

Writing from the margins: *In Touch, Identity, Out, and GCN*

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In a radio interview in the run up to the marriage equality referendum in 2015 the *Irish Independent* columnist Bruce Arnold commented that 'homosexuality was never a crime in Ireland. Homosexual acts were'.¹ While undoubtedly a legal fact, the remark was akin to a commentator declaring that being an African-American in the antebellum states was never a crime in that the fact focused solely on the legal status of the individual and ignored their life experiences under repressive legislation. A more realistic assessment had been offered some decades before, when, in 1975, the former minister for health Noel Browne had observed that 'the Irish homosexual was compelled to suppress his natural sexuality or face imprisonment'.² A search of any newspaper's online archives uncovers the abundant court cases involving consenting adults found guilty of 'gross indecency'.³ One author has calculated that between 1940 and 1978 the state secured an average of thirteen convictions per annum and between 1979 and 1986 initiated an average of thirty prosecutions per annum.⁴ Homosexual acts were finally decriminalised, following a lengthy legal battle, in 1993, and in 2018 the Irish state finally apologised to all those affected by the criminalisation of consensual same-sex acts in Ireland prior to 1993.⁵

The legislation in question dated from the late-nineteenth century, though in the research for his long but ultimately successful legal challenge, David Norris traced the policy of criminalisation to Henry VIII's break from Rome in the early 1500s when the monarch 'assumed to the government most of the prerogative of the ecclesiastical courts'. Thus homosexuality moved 'from sin to crime and an essentially religious prohibition was arbitrarily absorbed into the common law'.⁶ In 1861 the Offences Against the Person criminalised male homosexual acts with punishment of penal servitude for life.⁷ Amid the campaign for home rule, *United Ireland*, the newspaper of the Irish Party, published, in 1884, articles alleging homosexual activity amongst high-ranking government officials in Dublin Castle, seat of British rule in Ireland. This activity, described by *United Ireland* as 'depravity unsurpassed in the history of human crime', was highlighted as a symptom of foreign rule. In a similar vein, the *Evening Telegraph* accused the government officials concerned as 'contaminating the running stream of Irish moral purity'.⁸ Homosexuality, it seemed, was a British import that only further strengthened the case for home rule.

The following year, the Criminal Law Amendment Act 1885 criminalised all intimate acts, whether public or private, between males with a penalty of up to two year's imprisonment. Referred to as 'the blackmailer's charter', this late amendment to the legislation is the provision under which Oscar Wilde was prosecuted and imprisoned in

¹ See for example, RTÉ Radio 1 (Morning Ireland), 20 May 2015.

² *Irish Times*, 28 Nov. 1975. Browne spoke of 'professional colleagues whose lives have been damaged irrevocably, because, through blackmail and the threat of exposure, they had been forced to leave Ireland and the intolerant inhuman attitudes to the homosexual'.

³ See for example, *Irish Independent*, 30 Jan. 1931.

⁴ Chrystel Hug, *The politics of sexual morality in Ireland* (London, 1999), pp 207–08.

⁵ *Irish Times*, 20 June 2018.

⁶ David Norris, 'Homosexual people and the Christian Churches in Ireland', NLI, *Identity*, 2 (1982), 21–25 at 23. The relevant legislation was, for England, the Buggery Act 1533 and for Ireland, An Act for the Punishment for the Vice of Buggery 1634.

⁷ This act replaced the Offences Against the Person (Ireland) Act 1829 which had reaffirmed the death penalty from earlier legislation for such offences.

⁸ T. C. Breen, 'Loathsome, impure and revolting crimes: the Dublin scandals of 1884', *Identity*, 2 (1982), 4–9.

1895.⁹ Thus stood the legislative situation when the Irish Free State was established in 1922 and all existing laws migrated to the Irish statute books. It would be another seventy-one years before this law was repealed. For over fifty of those seventy-one years the only mention of homosexuality in the mainstream press were reports of court cases where a variety of euphemisms were used to describe offences. It was only in the 1970s that the Irish gay community began ‘the process of self-identification and developed any consciousness of themselves as a minority community’.¹⁰ As a campaign to repeal the 1861 and 1885 Acts developed, the Irish media, and in particular, the *Irish Times*, covered this emerging movement. Such coverage involved the paper’s reporter Elgy Gillespie interviewing Denis Lennon, editor of the London *Gay News*, which Lennon described as a focal point for the many campaign groups then seeking change. With a staff of ten and a readership of 18,000 it carried articles on gay-related history, literature, current affairs, a medical column and night club information. Gillespie concluded her article by noting that in Ireland ‘so often the loneliness of gaydom and the still-timid colours of the gay scene so often mean enforced emigration’.¹¹ Gillespie also interviewed Rose Robertson, a London parent who established Parent Enquiry, an organisation that offered advice and support to parents of gay teenagers. In Dublin to give a talk to Trinity College Dublin’s Philosophical Society, Robertson noted that while British society had become more tolerant since it had decriminalised homosexuality in 1967, parents still found it upsetting when their children informed them of their orientation. She also noted that she received ‘lots of letters from Ireland’ and while she did not find Irish parents ‘any more censorious in their reaction’, she found it ‘hard to get to grips with the religious problems’ that the parents articulated. Gillespie’s article also gave contact details for the new Irish Gay Rights Movement (IGRM) and gave subscription details for the London *Gay News*.¹²

But, as so often happened with British publications, in March 1976 a complaint that several and sequential issues of the imported *Gay News* had been indecent or obscene was made to the Censorship of Publications Board, which promptly banned the magazine.¹³ In response, David Norris noted that *Gay News* had been privately imported by the IGRM as ‘a service for its members’ and that copies of the publication had been ‘abstracted without their authority from the mail and sent to the Censorship Board’. He denied that *Gay News* was ‘an obscene paper’ and noted that it ‘helped relieve the misery of isolation of homosexual people and keep them in contact with efforts to improve their lot’.¹⁴ Trouble was also brewing for the magazine in Britain. In November 1976 the secretary of the National Viewers and Listeners Association, Mary Whitehouse, was given permission by the London High Court to sue *Gay News*. Whitehouse alleged that the magazine had published a blasphemous libel, ‘namely an obscene poem and illustration vilifying Christ in his life and crucifixion’. The poem in question, ‘The love that dares to speak its name’ by James Kirkup, centred on the thoughts of a Roman centurion present at the Crucifixion.¹⁵ In July 1977 the case was taken over by the Crown Prosecution Service, with the noted journalist Bernard Levin appearing as defence witnesses for the magazine.¹⁶ After a six-day trial, both Lennon and the magazine were found guilty of ‘unlawfully and wickedly publishing a blasphemous libel concerning the Christian religion, namely an obscene poem and illustration vilifying Christ in His life and

⁹ This amendment is often referred to as the ‘Labouchere Amendment’ after its proponent Henry Labouchere.

¹⁰ David Norris, ‘Homosexual people’, p. 22.

¹¹ *Irish Times*, 20 July 1974.

¹² *Irish Times*, 20 Nov. 1974.

¹³ *Irish Times*, 3 Apr. 1976.

¹⁴ *Irish Times*, 3 May 1976.

¹⁵ *Irish Times*, 30 Nov. 1976.

¹⁶ *Irish Times*, 8 July 1977.

Crucifixion'. Describing the poem as 'the most scurrilous profanity', Judge Alan King-Hamilton imposed nine months' imprisonment (suspended for eighteen months) on Lennon, and imposed fines of £500 on Lennon and £1,000 on the magazine.¹⁷

This judgment was not lost on those in Ireland who opposed the 'normalisation' of the gay community. In a letter to the *Irish Times*, Mary Kennedy, secretary of the Irish Family League, accused the gay movement of 'seeking social acceptance and the right to propagate their ideas'.¹⁸ In another letter, Kennedy accused the Irish Christian Student Movement of producing 'blasphemous literature'.¹⁹ In response, Rob Mitchell, secretary of that organisation, noted that while Kennedy did not specify which publication she thought blasphemous, it was most likely the recently published pamphlet 'Towards a Theology of Gay Liberation' which examined the historical roots to Christianity's aversion to homosexuality. Blasphemy, Mitchell, concluded, 'was in the eye of the beholder'. Kennedy's views were also rebuffed by Cathal O'Flanagan OFM who observed that the activities of her organisation 'seem designed to delay the arrival of any such acceptance and integration' while many of its members spoke 'from a lofty tower of pure theory which has never been tested through human contact'.²⁰ By this time, calls for law reform in Ireland had begun in earnest. In a 1975 Seanad debate on the creation of the law reform commission, Noel Browne called on the attorney general to reform laws that were 'the cause of an enormous amount of distress for a great number of people'.²¹ The following year, David Norris, chair of the IGRM, called on the government to establish a commission 'to investigate the position of homosexuals under Irish law, and in Irish society'. He also noted that 'it was a measure of the extent to which human rights were denied and liberty suppressed that so substantial a group – more than twice the size of the entire Protestant community – should be so repressed that many people were ignorant of their existence'.²²

The road to decriminalisation

The publications that sought to give voice to the gay community from the late-1970s onward cannot be separated from the various movements that emerged in the 1970s, the personalities involved, the priorities that different individuals felt should be pursued and the legal challenge to the law that lasted over twenty years. Recalling the origins of the gay rights movement, David Norris noted that it emerged following a human sexuality conference held at the University of Ulster in Coleraine in October 1973. From this conference sprang the Union for Sexual Freedom in Ireland, which in turn produced the Sexual Liberation Movement that had branches in several universities, including Trinity College Dublin. Following a public symposium on homosexuality at Trinity in February 1974, the IGRM was established in June 1974. But there followed a split in the movement that became public in mid-1977.²³ The basis of the split – whether the movement should concentrate its energy and resources on providing social outlets for the gay community and avoid drawing attention to itself, or alternatively, on launching a legal challenge to the 1861 and 1885 Acts – was long-simmering and culminated in the establishment of a plethora of organisations and publications. Ultimately, on one side stood the IGRM which emphasised providing social spaces for the gay community; on the other stood the Campaign for Homosexual Law Reform (CHLR) which was established in August 1977. In 1979 the IGRM split again with some

¹⁷ *Irish Times*, 13 July 1977. Lennon's custodial sentence was later quashed by the Court of Appeal.

¹⁸ *Irish Times*, 27 July 1977.

¹⁹ *Irish Times*, 5 Aug. 1977.

²⁰ *Irish Times*, 10 Aug. 1977.

²¹ *Irish Times*, 11 Apr. 1975.

²² *Irish Times*, 3 May 1976.

²³ National Library of Ireland (hereafter NLI); MS 45,963/7, *In Touch*, 2:7, Aug. & Sept. 1980, pp 8–10.

members coalescing with CHLR to establish the National Gay Federation (NGF) and other members remaining under the ever-fading banner of the IGRM.²⁴

While such differences were being played out, for the public at large the most visible aspect of the emergent gay movement was the constitutional challenge to the 1861 and 1885 Acts taken by David Norris. Having lodged his challenge in November 1977, the case was finally heard in June 1980.²⁵ Norris' argument rested on the principles that he was not being treated equally before the law in contravention of Article 40 of the constitution and that the legislation breached his right to privacy as established by the McGee case of 1975 which had established the constitutional right to privacy.²⁶ In response, the state argued that the McGee judgment had established that sexual privacy existed within marriage only; it did not extend to sexual relations outside marriage. The state also argued that the importance of religion to the life of the people was important; that morality was linked with the concept of public order in qualifying the rights granted by Article 40; and that the state had a duty to 'intervene by its laws to curb the grosser breaches of morality'. Changing the laws, the state contended, would constitute an offence against religion, public order and morality, a danger to public health and welfare, and an attack on institutions of marriage and family.²⁷ In October 1980 the High Court granted judgment in favour of the state, but the carefully considered judgment enumerated for the first time the factors impacting on the gay community. In his findings, Justice Herbert McWilliam accepted that there existed a large gay community in Ireland, that homosexuality was not a lifestyle choice, that prejudice existed and that the law as it stood encouraged such prejudice. However, Justice McWilliam found that the case must fail because as an unmarried man Norris could not rely on the previously established principle of marital privacy to establish his case. He also found that while 'the traditional attitudes of the Churches and of the general body of citizens towards homosexuality are being challenged', Christian churches still defined sexual intercourse as existing for procreation only; thus human sexuality was confined to marriage. Since the state was required to defend marriage it was entitled to criminalise homosexual acts. Therefore the law as it stood was not unconstitutional.²⁸

There followed an appeal to the Supreme Court which was heard in November 1982, a year in which the gay community came under scrutiny following several killings. In January 1982 the murder of Charles Self prompted the gay rights movement to call for co-operation with the Garda Síochána's investigation team; a move that was followed by allegations of profiling by the force as over 1,500 men were questioned, finger-printed and photographed. In August, Declan Flynn was killed by a gang of four youths in Dublin's Fairview Park. Having been charged with manslaughter, the killers received suspended sentences – a move that prompted a protest march of over 800 people who walked from Dublin city centre to Fairview Park. That month also saw the Censorship of Publications Board again ban the London *Gay News* on the grounds of indecency and obscenity. In

²⁴ For a detailed outline of the various splits see NLI; MS 45,963/9, *In Touch*, 3:1, Dec. & Jan. 1980/81, pp 7–9. See also Paul Ryan, 'Coming out of the dark: a decade of gay mobilisation in Ireland, 1970–80' in Linda Connolly, *Social Movements and Ireland* (Manchester, 2016), pp 86–105. For outlines of the wider gay movement see Patrick James McDonagh, 'Homosexuals are revolting: gay and lesbian activism in the Republic of Ireland, 1970s–1990s' in *Studi Irlandesi: A Journal of Irish Studies*, 7 (2017), 65–91 and Maurice J. Casey, 'Radical politics and gay activism in the Republic of Ireland, 1974–1990' in *Irish Studies Review* 26:2 (2018), 217–36.

²⁵ For an outline of the case see David Norris, *A kick against the pricks* (Dublin, 2012), pp 113–28.

²⁶ Mary McGee took this case after the Revenue Commissioners seized contraception (which was then banned) that had been posted to her from Britain. For more see Brian Girvan, 'Contraception, moral panic and social change in Ireland, 1969–79' in *Irish Political Studies*, 23:4 (2008), 555–76

²⁷ *Irish Times*, 2 July 1980.

²⁸ *Irish Times*, 11 Oct. 1980.

response the NGF declared that the Board's attitude 'implied that discussions of laws whose reform was the subject of public debate was not to be allowed'. Thus, the ban, it concluded, was a 'restriction to the freedom of speech' and an attempt 'to smother debate on controversial issues'.²⁹ One of the few members of the public to protest against the ban was Phil Moore, a Dublin mother who would later play a crucial role in the decriminalisation campaign. As the mother of the gay teenager, Moore declared that to be gay in Ireland was 'a very lonely business with widespread prejudice and ignorance'. Publications such as *Gay News* alleviated 'this sense of isolation' and were necessary in what she termed 'the climate of moral righteousness that is in Ireland today'.³⁰ In April 1983 the Supreme Court upheld the High Court judgment against Norris' challenge to the 1861 and 1885 Acts. Significantly however, it was not a unanimous but a majority verdict that upheld the High Court ruling. Two dissenting judgments held that the High Court had given undue emphasis to the Christian nature of the state and had underplayed a significant constitutional right – that of privacy, with one dissenting justice declaring that the law was 'doomed to extinction' and would need to be replaced with appropriate statutory provisions.³¹ In another positive move, all costs were awarded to Norris as a result of the case having raised issues of public importance.³²

An appeal to the European Courts followed on the grounds that the Supreme Court had not taken into consideration a European Court of Human Rights (ECHR) ruling in relation to the same legislation (the 1861 and 1885 Acts) taken against the British state by Jeffrey Dudgeon. In 1967 Britain had repealed the laws but had allowed Northern Ireland to opt out of decriminalisation. Taking his case under Article 8 of the European Convention on Human Rights (the right to respect for private and family life), Dudgeon had secured judgment in his favour, with the British government extending its repeal legislation to Northern Ireland in October 1982 – a month before Norris' appeal was heard in the Irish Supreme Court. In May 1985 the European Commission of Human Rights found Norris' Article 8 case to be admissible and at the hearing proper in April 1986, the Irish state argued that Norris had not proven that he had suffered injury under the law complained of, and that there existed no case on file relating to acts conducted in private.³³ In March 1987 the Commission found in favour of Norris and referred the issue back to the Irish state for resolution: when no response was forthcoming, in May 1987 the Commission referred the case to the ECHR for final judgment.³⁴ The following year, in April 1988, the state argued at the ECHR that the law complained of had fallen into disuse and was 'unprosecutable' [sic]. However, Norris' legal representative, Mary Robinson, pointed out that the state had no policy in relation to the non-enforcement of the law which could be enforced with gusto at any time.³⁵ In October 1988 the ECHR ruled that the laws contravened Article 8 and instructed the state, under penalty of suspension or expulsion from the Council of Europe, to change the law.³⁶ The state was now obliged to act, though it showed no hurry in so doing.

In Touch, Identity, and Out

Throughout all this time the various factions of the gay movement published many magazines, with, confusingly, both sides of the divide simultaneously publishing a magazine

²⁹ *Irish Times*, 16 Aug. 1982.

³⁰ *Irish Times*, 14 Sept. 1982.

³¹ *Irish Times*, 23 Apr. 1983. The appeal was rejected by Chief Justice Tom O'Higgins, Justice Thomas Finlay, and Justice Frank Griffin; it was allowed by Justice Seamus Henchy and Justice Niall McCarthy.

³² *Irish Times*, 11 June 1983.

³³ *Irish Times*, 18 Apr. 1986.

³⁴ *Irish Times*, 25 May 1987.

³⁵ *Irish Times*, 26 Apr. 1988.

³⁶ *Irish Times*, 27 Oct. 1988.

with the same title. Following the split within the IGRM in 1977, those who wished for the movement to concentrate its efforts and resources on providing social spaces continued to publish the IGRM magazine *In Touch* which, by the early 1980s, was a twenty-four page, A4 publication with a colour masthead.³⁷ Its contents consisted primarily of international news, news from its regional branches (especially Cork and Limerick), reviews, and personal adverts.³⁸ Its April 1980 issue reproduced a letter to IGRM general secretary John Ryan from an aide to the San Francisco Board of Supervisors member Carol Ruth Silver, informing Ryan that Harvey Milk's killer, Dan White, planned to move to Ireland after his release to enjoy 'the possibility of living in peace after causing havoc and distress' in San Francisco.³⁹ To counter this Silver wished 'to lay the plans to cause him [White] to be as miserable as possible and to make it impossible for him to escape the results and consequences of his actions'. Suggested actions included holding a protest at his arrival in Ireland.⁴⁰ Those who emphasised the provision of social spaces also created a new magazine, *Hermes* in 1978. It comprised twelve pages and in its first issue it referred to the Norris legal case by noting that 'by changing the law, a reaction will set in as experienced in England and Wales after 1967, and that it might be more politically sound to let sleeping dogs lie'. Declaring itself independent from both the IGRM and CHLR it expressed the hope that its arrival represented 'one more step in breaking the padlocks on closed minds'.⁴¹ Contents-wise, it carried an advert for the 'Tel-A-Friend' advice helpline, news of the imprisonment of the Leningrad poet Gennady Trifonov, a review of Gore Vidal's *The City and the Pillar*, news on developments within the IGRM, and diary listings of events in Galway, Cork and Dundalk, student society meetings, and a fundraiser for the Norris legal action. It placed particular emphasis on the non-recognition by universities of gay-friendly student societies, noting that University College Dublin had recently vetoed recognition of such a society. Clearly operating on a shoe-string budget, *Hermes* lasted for five issues with its latter issues emphasising the invisibility of the gay community within mainstream media. It noted that 'there seems to be an invisible barrier between Irish journalists and the public, making it impossible for them to discuss the subject, and the only source of news is the occasional hysterical letter from the League of Decency'. While it acknowledged 'good coverage' by the *Irish Times* and occasional coverage by the *Irish Press*, it noted hostile coverage from the *Irish Independent*. Generally, however, amongst the national and regional press it noted 'a stony silence or a scandalous story type article by the less reputable section of the press'.⁴²

A more substantial publication was the version of *In Touch* produced as the monthly journal of the NGF between September 1979 and July 1981. A twenty-page, A-4 size magazine, it was distributed free to NGF members and cost 30p for non-members. Its editorial board consisted of David Norris, Edmund Lynch and Tom McClean. While it carried no advertising, typical contents included health features, youth group notes, international news, pen-pal notices, theatre pages, book reviews, album reviews and numerous community notices for events and various interest groups. Its April 1980 issue carried a detailed report on the previous month's 'Open Forum on Religion and the

³⁷ This version of *In Touch* (1977) was preceded by *IGRM Newsletter* (1976).

³⁸ NLI, *In Touch*, 3:10, Feb. 1981.

³⁹ Harvey Milk (1930-78), the first openly gay politician in California, was shot dead by fellow politician Dan White in 1978.

⁴⁰ NLI, *In Touch*, no bibliographical details, but most likely Apr. 1981. Interestingly, the *Irish Times* of 7 Jan. 1984 noted that White was a second generation Irish-American with 'a strong devotion to Ireland' and that there existed rumours that his relatives wanted him to purchase a farm in Co. Mayo. In October 1985 White took his own life in San Francisco after having served five years in prison.

⁴¹ NLI, *Hermes*, 1:1, Dec. 1978, p. 1. Decriminalisation in Britain had been followed by an increase in police interest in, and prosecutions related to, public sex-related offences.

⁴² NLI, *Hermes*, 1:3, no date/no page nos. The last issue on file is 1:5, Oct. 1979.

Homosexual Person' which had been attended by official representatives of both archbishops of Dublin (Rev Dr Donal Murray had represented Dublin's Catholic archbishop, Dermot Ryan, and Rev Roy Warke had represented Dublin's Church of Ireland's archbishop, Henry McAdoo). While it noted 'immediate and lively reaction from the audience' to Dr Murray's contribution, it felt that what was of most importance was that engagement was finally taking place. It also expressed disappointment that of the four national media organisations invited, only the *Irish Times* had sent a reporter.⁴³ The following issue carried a front page appeal for funds to pay for Norris's constitutional challenge: inside it noted no free legal aid was available in constitutional cases and declared that 'what is on trial is not just the constitutionality of anti-gay laws, but the will of the gay community to stand up and claim the human dignity that is its right'.⁴⁴ Later, that year's the High Court's rejection of Norris's action was described as 'not a total defeat' – a reference to Justice McWilliam's outline of the prejudices faced by the gay community.⁴⁵ Reflecting on the judgment, Norris noted that McWilliam 'had started off so well, conceding all our points, then suddenly seemed to change direction and came down against us'. He also revealed that he had received telephone calls from around the country informing him that clergy has used the judgment 'as a text to preach against the lack of charity and understanding in our Irish society'.⁴⁶

This version of *In Touch* was succeeded by *Identity*, a more professionally, though irregularly produced, thirty-page colour magazine that described itself as 'a new quarterly review for gay women and men'. Produced by the NGF, with an editorial board consisting of T. C. Breen, Cisse Caffrey, Tom McClean and Patrick O'Byrne, its first issue announced its determination to tackle the invisibility imposed on the gay community, thereby 'bringing to our society a social diversity that should be welcomed and not feared'. Noting that the magazine would be 'an outlet for fiction, reviews, poetry, humour, cartoons and analysis of the politics of gay liberation and oppression', it asserted its belief that as 'a minority in society, with our own specific insights into the working of social relationships in that society, what we have to say is of value'.⁴⁷ Consisting principally of reviews of books, plays, restaurants and pubs, it also provided a comprehensive listing of groups in Dublin and major urban centres around the country. Significantly however, it carried advertising, with *In Dublin* magazine and USIT Travel being among the most regular advertisers. Later issues followed a similar format, with a regular contributor being Fr Joe O'Leary and a less regular contributor being Frank McGuinness.⁴⁸ Lasting for seven issues produced over two years, *Identity* co-existed for a time with *NGF News* before the later was succeeded by *Out*.

With an editorial board consisting of Maurice Cafferkey, Jean Fitzsimmons, Carol Laing, Edmund Lynch, Tom McClean, and David Twohig, *Out* was a thirty-six page, bi-monthly A4 magazine published between December 1984 and February 1988. Printed by *The Kerryman*, it had a full colour cover and was distributed by Easons. Its first issue carried an exclusive interview with British band Bronski Beat and singer Tom Robinson. Contentwise, it carried home news, international news, student society news, NGF news, reviews, classified adverts, listings, short stories and the 'Out' interview, with the first person interviewed being future President of Ireland, Mary McAleese.⁴⁹ Its second issue carried a column by Fr Joe O'Leary in which he criticised the appointment of the conservative Dr Kevin McNamara as Catholic archbishop of Dublin. It also carried the first of a regular

⁴³ NLI, Ms 45,963/4, *In Touch*, 2:4, Apr. 1980, pp 5–6.

⁴⁴ NLI, Ms 45,963/6, *In Touch*, 2:5, May 1980, p. 2.

⁴⁵ NLI, Ms 45,963/8, *In Touch*, 2:8, Oct./Nov. 1980, p. 9.

⁴⁶ NLI, Ms 45,963/8, *In Touch*, 2:8, 10 Oct. 1980 (special issue), p. 3.

⁴⁷ NLI, *Identity*, vol. 1:1, Dec. 1981, p. 3.

⁴⁸ O'Leary went on to become an eminent theologian.

⁴⁹ NLI, *Out*, Dec. 1984/Jan. 1985.

column by David Norris in which he dissected press coverage of issues relating to the gay community.⁵⁰ Significantly, *Out* carried a wider range of advertising with Budget Travel, the Employment Equality Agency, Inter-Culture Ireland and *In Dublin* magazine being among the most regular advertisers. Political acceptance, however, was in short supply. In mid-1985 it recorded the fact that although Ireland, through the NGF, had been selected to host the annual International Gay Youth Congress, ‘not a single public representative or youth work official turned up at the opening reception’ despite the Congress being funded by the European Youth Foundation.⁵¹ Nonetheless, *Out* made a conscious effort to engage with politicians: for example, it interviewed Mary Harney and Tony Gregory, both of whom expressed support for decriminalisation.⁵²

Engagement with mainstream media was equally difficult. When, in June 1985, *Out* featured on an RTÉ television show aimed at young people, condemnation was swift. The *Waterford News & Star* criticised the appearance of David Norris ‘trumpeting the cause of the homosexual’ and described the programme as ‘undermining the values held by the majority of young people’, while a letter writer to the *Irish Times* criticised the ‘subtle anti-Christ propaganda’ and condemned how ‘the programme gave a 10-minute or so free advertising boost to a magazine produced by a group of homosexuals’. How much, the writer asked, ‘would that much time cost the producers of a worth-while journal?’ And, he asked in conclusion, why should ‘the rank-and-file licence-paying public have to pay for this atrocious muck, which is just adding insult to robbery?’⁵³ In response, Edmund Lynch, of *Out*’s editorial board, pointed out that ‘gay men and women are taxpayers too, and have for years helped finance media coverage which is profoundly homophobic and insulting’. He also pointedly asked ‘how many of these outraged self-appointed representatives of the plain people of Ireland have actually read *Out*, or attempted to inform themselves of the realities of gay people’s lives?’⁵⁴ More controversy followed when, in early 1986, *Out* reported on how it was prevented from advertising on RTÉ Radio 2 (after 8pm) on the basis that the first iteration of the advert mentioned the word ‘gay’. However, when this objection was overcome by the removal of that word, RTÉ rejected the second iteration of the advert on the basis that ‘advertising a gay magazine without saying that it was gay would be misleading to listeners’.⁵⁵ This rejection was picked up by the Gay Byrne Show on RTÉ’s Radio 1, with national newspapers subsequently covering the story.⁵⁶ One media-spend estimate prepared for the magazine suggested that it had received £1,000 worth of free advertising courtesy of the ban.⁵⁷

The growing professionalism of the publication produced by the NGF is evidenced by the market research undertaken into the magazine’s sale and advertising prospects. The research, undertaken in early-1986, indicated that *Out* had a circulation of 3,500 with a readership of 7,000 people. A canvass of Dublin newsagents involved visits to 185 shops, with the response from newsagents being ‘positive’. While many were ‘nervous about stocking a gay magazine, the high production values of *Out* was a good selling point. Equally, Eason’s decision to both stock and distribute the magazine was a positive feature for many newsagents’. However, despite the ‘major advantage of ... the high spending profile of its readership’, a canvass of advertising agencies was ‘disappointing’ with there being ‘a

⁵⁰ NLI, *Out*, Feb./Mar. 1985.

⁵¹ NLI, *Out*, Aug./Sept. 1985, p. 4.

⁵² NLI, *Out*, Dec. 1985/Jan. 1986, pp 14–15 & Oct./Nov. 1986, pp 16–17.

⁵³ *Waterford News & Star*, 28 June 1985; *Irish Times*, 10 July 1985. The television programme was *TV Ga Ga*, a music/magazine programme aimed at young people.

⁵⁴ *Irish Times*, 19 July 1985.

⁵⁵ NLI, *Out*, Mar./Apr. 1986, p. 20.

⁵⁶ See for example, *Irish Times*, 25 Mar. 1986.

⁵⁷ NLI, Ms 45,989/2, Feasibility study for *Out*, p. 8.

great deal of resistance by advertising agencies to placing ads in *Out*. The research found that the agencies 'felt that placing ads in a gay magazine could involve their clients in controversy or damage their clients' sales in other market segments'.⁵⁸ Ultimately *Out* remained 'undercapitalised' with the production of each issue delayed until 'all the proceeds of the previous issue, from sales, advertising, etc. were collected'. It was succeeded in 1988 by *Gay Community News*.⁵⁹

The impact of *In Touch*, *Identity*, and *Out*

The development of magazines such as *In Touch*, *Identity*, and *Out* represented the same media-related objectives as those of any other social or political movement: to provide a platform for the dissemination of information to widely dispersed, disparate and often isolated community members; to reduce isolation and engage in commonality building; to raise consciousness via historical articles and engagement in contemporary culture; to engage in identity and community building; to provide a mechanism for affiliation to that identity and community; to provide solidarity to those engaged in such activities; and to act an outlet for the expression of support from those outside the community. In, essence, they sought to give a voice to the formerly voiceless and to disrupt the idealised image of Irishness that then prevailed and which was based on the long-term symbiotic relationship between nationalism, heteronormativity and religiosity. The three publications represented a deliberate attempt to alter this relationship, particularly 'the success of religious interests in controlling debate on the question of human sexuality by the astute method of limiting and directing the language system through which the debate is conducted'.⁶⁰ The magazines thus provided 'new spaces for alternative voices that provide the focus both for specific community interests as well as for the contrary and the subversive'.⁶¹

In his work on alternative media, Michael Treber describes the contributors to such publications as 'native-reporters' with their legitimacy being grounded in their membership of the community to which the publication is aimed.⁶² Their journalistic work thus enables the community to identify and come together to 'analyse one's historical situation, which transforms consciousness, and leads to the will to change a situation'. As alternative media, *In Touch*, *Identity*, and *Out* offered contrary political, cultural and social viewpoints to the mainstream media's construction of society. Their clear focus was on counter-cultural, counter-heteronormative readings of Irish society, with a focus on the politics of liberation through providing content not catered for elsewhere and covering issues that were not reported on elsewhere. The recurring themes present in all three magazines – presenting the hidden 'gay' history of Irish society and personalities such as Oscar Wilde, Hilton Edwards and Micheál Mac Liammóir; outlining the origins and impact of the discriminatory legislation, reporting on the long-running constitutional challenge, international news, reviewing gay-related plays, books and music, venue listings, community groups and events, and classified adverts – played a key role in the education and consciousness raising of the gay community and in breaking the stigma and social isolation that was then the norm.

For the first time gay activists recorded they own lived reality, and were empowered as participants in the construction of alternative visions of Irish history, making visible the repressed and advocating for change. Presenting the perspectives of the up-to-then invisible gay community gave political legitimacy to the movement's leaders and countered the mainstream media's routinized dependence on traditional figures of authority as the only

⁵⁸ Ibid, pp 2–8.

⁵⁹ NLI, Ms 45,992/5.

⁶⁰ David Norris, 'Homosexual people', p. 21.

⁶¹ Roger Silverstone, *Why study the media?* (London, 1999), p. 103.

⁶² Michael Treber, *Alternative journalism, alternative media* (London, 1985), p. 3.

source of legitimate viewpoints. Such legitimacy was amplified by the magazines' inclusion of 'mobilization' information – not just on campaigns to build the movement, but also groups that offered support, advice and solidarity to community members. Through the development of alternative news values, alternative news-gathering techniques and alternative sites of news, the magazines made, in the words of John Fiske, the 'repression of events explicitly political'.⁶³ Thus marginalised groups 'make their own news, whether by appearing in it as significant actors or by creating news relevant to their situation', thereby providing 'information and interpretations of the world which we might not otherwise see'.⁶⁴ Indeed, in relation to the AIDS crisis of the 1980s, Páraic Kerrigan noted that 'alternative media in Ireland were pivotal in generating public health information for the gay community, particularly when the mainstream press and Irish government were not providing the necessary resources'.⁶⁵ Thus, while many academics refer to the small print runs, limited circulation, marginality and virtual invisibility of alternative publications such as *In Touch*, *Identity*, and *Out* in the wider media marketplace, it is arguable that the impact of alternative publications goes far beyond such criteria.⁶⁶ In any event, the publication of *In Touch*, *Identity*, and *Out* allowed the NGF to gradually develop its voluntary publication experience so that there existed the capacity for it to engage in the politics of persuasion that was necessary in the aftermath of Norris's victory. That politics of persuasion was played out in the NGF's longest running publication, *Gay Community News*.

Gay Community News (GCN)

Launched in February 1988 with the support of the NGF, *GCN* was monthly, eight-page, tabloid format newspaper, printed by the *Meath Chronicle* and costing 20p per issue. Its initial editorial board consisted of Bill Collins, Frank Fitzgerald, and Tonie Walsh and it would have several such boards until Frank Thackaberry was appointed editor in August 1990.⁶⁷ As remembered by Tonie Walsh, *GCN's* objective was to be 'a platform for our own stories and a mechanism to promote positive images at a time when none existed in Irish popular culture of the media'.⁶⁸ Its first-issue front page story related to a Clause 28 protest to be held outside the British embassy to coincide with a British nationwide protest.⁶⁹ Along with community notes and an advice column the issue featured a look back at the major events of 1987 – the year in which the European Commission of Human Rights had found in favour of David Norris. It also outlined the provisions of the 1861 and 1885 Acts and advised its readers to join political parties to change their policies from within, to campaign through trade unions, to write letters to newspapers, and join the political action group of the NGF.⁷⁰ By its second issue, *GCN's* cover price had increased to 40p and it carried a far more comprehensive listings section on relevant organisations. Later issues saw the inclusion of book and film reviews, personal adverts, a column – *Fadó* – that commemorated key events in gay history, and a column (Mediawatch) that reviewed mainstream media coverage of gay related issues. Significantly, adverts were very sparse: there was very little beyond the occasional nightclub advert. This helps explain a four-month break in publication between

⁶³ John Fiske, 'Popularity and the politics of information' in Peter Dahlgren and Colin Sparks (eds) *Journalism and popular culture* (London, 1992), pp 45–63 at 47.

⁶⁴ Chris Atton, *Alternative media* (London, 2002), pp 11–12.

⁶⁵ Páraic Kerrigan, 'Out-ing AIDS: the Irish civil gay rights movement's response to the AIDS crisis (1984–88)', *Media History*, 25:2 (2019), 244–58 at 244.

⁶⁶ Fiske, 'Popularity and the politics of information' p. 47; Atton, *Alternative media*, p. 12.

⁶⁷ Thackaberry was succeeded as editor in May 1992 by Richard Prenderville.

⁶⁸ *GCN*, Apr. 2018, p. 12.

⁶⁹ Section 28 of the British Local Government Act 1988 impacted negatively on local authority support for gay organisations with such support being viewed as promoting a 'deviant lifestyle'. It was repealed in 2003.

⁷⁰ *GCN*, 10 Feb. 1988, pp 4–5.

November 1988 and February 1989. Returning to publication in March 1989, it noted its absence was due to ‘a range of disasters, ranging from money to emigration’.⁷¹ The returned *GCN* had a clearer layout of home news, international news, health news, mediawatch, along with books, film, theatre reviews and listings.⁷²

While its predecessor publications had covered David Norris’s legal battle over the course of twenty years, such coverage was, like the hearings themselves, spread out over a long period of time. However, Norris’ victory at the ECHR in October 1988 and the creation of a new lobby group, the Gay and Lesbian Equality Network (GLEN), meant that it fell to *GCN* to foreground for its readers the implications of the legal victory and the efforts needed to ensure that it was not ignored by the body politic. In its November 1989 issue, a front page article by GLEN co-chairperson Kieran Rose demanded ‘equality in the criminal law and anti-discrimination legislation’. He also called on the government to resist any action that might ‘involve reinforcing our second-class status’, called on the gay community to ‘popularise the idea that our society should cherish diversity, not enforce conformity’, and noted that there existed ‘a stereotype of Ireland as hopelessly reactionary and repressive’ but that it was also ‘a progressive country where ideals of social justice have a strong resonance’.⁷³ This issue also reported that *GCN* had contacted all political parties seeking clarity on where they stood on decriminalisation. While the Labour Party, the Progressive Democrats, the Green Party and Sinn Féin supported decriminalisation, Fine Gael was non-committal and no reply was received from Fianna Fáil.⁷⁴ The following month, it welcomed the fact that the Prohibition of Incitement to Hatred Act 1989 had included sexual orientation as one of the prohibited grounds. Now a free newspaper distributed at shops, cafes, venues, theatres, pubs and clubs, it also reported on a frank debate that had occurred on RTÉ television’s *The Late Late Show* between Kieran Rose of GLEN, Máire Kieran of Family Solidarity, and Paddy Monaghan, a lay Catholic preacher. While no consensus emerged on what government action should flow from the ECHR judgment the fact that such a debate was occurring on national prime time television was an indicator of how society was changing – and an indicator of the battle for support that was ongoing as opinion polls gauged the public mood.⁷⁵

In its issue of February 1990, *GCN* noted that a listeners’ opinion poll on RTÉ’s Gay Byrne (radio) Show had indicated that 65.5% of listeners supported decriminalisation compared to 34.5% against.⁷⁶ The following month, however, it reported that a more representative survey of 1,269 adults conducted for the *Sunday Independent* found that only 30% was in favour of decriminalisation with 48% against and 21% stating no opinion. This poll also found an urban bias in favour of change (53% in Dublin as opposed to 36% in Leinster, 29% in Munster and 30.5% in Connaught/Ulster) and an age bias in favour of change with majorities in the 18–24 and 25–34 age groups favouring change. Comparing the two polls, *GCN* noted that the radio poll had taken place ‘among people who were well informed through hearing the arguments on both sides expressed in detail’. The lesson lay in advocacy, with *GCN* concluding that ‘the more people are informed of the injustice and hypocrisy of the present situation, the more they will favour a change in our homophobic laws’.⁷⁷ As well as supporting those who campaigned for change, *GCN* also reported on the

⁷¹ *GCN*, Mar. 1989, p. 1.

⁷² *GCN* would in 1990 secure support from the FAS Social Employment Scheme which allowed for the recruitment of paid staff.

⁷³ *GCN*, Nov. 1989, p. 1.

⁷⁴ *Ibid*, p. 3.

⁷⁵ *GCN*, Dec. 1989, p. 1 & p. 6.

⁷⁶ *GCN*, Feb. 1990, p. 1.

⁷⁷ *GCN*, Mar. 1990, p. 1.

activities of those campaigning against any change. In September 1990 it dedicated its front page to political reaction to a booklet, 'The Homosexual Challenge: Analysis and Response', which had been distributed to politicians by Family Solidarity and which had been described by one politician as 'one of the most provocative documents he had ever read'.⁷⁸ It also revealed how the Council for Social Concern had written to businesses that advertised on Bray's *Horizon* radio station objecting to the station's weekly half-hour 'Outwaves' programme which catered for the gay community. Accusing the station of 'actively supporting the very politicised homosexual lobby' and of submitting 'listeners of all ages, especially teenagers, to homosexual propaganda which is one-sided and unbalanced', the letter described the programme as 'most unhealthy and abnormal' and claimed that 'advertisers have a right, and duty, to determine [the station's] ethos and influence'. Ominously it concluded by asking business owners 'to consider whether it is in your company's best interests to be associated with a programme that is so offensive and potentially damaging'.⁷⁹

But it covered positive developments also, including, in October 1990, the Law Reform Commission's report that called for decriminalisation. That month it also published a profile of long-term advocate Mary Robinson headlined 'Our Next President?'⁸⁰ The following month it welcomed Robinson's election as President of Ireland 'as heralding in a tolerant inclusive Ireland'.⁸¹ It also reported shifts in public opinion such as a survey of 1,273 adults carried out for the *Sunday Press* which indicated that 39% favoured decriminalisation with 42% against and 19% stating no opinion. The poll also found large increases in both urban and rural constituencies favouring change, with *GCN* concluding that 'opinion for and against is now almost equally divided' with the result being 'a major blow to the intolerant groups which used to claim to speak for the "moral majority"'. It thus called on the government 'to bring forward realistic proposals in the near future'.⁸² By the summer of 1993, when decriminalisation was finally enacted, *GCN* had evolved into a free twenty-page, tabloid-sized newspaper with significant advertising and a circulation of around 8,000 copies per month.⁸³ Its brief 180-word, page three story on the Criminal Law (Sexual Offences) Act 1993 that repealed the relevant sections of the 1861 and 1885 Acts was a sign of how life had moved on long before the law was changed.⁸⁴

⁷⁸ *GCN*, Sept. 1990, p. 1.

⁷⁹ *GCN*, Nov. 1990 pp 1 & 3.

⁸⁰ *GCN*, Oct. 1990, pp 1 & 10.

⁸¹ *GCN*, Nov. 1990, p. 3.

⁸² *GCN*, May 1991, p. 1.

⁸³ Lance Pettit, 'Ireland's alternative press: writing from the margins' in *Irish Communication Review*, 7:1 (1998), article 2 (no page numbers) reports that in 1996 *GCN* had a circulation of 9,000 copies per month and a readership of 20,700 per issue.

⁸⁴ *GCN*, Aug. 1993, p. 3. Post-decriminalization, other publications – *Innuendo* (1997), *GI* (2001-3), and *Free!* (2002-6), which was edited by long-time activist Eddie McGuinness – briefly existed.