

into the underground:

language and law relating New Zealand public toilet 1860-1967.



abstract:

Bogspeak [or code] was a little known argot developed by a criminalised community of men who used public toilets for same sex encounters in New Zealand. The language form subsumed into itself elements of prison cant, pig Latin, back slang, Polari, gay slang and localised dialect.

Using a chronological framework this paper discusses changes in bogspeak that ran parallel to changes in the architecture of public toilets, legislation relating to issues of privacy and homosexuality, and social attitudes prevalent in New Zealand society up until the close of the 1960s.

introduction

This paper uses periodisation as a method of discussing key shifts in social and linguistic profiles in a community of men who used public toilets for same sex encounters in New Zealand between 1860 and 1967.

The article is divided into four sections. Each section outlines significant changes in legislation relating to this community and then traces significant shifts in language occurring at the time. These shifts occurred either as a direct consequence of the changing cultural climate, or as a result of specific phenomena like new forms of police intervention, the arrival of U.S. armed forces, or specific changes in the architecture of public toilets.

In 1957, when the Committee on Homosexual Offences and Prostitution in Great Britain published the Wolfenden report, it stressed "*individual freedom of actions in matters of private morality.*"

This position signaled to many Western nations a division in considerations of homosexuality between that which occurred in private and that which occurred in public space. Thus the private bedroom became demarcated as legitimate, but contact in the public toilets and parks, that had been the traditional meeting places for homosexual men remained criminalised.

This demarcation of the 'homosexual private' was to continue both in legislation and attitudes relating to acceptance not only in Britain, but also in countries like New Zealand and Australia. This resulted in a range of initiatives enacted as national legislation or as cultural practice that ensured that public exchanges of sexual intimacy between homosexual men remained in the realm of the criminalised pariah.

The use of men's public toilets as locations for same sex encounters in New Zealand may be traced back at least to the mid-nineteenth century. (Cooper, Law, Malthus & Wood, 2000). The history of those who use these spaces has often been assumed to be only that of gay men. However, although there are direct parallels and historical intersections, what is rarely discussed is the fact that many of the men involved in the rituals and practices of cruising public toilets

define themselves as heterosexual [or bisexual] and have not aligned¹ themselves either conceptually or socially with 'gay' culture².

In New Zealand in the first half of last century, these men were often called *bog queens*, and the frequenting of public toilets for same sex encounters was termed *trolling the bogs*. Because of the nature of their behaviour, bog queens were highly vulnerable to changing legislation and attitudes, both in relation to public space and homosexuality.

Partly because of the need to remain covert about their activities some of these men developed an argot³ called *code* or [later] *bogspeak*. This language form changed and developed distinctive historical specificities. A consideration of shifts within this language draws into relief a number of under-considered profiles of homosexuality in New Zealand during this period.

1863- 1900

In the early years of settlement in New Zealand, men outside of the home environment used either facilities provided by hotels or open space as toilets. However, by 1860 New Zealand, as with other nineteenth century cities considered public urination indecent and in response began to design public toilets for men in its civic centers. Although by 1863 major centers like Dunedin had constructed their first public urinals, in general, public toilets for women at this time remained non-existent.

Among the most significant designs for men's conveniences in this period was a structure that came to be known in bog-speak as the *cottage*⁴.



Figure 1: Cottage, Myers park Auckland, circa 1898.

The word *cottage* was British in origin and generally referred to an architectural design that resembled miniature country cottages. These buildings normally contained one or two lockable cubicles and a separate urinal, screened from public view by an interior metal partition.

Although there is little documented material relating to sexual activity in these toilets the 'threat' of homosexual behaviour was clearly understood in New Zealand law at this time.

In 1867 New Zealand passed an *Offences Against the Person Act* (31 Vict. 5) that defined 'unnatural offences' more clearly than they had been following 1840 annexation of the country and the resulting implementation of English law. This statute provided (s.58):

Whosoever shall be convicted of the abominable crime of buggery committed either with mankind or any animal shall be liable at the discretion of the court to be kept in penal servitude for life or for any term not less than ten years.

The act further provided (s.59) for imprisonment for between three and ten years for attempted buggery. Because, the act incorporated elements of the recently reformed British Buggery law, there were no known executions for sodomy in New Zealand.⁵

In 1893, the same year that New Zealand became the first country to grant women the vote, its criminal code (57 Vict. No. 56) introduced the crime of '*indecent assault on a male*'. This code provided for up to ten years imprisonment, with flogging or whipping for attempted buggery, assault on a person with intent to commit buggery or for anyone '*who being a male indecently assaults any other male*', noting '*It shall be no defence to an indictment for an indecent assault on a male of any age that he consented to the act of indecency*'.

language

At this time the laws against homosexuality were a source of fear, scandal, punishment and ruin for men who were convicted of sex in public toilets. Any form of sexual contact between them was now a criminal offence. Therefore it is perhaps understandable that there surfaced at this time in their interpersonal communication, words borrowed from criminal class lexicons. Significant among these were terms evident in thieves' cant.

Cant may be traced back to the eleventh century in Britain (Wilde 1889, p. 306). It was a secret language used by criminals in the sixteenth, seventeenth and eighteenth centuries. Cant contributed words to bogspeak including *omee* [man] and *nantee* [not/nothing]. Words used in bog cruising like *pick up*, *troll*, *cruise*, *trade* and *fish* all have documented histories of over two hundred years, as thieves' cant, or parlyaree.⁶

In New Zealand at the time there also appears to have been a relationship between bogspeak and certain words surfacing in prison and prostitutes' slang.

An area surrounding or connecting bogs was known as a *beat*⁷ and by 1910 the term *trolling*⁸ *the beat* described the act of cruising a location looking for a sexual encounter. *Beat* as a homosexual term was particular to both New Zealand and

Australia, and although in prostitutes' slang it could refer generally to any area patrolled by a whore, in bogspeak it was applied to the vicinity surrounding a specific bog, or a trail that connected a number of bogs.

A man frequenting a public toilet might be arrested either by a *copper* or a *catcher* and taken away in a vehicle called a *Black Bess* or *Black Maria*. If convicted for '*indecent assault on a male*' he faced imprisonment for, three months [a *snooze* or a *drag*], six months [a *dream* or a *half stretch*], one year [a *stretch*], or multiples of a year [a *2 stretch*, *3 stretch*, etc.].

Also during this period the Victorian use of the euphemistic metaphor profiled significantly in bogspeak, memorably in verbs like *gardening*.¹⁰ Gardening referred to the act of sex and was used to describe the cruising of park-like areas surrounding a public toilet. Thus, an active homosexual was sometimes called an *uphill gardener* and by the middle of the twentieth century many [in]famous bogs used *gardening* as part of a double-entendre embedded in code names like *the Country Club*, *the Hanging Gardens*, *the Garden of Eden*, and *the Cottage Gardens*.

1900-1939

At the turn of the century most public toilets in New Zealand's municipal centers appear to have been controlled by local councils. There were few public toilets¹¹ for women and considerable disquiet about the cleanliness and monitoring of facilities for men.

The search for a design that might afford a level of discretion for women users and also provide a sense of modernity for civic centers was eventually realised in the imported concept of the underground toilet.

Cooper, et al. (2000) suggest that the underground toilet was '*the facility of choice in discussions during the first two decades of the century*' They argue that it was seen as initiating '*a new era of civility and modernity... discretely 'there' but concealed from public view*' (p. 423).

In New Zealand during these decades, the charge of a penny was made for entry to cubicles, although there appears to have been no charge for men using urinals.¹² Toilets built in London's underground stations and those erected later below street level, appear to have had considerable influence on thinking in New Zealand at the time. England had been dealing with the issue of large public conveniences since the Great Exhibition and by the turn of the century they profiled majestically as part of its prestigious underground railway system. Thus, travelers returning to New Zealand had seen in operation a form of public facility that was ornamental, functional and clean. As towns around New Zealand sought to engage with ideals of modernity and civic respectability, these underground structures with their tiled walls, monolithic porcelain urinals and individual washing facilities appeared to be an enlightened solution.

These designs provided a logical public response to what was essentially a private matter. However, Lee, (1992, p.100) suggests this form of building became problematic because it also became,

...conducive to the casual glance, the discrete eye contact, the wordless, covert, pick-up operation. The furtiveness and 'dirtiness' involved in sexual pickups in public lavatories reinforced and gave new meaning to the traditionally 'wicked' nature of homosexuality'.

Underground bogs, because of their heightened levels of privacy and positioning of urinals in full view of cubicle doors, meant that discrete contact could easily be made between men using them for initiating sexual encounters. The doors on these stalls were lockable and in general there was ample space inside individual cubicles for men to have sex. However, the buildings were still public and if sex was to occur outside of a cubicle, systems of surveillance had to be instituted. Accordingly, at this time a behaviour called '*pegging*'¹³ came to describe a 'lookout' or man who watched the stairway entrance leading down to a bog. A *pegger* was able to warn others engaging in sex at the urinals of the imminent approach of a stranger.



Figure 2: Underground toilets Wellesley St. Auckland circa 1910.

Because cruising in public toilets for men was an established phenomenon during this period, many councils were forced to act on complaints from local citizens. A letter in 1919 from the Dunedin Town Clerk requesting police surveillance of the men-only underground toilet at Customhouse Square is indicative of correspondence surrounding the issue at the time.

Complaints have been made as to the conduct of a number of young fellows who are in the habit of using the Underground Convenience at Customhouse Square... I would be obliged if you would be good enough to arrange for one of your officers to pay periodical visits of inspection to the Convenience, more particularly in the evenings, with the object of checking any tendency in the direction complained of (Town Clerk to inspector of police, 19 June 1919).

What is interesting is that at this time most of these facilities had paid attendants. This raises the question as to how much activity can have escaped their notice. However, as Cooper et al. note, there were also frequent '*complaints of drunkenness or disorder*' laid against attendants of men's toilets at the time (p. 424).

language

As significant changes in the design of the public toilet occurred in the first thirty years of the new century, so too did the language form used by men frequenting these buildings for same sex contact. By this stage words used to define the argot spoken by bog cruisers in Britain included '*nelly*' or '*nonce words*' (Baker, 2002, p. 36). However, in New Zealand the term in popular use appears to have been '*code*'.

Beyond the over-ground naming of public toilets by their location (*St Claire bogs*, *Custom Street bogs*, *Civic Garden bogs*), *code* words became increasingly common as a way of naming specific toilets. The use of code meant that locations could be referred to in over-ground situations and not be understood by outsiders. Two of the most generic *code* names for underground bogs at this time were *catacombs* or *grottos*. Perhaps in New Zealand the most famous catacombs of the 1930s were the underground, porcelain-lined toilets at the front of the Auckland War Memorial Museum. These lavatories operated as a cruising venue from 1929 until 1996 when their refurbishing made sexual contact more difficult. They were used as a location specifically for daytime cruising because they closed at 4.30 pm.

Another of New Zealand's first underground '*grottos*' still operates in Durham Street West in Auckland. Faced with a bluestone wall and built in 1880, it sits underneath the oldest piece of road construction in the central city. This bog called in code *The Star of David* or *The Jewish Grotto* was named in reference to large cast iron screens that feature a Star of David motif at its entrance. These screens protected men using the toilets from public view and were designed at the time to '*satisfy standards of social and visual decency.*' (Yoffes & Mace, 2005, p. 52).



Figure 3: Cast iron screens at the entrance to The Star of David. Durham Street West. Auckland 1880.

Both the Auckland Museum and Durham Street toilets had religious code names, and so too, at this time did a third, notorious, underground bog in the central business district. Situated under Howe Street it was called *The Chapel*.

Its name is interesting as it is an example of the use of ecclesiastical metaphors that can be traced back to the English Molly houses of the 1700s. In these houses the *chapel* was a private room set aside for men to engage in same-sex encounters (Simes, 1992, p. 42).

Because religious nomenclature appeared in the code names of particular toilets, it is not surprising that it also profited in descriptions of objects and rituals enacted inside them. *Glory holes* were holes drilled through doors or partitions separating cubicles during this period.¹⁴ Normally these holes allowed a note of paper to be passed back and forwards during initial contact. If the hole was large enough to allow men to fellatiate through the wall it became known as a *suck hole*. Where a man kneeled to do this he was described as *doing church* and what he made contact with was *Christ and the two apostles* (penis and testicles).

While some of these terms have faded from memory, it is significant that during this period one of the most ubiquitous New Zealand names for a homosexual man came in to common use. The word *pouf* [pouf]¹⁵ was a barbed insult for an effeminate male. Because of this, the term was generally used only by non-homosexual identifying men.

If *poufters* [or *pufers*] were arrested in bogs in the early years of the century, the animosity they felt towards the police was evident in their adoption of the prison slang term, *demon*. A demon was a uniformed officer who loitered in, or near toilets in anticipation of making an arrest. Partridge (2002, p. 299) notes the word was in use in both New Zealand and Australian slang at this time, but he notes that it rarely appeared in its singular form. The word he suggests can be traced in Britain back to the mid 1870s.

1940-1954

Between 1941 and 1954 there were two significant changes to New Zealand law as it affected men charged with homosexual acts. In 1941 the requirements for flogging were removed from Section 137 of the 1867 Act and by 1954 the provision for hard labour had also been abolished.

During this period bog cruising was a part of most cities in the country because in a highly heterosexist environment without alternative meeting places, the buildings and their environs provided the only way that the majority of men who had sex with other men could meet each other. Cruising communities it appears were often discretely networked and large numbers of the men using specific toilets knew each other (though often not by name).

language

During the Second World War American slang began to surface significantly in New Zealand bogspeak when between 1942 and mid-1944 more than 100,000 U.S. servicemen spent various periods in this country. When the Americans returned home they left behind a legacy of words including *dick*, *rim*, *blow-job*,¹⁶ *tea rooms*,¹⁷ *fruit*,¹⁸ and *milk route*.¹⁹

However, perhaps more significant were the terms the US service men left to describe a demarcation that was already deeply embedded in the psyche of New Zealand gay society. At this time, and continuing well into the 1960s, New Zealand men who had sex with other men were normally divided into active and passive roles. From one's delegation certain expectations and assumptions were made about proclivities and behaviours. The Americans defined this demarcation as *butch* and *bitch*. Partridge (2002) notes that by the 1950s the term *butch* in U.S. slang was almost ubiquitously adopted 'by English-speaking homosexuals everywhere' (p. 164).

However, while the word *butch* came to describe the active partner in sex during this period, the rigid sex roles assigned to homosexual activity may be more evidenced in words infiltrating bogspeak from New Zealand and Australian prison slang. Because many New Zealand men who were arrested in public toilets during this period spent time in jail, and bog cruisers continued to remain easy targets of criminal activity,²⁰ it is not surprising that an increasing number of terms crossed over into the language form.

Thus from prison slang an *aspro* described a male prostitute who worked the bogs,²¹ and *cat*, a piece of young, *rough trade*,²² who might *ginger*²³ or steal from a man while having sex with him. A *hock* was a *straight* man who sometimes used the bogs for sex with other men.²⁴

On a more exploitative level a *poofter rorter* might rob and beat a homosexual after having sex with him,²⁵ or a *Purple Bob*, might move in with him and live off his earnings.²⁶

Also from prison slang, during these decades bogspeak inherited a range of pig Latin²⁷ words including *oofterpa* (poofter), *opsca* (police) and more abstrusely *orkanpa eanba* (queen).²⁸

Terms used in New Zealand prisons to describe gay sex like *Juicy fruit* (anal intercourse),²⁹ and *tan track* (the rectum),³⁰ were also widely known, as were other words related specifically to efforts made to deter cruising during this period. Two of the most common were *chubbing*,³¹ (where councils locked gates to deter nighttime activities) and the description of a police raid as a *fall*.³²

The pernicious dynamic that operated between the law, the male homosexual and the criminal world during these decades was highlighted in 1946 in the much publicised murder of Miles Radcliff in Wellington.³³ Radcliff was a known homosexual and his staff were aware of his habit of picking up men and taking them back to his office in the late evening. On February 6th his body was found brutally battered and strangled in a doorway. The pathologist noted that although almost every conceivable injury had been inflicted on his head, he had died of throttling. Because the victim had not been robbed, police at the time limited their search to 'known homosexuals', mainly visiting sailors. Not surprisingly, the murderer was never found.

In a world proscribed by alienation, secrecy and potential violence, it is not surprising that underground terms like *ferricadoza*³⁴ meaning a suspicious death or suicide of a homosexual peer, came into use among the loosely-knit but covert cruising communities in New Zealand's major cities. Although some British and New Zealand lexicographers (Baker, 2002, p. 174, and Young, 1996, p. 7) note the appearance of words like *ferricadoza* in Polari, the word was apparently already known in New Zealand when this British argot infiltrated bogspeak during the middle decades of last century.

What was significant however, was that terms like *ferricadoza*, *poofter rorter* and *Purple Bob* were to disappear from bogspeak as small numbers of homosexual men began to marshal their collective voice and fight back against their victimisation during the next two decades.

1954-1969

Although in Britain in 1954, the Wolfenden Committee had begun reconsidering treatment of homosexuals and prostitutes in law, in New Zealand, there was also evidence of community mobilisation.

As homosexuality became more visible in 1955 popular magazines like *New Zealand Pictorial* reported that,

*gangs of homosexuals...live together for the sake of perversion. You see these warped-brain men - and women too - wandering about the streets or sitting idly in night cafes.*³⁵

While some *queer*³⁶, *warped-brain* people were now using an increasing number of over-ground facilities including hotels, coffee bars as meeting places, for most homosexual men, at this time, sexual contact still centered around the bogs.

language

It was during this period that a highly distinctive British gay argot called Polari began to infiltrate bogspeak. Polari was a language form brought to New Zealand by Merchant Seamen and later popularised through the Julian and Sandy sketches on National Radio.³⁷

Terms from Polari were used to describe both architectural features and rituals enacted in the bogs. A lockable door was known as a *brandy latch*, but the door itself was called a *trade curtain*.³⁸ A *homie ajax* was a man in a neighbouring cubicle. A *nanti bog* was one that was ineffective for cruising. *Nochy* and *sparkle bogs* described public toilets that were cruised at night or in the daylight respectively.

Polari arrived into a lexicon of bogspeak that already evidenced several definable strains of metaphor. The first, regency³⁹ profiled in terms like *Queen*. In New Zealand a *bog queen* was a man who frequently cruised public toilets for sex. He might also be called a *wall queen* if he was known to wait for long hours in a

cubicle in answer to advertisements written on the wall. If he was in a cubicle for a lengthy period of time he was said to be *enthroned*. If he was in a cubicle with viewing access to the urinal he was said to be in the *royal circle*. If the police or queer bashers threatened him he might be forced to *abdicate*, or if he was arrested he was *dethroned*.

A *flush of queens* became a droll, collective noun used to describe a *full house*⁴⁰ and many khamp names⁴¹ like *Princess Tinymeat* and *Duchess Foetid Fuck* demonstrate both the wit of and savage self-denigration of bogspeak during these decades.

The feminisation of nouns during the middle of last century was another feature of bog language, although it was used more commonly by homosexual-identifying men than by others who frequented the bogs for sex. Feminisation profited strongly in terms used to describe the police and Paul Baker suggests that this was a method used by men at the time to remove some of the police's power (Gill, 2003, p. 4). In the early 1960s in New Zealand *Vivian Vice*, *Nelly-law*, *Dolly Handbag*, *Alice*, *Dora-D*, *Hilda-Handcuff*, *Lily-lunchbox*, *Jennifer-Justice*, *Hilda Box-rot*, *Petunia Pig*, *Tilly Tight-twat*, *Cherie Cunstable*, and *Our Lady of the Golden Brooch*, were all in use by men under threat of entrapment in public toilets.

pressure and reform

By 1957 the Wolfenden Committee in Britain had recommended decriminalising homosexual acts between consenting adults in private and four years later in New Zealand amendments made to part 7 of the 1961 Crimes Act reduced the penalty of imprisonment for "*indecentcy*" between consenting males.⁴² However, at this stage public attitudes still framed men who did the bogs as social pariahs. Violent assaults were not uncommon and in 1964 much publicity was given to a queer bashing and murder that occurred near toilets in Hagley Park in Christchurch. The victim, a drapery store manager called Charles Aberhart had been doing the bogs, having only a few months earlier been released from prison after serving a three-month sentence for indecently assaulting another (consenting) male.

The trial of the six youths who beat Aberhart to death lasted five days. None of their defence counsels called any evidence, but the jury returning after seven hours of deliberation found all of the accused, who had only been charged with manslaughter, not guilty. It was accepted and understood that the youths had struck the blows that killed Aberhart.

No one else was ever charged.

The *New Zealand Listener* at the time commented,

At the centre of the case... was the assumption that the dead man was a homosexual... The six youths who went in search of 'queers' were not moved by moral indignation; they were looking for excitement and believed their victim to be fair game... The Hagley verdict... leaves a

suspicion that, at subconscious levels, an alleged homosexuality has been felt to be an offence which mitigates a crime. (Holcroft, 1964, p. 8)

Several letters appearing in papers after Holcroft's article agreed and the president of the Howard League for Penal Reform, Arthur O'Halloran, wrote,

Perhaps in the not distant future our archaic legislation relating to homosexuality will be brought into line with the recommendations of the Wolfenden committee.⁴³

In New Zealand, by April 1967 a small group of members of the legal subcommittee of the Dorian Club in Wellington had mobilised to form the Wolfenden Association (later the Homosexual Law Reform Society). An invitation made to the former Governor General Lord Cobham was frostily declined, when in his response he likened homosexuality to smallpox.

If Governor General Lord Cobham was not prepared to support men's desire to engage in same sex activity, then the design a popular form of public toilet updated in this year was. With the change to decimal coinage in 1967, penny operated locks were removed from the doors of many large civic lavatories. In structures like Hamilton's *Garden Place bogs*, adjacent cubicles situated in long rows had, up until this time been known as 'reach unders'.⁴⁴



Figure 4: Reach-under bogs in Tauranga circa 1968.

This was because men locked in single cubicles were generally forced to make contact by either reaching under stalls, or if the architecture of the facility allowed, they reached behind dividing partitions that did not butt flush against the back wall. However, lying on wet floors in an effort to secure contact with a man in the next cubicle often put users at risk. This is because police at this time would often suddenly enter these toilets and quickly crouch onto their hands and knees to catch men positioned between stalls.

Although discrete parties, coffee lounges and the first tentative gay clubs in larger cities at this time provided a few men with alternative ways of meeting others, for the majority of homosexual New Zealanders, especially men in small towns, and young men under the legal drinking age, the bogs remained the only

available way of making sexual contact. This situation was further exacerbated by the fact that during this period, reoccurring police raids on the bogs meant that for many men, any attempt at contact with others was fraught with the possibility of arrest and exposure. Although in Christchurch in 1962, Magistrate Lee had discharged two men, Cock and Smith, without conviction for indecent acts in a St Albans' public toilet, his argument that the law "*is soon to change*",⁴⁵ was overturned when police prosecutors appealed his decision.

Despite rumours of law changes, police continued the practice of using agent provocateurs to entice men cruising public toilets into 'committing indecent acts' on them. As a result a predictable change occurred in the tone of bogspeak of the period; a change that was to grow as anger and frustration mounted through the vice crackdowns and 'clean-ups' of the 1970s and 1980s.

Although terms for the police like *pig* were in generic use as part of the counter culture movements of the 1960s, in bogspeak at this time words used to describe the police grew increasingly hostile. Traffic officers and taxi drivers who sometimes monitored bogs were generally called *snakes*⁴⁶ and the terms *bait*, *cleaner* and *shaker* referred to police who operated as agent provocateurs.

*Shaker*⁴⁷ referenced a technique where the officer stood at a urinal shaking his penis suggestively after urination in an effort to entice another man to make an 'indecent assault' on him. In the 1960s *shakers* and *cleaners* were normally identified by their overly clean-cut appearance, absence of the smell of alcohol, and overt sexual propositioning.

A *urinal-sniffer* described a uniformed officer who dropped down on his hands and knees to look under the doors of a toilet.

At this time an interrogation was generally called a *verbal*. The term applied to the police practice of frightening, then verbally bargaining with men so they signed a statement soon after their arrest. In general, officers offered a discrete prosecution for an admission of guilt. By doing this men were falsely promised they could avoid public disclosure of their behaviour.⁴⁸

epilogue

Following the release of the Wolfenden report in Britain and the embodiment of its recommendations in the Sexual Offences Act (1967), New Zealanders presented their first formal petition to government relating to the decriminalisation of homosexuality. The petition signed by 75 prominent citizens and delivered in October 1968, was organised by the Homosexual Law Reform Society.

However it was rejected in a manner that suggested that the journey towards liberalisation in New Zealand would not be an easy one. When the chairman of the Petitions Committee, Mr. G. G. Grieve reported back on the 8th of November, he said,

Speaking personally, I believe that the practice of homosexuality is revolting. We all stand for certain moral principles and the legalising of homosexuality would indicate to society

that we do not really condemn homosexual behaviour.... An expert witness in favour of legalising homosexuality told the Committee that he knew of many men who lived in fear of the law as it stands.... Surely this shows that the law as it stands is a deterrent to this illegal, revolting and unnatural behaviour'. (Parkinson, 1988, p. 168).

However, by 1972 the first National Gay and Lesbian Conference had been held in Auckland and it coincided with the establishment of University-based gay activist groups in Auckland, Wellington and Christchurch. Gay liberation groups in Wellington, Hamilton and Auckland were also formed in the same year. In the next ten years the journey towards law reform navigated unsuccessful Bills by Venn Young in 1974, Warren Freer in 1979, and an Equity Bill developed between 1980 and 1983.

However, on March 8, 1985 Fran Wilde, introduced a Bill that gave equal age of consent (16) and provided for the Human Rights Commission to deal discrimination on the grounds of sexual orientation. Significantly however, in the process of its passage through the house, the human rights provisions were dropped.

On the 11th July 1986 when the Governor General signed the Bill into law as the Homosexual Law Reform Act, it ensured that the same provisions applied to sex in private between people, irrespective of gender.⁴⁹

However, the jubilation that occurred for many gay men in the passing of this Bill was not paralleled in the world of the bogs. Seen as a reaction against the liberalisation was an amendment to the Summary Offences Act at the beginning of the 1980s, that gave the police new powers in terms of the severity of prosecutions handed out to men who cruised public toilets. The new Section 28 (1) created the offence of *"being found in a public place preparing to commit a crime"*. The new offence was designed to replace the offence of *"frequenting a public place with felonious intent"* under the Police Offences Act 1927. This change in legislation led to a police campaign of establishing precedents by laying prosecutions under the new offence. Indecency charges resulting from an escalating series of undercover raids on bogs and saunas saw a large number of men arrested in this period and a new chapter in the uneasy relationship between the law and the bog queen began to unfold.⁵⁰

conclusion

While laws following this period are relatively unchanged in terms of controlling aspects of bog cruising in New Zealand, they need to be understood as part of a wider environment of social censure. Bog cruising, has been, and continues to be, looked down upon by members of the gay and heterosexual community, although men from both worlds are active within it.

The bog cruiser's challenge to hegemonic constructions of male sexuality continues partly because of his propensity for survival. His metamorphoses of ritual negotiated through changes in language and legislation have undergone an

extraordinary journey. This journey has forced a reconceptualising of male sexuality, decency and public/private space.

In the idyllic cottages and underground stations of the turn of the twentieth century, with their emphases on discretion and privacy, this community of men developed a complex system of codes and rituals. Across a hundred years that saw increasing levels of police attention and ongoing marginalisation, their language changed from euphemism, to self-denigration and parody, to the signs of overt hostility that preceded the reforms that were to feature significantly in New Zealand law in the closing decades of the twentieth century. The Wolfenden report argued that,

The law's function is to preserve public order and decency, to protect the citizen from what is offensive or injurious, and to provide sufficient safeguards against exploitation and corruption of others ... It is not, in our view, the function of the law to intervene in the private life of citizens, or to seek to enforce any particular pattern of behaviour.

The recommendations of the thirteen members of this committee may be seen as instrumental in exacerbating the divide between what had, for many homosexual men up until that time, been a relatively seamless relationship between public and private space. The resulting marginalisation of these men in many Western countries who adopted ideas of public and private, as espoused by committees like Wolfenden, has meant that today many same sex activities between consenting adults still remain criminalised.

While heterosexual youths 'park up' in their cars with bumper stickers stating, "*If it's Rockin' - Don't start knockin'*" ...and the public glances in bemused embarrassment, men who lock themselves in cubicles for furtive sexual encounters are still punished with fines or imprisonment.

The consequences of reports like Wolfenden are positive and significant, but in the rush for celebration, the subtle implications of their recommendations should not be forgotten.

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end notes

¹ An indication of the high proportion of men who cruise the bogs, who are either married or non-gay identifying surfaced in 1975 in Laud Humphries controversial *Tearoom Trade: Impersonal Sex in Public Places*. Humphrey's assertion that the majority of men who used public toilets for same sex encounters were married [54%] was later partially echoed by findings from researchers in the 1980s and 1990s (Desroches 1990; Goddard 1990; Horn, Chetwynd, & Kelleher 1989; Moore 1995) all of whom indicated a significant proportion of non-gay identifying men in these communities.

² In this paper I rarely use the word gay, partly because it was a term that is more appropriately associated with particular politicalisations that surfaced in New Zealand in the decades postdating the 1960s. The term is also problematic because bog cruisers while homosexual in behaviour, cannot statistically be said to be universally 'gay' in identification.

³ This language form has surfaced through interviews or oral history recordings of over 150 men whose use of New Zealand bogs for same sex encounters has spanned 85 years. The first foray into this research formed part of my Ph.D. Thesis *Talking Pictures* (2004). Specific oral history interviews pertinent to this paper are listed in the reference section.

⁴ Cottage first appeared in New Zealand as a term for toilet at the close of the nineteenth century, although Baker, (2002 b, p. 170) and Partridge, (1961 p. 214), place the date later than this, in Britain.

⁵ Britain abolished the death penalty for buggery in 1861.

⁶ Parlyaree was the underground language of traveling circus men and itinerant actors in Britain in the nineteenth century. Baker (2002) suggests that the language probably acted as a bridge between thieves' cant and Gay Polari, the twentieth century anti-language of gay men living and working in England's large cities.

⁷ Partridge (1961 p. 56) notes the use of the word *beat* in Britain as far back as 1788 where it described an established route taken by a prostitute or policeman.

⁸ The verb *to troll* generally meant to visit or cruise regularly and it is probably derived from the 14th century verb meaning to move or saunter (Partridge, 1961, p. 998). Baker (2002b, p. 193) notes that the Polari use of *troll* meant, "to walk around seeking to charm a man in to the act of copulation."

In New Zealand the word went through several transitions in bogspeak, specifically in the 1980s, when it came to refer to an unattractive, generally sexually persistent man. By the turn of the century, with the arrival of on-line cruising environments, *troll* came to mean a man who deliberately posted misleading or inciting messages on a message board in an effort to create confusion or conflict.

⁹ These terms were in use both in Auckland and Sydney in the 1880s and are listed in the anonymously compiled *Sydney Slang Dictionary*, (1882, pp.104, 106, 109) (Microfilm: Record ID. G22, 755).

¹⁰ The word has an interesting history through its association both with prostitution and with names for male and female genitalia. In the early 17th century, Covent Garden was an area of London heavily frequented by whores. Thus the location gave rise to terms like *garden goddess*, *garden whore* (harlot), *garden gout* (syphilis), and *garden house* (brothel). By the 19th century *garden* had also come to refer to genitals, thus *garden hedge* (female pubic hair) and *gardener* the penis (Partridge 1961, pp. 362-363).

¹¹ By 1906 the city of Dunedin had ten public toilets, all for men, 'with a total accommodation for 27 persons, four of these ten being latrines' (City of Dunedin Annual Report 1905/1906, pp. 23-24).

¹² Cooper, Law, Malthus & Wood, (2000) note that *'the proverbial penny was the charge for a WC although men's urinals were free; higher charges were set for 'wash and brush-up' and dressing rooms'*. They also note that in women's lavatories in Dunedin, the charge of 2d [two pence] was levied if use was made of the 'looking glass' (p. 423). Payment for access to a cubicle was normally made by inserting a penny into a metal box affixed to the door. After entering, the user locked the door on the inside, after which the door could not be opened from the outside again.

¹³ *Pegging* existed as a word in prison slang in New Zealand up until the 1950s. By the 1970s in bogspeak, it appears to have been replaced by the term *watch-queen*. This later word may have come into New Zealand via Laud Humphrey's publication *Tearoom trade: Impersonal Sex in Public Spaces*. In Australia a *pegger* was called a *cockatoo*.

¹⁴ If these holes were only large enough to look through they were sometimes called *peepholes* or *spy holes*.

¹⁵ *Poof* was originally lower-class slang (sometimes implying prostitution), first recorded in London in the 1830s. Along with the longer term *pooffer*, it first appears in Stephen's and O'Brien's Dictionary of New Zealand and Australian Slang in 1897. In New Zealand the word was known at the time of the First World War but was commonly pronounced *puffer*. [Simes (1992) notes a similar spelling in the New South Wales Police Gazette just after World War 1, in a list of charged persons including a man called *Puffer Bill* (p. 41)].

¹⁶ *Blow-job* was a US term for oral sex that surfaced in New Zealand in the early 1940s. Although Partridge (2002, p. 99) records the term ca. 1970, *blow-job* became common in both over-ground and underground communities in New Zealand well before this. In the 1940s *blow-job* replaced older British words in bogspeak, like *plate* and *jarry*.

¹⁷ A *tearoom* is the American term for a public toilet where anonymous sex is available. Chauncey, (1994, p. 197) suggests that the word derived from "t-room" being an early twentieth century abbreviation of toilet rooms.

¹⁸ *Fruit* is a term for a gay man. Partridge (1961b, p. 1131) notes that the word is an anglicised, ex U.S. term from 1937. In New Zealand *fruit* has continued to gather adjunct nouns since the Second World War. For example, by the late 1960s a *fruit punch* described a homosexual boxer, and a *fruit salad* described group male sex in a public toilet.

¹⁹ The term *milk route* has a nebulous history. In the 1940s in New Zealand, US soldiers used it to describe the journey taken to a public toilet when seeking sex. After the service men left, in the 1950s the term referred to a journey between bus or train station toilets cruised late at night. By the late 1960s *milk route* in America had changed its meaning yet again, describing now, the late night drive home with a *trick* in the car (Rogers, 1972, p. 134).

²⁰ Significant crimes enacted on men who attempted to keep their homosexuality secret at this time included blackmail, extortion, robbery and violent assault.

²¹ Simes (1993, p. 3) notes the use of *aspro* in Australian underworld slang during this period. While he suggests that the term may be associated with the commonly available analgesic of the same name, many New Zealand men using the term in the 1950s pronounced it *ass-pro* emphasising the pun on arse [or in US, ass] + *pro* [stitute].

²² The term *cat* appears to have disappeared from the bogs in the late 1950s, although before that it generally alluded to a 'straight acting' but often sexually passive youth. In 1950s New Zealand and Australian prison slang, *cats* were young prisoners who, though often heterosexual prior to incarceration became a passive partner for another inmate. Simes (1993, pp.39-40) notes that in Australia, *cats* were normally contradistinguished from *queens* who were generally effeminate and openly homosexual in orientation.

²³ The verb also appears in New Zealand and Australian prostitutes' slang dating back to the 1940s.

²⁴ It is likely that *hock* is from New Zealand and Australian prison slang where it describes a man who seeks active homosexual contact but is not classified as a *queen* or *cat*. Simes, (1993, p. 105) notes that in Australia in the 1940s guards or other prisoners did not see the role of the *hock* as implying homosexuality. Partridge in 1938 records the term as describing "a man who consorts with puffs" [DSUE ed.2 1003/2]. The Australian term *Rudolph Vaselino* was also in evidence in New Zealand at this time and was specifically [as in Australian prisons] applied to these men.

²⁵ The term in New Zealand was used to describe a man who met other men in or around a bog then took them to a lonely or secluded place and robbed or bashed them. Partridge (1938) defines the term as 1920s cant for 'robbing male harlots with violence'. Simes (1992, p.44; 1993, p. 158) notes a similar use of the term in Australia during the 1950s. He also provides an alternative definition not in evidence in New Zealand where a *poofter rorter* acted as a procurer for a homosexuals or male prostitutes.

²⁶ A Purple Bob was also called a *bludger*. Often these men were not an active part of the bog scene. In some cases they were recently released prisoners or men with whom contact had been made while in prison [through correspondence]. Upon release they would sometimes 'put in' with a gay man or prostitute and generally lived off their earnings. Simes (1993, p. 163) notes the term's concurrent use in Australia in the 1940s.

²⁷ Pig Latin describes a language construction where words that begin with consonant sounds move the initial consonant or consonant cluster to the end of the word and add 'ay' or 'a'. For words that begin with vowel sounds (including silent consonants), normally the syllable 'ay' is added to the end of the word, e.g. arsay/ I say = arse. In New Zealand in the 1960s, pig Latin was also sometimes called gibberish.

²⁸ *Orkanpa eanba* as a term for a homosexual is one of the few examples in bogspeak of a blended language construction. *Orkanpa eanba* is the pig Latin version of prison rhyming slang (*pork and bean*) meaning *queen*. Words constructed out of rhyming slang or pig Latin generally indicated to other men at this time, that the user had spent time in jail.

²⁹ *Juicy fruit* was prison rhyming slang for 'root' and was in evidence in both New Zealand and Australia in the 1950s. It was likely that the term was a dual reference to a variety of Wriggley's chewing gum and the word *fruit* meaning a man who engaged in homosexual practices.

³⁰ *Tan track* occurred in New Zealand and Australian prison slang of the time in terms like *to ride the tan track*, *up the tan track*, and *tan-track drag*. The agent nouns were *tan-tracker* and *tan-track rider*. Simes (1993, p. 200) notes all of these words in use in prison slang in the 1950s and claims that the verb phrases and derived nouns are specifically Australian. However, the words were also recalled in New Zealand bogspeak in the late 1940s. The term *tan track* has also been noted by Partridge 1938, Herbert 1941, and Baker 1942-3]. Rogers in 1972 also notes its later appearance in American hobo slang.

³¹ *Chubbing* probably comes from the brand of a popular British lock (Chubb). In prison slang 'to *chubb a man*' meant to lock him into a cell (Partridge 2002, p. 216). However, local councils began *chubbing* certain bogs at this time by wrapping chains around their metal gates. This was done to deter nighttime cruising.

³² Partridge (2002, p. 1375) also notes the term *fall* in a collection of Australian prison words compiled by Neil James and published in the Sydney Bulletin of 26 Apr. 1975.

³³ See George Joseph, (1992). *By a Person or Persons Unknown*. Sydney: Law Book Co.

³⁴ *Ferricadoza* or *ferricadoza* (from Lingua Franca), Partridge (1961, p. 312) suggests may be a corruption of the older word *ferricadouzer* an early boxing term from the mid 1850s, referring to the *knock-down* blow in a fight.

³⁵ See Hugh Young, *A Chronicle of Homosexuality in New Zealand, part 1: Before Stonewall and NZ Gay Liberation*. <http://www.queerhistory.net.nz/Part1.html>

³⁶ By this stage in New Zealand history the word *queer* referring specifically to an identifiably homosexual man, was in widespread use. Partridge (1961b, p. 1317) suggests the term may be traced back to the 1920s and sites its appearance as referring to homosexuality in Angus Wilson's *Hemlock and After*, (1952). *Queer* was in evidence in New Zealand bogspeak as a synonym for *bent* during the Second World War and continued to hold this meaning as a derogatory term until its political realignment in the 1990s. At this point some gay men, lesbians, bisexuals and transgendered persons began to use *queer* as a generic, self-affirming term.

³⁷ Julian and Sandy (played by Kenneth Williams and Hugh Paddick) were a pair of Polari speaking queens who featured on the British comedy *Round The Horne*. The programme, scripted by Barry Took and Marty Feldman, was

broadcast by Radio New Zealand on Saturday nights between 1968 and 1970. While never reaching the level of popularity it held in England, many New Zealand gay men listened to the comedy and words like *bona, eke, lally, nada, naff, riah* and *vada* became part of their wider lexicon.

³⁸ The word appears to have been in most common use in port cities and probably came into use via U.K. Merchant Navy slang. Sailors on these boats sometimes slept eight to a berth. In order to maintain privacy during sex with other men, they hung a *trade curtain* around their bunk. (Baker, 2002, p. 193).

³⁹ Cage (2003) notes that regency language at this time also became a dominant profile of the South African Gayle (the underground language of 'kinks and queens' in that country).

⁴⁰ A *full house* is a description of a public toilet where all of the cubicles are occupied simultaneously. The term may be compared to the US slang of the 1970s, *open house*. (Rogers, 1972, p. 144).

⁴¹ A khamp (camp) name was a feminised title adopted by some bog queens and used by their associates. In general these names were witty but sometimes derogatory, often referencing known behaviours or physical attributes, and sometimes having homonymic references to the man's first name. Famous New Zealand names of this period include *Victoria Tunnel, Ruby Rubbercunt, Lucy Loosehole, and Wanda Wandwaver*.

⁴² It should be noted however, that despite the apparent liberalisation, consent was no defense. Indecency between males (consensual) and indecent assault on a male by another male (non-consensual) were considered equally severe (s. 140, 141) and carried penalties of five to seven year's imprisonment.

⁴³ See Hugh Young, *Death in Hagley Park*. <http://www.queerhistory.net.nz/Aberhart.html>

⁴⁴ Although *reach-unders* could also be underground toilets, by the 1960s the generic terms *grotto* and *catacomb* had been replaced by the term *station*. By placing the word *station* at the end of a bog's location [*Victoria St Station, Howe St Station, Potter's Park Station*] men were able to discuss the toilet in public as if it was a significant transport terminus. An interesting discussion of this code word is provided by Wedding (2004), in an oral history interview archived as MS-Papers-0648-01 in the Alexander Turnbull library in Wellington.

⁴⁵ See Hugh Young, *A Chronicle of Homosexuality in New Zealand, part 1: Before Stonewall and NZ Gay Liberation*. <http://www.queerhistory.net.nz/Part1.html>

⁴⁶ The word's origin predates both traffic officers and taxi drivers by over fifty years. The phrase in the 1880's, *to give* (a person) *the snake* meant to vex or annoy (Partridge 1961a, p. 867). In the 1960s, taxi drivers were sometimes called *snakes in the grass* because they were suspected of currying favour with the police by informing them of 'suspicious' activity. When cruising, many men at this time treated a parked and occupied taxi with suspicion.

⁴⁷ The term was documented as part of American gay language in the early 1970s, (Rogers, 1972, p. 207). Partridge (1961a, p. 820) notes in the late 19th and early 20th centuries, that the word in Australian slang also meant to coit or masturbate.

⁴⁸ Partridge (2002, p. 1376) lists *verbal* as an Australian underworld term for a police interrogation. While the word was recorded there ca. 1950, it was also in common use in New Zealand at the time, and continued to be used by some men well into the 1980s.

⁴⁹ It is useful to note that while up until this time New Zealand had lagged behind Britain, the passing of this Bill into law created a comparatively more liberal environment for gay men in this country. In Britain the provisions of the Sexual Offences Act (1967) did not apply to some sectors of society, including members of the Merchant Navy and Armed Forces. In England a law equalising the age of consent [to 16] for gay men in line with that for heterosexual adults was only forced through parliament in February 2000.

⁵⁰ Currently men arrested for cruising in public toilets are charged with one of three offences. The most common is *disorderly behaviour*. This crime relates to sections 3 and 4 of the 'Summary Offences Act'. The charge, normally involves an arrest for a sexual act performed in, or within view of any public place, or where a person

behaves in an offensive or disorderly manner. It is generally used when there has been a complaint made to the police about cruising and the offender is considered to have "*breached the Queen's peace*". Although the maximum fine for this offence is \$1000.00, in practice the amount is generally much less, and often the police are known to award diversion.

A more serious charge is committing an *indecent act* in a public place. This is an offence against the 'Crimes Act 1961' s.125 (subsections 1&2), and carries a maximum sentence of up to two years imprisonment. The statutory defence puts the onus on the defendant to prove there were reasonable grounds for holding the belief they would not be seen. It is in dealing with this charge, that recent challenges to the definitions of public and private space have been made.

A third, less common, but more serious charge, is that of *indecent assault*. This offence relates to Section 141 of the 'Crimes Act 1961'. If convicted, a man is liable to imprisonment for a term not exceeding seven years. This charge normally relates to an indecent assault on another man over the age of sixteen. An arrest for this offence has no potential for diversion and the charge is normally brought where there is "*false or fraudulent representation used in relation to the nature and quality of the act*".

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