

**TITLE: Activism and Australia's ban on gay, lesbian and bisexual military service in the 1970s-80s**

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**ABSTRACT:** The 1970s witnessed the beginning of gay and lesbian visibility and activism in Australia. Law reform associations and liberation organisations emerged across the major cities, pushing numerous equality causes ranging from the rights of lesbian mothers to, most prominently, campaigns to decriminalise homosexual acts. One theme conspicuously low-key amidst this activism was the question of gay, lesbian and bisexual service in Australia's military. Longstanding regulations banned gays, lesbians and bisexuals from serving, and those who were caught were normally dishonourably discharged. The services' respective police and intelligence services also intermittently embarked on 'witch-hunts' – practices which became even more pronounced in the 1980s. Though CAMP Inc sporadically addressed the ban on gay, lesbian and bisexual military service, discharged servicemen and women rarely took up the cause. This is in stark contrast to the United States, where there were numerous high-profile discharges, public campaigns and legal challenges to discrimination against gay and lesbian service personnel. This article examines the low-key status of military reform in the 1970s-80s, questioning why in Australia, for most discharged servicemen and women, the personal did not become political.

**KEYWORDS:** gay, lesbian, LGBTI, military, bisexual, activism

## **Activism and Australia's Ban on Gay, Lesbian and Bisexual military service in the 1970s-80s<sup>1</sup>**

The 1970s were a period of flux in Australia's Defence history. The Vietnam War was coming to an end in 1972-73, and under Gough Whitlam's Labor government (1972-75) the Defence establishment began a massive shake-up which continued under Malcolm Fraser's Coalition government (1975-83). The most significant reforms were to amalgamate the Navy, Army and Air Force (RAAF) as the Australian Defence Force (ADF) in 1976, and the creation of the Chief of Defence Force Staff to oversee all three services. The Whitlam Government appointed the first Minister for Defence, centralising what had previously been delegated among three ministers. The Whitlam and Fraser governments also shifted Defence spending priorities away from man (and woman) power to technology, while concurrently implementing improvements to conditions of service (Grey 2008, 255-261). In 1977 the Fraser government also began the process of disbanding the separate women's services, fully integrating women into the mainstream ADF by 1985, albeit with restrictions on combat-related roles (Riseman and Trembath 2016, 96-98).

Where reforms were less progressive was in the realm of homo/bisexuality. Defence did implement new policies on gay, lesbian and bisexual service in 1974, but the new framework really codified practices designed to investigate and discharge such personnel. Before the Second World War there were no explicit rules against homosexuality. Rather, those caught in homosexual acts could be punished under rules such as 'unnatural offences' (Navy), 'disgraceful conduct of an indecent kind' or the wide-ranging 'conduct prejudicial to good order and discipline'. As Yorick Smaal's research reveals, it was not until the Second World War and at the behest of the Americans that the Australian Army adopted specific rules to deal with homosexual conduct (Smaal 2015, 103-108). Historians such as Rebecca Jennings often describe lesbians as being silent in historical records (Jennings 2015, xiv-

xviii), and this is the same for the women's services. Ruth Ford uses the term witch-hunt to describe the investigation processes in the women's services during the 1950s-60s: surveillance, intimidating interviews, compelling suspects to name other lesbians and usually dishonourable discharges. Because there were no specific regulations against women's homosexuality, lesbians would usually be prosecuted under other rules with discharge reasons such as 'conduct prejudicial to the corps' (Ford 1996, 53-77).

The only service that had a clear policy for dealing with homosexual men between the Second World War and 1974 is the Navy. From at least 1954 the Navy adopted the British Admiralty Fleet Orders on 'Unnatural Offences,' which included 'buggery' and 'act[s] of gross indecency with another male person.' The orders, updated approximately every two years with minor revisions, justified the need to expel homosexuals thus: 'The Royal Australian Navy cannot afford, and does not want, to retain homosexuals in its ranks. The corrupting influence of such men is widespread, and their eradication from the Service is essential if the Navy is not to betray its trust towards the young men in its midst who may be perverted by them' (NAA: A1813, 321/251/1). In 1969 the Navy replaced the 'Unnatural Offences' regulations with a policy on 'Abnormal Sexual Behaviour.' This order explained: 'The individual who is a confirmed practising homosexual has no place in a disciplined Service – he is a potential security risk and a corrupting influence' (Navy Order 1969).

In the United States the 1970s was a period of activism and lawsuits from dismissed servicemen and women, most famously Leonard Matlovich, Vernon "Copy" Berg and Miriam Ben-Shalom (Shilts 1993, Marcus 1992, 279-292, Estes 2007, 185-197). The Matlovich case alone received more press in Australia than the nation's own ban (e.g. *Telegraph* [Brisbane], May 27, 1975; *Canberra Times*, June 11, 1975; *Daily Telegraph* [Sydney], September, 26, 1975; *The Herald* [Melbourne], December 9, 1978). There was only ever a very low-key campaign calling for the Australian government to permit gays,

lesbians and bisexuals to serve in the armed forces. The issue received sporadic attention from gay rights organisation CAMP Inc. (Campaign Against Moral Persecution), grounding their arguments around issues of employment non-discrimination and debunking the mythology that gays and lesbians were unfit for military service. CAMP's low-key advocacy did influence a change in the military and government's rhetoric, but adversely they also contributed to the 1974 regulations that would frame the expulsion of gays, lesbians and bisexuals for the next eighteen years. When looking at who was challenging the ban, unlike in the United States, very few were ex-servicemen and women. Given the increasing number of dismissals and witch-hunts, as well as the growing politicisation of the gay and lesbian community, it seems remarkable that for most gay, lesbian and bisexual service members of the 1970s-80s, the personal did not become political.

This article draws on a mixture of oral histories with gay, lesbian and bisexual ex-servicemen and women, as well as archival records and newspapers. The oral history participants all served in the 1970s and '80s and represent a small number of the hundreds of men and women dismissed for homosexuality before November 1992. The testimonies derive from over 115 LGBTI current and ex-service members interviewed for an Australian Research Council Discovery project titled 'Serving in Silence? Australian LGBTI Military Service since 1945'. The interview participants contacted the investigators either by responding to advertisements in the LGBTI press, through word-of-mouth (especially with other LGBTI ex-service members), or through referrals from the Defence LGBTI Information Service (DEFGLIS). The archival material used in this article includes Defence policy documents from the National Archives of Australia, Western Australia's Honorary Royal Commission to Inquire into Matters Relating to Homosexuality held at the State Records Office, and numerous articles from the gay and lesbian press housed at the Australian Lesbian and Gay Archives.

The article follows three streams: first, it explains the differences between American and Australian activism around the respective military bans before examining Australia's low-level activity, mostly from CAMP, advocating change in the 1970s. They were most effective at influencing a shift in official discourse and, for the first time, briefly placing the ban on the public radar through the Royal Commission on Human Relationships. Second, the article looks at the general absence of dismissed service personnel from reform advocacy. Oral history recollections of dismissed servicemen and women provide insights into why, in contrast with the US examples, for them the personal did not become political. Finally, by looking ahead to the 1980s, the article discusses the ways gay, lesbian and bisexual service personnel quietly challenged the ban through statutory authorities. Even in the 1980s, though, as persecution of gay, lesbian and bisexual service members accelerated, for the majority the personal did not become political.

### **The American Comparison**

It is almost inevitable to compare Australia's military ban with the United States. There have been close military ties between the two nations since the Second World War and the 1951 signing of the ANZUS Treaty. During the 1970s, as both countries were emerging from the Vietnam War, popular perceptions of the Australian military were inextricably tied to the US. While there is no documentary evidence of Australia and the US collaborating in relation to military policies on homosexuality, the American military practices as documented by Randy Shilts were strikingly like Australia's. Furthermore, the American policy on investigations and discharges adopted in 1980 was similar to Australia's 1974 regulations (Shilts 1993; Korb and Rothman 2013). The history of sexuality also lends itself to comparisons because so many of the ideas, tactics and participants in Australia's burgeoning gay and lesbian rights

movement of the 1970s drew on similar organisations, actions and contacts in American cities such as New York and San Francisco (Willett 2000).

Notwithstanding the similar policies and practices surrounding the military bans, the documents and oral histories in this article reveal a significant divergence in how dismissed service members and activists dealt with their respective national bans. In the United States, the dismissal experience radicalised particular ex-service members to join existing gay and lesbian rights groups which wanted to challenge the ban. Especially since the 1954 Supreme Court case *Brown v Board of Education*, the US had a tradition of forcing civil rights action through the judicial system, and the military activism of the 1970s followed this tradition (albeit unsuccessfully). Australia's constitution does not lend itself to judicial activism, particularly on civil rights, meaning organisations must lobby change through parliamentary processes.

The scale and concentration of the gay and lesbian communities also directed priorities differently in both countries. Activists in the United States began founding national gay rights organisations in the 1970s, such as Lambda Legal (founded in 1973). In contrast, Australia's newly-emerging associations remained state-based (albeit with some coordination across state lines), meaning most activism was directed towards the states. The smaller pool of Australian activists and organisations in the 1970s-80s prioritised securing state law reforms to decriminalise homosexual acts. Flowing on from law reform were other state-based battles for anti-discrimination around civilian employment, parental rights and, later, treatment and prevention of HIV/AIDS. Furthermore, more radical gay liberation groups presumably cared little about the military itself as an institution, so would not be interested in fighting for the admission of gays and lesbians (Reynolds 2002, 53-91, Willett 2000). Of course, in the United States these were all items on the gay rights agenda as well, as were state and local issues such as fighting a wave of anti-gay state and city ordinances in the late

1970s. Even so, the larger pool of activists and organisations across the country meant there was more scope to target other areas of discrimination, including within the military.

There are also differences in how military service is linked to notions of citizenship and rights in the two countries. Between 1975 and 1990 the United States had an average of over two million active service members each year, whereas the Australian Defence Force had an average of around 70,000 active personnel (Department of Defense 1997; Shephard 1995). In the United States, military service has been strongly tied to notions of patriotism and duties of citizenship, as well as a vital pathway to education and skills training for the poor and working class. Moreover, military service has been one pathway to access social welfare benefits introduced by the Whitlam Government to all citizens in Australia, such as free health care or affordable tertiary education. As such, it is not surprising that access to this institution was tied to gay and lesbian activists' claims to equal citizenship rights. Similar discourse, of course, has been present in Australia as in all Western militaries (Janowitz 1976, 185-204), but never to the same extent as in the United States with its much larger military, and especially not in the 1970s-80s when Australia's Anzac mythology was on the wane (Holbrook 2014, Lake and Reynolds 2010). Even in the United States, as Leonard Matlovich's life story exemplifies, activists lost interest in the military ban when other gay and lesbian rights concerns arose (Shilts 1993, Hippler 1989). It would not be until the late 1980s and especially after the 1992 presidential election that gays in the military again became a significant political issue in the US. In effect, by resolving the matter in November 1992, Australia headed off activists taking up the cause as in other places like the US, where the ban was lifted only in 2011.

### **A Low-Key CAMPAign**



Notwithstanding the abovementioned differences, there was a small window of activism in Australia around the military ban. Founded in 1970, CAMP Inc. was Sydney's first gay rights organisation and arguably the most prominent Australian gay rights group in the 1970s. CAMP published their first newsletter *Camp Ink* in November 1970 (Calder 2016, 7-14), and it was in their fourth edition in February 1971 that they first raised the military ban. On 25 January, mainstream newspapers reported that the Navy had discharged five sailors from *HMAS Swan* for homosexuality. The Minister for the Navy, James Killen, justified the dismissal on the grounds of protecting the Navy's good name and said that their 'activities could be described only as quite depraved' (*Sydney Morning Herald*, January 25, 1971; *Canberra Times*, January 26, 1971; *The Australian*, January 25, 1971). CAMP's coverage of the incident focused less on the military ban, instead describing this example as indicative of the wider mistreatment of gays in numerous Australian institutions. Co-founder John Ware wrote a letter to Minister Killen, condemning his 'emotional approach' and 'preaching of a particular moral system.' Ware also argued that: 'The homosexual is as innately qualified to serve his or her country as is the heterosexual. The Campaign Against Moral Persecution maintains that there is no evidence of the efficiency of the Navy suffering from homosexual activities within it' (*Camp Ink*, February 1971). Killen sent a curt reply acknowledging receipt of the letter and simply stating, 'I have nothing to add to what I have said publicly.' Ware also sent a letter to then-Opposition Leader Gough Whitlam, who replied with a copy of a speech where he expressed support for homosexual law reform, but did not specifically address the military ban (*Camp Ink*, March 1971).

*Camp Ink*'s next publications about gay and lesbian service drew on firsthand accounts of service personnel themselves. An article titled 'so you want to be a WRAAF [Women's Royal Australian Air Force]' again used the armed services as one example of the wider issue of job discrimination against gays and lesbians. The interview with an

anonymous ex-servicewoman described the ways she had been treated when suspected of being a lesbian, including being put under police surveillance, questioned for over eight hours about her relationships and sex life, and being compelled to name others and to request her own discharge. Describing the intimidating situation, she commented, 'I was sort of realising what I was in for. So they wrote it [statement] out and I signed it all because I was rather keen to get out of the Air Force anyway' (*Camp Ink*, no. 3, 1973). This interview was the first public description of military police practices surveilling and persecuting gays and lesbians in the Australian armed forces.

Mainstream newspapers reported on CAMP's advocacy for the ex-WRAAF as well as bullying of another lesbian (*Canberra Times*, July 11, 1973). This publicity did have an effect; the Defence minister called for the services to adopt a consistent policy approach to homosexuality which 'should be liberal, understanding, and designed to cause the least embarrassment in such situations whilst safeguarding the interests of the Service.' Published in June 1974, the new policy appeared to be more liberal than the earlier Navy regulations, but still it required homosexuals either to request their own discharge (honourable) or to be discharged dishonourably, 'service no longer required' or 'unsuited to further Service' (NAA: A6721, 1985/18156 PART 1). As such, CAMP's intervention adversely led to the codification of practices designed to continue persecuting gay, lesbian and bisexual members of the Defence forces.

Another firsthand account from an ex-serviceman appeared in the West Australian branch of CAMP's newsletter in 1972 and was reprinted in *Camp Ink* in 1973. The Second World War veteran known as 'Hadrian' described his experiences hiding his homosexuality whilst still visiting beats in places such as Atherton, Queensland. He noted that soldiers, including officers, frequented those beats. He asserted: 'From my own observations I would say that the troops themselves are fairly tolerant, and have, in the main, less prejudice than

the general population...I have had 14 years in the army, and during this time had ample opportunity to discuss the matter with members of the forces of all sexual persuasions' (West Australian *Campaign Circular*, November/December 1972; *Camp Ink*, no. 3, 1973). Hadrian had not been dismissed because of his sexuality, and the crux of his argument was that gays and lesbians were already serving effectively, so the ban should be lifted.

Hadrian made this same case in a more significant forum in 1974: Western Australia's Honorary Royal Commission to Inquire into Matters Relating to Homosexuality. The state's Legislative Council established the Honorary Royal Commission as an extension of a Joint Select Committee examining a bill to decriminalise homosexual acts (Western Australia, September 18, 1974). Hadrian, known in the Honorary Royal Commission papers as 'C', submitted his *Camp Ink* article and testified about his experience as a practising homosexual since age fourteen. He argued for the importance of a liberal society permitting private acts between consenting adults and how criminalised homosexuality left gay men vulnerable to both blackmail and bashings. He also invoked his experience in the military, testifying:

During my years in the Army in wartime I performed sexual acts with many comrades. Some were confirmed homosexuals but most were engaged or happily married, but away from their wives and sweethearts. The first approach often came from them. Those men were able to gain relief from their sexual tensions among themselves and were none the worse for their experiences. I met many of them later and all considered these incidents of no consequence.

You flatter homosexuals and homosexuality if you imagine that the practice is like a drug which turns straight people into addicts (AU WA S1989- cons5527 1, p. 41).

Almost seven weeks after Hadrian's testimony, Major-General Cedric Maudsley Ingram Pearson, Chief of Personnel from the Department of Defence, also testified before the Honorary Royal Commission. Whether Defence took the initiative or the Honorary Royal Commission solicited this submission is unknown, but it does seem that his presence was meant to rebut Hadrian. The Defence submission reemphasised that the armed forces did not permit homosexual members because they would adversely affect troop morale and published the key tenets of the new 1974 policy: disciplinary action would only be taken when the homosexual acts were in public, involved a sexual assault, involved a minor or if there were a power imbalance in rank. All other cases would be dealt with administratively; gays, lesbians and bisexuals could request a voluntary honourable discharge or would receive a dishonourable one (AU WA S1989- cons5527 3, pp. 589-591; *Camp Ink* 4, no. 4/5, 1975). Pearson also testified that in the period 1969-74, there were only forty-four Army investigations yielding twenty-one substantiated cases of homosexuality (statistics were not available for Air Force and Navy) (AU WA S1989- cons5527 3, p. 596). The veracity of this claim is unknown, though Pearson was correct that the data is recorded in military police records, which remain closed due to privacy laws.

There is an intriguingly noticeable change in the rhetoric deployed in Defence's submission to the Honorary Royal Commission. Twice the submission mentioned ensuring that suspected homosexuals were 'treated sympathetically and with discretion.' This phrase would appear regularly in updated Defence policies and public statements until the lifting of the ban in 1992. In a 1975 response to a letter from CAMP, the First Assistant Secretary of Personnel Administration and Policy wrote: 'We are sympathetic to the problems facing homosexuals in the environment of an Armed Service, but the requirement to maintain discipline leaves no alternative to the policy' (*Camp Ink* 4, no. 4/5, 1975). Though the practice of banning gays, lesbians and bisexuals persisted, this shift in discourse made this

discrimination more amenable to shifting Australian attitudes towards homosexuality in the 1970s. While not yet accepting or even necessarily tolerating homo/bisexuals, at the very least they should be treated as human beings worthy of sympathy.

The one other time that *Camp Ink* specifically covered gay and lesbian military service was in 1973 when the newsletter published the aforementioned Royal Australian Navy orders for dealing with Abnormal Sexual Behaviour. This classified document had been leaked to CAMP and was published in full. Commenting on the regulations' absurdity, Lex Watson wrote a scathing condemnation of the Whitlam government for failing to live up to its rhetoric of supporting homosexual law reform. He also attacked one of the key premises of the ban: 'If the Navy said it will sack homosexuals because we are a security risk, then we are subject to blackmail because we lose our jobs if found out, therefore we become a security risk therefore the navy must not employ us because we are security risks' (*Camp Ink* 3, no. 7, 1973). Watson's article promised action to lobby the Whitlam government, especially through submissions to committees.

When CAMP did address the military ban, they did so in the context of employment discrimination in the public service. In June 1974, W. Stankovic of Campus CAMP, University of Queensland, sent a letter to Whitlam calling for the public service to end discrimination against homosexuals, especially in 1. Employment and promotion, 2. Keeping records about employees' homosexuality including in medical records, and 3. 'Discriminatory Regulations & Rules – We request the repeal of these regulations, especially in relation to the Armed Forces and employment in security and classified areas.' Acting Prime Minister Jim Cairns responded by indicating that the Public Service Board did not take account of convictions relating to homosexual acts in private between consenting adults, and that medical standards did not require public service candidates to answer questions about homosexuality. On the issue of military service, though, Cairns was less supportive of gays

and lesbians: 'Life in the Services is generally felt to be an outdoor and vigorous one; one of conventionally normal and healthy endeavour. Acceptance and condonation of homosexual behaviour does not fit either the public or the Services view of the Armed Forces and would adversely affect both recruiting and re-engagement.' Cairns also repeated the new Defence public line: 'where cases do arise, the persons concerned are treated sympathetically and with discretion, and it is possible for them to leave the Services with an honourable discharge' (NAA: A451, 1974/6782).

CAMP's interventions in the 1970s did have one symbolic victory. In September 1975, CAMP NSW sent a comprehensive, forty-page submission to the Royal Commission on Human Relationships. This body had been set up by the Whitlam government to inquire into 'family, social, educational, legal and sexual aspects of male and female relationships' with the aims of informing public and social policy (Arrow 2014, 23; 2017). CAMP's submission contained the recommendation: 'That the Commission, in representations to the Australian Government, support the right of homosexual defence personnel to live openly as homosexuals within the Defence Services' (CAMP NSW September 1975, 19; 27). To support its recommendation, CAMP reprinted the 'Policy Regarding Homosexuality in the Armed Forces' and provided a series of comments on the policy. For instance, CAMP argued that the supposed 'sympathy and discretion' was meaningless if it denied gay and lesbian Defence members' rights to live openly. CAMP also challenged the unproven premises underlying the policy, such as never explaining how gays and lesbians would affect morale, how their presence would erode public perceptions of the armed forces, the stereotype that gay men were unfit for the vigour of service and the supposedly rare occurrences of homosexuality in Defence (CAMP NSW September 1975, 31).

CAMP also pointed to the absurd way the policy attempted to differentiate between those 'confirmed' as homosexual versus those 'unlikely to become involved in further

incidents’ – a distinction military officials had attempted to make since at least the Second World War and which even Army psychologists later described as problematic (Smaal 2015, 106; NAA: A6721, 1985/18156 PART 1). Queer theorists of the 1990s would distinguish between gay and lesbian as constructed identities versus those who perform homosexual acts but identify as heterosexual. Public health officials often refer to such individuals as ‘men who have sex with men’ or ‘women who have sex with women’ (Young and Meyer 2005, 1144-1149). Yet, as CAMP was arguing, the arbitrary delineation showed ‘total lack of awareness of the homosexual life-style’ and, fundamentally, the policy represented ‘a shallowness of understanding, a total lack of research, and a general insensitivity’ (CAMP NSW September 1975, 31).

CAMP’s submission had an effect. Contained within the Royal Commission’s more than 500 recommendations was the following: ‘The Defence Department should remove automatic discrimination against homosexuals in the services and judge their qualifications on the same criteria as would be applied to heterosexuals’ (Commonwealth of Australia 1977a, 124; 1977b, 138). The Royal Commission evidence contained comprehensive documentation about most issues including abortion, homosexual law reform, family planning, family violence and sexual assault. Yet, there was no wider explanation for this recommendation beyond noting it as one of the numerous public institutions where gays and lesbians wrongfully faced employment discrimination (Commonwealth of Australia 1977a, 87). The Royal Commission’s recommendation was the first time a government inquiry advocated lifting the ban on gay, lesbian and bisexual service. It was a minor recommendation in the wider context of the Royal Commission on Human Relationships, but one which did briefly garner press attention among the raft of other controversial proposals (*Sydney Morning Herald*, December 1, 1977). As Michelle Arrow has written, much of the contents of the Royal Commission’s report became part of a political football which the

conservative Fraser government used to attack Whitlam and the Australian Labor Party in the 1977 election (Arrow 2014, 35-39; 2017). CAMP advocated that people read the report which had been ‘cynically misrepresented by politicians and much of the press’ (*Camp Ink*, January 1978).

By 1980, well after the Royal Commission’s full publication, the Fraser government was finally preparing its reply to the report’s recommendations. Just as the recommendation on the gay and lesbian military ban was minor in the overall context of the Royal Commission, it received little specific attention from organisations responding to the recommendations. Only the South Australian Premier’s response specifically endorsed the recommendation, which is not surprising given at that time South Australia was the only state to have decriminalised homosexual acts (NAA: A1209, 1977-503 PART 7, p. 87). The Report of the Interdepartmental Working Group into The Royal Commission on Human Relationships briefly indicated: ‘The Defence Force would seek exemption from the recommendations relating to homosexuality (R.VI.97, R.VI.98, R. VI.102) on the grounds that they have quite different requirements from those of the general community for maintenance of command relationships, discipline, morale and security’ (NAA: A12909, 3954, pp. 37-38). The notion that Defence had ‘different requirements’ laid the groundwork for Cabinet’s musings on the recommendation.

A chart of ‘Recommendations Considered to Have Policy Implications,’ tabled in Cabinet on 14 May 1980, listed four reasons given by the Department of Defence why they should have the discretion not to employ gays and lesbians: maintenance of discipline and morale, protecting minors employed in the services, public perceptions that homosexual acts did not belong in the ADF, and the possibility of blackmail or victimisation – an interesting rationale supposedly meant to protect gays and lesbians (NAA: A12909, 3989, pp. 29-30; NAA: A1209, 1977-503 PART 7, p. 149; NAA: A10756, LC1781 PART 2, pp. 58-59; NAA:



A12909, 3954, pp. 109-110). In the only public response to the recommendation, Minister for Home Affairs R.J. Ellicott endorsed Defence's position, stating: 'The Department of Defence takes the view that this is unacceptable on the grounds that the Defence Force has quite different requirements from those of the general community for the maintenance of command relationships, discipline, morale and security. Additionally, a high proportion of the Services comprises young persons for whom the Services have an obligation to act in loco parentis' (NAA: A10756, LC1781 PART 2, p. 56; NAA: A12909, 3989, p. 26). The rationales to maintain morale, to protect minors, and concerns over blackmail would continue to be three of the four justifications for the ban until its 1992 repeal (the fourth justification about health emerged in 1985 as a response to HIV/AIDS) (DI(G) PERS 15-3, November, 4, 1985; Riseman 2015).

The Royal Commission on Human Relationships – and the Fraser government's blatant dismissal of gay and lesbian military service – could have represented an opportunity to galvanise gay and lesbian activists and service members around the issue. Yet, this did not happen. CAMP did not pursue the matter further and the ban disappeared from the activist agenda, which focused on state law reform to decriminalise homosexual acts and develop anti-discrimination legislation. Only once, in November 1985, did the NSW Gay Rights Lobby write to the Defence Minister Kim Beazley when the ADF introduced DI(G) PERS 15-3, updating the 1974 policy. Their letter debunked the four justifications for the ban and said that: 'This is a most discriminatory Instruction which is out of keeping with present community attitudes and current trends towards anti-discrimination policies in the workforce.' The Navy Commodore who forwarded the letter actually wrote in the cover letter that it was 'Attached for your information and possible entertainment.' The draft response to the Gay Rights Lobby again referred to the standard reasoning, challenged the Gay Rights Lobby's claims and said that homosexuals would adversely affect combat readiness (NAA:

A6721, 1985/18156 PART 1). The issue again disappeared from the radar of activists, who were more concerned with the AIDS epidemic and continuing state discrimination.

Moreover, unlike the United States, there was not a stream of dismissed service personnel joining gay and lesbian rights organisations or pushing to challenge the ban.

### **Where were the LGB service members?**

With exceptions such as Hadrian and the anonymous WRAAF, gay and lesbian servicemen and women remained mostly silent throughout the 1970s-80s. In fact, the first issue of new gay and lesbian publication *Campaign* in 1975 had an announcement calling for current or recently discharged gay, lesbian and bisexual service personnel to share their stories for an upcoming feature article (*Campaign*, 1975). This story never came to fruition, suggesting that the call did not receive sufficient responses. So the question that lingers is *why*, for the majority of gay, lesbian and bisexual servicemen and women, the personal did not become political in the 1970s and 1980s.

Two letters to the editor in later issues of *Campaign* provide clues to answer this question. One letter from ‘a reluctant soldier’ exposed the blatant homophobia he had witnessed in Army basic training, indicating that if he were to come out he ‘would be reviled, ridiculed, bashed and abused by the men I share a room with’ (December 1978). A gay ex-soldier replied three months later with the advice:

If you want to stay in the army, I suggest you try for promotion. Then you will achieve the privacy of your own room or share with one other. You must admit that the store that you serve in gives you the biggest opportunity for window shopping there is! But until you can find a friend who is not connected with the services, you will feel lonely. Meanwhile, laugh at their sick humor and you will survive (March 1979).

This is an interesting example where one soldier was politicising the personal – though still anonymously – while another responded with practical (albeit hard-headed) suggestions for the individual’s situation. He did not address the ban as a structural, political issue to tackle, but instead saw this as a personal dilemma that the reluctant soldier had to confront on his own. In a similar example, in 1982 *City Rhythm* briefly published a story about the surveillance and intimidation practices targeting ‘John’. While condemning the ban, the article did not encourage gay and lesbian Defence members to challenge it. The article read: ‘If you are in the forces, do keep yourself above suspicion. Do not keep any suspect articles such as porn, photos or letters, these could only lead to trouble for yourself and others. It is unfortunate that, for the time being, if you are gay and decide that the armed forces are your life, then you cannot be fully yourself’ (February 1982).

This reverse attitude, treating the ban as not political but personal, comes across in testimonies of several ex-service personnel caught for homosexual conduct. It was *their* behaviour that got them in trouble, and they were conscious that if caught they would be kicked out. One RAAF member dismissed in late 1981 reported in gay newspaper *Klick!*: ‘I don’t feel any bitterness to the RAAF because I guess that I always expected that they would find out eventually. To me it was just like living a lie’ (March 1982). In fact, the RAAF member directed his anger at the media for reporting the incident which involved five airmen who were caught in a witch-hunt and discharged (*Truth* [Melbourne], December 26, 1981). Shane Duniam, who was one of those men, recalls how the entire intimidatory investigation process left him in a poor mental state when he discharged: ‘I was shell shocked. I [was] shattered. I was in shock. My bubble had been burst.’ Duniam returned to Tasmania where, as he puts it, he brought ‘shame to the family name’ (Duniam, 2017). Another dismissed serviceman, Keith Drew, even denies that he was kicked out of the Army in 1980. Instead, as he rationalises it: ‘I find it weird saying that I got kicked out, really, because I’m the one that

decided to go. I'm the one that turned around and gave them the bullet.' Drew argues that even though he confessed to being gay under duress, it was still his confession, and he could have continued to deny it (Drew, 2016).

Other ex-service personnel are more critical of the intimidating investigations and interrogations, saying the entire process made them want to leave the ADF. When the ex-WRAAF member featured in *Camp Ink* (no. 3, 1973) was asked why she did not challenge her treatment or dismissal, she responded: 'Because I was keen to get out at the time. If I'd been in the same mood and wanted to stay in I would have liked to have seen what would have happened if I didn't carry out the command to resign. They probably would have discharged me by stating "services no longer required".' Many of these dismissed service personnel were young, such as twenty-two year old Women's Royal Australian Army Corps member Susie Struth, and did not have the life experience to consider challenging their cases. She reflects: 'If I knew then [1976] what I know now, I would have fought every – and kicked and bucked every step of the way, but I didn't. I was so passive I think, very passive and I went without a fight which was interesting' (Struth 2017; Riseman, Robinson and Willett 2018).

Two themes permeate the testimonies of several service personnel dismissed in the 1970s or 1980s: emotional distress, and not wanting to fight the discharge. 'Terri' was caught during a witch-hunt in 1987; her flatmate was terminated with the dishonourable reason 'Incompatibility with service life,' while military police gave Terri the opportunity to resign. Having just been subjected to an eight hour interrogation without food, water or toilet breaks, Terri succumbed to the pressure. She states: 'Oh yeah, in the end [I resigned], because I was getting sick from the stress and I just couldn't do it anymore. I talked to my sergeant and said, "Is there any point to this?" And they go, "No." They offered me my job back as a civilian doing the same thing...I said .....off' ('Terri' 2015).

In 'Mark's' case, the military police originally suspected him of drug use – a starting point in other investigations and witch-hunts as well (NAA: A6721, 1985/18156 PART 1). Still, police subjected Mark to a long interrogation because they sensed he was hiding something. As he recollects: 'So, after five hours, I just thought "I can't handle this anymore" and I told them I was gay and that I thought I'd been gay and then what I'd been doing in Sydney.' Emotional distress could linger beyond just the intimidating interviews and confessions. Mark requested his own discharge so that he could have the honourable status. For unknown reasons, it took ages to process, and this was a highly distressing period for Mark. He recollects: 'I remember that was one of the most traumatic and stressful times in my life. I contemplated suicide many, many times. The anger that I actually felt, the self-hatred, the resentment was really, really awful... There was no one to talk to about how I was feeling, everything else like that. So, eventually when my discharge did come through, it was with massive relief' ('Mark' 2016; Riseman, Robinson and Willett 2018).

Whereas Terri and Mark were happy to put the ADF behind them, other emotionally distressed service members clung to the connection. When military police questioned Army Captain Gen Ford in 1988, she chose not to deny being a lesbian because of her integrity. She was told that by Monday she either needed to resign or face a court martial. She chose to resign and, as she remembers it was:

With shock. I mean it was, I was quite devastated, I really, I was devastated...it was devastating, it really, really was. I felt [pause], I was very upset, I was very, very upset because really, nothing was the same after that. I mean you serve out your notice or whatever, but you don't really; you're not going to go back to work. It was really just going through the processes of leaving the Army.

Ford then started her own recruiting business which specialised in finding positions for ex-ADF members. She says of this job: ‘So it sort of kept this link in a weird way, and like at the time I probably didn’t quite realise it, but when I look back at it I go, “Yeah, that was my way of staying in touch with the Army”’ (Ford 2014). Given the loneliness, confusion, anger and sheer trauma of their exits from the ADF, it is not surprising that these ex-service members felt the need to focus on themselves, rather than take up an activist cause of challenging the military ban. Indeed, their stories suggest that their dismissals were *so* personal, that they could not even contemplate being political.

This is not to say that all gay, lesbian and bisexual ADF members accepted the ban and were content to serve in silence. The highest profile example was in 1982 when a group of gay ex-servicemen, at least one of them dismissed for homosexuality, formed the group Gay Ex Services Association (GESA) to lay a wreath at Melbourne’s Shrine of Remembrance on Anzac Day. In what clearly was an example of making the personal political, these five men were challenging the homophobia of Victorian Returned Services League of Australia President Bruce Ruxton. Even in the process, though, GESA president Mike Jarmyn commented in the press that GESA never intended to be a political group: ‘We are not a political extremist group bent on the degradation of the Anzac Day tradition. We simply wish to publicly recognise the fact that gay people also gave their lives in war. We are not playing politics’ (*Klick!*, May 1982). On Anzac Day, Ruxton and the Shrine commissioners turned away the GESA members in an incident that garnered attention in the gay and lesbian press and minor mentions in the mainstream media. Yet, GESA never grew substantially beyond a core of about ten members, notwithstanding holding monthly meet-ups in the pub and regularly advertising in the gay and lesbian press. Other members organised smaller wreath-layings on Anzac Day in 1983 and 1984, but those from the 1982 incident did not want to go through the ordeal again. GESA folded in 1984 due to general disinterest

(Riseman 2017). Thus even the formation of an organisation and a visible presence in the gay and lesbian community could not sufficiently motivate serving or former Defence members to become political.

### **Challenging the Ban: the 1980s**

There were few channels through which serving or even discharged members could challenge the ban. Whereas in the United States, dismissed members such as Matlovich, Berg and Ben-Shalom challenged the constitutionality of their discharges in the courts, Australia's constitution lacks an equal protections clause and Bill of Rights, and there was no Commonwealth anti-discrimination legislation covering sexuality. This meant that it would have to be either the Defence hierarchy or the Commonwealth Parliament who could lift the ban. Pushes within the ADF were essentially non-existent. Only in special circumstances did the ADF look internally at military police practices, rather than the policy itself. In one instance, a Court of Inquiry was set up in 1982 to question a specific police investigation of four gay cadets at the Air Force Academy. This Court of Inquiry happened because one of those accused men, Richard Gration, was the son of then Major-General (and future Chief of Defence Force) Peter Gration, whose connections escalated the case to the Minister for Defence. The Court of Inquiry recommended overturning the four cadets' dismissals, determining that while the police behaviour was generally acceptable, a series of small procedural errors disadvantaged the cadets and may have made the evidence inadmissible (Gration 2016; NAA: B4586, 704/1572/P1 PART 1; Riseman, Robinson and Willett 2018). Notwithstanding the Court of Inquiry's findings, policies and the excessive investigation practices persisted.

Some gay, lesbian and bisexual Defence members attempted to challenge the ban quietly through new statutory authorities established by the Commonwealth government. For

instance, the Defence Force Ombudsman had been set up in the Department of Defence in 1975. The Commonwealth government established the Commonwealth Ombudsman in 1977, and in 1984 legislative amendments transferred the Defence Force Ombudsman into the Commonwealth Ombudsman's office (Commonwealth Ombudsman 2009, pp. 1-3). The first gay services-related complaint to the Commonwealth Ombudsman was in 1980. In 1979, there was a break-in at a post office adjacent to a Navy establishment. When matching the tampered mail with the recipients, one of the Navy officials found a letter that marked one particular member as gay and reported it to a superior officer. At the time the Commonwealth Ombudsman did not have jurisdiction to investigate the Department of Defence, but did investigate Australia Post. The Ombudsman's annual report 1980-81 concluded: 'In this case the complainant wanted to be reinstated in the Navy but because I was unable to investigate the Navy's actions after it became aware of his homosexuality it was not open to me to suggest that he be reinstated' (p. 31).

This issue of jurisdiction and authority would continue to hamper gay, lesbian and bisexual Defence members' cases before statutory bodies. Even when the Defence Force Ombudsman did have the jurisdiction to investigate complaints after 1984, it could only focus on whether the policy and procedures had been followed. After receiving several complaints from gay and lesbian Defence members, the Defence Force Ombudsman wrote to the Chief of Defence Force in December 1988 requesting further justification for the ban. The Ombudsman outlined the illogic behind each justification (NAA: A6721, 1985/18156 PART 1). In his response to the Ombudsman, General Peter Gration wheeled out the standard justifications for the ban and added:

The rank structure in the ADF also means subordinates may be dissuaded from or reluctant to initiate complaints against a superior for fear of the possible consequences. The posting and reinforcement requirements of the ADF mean



that practising homosexuals, who have the potential to create these difficulties, should be excluded from the entire Force, not just from the combat elements (Commonwealth Ombudsman 1989, p. 191).

It is intriguing that the Chief argued that the ban almost protected gays and lesbians from bullying. Incidentally, the Chief's argument could apply to any intimidating behaviour which discouraged subordinates to challenge higher ranks. Notwithstanding these illogical claims from the ADF, the Ombudsman was satisfied with the response, concluding: 'In general I have few problems with the ADF's stated policy, although I believe much of the statement is conjectural rather than evidential' (Commonwealth Ombudsman 1989, p. 117).

In 1990, when the Human Rights and Equal Opportunity Commission's (HREOC) terms of reference were widened to include sexual orientation, a lesbian soldier challenged her dismissal. Again the HREOC did not have the authority to compel the ADF to lift the ban, but in this instance the challenge set off a chain of events because the HREOC argued that the ban contravened Australia's obligations under the International Labour Organization and the International Covenant on Civil and Political Rights. Conciliation proceeded between the ADF and the HREOC, and when they reached an impasse in 1992 the ban went to the Keating Labor Government's Cabinet. They eventually voted to overturn the ban on 23 November 1992 (Riseman 2015, 562-575; NAA: A6721, 1985/18156 PART 2; NAA: A6721, 1985/18156 PART 3).

## **Conclusion**

The research presented in this article answers some questions but also raises others about the relationship between the personal and the political. First, it is clear that CAMP branches sporadically raised the issue of gays and lesbians in the military, primarily within the context of wider discrimination in the public service. While the armed forces updated their rhetoric

and standardised procedures for investigating and discharging members, the practices did not change. Despite ongoing mistreatment and even a recommendation of the Royal Commission on Human Relationships, rarely did gay, lesbian and bisexual servicemen and women challenge the ban. Indeed, even after the Royal Commission, the plethora of new gay and lesbian rights organisations essentially ignored the military issue until the 1990s. They were more concerned with decriminalisation of homosexual acts in most states, advocating for state anti-discrimination legislation, and of course the AIDS epidemic.

Why, then, did the personal not become political in the case of Australian military service? The testimonies of dismissed servicemen and women suggest that many were traumatised by their experiences being investigated, interrogated and kicked out of the services, or saw their dismissals as the consequences of their behaviour rather than a structural injustice. Their reactions were sometimes so personal that they were not mature enough or in sufficiently good mental health that they could even contemplate challenging the ban. Moreover, even if they wanted to challenge their dismissals, there was no recourse through the legal system or under the Constitution, and most ex-service personnel had little interest in becoming activists to challenge the Commonwealth Parliament to repeal the ban. This is in stark contrast to the United States, where the dismissal experience sometimes radicalised service members to join the gay and lesbian rights movements and target the military ban through the courts.

Even if the personal did not become political in Australia for dismissed gay, lesbian and bisexual service personnel to the same degree as in the US, that does not mean that the ban had any less of an impact on their personal lives. It is fitting, then, to let 'Mark' have the final word:

The irony is now actually having spoken to military personnel – serving military personnel – in the last couple of years who were saying “We now

have to do diversity training and everything,” it just seems so bittersweet because it would have been a job and a career that I would have loved to have continued doing but unfortunately, that was taken away from me because that was the status quo back then (‘Mark’, 2016; Riseman, Robinson and Willett 2018).

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