as being his viewpoint:

> It is a great pity that the legislation in question was ever put on the statute book. I do not think it should have been, but since it is there I think it should be retained as the lesser of two evils. Its removal at this juncture would tend to give the seal of respectability and to suggest that the establishment now thinks that homosexual behaviour is normal and quite acceptable in society.\(^{184}\)

The strength of this concern can be noted in both the number of MPs (fifteen) who argued that legislative change would imply condoning homosexual behaviour or making it socially and/or morally acceptable,\(^ {185}\) and the number (nine) who denied that this was the case.\(^ {186}\)

Venn Young made one such denial: ‘My Bill has nothing to do with morality or with social values, but it has a great deal to do with persuading the community to adopt a better understanding of the plight of the homosexual in our community.’\(^ {187}\) A number of those opposed to his bill saw things differently. Removing legal sanctions would be seen as ‘condoning homosexual behaviour’,\(^ {188}\) making such acts ‘acquire a colour of

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\(^{182}\) NZPD, 1975, 399, p.2765.
\(^{183}\) Ibid.
\(^{184}\) NZPD, 1975, 399, p.2790.
\(^{187}\) NZPD, 1975, 397, p.1130.
\(^{188}\) Submissions of Four Hamilton Baptist Churches to the Select Committee of the Crimes Amendment Bill, 1974: National Archives: ABGX Acc. W3706, Box 11. Bill Birch (Franklin) similarly urged parliament to consider the effect on society in changing the law: ‘It seems to me on balance . . . that any
right and propriety'. Decriminalization would make the 'abnormal' come to be regarded as 'normal'. Such terms were used with a sense of defining what was morally acceptable or unacceptable.

A number of opponents of the bill recognized the difficulty of imprisoning homosexuals. Among them were SPCS, the Salvation Army and the Christian Lawyers Group. It was commonly a view of these sorts of bodies that the law had a declaratory role as to what was good or bad, and such a perspective caused such groups to oppose decriminalization, despite their recognition of the ill-advisedness of imprisonment.

Groups such as these were not wrong in imagining that social and moral acceptability was a significant aspect of the decriminalization debate. Auckland University Gay Liberation was quite open about the issue: 'Our long-term aim is for a society in which there will not be two distinct groups of homosexuals and heterosexuals, but simply people expressing their sexual inclinations free from guilt, ignorance and repressive laws.' An aspect of their argument was that distinguishing heterosexual and homosexual acts on the basis of their fundamentally different procreative potential, was, in the modern contraceptive age, largely irrelevant. Sex was now about pleasure.

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action seen to condone or accept homosexuality can have considerable influence on the views of society at large.' NZPD, 1975, 399, p.2821.

189 Among those MPs uneasy with or opposed to the proposal and using this language, see Dr G.A. Wall (Porirua): NZPD, 1975, 397, p.1132; W.R. Laney (Oamaru): NZPD, 1975, 399, p.2809. Similarly, Hon. Michael Connelly referred to homosexuality as an 'unnatural habit': NZPD, 1974, 392, p.3167.

191 See the SPCS submission 1974, which suggested counselling, with prison limited to repeat offenders; a similar submission of the Canterbury branch of SPCS which stated, 'To replace the present punitive provisions of the law by provision for help would be more constructive'; the Salvation Army submission which indicated that probation and rehabilitation were better processes; and the Christian Lawyers Group which recommended one year's probation and counselling: National Archives: ABGX Acc. W3706, Box 11.
and not about babies: 'The fact is that procreation is almost incidental to heterosexual intercourse. People, both gay and straight, engage in sex for pleasure and as a part of interpersonal love.'

What disturbed some at least of the more conservative opposition was that it was not just fringe extremists who were seeking moral acceptance, but also more mainstream reformers. Even NZHLRS could be viewed as pursuing that goal, despite its constitutional disavowal of such a purpose. An editorial in NZ Listener, while sympathetic towards reform, nevertheless warned against talk of 'unhindered right' and 'the validity of their own sexual preference', and went on to state: 'Even the Homosexual Law Reform Society, which represents intelligent advocacy for change, has attacked accepted notions of normalcy and sometimes conveyed an impression that it is really seeking community approval of homosexuality, and not just the removal of an oppressive and unnecessary threat to a hapless minority.'

A major factor amongst those arguing for reform was the view that homosexuality was a fixed unavoidable condition for those of that orientation. Homosexuality was like being left-handed or having blue eyes. This meant that a 'cure' or change of

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193 Ibid.
194 I. Cross, Editorial, NZ Listener, 7 September 1974, p.6. Similarly, a Dominion editorial which supported reform also stated, 'We agree with the Prime Minister that abnormal behaviour is involved, that nothing should be done to support such behaviour': 'Time for Reform', 10 July 1974.
195 Parliamentarians expressing this view in 1975 included Venn Young (NZPD, 1974, 392, p.3157); Dr Martyn Finlay (NZPD, 1974, 392, pp.3159, 3160); Dr Michael Bassett (NZPD, 1975, 399, pp.2768, 2769); Gerald O'Brien (NZPD, 1975, 399, p.2806); Hon. Joe Walding (NZPD, 1975, 399, p.2824).
196 See 1974 submissions of the following: Gay Liberation (Victoria University of Wellington) and Gay Liberation Front (Massey University); Methodist Church of New Zealand Public Questions Committee; NZHLRS, p.10: National Archives: ABGX Acc. W3706, Box 11.
orientation was almost, if not totally, impossible. Holding such a view could then incline one to the view that no moral culpability should be attached to homosexual acts. In 1974 it was probably still politically risky to express such a view, but one parliamentarian who was moving in such a direction was Dr Martyn Finlay: ‘[I]t is a futile exercise to condemn something for which a person is not really responsible’.

Such a perspective could then lead to the argument that there should be equality as between homosexual and heterosexual acts, that the age of consent should be 16 (as for heterosexual acts), and not 20 or 21. The promotion of such a perspective evoked deep reaction from opponents of the bill. Commonly their view was that there were aspects of choice in one’s ultimate orientation and behaviour, and that there were aspects of fluidity and uncertainty for adolescents. If the age of consent were to be lowered, vulnerable young people might be seduced or otherwise drawn into a lifestyle that they might formerly have avoided. The outcome would be greater risk for adolescent males, and an increase in the number of homosexuals.

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197 Submission of New Zealand Sociological Association, p.15; submission of D.R. Russell, Coordinator, Gay Liberation (Dunedin): National Archives: ABGX Acc. W3706, Box 11. See also statement of Dr Michael Bassett (Waitemata) that ‘an important point influencing the majority on the select committee [who supported decriminalization] was the fact that anything else that might have been done to help the homosexual looked doomed to failure’: NZPD, 1975, 399, p.2768.
198 NZPD, 1974, 392, p.3160.
199 See the 1974 submissions of the following: Members of the Faculty of Law of the Victoria University of Wellington; the New Zealand Association of Social Workers (inc.); New Zealand Sociological Association; also joint submission of New Zealand University Students’ Association and Victoria University of Wellington Law Faculty Club: National Archives: ABGX Acc. W3706, Box 11.
200 For example, Air Commodore Gill: ‘I feel that sometimes a bit of strength of character or personal discipline at the right time might have resulted in a different end product.’ NZPD, 1974, 392, p.3164.
201 Dr Gerard Wall, for example warned of ‘way-out groups’ who would suck in older teenagers ‘who are not firmly fixed in their mental outlook’: NZPD, 1974, 392, p.3160.
202 So Dr Wall: ‘common sense also tells us that where sexual orientation is not firmly established it can be influenced’: NZPD, 1975, 399, p.2787.
opposition to law reform, then, was concern for young males.\textsuperscript{204} This meant that for a number of the opponents of reform the issue was not what was to be done regarding homosexuals, but how society, and especially young people, should be protected. For some, the proposed legislation was just the thin end of the wedge: ‘I do not want to be emotional but the gay libbers want the age of consent brought down to 16’;\textsuperscript{205} ‘[i]f, by a change in the law, this practice is given a cloak of respectability, it will not stop with 20-year-olds or 16-year-olds; it will be boys next’.\textsuperscript{206} Such a view meant that the decriminalization legislation could not be viewed in stand-alone fashion, because after it was passed, groups would seize the opportunity to propagandize and seek a further lowering of the age of consent.\textsuperscript{207}

Aware of societal concern over protection of youth, Venn Young in his reform bill had, in addition to decriminalization of male adult homosexual acts, increased penalties for acts of those over 21 with male children under 16 - maximum imprisonment was lifted from 10 years to 14 years. Felix Donnelly strongly criticized this aspect of the bill: ‘I find the child molesting clause confuses the issue and just compounds what most people believe - that homosexuals are child molesters.’\textsuperscript{208} This comment has added significance because Donnelly himself had earlier associated homosexuality with paedophilia. Speaking of the 1950s he recalled: ‘I was aware that some nasty men did


\textsuperscript{205} Paddy Blanchfield (West Coast) opposing: NZPD, 1975, 399, p.2772.

\textsuperscript{206} Hon. Michael Connelly opposing: NZPD, 1975, 399, p.2779.

\textsuperscript{207} Frank O’Flynn (Kapiti), indicating he would abstain from voting: NZPD, 1975, 399, p.2783.

\textsuperscript{208} Gay Liberator, March 1975, pp. 3-4. Donnelly was a vice-president of NZHLRS for most of the period of the society’s existence, and had close links with various gay liberation movements, for example, being a vice-president of Gay Liberation Auckland in 1974: LAGANZ MS papers 028, Folder 2.
nasty things to young boys. I’d been warned by my parents, but never thought of it in any sense or saw it as any direction in sexuality . . . . I was very ignorant of the whole situation and only saw these people as molesters of young children and was not aware of anything beyond that. That powerful association of homosexuals with molested children was deeply embedded in the national psyche.

Tension over supporting law reform, while protecting the young and reaffirming social disapproval, was strongly felt by Dr Gerard Wall. He proposed an amendment to the Young bill to the effect that people could be imprisoned for up to two years if they wilfully asserted to an under-twenty-year-old that homosexual behaviour was normal, or distributed material containing such views to such a youth, or sought to recruit such a youth to an organization that promoted such a view. Clearly the proposed amendment was far too threatening to free speech for society to accept. Wall’s proposal did not come to a head in parliament as it was ruled out of order because it would require expenditure for its implementation that the government was not prepared to recommend. The fact that Wall proposed such a draconian measure indicates the degree of tension he felt with regard to the bill as a whole. In the end, despite that anguish, Wall voted for the bill at the point when it was lost on its second reading.

The reform measure was lost in parliament because it lacked support in the nation as a whole. While this statement may seem to be at variance with polls indicating that a majority of the country now favoured decriminalization for adults, nevertheless that

210 NZPD, 1974, 392, p.3160.
211 NZPD, 1975, 397, p.1132. See also Baumber, ‘Gay Liberation’, p.130.
212 See, for example, the Dominion, 28 May 1975, p.6.
majority was not passionate about reform. A *New Zealand Herald* editorial, for example, noted that ‘pressure for change was not strong enough to convince members that the country really wanted one’. MPs needed to feel that pressure for reform, to give a sense of assurance that support for reform would likely enhance their political future rather than wreck it. NZHLRS was aware of the task of engineering a more active public support. Its secretary stated in 1977, ‘It is clear to the Society, which samples public opinion at large over most of New Zealand, that little has changed at “grass-roots” level amongst the average New Zealanders. In fact there is really only a larger group of thinking people of the so-called “Intelligentsia” calling for general law reform. We have to be honest and realise that all of us have yet to reach the average New Zealander.’

Newspapers generally sensed, though, that just getting the matter before parliament, and then having a parliamentary outcome that was fairly evenly divided on the issue, was in itself substantial progress for the reform cause. Given the changing climate of opinion in New Zealand, the question of homosexual law reform was bound to reappear. Reform success, however, probably needed more intense mass agitation than the cautious NZHLRS approach could provide. This raises the question whether NZHLRS ultimately contributed much to the reform process.

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215 See the comment of Mike Waghorne in 1974 re NZHLRS that ‘their lack of national organization meant that they had not educated the public sufficiently to be able to present law reform as a political good which would produce benefits for M.P’s [sic] who showed support for it.’ M. Waghorne, ‘Comparison’, p.50.
216 Letter of Ken McGrath, secretary of NZHLRS, published in *New Zealand Gay News*, May-June 1977. Because the context of the letter was to protest reporting of an apparent Gay Liberation - NZHLRS split in relation to constitutional changes within NZHLRS, the content of the letter needs to be assessed with caution.
217 The Napier *Daily Telegraph*, 5 July 1975; *New Zealand Herald* editorial, 5 July 1975, section 1, p.6.
218 *Auckland Star* editorial, 7 July 1975; *Sunday Times* 6 July 1975.
The significance of the New Zealand Homosexual Law Reform Society:

From a more recent perspective, NZHLRS efforts in its first years may seem timid and subservient: going cap in hand to seek a few fragments of bread from the table of the dominant majority. The opening quotation of this chapter points to such an NZHLRS attitude. A second factor in querying the significance of NZHLRS is that, when decriminalization finally occurred in 1986, NZHLRS was just one of a number of bodies seeking legislative change; and it was no longer the most prominent of those bodies. It would therefore be easy to minimize the significance of the society as an agent of that change.

However, one should note that from the early days of NZHLRS it was apparent that legislative change would come only after there had been major change in public attitudes to homosexuality. When NZHLRS began in 1967, it needed to undertake a large amount of quiet, persistent, patient, careful endeavour if it was to change public opinion which was largely either unaware of, or opposed to, its position. This need for public attitudinal change was noted back in 1967 by Peter Blizard, lecturer in psychology at the Victoria University of Wellington, and by the Attorney-General, Ralph Hanan. The need for attitudinal change was further emphasized in the flat 1968 parliamentary rejection of the NHLRS petition, and comment from an array of newspapers that success would come only after a shift in public opinion. NZHLRS

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220 NZHLRS Newsletter, 7, December 1968.
was very significant in jump-starting the major attitudinal shift that took place during its years of existence.\textsuperscript{221}

There were several factors in NZHLRS having this role as a shaper of public attitudes. In the first place it had limited objectives, and therefore did not take a stance that was excessively radical for that time. Had it done so it would have scared off potentially inquiring minds. Instead it had the breadth to appeal even to conservative people in society, so long as they were open-minded. Secondly, its public image drew heavily upon prominent and conservative leaders, particularly people drawn from university, church, and other professional life. This also encouraged reflective people to reconsider the criminalization of homosexuality. Thirdly, NZHLRS over a long period of time carefully plugged away at bringing the issue of reform before the public and parliament in a thoughtful manner. Thus, although much of NZHLRS efforts occurred behind the scenes, the society was a major influence in leading to the legislative reforms that ultimately took place. In the 1974-5 parliamentary debate, for example, several National MPs made reference to the National party caucus committee on social affairs having several meetings with NZHLRS,\textsuperscript{222} and several other MPs particularly commended the society.\textsuperscript{223} The exercise of such influence is a significant reason for giving major attention to the society in this thesis.

NZHLRS was at the height of its influence in 1975. However, it no longer occupied the platform of reform on its own. Activism from the recently emerging gay liberation

\textsuperscript{221} For gay liberation perspective acknowledging the early NZHLRS role in influencing public opinion see Turner, 'Gay Politics', p.8.

groups was by now bringing the issue of homosexuality far more into social consciousness. The crucial issue now was whether the public would ultimately find such propaganda persuasive or offensive.

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CHAPTER THREE: 'GAY IS PROUD': THE ADVENT AND INFLUENCE OF GAY LIBERATION MOVEMENTS, 1972-84

We demand that the oppression of gay people stops . . . . We do not intend to ask for anything. We intend to stand firm and assert our basic rights. Remember - Gay is good. Gay is beautiful. Gay is angry. Gay is proud.¹

Originating in the United States of America, gay liberation groups sprang up in many Western countries. While there are major linkages and continuities between the American movement and the New Zealand movement, one cannot assume that the New Zealand movement was simply an American clone. The social context of America, the size and level of openness of the American gay communities, and the political linkages and modus operandi of American gay liberation, all warn against a simplistic assumption that the New Zealand movement was identical. On the other hand, huge attitudinal shift was occurring in Western societies on numerous social and moral issues, and there was clearly international connection and influence on many of these developments. While the catalyst for gay liberation in New Zealand was a local incident, early local Auckland gay rights marches were held to commemorate the American catalyst, the Stonewall riots.² This suggests that the New Zealand movement cannot be studied comprehensively without consideration of the earlier developments in America, but that one ought not to assume a simple equivalence between the movements in the two nations.

² Transcript of interview of Brett Sheppard by Laurie Guy, 7 December 1999, p.2.
The origins of gay liberation internationally:

When police raided gay bars at Stonewall in Greenwich Village, New York, in June 1969, there was unprecedented mass gay resistance. The ensuing Stonewall riots triggered the formation of a radical Gay Liberation Front in New York within a month.¹ The movement was a self-proclaimed revolutionary organization in the style of the New Left.² Similar movements soon sprang up across America and many countries in the Western world including New Zealand. Gay liberation radically challenged societal assumptions. While mainstream sections of society were beginning to wrestle with the issue of whether ‘deviant’, ‘bad’, or at least questionable behaviour should incur criminal sanctions, gay liberation refused to accept that agenda. Belittled or worse over the centuries, gays now mounted a counter-response to that belittlement⁵ - an affirmation of gay lifestyles as valid, as positive, as acceptable - gay is proud.

The gay liberation organizations were quick to recognize in the 1970s that what they were seeking was much deeper than legislative change, and at heart required fundamental societal attitudinal change. In regard to the Gay Liberation Front, Christchurch, Mike Waghorne stated in 1974, “There is a very strong feeling in the group that they are seeking moral approval from Society.”⁶ Similar views were expressed in the New Zealand Gay News in 1975, referring to ‘the work which is

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¹ D’Emilio, Sexual Politics, p.231.
² Ibid., p.231.
⁴ M. Waghorne, ‘Comparison’, p. 27. Emphasis in the original.
necessary if we are to achieve an aim more important than law reform - that of a truly revolutionary change in social attitudes'.

The in-your-face strength of gay liberation was soon felt by the American Psychiatric Association (APA), leading it to vote to remove homosexuality from its *Diagnostics and Statistics Manual of Mental Disorders* in 1973. This was a major victory for the gay cause, contributing a great deal to removing the association of homosexuality with mental disorder/sickness from popular consciousness. This decision did not directly affect New Zealand, its professional body of psychiatrists having already come a year earlier to the same position as the APA. The significance of the APA decision for New Zealand is that the APA change came primarily through direct gay action, particularly through the disruption of annual conferences of the APA in 1970 and 1971, not through new understandings of homosexuality. It was a signal that the advent of gay liberation meant radically new views on gayness, and radically new politics in relation to those views. New Zealand society, get ready for challenge and change!

Why did a gay liberation movement emerge at the end of the 1960s? One factor is that relative affluence and increasing urbanization in the post-war period created an environment in which gay urban subculture could take root. Without this, a mass gay...

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8 The Australian and New Zealand College of Psychiatrists resolved in 1972 that homosexuality should not be regarded as a medical condition: P. Parkinson, ‘Homosexuality as a Medical Condition’, ms, Wellington, 1985, p.5: LAGANZ: PAM 176 PAR. See also Australian and New Zealand College of Psychiatrists, *Clinical Memorandum*, no. 6, October 1973, p.4, which asserted, ‘The psychological adjustment of homosexuals and their psychiatric treatment are made unduly difficult by existing community attitudes. The acceptance of homosexuals by society is slowly increasing but could and should be facilitated by reform of existing laws against homosexual acts between consenting adults in private.’
movement was unlikely to develop. Moreover, 1969 was a time when Western ferment and protest was at its peak. The previous year had witnessed turbulent scenes of student protest across the Western world. The anti-war movement was in full strength. It was the era of the hippie movement: the Woodstock festival took place two months after the Stonewall riots. Within a month of the birth of gay liberation in Auckland, founding member Craig Fraser drew connection between that movement and the hippie movement: ‘The “hippie” movement evolved slowly to mean a universal demand for social and moral change of drastic proportions. We have now reached the stage where the clouds of revolution are gathering over society.’

In a decade of agitation, the time was ripe for radical protest on homosexual issues. Barry Adam noted linkage between gay liberation and movements of wider protest in America: ‘The proliferating social movements of the decade, which came to be known as the New Left, engendered a militancy in the gay community that overturned the homophile approach.’

Likewise, when gay liberation sprang up in New Zealand, it immediately drew connection between its aims and those of blacks’ and women’s liberation. New Zealand gay liberation activists studied the approaches and outcomes of the black and feminist movements. Involvement in earlier feminist political action meant that some lesbians made major contributions to the gay rights struggle in New Zealand and to the

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11 Craccum, XLVI, 5, 6 April 1972, p.5.
12 Adam, The Rise, p.68. For linkage between gay liberation and left wing groups in New Zealand see M Waghorne, ‘Comparison’, p.12.
13 See article by Craig Fraser, Craccum, XLVI, 5, 6 April 1972, p.5. See also Heald, ‘Notes’, p.6.
14 Transcript of interview of Brett Sheppard by Laurie Guy, 7 December 1999, p.4.
eventual achievement of decriminalization.\textsuperscript{15} As activist Linda Evans commented, ‘We did bring quite a long experience in various political activities – in feminist organizing and, of course, in our own lesbian organizing.’\textsuperscript{16} Gay businessman Brett Sheppard made similar comment. Noting that police raids on his gay sauna in February 1980 precipitated open gay protest, he observed, ‘The rallies took place and people got involved and one of the things that we did find was that the women were far ahead of the men. Because the women had been involved in feminist activities. And they were quite prepared to chain themselves to the lamp post on the corner of Queen and Victoria Street and light bonfires in the middle of the street – so in other words they were real radical, way ahead of the men.’\textsuperscript{17} Thus gay liberation, both in America and New Zealand, must be viewed in the context of other protest movements.

Gay liberation linkage with the New Left provided allies from other groups who also shared a common ideology of struggle in regard to their own oppression and that of other oppressed groups.\textsuperscript{18} Such linkage meant a drawing on the rhetoric of revolution. The founding statement of the New York Gay Liberation Front, formed immediately after the Stonewall riots, used such rhetoric: ‘We reject society’s attempt to impose sexual roles and definitions of our nature. We are stepping out of these roles and

\textsuperscript{15} Transcript of interview of Robin Duff by Laurie Guy, 23 September 1999, pp.3-4; transcript of interview of Gavin Young by Laurie Guy, 9 October 1999, p.3.
\textsuperscript{16} Transcript of interview of Linda Evans by Laurie Guy, 8 October 1999, p.3.
\textsuperscript{17} Transcript of interview of Brett Sheppard by Laurie Guy, 7 December 1999, p.4.
\textsuperscript{18} Adam, \textit{The Rise}, p.164. For a similar sense of left-wing linkage expressed in New Zealand, see statement by Auckland Gay Liberation Front, \textit{Craccum}, XLVI, 20, 12 August 1972, p.7: ‘Gay Liberation challenges not only traditional sex roles, but together with other liberation movements of women, students, radicals and blacks, it refuses to accept the traditional standards of our capitalist society.’ See also Turner, ‘Gay Politics’, p.9, noting the dominant Marxist ideology of gay liberation in New Zealand in the period 1973-6.
simplistic myths. WE ARE GOING TO BE WHO WE ARE . . . Babylon has forced us to commit ourselves to one thing - revolution.\(^{19}\)

The advent of gay liberation marked a radical, activist shift on homosexual issues. Those at the core of the burgeoning gay liberation movement would no longer depend on liberals to bring about reform on their behalf; they would do it themselves, and they would sneer at more cautious efforts and what was sometimes perceived as patronizing attitudes of homophile organizations.\(^{20}\) Venn Young's decriminalization measure in 1974-5, for example, was denounced by a Wellington member of gay liberation as 'the humiliation of the pallid tokens of liberal tolerance', a 'mediocre concession to appease your conscience'.\(^{21}\) Clearly there was early tension between gay rights proponents and NZHLRS over the 'Uncle Tom' attitude of NZHLRS with regard to the social standing of homosexuality. The newer movement tended to look down on what they saw as the cautious timidity and compromise of a movement largely made up of heterosexual liberals and closet gays.\(^{22}\) Jack Goodwin of NZHLRS articulated reservation at the new gay liberation attitude in 1973:

> Perhaps this is the place to comment on one of the new dirty words - dirty, that is, to the more impatient Gay Libbers who become indignant at the suggestion of toleration instead of the acceptance they crave. We all love to be loved - but blessed are they who expect little, for they shall not be disappointed. Can we demand acceptance any more than we can demand love?\(^{23}\)

For gay liberation, however, relief from suffering would no longer be sought; rather justice would be demanded: 'We are demanding law repeal and thus equality for

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19 Quoted in Weeks, *Coming Out*, p.188. Emphasis original.
20 Altman, *The Homosexualization*, pp.113-4; Weeks, *Coming Out*, p.186. NZHLRS Newsletter, 21, April 1973 noted that the Society had been criticized by a spokesman for the Gay Liberation Front at Auckland for not knowing any homosexuals as well as for not promoting reform with consent at age 16.
75,000 New Zealand citizens.\textsuperscript{24} No longer would homosexuality be presented as a plight to be pitied; rather it would be proclaimed as a position of pride. While older liberal views could advocate room for homosexuals in an increasingly pluralistic society, arguing from the views of John Stuart Mill for individual rights and freedom, without necessarily accepting homosexual behaviour or lifestyle, gay liberation in contrast celebrated homosexuality.\textsuperscript{25} No longer would there be endorsement of societal structures, with an attempt to make them a little more inclusive to also embrace those who were homosexual. The problem was not just laws but societal attitudes. There could never be justice while ‘heterosexism’ was the norm – the ‘patriarchal family’ must be challenged.\textsuperscript{26} Recognizing that family was at the core of heterosexual ideology, some advocates of gay liberation were prepared to challenge and seek the overthrow of family as it was traditionally conceptualized.\textsuperscript{27} ‘Oppression usually begins with the suffocating tightness of the nuclear family, viz: the family group as we understand it.’\textsuperscript{28} Sharlene Forbes, vice-president of Gay Liberation Auckland, expressed similar sentiment at the 1973 National Gay Liberation conference: ‘The nuclear-family itself is society’s most self-inhibiting structure and as such gives rise to much of our discrimination...’\textsuperscript{29}

\begin{itemize}
\item \textsuperscript{23} Goodwin, ‘Some Considerations’, p.2.
\item \textsuperscript{25} Weeks, \textit{Sexuality and Its Discontents}, pp.53-6.
\item \textsuperscript{26} Ibid., p.111; \textit{Coming Out}, p.232; the Gay Manifesto, \textit{Craccum}, XLVI, 11, 1 June 1972, p.6. Note Altman’s definition of the term ‘heterosexism’: the ‘ideological structure that assumes heterosexuality as the norm and homosexuality as deviant and indeed, despicable’: \textit{The Homosexualization}, p.111.
\item \textsuperscript{27} D’Emilio, \textit{Making Trouble}, p.193; Weeks, \textit{Sexuality and Its Discontents}, p.232.
\item \textsuperscript{28} Comment in the inaugural issue of the New Zealand \textit{Gay Lib News}, November 1972: LAGANZ Serials, stack 1. Similar comment was made by Michael Ross in \textit{Gay Liberation Fronts Newsletter number 8}, [December?], 1973: LAGANZ MS papers 028, Folder 4.
\item \textsuperscript{29} ‘Sha’ [Sharleen Forbes], ‘Conference Speech’, \textit{Gay Liberator}, September/ October 1973, pp.18-19 at p.19.
\end{itemize}
Gaining legal acceptance from existing mainstream society ceased to be a primary objective, as far as the dominant ideology of gay liberation was concerned. Rather there was commonly a deliberate in-your-face affront to society.\textsuperscript{30} Instead of a disciplined and respectable, behind-the-scenes, lobby-group type approach, there was a less-centralized, more radical, and frequently direct-action approach – pickets, protests and placards as occasion demanded.\textsuperscript{31}

The new self-chosen term ‘gay’ exemplified this note of defiance and pride in self.\textsuperscript{32} Originally applying to female prostitutes, the term came into homosexual subcultures in the twentieth century. With the advent of gay liberation, ‘gay’ quickly became the preferred term of self-identification.\textsuperscript{33} This usage exemplified gay liberation’s challenge to and disturbance of society - its willingness to arouse rather than to soothe fears. It took on society head-on: only a revolutionary overthrow of traditional Judeo-Christian values could bring about homosexual liberation.\textsuperscript{34} No longer would endeavour be primarily a behind-the-scenes approach. The focus was on ‘coming out’ - if every gay man and lesbian came out in public acknowledgement of their gayness then gay oppression would cease.\textsuperscript{35} There would be a snowball effect: as gays came

\textsuperscript{30} See Weeks, \textit{Coming Out}, p.185, noting the superseding of the homophile organizations that ‘tiptoed’ through the liberal 1960s, with gay liberation in the 1970s stressing ‘openness, defiance, pride, identity – and, above all, self-activity’.

\textsuperscript{31} For similar comment in Australia commenting on gay liberation as a social movement in contrast to earlier liberal lobbying groups, see Willett, “‘In Our Lifetime’”, p.5. See also comment on the strength of informal social networks with regard to coordinated collective action in S. Tarrow, \textit{Power in Movement: Social Movements and Contentious Politics}, 2\textsuperscript{nd} edn, Cambridge, 1998, p.51. See Turner, ‘Gay Politics’, p.8 for reference to painting slogans on buildings as an example of gay radical action.

\textsuperscript{32} Weeks, \textit{Sex}, p.286.

\textsuperscript{33} Boswell, \textit{Christianity}, p.43.

\textsuperscript{34} Ibid., p.186.

\textsuperscript{35} Weeks, \textit{Sexuality and Its Discontents}, p.4.
out, others would also gain confidence to come out, and the visibility of gays would gradually dissolve old prejudices.\(^{36}\)

Coming out meant the burning of bridges in terms of self-identification. One should no longer seek to conceal oneself within dominant ‘straight’ society, but rather to stand over against that society. Coming out meant a heavy investment in the success of gay liberation, providing the movement with a mass army of recruits. It is for this reason that D’Emilio described the fostering of coming out as a ‘tactical stroke of great genius’.\(^{37}\) Coming out was commonly not simply the act of isolated individuals. Rather it was associated with coming together, of joining a community, providing a sense of solidarity and strength through collective endeavour.\(^{38}\) This new sense of identity was fostered through consciousness raising groups, exploring issues of gayness.\(^{39}\) The changes brought about by gay liberation meant that homosexuals were now a visible and militant minority - and there were lots of them.\(^{40}\)

Coming out challenged marginalization and the informal censorship that kept homosexuals invisible. Wellington lesbians, for example, challenged Wellington City over the rejection of bus advertising for the Wellington Lesbian Centre as a contact point for lesbians. In Linda Evans’ recollection, the issue was over the right of lesbians to be visible.\(^{41}\) Coming out also personalized the issue of homosexuality. Instead of being remote shadowy perverts, homosexuals would more likely be perceived as

\(^{36}\) For the ‘snowball’ image see transcript of interview of Gavin Young by Laurie Guy, 9 October 1999, p.1.

\(^{37}\) D’Emilio, Making Trouble, p.244; D’Emilio & Freedman, Intimate Matters, p.322.

\(^{38}\) Weeks, Coming Out, p.191; Altman, The Homosexualization, p.118.

\(^{39}\) On consciousness raising groups see Adam, The Rise, p.77.

\(^{40}\) Altman, The Homosexualization, p.3.

\(^{41}\) Transcript of interview of Linda Evans by Laurie Guy, 8 October 1999, pp.1-2.
someone’s son, brother, neighbour, fellow-worker.\textsuperscript{42} This in turn would tend to lessen feelings of prejudice and hostility.

An enormous shift was to occur in relation to gay self-image. We have already noted the furtiveness of the Dorian Society in the mid-1960s. The threat of criminal sanctions and the enormous amount of negativity in society towards ‘poofers’ both combined to foster a concealing of homosexuality. A group from the Lesbian/Gay Rights Media Collective noted how reluctant people were to publicly identify as gay when gay liberation first came to New Zealand in 1972 and how much this changed in the subsequent decade.\textsuperscript{43} In particular they noted that at the first National Gay Rights Conference ‘only one or two people were prepared to be seen on television coverage, while in 1981 those not wishing to be filmed for television were the exception rather than the rule’.\textsuperscript{44}

Through gay liberation, the distinction of homosexual identity was now added to the distinctions of behaviour and orientation. The significance of this was explained by Altman: ‘The greatest single victory of the gay movement over the past decade has been to shift the debate from behavior to identity, thus forcing opponents into a position where they can be seen as attacking the civil rights of homosexual citizens rather than attacking specific and (as they see it) antisocial behavior.’\textsuperscript{45}


\textsuperscript{43} Greaves, East, Molloy, \& Young, ‘The Gay Rights Movement’.

\textsuperscript{44} Ibid.

\textsuperscript{45} Ibid., p.9.
The advent of gay liberation in New Zealand:

Increasing globalization of fashions, ideas and movements, made the emergence of a gay liberation movement in New Zealand after the Stonewall riots largely a matter of time. In addition, the post-war growth of large urban populations in Auckland, Wellington and Christchurch created a climate for the emergence of a visible gay subculture, a necessary prerequisite for gay liberation.\footnote{Phillips, \textit{A Man's Country?}, p.275.}

The catalyst for gay liberation came in 1972. The New Zealand Students' Association nominated Ngahuia Volkerling for a United States government funded tour to United States' campuses.\footnote{Ngahuia Volkerling was once married to Michael Volkerling. She is now known as Ngahuia Te Awekoruku and is professor of Maori Studies at Victoria University of Wellington.} In completing paper-work for the proposed trip, Volkerling indicated that as 'a homosexual Maori Woman' she wished to look at the American Gay Liberation and 'Red Power' (i.e. Native American) movements. The process of issuing the visa stalled. Informal information seemed to indicate that Volkerling was being blocked from taking up the scholarship because of her lesbianism. Having fronted up at the United States consulate on 15 March 1972, and finding out that grounds for declining visas included the category of 'sexual deviance', Volkerling then went to the University of Auckland campus and made a fiery speech challenging students to be open about their homosexuality. As a result an inaugural meeting of gay liberation took place on the university campus on 21 March 1972. The movement quickly snowballed, and Volkerling's visits to Christchurch and Wellington in May
1972 immediately led to gay liberation groups being established on the university campuses in those two cities.48

From the beginning the movement was public and provocative. On 11 April 1972 a ‘Gay Day’ was held in Albert Park, Auckland, adjacent to the statue of Queen Victoria, with street theatre chanting the refrain, ‘Will Victorian morality ever die?’49 The American consulate was picketed on 26 April 1972.50 On 18 May 1972 Volkerling organized a ‘zap’ to disrupt a public meeting of Patricia Bartlett’s SPCS.51 One group of disrupters at the meeting chanted, ‘War is the ultimate obscenity’ while the Volkerling group was storming onto the stage carrying a ‘Gay Liberation’ banner and shouting ‘What about us?’52 Volkerling was physically ejected from the meeting.53

The first annual conference of gay liberation was held at Auckland in August 1972.54 By this time Volkerling was no longer involved in the gay liberation movement, directing her efforts rather to Maori activism through Nga Tamatoa.55 Although she withdrew from activism in gay liberation, her short fiery involvement had been a sufficient catalyst for the long-term establishment of gay liberation. Early member Bobby Pickering described her as being a ‘detonation’ rather than a leader.56 He drew attention to her action-stirring speech at the University Forum at Christchurch in May

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51 Pickering, ‘Where Have All’, p.4; Craccum, XLVI, 11, 1 June 1972, p.6.
52 Auckland Star, 19 May 1972.
53 Pickering, ‘Where Have All’, p.4; Craccum, XLVI, 11, 1 June 1972, p.6.
55 Ibid., p.37. Lack of trust between the two streams of radical protest meant that she had to choose between the two groups: Pickering, ‘Where Have All’, p.4.
1972: ‘Why do we have to be thrown out of our homes, spat on in the streets, lose our jobs, simply because we have chosen, and make no mistake we have no option but choose, a way to love we prefer? Why should we beg and plead for what you, as square people, simply take for granted every minute of your life - the right to accept love and affection and to give it?’

The radical and fragile nature of the early gay liberation movement:

Clearly the new movement was going to have a radical edge, a marked contrast to NZHLRS. No longer was there necessarily the same sense of caution, the same sense of careful husbanding of goodwill. NZHLRS secretary Jack Goodwin wrote to Robin Duff, one of the key figures in the early gay liberation movement in Christchurch regarding their manifesto:

I'm speaking now as a journalist with some experience of political activity. In this field, one of the easiest ways to discredit an opponent or to rubbish them is to point out their mis-statements. These will almost certainly be true in part, but over-stated and too sewwping [sic] as generalisations. If I were devil’s advocate, I might find it all too easy to make that kind of objection to so much of the manifesto . . . .

Do you think that someone with your understanding as well as academic experience ought to discuss with the manifesto’s compilers its many half-truths - statements which may produce a warm glow for many readers but a cold chill when someone is put on the spot and asked to justify them for the sake of the cause.

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56 Pickering, ‘Where Have All’, p.4.
57 Ibid.
Robin Duff's reply accepted Goodwin's concerns: 'As for the Manifesto, I agree with everything you say - I hope that will soon be scrubbed. It was written before I came into the group, and, fortunately, has not been distributed much yet'.

The idealism of gay liberation meant that it was going to be difficult to develop institutional structures that would be necessary for long-term continuance and influence. Often there was marked reluctance to develop a hierarchical leadership structure. This stance was a point of pride for the fledgling movement. The report of the inaugural meeting at Auckland glowed at the non-hierarchical oneness manifest at the meeting: 'No one was needed to chair, co-ordinate or stand over us; everyone unfolded an idea, a suggestion . . . . There was no tension, no antagonism. A group of waiting people had met at last - we united and felt a togetherness and power, and energy and force which sustained a solid two-hour rap session.' Similarly, when the University branch of Gay Liberation Front, Wellington, commenced, it made a decision not to have a chairperson or leader, but rather to elect a 'troika' which would share the positions of chairperson, treasurer and secretary. Lack of structure and accountability soon led to financial irregularities with regard to profits from a gay dance. The outcome was a special general meeting of the organization, resulting in a more defined leadership: president, vice-president, secretary, treasurer, and committee of three. Clearly, idealism would need to be tempered with realism.

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60 N. Volkerling, 'Gay Lib', Crraccum, XLVI, 5, 30 March 1972 [wrongly listed by the newspaper as 1971], p10.
62 Ibid.
Tensions between idealism and political effectiveness, between spontaneity and structure are common in fledgling social movements. According to Jo Freeman such movements commonly begin spontaneously in response to a galvanizing crisis. They have a degree of informality on a person-to-person networking basis. However, such spontaneous groups are likely to have a short shelf-life unless they are welded into a stable organization. If they are to be effective in influencing society or in engaging in political lobbying they have to develop centralized direction. There needs to be a ‘routinization of communitas’. Organization, however, can lead to stultification – hence sociologist, John Wilson’s comments: ‘A social movement does not sustain momentum for long qua social movement if it slips entirely out of the politics of disorder. If too much emphasis is placed on the use of orthodox channels, the movement becomes mundane, slow moving, and gradualist.’ This then seems to undermine the sense of spontaneous vitality with which the movement began – hence the fragility and in-fighting which marked much of early gay liberation history in New Zealand.

There was marked lack of gay movement structure and coherence at national, as well as at local level. It was to remedy this that Robin Duff pushed at the 1976 Gay Liberation Conference for the establishment of a National Gay Rights Coalition that could

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65 Ibid., p.9.
70 Ibid., p.21.
evaluate, set policies, and plan. Duff was damning of the effectiveness of gay liberation in its first few years of existence: 'My feelings about the gay rights movement until recently have encompassed frustration, depression and desperation. This is in the wake of five years showing little tangible benefit, the low numbers of people involved in the movement, the rapid turnover of both people and resources, and a positive refusal by New Zealand gays to exert any leadership or develop any coherent vision or policy to guide their actions.' While Duff was successful in raising up the NGRC as a structured organization, its effective life was only about five years. Behind its in-fighting and ultimate disintegration lay the question of structure, with people like Robin Duff and Mike Waghorne urging the need for such organization, and supporters of Paul Reynolds wanting a much looser and more decentralized approach. Such divisions were a major factor in NGRC's demise.

The radical nature of gay liberation inevitably meant difference over goals and strategy between more moderate pragmatists and more thoroughly radical idealists. Should the focus be on in-house consciousness raising or on changing societal opinion? Should the focus be on influencing legislators or on influencing the public? Was the priority

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71 For gay liberationist acknowledgment of early fragility, factionalism and in-fighting see Turner, 'Gay Politics', pp.8, 10.
72 New Zealand Gay News, November/ December 1976, p.3. For further reflection on NGRC's inauguration, see transcript of interview of Robin Duff by Laurie Guy, 23 September 1999, p.2.
73 Email Mike Waghorne to Laurie Guy, 26 April 1999.
74 See a 1973 article on 'radical' and 'moderate' tendencies in the Auckland movement on this issue reproduced in Baumber, Gay Liberation, pp.61-3.
75 An editorial 'Reform - Reject!' in Gay Liberation Front (Christchurch) Newsletter, early April 1974, in arguing against a Wolfenden-type reform bill, asserted that there was only one way ahead: 'Massive re-education, and then a total repeal of the antiquated laws': LAGANZ MS Papers 028, Folder 4. The co-ordinating committee of Gay Liberation Front Wellington, in their annual report in 1977, having noted their unsuccessful lobbying of MPs in regard to the Human Rights Commission Bill, felt that lobbying was not the most effective strategy: 'Instead we should conduct a public campaign aimed at educating people about Gay Rights, and once public opinion is overwhelmingly on our side, politicians will soon change their views': LAGANZ, MS Papers 077, Series 2, Folder 13.
on changing the law or on changing society? Would measures for partial legislative reform be supported, or was it a case of equality or nothing? All these issues were in the melting pot of debate during the first decade of gay liberation in New Zealand. The result of this diversity was a movement fraught with division and leadership clashes.

On the whole gay liberation was a movement of the young, ‘a changing of the generations’. Generational attitudes commonly separated its members from both NZHLRS and wider society. In a circular letter to NZHLRS vice-presidents, committee members and others in August 1974, Jack Goodwin noted how newspapers were suggesting that gay radical activism was alienating key societal members and members of parliament, and that ‘some of their “activists” bring out the worst in me’. But then Goodwin put an astute spin on the situation: ‘In the words of William Pitt, they have committed the damnable offence of being young and have thereby incurred the resentment of some oldies as well as being made the scapegoat for that NZ inability to come to terms with sexuality.’

One thing to emphasize, however, is that gay liberation was not simply a more radical or more youthful version of NZHLRS. Divergence between the two groupings was

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76 See article by Paul Reynolds in the *Pink Tank*, Dunedin, March 1980: ‘Notes Towards a Political Philosophy for the Gay Rights Movements in New Zealand’ (LAGANZ MS Papers 088, Box 1). Reynolds argued that the aim of a gay movement should be ‘to bring about a society in which sex and sexuality are a non-issue and the value of the human person is fundamental’. He went on to assert that working towards law change is not only a waste of time in terms of bringing about such rights, but goes directly against such an aim: ‘law change priority implies acceptance of the status quo. The above statement shows total rejection of the status quo.’ Reynolds was co-ordinator of the NGRC conference in 1980 where a resolution was passed unanimously, ‘that the NGRC put as little effort as necessary into legislative issues’: LAGANZ MS Papers 077, series 10.


78 See acknowledgement of this, for example, in the homosexual magazine *Out!* ‘Interview with Gay Rights Activist – Bill Logan’, *Out!* 62, August-September 1985, pp.20-21 at p.20.

79 Transcript of interview of Gavin Young by Laurie Guy, 9 October 1999, p.2.
much more than questions of style, position on the radical/conservative spectrum, or background of supporting constituency. The two movements or organizations addressed quite significantly different issues. This was acknowledged early on by Jack Goodwin of NZHLRS: ‘the Society had been concerned with the very narrow area of discrimination in law against gays, whereas Gay Liberation took on the fight against much wider areas of discrimination’.81

It is important to recognize that gay liberation was fundamentally not about law reform. It was a movement by gays for gays, to liberate their own kind in every way possible. Its concerns for gays were holistic.82 This meant providing social help services, especially counselling support;83 it meant focusing on changing public attitudes to gays;84 above all it meant giving gays dignity and pride.85 It is only through recognizing this focus on holistic concerns, and especially on gay pride, that one can understand the complex relationship between gay liberation and NZHLRS, and the otherwise puzzling stands often taken by gay liberation in relation to law reform.86 One aspect of this was public challenge to the NZHLRS position in relation to limited law reform.87 Noting in January 1973 that proposed legislative reforms were likely to be for adults only, Gay

80 Circular letter of Jack Goodwin to NZHLRS officers 2 August 1974: LAGANZ, MS Papers 083, Series 1, Folder 11. See also his earlier complaint that gay acceptance within society would more likely be impeded rather than advanced by gay rights demonstrations: Goodwin, ‘Some Considerations’.
82 For the broader aims of Gay Liberation Christchurch at its inception see transcript of interview with Robin Duff, 23 September 1999, p.1.
83 The combined submission of Gay Liberation (Victoria University of Wellington) and Gay Liberation (Massey University) to the Venn Young Bill in 1974 noted NZHLRS having its sole aim as law reform and not being concerned with the social situation of homosexuals. In contrast the gay groups sought to improve the life and social welfare of gays, and ran a telephone counselling service: LAGANZ: MS Papers 077, Series 6, Folder 3.
84 The report of the inaugural meeting of the Gay Liberation Movement in Auckland recorded the main concern of the meeting was ‘getting the public used to the fact of homosexuality’. N Volkerling, ‘Gay Lib’, Craccum, XLVI, 5, 30 March 1972, p.10.
85 The report noted in the preceding footnote ended with the words, ‘And remember, “Gay is Proud”’.
86 For example, the resolution at the annual conference 1980 ‘that the NGRC put as little effort as necessary into legislative issues’: LAGANZ: MS Papers 077, Series 10.
Liberation Christchurch, drew the conclusion: ‘So we must be careful that legislation for “adults” does not get through without heavy opposition for it will be difficult to make further changes in the foreseeable future. Let us stand firm on our policy – we want nothing less than a repeal of all anti-gay legislation and the equality and respect we rightly deserve!! Keep the pressure on!’88

Simply calling for the age of consent for homosexual acts to be set at sixteen was in itself a radical demand for that time. The New Zealand Truth, for example, in noting delays in initiating law reform proposals in parliament, noted that ‘extreme’ demands in the area of law reform could alienate MPs.89 What demands were extreme? Truth could work that one out: ‘Some groups . . . want the age of consent as low as 16. No MP will accept this.’90

The more holistic concerns of gay liberation explain why its groups were often more interested in human rights legislation than in decriminalization. It was the former legislation that would have more immediate impact on the life of the average gay person. Brett Rawnsley, for example, recollected that fellow gay activist, Gavin Young ‘was always arguing that the criminal law would only get changed once the human rights legislation covered gays’.91 As early as 1975 Auckland Gay Liberation was demanding that ‘all discrimination against gays be made illegal’.92 Such an outlook led to significant lobbying by gay liberation for ‘sexual orientation’ to be made a

87 See, for example, ‘Repeal Wanted of Laws on Homosexuals’, Evening Post, 5 April 1973.
90 Ibid.
91 Email, Brett Rawnsley to Laurie Guy, 14 February 2000, p.3.
92 Quoted in New Zealand Gay Liberator, April/May 1975, p.9.
prohibited discrimination with regard to provision of public services in the Human Rights Commission Bill, 1977, despite male homosexual acts remaining a crime in New Zealand.93

The charismatic nature of gay liberation leadership, reluctance to work to bureaucratic patterns, and divergence over aims, contributed to infighting and power struggle within the movement. A stormy NGRC annual meeting in 1980 which saw both a provisional expulsion of NZHLRS from the movement and a walkout and resignation of some lesbian groups when their demands for veto rights within the organization were rejected,94 was succeeded by an equally stormy meeting in 1981. As it came to a close, both the co-ordinator and the secretary resigned, the former after launching a stinging attack on ‘the renegade faction in Christchurch’ who had exercised ‘emotional blackmail’ in boycotting the meeting, and on Robin Duff - ‘on a power trip’ - in particular.95 Robin Duff’s view was that this was in some way the culmination of policy differences within NGRC with activists such as Robin Duff and Mike Waghorne wanting a powerful centralized body, and others such as Gavin Young, Paul Reynolds and Kevin Green wanting to decentralize and encourage more ad hoc grassroots initiative.96 Gavin Young, however, has argued that there was not such a sharp

93 The annual report of Gay Liberation (Victoria University of Wellington) in 1977 noted that the main political activity for the year had been lobbying MPs in relation to the Human Rights Commission Bill: LAGANZ: MS Papers 077, Series 2, Folder 13. Both Gay Liberation (Victoria University of Wellington) and NZHLRS lodged submissions seeking inclusion of prohibition of discrimination on the grounds of sexual orientation. The attempt at such inclusion was not successful until 1993.
94 LAGANZ: MS Papers, 79, Box 5, NGRC 10/1. For comment on that walkout see transcript of interview with Robin Duff by Laurie Guy, 23 September 1999, pp.3-4.
95 Ibid. The two resignations were withdrawn a week later in a letter of the secretary, Kevin Green, 28 April 1981. For more reasonable explanations of the alleged ‘Christchurch boycott’, but with acknowledgment of a ‘battle’ in NGRC leadership and direction, see transcript of interview with Robin Duff by Laurie Guy, 23 September 1999, p.5. For other comment on the issue see transcript of interview with Gavin Young by Laurie Guy, 9 October 1999, p.4.
96 Observation of Robin Duff: transcript of interview with Robin Duff by Laurie Guy, 23 September 1999, p.5.
centralization-versus-decentralization split, and that more personal factors were at play, with former leaders finding change under their successors difficult to accept.\(^\text{97}\)

The overall impression of gay liberation co-ordination is one of fragile unity coupled with a great deal of factionalism and fragmentation. An example of this was the call of Kevin Green, co-ordinator/chairperson of NGRC, in 1981 for the organization to die as it was a ‘bureaucratic machine without a program and was preoccupied with internal politics rather than being gay’.\(^\text{98}\) In the words of activist, Phil Parkinson, ‘NGRC gradually alienated its supporters and engaged in destructive internecine fights just like the Trotskyite activists of which it was often composed.’\(^\text{99}\) The miracle is that such a fractious, fragile and fragmented movement could be so united when the decriminalization issue again came to a head in 1985-6.

Fragility can also be seen in the rise and fall and rise again of local gay liberation groups. This rise and fall helps explain the multitude of names under which gay liberation organizations went. Sometimes there might be two organizations in the largest cities, one for town and one for ‘gown’ (the university). In addition groups underwent name changes, or died, often to be reborn a short time later. The first flush of enthusiasm at the inauguration of the gay liberation movement in New Zealand was buoyed by the hope of homosexual law reform with Venn Young’s Bill, 1974-5, even though there was significant misgiving that the proposed age of consent was 21

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\(^{97}\) Written communication Gavin Young to Laurie Guy February 2000.

\(^{98}\) Minutes of Planning Meeting of NGRC 25 October 1981: LAGANZ: MS Papers 79, Box 5, NGRC 10/2. A motion that NGRC be dissolved was lost 7 to 24. The organization finally became defunct in 1983.

\(^{99}\) Email Phil Parkinson to Laurie Guy, 5 February 1999. The Marxist/Trotskyite connections were also acknowledged by heterosexual, gay liberation member Mike Waghorne, though he placed most gay
(reduced to 20 after the select committee hearings) rather than 16 (i.e. equality with the age of consent for heterosexual sex). Failure of the bill was discouraging to gay liberation and was quickly followed by the collapse of a number of gay groups. *New Zealand Gay News* in November/December 1975 noted a sense of ‘general apathy’ and commented that ‘all the downs have come at once and some just haven’t made it up again’. This mood persisted into 1977 with biting comment by Robin Duff at the Fifth Gay Liberation Conference in 1976: ‘When we consider our efforts in education, welfare and the media, we see how pathetically little we have achieved. The gay movement takes on the appearance of warts on a camel’s bum, and is almost as useful.’

The establishment of the National Gay Rights Coalition to provide co-ordination:

The formation of NGRC in 1977 was a significant step forward for a few years in terms of co-ordinated gay liberation action. Its early effectiveness can be seen in the 1978 *Election: Zap Pack*. This seven-page pamphlet prepared by NGRC provided gay people with a resource that was very useful in the election that year. The *Zap Pack* urged consistent focus on one issue: ‘gay rights is an aspect of human rights’. Persistent activism was needed: ‘Remember . . . Saturation must seep into the liberation members as being ‘non-aligned lefties’ and doubted whether there was much Marxist/Trotskyite influence in the movement as a whole: email Mike Waghorne to Laurie Guy, 27 April 1999.  

For opposition to the reform see *Gay Liberation Front Newsletter* (Christchurch) Early April 1974, editorial ‘Reform - Reject!’ which argued that acceptance of an age limit ‘would be perpetuating the myth that homosexuality is dangerous, sinful, evil’.  


See University of Auckland New Zealand and Pacific Pamphlets Collection.  

A massive letter-writing campaign to prominent individuals, MPs, candidates, bosses, trade union figures and the media, was urged: ‘One letter a week from May 25 to November 25 would only amount to 26 letters each at 10 minutes each is less than 5 hours but nationally would amount to thousands of letters.’ Specific sample questions were supplied to bring gay issues to the fore at election meetings. An example of an astute sample question, aimed at challenging an unreflectively Christian foundation for criminalization was the following: ‘In the Bible the same word is used for women wearing hair (Paul) and for homosexual acts; namely “it is an abomination”. Would you support the passing of legislation that would regulate hair styles in N.Z?’ Intelligent questions, persistently made, would eventually bring New Zealand to ‘saturation’ point. When that occurred, homosexual law reform would be an issue whose time had come.

In addition to urging members to be active, NGRC, as a body, was active with its own propaganda activity. A sample of 1978 election advertising follows:

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105 Ibid. Emphasis original.
106 Ibid., p.2.
107 Ibid., p.6.
108 In today’s world of political correctness, some may object to the term ‘propaganda’ being used in relation to the gay cause. However, gay activism was not always careful in relation to the truth (and commonly neither were other groups and individuals holding various perspectives on the gay debate). Significantly, the cautious one in twenty figure of NZHLRS was inflated to one in eight in the advertisement that follows.
Gay rights are human rights.

One in every 8 New Zealand adults is homosexual. But because gay people are ordinary people they aren’t obvious in such numbers.

Because of the social stigma attached to homosexuality, it’s only understandable that gay people remain invisible. The National Gay Rights Coalition exists to work for the human rights of gay people. During the election campaign the National Gay Rights Coalition asks you to think about the issue of human rights for Lesbians and Gay Men.

We believe that gay people are entitled to the same things as any other member of the community. No more, no less. We believe that gay rights are simply human rights. They cost nothing except our time and energy and your support and understanding.

Think about it. ¹⁰⁹

This text was used for radio advertisements. Several stations refused to accept the advertisement on the grounds that it contravened broadcasting rules, but it went to air on two of New Zealand’s commercial stations.¹¹⁰ Broadcast refusal gave a boost to gay liberation, controversy over the advertisement heightening its profile.¹¹¹ Gay Liberation (Wellington) regarded 1978 media coverage of gay issues as ‘unprecedented’, noting that in the two Wellington papers there were a number of letters to the editor, two photographs, press statements from the organization, and independent articles.¹¹² Two years later a Pink Triangle editorial made this assertion: ‘In January 1980, in New Zealand, there can not be any person who has not heard of homosexuality and the Gay Rights Movement. Not everyone agrees with what we are doing, of course, but at least

¹¹⁰ National Gay Rights Coalition of New Zealand Newsletter, November 1978. The stations that accepted the advertisement were Radios Waikato and Hauraki. Those that declined were Radios Avon and Windy.
¹¹¹ Transcript of interview with Gavin Young by Laurie Guy, 9 October 1999, pp.1-2.
they know of us, and are therefore influenced by our acknowledged existence. This has been the major achievement of the 1970’s [sic].

NGRC gave further advice on persuading public opinion in the next election year, 1981, with a pamphlet on how to work with the media. The pamphlet urged use of the media as a priority because of the role of the media in not only reflecting but also in forming public opinion: ‘In our efforts to bring about a social revolution, by changing society’s structure, eliminating sexism and sex role stereotyping, promoting full civil and Human rights for Lesbians and Gay Men and positive public attitudes towards us, we must make the most effective use of what may well be our most powerful aid - the mass media.’ The pamphlet went on to recommend that each group appoint a media contact person to act as a liaison with the local media, and then gave detailed advice on how to handle media issues and get gay material before the public eye via the media.

Tensions between gay liberation and homosexual law reform approaches:

From the beginning gay liberation argued for a policy of equality between homosexuals and heterosexuals. This meant that the movement would not accept a modest Wolfenden-style reform for adults only. Rather, the age of consent must be 16 for homosexual acts as it was for heterosexual acts. Any lesser reform would be an implicit acknowledgement that homosexuals were somehow tainted or blighted.

115 Ibid., p.3.
In contrast, the NZHLRS approach, with its seeking decriminalization but with an age of consent older than 16, carried the implicit concession that homosexual acts might be immoral, or at least not as acceptable as heterosexual acts. Gay liberation would not countenance that concession. If ‘gay is proud’ was the first step towards liberation,\(^\text{117}\) how could gay liberation accept a lesser measure which in any way suggested that homosexuality was more problematical than heterosexuality? Gay liberation commonly saw the difference between its approach and that of NZHLRS as repeal, in contrast to reform.\(^\text{118}\) With social acceptance being a major sub-text of gay liberation struggle,\(^\text{119}\) its relationship with NZHLRS was going to be uneasy as long as NZHLRS held to its more conservative approach.

From the beginning there was criticism of NZHLRS from gay liberation ranks. NZHLRS was an ‘Uncle Tom-ish’ organization with a ‘closet’ mentality.\(^\text{120}\) It might even be charged with being ‘antigay’.\(^\text{121}\) NZHLRS, for its part, tended to view gay liberationists as being immature, idealistic and impractical,\(^\text{122}\) saboteurs of progress. In resigning from NZHLRS in December 1980, Don Mathieson asserted that ‘NGRC stridency and disgraceful tactics have worked against, if not wrecked, Parliamentary initiatives.’\(^\text{123}\)

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\(^\text{116}\) Gay Lib News, December 1972: ‘We believe we have the right to demand EQUALITY’; New Zealand Gay Liberator, April/May 1975, p.9: ‘We want rights not concessions.’ LAGANZ Serials, Stack 1. Emphasis original.
\(^\text{118}\) Ibid.; New Zealand Gay Liberator, April/May 1975, p.9.
\(^\text{119}\) H. Young, ‘Stonewall - a Kiwi Celebration?’ Man to Man, Issue 53, p.9, implied criticism of NHLRS with the following comment: ‘Their argument (at least in public) was only for law reform, not any kind of social acceptance of gay men or lesbians’.
\(^\text{120}\) Pickering, ‘Where Have All’, p.9.
\(^\text{121}\) Wellington Gay Liberation Newsletter, May 1977.
the collapse of the Freer initiative,\textsuperscript{124} to Robin Duff, co-ordinator of NGRC, highlighted the cross-purposes of the two organizations: 'We did not expect the NGRC to give us more than qualified, perhaps very forcefully qualified, support. We did not expect the proverbial knee in the groin - and without warning!'\textsuperscript{125}

Earlier still, there was significant gay liberation feeling against the NZHLRS-supported Venn Young bill in 1974. Rejecting the notion that gay liberation groups should 'cool it', the editor of the Gay Liberation Front newsletter, threatened vociferous gay liberation opposition if an NZHLRS-type Bill went before a select committee.\textsuperscript{126} Still earlier, when gay liberation was in its first months of existence in New Zealand, the \textit{Gay Lib News} published an article insisting on equality and rejecting any notion of Wolfenden-type legislation. Noting that NZHLRS was seeking such legislative change, the article darkly commented, 'We might have to work on them first.'\textsuperscript{127}

**Gay liberation endeavours to change the direction of NZHLRS, 1975-7:**

One way of changing NZHLRS was to stack the society with new members and seek to change its constitution. Gay activist Gavin Young recalled this tactic: 'a lot of us were members of the Homosexual Law Reform Society and we had gone along and stacked meetings and tried to get their policies changed and all sorts of things like that'.\textsuperscript{128} This sort of activity was linked with an on-and-off two-year struggle to change the direction of NZHLRS 1975-7. At the 1975 annual general meeting of NZHLRS there was a

\textsuperscript{124} On the Freer initiative, see later in this chapter.
\textsuperscript{125} LAGANZ: MS Papers 077, Series 6, Folder 5.
\textsuperscript{127} \textit{Gay Lib News}, December 1972: LAGANZ Serials, Stack 1.
suggestion of a name change so that NZHLRS would become the New Zealand Homosexual Repeal Society. The recollection of John Blincoe, then General Vice-president of the New Zealand University Students’ Association (NZUSA), was that he argued to keep the name, but suggested that the underlying spirit of the proposal would best be met by bringing NZHLRS policy into line with NZUSA policy of seeking a common code governing male and female sexual behaviour. It should be noted that NZUSA had been a member of NZHLRS from the 1960s, and had formally expressed support for gay liberation as early as May 1973, supporting from May 1975 a ‘common code governing sexual behaviour for male and female, in which objectively similar types of behaviour, whether homosexual or heterosexual, are treated consistently’.

After the 1975 meeting Blincoe understood that there would be a special general meeting to explore this, with a view to possible constitutional change. When this did not eventuate, Blincoe, then NZUSA president, circulated a position paper at the 1976 annual general meeting raising the matter. At the same time the executive committee of NZHLRS introduced constitutional amendment proposals, including one requiring constitutional amendments to succeed only with a two-thirds majority, rather than with a straight majority. Blincoe interpreted that as an attempt by the NZHLRS executive committee to head off more radical proposals. Tension over the NZUSA proposal at

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1\textsuperscript{128} Transcript of interview with Gavin Young by Laurie Guy, 9 October 1999, p.3.
1\textsuperscript{129} Minutes NZUSA Council meeting May 1973. Copies held by John Blincoe, 15 Richmond Avenue, Nelson, and by Laurie Guy.
1\textsuperscript{130} Minutes NZUSA Council meeting May 1975. Copies held by John Blincoe, 15 Richmond Avenue, Nelson, and by Laurie Guy.
1\textsuperscript{131} J. Blincoe, ‘A Position Paper for AGM of NZHLRS’, 28 October 1976: LAGANZ Pam 237.75 BLI.
1\textsuperscript{132} Written communication by John Blincoe to Laurie Guy, 8 February 2000.
that meeting led to a challenge to NZUSA's membership on the grounds of its subscription being in arrears. The deficit was paid on the spot.

To cope with the tension, the matter of the proposed constitutional amendments of both NZUSA and the NZHLRS executive committee was referred to a special general meeting.\textsuperscript{133} That meeting, held on 24 February 1977, still did not consider the NZUSA proposal, as it had allegedly not been sent to the secretary in proper constitutional form prior to the meeting.\textsuperscript{134} The situation was quite murky, Blincoe arguing at the meeting that NZUSA notice had been properly given at the 1976 AGM and stood in the absence of any compromise proposal agreed to since with the executive committee. The chairman rejected Blincoe's argument.

A further clash arose over a proposed constitutional amendment that NZHLRS 'does not make moral judgements on adult homosexual relationships'. This was successfully amended to delete the word 'adult'. However, the substantive change was then lost by 20 votes to 14. Clearly NZHLRS was not ready to alienate its more conservative wing with an explicit statement on the moral neutrality of homosexual acts.

The requirement that future changes to the NZHLRS constitution have a two-thirds majority was addressed at the meeting. Blincoe moved an amendment that the words 'of two-thirds' be deleted. This was lost 13 to 14, and the original proposed change was carried 14 to 13. Confusion surrounds what happened subsequently. The minutes record that after the chairman had declared the meeting closed Blincoe demanded that

\textsuperscript{133} Minutes of AGM of NZHLRS held 28 October 1976.
\textsuperscript{134} Minutes of special general meeting 24 February 1977.
the matter be re-committed. Blincoe's own recollection is that as the chairman was about to close the meeting, Blincoe moved that the matter be re-committed.\textsuperscript{135} This time the change to a two-thirds majority was defeated by 20 to 15.\textsuperscript{136}

Given the climate of tension at the time, the direction of the meeting as a whole appears to have been an attempt by NZHLRS to minimise the risk of gay liberation forces taking over their organisation. 'Libran' implied this a couple of months after the February meeting when, in an article attacking NZHLRS, he asked, 'Is NZHLRS afraid of new blood?'\textsuperscript{137} From a gay liberation perspective, the process indicated fundamental division in NZHLRS, with two camps ('them' and 'us') within the movement.\textsuperscript{138} In reply to gay liberation charges on the issue, the NZHLRS secretary, Ken McGrath, saw a threat of gay liberation take-over, asserting that 16 gay liberation members caucused for an hour before the February meeting to decide how they would vote.\textsuperscript{139} Although Wellington Gay Liberation denied such caucusing,\textsuperscript{140} earlier minutes of their co-ordinating committee indicated that they would act as a block at the special meeting.\textsuperscript{141}

The saga seemed set to continue, with NZUSA indicating that it would bring its proposal to the next annual general meeting (October 1977) and urging non-members to join NZHLRS and attend that meeting in order to vote the proposal in.\textsuperscript{142} There was, however, another angle to the struggle. Robin Duff, writing to John Blincoe in

\textsuperscript{135} Written communication by John Blincoe to Laurie Guy, 8 February 2000.
\textsuperscript{136} Ibid.
\textsuperscript{137} Wellington Gay Liberation Newsletter, May 1977.
\textsuperscript{138} New Zealand Gay News, March-April 1977, pp.22-3.
\textsuperscript{139} New Zealand Gay News, May-June 1977, pp.2-3.
\textsuperscript{140} Wellington Gay Liberation Newsletter, May 1977: LAGANZ: MS Papers 077, Series 2, Folder 27.
\textsuperscript{141} Gay Liberation Front (Victoria University of Wellington) Co-ordinating Group Committee Meeting minutes 15 February 1977: LAGANZ: MS Papers 077, Series 2, Folder 4.
December 1976, noted the important role of NZHLRS because of its having a broader base of support than gay liberation, and warned, "To alienate them by a "takeover" will create resentment that will take years to repair." This angle may partly explain the abrupt ending of guerrilla warfare. Minutes of a general meeting of Gay Liberation (VUW) recorded the following on 15 September 1977: 'NZHLRS: What has happened to the amendment. Lindsay has sent it in but it is not on the agenda. Drop the issue.'

Radical enthusiasm appears to have been outsmarted by cunning conservatives going by the book, or perhaps even manipulating it to their own ends.

**Continuing tensions between gay liberation and NZHLRS:**

Overlapping concerns and diverse objectives meant that NZHLRS and gay liberation would continue to bump against each other. When NGRC was set up in January 1977, Gay Liberation (VUW) objected to NZHLRS's application for full membership of NGRC on the grounds that the limited objectives of NZHLRS fell short of NGRC aims. The aims of NGRC were:

1. To liberate Gays by promoting a social environment free from repressive laws; discrimination; social attitudes causing fear, guilt, shame and loneliness; sexism; sexual stereotyping.
2. To work for the rights, interests and well-being of all Gays.
3. To support the liberation of other groups oppressed in terms of (1) above.'

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143 Letter Robin Duff to John Blincoe, 3 December 1976. Original held by John Blincoe, 15 Richmond Avenue, Nelson. Copy held by Laurie Guy.
Gay Liberation (VUW) felt that NZHLRS should be granted associate membership only. ¹⁴⁴ While Gay Liberation (VUW) withdrew their objection at a subsequent meeting,¹⁴⁵ the fact that objection was made in the first place indicates ongoing friction between the two groupings.

Tensions between elements within NZHLRS and within gay liberation were not only over aims, but also over tactics and style. Use of the word ‘gay’ for homosexuals was viewed as offensive to some in NZHLRS.¹⁴⁶ ‘Liberation’ was another problematical term for more conservative homophiles because of overtones of radical protest contained in that term.¹⁴⁷ It was not that NZHLRS was exceptionally reactionary at that time in relation to language. An editorial in Salient (the student newspaper of Victoria University of Wellington), in expressing support for gay rights, criticized their ‘devaluation’ of the original meaning of ‘gay’ as well as their inappropriate use of the term ‘liberation’.¹⁴⁸

NZHLRS material was more careful than gay liberation in its claims. For example, it commonly claimed five, or five to ten, per cent of the population as being homosexual, in contrast to the inflationary propaganda spiral of gay liberation claims that ten per

¹⁴⁶ Still referred to as a point of concern by ‘some of us’ as late as 1980 by Jack Goodwin: Letter Jack Goodwin to Chris Parkin 27 November 1980: LAGANZ MS Papers 083, Series 1, Folder 19.
¹⁴⁷ This point was made even within gay liberation circles. An unsuccessful attempt was made to change the name of Gay Liberation (Victoria University of Wellington) to Wellington Gay Rights Association because of ‘the rather unfortunate reactions we get from both straights and gays when they hear the name [liberation]’. Minutes of general meetings of Gay Liberation (Victoria University of Wellington) 23 June 1977 and 10 November 1977: LAGANZ: MS Papers 077, Series 2, Folder 6.
¹⁴⁸ Editorial, ‘Not so Gay’, Salient, XXXVII, 8, 24 April 1974, p.3. For gay liberation replies to such criticisms, see letters to the editor in the next issue of Salient, XXXVII, 9, 1 May 1974, p.9; also in Salient, XXXVII, 11, 29 May 1974, p.13.
cent, or more, of the population were homosexual. Moreover, NZHLRS was careful not to offend potential supporters - church support, for example, was valued. Gay liberation proponents were much readier to make claims irrespective of public sensitivities. Gay liberationist, Craig Fraser, minced no words in 1972 in attacking the church, writing of the 'bestial efforts of Christianity' which had brought about a negative societal view of homosexuality. Similarly, Roger Blackley made direct attack on Christianity in 1975: 'More than any other single agency, the Christian church has been responsible for the persecution and murder of countless gays, and the subjection of entire populations by means of a system based on sexual guilt.' These sorts of statements indicate that from early days gay liberation was patently going to be far more confrontational in achieving its goals than NZHLRS had been.

Radical strands sometimes created a dangerous perception for gay liberation in the public mind, of linking the whole movement with their radical views. For example, some gay liberation members pushed sexual rights to the extent of claiming them for children, thus exposing the movement as a whole to charges of advocating paedophilia. An example is the following motion, which came before the NGRC annual meeting in 1980: 'That the Coalition acts on the premise of the right of all humans to sexual expression and therefore to the abolition of the concept of the 'age of consent' and

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149 Numerous materials from NZHLRS personnel exercise such caution. Interestingly, at its beginnings some gay liberation material was also cautious, but this approach was soon abandoned for more reckless claims. For initial gay liberation caution see Gay Lib News, March 1973, which used Kinsey data of 4% exclusive male and 2% female homosexuality to argue that 75,000 New Zealanders were homosexuals: LAGANZ Serials, Stack 1. See also Doctor Henry T. Heald, 'Notes on the Sociology of Homosexuality in New Zealand' (a revised version of a paper presented at a gay liberation teach-in June 1972), Craccum, XLVI, 20, 12 August 1972, p.5, observing that Kinsey's estimate of homosexuality was 'usually regarded as rather high'.

150 C. Fraser, 'Homosexual Love', Craccum, XLVI, 5, 6 April 1972, p.10.

151 Blackley, 'Towards a Radical Perspective', p.6.
insists on complete redraft of all laws relating to sexuality and sexual acts'. Though the motion was lost, a rider was added to the minutes that the motion be given priority for discussion at Planning Conference. This suggests that there was at least some support for the proposal. The gay magazine Out! carried a regular column from NGRC. The purpose of the column was not to convey official NGRC policy but rather to be a forum for stimulating debate. The April/May 1981 issue carried an article from Peter Nowland CHE (Campaign for Homosexual Equality) claiming that ‘age of consent laws are simply repressive ageism to keep children asexual and powerless’, and that gay men supported such legislation ‘to purposely perpetuate the oppression of paedophiles’. While such views can in no way be considered representative of gay liberation, the more open and radical nature of the movement allowed for their expression. Such material exposed the movement as a whole to the charge of advocating child sex.

It is not surprising then, that many members of NZHLRS wanted to distance themselves from gay liberation perspectives, and that such feeling was commonly reciprocated. When nine gay liberationists picketed the National Party conference in July 1976, Venn Young advised them, ‘You people are doing more harm than good to

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152 Minutes of annual meeting of NGRC, Easter 1980.
153 P. Nowland, ‘Child Sexuality and You’, Out! 36, April/May 1981, p.14. CHE was established primarily by Robin Duff in Christchurch in 1973 to promote full homosexual equality. It was active for a number of years, putting out a newsletter 1975-81. The organisation was revived in 1985 in order to provide a body under which radical direct action could be taken independently of the Wellington Gay Task Force, even though there was great overlap of personnel between the two bodies. For material on CHE see LAGANZ: MS Papers 001.
154 Bacon, The Social Effects, p.22 warned of homosexual advances toward young children if reform was effected. Credo Society Incorporated Secretary Barbara Faithfull made a similar warning in the Society’s submission on the 1985 HLRB, supporting her claim by reference to the Nowland article: LAGANZ: MS Papers 098. For an earlier attack by Barbara Faithfull on NGRC ‘in its grotesque publicity about “sexual rights” for children’ on the basis of the Nowland article see her letter to the Eastern Courier 9 December 1981: LAGANZ: MS Papers 083, Box 5, Folder 12.
the cause. Why don’t you just go away?" The rhetoric and tactics of gay liberation were clearly upsetting at least to the conservative wing of NZHLRS. They may also have provoked some degree of backlash in parliament and in society at large. In the 1985 debate Frank O’Flynn, Labour MP from Island Bay, in announcing he would support Part I of the proposed legislation, indicated that he had abstained from voting on the 1975 Bill because of ‘the behaviour, actions, and statements of some of its over-enthusiastic supporters. They were trying, as indeed they are now, to say that this is a permissible alternative life-style, or even that it is a good life-style.’

Fracas over the Freer initiatives, 1979-80:

Tensions between the different approaches came to a head over law reform initiatives by MP Warren Freer in 1979 and 1980. Freer had met privately with members of NZHLRS, and had also met with members of NGRC. He had strong NZHLRS support, but NGRC refused to support him because his proposed bill had age 20 as the minimum age of consent for homosexual acts. While that age was conservative, the intended strategy was to start with 20 so that the bill got a smooth start in parliament, and later have another member move an amendment to lower the age of consent to

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155 Socialist Action, 6, August 1976, as reported in Glamuzina, Out Front, p.39.
157 NZPD, 1985, 466, p.7607.
158 NGRC claimed that in their first discussions with Freer he indicated that his bill would seek an age of 16, but that after sounding out parliamentary opinion he retreated to the age of 20: H. Gaw, ‘Equality or Nothing’, Pink Triangle, 4, 17 September 1979, pp.1-2. Reasons for gay opposition to the Freer initiative were also articulated by M. Oelderink, ‘20, 18 or 16?’ Pink Triangle, 3, 6 August 1979, p.1.
NGRC polled its member groups twice in relation to the stance it should take on the Freer initiative. Only 2 out of the 35 groups were prepared to support the bill. In the light of such widespread opposition NGRC decided to actively oppose the bill. Their grounds of concern were that any age other than 16 implied there was something wrong and inferior about homosexual acts, that younger homosexuals were not being helped just at the time when they most needed it, and that support for the bill would give credence to the myth that gayness could be caused by seduction of a minor.

Groups within NGRC sabotaged the bill before it ever saw the light of day in parliament. Just prior to its proposed introduction, gay activists picketed Freer at the Auckland airport on 20 August 1979, demanding he drop the age of consent to 16. According to NZHLRS personnel, groups within NGRC had already leaked the issue to the press, despite Freer’s indication that the bill must be kept under wraps until it was introduced into parliament. In addition NGRC had written to 16 MPs most sympathetic to reform, urging them not to support the Freer proposal. Freer felt let down by ‘the attitude of a vociferous group’, with its demand for ‘more than Parliament or the New Zealand society is prepared to endorse’, and with its pressure tactics for 16 causing a ‘swing against reform from some members’. He therefore decided not to proceed with his plans to introduce a private member’s bill. In his

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160 Ibid.

161 Ibid. Also circular of Mike Wagherone, national secretary of NGRC, to all members of gay rights groups within the coalition: LAGANZ: MS Papers 077, Series 6, Folder 5. See also comments of Dr I.K. Scott, northern region representative of NGRC, in NZ Herald, 18 August 1979, Section 1, p.3.


163 Ibid.


words, ‘I felt that there was no alternative but to take this step in order to protect our opportunity to move again at a later date’.¹⁶⁶

Bitter private and public communication then took place between NZHLRS and NGRC. Interestingly, in the correspondence that followed, two of the key office holders in NZHLRS asserted that NZHLRS policy was ultimately one of full equality. Chris Parkin, President of NZHLRS, stated, ‘We all know that full across-the-board equality is not to be had in one fell swoop, though it does not cease to be our ultimate goal. My conclusion is that the NGRC is defending an age of consent at 16 as though that were the ultimate goal of gay (legal) rights, instead of being one of the many milestones to be passed on the long and painful road to full equality’.¹⁶⁷ Likewise NZHLRS chairman Jack Goodwin asserted, ‘Our committee members in Wellington and I at an NGRC regional meeting in the Manawatu have stressed that we all share the ultimate goals, and differ only in the timing and tactics of achieving them.’¹⁶⁸ What is significant about these two statements is that they indicate that NZHLRS ultimate goals were for legislative equality between homosexual and heterosexual acts, though such, explicitly, was not the constitutional position of NZHLRS at the time. This foreshadows later internal divergence and division within NZHLRS over the question of constitutional change on this matter.

Some members were now increasingly sympathizing with gay liberation aims, even though they were frustrated at NGRC’s absolutist position that insisted on equality

from the outset.\textsuperscript{169} Such NZHLRS members had fundamental disagreement with NGRC’s idealism and its failure to be pragmatic.\textsuperscript{170} Age 16 was not, in their view, a politically viable option at that time.\textsuperscript{171} NZHLRS chairman, Jack Goodwin observed in his report in October 1979: ‘While idealists refuse to accept that any reduction in inequality is an increase in justice, the reality is that thousands of men lost the best chance offered in years to live and love free from fear and blackmail. That chance may not recur for many years unless it is accepted that politics is the art of the possible’.\textsuperscript{172}

Gay liberation’s principled approach was, however, formed by an element of pragmatism. Britain had decriminalized at age 21 in 1967. Subsequently legislation had stuck firm at that age. Gay liberationists commonly felt that if New Zealand likewise decriminalized at an age older than 16, legislation would freeze at such an age – it would be difficult to arouse political will to change to a lower age later. If age 16 was the goal, one would get there faster by holding out for that from the beginning rather than seeking to get to the goal in two steps.\textsuperscript{173}


\textsuperscript{169} Robin Duff expressed this nothing more, nothing less view so strongly that he even stated, ‘Yes, we would reject an age of consent of 15 because it discriminates against straights.’ Letter Duff to Parkin, 24 September 1979. Emphasis original. LAGANZ: MS Papers 077, Series 6, Folder 5.

\textsuperscript{170} Tension between NZHLRS and gay liberation over pragmatism versus principle was noted in transcript of interview by Robin Duff by Laurie Guy, 23 September 1999, p.3.

\textsuperscript{171} Freer indicated that he knew of no MP who was prepared at that time to move an amendment for the age of consent to be 16 years: Circular of NZHLRS to NGRC members 24 September 1979 by G. Turnbull (Secretary): LAGANZ: MS Papers 077, Series 6, Folder 5.

\textsuperscript{172} NZHLRS chairman’s report 1 October 1979: LAGANZ MS Papers 109. For further re-iteration of the phrase, ‘Politics is the art of the possible, see circular of NZHLRS to NGRC members 24 September 1979 by G. Turnbull, Secretary: LAGANZ: MS Papers 077, Series 6, Folder 5. See also recollection of Jack Goodwin’s frequent reiteration that ‘politics was the art of the possible’ in transcript of interview of Robin Duff by Laurie Guy, 23 September 1999, p.3.

\textsuperscript{173} Expression of this perspective is found in the transcript of interviews by Laurie Guy of Chris Parkin, 28 January 1999, p.4; Robin Duff, 23 September, 1999, p.3; Linda Evans, 8 October 1999, p.1; Gavin Young, 9 October 1999, p.2.
Tension between the two views came head-to-head with a second Freer parliamentary initiative in 1980 seeking decriminalization. This time the proposed age of consent was 18. Surely after twelve years of fruitless effort at reform NGRC members would not sabotage a bill with a margin of difference of only two years from what they sought. At their stormy annual meeting in April 1980 in which NZHLRS was provisionally expelled, NGRC had nevertheless resolved, ‘That the NGRC take no active action in opposing the introduction of the Freer Bill and that this Motion remain confidential to member groups’.174

While NGRC took this position, publicly-unknown persons (radicals within gay liberation), obtained copies of the privately circulating draft bill. They posted a copy of the bill, now satirically doctored to alter the proposed age of consent to all sorts of provocative ages, such as 5, 10, and 30, to each MP.175 This created a great deal of upset. Freer saw this action by ‘all or nothing’ groups as an attempt to confuse and anger MPs to ‘kill the bill’; as a consequence he advised that he was not proceeding with the proposed measure.176 While the perpetrators were then publicly unknown, Robin Duff has acknowledged in more recent times that he and two or three others were behind the action.177

175 NZHLRS Newsletter number 49, July 1980.
177 Transcript of interview with Robin Duff by Laurie Guy, 23 September 1999, p.4.
Equality endeavours 1980-3:

The experience of the Freer initiatives indicated that co-operation from the gay community as a whole was vital if any decriminalization initiative was to be introduced successfully into parliament. It also demonstrated that such co-operation was very unlikely unless the proposal was an equality proposal with an age of consent of 16. The result was that the Freer proposals were the last significant attempt to introduce Wolfenden-type reform - thereafter reform proposals were drawn up from a starting point of homosexual and heterosexual equality.

The first of these endeavours was the Equality Bill Campaign, which emerged out of the Auckland Gay Task Force in the early 1980s. Dr Don McMorland of the University of Auckland Law School oversaw the drafting of an equality bill to amend the Crimes Act to place male and female heterosexual acts on an equal footing, and to make homosexual acts criminal only to the same extent as heterosexual acts were.\(^\text{178}\) The draft also proposed to amend the Human Rights Commission Act to add the words ‘sexual orientation’ as a prohibited ground of discrimination.\(^\text{179}\)

The organizers of the Campaign prepared some publicity in the middle of 1982, including a pamphlet, ‘The People approve. A Bill is ready. Why delay?’ While the campaign did not grab the attention of the media,\(^\text{180}\) it did have the attention of Wellington Central MP, Fran Wilde. However, after first indicating willingness to


\(^{179}\) For earlier unsuccessful NGRC attempts 1979-81 to persuade the Human Rights Commission to support legislative amendment to make sexual orientation a prohibited ground of discrimination see ‘Homosexual Law Change Urged’, \textit{NZ Herald}, 10 January 1981. Also \textit{Dominion}, 14 January 1981.
sponsor an equality bill, she subsequently indicated her decision not to proceed in May 1983.\textsuperscript{181} The derailing of reform endeavour again came from within the homosexual community, this time from lesbians who objected to the possible danger the bill posed for lesbians, with certain lesbian actions now at risk of becoming crimes: 'It recognizes our existence and our sexuality (at least partially) only for the purpose of enabling us to be prosecuted.'\textsuperscript{182} Such opposition made it politically inexpedient for Fran Wilde to introduce a private member's bill at that time. However, the aborted preparations were not a total loss: there was thereafter a continuum of behind-the-scenes activity which later came to fruition in the 1985-6 legislation.\textsuperscript{183}

The failure of the 1983 moves underscored the message that gay liberationists had veto rights over initiatives that were unacceptable to them. They may not have had legislative and social acceptance, but they clearly had power. They were not going to accept concessions and crumbs.\textsuperscript{184} It was to be a whole loaf or nothing. Their future status at law, the issue of whether any bread was to appear on their table, was now to a significant extent in their hands.

**Crunch time and change time for NZHLRS:**

Tension within the diverse reform groups, and particularly between NZHLRS and the gay liberation mainstream, came to a head at the NGRC conference and annual general

\textsuperscript{180} Chris Parkin, president of NZHLRS, noted the Equality Bill Campaign in his report, 14 July 1981, but felt that it lacked any momentum: LAGANZ: MS Papers 109.

\textsuperscript{181} Minutes of NZHLRS committee 13 June 1983.

\textsuperscript{182} Statement issued by Lesbian/Gay Media Collective: *Pink Triangle*, Issue 43, p.5.

\textsuperscript{183} Comments of Fran Wilde in telephone conversation with Laurie Guy, 10 April 2000.

\textsuperscript{184} Gau, 'Equality or Nothing', *Pink Triangle*, 17 September 1979, p.2, rejected the idea of 'accepting crumbs from the straight liberals'.
meeting in April 1980, in the period between the two Freer initiatives. In many ways the clash was a flexing of gay liberation muscle, a power shift, an assertion that gay activists would take the lead in future law reform effort, and it would be on their terms.185

NZHLRS knew in advance that the meeting was going to be difficult for them, and that moves would be made to expel them from NGRC, though they thought this would be unsuccessful.186 Their optimism as to the outcome was wrong. Shortly after the opening of the annual meeting, Paul Reynolds, co-ordinator of the conference, launched a broadside against NZHLRS because of Jack Goodwin's issuing a press release which, in stating NZHLRS policy on law reform, was claimed to be undermining of NGRC. Reynolds sought censure, resignation and expulsion of NZHLRS. A censure vote was passed by 36 to 8, with 15 abstentions, and an ensuing expulsion vote was then passed 33 to 23, with 8 abstentions.187 The meeting then resolved, 'Since NGRC believes that sexual orientation is morally neutral, it is bound to insist that the laws of N.Z. should be framed in such a way that the sexual orientation of those to whom the laws apply should be irrelevant'.188

The decision to expel NZHLRS required ratification by the constituent bodies in membership with NGRC.189 Such ratification appeared to be given, but one group was

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185 Robin Duff saw the April 1980 clash as the 'flexing of a little bit of muscle' and the taking of initiative 'into our own hands': transcript of interview of Robin Duff by Laurie Guy, 23 September 1999, p.3. Gavin Young saw the process as a 'power shift that was going on': transcript of interview of Gavin Young by Laurie Guy, 9 October 1999, p.3.
188 Ibid.
omitted in the polling of members. When that group was given its voting papers and exercised its vote, the previous vote to terminate NZHLRS membership was reversed, and NZHLRS remained in membership by the narrowest of margins. However, at the time of that re-instatement, the NZHLRS executive committee, facing a hostile atmosphere in NGRC, and noting that NZHLRS membership might have lapsed for non-payment of its subscription, passed a resolution, ‘That because of the uncertainty of the Society’s relationship with NGRC we consider membership is terminated and act accordingly’. Significantly, two of the committee, Parkin and Rawnsley, abstained from the vote. By this stage Parkin was strongly committed to a gay liberation approach and would have thrown his lot in with that grouping if he had had to choose between the rival approaches.

It was Parkin who as much as any NZHLRS leader drove constitutional changes through NZHLRS that allowed for a rapprochement between NGRC and NZHLRS. Even prior to the crises precipitated by the two Freer initiatives and the 1980 NGRC provisional expulsion of NZHLRS, Parkin, then president of NZHLRS, sensed that the climate was changing and that this called for changes in NZHLRS. In a letter to Jack Goodwin in July 1979, Parkin noted that NZHLRS was still wedded to Wolfenden-type reform twenty years after the Wolfenden report had come out. Noting several factors calling for age of consent at sixteen, Parkin drew attention to the fundamental significance of the presence of the gay rights movement: ‘[T]he case for law reform

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190 The matter was reported in Pink Triangle, October 1980, p.2.
192 Ibid.
must now be made in the new political context evinced in the growth of a gay rights movement co-ordinated in and through the NGRC.\(^{195}\)

The events of 1979-80 were a clear pointer that future legislative reform endeavour of NZHLRS would likely be undermined by NGRC. That being the case, was there any point in NZHLRS continuing in existence? This issue was raised within NZHLRS after the collapse of the first Freer initiative: ‘It is clear that at this point our relationship with the NGRC, our credibility to our supporters and to Parliamentarians, and indeed our continued existence as a Society have been called into question.’\(^{196}\)

The issue was felt even more strongly after the second Freer debacle. Parkin, president of NZHLRS, was quick to raise the matter a month later at an executive committee meeting on 16 July 1980. In his judgment NZHLRS had three options:

- Carry on as before, seeking initiative similar to that already undertaken by Freer.
- Wind up the society in view of its objects having been overtaken by developments in social ideas and attitudes since its formation.
- Revamp the objects of the society, retaining a morally neutral stance on homosexuality but emphasize equal rights of citizenship not withstanding sexual orientation and focus less direct concern on the criminal law.\(^{197}\)

Clearly Parkin’s preferred option was the third one. In September members were polled on this and other matters. 75% of the 141 members responded to the poll. 81% wanted to reformulate the aims and strategy, 16% to continue as before, and 3% to go into recess. Despite the overwhelming support for change, this stopped short of

\(^{195}\) Ibid.

overwhelming support for equality. 44% supported altering the aims to include full equality, 49% favoured the active promotion of 16 as the age of consent, 28% preferred 18 as the age of consent but would not object to 16, and 23% would support ages above 18.198

Several matters stood out from the result. One was that while there was overwhelming support for change, this did not mean full support for a gay liberation demand for equality. In fact only 9% wanted an all-or-nothing approach to legislative change, while 91% favoured a step-by-step approach.199 The sense of distance from gay liberation was shown in that only 13% indicated that NZHLRS should actively seek renewed NGRC membership, while 40% felt that NGRC membership should be renewed only if NGRC members withdrew their opposition, and 47% recommended that NZHLRS should not seek renewed membership in NGRC. As well as support for change along with equivocation as to how far that went, the poll indicated a much more conservative position of many of the vice-presidents compared with the membership as a whole.200 This difference should not have been surprising given the fact that conservative, often church, figures were chosen in the first place in part because they had those very qualities, such qualities and types of person making the society's aims more acceptable to a conservative public in those earlier years after the society's formation.

The outcome of the polling results was the calling of a meeting to alter the constitution of NZHLRS by amending clause 3 and deleting clause 4. The new wording would

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199 Ibid.
simply state: 'The object of the Society is to promote the reform of the law whereby homosexual acts shall be subject to no greater constraints than heterosexual acts, but this shall not prevent the society from proposing or supporting legislative changes which change the law such that this aim is more closely but not completely met.'

Such change would mean NZHLRS could now support an age of consent at 16 instead of decriminalization for adults only. It would also mean that NZHLRS no longer avowed that it was not seeking moral approval for homosexual acts (such avowal carrying the connotation that such acts might be morally wrong).

There was no smooth passage of the constitutional changes. Don Mathieson voiced strong opposition to the proposed changes at the original meeting on 29 October 1980 which ran to such a late hour that it was adjourned to 26 November 1980, at which meeting the changes were accepted. The divisive nature of the process is highlighted in Jim Robb's concern at the 'particularly petty and mean-minded attack' on Don Mathieson at the second meeting. Parkin as president wrote to all the vice-presidents on 3 December 1980, explaining the change and asking them whether they were happy to continue in their office. As at 11 December 1980, 12 indicated they were happy to continue, while four in addition to Mathieson wished to resign their office, and 11 had yet to reply.

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202 Ibid.
203 Letter Jim Robb to Chris Parkin 1 December 1980: LAGANZ: MS Papers 083, Box 5, Folder 3. Robb was a supporter of the changes. Another not necessarily averse to the change but also concerned at the 'attack on Don' was Jack Goodwin: letter Jack Goodwin to Chris Parkin, 27 November 1980: LAGANZ: MS Papers 083, Box 5, Folder 3.
204 LAGANZ: MS Papers 077, Series 6, Folder 1.
The changes seem to have given Mathieson no choice but to resign. Mathieson, an avowed Christian, held the position that homosexual behaviour was 'a sin', but, from his days as a lecturer in jurisprudence in the law school of the Victoria University of Wellington, had been a strong proponent of legislative change on the basis of making a sharp distinction between law and morality. What Mathieson kept apart (law and morality) were now so blurred in the objects of the NZHLRS that Mathieson felt he could no longer remain within the society.

Why were such changes pushed through NZHLRS despite the likelihood of major division? The political difficulties of working on issues alongside gay liberation had clearly precipitated this major shift in NZHLRS aims. NZHLRS opponents of the change felt this. Mathieson, for example, in setting out the reasons for his resignation, referred in his first point to NZHLRS 'acquiescing in a principal demand of the NGRLF'. Parkin, key proponent of the change, significantly justified it on the basis of its acceptability to gay liberation, noting that the revision aided law reform, 'removing the very obstacle which, twice in twelve months, successfully nipped in the bud a reform proposal along the lines of the status quo.'

The significance of the constitutional change with regard to NZHLRS relationship with NGRC was quickly apparent. Despite the NZHLRS decision in October 1980 to withdraw from membership of NGRC, it was represented at the NGRC annual general meeting in Easter 1981. Around that time NZHLRS had informal talks with NGRC

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206 Transcript of interview of Don Mathieson by Laurie Guy, 20 October 1997, p.3.
209 NZHLRS Newsletter, 52, June 1981.
representatives and was able to report to its constituency that the constitutional change meant that it was now much easier to share common strategy with NGRC.\textsuperscript{210} In his chairman's report in July 1981, Parkin reported 'the resolution of the difficulties in our relationship with the National Gay Rights Coalition', and asserted, 'We may now with confidence predict wide support within the gay community for our drive to eliminate from the sexual offences section of the Crimes Act discrimination based on differences of gender and/or sexual disposition.'\textsuperscript{211}

The change was a victory for NGRC. Its effective veto over NZHLRS action led to NZHLRS bringing its aims much more into line with those of NGRC. Was the change a victory for NZHLRS as an organization? One has to wonder whether the struggle, first with NGRC, and then within its own ranks, somehow knocked the stuffing out of the NZHLRS. The following can be noted:

- The 1982 annual general meeting of NZHLRS was held successfully only on its third attempt, the first two meetings failing for want of a quorum.\textsuperscript{212} The fact that there is no record of this happening on previous occasions suggests that NZHLRS was now struggling in regard to its identity and support.

- Chris Parkin, chief proponent of the change, having been active in NZHLRS from its beginnings in 1967, was largely inactive in NZHLRS by 1985, being more closely aligned with gay groupings and with the HUG organization (Heterosexuals Unafraid of Gays) which was started that year.

\textsuperscript{210} Ibid.
\textsuperscript{212} NZHLRS Newsletter, 58, January 1983.
• MPs proposing legislative change, 1983-6, looked much more to gay networks and groups, especially the Wellington and Auckland Gay Task Forces, for their support and guidance, than to NZHLRS.

• Of the eight members of the NZHLRS committee at October 1984, two were from the Wellington Gay Task Force (Bill Logan and Ewen Paynter), three were gay activists (Richard Bowman, Brett Rawnsley and Mike Waghorne), and only three were from the earlier era of NZHLRS (Jim Robb, Neville Carson and Barry Neels). This indicates a significant fusing of the two streams, but it also indicates a loss of NZHLRS distinctiveness.

From this one could argue on the one hand that NZHLRS might have rejoiced in the fusing of streams as it furthered the cause of reform. On the other hand, old hands of NZHLRS could argue that their movement had been hijacked by forces that were not altogether sympathetic to the original and more limited objectives of the society, and that in the process NZHLRS had ceased to be at the spearhead of the reform movement. Gay liberation had significantly pulled NZHLRS into its orbit. The future of the reform movement was clearly now not with gay sympathizers, but rather with gay activists. They now spearheaded their own cause. In addition to particular change in the NZHLRS position, a lot of pro-reform heterosexual activists sensed about this time that their leading roles in the reform movement were largely over, that they needed to take a lower stance, and leave the main agitation to gays themselves.

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213 The committee was listed in NZHLRS Newsletter, 61, October 1984. The classification of the members was provided by Phil Parkinson, prominent gay activist of that period, and current curator of LAGANZ: oral communication with the author October 1997.

214 Among those who recognized this were Chris Parkin, Max Abbott, Felix Donnelly: transcripts of interviews by Laurie Guy with Chris Parkin, 28 January 1999, p.5; Felix Donnelly, 23 July 1999, p.4; Max Abbott, 15 June 1999, p.5. Mike Waghorne, secretary of NGRC for a number of years, similarly
consequence of this was a shift from pragmatism to principle. Dominance of the reform position by gay liberation meant that next time the issue came before parliament there was going to be less chance of compromise, little or no opportunity to find middle ground.\textsuperscript{215}

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stepped back from major NGRC involvement about 1981 or 1982, acknowledging that the front leadership must be ‘really gay’: email Mike Waghorne to Laurie Guy, 26 April 1999, p.4.

\textsuperscript{215} A point discussed in transcript of interview of Chris Parkin by Laurie Guy, 28 January 1999, p.5.
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