

Section 1: Silences and Discretion, 1944–1973

Before the Second World War, the Australian services did not have a formal policy on homosexuality. This is not to say that it was acceptable to be gay; rather, men caught for homosexual behaviour would be punished under other rules, such as ‘disgraceful conduct of an indecent kind’ or the all-encompassing ‘conduct prejudicial to good order and discipline’. These charges could also be used to prosecute transgender behaviour such as ~~cross-dressing~~ in clothes associated with the opposite sex. The Australian Army devised an explicit policy on homosexuality only when they realised that they had a ‘problem’. In 1943, US Army Investigators in Port Moresby contacted Australian Army Headquarters to report that several of their soldiers were having sexual intercourse with Australian servicemen. The Australian Chief Medical Officer interviewed 18 men, who received honourable medical discharges.

Australian military officials subsequently debated whether to treat homosexuality as a disciplinary or medical/psychological matter. The final directive issued to New Guinea commanders in June 1944 was a mix: cases involving public obscenity, sexual assault or minors would warrant disciplinary action. Other cases would require advice as to whether the accused could respond to medical treatment, otherwise ‘the member concerned should be considered for immediate discharge from the army on medical grounds, and a medical board arranged accordingly’.¹ The documents never provided a rationale for why they should expel gay men, which is not surprising given the 1940s discourse about homosexuality as a sexual perversion. This policy became the template for how the Australian armed forces dealt with homosexuals until November 1992.

The policy relating to homosexuality specifically referred to men, and as such the rules were silent about the status of lesbians in the women’s services. During the Second

Commented [NR1]: Cross-dressing is a term some transgender people find offensive. It is hard to come up with a simple other word, so hope this is acceptable.

World War there were certainly anxieties about lesbianism, but there were never any clear policies or procedures, **and** formal investigations were rare. Authorities worried: while there was a need for women in the services, what kind of woman would want to enlist? In response to fears about the masculinisation of the sex, regulations and education courses for servicewomen consistently emphasised their femininity. There were occasional discharges for women caught kissing or otherwise involved in intimate relationships with each other, but generally the treatment of suspected lesbians was at the discretion of individual commanders.²

There was an absence of discussion about homosexuality in the services in the post-war period. This is not surprising given homosexuality was treated as a taboo subject and the military had no desire to be involved in any sort of scandal. On occasion the topic of homosexuality in the services would appear in newspapers, both tabloid and non-tabloid. Among the big headlines from *Truth* (Melbourne) in the 1950s are: 'RAAF ace dismissed from service for disgraceful affair with AC1' (23 March 1950) and 'Vice Shock in Army Camp' (23 June 1956). Smaller articles might mention a soldier charged for sodomy or gross indecency, usually caught in a capital city visiting a beat. These newspaper reports reveal that while the military records may be silent about homosexuality, the presence of homosexuals was undeniable.

After the Second World War, only the Navy devised policies that specifically targeted homosexuality. From at least 1954 the Royal Australian Navy adhered to the British Royal Navy's Admiralty Fleet Orders against 'Unnatural Offences'. These rules were published as a separate Confidential Australian Navy Order for the first time in 1966, relatively unchanged from their previous incarnations. Among the unnatural offences were 'buggery' and 'act[s] of gross indecency with another male person'. The orders justified the need to expel homosexuals thus: '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.' The policies on Unnatural Offences emphasised the importance of evidence so that men would not claim homosexuality merely to discharge. As such, the policy authorised invasive anal and penile examinations for physical evidence of penetration.

In 1969, the Navy adopted a new 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.' This policy set up a framework which would prove problematic, but rhetorically useful for Defence officials in later years. The document distinguished between 'confirmed homosexuals' who needed to be discharged, versus 'An Isolated Instance of Homosexuality', which commanding officers might consider experimentation, often under the influence of alcohol. In the latter cases, commanding officers had discretion not to dismiss sailors. The distinction between the two categories was difficult to prove, but still having it in policy provided commanding officers with leeway to protect particular service members.

Post-war policies, too, were silent about women, but there was much more heightened activity within the services targeting lesbians. This is significant as lesbianism was never a crime in Australia the same way that homosexual activity between men was. The targeting of lesbians was due to fears that the military environment was attractive to lesbians and lesbianism might impact the public image of the force. Furthermore, the same stigma and prejudice that homosexual men faced confronted women too. Basic training during this era even cautioned women against the dangers of venereal disease and lesbianism (which were hardly likely to go together). Investigations were common in the women's services during the 1950s–1970s: surveillance, intimidating interviews, compelling suspects to name other lesbians and usually dishonourable discharges. These so-called witch-hunts became the template for the next phase of the military ban from 1974. Because there were no specific regulations against women's homosexuality and the military wished to avoid publicising such cases, lesbians and bisexual women would usually be prosecuted under other rules with discharge reasons such as 'conduct prejudicial to the corps'. There were inconsistencies across and within the services, and unit commanders had significant discretion.³

Even with these policies and practices against homosexuality in place, oral histories suggest that homosexual encounters were common – including a major gay subculture at the Navy officer training base HMAS Creswell. Discretion was important: so long as sailors were inconspicuous, commanders would often turn a blind eye. In the Army as

well, oral histories suggest that discretion could often protect male soldiers from investigation. Women across the three services describe a subculture and numerous lesbian and bisexual women serving in this period also. When testifying at Western Australia's 1974 Honorary Royal Commission into Homosexuality, a Major-General reported that over the period 1969-74 there were 44 cases of homosexuality investigated in the Army, with 21 confirmed discharges. He did not have statistics for the RAAF or Navy, although Navy estimated an average of approximately eight per year. This admittedly incomplete data reveals the inconsistent practices across and within services, where rank, commanding officers and gender could all intersect to produce different outcomes protecting or persecuting suspected gays, lesbians and bisexuals.

¹ Smaal, *Sex, Soldiers and the South Pacific, 1939-45*, 103-108.

² Ford, 'Lesbians and Loose Women,' 81-104.

³ Ruth Ford, 'Disciplined, Punished and Resisting Bodies: Lesbian Women and the Australian Armed Services, 1950s/60s,' *Lilith*, no. 9 (1996): 53-77.