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NATIONAL GALLERY OF VICTORIA
QUEER EXHIBITION 2021

AFTERWORD

The Hon. Michael Kirby AC CMG

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In a remote corner of this exhibition may be found a self-portrait of James Stuart MacDonald, past Director of the National Gallery of Victoria (NGV) and, earlier, of the National Art Gallery of New South Wales. He looks distinctly uncomfortable in his surroundings. He was a hot-tempered man, and a sworn enemy to so-called “modern art”. He was no friend to women painters or LGBTIQ (‘queer’) artists and their allies. He loved “real painters” and “real art”. He was convinced that, unless excluded from the NGV the “perverts”; “pansies” and like “scum” would end up taking over art and its temples. After a little pressure from the NGV’s Chairman, Sir Keith Murdoch, his contract was not renewed in 1941. He had to wait for the return of the Menzies Government in 1949 to be appointed to chair the Commonwealth Advisory Board on Art. He was an ideologue of angry disposition. It shows in his portrait.

It is important to say that MacDonald had good qualities. He volunteered and fought at Gallipoli. Seriously wounded, he volunteered for further service in England. Within the limits of his passions, he wrote well about art. He

* Justice of the High Court of Australia (1996-2009); President of the International Commission of Jurists (1995-8); Co-Chair, International Bar Association Human Rights Institute (2018-).

was kind to animals and to little children. He just hated queers and their female supporters. His presence in the exhibition is a form of expiation by NGV for all the nasty things he said and did towards queers. But it is also a reminder of a world that we hope is finally disappearing. To understand the suffering of queer people, it is necessary to dig into, and reflect on, the motivation of clever people like MacDonald.

This exhibition is a cornucopia of images with queer connections. Some of the artists who captured them were queer. There are queer Gods and Goddesses, Kings and Queens; heroes, celebrities and occasional villains (Caligula stands out). A special chapter is devoted to the 'double whammy' of queers in the HIV pandemic. There are lots of contemporary images of Australian and international queers, mostly in the artistic field. Youngsters like Drew Pettifer of Melbourne, were included to make the angry spirit of James MacDonald specially upset. Amongst the young, queerness is not a matter for shame anymore. It is a matter for "pride". Or perhaps just utter indifference.

Many things have changed in the time covered from Ancient Greece to the present age. But this reality is certainly not true in most countries of the world. It is not wholly true of our own country, even today.

I am a chronicler of the last decades in Australia when the majority of our citizens resolutely held to the opinions about "perverts" and "pansies" that Director MacDonald felt able to express. I can still remember my father (a kind, good and Christian man) telling the story of neighbours and workmates who were gay and who brought such 'terrible shame' upon their parents. The

subliminal message for me was all too clear. Unlike MacDonald, my father was not obsessed about it. My mother never mentioned it. I cannot remember more than a half a dozen times when it was referred to in my schools in Sydney. However, my education was entirely in the public schools' system: 'free, compulsory and secular'. The first time I heard MacDonalidian obsessions about gays was when I entered law school at Sydney University and had to put up with alumni from posh private and religious schools. It was a shock to me. And when our law lecturer in criminal law (Hon. Vernon Treatt QC) turned to explain "unnatural offences" I quickly got the message. Gay identity was a feature of my being that I needed to be very silent about. I was required to deny and to pretend. Shame on my part was the only tolerable response. Happiness, pleasure, bliss and love were totally out of the question. Absorbing and obeying those rules condemned me to nearly 20 years of lonely silence. I feel regretful now about that period of loss. It did not evaporate until I was nearly 30 and met my partner (now spouse) Johan van Vloten. Not everyone has such luck.

The chief value of this queer art exhibition is not the catalogue of hundreds of famous queer people. I had not heard about most of the Gods and Goddesses. In my youth I was mainly focused on my own God, who appeared (like the King) to be an Englishman with perfect manners. Nor did I know all of the queer artists revealed in the exhibition, though I certainly knew many of them including Leonardo, Michelangelo and Oscar Wilde. James Gleeson and David McDiarmid became friends during the HIV pandemic. From the silver screen I came to know many of the movie stars whose images appear in this exhibition. For a time I was obsessed with

James Dean. My father had 'warned' me about Fatty Arbuckle, Charles Laughton and Johnnie Ray.

Artists, aviators and those of their circles, would probably themselves be more directly influenced by famous artists and their subjects. That was the world of the mind they had entered. However, for me, the world of the mind had taken me into the law. As the notes on famous queers like Kings James I, William III and Frederick the Great of Prussia knew, they had to suppress public acknowledgment of matters of their sexual orientation and gender identity. Even kings had to comply with the law of the land. And that was the world of the mind that governed my life. Police Commissioner Colin Delaney in NSW in the 1950s championed fresh strategies of entrapment to terminate the 'homosexual epidemic' that he feared was attacking the moral fibre of Australia. Even that decent and amiable Attorney-General of NSW, Reg Downing AC QC, had reopened the Cooma Prison, to pack it full of gay prisoners who had responded to the attractive wives of young constables.

So the 1960s-1990s were still dangerous times of fear and shame for queers in Australia. Law students were still being taught the "unnatural offences". And the law we then had in the books is still the law in most of the English speaking and Islamic countries on Earth. It is hard to drag these old roots out and discard the hateful laws that still legitimise homophobia, biphobia and transphobia in most countries of the world. For me, it was not art or artists that taught me the error of the old laws and attitudes. It was a zoologist, turned social scientist, Alfred Kinsey. His scientific research and much that followed, showed that variations in sexual orientation and gender identity and expression were no more than a small but relatively common

variation in the human and other mammalian species. There should be a large portrait of Kinsey, and his Australian disciple, Norman Haire, sexologist, in the exhibition. For me and many others, Kinsey was the Liberator. He showed that we were not so 'queer', after all, in the sense of unusual. We shared this variation with Gods and Goddesses, Kings and Queens, artists and movie stars. But we also shared them with scientists, judges, top business leaders, and ordinary pastry cooks, clerks, garbage collectors and the rest. It was this thought, rather than dreams of heroes, that we needed in order to understand as we reflected on the advance of sexual freedom.

A sign of the changing times in Australia came in May 2021, when the popular television program, *The Bachelorette*, announced (building on an earlier attempt in *Married at First Sight*) that their 2021 program had selected Brooke Blurton as their first 'pansexual' star. She is queer, accepting her sexual attraction to all gender identities, male, female, trans and non-binary. She is described as 'kind, clever and strong'. She will need to be. The fact that her program is happening at all is a sign of the changing times. The fact that the star is Indigenous is especially amazing.

In quiet moments, I let my mind play on what James Stuart MacDonald would say about the courageous Brooke and the way she will challenge the 'dating' obstacle course she must traverse. This would be the 'worst nightmare' that MacDonald could possibly imagine. It represents the ultimate answer to those like MacDonald who feared the 'perverts' and 'scum'. With a little

luck and lots of persistence, it demonstrates how times can change and not only for Gods, Kings, judges, business people and celebrities. For everyone!

A handwritten signature in black ink, appearing to read "Michael Kirby". The signature is fluid and cursive, with a prominent dot above the 'i' in "Kirby".

24 May 2021

MICHAEL KIRBY