

# “Waiting for Uncle Ben”: Age-Structured Homosexuality in New Zealand, 1920–1950

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AT SIX O’CLOCK ON A MONDAY EVENING in March 1947, Cyril Townsend met twelve-year-old David Potts in a public toilet in Christchurch, New Zealand. Townsend, a separated income tax clerk of forty-seven, recalled that Potts approached him, at which point Townsend asked “if he went with many men.” Potts volunteered that he met men in the toilets on Monday nights. According to Townsend, “He said he was waiting for ‘Uncle Ben.’ I said ‘What is Uncle Ben going to do?’ He replied ‘What the other men do.’”<sup>1</sup> Needing no further clarification, the clerk asked Potts to accompany him home.

Townsend and the boy stopped at the closest fish and chip shop, picked up a feed, and wandered toward the clerk’s house. “Immediately we got inside the boy went and sat on the bed,” Townsend later explained to police. “He opened up the fly of his trousers. He took out his penis. I got hold of it and played round with it. I may have rubbed it for a while. The boy had an erection when he took his penis out. I had an erection also when I rubbed it.” At one point, Townsend recalled, Potts “discussed sexual matters with me and he said he went out with other men.” David Potts’s account of events is broadly consistent with the older man’s, and he continued the story:

He had said if I would have one before tea and one after tea. Then I said “Alright.” Then I lay down on the bed and undid the fly of my pants. He started to play with my private parts. And after a while I said I had had enough and [the] accused said we would have the fish and chips. After a while we left [the house] and I went with him to change some books at the library. I left him at the Theatre Royal. . . . I met

<sup>1</sup> Sentencing File, CT, CAHX CH173 S22 1947, Archives New Zealand, Wellington (hereafter ANZ). To meet access requirements imposed by New Zealand’s Ministry of Justice, I have used pseudonyms here and throughout and initials within quoted material so as to preserve men’s and youths’ anonymity.

another man the same evening after being to the place of the accused. That was about 30 minutes after being with the accused. I met this man in the same lavatory.<sup>2</sup>

Subject to further questioning, Potts added: "I have been going into town like this on my own since about before Christmas. I go into town about once a week. I did not always go to the same lavatory, but usually."

The references to police and "the accused" reveal Cyril Townsend's fate. When David Potts returned to the toilet, he aroused the suspicions—not the desires—of the second man. This fellow asked Potts where he had been that evening and, upon hearing the lad's story, took him to the police station. Townsend was duly reported, arrested, found guilty by a jury, and sentenced to six months in prison with hard labor. Potts, who admitted that "he has made a practice of soliciting men about the town for some time past," was placed under state supervision.<sup>3</sup>

Townsend and Potts's story is recorded in a case file from the archives of the Christchurch Supreme Court. It evokes a landscape of cruising, wandering, hospitality, sexual activity, and subsequent state action and tells of an interaction between public and private sexual worlds. Most important for my purposes, it reveals the fleeting connection between a forty-seven-year-old man and a twelve-year-old boy. The sexualization of age differences between adult men and youths and their circumstances, meanings, and consequences are this article's key themes. In the following pages, I use court records to explore the intricacies of age-structured homosexuality—those same-sex relations in which men take an active sexual role with boys and youths rather than adult men—in New Zealand between 1920 and 1950.

To examine this theme over a thirty-year period is to see how a once common, but now mostly forgotten, type of relationship occupied an important—and transitional—place in midcentury patterns of sexual life. Sex between men and sex between men and youths were coterminous realms of experience between 1920 and 1950. This was a very different world to New Zealand today, where an age of consent of sixteen—which dates from 1986—divides more-or-less acceptable examples of same-sex relations from socially unacceptable ones.<sup>4</sup> The corollary is important too. The twenty-first-century category of male homosexuality is not timeless. Indeed, the "pervert" of the 1920s and the "homo-sexual" of the mid-1940s, as they were understood by those involved in the legal process, are quite different people from the gay man of today. The relative ages of the sexual partners are an important part of that variation.

<sup>2</sup> Sentencing File, CT, CAHX CH173 S22 1947, ANZ.

<sup>3</sup> Unfortunately, the precise nature of Potts's state care was not recorded.

<sup>4</sup> Terminology is difficult here. I use the term "relations" to refer to episodes of sexual activity and "relationship" to signify an (often ongoing) sense of connection, association, or involvement. I do not mean to indicate affection, intimacy, or romantic love unless I make this explicit.

These differences come into focus when we look at a number of specific themes in the recent history of male-male relations. These include the spatial aspects of sexuality; the complexities of coercion and consent; sex as an exchange for money or other reward, sometimes in the context of a wider street culture; notions of friendship, care, love, and expectation; and men's and youths' explanations for their same-sex activities. To analyze these practices and their interpretations—in New Zealand, as elsewhere—is to reveal the contours of the sexual present as well as to shine light on the past.

#### ANTECEDENTS AND SOURCES

In setting such an aim for itself, this article will help to flesh out the slowly expanding historiography in this general area. There is nothing so far for New Zealand, even though the international literature is steadily growing. In 1997 Canadian scholar Steven Maynard noted that "sexual relations between men and boys have generated little interest among historians," but there have been further developments since.<sup>5</sup> In 2000 Stephen O. Murray published an extensive historical and cross-cultural account of age-structured homosexuality, from the relations between boys and samurai in seventeenth-century Japan to the North American hustler of the mid-twentieth century.<sup>6</sup> Likewise, a number of scholars have explored the pederastic relations of ancient Greek society, in which men (*erastai*) mentored adolescent boys (*eromenoi*), and this mentoring included a sexual component.<sup>7</sup> George Chauncey's pioneering *Gay New York* examines the relationships between (adult) "wolves" and (boy) "punks" in prisons and itinerant communities during the early decades of the twentieth century, while Maynard's own work explores man-boy relations in Ottawa, Canada.<sup>8</sup>

In *Queer London*, Matt Houlbrook teases apart the ways age differences were mapped onto numerous oppositions: masculinity and femininity, toughness and weakness, working class and upper class, dominance and

<sup>5</sup> Steven Maynard, "'Horrible Temptations': Sex, Men, and Working-Class Male Youth in Urban Ontario, 1890–1935," *Canadian Historical Review* 78, no. 2 (1997): 191. More recently, Robert Aldrich agrees that much remains to be done: "Homosexuality and the City: An Historical Overview," *Urban Studies* 41, no. 9 (2004): 1732.

<sup>6</sup> Stephen O. Murray, *Homosexualities* (Chicago: University of Chicago Press, 2000), chapters 1 and 2. The hustler is also explored in Barry Reay, *New York Hustlers: Masculinity and Sex in Modern America* (Manchester, UK: Manchester University Press, 2010).

<sup>7</sup> For an overview, see Beert Verstraete, "Recent Scholarship on Homosexuality in the Greco-Roman World," *Journal of the History of Homosexuality* 40, no. 1 (2000): 145–62. For more in-depth discussions, see James Davidson, *Greeks and Greek Love: A Radical Re-appraisal of Homosexuality in Ancient Greece* (London: Weidenfeld and Nicolson, 2007), chapter 3; David Halperin, *How to Do the History of Homosexuality* (Chicago: University of Chicago Press, 2002), chapter 2; Thomas K. Hubbard, ed., *Greek Love Reconsidered* (New York: W. Hamilton, 2000).

<sup>8</sup> George Chauncey, *Gay New York: Gender, Urban Culture and the Making of the Gay Male World, 1890–1940* (London: Flamingo, 1995), 84–91; Maynard, "'Horrible Temptations,'" 196.

subordination.<sup>9</sup> Houlbrook, like Maynard, notes the variable power relationships—the dialectic of vulnerability and pleasure—inherent in these arrangements. Sometimes adolescents were maneuvered into sex they did not want, and there were sexual assaults of an aggressive or violent type. In other moments, Houlbrook suggests, youthfulness could equate to “desirability, and therefore the power to exploit an elder.”<sup>10</sup> Agency, consent, and coercion intertwined in complex ways.

As a time of rapid social and sexual changes, the period between 1920 and 1950 was highly significant in English-speaking countries around the world. Before the First World War, Stephen Robertson explains, the perceived moral dangers of childhood ran as follows: boys were at risk from men who would teach them profanity and a life of crime, girls from lewd men who would corrupt them sexually.<sup>11</sup> As Carol Smart points out, warnings about sexual danger were couched primarily in a language of moral danger and ruin, of children “corrupted” by adults.<sup>12</sup> In New Zealand in 1907, for instance, the tabloid newspaper *NZ Truth* denounced a “practiced boy debaucher” who “tamper[ed] with a number of small boys.” Having “lost all moral restraint,” the paper claimed, the perpetrator set about “contaminating and corrupting other persons.”<sup>13</sup> New theories of psychological development made their presence felt during the 1920s and 1930s, and their sphere of influence expanded after the Second World War. Increasingly, boys as well as girls were at risk of sexual danger from both men and women, and psychologists began to argue that sex between young people and adults was “harmful” and psychologically “damaging.”<sup>14</sup> The language of moral ruin became less popular as time wore on.<sup>15</sup>

There were implications, too, for the kinds of people constituted along the way. As Ian Hacking notes in his discussion of the historical meanings of child abuse, the medicalization process gave new form to those sexually involved with young people. As human behavior and its significance have changed, Hacking writes, particular kinds of people “are formed and molded.”<sup>16</sup> The “child abuser” or the “pedophile,” for instance, emerged out of new social understandings, groupings, and connections between phe-

<sup>9</sup> Matt Houlbrook, *Queer London: Perils and Pleasures in the Sexual Metropolis, 1918–1957* (Chicago: University of Chicago Press, 2005), 174.

<sup>10</sup> *Ibid.*, 183; compare Maynard, “Horrible Temptations,” 194.

<sup>11</sup> Stephen Robertson, “‘Boys, of Course, Cannot Be Raped’: Age, Homosexuality and the Redefinition of Sexual Violence in New York City, 1880–1955,” *Gender and History* 18, no. 2 (2006): 357–79.

<sup>12</sup> Carol Smart, “A History of Ambivalence and Conflict in the Discursive Construction of the ‘Child Victim’ of Sexual Abuse,” *Social and Legal Studies* 8, no. 3 (1999): 399.

<sup>13</sup> *NZ Truth*, 23 February 1907, 5.

<sup>14</sup> Stephen Robertson, “Boys, of Course,” 369. For a sustained account of historical changes in these ideas, see Philip Jenkins, *Moral Panic: Changing Concepts of the Child Molester in Modern America* (New Haven, CT: Yale University Press, 1998).

<sup>15</sup> Ian Hacking, “The Making and Molding of Child Abuse,” *Critical Inquiry* 17, no. 2 (1991): 265.

<sup>16</sup> *Ibid.*, 259.

nomena. In particular, in the mid-twentieth century an emerging distinction between homosexuality and heterosexuality "invested the offender's gender with a new significance."<sup>17</sup> The catch-all "corrupter of children" gave way to "the homosexual," a man with an underlying attraction to males of any age who posed a psychological danger to boys.

This article uses one particular set of records in order to explore the ways sex between New Zealand men and adolescent boys was given meaning between 1920 and 1950 and how "homosexuality" emerged in relation to these meanings. Cyril Townsend's case file, which tells of an evening in Christchurch in the autumn of 1947, is one of many such files in the four offices of Archives New Zealand, the government repository for state records. Relevant court files still exist from five Supreme (later High) Courts in New Zealand: Auckland, Wanganui, Wellington, Christchurch, and Dunedin; records from New Zealand's other Supreme Courts have, unfortunately, not survived the ravages of time, and even the holdings for Auckland, Wanganui, and Wellington are incomplete.<sup>18</sup> By 1920 Auckland was—and remains—New Zealand's largest urban area, Wanganui a small provincial city, and Wellington the nation's capital. These three centers are located in the more populous North Island. Christchurch and Dunedin are the major South Island cities.

The courts' files for this period include a range of papers. There are indictments, depositions, and witness statements relating to two relevant crimes governed by the Crimes Act of 1908: "buggery" (anal penetration, with or without "the emission of seed") and "indecent assault on a male" (everything else two males may do together sexually, whether or not both parties consented).<sup>19</sup> Occasionally, there is a transcript of court proceedings. Some files also include incriminating letters written from men to boys and magazines or photographs shown to youths to arouse their passions. The contents of these court files help us to explore the experiences, meanings, identities, and social changes that constitute sexual histories as well as movements through time and space. As Houlbrook observes, court records are "produced at the point where public and private, pain and pleasure, intersect."<sup>20</sup> As such, they offer up little histories of numerous men and their sexual partners produced under particular conditions. While court records are strongly shaped by the context and politics of their production, they also reveal the interplay of numerous, interwoven voices.<sup>21</sup>

<sup>17</sup> Robertson, "Boys, of Course," 358.

<sup>18</sup> I have perused most of the records still extant. The numbers of files examined for each court are as follows: Auckland: 80; Wanganui: 8; Wellington: 41; Christchurch: 121; Dunedin: 58.

<sup>19</sup> Crimes Act, *Public Acts of New Zealand 1908–1931*, vol. 2, sections 153–54, 227. On the history of the New Zealand legislation, see Alison Laurie, "The Aotearoa/New Zealand Homosexual Law Reform Campaign, 1985–1986," in *Queer in Aotearoa New Zealand*, ed. Lynne Alice and Lynne Star (Palmerston North, NZ: Dunmore, 2004), 13–34.

<sup>20</sup> Houlbrook, *Queer London*, 5.

<sup>21</sup> I offer a more extensive discussion in Chris Brickell, "Court Records and the History of Male Homosexuality," *Archifacts*, October 2008, 25–44.

What follows lays out some of the rich detail from these court records and evokes the world of sex between men and youths in New Zealand's past. Numerous stories, like those of Cyril Townsend and David Potts, tell us something of men's and boys' experiences and meaning making at a time when constructions of same-sex sexuality shifted markedly.

#### PLACES AND PRACTICES

The history of sex between men and youths is a highly spatialized one. Each case file tells of males of varying ages moving through a range of private and public spaces in which they met, socialized, and had sex. Some spaces are relatively unique: a particular bedroom or backyard. Others—the main streets, parks, baths, and beachside sand dunes—turn up over and over again.

The streets of New Zealand's cities and towns were popular places to meet. While these cities were much smaller than London, New York, or even Ottawa, there were some similarities in the uses of space. Maynard points that in Ottawa's streets, for instance, unsupervised public boy cultures occupied the same places men cruised for sex.<sup>22</sup> One New Zealand example is the North Ground, a Dunedin playing field where a "gang" of five fourteen-year-old youths loitered during the war years. This was also a well-known cruising area, and one evening in 1943 a man walked up to the boys, said "hello," asked for a light, and offered to "suck [their] cocks." With £1 as payment, one boy later recalled, "We all agreed to that."<sup>23</sup>

There were many other court cases involving men, youths, and the streets and parks from one end of the country to the other. Many Auckland men picked up youths in Queen Street, the main thoroughfare, and repaired to the back row of a nearby theater. The Mayfair, the Civic, and the Roxy were all popular.<sup>24</sup> Their Christchurch counterparts met adolescents in the Square and took them to the State Theatre, the Theatre Royal, or the sprawling inner-city Hagley Park.<sup>25</sup> In 1927 Wanganui carpenter Dermott Walshe made the acquaintance of a sixteen-year-old youth outside Rice's sweet shop. The pair talked about sports and walked over to Queen's Park, where Walshe suggested he and the lad "should have a bit of fun."<sup>26</sup> The reluctant youth rewarded Walshe with a complaint to police.

Cyril Townsend and David Potts were not the only ones to spend time in the local public toilets. In 1925 Christchurch laborer Walter Grimshaw, sixty-eight, had oral sex on two occasions with a fourteen-year-old lad in the toilet of the Imperial Hotel. He was caught the second time, when an-

<sup>22</sup> Maynard, "Horrible Temptations," 205.

<sup>23</sup> Trial File, DB, DAAC D256 346 10, 1943, ANZ.

<sup>24</sup> For instance, Trial File, AB, BBAE 5609 25 1939, ANZ.

<sup>25</sup> Sentencing File, PR, CAHX CH173 S41 1947, ANZ; Trial File, NG, CAHX CH273 T1 1945, ANZ; Sentencing File, GF, CAHX CH173 S24, 1942, ANZ.

<sup>26</sup> Trial File, DW, 15 February 1927, AAOG W3559, ANZ.

other man walked in.<sup>27</sup> Others loitered in the many toilets in Hagley Park. Some men and youths attracted the attention of curious groundsmen who followed them in there before alerting police.<sup>28</sup>

While there were few, if any, systematic campaigns of police surveillance, officers displayed a heightened sense of awareness in these kinds of public places. In a 1924 case, a detective kept an eye on Peter Talbot and his thirteen-year-old companion near Auckland's wharves. Noting that "the accused was cuddling the boy, he had his arm around his neck and shoulders," the detective grew suspicious. He followed the pair to a nearby dining room, questioned the boy, and, told of sexual activity, arrested Talbot.<sup>29</sup> In 1930 a police officer homed in on a seventeen-year-old lad and Robert Silk, a laborer of thirty-seven, coming out of the ladies' toilets at Western Park. He arrested Silk soon after.<sup>30</sup> Five years later, as ship's steward Errol Walker, thirty-five, and a sixteen-year-old youth rubbed one another's "person" behind a building near Queens Wharf, a policeman appeared with a flashlight. Walker, like Silk and Talbot, was arrested.<sup>31</sup> Each of these Auckland arrests involved the confluence of two factors: a well-known pickup area and a police officer with a keen eye for its unauthorized uses.

Partly for these kinds of reasons, many men and youths retired to a private place after meeting on the streets and in the toilets. In 1944, in a Wellington toilet, a twenty-two-year-old soldier met a Maori lad of sixteen—a recent arrival from the countryside—and took him home for sex.<sup>32</sup> Wellington radio technician Ross Jacobson, thirty-four, struck up a conversation with Douglas Reynolds, fifteen, on inner-city Woodward Street one night in 1944. They chatted about art, went to see a movie, began a romantic relationship, and soon moved into a flat together. Among their sympathetic housemates they built a life of chess, music, art, and culture until the relationship soured two years later and Reynolds went to the police.<sup>33</sup> As this case suggests, men were not always safer in private than in public. If a lad told another adult about his sexual involvement with a man, then the older party was likely to end up in court.

Sometimes men and youths moved back and forth between public and private spaces, the street cultures and the growing homosexual subcultures of New Zealand's cities. Craig Simcock, twenty-two, befriended Gareth Gardiner, a military cadet of fifteen, outside the Union Jack Club in Christchurch one evening in 1944. "He asked me if I had a cigarette," Simcock

<sup>27</sup> Sentencing File, WG, CAHX CH239 S5, 1925, ANZ. An Auckland case of sex in a toilet is Trial File, JF, BBAE 5609 19, 1937, ANZ.

<sup>28</sup> Sentencing File, PR, CAHX CH173 S41, 1947; Sentencing File, LW, CAHX CH239 S9, 1923, ANZ.

<sup>29</sup> Trial Notes, PT, BBAE A304 412 1924, ANZ.

<sup>30</sup> Trial File, RS, BBAE 5609 1, 1930, ANZ.

<sup>31</sup> Trial File, EW, BBAE 5609 16, 1935, ANZ.

<sup>32</sup> Trial File, PF, 26 September 1944, AAOM W3265, ANZ.

<sup>33</sup> Trial File, RJ, 14 March 1944, AAOM W3265, ANZ.

later recalled, and “I told him that if he liked to come home with me I would get him some.” At Simcock’s house the pair played a card game, and then Simcock masturbated the young cadet. Several weeks later, Simcock and Gardiner picked up a friend of Simcock’s, and all three headed out to the beach at nearby Sumner. Gardiner alleged that Simcock put his hand up his trouser leg—and “said it was a big one”—while the third man read a book nearby.<sup>34</sup> This man was a key figure in a local homosexual network. Friends met at his Sumner house on weekends, ate, gossiped, and partied.<sup>35</sup> While it is not clear how police became involved in this case, we do get a reasonable sense of these men’s movements through time and space and the intersections between a street pickup and a private network of friends.

One particular pickup spot stands out. Between 1924 and 1929 four male patrons of the Christchurch Tepid Baths found themselves in the dock. Three of them met their fate at the hands of one man: Merville Lyons. Lyons was sports editor of the local *Sun* newspaper, chairman of the City Council’s Baths Committee, and a self-appointed moral guardian of boys. He kept a close eye on the toilets, showers, and individual changing cubicles arranged around the edges of the swimming pool. The walls and doors of these cubicles stopped several inches off the concrete floor, allowing Lyons to peer underneath and count the pairs of feet in each one.

One afternoon in 1924, Lyons burst in on William Colbert, twenty-three, and fourteen-year-old Ron Iggledun in one of the cubicles. Lyons, who noticed that “both the boy and [Colbert] had an erection,” detained the man and summoned the police. In the meantime, Colbert pleaded, “Don’t get the boy into any trouble, it was my fault entirely.”<sup>36</sup> Another time, Lyons waited for a toilet cubicle to become free. Eventually, Errol Dwight, a farmer of twenty-five, emerged from one of the stalls, and Lyons went in. There he found a fourteen-year-old printer’s apprentice. “His costume was down round his knees and he had an erection,” Lyons later told police, while the apprentice insisted, “We were just playing the fool together.” Dwight later confessed: “I have talked about this sort of thing with one boy before.”<sup>37</sup> On the third occasion, twenty-four-year-old newspaper correspondent Jim Ogden and Jack Nimon, a fourteen-year-old youth, went into a changing cubicle, and Lyons peered under the wall from the adjacent booth. Lyons looked for an attendant and couldn’t find one, so he pushed in the door. “It was obvious,” he later told police, “that the boy had a pronounced erection.”<sup>38</sup> While these three youths appear to have been eager participants in the older men’s schemes, not all were quite so keen. One day in 1927,

<sup>34</sup> Trial File, CS, CAHX CH273 T2, 1944, ANZ.

<sup>35</sup> See the discussion of this friendship network in Chris Brickell, *Mates & Lovers: A History of Gay New Zealand* (Auckland, NZ: Random House, 2008), chapter 3.

<sup>36</sup> Sentencing File, WC, CAHX CH239 S31, 1924, ANZ.

<sup>37</sup> Trial File, ED, CAHX CH239, T1, 1928, ANZ.

<sup>38</sup> Trial File, JO, CAHX CH239 T2, 1929, ANZ.



twenty-eight-year-old laborer Paul Jacob followed Bert Jansen, sixteen, into the lad's changing cubicle, but the youth objected when Jacob tried to "feel me round the behind." Jansen reported the older man to Lyons, who was conveniently standing by.<sup>39</sup>

Space intersected with another important factor: money. In the Tepid Baths, William Colbert made Ron Iggledun's acquaintance by asking him if he "was any good at diving for a penny," while Jim Ogden appears to have offered Jack Nimon a shilling to go into a changing cubicle with him.<sup>40</sup>

Many New Zealanders replicated their overseas counterparts' exchange of sex for money, and one category of youths was more likely than any other to supplement their meager incomes by offering sexual services to men: newspaper boys, delivery boys, and Post Office messengers.<sup>41</sup> Ted Holt, for instance, was a thirty-four-year-old Hamilton laborer well known among that city's telegraph boys. He met familiar youths in the street, some of whom introduced him to other lads. Holt took his favored one for a drink before escorting him down to the riverbank for sex. Afterward, the laborer handed over two or three shillings. He was eventually arrested when a prospective sex partner complained. As one sixteen-year-old later testified about his time on the riverbank, "Accused put his hand on my private parts and asked me to undo the back of my trousers. He said that he would give me 5/-. He undid my trousers and took them down. He then put his penis between my legs. I was on my stomach and he was on top of me."<sup>42</sup> In 1924, in the small town of Rangiora, veteran soldier Roger Rapley was also sprung for intercrural sex, in this case with boys from the Post Office who visited him in his needlework shop. Of one such instance, Rapley recalled: "I got on top of him one night and put my penis between his legs. I got a certain amount of satisfaction there."<sup>43</sup>

While a sex-for-money arrangement was common, some working-class boys swapped sex for leisure opportunities and consumer pleasures. Warwick Hallam, an Auckland laborer, befriended local lads and paid their way at Coffee Palace, the Tivoli Pie Cart, the cinema, and the shooting gallery before taking them around the back of the shops and hotels in Wellesley Street. Police spotted Hallam with a lad one day in 1922.<sup>44</sup> Other men

<sup>39</sup> Sentencing File, PJ, CAHX CH239 S2, 1924, ANZ.

<sup>40</sup> Sentencing File, WC, CAHX CH239 S31, 1924, ANZ; Trial File, JO, CAHX CH239 T2, 1929, ANZ.

<sup>41</sup> Mary Gillingham notes this pattern early in the century in her "Sexual Pleasures and Dangers: A History of Sexual Cultures in Wellington, 1900–1920," MA thesis, Massey University, 1998, 128. On London, see Houlbrook, *Queer London*, chapter 7; on Ottawa, see Maynard, "Horrible Temptations," 212–13; on Chicago, see Don Romesburg, "Wouldn't a Boy Do?": Placing Early-Twentieth Century Male Sex Work into Histories of Sexuality," *Journal of the History of Sexuality* 18, no. 3 (2009): 367–92.

<sup>42</sup> Trial Notes, TH, Civil Criminal and Circuit, vol. 3, 1922, BBAE A304 888, ANZ.

<sup>43</sup> Sentencing File, RR, CAHX CH239 S17, 1924, ANZ.

<sup>44</sup> Trial Notes, WH, Civil Criminal and Circuit, vol. 3, 1922, BBAE A304 888, ANZ.

offered rides on motorbikes and visits to teashops, the speedway, and the zoo in exchange for sex.<sup>45</sup> A few even promised ongoing support. In 1936 the retired Auckland draper Ferdinand Milton, aged fifty-five, befriended Roger Colbert, a youth of fourteen. The boy's impoverished mother agreed that her son should live with the older man, who would pay his technical college fees. Milton faced charges when Colbert's mother realized there was a sexual component to the relationship.<sup>46</sup>

These cases evoke distinctions of class and gender as well as age, and it becomes clear that some New Zealanders' experiences differed from those of men overseas. Houlbrook shows that London men of upper and middling social status often took working-class boys as sexual partners, but many New Zealanders shared the same class background.<sup>47</sup> Ted Holt and Joseph Waldron were both laborers, and both went for Post Office boys. One of the Christchurch Tepid Baths men was a laborer, another was a newspaper correspondent, and a third was a farmer, all manual or lower-middle-class occupations. The men's socioeconomic position probably accounts for the relatively small sums dispensed: a penny here, a shilling there. However paltry the extra income, though, some boys appreciated it. As one Wellington seventeen-year-old told police, "It was chiefly because I wanted a few shillings to spend that I used to go to M——'s room and let him have connection with me."<sup>48</sup> However, it is difficult to explain the reasons for the socioeconomic similarities between these men and youths. Maybe wealthier men did not tend to come into contact with message boys or did not care to associate with them. Or perhaps police dealt with upper-middle-class men more leniently, and those cases did not make it to court.

In his exploration of early twentieth-century New York, Chauncey suggests that some men treated boys as substitute women, thereby maintaining their own social status while gaining access to sexual services.<sup>49</sup> Maynard and Houlbrook find evidence for this female substitution model in Ottawa and London, respectively.<sup>50</sup> In New Zealand, these positions were usually implicit in the respective sexual roles adopted by men and boys—the younger partner was almost always the passive one, as the Hamilton and Rangiora cases indicate—but they are openly articulated in two examples from the 1930s. In the first, from 1933, sixty-seven-year-old Clyde pensioner Eldred Smale gave three schoolboys cigarettes, tobacco, and help with their homework. To one of the boys, who refused to allow him "to put his penis up my back passage," Smale responded, "You bugger—you little whore."<sup>51</sup> The lad, it seems, had breached the terms of the arrangement: sexual passivity in exchange for material reward.

<sup>45</sup> Trial File, EO, DAAC D256 427 28, 1949, ANZ; Trial File, AB, BBAE 5609 25, 1939, ANZ.

<sup>46</sup> Trial File, FM, Case 7, May Session, 1936, BBAE 5609 17, ANZ.

<sup>47</sup> Houlbrook, *Queer London*, chapter 7.

<sup>48</sup> Sentencing File, FM, 22 May 1935, AAOM W3265, ANZ.

<sup>49</sup> Chauncey, *Gay New York*, 84–91.

<sup>50</sup> Maynard, "Horrible Temptations," 196; Houlbrook, *Queer London*, 174.

<sup>51</sup> Sentencing File, ES, 1933, DAAC D256 416 20, ANZ.

This kind of tension paved a path to the police station in a second case too. In Palmerston North in 1936, a seventeen-year-old newspaper boy complained to a constable about laborer Joseph Waldron, forty-nine, who had offered the lad ten shillings to "lie down like a tart in the bushes."<sup>52</sup> This youth actively objected to this comparison to a female prostitute. As Houlbrook notes, some boys positioned themselves as highly masculine: "tapping" well-off men for money, he writes, demonstrated "the streetwise intelligence, resourcefulness, and toughness that marked a real man."<sup>53</sup> If a boy saw himself as masculine and streetwise in this way, he would hardly have appreciated a request to "lie down like a tart."

As these examples show, New Zealand's cities fostered a range of relations between adult men and adolescent boys. Liminal city spaces had their legitimate and illegitimate uses, and police were aware of what went on. Like the cities in other industrialized countries, money was involved sometimes but not always, but New Zealand's class dynamic did not always mirror overseas practice. Gender, like class, also refracted the meanings given to, and experiences of, sex between men and youths, even though these dynamics were usually implicit rather than explicit.

#### LOVE, ATTACHMENT, AND CONSENT

So far, the court files suggest a high level of ambiguity in youths' sexual encounters with men. Sex might be compensated with money or other forms of material reward, and a breach of terms—or other adults' interventions—could lead men into the police cells. Sometimes, though, boys were reluctant to complain, even when they did not actively desire the sex. Of his arrangement with Ferdinand Milton, Roger Colbert said in court: "I did not like to offend him on account of his being so good to me."<sup>54</sup> As Houlbrook reminds us, agency, consent, coercion, vulnerability, and pleasure interrelated in complex ways. Accordingly, it is important to explore these intersections, including the role of money, in order to tease apart the dynamics at play.

More than a few relationships appealed to affection rather than pecuniary advantage, and these could last for quite some time. Arrangements of more than a year's standing were reasonably common. Veteran soldier Roger Rapley maintained a three-year involvement with Christopher Draper between 1922—when Rapley was twenty-nine and Draper fourteen—and 1924. Rapley boarded with Draper's family in Christchurch.<sup>55</sup> Over eighteen months, pensioner Edward Walker carried on a sexual relationship with a fifteen-year-old boy he met in 1937 outside his local convenience store in suburban Christchurch. The two vacationed together, with the boy's parents' consent, and stayed in hotels in a range of tourist locations.<sup>56</sup>

<sup>52</sup> Sentencing File, JW, 14 February 1936, AAOM W3265, ANZ.

<sup>53</sup> Houlbrook, *Queer London*, 176.

<sup>54</sup> Trial File, FM, Case 7, May Session, 1936, BBAE 5609 17, ANZ.

<sup>55</sup> Sentencing File, RR, CAHX CH239 S17, 1924, ANZ.

<sup>56</sup> Trial File, EW, CAHX CH273 T5, 1938, ANZ.

Some men and boys adopted the codes of romantic love, the language and physical gestures that circulated throughout their society. Air Force chef Alf Oldham, forty-three, boarded with a Christchurch family during the Second World War and became visibly close to the son, fourteen-year-old message boy Neil Moore. The romantic attachment between the pair worried Nettie, Neil's older sister. Nettie recalled that Alf "occupies the same room and bed as my brother. For some time past I have noticed that [he and] my brother have been on very affectionate terms. They have kissed each other quite a lot. They usually used to retire to bed between seven and half past. As a result of what I had seen I became suspicious."<sup>57</sup> One evening Nettie listened outside the window of her brother's bedroom, and the pair's sexual involvement became obvious. "I heard N—— say 'don't ask me to do that again.' I heard O—— say 'Does it strain your guts.' O—— said 'You wanted it the first time.'" The police were called, and Neil later confessed that Alf "has gamarouched me. That means sucking one another off. I learnt that from him. That has happened on numerous occasions. He also kisses me and plays with my private parts. This has been going on over a considerable period."<sup>58</sup>

Power was both a constitutive and a moderating force in this type of relationship. There was a degree of sentiment; that much is clear from Nettie Moore's testimony. As Neil himself put it: "Over a period of months I have been on very affectionate terms with the accused." At the same time, the adult was the dominant partner. Alf provided information about sex and initiated sexual activity ("I learnt that from him"; "[he] gamarouched me"), even though Neil reserved the right to say no ("don't ask me to do that again"). Neil recalled another occasion, in Alf's car, when "the accused said he wanted to masturbate me. I refused. I said 'Wait until we get home.'"<sup>59</sup> Material circumstances both enabled and constrained the situation. The ongoing proximity of Neil and Alf was the outcome of economic necessity: a boarder provided extra income for the family, but there were no spare bedrooms in the house, and the pair had to share. These relations of possibility and expectation, proposition and refusal, affection and obligation were critically shaped by both age and class.

Some of these tensions arise in another court file, which tells of an attachment between a twenty-two-year-old man and a twelve-year-old boy. Peter Morris was a schoolteacher in Le Bons Bay, a rural settlement near Christchurch. In 1940 he began an intense emotional and sexual relationship with Kit Lorimer, his twelve-year-old pupil. When Morris went off to a refresher course at teachers' training college, the pair corresponded by letter. Much of their correspondence survives. In one short letter to Morris, Lorimer wrote: "In the daytime I don't seem to want you so much but

<sup>57</sup> Trial File, AO, CAHX CH273 T5, 1944, ANZ.

<sup>58</sup> Trial File, AO, CAHX CH273 T5, 1944, ANZ.

<sup>59</sup> Trial File, AO, CAHX CH273 T5, 1944, ANZ.

when evening comes that is when I long for you." Using a code the pair had devised, he added: "R olev blf evib nfxs, zmq gszg'h ml orv. K——" (to be decoded, it seems, as "I love you very much, and that's no lie. K——"). On the reverse of a second letter, in which Kit described his domestic tasks, the boy wrote: "Remember I still love you very much."<sup>60</sup> When it seemed as though Peter might be conscripted into the army, Kit was distraught:

Le Bon's Bay

Dear P——,

Do you have to go to camp? I hope you are in the best of health. I suppose you will have to go to the war, but God grant that you will come back, uninjured and not wounded or anything. I pray for you every night. When will you come to see me?

Mr Budgie is having talking lessons by me. He is saying something very much like "yes." He calls to the sparrows which crowd round his box. I don't know what else to say for there isn't much to say, so I'm going to shut up. Remember I LOVE you.

K——

These themes surfaced once again in a fourth letter:

Le Bon's Bay  
27th May 1941

Dear, dear, dear P——,

How are you? I don't like you going away. Please, please, please, Birdie, do everything you can not to join the army. It will break my heart if you do, and go overseas and get killed. What could I do without you? If you went away what would I do except be left in this lonely old world without my loved one. It is bad enough as it is, you being away from me, for I love you so much. But some day soon you will come and live with me. Please come and see me often. I cry when I pray for you, it is so sad for me. The budgies are quite well, and so is Fred [the dog]. I love you so much, but,

Goodbye now dearest,

K——

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Time wore on. Kit was not the only one feeling lonely:

I have not been very happy, could you cheer me by telling me that you think of me, and pray for me a little? Do you still love me as your best

<sup>60</sup> Sentencing File, PM, CAHX CH239 S59, 1941, ANZ. The following excerpts are all taken from the letters contained in this court file.

friend? I have been in agony the last two or three days, because I keep thinking that you are growing cold and indifferent to me. Pity me and give me help while I am still here, I might not be with you very long now. I have got a constant pain in my chest and a lack of appetite thinking about you. I want only one thing from this life, and that is a loving friend. I asked God for such a one and then I met you. I can only think that you were heaven-sent. The small difference in our ages is nothing, as you will soon grow up. Write and console me in my loneliness.

P—

The longer Peter Morris was away, though, the more and more distant the pair became. The breakup was inevitable, Peter's last letter acrimonious. To Kit, then thirteen, he wrote: "Why did you say those things and make me love you? Your indifference now proves they were all lies. There is left only one thing to say and that is 'Goodbye for good.'" Clearly disappointed that his efforts at educating Kit, a farmer's son, would come to nothing, Peter wrote: "I am very sorry to hear that you have to remain 'uneducated,' don't kid yourself; your Father knows how to get cheap labour." Kit's parents knew nothing of the relationship until the lad shared Peter's last letter with his father. Police were called, and a detective fished the earlier letters out of the attic. Peter Morris's pleas that "he did not believe that he had done anything wrong because he loved the boy and the boy loved him" fell on deaf ears, and he went to prison for two years.<sup>61</sup>

This was the end of an intense involvement. The declarations of love, the tears of longing, and the lines of kisses mirror the romantic letters sent between opposite-sex adult couples at the time and some same-sex partners as well. The English men Montague Glover and Ralph Hall, for example, exchanged similar—if less agonized—letters during the Second World War ("All my best Darling your Ralph to Monty XXXXXXXX" and "When I am in the dark I think of you. Heaps of kisses XXXXXXXX").<sup>62</sup> At the same time, Morris and Lorimer's relationship was marked by a clear distinction between adulthood and childhood, the latter discursively marked by mentions of household pets (budgies, Fred the dog) and domestic tasks ("Mum wasn't too well for a day or so, so I had to wash and dry dishes, sweep the floor, chop wood, [and] peel potatoes"). The reference to Kit's remaining "uneducated" hints, if only obliquely, that Peter assumed a mentoring role, while the line "The small difference in our ages is nothing, as you will soon grow up" suggests a hope this might eventually translate into an adult relationship. While there was nothing in the letters that suggested sex, the authorities obviously thought the correspondence—which appeared in court as Exhibit A—provided evidence of a sexual connection. Kit offered

<sup>61</sup> Sentencing File, PM, CAHX CH239 S59, 1941, ANZ.

<sup>62</sup> James Gardiner, *A Class Apart: The Private Pictures of Montague Glover* (London: Serpent's Tail, 1992), 109, 111.

up corroborating evidence when he stated that, on several occasions, Morris "made me wet and the wet came from his privates."<sup>63</sup>

The involvement of some months' standing was not the only context in which the dynamics of consent and resistance played out. Sometimes a youth misinterpreted a man's attentions; at other times a man mistook a youth's friendliness for sexual interest. In 1948 James Porter, a fifteen-year-old schoolboy, arrived in Dunedin from Invercargill for a short holiday. He met Roger Mellon while both browsed the window of a paint store. Mellon, a railway worker of twenty-nine, invited Porter to a movie. Then the pair proceeded to the Savoy tearooms for supper—Mellon paid—and went to Mellon's room in the Rainbow Hotel. The railway man persuaded the youth to stay the night, and the pair got into bed. When Mellon made a sexual advance, Porter scrambled out of bed, ran from the hotel, and complained to a nearby policeman.<sup>64</sup> Roger Mellon's mistake was perhaps an easy one to make. As far as he was concerned, the pair's preamble to sex, all publicly conducted, mimicked the courtship pattern when sex *was* on the agenda. This case reminds us, once again, that the spaces of boy culture overlapped with the cruising grounds of homoerotically inclined men, and so too did some of the rituals (in this case, supper, a movie, and an offer of a bed).

While James Porter was unwilling from the outset, other boys could be persuaded, if only reluctantly. In 1943 Ian Christie, a thirty-six-year-old soldier, twice took twelve-year-old David Morris down a Dunedin alleyway for sex in exchange for two shillings. When police stumbled across the pair the second time—the soldier with his penis between the boy's legs—young Morris told them about the man's first approach some weeks before. He had been walking home along Princes Street one afternoon, he said, when Christie spoke to him:

[He] said "Here son do you want to earn two shillings?" I said "no you dirty cow" and I ran away. I was standing on the corner of Manse Street when the accused spoke to me again. He said "How about it son?" I said No I was waiting for my mother. He asked if he could take me home. He gave me two shillings. I just walked away and he started following me. I went up Carroll Street as far as Hope Street. The accused then said "Coming down son?" I was frightened of him so I went down with him. We went down in the right of way across from the Austin Motor Company. The man started playing with my tommy. He undid the fly of my trousers. This took place for five or six minutes. He asked me to play with his tommy after he undid his trousers. I played with it. A little while after he took me up home. When he took me home he asked

<sup>63</sup> Sentencing File, PM, CAHX CH239 S59, 1941, ANZ.

<sup>64</sup> Sentencing File, RM, DAAC D256 350 2, 1948, ANZ.

me if he could meet me the next night and I said yes. It was arranged that we should meet after the pictures about twenty past eleven.<sup>65</sup>

On this second occasion, after the movie had finished, Christie and Morris returned to the alleyway, only to be interrupted by the constable. David Morris's consent was highly ambivalent. He did not set out to find a man willing to pay him money for sex. On the contrary, he tried to run away from Christie at first. In the end, though, he agreed to the encounter, and in court he admitted his willingness to meet Christie again. This interaction fitted a broader pattern: boys had sex they would not have otherwise chosen, but an opportunity for exchange—two shillings for ten minutes' activity—was enough of an inducement. In this compromised kind of consent, those who needed the money may have been more likely to agree to men's advances than boys from well-off families.

There were other kinds of compromise. Some youths tapped men for payment and then reported those same men to police.<sup>66</sup> In Dunedin's North Ground case, where five boys agreed to be fellated by a man in exchange for £1, one of the five later decided that the police should be called. His appeal to police runs contrary to his companion's insistence that "the night the man offered us a pound we were all agreeable to take it. I did not have to press any of the others to do it. They were all as willing as I was."<sup>67</sup> Ultimately, it is not possible to resolve these contradictions. The youths' reasons lay either in events unrepresented in the court file or in subconscious motivations that are impossible to reconstruct from the historian's vantage point.

The case of Rupert Smith and Albert Brassell is just as puzzling. Smith, a laborer of thirty-four, wandered into Selfridges department store in Wellington one spring afternoon in 1942. There he picked out fifteen-year-old Brassell, a salesman on duty behind the fabric counter. Smith told the youth that he "had some photographs of interest to show him. I told him they were pretty hot. He said that he would like to see them." When the store closed at nine p.m., Smith met the lad outside and walked him home through the inner-city streets. Then, in Brassell's words:

While I was examining a photo of a man in the nude he said "I'll bet yours is a beaut." He undid the fly of my trousers and he started rubbing my penis. . . . He asked if he could take my trousers down and I said "No wait till I have finished the photos." During that time he was playing with my private parts. He told me to lie on the bed and I

<sup>65</sup> Trial File, IC, DAAC D256 423 18, 1943, ANZ. In her discussion of Wellington cases between 1900 and 1920, Gillingham suggests that alleyways "seem to be associated with situations involving the exchange of money, rather than a mutually sought casual encounter between strangers" ("Sexual Pleasures and Dangers," 32).

<sup>66</sup> Trial File, CW, 19 October 1943, AAOM W3265, ANZ; Trial File, WM, DAAC 256 345 2, 1942, ANZ; and Trial File, WM, DAAC D256 348 3, 1943, ANZ.

<sup>67</sup> Trial File, DB, DAAC D256 346 10, 1943, ANZ.



did so. He then undid my trousers by undoing the braces at the back and pulling my trousers down. He then put the light out. I heard him take something from under the pillow. I think it was Vaseline and he put some of the Vaseline on his penis and some on my back passage. He then tried to put his penis into my back passage. I told him it hurt and pushed him away from me. I got off the bed and did my trousers up, after rubbing the Vaseline off. I then got onto the bed again. He then got up and took his trousers off. He then asked me if I had ever been sucked off. I said "No." He asked if I would like to do it to him. I said "No" so he said he would do it to me. He sucked my privates for a few minutes and stopped and said he did not want to finish me off too soon because I would not be able to do anything to him then. He had his arms around me and was kissing me and touching my privates. He told me I was lovely. I got up and said I had to go home and he started rubbing his own private parts. I asked him if I could come round again and he said I could come round a thousand times. I asked him what I would get if I came round and he said a couple of shillings each time. I asked what I would get for coming round that time. He gave me half a crown and some cigarettes.<sup>68</sup>

In this excerpt, Brassell's agency is strongly expressed. He refused to lose his trousers until he had finished perusing the photographs, he pushed Smith off when the sex was not to his liking, and he drew the encounter to a close when he had had enough. Still, Smith's seniority tempered the lad's control and generates a degree of ambiguity. The roles in oral sex were up for negotiation, but not in the case of anal sex, while Smith's use of the term "lovely" suggests he feminized his younger partner.

Despite his apparent interest in sex with Smith, his obvious familiarity with the relevant sexual language ("suck off"; "finish me off"), and his request to "come round again," Albert Brassell reported Rupert Smith to police. A constable arrived at Smith's house soon after, hauled him out, and arrested him. The reasons for Brassell's actions are difficult to decipher, and unanswered questions remain. Did the youth feel guilty about the previous evening's activities and seek to assuage that guilt by having Smith arrested? Why did he confess in court to wanting sex with Smith on a future occasion? Given this confession, was he not afraid of being arrested himself? Did he assume his own youth would protect him from that fate? Once again, the answers are less than clear.

Amid these complicated sets of motives and actions, some youths' desires were clearly articulated before the act, and the lads remained unrepentant afterward. David Potts, who waited eagerly for "Uncle Ben" in a Christchurch toilet, had a Dunedin counterpart in James Mellor. One afternoon, fourteen-year-old Mellor lay down next to Jack Baker, a linesman in

<sup>68</sup> Sentencing File, RS, 13 October 1942, AAOM W3265, ANZ.

his forties, on the beach at Saint Clair. The lad struck up a conversation: "I said 'It's pretty windy,' [Baker] said I had a fine body. I said 'Yes I suppose so.'" The pair swam for a while and then retired into the lupins. There, in Mellor's words, Baker "played with my privates and penis. After a while he took his bathing costume down and mine too. He laid on top of me and jumped up and down on me. I was lying on my stomach. He just stuck his penis into my back passage. B—— was on top of me for about 15 minutes." They were interrupted by another man who happened along and said to James, "I've caught you." "Yes I know, what are you going to do about it?" the boy replied impudently, and the man decided to "put the matter in the hands of the police for the protection of other boys." Young James argued strenuously that the law need not get involved and told anyone who would listen that nothing untoward had happened.<sup>69</sup> As far as James Mellor was concerned, his sex with Jack Baker was entirely legitimate.

Clearly, the terrain of consent was a tricky one. From the intensely felt relationship in which sex intersected with discourses of attachment and romantic love, to the agreement mediated by monetary exchange, to relations embraced and regretted, this was a highly variable and complex area. As Don Romesburg sums up in his discussion of male prostitution in Chicago during the early twentieth century, "teenage boys ran the gamut in relation to agency."<sup>70</sup> Some youths would not have chosen to have sex with men had their financial and family situations been different, but others—like Saint Clair lad James Mellor—almost certainly would have. A few were strikingly ambivalent. A lawyer asked Gareth Gardiner whether he had been a "willing" participant in the sexual encounter with Craig Simcock on the beach at Sumner in 1944, and Gardiner replied equivocally, "I wasn't too willing."<sup>71</sup>

#### CONCEPTUALIZING SEX AND IDENTITY

This homoerotic New Zealand was a world of overlaps. Consent, coercion, and affection cross-cut and intermingled; so too did knowledge and innocence and public and private spaces. Having explored the material context of age-structured homosexuality in New Zealand between 1920 and 1950, it remains to consider these relationships' conceptual apparatus. I am especially interested in the connections between different types of same-sex involvement as they were given voice by officials and ordinary men. In particular, the figure of "the homosexual" began to be more clearly enunciated in public discourse during this period. He emerged at two points. The increasingly influential psychological discourses evoked him as a successor to the degenerate or the pervert, and an increasing focus on the age of his sexual partners drew his parameters ever more tightly. At the same time, older ideas about moral

<sup>69</sup> Trial File, JB, 1938, DAAC D256 342 5, ANZ.

<sup>70</sup> Romesburg, "'Wouldn't a Boy Do?,'" 384.

<sup>71</sup> Trial File, CS, CAHX CH273 T2, 1944, ANZ.

weakness lived on in watered-down form. This transitional period gave rise to a rather eclectic mixture of ideas about youth, majority, sexual object choice, moral corruption, degeneracy, and congenital and acquired desires.

In the early decades of the twentieth century, sexual activity between males took its place in a set of catch-all categories. As a "perversion" that sprang from wickedness, moral contamination, bad nerves, or tainted mentality, same-sex activity was often bundled together with other illicit sexual activities: indecent assaults against girls and women, incest, and prostitution. These "unnatural crimes" were all deliberate departures from procreative marital relations, that benchmark for erotic expression.<sup>72</sup> The tabloid *NZ Truth* alluded to the breadth of these categories in 1914, when it referred to the "pervert" and "lunatic" who "sallied forth to perpetrate his indecency on women, girls and young boys."<sup>73</sup> This universalism had an important corollary: anybody might conceivably engage in "debauched" sexual activities.<sup>74</sup> It was commonly assumed, Smart writes, that any man could be led astray by his own weakness and develop bad habits as a result.<sup>75</sup>

New Zealanders adopted these ideas from their contemporaries in Europe. The notion that any man might become "addicted" to "bad habits," for instance, appeared in New Zealand as early as 1875, when a prison officer wrote about an inmate "addicted to the crime of sodomy."<sup>76</sup> Some seventy years later, in 1947, Cyril Townsend concluded that twelve-year-old David Potts was "addicted to sexual practices with men."<sup>77</sup> Like their international counterparts, turn-of-the-century New Zealand doctors thought masturbation—"a vicious practice"—closely linked to homoerotic desires.<sup>78</sup> In this view, articulated in *NZ Truth* in 1907, "solitary vice" weakened the "moral fibre" and led to "a perverted sexual and sensual appetite."<sup>79</sup> "There is no need for me to mention the very disastrous effect this [masturbation] has upon the individual practicing it," wrote a probation officer in the 1932 case of a Christchurch storeman who attempted sex with a young man of eighteen.<sup>80</sup>

Ordinary men took up some of these beliefs themselves. Horace Fitchett was a scoutmaster of twenty-two, arrested in 1923 for his relationships with

<sup>72</sup> Chris Brickell, "Sexuality, Morality and Society," in *The New Oxford History of New Zealand*, ed. Giselle Byrnes (Melbourne: Oxford University Press, 2009), 465–86.

<sup>73</sup> "A Scandalous Scamp," *NZ Truth*, 20 June 1914, 3.

<sup>74</sup> For instance, "Rupert Kellow: Practised Boy-Debaucher," *NZ Truth*, 23 February 1907, 5.

<sup>75</sup> Smart, "History of Ambivalence," 393.

<sup>76</sup> G. Reston to R. Harman, 19 October 1875, CAAR 19936 CH287 CP166 ICPS 2503/1875, ANZ.

<sup>77</sup> Sentencing File, CT, CAHX CH173 S22 1947, ANZ.

<sup>78</sup> Herbert Barroclough, "Human Instincts, Normal and Pathological," *New Zealand Medical Journal* 4, no. 16 (1905): 199–213, esp. 209. On the connections between homosexuality and masturbation more broadly, see Thomas Laqueur, *Solitary Sex: A Cultural History of Masturbation* (New York: Zone Books, 2003), 254–61.

<sup>79</sup> "Rupert Kellow," 3.

<sup>80</sup> Sentencing File, RS, CAHX CH173 S28, 1932, ANZ.

his thirteen- and fourteen-year-old charges. Asked to account for his actions, Fitchett explained that his own masturbation had led him to try the practice with others. He was the victim of indigestion, he said, which led to self-abuse. Fitchett hoped for a different future, though: recently cured of his heartburn, he insisted, "I feel that with God's help I will be strong enough to withstand all temptation."<sup>81</sup>

The term "homosexual" appeared only once in the court documents from the 1920s, when a doctor wrote of Ron Haggerty, a seventeen-year-old Christchurch postal messenger convicted of sex with a twelve-year-old: "Questioned as to his sexual desires he states that he has a leaning towards the male rather than the female and I consider he is probably a homosexual."<sup>82</sup> Doctors, probation officers, policemen, and journalists usually preferred vaguer terms: perversion and depravity, mental and moral weakness.<sup>83</sup> In fact, Haggerty's physician used these terms too. "In my opinion he has undoubtedly a low type of mentality and is a sexual pervert," the doctor wrote, adding for good measure, "He admits that he abuses himself."<sup>84</sup> In 1936 police described Auckland man Ferdinand Milton in similar language, again without the mention of homosexuality: "The accused has apparently been a sexual pervert for years and is a menace to boys."<sup>85</sup>

By 1940 the conceptual picture began to change. The term "homosexual" became more widespread, sometimes hyphenated as "homo-sexual" or misspelled as "home-sexual." Less often was the homoerotically inclined man bracketed together with others under the catch-all category of "pervert," but he started to strike out on his own. As Robertson notes in the US context, the offender's gender—in relation to that of his sexual partners—gained a new significance.<sup>86</sup> A new psychology, fresh from an engagement with the traumas of wartime, was an important driver here and saw homosexuality as a condition of the upbringing and the mind.<sup>87</sup> Some professionals even suggested that counseling might "cure" the "problem." In the case of a thirty-year-old farm worker accused of picking up a thirteen-year-old boy in the Christchurch Tepid Baths in 1946, physician Maurice Bevan Brown had this to say:

He is a homosexual. Unfortunately this condition is generally misunderstood by the community in general, and this is reflected in laws concern-

<sup>81</sup> Sentencing File, HF, CAHX CH239 S51, 1923, ANZ.

<sup>82</sup> Trial File, RH, CAHX CH239 T24, 1926, ANZ.

<sup>83</sup> For example, "'And Their Faith Endureth,'" *NZ Truth*, 26 July 1928, 5. "Perverted sexual complex" was one variant, although in one case it appeared alongside the term "homosexual": "Why Was Salvation Army Scandal Hushed Up?," *NZ Truth*, 21 June 1928, 1.

<sup>84</sup> Trial File, RH, CAHX CH 239 T24, 1926, ANZ.

<sup>85</sup> Trial File, FM, Case 7, May Session, 1936, BBAE 5609 17, ANZ.

<sup>86</sup> Robertson, "'Boys, of Course,'" 358.

<sup>87</sup> Chris Waters, "Disorders of the Mind, Disorders of the Body Social: Peter Wildeblood and the Making of the Modern Homosexual," in *Moments of Modernity: Reconstructing Britain 1945–1964*, ed. Becky Conekin, Frank Mort, and Chris Waters (London: Rivers Oram, 1999), 141.

ing it. Persons who are affected by it are commonly regarded as vicious and immoral, and responsible for their condition. The facts are that it is an illness with recognisable causes, in many cases amenable to treatment, and, in favourable conditions, to cure. . . . Your client is ill—not physically—but emotionally, and so he is disabled in his social relationships. This disability or illness is the result of grievous deprivations in his childhood.<sup>88</sup>

In a similar vein, in 1944 a doctor examined a twenty-two-year-old soldier who had intercrural intercourse with a sixteen-year-old youth and concluded, "I am strongly convinced that his homo-sexual history is a history of underdevelopment of normal sexual feelings."<sup>89</sup>

While more New Zealanders began to believe in a psychologically induced homosexuality, this shift remained incomplete. Older ideas intersected with the newer conceptions and lived on in active tension with them, a point broadly made by Eve Kosofsky Sedgwick in her work on male homoeroticism.<sup>90</sup> Some barely acknowledged the new discourse. A farmhand charged with indecent assault against a boy in 1941, for instance, volunteered that "all members of my family possess mental weakness [and] close relatives have committed suicide. I feel at times I am not quite normal."<sup>91</sup> In 1947 an eighteen-year-old accused of indecent assault against a younger lad explained his actions this way: "About a year ago I met a man at a picture theater and this man taught me some bad habits. He told me that it was good fun to go out with boys."<sup>92</sup> The case of Peter Royal, convicted in 1947 for masturbating a thirteen-year-old boy in Christchurch's State Theatre and again in nearby Hagley Park, was more complex in its melding of older and newer discourses. A physician brought in to examine Royal, a forty-six-year-old factory worker, wrote the following report:

It would appear that his mother dominated his childhood and imposed unusual restrictions that fostered inhibitions. His short married life was not particularly satisfying. His mother denied him the chance of participating in games and his recreations have tended towards the inactive and effeminate such as music and photography. His mental heritage is poor in that his mother suffered a mental breakdown some fifteen years ago necessitating committal and has been for four years

<sup>88</sup> Sentencing File, JP, CAHX CH173 S48, 1946, ANZ.

<sup>89</sup> Sentencing File, PF, AAOM W3265, 26 September 1944, ANZ.

<sup>90</sup> Eve Kosofsky Sedgwick, *Epistemology of the Closet* (London: Penguin, 1994). Sedgwick objects to the idea that "'homosexuality as we conceive of it today' itself comprises a coherent definitional field rather than a space of overlapping, contradictory and conflictual discourses" (45). On Sedgwick's theorizing, see Halperin, *How to Do the History*, 10–12. Stephen Robertson makes a more specific version of this point in his *Crimes against Children: Sexual Violence and Legal Culture in New York City, 1880–1960* (Chapel Hill: University of North Carolina Press, 2005), 4.

<sup>91</sup> Trial File, JS, DAAC D256 422 5, 1941, ANZ.

<sup>92</sup> Trial File, GH, DAAC D256 425 28, 1947, ANZ. A Wellington man who admitted sex with both men and boys offered a similar explanation: Sentencing File, WH, AAOM W3265, Case 1, February 1939, ANZ.

a patient in Sunnyside Mental Hospital. His upbringing, his inherited instability and his life generally have contrived to encourage abnormal trends culminating in homo-sexuality. R—— understood fully the error of his conduct and suffered remorse and consequent depression. He shrank (as is easily understood) from seeking medical advice for such a depraved practice. From a medical point of view the matter is easily understood. His inheritance, his upbringing, his personality and his unhealthy environment have all tended to lead him astray. I cannot be sure, but am inclined to consider that suitable psychological treatment would lift him out of his morbid trends and establish a useful satisfying life with some measure of self-respect.<sup>93</sup>

This account offers up a number of discursive positions. There is a gesture toward the notion of willful wickedness, common in the nineteenth and early twentieth centuries (“R—— understood fully the error of his conduct”; a “depraved practice”). The doctor’s reference to Royal’s poor “mental heritage” drew, if only implicitly, from Benedict Morel’s theory of degeneration, first published in 1857. Morel had suggested that men and women of tainted mentality passed their weakened state to their children, and they, in turn, to theirs, and his conclusions informed the eugenic movement of the early twentieth century.<sup>94</sup> At the same time, the mid-twentieth-century developmental narrative is strong. Royal’s “unhealthy environment” led him astray, the physician suggested, while his upbringing “fostered inhibitions,” and “psychological treatment” might serve to “lift him out of morbid trends.” Multiple discourses competed for attention in the space of one paragraph, and this was a true admixture: ultimately, none gained the ascendancy.

Peter Royal’s doctor’s report revisited another popular theme, too: effeminacy. The physician held Royal’s mother responsible on several fronts. Having passed down a mental instability to her offspring, she then denied young Peter the opportunity to participate in games and allowed him to indulge a fancy for “inactive and effeminate” pastimes. In a reprise of nineteenth-century sexological case studies—Richard von Krafft-Ebing, for instance, wrote of the effeminacy of men attracted to other men and their preference for theater, art, and ladies’ society—effeminacy made its appearance felt in numerous other cases.<sup>95</sup> In 1941 forty-nine-year-old cook Jim Fanning was convicted for a twelve-month sexual relationship with a

<sup>93</sup> Sentencing File, PR, CAHX CH173 S41, 1947, ANZ.

<sup>94</sup> Vernon Rosario, *The Erotic Imagination: French Histories of Perversity* (New York: Oxford University Press, 1997), 77.

<sup>95</sup> Richard von Krafft-Ebing, *Psychopathia Sexualis* (1906; New York: Physicians and Surgeons, 1932), 292, 300–301. For example, one of Krafft-Ebing’s subjects described himself as “effeminate, sensitive, easily moved, easily injured and nervous” (301). For more discussion, see Harry Oosterhuis, *Stepchildren of Nature: Krafft-Ebing, Psychiatry, and the Making of Sexual Identity* (Chicago: University of Chicago Press, 2000).

sixteen-year-old errand boy. Fanning's probation report reads: "He is of average intelligence but of a somewhat effeminate disposition."<sup>96</sup>

The 1943 probation officer's report for Harold Rolleston, a Carterton bandmaster in his forties arrested for oral sex with a lad of thirteen, reads this way: "There are signs of homosexual trends such as a rather affected manner and voice, an interest in knitting, making brooches and belts, and the interest in promoting Boy Scout movements."<sup>97</sup> Sometimes gender-inappropriate items appeared in court, as if to underline these connections. Roger Mellon, the twenty-nine-year-old railway worker who persuaded a schoolboy of fifteen to return to his Dunedin hotel room one spring evening in 1948, took his place in court alongside a bottle of perfume (Exhibit D) and one of nail polish (Exhibit E) as well as two bottles of Vaseline and various sex education pamphlets.<sup>98</sup> Mellon must have been an interesting character. His interests in perfume and nail polish contrasted with the scar on his forehead and numerous tattoos: Mickey Mouse and a heart with an arrow, life belt, and ship on the left forearm; Popeye on the right forearm; a dagger on the back of his right hand; and an anchor on the back of the left hand. In Mellon's case, at least, an attribution of effeminacy was not incompatible with working-class toughness.

For the doctors and probation officers of the 1940s, an accused man's pastimes were as worrisome as his appearance. Samuel Curtis was a twenty-year-old accused of mutual masturbation with a twenty-three-year-old and a youth of fifteen. Once again, a doctor wove together discourses of gender inversion and developmental lapse:

From a psychological point of view he is very much introverted, a tendency that has been fostered by his musical leanings and dislike of athletics. On account of his disinclination to join in the rough and tumble of youthful life, his fondness for music and singing, and on account of his appearance, he had been regarded by his fellows as girlish and I am not surprised that the epithet "sissy" is commonly applied to him. . . . In short, it would seem to me that his delinquency is due, not to any material enfeeblement, but to a failure to adjust himself psychologically to his environment.<sup>99</sup>

This diagnosis shares some elements with that of Peter Royal in its reference to music and a dislike of games and in its implication of effeminacy. Dr. Quentin-Baxter's prescription was telling: "His musical interests are,

<sup>96</sup> Trial File, JF, DAAC D256 9 9, 1941, ANZ.

<sup>97</sup> Trial File, HR, AAOM W3265, 18 May 1943, ANZ.

<sup>98</sup> Sentencing File, RM, DAAC D256 350 2, 1948, ANZ. On the use of the powder puff as a key item of evidence of effeminacy and homosexuality in 1920s Britain, see Matt Houlbrook, "'The Man with the Powder Puff' in Interwar London," *Historical Journal* 59, no. 1 (2007): 145–71.

<sup>99</sup> Sentencing File, SC, CAHX CH173 S36, 1941, ANZ.

I think, perfectly healthy, but must be balanced by some form of physical exercise. As a start in this direction, I would suggest the physical training classes at the YMCA and an honest attempt next summer to learn to swim.”<sup>100</sup> If only men would channel their interest in other males into a homosocial direction rather than a homosexual one, Quentin-Baxter and his colleagues hoped, a great deal of grief would be avoided.

The timing of these concerns is significant. This was wartime, when New Zealanders’ attentions were focused on manly duty and sacrifice. Not only did the nation require strong, athletic men, but there was a concern that segregation in military installations could lead to opportunistic sex between males.<sup>101</sup> Allan Bérubé has suggested that the war’s high level of gender segregation allowed a homosexual subculture to flourish among American soldiers, and several soldiers have featured in my discussion so far.<sup>102</sup> Older, rejuvenated ideas about effeminacy played into these anxieties. Achieving and maintaining masculinity was a careful balancing act; male bonds had to be expressed in robust homosocial physicality, not homosexual intimacy. Guarding against effeminacy and encouraging athletic prowess, it was thought, reduced the risk of male-male sex, even if that risk could not be entirely eliminated.

This new “homosexuality” was something of a catch-all. It covered all males who had a deeply rooted preference for their own sex, whether they preferred adults or adolescents. The professionals who used the term did not distinguish between the thirty-year-old man who chose a thirty-four-year-old as his sexual partner and the thirty-year-old who propositioned a twelve- or thirteen-year-old. Only occasionally did officials conclude that a man might prefer a particular age group. In a 1943 example, the probation officer for Harold Rolleston, the Carterton bandmaster, wrote: “If such [sexual] activity did occur, it is much more likely to be indulged in in association with boys than with the practicing homosexual adult.”<sup>103</sup> Most, though, seemed to assume that the men they labeled “homosexual” might be interested in sex with other adults as well as with boys.

What, then, of the legal parameters? Prior to 1961, New Zealand legislation drew no distinction between child, adolescent, and adult parties involved in male-male sex. The age of consent for girls had been sixteen since 1896, but boys were treated differently.<sup>104</sup> There was no minimum

<sup>100</sup> Sentencing File, SC, CAHX CH173 S36, 1941, ANZ.

<sup>101</sup> Chris Brickell, “Sex Instruction and the Construction of Homosexuality in New Zealand, 1920–1965,” *Sex Education* 5, no. 2 (2005): 123–40.

<sup>102</sup> Allan Bérubé, *Coming Out under Fire: A History of Gay Men and Women in World War Two* (New York: Plume, 1990), *passim*.

<sup>103</sup> Trial File, HR, AAOM W3265, 18 May 1943, ANZ.

<sup>104</sup> On the age of consent for girls in New Zealand, see Barbara Brookes, “A Weakness for Strong Subjects: The Women’s Movement and Sexuality,” *New Zealand Journal of History* 27, no. 2 (1993): 145. At the turn of the century only a few renegade commentators suggested that boys were the objects of adult sexual attention, and in those cases adult women—not men—were seen as the problem (144).



age for boys in opposite-sex relations until the Crimes Amendment Act of 2005, over one hundred years later, and of course no male could legally consent to sex with another, whatever his age.<sup>105</sup> In 1961 the Crimes Act prescribed double the maximum penalty where a man's male sexual partner was younger than sixteen.<sup>106</sup> Sixteen became the age of consent for homosexual sex in 1986, when the Homosexual Law Reform Act finally decriminalized sex between males.<sup>107</sup> Before 1961, though, sex between males of all ages had equal standing before the law.

Of those men arrested, many were disinclined to inscribe a hard-and-fast boundary between child and adult partners. Circumstances often determined whether a man would approach a boy or another adult. In 1932 police arrested laborer Oliver Hatton, thirty-six, for masturbating a fifteen-year-old youth in Dunedin's sand dunes. Under police questioning, Hatton revealed his history of sodomy with male adults in rural New Zealand during the 1920s. "Men with whom I was working put their private parts up my back passage and I consented to it," he told the Dunedin Supreme Court. "It was quite a common practice among men I was working with in the bush camps and mills."<sup>108</sup> Hairdresser Walter Hodder, who stood accused of interfering with a teenaged boy in 1939, recalled likewise: "I have bummed men and boys, mostly men, in different parts of NZ and have been bummed by them."<sup>109</sup> Ashburton pensioner Wilfrid Wootton, seventy-six, convicted in 1926 of sodomy with eleven-year-old Kent Lilburn, told the lad that "he had a big store and that he used to sleep with a man with whom he was working. He said that the other man said that he was getting horny and Mr W—— said that he could come over and have one with him."<sup>110</sup>

Intriguingly, sentences were no more severe for men who had sex with youths than for those arrested for sex with adult males. Despite highly incriminating evidence—a photograph of himself fellating a boy in 1943—bandmaster Harold Rolleston got four months' probation instead of a prison sentence.<sup>111</sup> In 1933 Clyde pensioner Eldred Smale—who helped local boys with their schoolwork and called one of them a "little whore"—also avoided a prison term. The judge directed him to live with a respectable

<sup>105</sup> Crimes Amendment Act 2005, Section 134, *New Zealand Statutes 2005*, vol. 2. Stevi Jackson writes about these gendered dynamics in the British context in her *Heterosexuality in Question* (London: Sage, 1999), 156–57.

<sup>106</sup> The 1961 law change laid down a five-year maximum penalty for indecent assault between adults or ten years for men over the age of twenty-one who involved themselves with a youth under the age of sixteen; in cases of sodomy, the maximum penalties were seven and fourteen years, respectively.

<sup>107</sup> See the discussion in Laurie, "Homosexual Law Reform Campaign," 13–34.

<sup>108</sup> Sentencing File, OH, DAAC 256 337 4, June 1932, ANZ.

<sup>109</sup> Sentencing File, WH, Case 1, February 1939, AAOM W3265, ANZ.

<sup>110</sup> Trial File, WW, CAHX CH239 T7, 1926, ANZ.

<sup>111</sup> Trial File, HR, AAOM W3265, 18 May 1943, ANZ.

elderly couple in the town and to stay out of trouble.<sup>112</sup> Yet other men were sent to prison for very similar offenses—or for less. For his sex with a thirteen-year-old in 1947, Peter Royal was given six months with hard labor. Ronald Smithers, a storeman of forty-two, and Harry Jefferson, an eighteen-year-old laborer, grappled together in a vacant lot in inner-city Christchurch one evening in 1932. A passing detective overheard them and later testified to the mutually desired, if disappointing sex: “I heard J—— say to [the] accused ‘You are no bloody good, you can’t get a bloody horn.’” Even though the judge released Jefferson with no charge, he sent Smithers down for four months with hard labor.<sup>113</sup> It is difficult to account for these counterintuitive disparities between consenting adult men and those who tried to pressure youths into sex they did not want. One possible explanation is that judges differed markedly in their views on the matter, and some handed down different kinds of sentences than others.

A singular case, from 1929, clearly articulates the idea that sex between men and boys was thought to be more objectionable than sex between adult men. Of a fellow arrested for sex with several male adults in 1929, police noted, with a degree of sympathy, that “we found that all the other men were adults.” The probation officer, meanwhile, described as a “redeeming feature” the fact that “there is no evidence that he has corrupted young boys.”<sup>114</sup> This case, though, is the only one in which state officials expressed such a view. The public attitude is a little clearer. At the Christchurch Tepid Baths, Merville Lyons focused on men who took boys—rather than other adult males—into the toilets or bathing cubicles. The Dunedin man who interrupted Jack Baker and fourteen-year-old James Mellor in the sand dunes in Saint Clair explicitly articulated his concern when he decided to “put the matter in the hands of the police for the protection of other boys.”<sup>115</sup> In Auckland’s movie theaters, staff kept a lookout for “Oscars” (presumably named after Wilde): men who shifted seats to sit next to youths and initiate sexual contact under the cover of darkness and strategically placed coats.<sup>116</sup> All of these adults worried about the morals and well-being of adolescent boys and made it their duty to uphold the law.

In summary, the terrain of midcentury homosexuality was far from even. Although the homosexual was presumed to be less ecumenical than the “pervert,” he still encompassed a range of age-structured behaviors: sex between old men and youths as well as relations that spanned the age spec-

<sup>112</sup> Sentencing File, ES, 1933, DAAC D256 416 20, ANZ.

<sup>113</sup> Sentencing File, RS, CAHX CH173 S28, 1932, ANZ.

<sup>114</sup> Trial File, LH, Case 1, 31 October 1929, AAOM W3265, ANZ.

<sup>115</sup> Trial File, JB, 1938, DAAC D256 342 5, ANZ.

<sup>116</sup> Trial File, AB, Case 1, October Session, 1939, BBAE 5609 25, ANZ. Other cases of a man in a theater with a youth include Trial File, WC, BBAE 5609 18 1936, ANZ; and Trial File, HH, BBAE 5609 18 1936, ANZ. At the beginning of the century, before the widespread availability of cinemas, some men took youths to a theater performance or concert in exchange for sex (Gillingham, “Sexual Pleasures and Dangers,” 42).

trum. The law made no clear distinction here; nor did many men insofar as their own practice was concerned, even though some members of the public kept an eye out for sex between men and youths. Judges' sentences did not reflect the ages of those concerned in any consistent way. Attitudes tacked back and forth between age differentiation and a lack of discrimination on the basis of age. It would be some years before such boundaries would be drawn with any certainty.

#### CONCLUSION: AGE AND (HOMO)SEXUALITY

The thirty years between 1920 and 1950 were important ones. New Zealanders' sexual practices, and the ideas attached to them, drew upon what had gone before and set the scene for what was to come.

Sexual relations between men and adolescent boys took place in a wide range of public and private spaces, in rural as well as urban areas. The rapidly growing cities, though, were pivotal. In these increasingly extensive worlds of strangers, men and youths met on street corners, in swimming pools, in shops, and in parks, wherever they might loiter and strike up conversations. In this respect, New Zealanders' practices paralleled those in other industrialized countries. Sex took place in alleyways, hotel rooms, public toilets, and private residences, just as it did in the other cities of the world. Money was a lubricant, easing transactions that may not have otherwise happened. In contrast to the northern hemisphere cities, though, monetary exchange often took place between those with a shared class background. Some youths actively wanted sex with older men, some agreed reluctantly, and others resisted. A few agreed and later reported men to parents or police. The criminal justice system dealt with men with both harshness and relative leniency; the degree of each appears to have depended on the particular police and probation officers involved and on the judge in court in a given time and place. This was a highly ambiguous terrain.

The "specification of individuals," to use a memorable phrase of Michel Foucault's, was no less fractured.<sup>117</sup> The earliest years of the twentieth century hosted an undifferentiated mass: the "boy debaucher" might just as easily threaten the purity of girls; the offender against women might also defile youths. The "pervert" was a catch-all category. Nineteenth-century ideas—degeneracy, moral weakness, and an addiction to bad habits—lived on in New Zealand's court records. By the 1940s, though, the man who had sex with boys and other men had another name: homosexual. While the term emerged in Europe in the late nineteenth century, it was only rarely used in New Zealand during the 1920s and 1930s, but doctors and probation officers used it much more frequently by the end of the Second World War. Some provided a psychological definition: homosexuality was a developmental

<sup>117</sup> Michel Foucault, *The History of Sexuality*, vol. 1, *An Introduction*, trans. Robert Hurley (1976; London: Penguin, 1990), 42–43.

hiccup at best, an illness at worst. Still, older ideas about perversion and mental weakness lived on and mingled with the newer discourses.

Unfortunately, we know relatively little about the way “ordinary” New Zealanders took up and mobilized the term “homosexual,” and, if they did, what they thought of the psychological analysis that lay behind it or the wide age range it implied. Most of the publicly recorded voices are those of the physicians, policemen, judges, and probation officers, and these men were the most likely to have read and absorbed the relevant international literature. Although professionals’ views filtered down through the newspapers to regular readers, the transmission of knowledge—and the displacement of older ideas about moral weakness—took some time. Oral histories suggest that homoerotically inclined men who built a subculture of sex between adults were reluctant to adopt the term “homosexual,” preferring more oblique references: “so,” “that way,” or even “queer.”<sup>118</sup> Did they know about the new psychological language and its various implications? Whatever the answer to that question, the discursive shifts were not sudden. Instead, this was a time of fluid beliefs and descriptions.

Much has changed since the 1940s. The Post Office boys, telegraph messengers, and adolescent newspaper sellers who augmented their meager wages in the streets and alleys are no more. New postal and media technologies—and longer schooling—have displaced their libidinal economy. There have been other changes too. In New Zealand’s streets, firmer boundaries now divide the familiar from the unfamiliar, the friend from the stranger. Arrangements in which men combined sexual involvement with the provision of financial and educational support seem also to have disappeared. Among widespread concern about “risk” in general and “sexual abuse” in particular, adults have increased their surveillance of young people. What is more, the increasingly visible gay culture is adult-centered and distances itself from sex with those below the age of consent.

One particular wartime presumption has continued its influence into much more recent times: that the category of “homosexuality” includes sexual relations between men and adolescent boys. In his 1955 book *Against the Law*, British author Peter Wildeblood took great pains to distinguish his homosexuality from that of the men who preferred adolescents, but New Zealand’s social scientists and media commentators continued to draw strong connections between the two.<sup>119</sup> In such a climate, those who lobbied to decriminalize sex between adult men struggled to uncouple one from the other. Through the 1960s and 1970s and on into the 1980s, reformers ran up against the view that the decriminalization of sex between adult men would encourage the “recruitment” and “corruption”

<sup>118</sup> Brickell, *Mates & Lovers*, chapter 3.

<sup>119</sup> Waters, “Disorders of the Mind,” 148; Laurie Guy, *Worlds in Collision: The Gay Debate in New Zealand, 1960–1986* (Wellington, NZ: Victoria University Press, 2002), 35; Peter Wildeblood, *Against the Law* (London: Weidenfeld and Nicolson, 1955).

of schoolboys.<sup>120</sup> Only now, over twenty-five years after the passing of the Homosexual Law Reform Bill in 1986 and with a clear age of consent of sixteen well entrenched in law, has the link between male homosexuality and sex between men and teenage boys substantially weakened.<sup>121</sup>

Cyril Townsend and David Potts, who met in a Christchurch toilet in 1947, chatted about the unseen "Uncle Ben," and arrived back at Townsend's apartment with a feed of fish and chips, wandered around a territory markedly different from ours. A distinctive set of patterns, relations, and beliefs firmly marked Townsend and Potts's interaction and the societal response to it. This man and this boy found themselves in considerable strife, and while the consequences were most unfortunate for them, they are felicitous for the historian. To carefully read Townsend and Potts's story and the stories of their contemporaries is to begin to understand the contours of our past and the specificities of the present.

<sup>120</sup> Guy, *Worlds in Collision*, 85–86, 167–68, 171.

<sup>121</sup> This association weakened, though it was not entirely displaced. In 2010 debate over child abuse allegations in the Catholic Church sparked some disagreement over the relationship between "homosexuality" and "pedophilia," where the latter term was presumed to include sex between men and adolescent boys. Many argued that these are distinct categories, but a few insisted otherwise. See, for example, "Church Paedophilia Scandal Grows in Latin America," *New Zealand Herald*, 21 April 2010.