

# **The Farce of Law: Performing and Policing *Norm and Ahmed* in 1969**

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## **Introduction: Theatricality**

Late one night on a deserted street, Norm, a working class Anglo-Australian male, stops Ahmed, a younger student from Pakistan, to ask him for a light, and strikes up a conversation. Norm seems friendly enough, but there is an undercurrent of hostility to his speech and behaviour, as if he is slyly baiting or taunting Ahmed. When the conversation draws to a close, Norm offers a parting handshake to Ahmed which suddenly becomes a punch to the stomach and face. 'He grabs Ahmed's head and bashes it against the post. Then he flings the limp body over the handrail' (Buzo 1968: 26). Norm then utters the final, shocking words: 'Fuckin' boong'.

This explosion of violent racism is the confronting climax of the now-classic Australian play, *Norm and Ahmed*, the first play by twenty-five year old Alex Buzo who would become one of Australia's most outstanding playwrights.<sup>2</sup> Having carefully aligned Norm, 'one of the earliest identifiable stage ockers' (Australian 9 June 1999), with the Australian norm — his character speaks fondly of Australian institutions like sport and the R.S.L., espousing the virtues of tolerance, freedom, and friendliness towards others — the final revelation renders

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the play a powerful exploration of ‘racism and generational envy’<sup>3</sup> that remains disturbingly relevant to Australian society forty years after it was initially performed.<sup>4</sup>

The earliest performances of Norm and Ahmed were shocking for other reasons. One Saturday night at the Twelfth Night Theatre in Brisbane, two police officers mounted the stage and arrested the actor playing Norm for using obscene language in a public place. It was not Norm’s racial slur that the police were concerned with, but rather his use of the word ‘fuckin.’ The following month, a performance of Norm and Ahmed by the Cairns Little Theatre Group in Townsville was edited by local police backstage, and several further cuts to the dialogue enforced. The police attitude towards the play was not supported by the courts: a Queensland magistrate refused to issue an injunction to prevent the Twelfth Night Theatre production from proceeding after the actor’s arrest,<sup>5</sup> and his conviction was later overturned by the Supreme Court of Queensland on the grounds that the word was not obscene in the context of the play.<sup>6</sup>

By this time, public reaction to ‘the crude puritanism’ of the police interventions into theatre in Queensland and other states had formed the catalyst for a fierce nationwide debate which critic and playwright Max Harris called ‘the most explosive censorship crisis in the history of the country’ (Australian 26 July 1969).<sup>7</sup> Far from justifying the grounds for censorship in the public mind, the police actions revealed those grounds to be ‘anomalous and confused’ (Australian 26 July 1969). Reforms to the censorship regime soon followed, and Australian theatre has never again been targeted by the censors at the level of 1969.<sup>8</sup> While Norm and Ahmed is now viewed as a ‘landmark in the development of a national drama’,<sup>9</sup> the scene of police officers walking onstage to arrest an actor for uttering obscene words is recalled as ‘farce’ (Courier Mail 7 October 2007).

To appreciate this farce is to acknowledge the charged symbolic role played by the police in the public performance of state law. As the primary vehicle for ‘the state’s symbolic monopolization of legitimate force’ (Reiner 2010:17), the police embody the possibility

of enforcement necessary to any thinking about law (Derrida 1990: 925). Police exercise not only physical power but symbolic power, which depends on the recognition of an audience (Bourdieu 1989; Loader 1997). The spectacle of policing 'strives to make actual, both to its subjects and to itself, the authorized face, and force, of the state' (Comaroff 2004: 805). In this case, the spectacle of policing turned the force of law into farce. How did this happen, and what can we learn from it?

In this essay, I reconstruct this historical encounter between law and theatre, drawing on contemporary newspapers as well as hitherto unpublished letters written to Alex Buzo by the actors and directors of his play (located in the Papers of Alex Buzo, National Library of Australia).<sup>10</sup> My aim is to explore what this farce reveals about the workings of law, and in particular, about the tendency of theatrical, spectacular or explicit measures to undermine or compromise law's authority.<sup>11</sup> The conventions of theatre provide the framework for my analysis. In realist or naturalist theatre the spectator is absorbed in the onstage action and the supporting apparatus or 'backstage' is obscured, for its exposure would undermine the dramatic illusion. But at certain moments, or in other types of theatre, the audience is made conscious of the fact that they are watching a performance: through the excess of farce, the self-conscious reference to theatre within theatre itself known as 'meta-theatre' (such as plays-within-plays), or when an actor flubs his or her lines. Tracy C Davis (2004) identifies this awareness of spectatorship as central to 'theatricality.'<sup>12</sup> Its political power was perhaps most rigorously explored by playwright Bertolt Brecht who, as Thomas O Beebee (1992) explains, 'wanted his actors to remain outside their roles, the spectators to remain outside the story which seeks to involve and entrap them' (1992: 40). Theatricality, then, is a viewing experience in which the backstage mechanisms that sustain the onstage spectacle are revealed to the audience. Brechtian theatre 'wishes to show its backstage area as a political gesture' (1992: 55), but as Beebee observes in relation to the theatricality of courtroom procedure, 'no one is interested in seeing the law's backstage, which seems to invalidate its results' (1992: 53).

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My central argument in this essay is that the theatricality of the police interventions into *Norm and Ahmed* revealed ‘the law’s backstage:’ the police purport to represent law-preserving violence, but actually exercise lawmaking violence, instantiating the force of law they purport to draw upon (Benjamin 1927, Derrida 1990: 925, 927). In order to elucidate the precarious relationship between theatricality and authority, I focus on the written accounts of those who participated in and witnessed the play and the spectacle of policing, and found the latter less than convincing. Part 1 examines the onstage arrest in Brisbane to show how the encounter between two performances ended in a farcical moment in which the police action was judged by the players and media as a performance. Part 2 examines the backstage censorship in Townsville, where a letter to Buzo from the director recounts how the police presence in the audience led to a moment of unscripted laughter which undermined both the dramatic illusion of the play and the censorious power of the police. Part 3 adopts the perspective of the audience to explore a reading of the performance made possible by the decision of the police to enter the theatrical frame and be judged as players in the drama. In this part, I argue that the police intervention into *Norm and Ahmed* was mirrored in and prefigured by the play itself. Just as *Norm*’s liberal platitudes were undermined by the exposure of his obscene racism, the pretext to rationality buttressing law’s authority was undermined by theatricality’s exposure of the police actions as irrational, lawmaking violence.

### **1 Onstage: The Collision of Two Scripts**

At the close of the 1960s in Australia, the decade’s warring forces of social revolution and reactionary conservatism converged on the local theatre. Each State’s Chief Secretary had long held the power to ban plays, but this power had been exercised on relatively few occasions until reforms to the national censorship regime shifted the locus of censorship battles to State officials and local vice squads, who eagerly took up the charge of protecting public morals.<sup>13</sup> When *Norm and Ahmed*, directed by Jim Sharman, premiered in April 1968 at the

Old Tote in Sydney, the final line was changed to 'bloody boong' to evade controversy.<sup>14</sup> The following year, the Twelfth Night Theatre in Brisbane, Queensland, performed Norm and Ahmed in unamended form. On Friday 18 April, two plain-clothed policemen from the Licensing Squad sat in the audience and, after Norm spoke the play's final line, climbed onto the stage and identified themselves as police. The actor Norman Staines recalled: 'They asked me my name and if I had used the words. I said I had and they warned me I could be arrested and charged with using obscene language' (Courier Mail 19 April 1969). The director Barry Routledge reported: 'They asked us to cut the line out of future performances otherwise if there were any more complaints a separate charge would have to be made on each. We will replace it with some other words' (Courier Mail 19 April 1969). However, the following evening, Staines delivered the final line of the play according to the script, and the police mounted the stage again and arrested him.<sup>15</sup> He was taken to the City Watchhouse and fingerprinted before being released on bail (Wright and Lake 1970: 114). A handwritten letter from Staines to Buzo one week later captures the actor's bemused delight with the publicity:

Well Alex, what a furore! The business made about four front page headlines with oodles of garbage and crap on the inside. There was also quite a bit on TV and radio (Staines 28 April 1969).

The police warning to Staines that Friday night was a display of force as well as an exercise of discretion, as the criminal obscenity had already occurred prior to the warning not to repeat it. The threat also engendered the opportunity for defiance: Staines allegedly told some newspaper reporters that 'as far as he was concerned, the police could go to hell' (Courier Mail 24 May 1969). Nonetheless, the arrest apparently took the troupe by surprise, because at a meeting that afternoon the police had agreed to proceed by summons rather than arrest (Wright and Lake 1970: 114). Joan Whalley, Director of Twelfth Night Theatre, wrote to the Courier Mail: 'Events of Saturday night since reported reveal a clear breach of that agreement. We are puzzled by all this and deeply hurt' (Courier Mail 24 April 1969).<sup>16</sup>

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Letters to the Courier Mail during the following days demonstrate that the arrest of Staines provoked public debate about how these officers had performed their role as police. In particular, they were criticised for deviating from the Queensland Police Manual protocol which recommended proceeding by summons rather than arrest in such minor instances.<sup>17</sup> A solicitor wrote:

... one wonders why it was necessary for the detectives to arrest the actor, to take him to the watch-house and to have him fingerprinted. The same charge could be brought before the court by the issue of a summons which could have been served on the actor at any time. Indeed the Queensland Police Manual instructs: 'Members of the Police Force, even though authorized by law, should abstain, unless when specially instructed to the contrary, from making an arrest for a minor offence when proceedings against the offender by complaint and summons would be effective.' Who gave special instructions to the contrary, and why? (Courier Mail 23 April 1969).

Another anonymous letter quoted the remainder of the Manual:

'199[2] — Although members of the Police Force are expected to zealously carry out their duties, they should exercise forbearance and discretion in dealing with minor offences, committed inadvertently or in ignorance, or without evil intent, by citizens who are ordinarily law-abiding.' Whether the police on Saturday night acted under a special instruction contrary to this, or deliberately declined to follow the Manual of Instructions, is not known, but in any event a review of their conduct suggests a preference to act in an unnecessarily overbearing manner. Such conduct is more likely to instill in the minds of the public a feeling of fear rather than respect for the police. Is this by choice? (Courier Mail 24 April 1969)

These letters evince genuine puzzlement over the motivations of the police, raising questions that cannot be definitively resolved. We do know that the Queensland Police was notorious in a political climate known for its 'cynical abuse of power' (Schultz 2008: 2): just two months previously, Police Commissioner Bischof had resigned amidst allegations of corruption,<sup>18</sup> and Ray Whitrod, appointed as Commissioner the following year, recalled in his memoir 'a society

crisscrossed by a network of obligations and pre-arranged mutual benefits' (cited in Schultz 2008: 2). The Fitzgerald Inquiry into police corruption in Queensland would later demonstrate high levels of interference within the police chain of command from politicians at both local and State Government levels at this time (Fitzgerald 1989). Indeed, given the centralised organisation of Australian State police forces, and the fact that newly-appointed conservative Premier Bjelke-Petersen was still in charge of the Police Ministry portfolio,<sup>19</sup> we could even speculate that a directive came from him, an action that would be in keeping with his pursuit of repressive measures to quash dissent over the following decade (Evans 2007: 223-4; Evans and Ferrier 2004; Schultz 2008). But the role played by a given politician in the actions of police is almost always open to question, given the passage of time and the insular nature of police agencies (Crank 1998), and this difficulty is compounded in the context of corruption (Finnane 1994: 3, 171). As Mark Finnane suggests, while 'police decision-making invariably takes place in a political context' (1994: 57), 'neither judiciary nor political figures can substantially affect police in their everyday work' (Finnane 1994: 146).

Rather than inquiring into the motivation for the arrest of Staines, we can understand this public speculation about motivation as itself an effect generated by its performance. Police work has a fundamentally theatrical or dramaturgical inflection, mobilising 'illusion, praxis, and imagery' in 'well-directed social productions' (Young 1991: 4). As a choreographed interaction ritual (Goffman 1967), a dramatisation of the force of the state over bodies, an arrest in front of an audience achieves a theatrical effect that a summons cannot. The decision to perform a public arrest is a decision to allow the law to take centre stage, to be seen to be done. The affect generated by an arrest — how it is perceived and felt by the spectator — is thus crucial to its power.

The director Barry Routledge recalled, '[W]hen the police came on stage there was not a whisper from the audience. The police were very good about it. One of them said to Staines, "congratulations on a brilliant performance"' (Courier Mail 19 April 1969). The officer's

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compliment appears incongruous with his role, an embarrassed acknowledgment that he was going through the motions of the arrest and not entirely in command of his own performance. His momentary admiration partakes of a theatrical framework, in which Staines gave a convincing and powerful performance as Norm, rather than a legal framework in which a subject uttered obscene language in a public place. The police officers seem confused over what their role was, as if, once they took the stage, they entered a liminal space of uncertainty and the heightened self-consciousness of theatricality. Later that night, Staines joked to the press that Buzo would have to write two more parts into his play: 'two detectives. They both said their lines well, but one was a bit nervous' (Courier Mail 19 April 1969). The police needed to be better actors to convince their audience — less apologetic and more indignant perhaps. The role reversal in this scene — as police judge the actors for their performance and are in turn judged by the actors for their performance — is quintessential farce.

In the 'onstage' story of policing in a democracy under the rule of law, the police 'apply' the law by adhering to the pre-authorised script of legal constraints, free from political interference or personal motivations. The success of a performed arrest lies in the capacity of the police to make the mask they are wearing appear natural, and the force they are wielding appear inexorable. As Beebee explains, '[i]n order to function, the law needs to demonstrate that it does not possess interiority; costume alone, the robe and the hat, are sufficient' (Beebee 1992: 53). But in the awkwardness of these police officers, in their apparent hesitation and confusion, we become aware of an interiority behind the costume and masks of their roles, which in turn forces recognition of the force of law as a function of its performance.

While in some sense police officers are always acting like police, following scripted and ritual behavior which derives its power from 'the force of reiterated convention' (Butler 1997: 33), the fact of this acting, and its discretionary, improvisational nature, becomes strikingly apparent in certain — theatrical — circumstances. Just as the performance of drag 'implicitly reveals the imitative structure of gender itself — as



well as its contingency' (Butler 1990: 137), the police, by coming onstage, standing in costume under the lights, and reciting their lines, shine the spotlight on their own imitative structure.<sup>20</sup> Are the police performing an arrest, or performing a performance of an arrest? As Staines concludes, 'Looking back — it almost seems hilarious' (Staines 28 April 1969). Two scripted performances — the play and the arrest — collide onstage in an unscripted, improvised moment which reveals 'law's backstage.' The police are not exercising law-preserving power, they are exercising lawmaking power. They are the law, or rather, the law is nothing but the effect of their performance, and they are making it up as they go along.

## **2 Backstage: Unscripted Laughter**

In June 1969, one month after the Brisbane arrest, the Cairns Little Theatre Group offered Norm and Ahmed as their contribution to the North Queensland Drama Festival in Townsville.<sup>21</sup> Preparations were underway prior to Staines' arrest and the director, Graham McKenzie, and the troupe were well aware of the reaction to the play in Brisbane. In a letter to Buzo, McKenzie wrote, 'Can't imagine people being so narrow minded but then again that is Brisbane all over' (McKenzie 24 June 1969). He also reported on the pressure felt by the theatre troupe:

Was speaking to Peter [the actor playing Ahmed] yesterday and he tells me that he is having trouble with the police in Cairns. Also the local radio station HCA has had a shout at him about 'that word' and accused him of trying to cash in on the publicity the play has received in Brisbane. ... The police have threatened him if the word is said there will be action taken.

... Isn't it amazing all the nonsense over one word that you can hear anywhere, any day of the week especially up in this godforsaken part of Australia. By the way we have a Norm but that is another sore point, his wife is kicking up a fuss over the word too (McKenzie 10 May 1969).

The play was scheduled to finish the Festival on the evening of Saturday 14 June.<sup>22</sup> That morning, the Townsville Daily Bulletin

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reported that the Townsville Police Chief, after reading the script, had warned members of the Festival Committee that if the play was performed according to the script, police officers would be ready in the Theatre Royal to make an arrest. As the troupe had not yet arrived from Cairns, the newspaper speculated on what their response might be (Townsville Daily Bulletin 14 June 1969). Festival officials were aware of the police directive to substitute some other language for the controversial last line, but police interest in the play did not end there. Several hours before the performance, three officers met with the producer, Maren Tinman, and the two actors and went through the script, imposing further changes and removing other offending lines. The head of the drama festival reported:

It was obvious that the cast were very upset by the changes. They weren't sure what they were to do, right up until the last minute. The play was drastically cut. They had been warned by the police that if they put a foot wrong they would be charged, and that the festival organizers would be prosecuted as well (Courier Mail 16 June 1969).

The play was performed in amended form. A review stated that it was 'an anti-climax for which the hard-working producer and cast could hardly be blamed' and that the actors, who were 'clearly unnerved,' gave 'very subdued performances' (Townsville Daily Bulletin 16 June 1969). An interview with Alex Buzo by Joan McRalley in the Brisbane South soon after revealed Buzo's displeasure at the 'mutilation' of his script, and that he would have preferred the play not be performed at all. So both McKenzie and Tinman wrote letters to Buzo apologising for the cuts. McKenzie wrote:

I am sorry that you weren't notified of any cuts but as far as I knew there weren't going to be any cuts at all. ... The police were back stage right up until the play went on and naturally enough the two players, Eric and Peter, were very upset and were at a point of not going on at all. ... Just to show how childish the police were in Townsville, they wanted to cut — 'a long stretch of Pelican shit' — but Eric said to them if I substitute poop for shit would that be OK and they *agreed*. I reckon that just tops the lot (McKenzie 24 June 1969).

Tinman explained to Buzo that his employment as a school teacher meant he could not afford to be arrested, and that Eric Reese (the actor playing Norm) had already been threatened with the sack if arrested.

... the Townsville police were much more delicate than we thought. Detective Osborne had different ideas and Eric went to see him before we presented the play. He made us cut the words, 'pelican shit', 'a lug in the griller', 'going at it hammer and tongs', 'don't have a wetty', 'drop their tweeds for a ripe banana', and anything else that might be considered (by him) as 'indecent phraseology'. This was upsetting enough in itself, but to cap it off he sent three enormous detectives to the play, and seemed determined to make an arrest.

The actors were so upset and nervous that I had the detectives come backstage with me and we went through the script there and then, two hours before we were due on stage. I think he chose the three biggest, ugliest and most frightening men in the force; however, they agreed that so long as we didn't say what detective Osborne had *forbidden* us to say we would be alright ...

I was fuming about the fact that an ignoramus policeman should be able to dictate to the theatre, and even more furious that the whole point of the play has been overlooked in the petty grievances of a minority about a few words that can be heard any day of the week on any street, and even in the schoolground.

I almost refused to allow the play on stage because of the cuts in the script, and wanted an announcement made to that effect; but so many people had paid to see it that we more or less had to perform. ... They also would not allow us to say, 'Norm and Ahmed' by Alexander Buzo and the Townsville Police (Tinman 17 June 1969).

Instead of offering an alternative theatrical performance — a farce — the Townsville police chose to work within the tradition of realist theatre of which *Norm and Ahmed* was a part. Their refusal to allow their authorship to be foregrounded — in a wry attribution of co-authorship which was actually Buzo's idea (*Australian* 3 September 1969) — suggests that they feared exposure to ridicule, but also signals their dependence, like the actors, on the conventions of naturalist theatre

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in which the constructed nature of the script is invisible. For their backstage intervention to succeed in censoring the play's performance, it must remain, at least for the duration of the performance, in the realm of the taken-for-granted and unquestioned.

Yet the police did not want to remain entirely backstage. They sat in the audience, presumably to ensure the play was performed to their requirements, but perhaps also to be seen in their function as protectors of the public. And, as Tinman's letter to Buzo reveals, there came a moment in the play when the theatrical frame slipped. This occurred at the moment Norm speaks warmly of policemen: 'They only want to preserve law and order in the community. ... Go easy on the old wallopers ... give the coppers a fair go' (*Norm and Ahmed* 20). As Tinman reported to Buzo:

... the lines concerning the 'wallopers' and the wonderful efforts of our policeman drew a hearty laugh from the audience at the expense of the three bruisers present (Tinman 17 June 1969).

To identify and make explicit the implications of this laughter, we can turn to Erving Goffman's distinction between the laughter of a theatregoer and of an onlooker. The theatregoer spends time and money to watch a play for various real-life reasons (it was in their capacity as theatregoers that the audience pressured Tinman to continue with the performance despite the last-minute alterations). Each theatregoer is also an onlooker who collaborates in the reality onstage and participates in it sympathetically or vicariously. Laughter in response to clownery by a staged character is laughter as an onlooker; laughter in response to an actor who flubs his lines is laughter as a theatregoer (Goffman 1974: 130). In Goffman's terms, the audience responded to Norm's line about giving the police 'a fair go' in the mode of theatregoers. Most of the spectators clearly perceived the irony of Norm's character coming to the defence of the police force who would censor him. This unexpected connection between the world in the theatre and the world of Buzo's play broke the dramatic illusion, and the audience laughed at the sudden appearance of meta-theatre within a realist play.

The Townsville police had seen the power of realist theatre, and

thought they could simply rewrite the script and the illusion would pass. The political impact of the revised play on the audience would be favorably transformed: sanitised of obscenity and thus rendered less subversive. But the police presence in the theatre reframed the players' performance as meta-theatre, which packs its political punch precisely through exposing the theatrical illusion as illusion. The juxtaposition which allows Norm's character to appear to speak directly to the police interference in the play also focuses the audience's attention on the fact that they are watching a play. In this moment of awareness, 'the mechanics and conventions of illusion' (Ringer 1998: 8) relied on by both actors and police are made visible and thus undone, and the constructed and political nature of the spectacle before the audience becomes painfully apparent. The audience laughed when the censor's power, which can only succeed backstage, was forced onstage and its effects ruined.

### 3 Audience: Obscene Racism Revealed

Staines' prosecution for obscene language marked the first time an actor had been prosecuted under the *Vagrants, Gaming and Other Offences Act 1931* (Qld) (the Vagrancy Act).<sup>23</sup> At first glance, it seems peculiar and even farcical that such a law could encompass the utterance of an actor onstage. The theatrical world would more likely locate responsibility for a character's utterances with the director, producer or playwright (Goffman 1974: 277-8). As the director of the Brisbane production, Barry Routledge, commented to the press, 'I was surprised they didn't want to arrest me but they said they could only take action against Norm as he had used the words' (*Courier Mail* 19 April 1969). The occurrence of obscene words in a play like *Norm and Ahmed* seems distinct from their occurrence in heated encounters on the street, where the words arrive unscripted.<sup>24</sup> But the law has generally not been concerned with this: the earliest regulations against obscene language in Jacobean England were aimed directly at actors in the theatre,<sup>25</sup> and modern obscene language laws do not rely on the speaker's intention, the actual giving of offence or — at least ostensibly — the context of

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the utterance, but simply on the fact of ‘obscene words’ being uttered in a public place.<sup>26</sup>

But the obscenity of Norm’s final line does not seem to account for the intensity of police interest in *Norm and Ahmed*: for what initially drew the Brisbane police to attend the play and seek to suppress its run, in the absence of any complaint from the public,<sup>27</sup> or for why the play was subject to further cuts by the Townsville police, who ignored other ‘more obscene’ plays at the Queensland Drama Festival.<sup>28</sup> Legal action against the play was not limited to Queensland: when producer Graeme Blundell, keen to leverage the play’s notoriety in order to promote local theatre (Blundell 2008: 126), staged *Norm and Ahmed* in Melbourne in July and December 1969, both he and the actor playing Norm were convicted and fined for obscene language on each occasion.<sup>29</sup> In each case, the police were performing the role of rescuer, entering to protect and shelter the audience from obscenity. But the audience evidently did not find the play obscene. The police were upset because the audience was not upset. Rather than trying to protect them, the police were censoring the audience for approving of the play.

In this final part, I pursue an alternative explanation for why the police intervened in *Norm and Ahmed* by focusing on the affective experience of watching the play, that is, the ways in which the spectator is implicated in or addressed by the performance. While *Norm and Ahmed* was not the only play targeted by the vice squads that year, it differed from the others in one crucial respect — it was Australian.<sup>30</sup> Buzo was one of a number of playwrights who, at the time, ‘instigated a cultural revolution on the Australian stage’ by crafting ‘an expletive-ridden Australian vernacular’ and ‘a rough, larrikin aesthetic’ which ‘defined itself against the Anglophile ethos that dominated Australian theatre until the late 1950s (*Age* 15 April 2006).<sup>31</sup> As playwright David Williamson recently commented:

It’s hard for the present generation working in the arts to understand what the late 1960s and early ‘70s were like in Australia. The idea that Australian creativity was important and could connect with Australian audiences was the pipedream of an energetic but relatively marginalised

artistic fringe (Australian 15 January 2009).

The importance of the audience's connection with Norm as a representative and familiar figure is reflected in Justice Hart's refusal to issue an injunction against *Norm and Ahmed* continuing its Brisbane run after Staines' arrest on the basis that 'to do so would mean that the theatre in this State will be prohibited from displaying some Australians as they actually are' (*Attorney-General (Qld) v Twelfth Night Theatre*: 328). In relating war stories and praising Australian institutions, Norm's character invites the audience to identify with his vision of Australia as a place of opportunity, friendliness and understanding. Norm reassures Ahmed (and the audience): 'We're not such a bad mob out here, you know. We might be a bit on the rough-and-ready side, but our heart's in the right place' (*Norm and Ahmed* 24). At the same time, however, an uneasy atmosphere is created through the audience's awareness of the underlying hostility in Norm's words. Before the first word of the play is spoken, Norm has already raised our suspicions with his puzzling action of throwing away his cigarette and putting another in his mouth, unlit, as Ahmed approaches.<sup>32</sup> After Norm re-enacts his violent treatment of the German prisoner of war — 'knocked one of'em down with me bare hands', 'jobbed him one' and 'floored this bloody Kraut. Really laid him out' (8-10) — he offers Ahmed a cigarette, apparently as a gesture of apology, lighting it for him with his own cigarette lighter, 'beamingly benignly' (10), but in the process revealing that Norm's initial reason for stopping him — 'Got a light?' (3) — was a ruse.

Norm's speech is peppered with racial slurs, references to violence, and idioms which seem designed to elude Ahmed's more formal, literary and slightly stilted grasp of English: 'You look as if a kick in the crutch and a cold frankfurt'd finish you off' (6). Buzo makes the contrast in speaking styles between his two characters a point of explicit tension:

Norm: ... I bet a lot of people say you speak better than the average native-born Australian.

Ahmed: Yes, I have been paid that compliment.

Norm: Yes, I could very well ... envisage that (21).

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The pause in Norm's line accentuates the menace of his ironic choice of words.<sup>33</sup> Even as Norm professes the liberal rhetoric of goodwill towards outsiders — 'We're forging the bonds of friendship with our Asian neighbours. Knowledge is the key to the door of understanding and friendship' (11) — his overwrought language suggests his distance from the sentiment. Norm elicits Ahmed's opinion of Australia only to imply that he should not have expressed it:

Norm: ... I want you to tell me, here and now, what you feel, in your own mind, is a bad thing in this country.

Ahmed: Well then, if you are so keen to hear my opinion, I would say that ... Uh ... well, for one thing, one of the, uh, less desirable aspects of your society, to my mind, would be the tendency of the mass media to be merely the mouthpiece of the big commercial and military interests... the, uh, free press, as it were. They brainwash the people. They ... oh, please forgive me, I forget myself. As I said, it is not perhaps my place to seek to condemn your country. I have my own opinion, but I do not go around broadcasting it as it would not be the diplomatic thing to do.

Norm: Well, that's fair enough, Ahmed. I can see your point of view. For instance, if I went over to Pakistan, I wouldn't tell you blokes how to run your country. I'd keep it to meself (7-8).

This exchange prefigures Norm's final censorious act of violence which will render Ahmed silent (and unconscious). The play's climactic display of obscene ('fuckin') racism ('boong') towards an encompassing dark-skinned 'other' both shocks the audience and resolves their uncertainty over Norm's intentions. The character's physical and verbal violence are intertwined. As director Tinman commented to Buzo, 'Can you imagine a character such as Norm saying "bloody boong?" It is just too ridiculous for words' (Tinman 17 June 1969). Most disturbingly, the play's ending suggests that Norm's platitudes about tolerance were a way to repress or distance himself from his racism. But that which is merely tolerated remains unwanted. The ending of the play 'outs' this censored racism and, in doing so, criticises the discourse of tolerance that ultimately nourishes it.<sup>34</sup> This is what makes the last line of the



play so traumatic. What is repressed in the symbolic returns in the real — what is masked by empty appeals to liberal rhetoric becomes a fist to the stomach.

The police, of course, also watched the play. And then they intervened to transform Norm's racist statement into an obscene one. From the perspective of historical distance, we appreciate the irony: the police seem to have been preoccupied with the wrong word. In 1969, the *Courier Mail* reported Norm's offending line as '----- boong' (19 and 22 April 1969). Today, magistrates have held that the word 'fuck' is now too commonly heard to give offence, while there is an increased sensitivity to the promulgation of racist terms in speech and print.<sup>35</sup> From this perspective, we can also perceive the persistence with which offensive language laws perpetuate racism under the guise of neutrality as they continue to be disproportionately applied to Aboriginal people and other minorities.<sup>36</sup> And an audience watching *Norm and Ahmed* today might be reminded of the attacks on Indian students in Australia during 2009 and 2010, as well as the disavowal of racist motivations for those attacks by government officials (Mason 2010). The fact that Norm's final two words are adjoined blurs the play's obscenity and racism together, inviting the question: which is the clincher, and which is the crime?

When we consider both the play and the police intervention within the theatrical frame, a further irony emerges which undermines the authoritative performance of law itself. For Norm's hymns to liberal rationality are the conventional pretext that ordinarily legitimates law's power. Throughout the play, Norm explicitly aligns himself with law, telling Ahmed that his father 'tried to buck the system. You can't do that ... He had no respect for law and order, and that's a terrible thing' (*Norm and Ahmed* 20). Like the audience, the police witnessed Norm speaking in support of understanding and tolerance, standing up for others, fighting against national enemies (the law's 'acceptable violence'), respect for authority, democracy, and so on — the very values they were duty-bound to uphold. They witnessed these values violently upended by the final moment of the play. Perhaps they felt compelled,

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for the benefit of the audience, to distinguish their legitimate violence from Norm's illegitimate violence by asserting theirs as acceptably civilised. *Their* violence would never use the f-word because that would make it an improper and savage way to beat up a boong (which *is* legitimate.) Like the character of Norm, who conceals his violent intentions by mouthing platitudes about tolerance, the police are also trying to conceal something – the political punch of the play. But in displacing their disquiet over Norm's violent racism onto his obscenity, the police only reveal their complicity in that racism.

Just as Norm's liberal platitudes were undermined by the revelation of his irrational xenophobia, the pretext to rationality buttressing the exercise of police power was undermined by theatricality's revelation of the irrational lawmaking violence that forms a necessary part of that power. The police intervened in *Norm and Ahmed* to suppress the obscene, the unspeakable. For the law what is unspeakable is its backstage: the discretionary, political and racist foundations of its claim to legitimacy. And when law takes the stage, foregrounding the background and making the tacit explicit, it risks subverting its claim to legitimacy. Onstage, the force of law appears as farce and the 'illusion of legitimacy' is revealed as such. This is just like Buzo's play, for when we see Norm's dramatic final violence, we see through his pretensions to liberal tolerance. The theatricality of the police actions 'outs' the force of law in parallel with the way the performance of *Norm and Ahmed* 'outs' the conventions and platitudes that hide racism and brute force. The censorship meant to ensure the obscene remained hidden instead exposed the obscenity of law: the irrational lawmaking violence that marks every performance made on its behalf.

## Conclusion: Unmasking Law

As Judith Butler observes, censorship is 'exposed to a certain vulnerability precisely through becoming explicit' (1998: 250). In this essay, I have drawn on the idea of theatricality as a viewing experience in which the mechanisms of power are revealed, in order to identify how the attempts by police to censor *Norm and Ahmed* rendered law

vulnerable. Part 1 examined the farce in Brisbane, arguing that as the police officers took the stage, forgot their lines, and were forced to improvise, the hidden backstage of law — the political foundation of its claim to legitimacy — was thrust painfully into the spotlight. Part 2 examined the meta-theatre in Townsville, in which the police, rather than confronting one script with another, attempted to harness the power of naturalist theatre by rewriting Buzo's script. But as theatre historian Baz Kershaw insists, the audience always has 'a *choice* as to whether or not the performance may be efficacious for them' (Kershaw 1992: 28), and in this performance, the efforts of the police to censor the play were thwarted by the audience's unwillingness to maintain the dramatic illusion.

In Part 3, I drew on the spectator's experience of viewing *Norm and Ahmed* to argue that the police intervention was reality imitating art. As Butler suggests, '[i]f the censor is never fully separable from that which it seeks to censor, perhaps censorship is implicated in the material it seeks to censor in ways that produce paradoxical consequences' (1998: 249). In this case, the law refused to accept the performance that subverted its legitimacy, so it employed the pretext of obscenity as a way to subvert the subversion. But in the process the law's subversive attempts became comical, exposing the irrationality beneath our liberal pretensions to authority, and thus paradoxically achieving the playwright's goal. In trying to censor the political power of theatre, the law was drawn into theatricality and exposed its own power as political. Theatre is an art form of risk, and performances can always fail to convince, persuade or enthrall their audience. So too with law, and while its performances need to be repeated and consolidated to maintain their effects, each repetition necessarily runs the risk of revealing law's backstage and reframing the force of law as farce.

## Notes

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- 2 In 2005 Buzo received an Honorary Doctorate of Letters from the University of New South Wales for his contribution to Australian Literature. See Trevina Hall 1999 'Rooted' *Sunday Mail* 25 July: 84; *Independent* 2006 'Obituary: Alexander Buzo, Playwright and Humorist' 30 August.
- 3 Alex Buzo 2005 Television interview 'Remembering Alex Buzo' ABC TV 2006 DVD Sydney.
- 4 *Norm and Ahmed* was performed at the Old Fitzroy Hotel in Sydney by the Alex Buzo Company in 2007 and inspired Alana Valentine's play, *Shafana and Aunt Sarrinah*, which was performed as a companion piece to Buzo's play at the Seymour Centre in 2009. See Louise Schwartzkoff 2009 'Holding a Mirror to an Australian Classic' *Sydney Morning Herald* 4 August; Graeme Blundell 2009 'Triumph of Censor's Target' *Australian* 27 July; John McCallum 2009 'Veil Tale Paired with an Old Gem' *Australian* 11 August. *Norm and Ahmed* was included on the New South Wales Higher School Certificate Reading List in 2010.
- 5 *Attorney-General (Qld) v Twelfth Night Theatre* [1969] Qd R 319
- 6 *Bradbury v Staines ex parte Staines* [1970] QR 1970 76. It was a 2:1 decision.
- 7 In July 1969, three actors were charged on summons for obscene language uttered in the course of performing *The Boys in the Band* at the Playbox Theatre in Melbourne, Victoria. See *Courier Mail* 1969 'Damn! Another "Obscene" Play' 21 June; *Australian* 1969 'Boys in the Band is Serious Play, Say Police' 11 July: 4; *Australian* 1969 'Vice Squad Man Reads "Filthy" Words to Court' 31 July: 2; *Age* 1969 'Tangle of Censors' 29 November. In December 1969 the Minister for Customs, Mr Donald Chipp, banned the play *Oh! Calcutta!* and in February 1970 the Victorian Supreme Court issued an order forbidding its production in Melbourne. See further Dutton and Harris (1970).
- 8 In 1974, both South Australia and New South Wales replaced statutory obscenity offences with the administrative classification system that now operates throughout Australia under the principle that adults 'should be

able to read, hear and see what they want.' Office of Film and Literature Classification *Guidelines for the Classification of Publications* OFLC Sydney 1999.

- 9 Philip Parsons 2006 'Remembering Alex Buzo' in ABC TV 2006 DVD, Sydney
- 10 A handwritten note by Alex Buzo attached to the correspondence says: 'The sequence of letters exposes censorship in Oz in 1969 and shows why it died in 1970. They are from Bill Pepper, Norm Staines, Graham McKenzie and Maren Tinman. BP saw N+A in Sydney in '68, got the rights. Twelfth Night Theatre staged it in Brisbane with N. Staines. There was a court case over the play's last line. Then G.M. secured it for Townsville, M. Tinman directed and the police cut much more than one line. *Scary and hilarious reading!*' Papers of Alex Buzo National Library of Australia MS 6383 Box 4 Folder 26.
- 11 'Theatricality may allow some all-encompassing totalitarian 'symbolic' to achieve its effects or help 'the great prohibitions' to 'deploy their effects' (as Legendre says), but it also often embarrasses and confuses them' (Peters 2008: 197).
- 12 'Theatricality is not likely to be present when a performance is so absorbing that the audience forgets it is spectating' (Davis 2004: 128). The art critic Michael Fried argues that whenever a consciousness of viewing exists, in life or in painting, absorption is replaced by theatricality, defined as the sacrifice of 'dramatic illusion vitiated in the attempt to impress the beholder and solicit his applause' (Fried 1980: 100).
- 13 On the power of the Chief Secretary see, for instance, section 27, *Theatre and Public Halls Act* 1908 (NSW). All State Ministers also had the power to ban material under the *Obscene Publications Act* (UK) 1859 and 1864. In 1935 NSW Chief Secretary Baddeley banned Clifford Odet's anti-Nazi play *Till the Day I Die* after a complaint from the German consul. For an account of police officers interrupting New Theatre's performance of Odet's play, see Tasker 170: 38 and Brisbane 2005: 90. 'The establishment in 1967 of the National Literature Board of Review, a joint effort between the federal and State governments (excluding Queensland) aimed at achieving some uniformity in literature censorship throughout Australia, worked to shift the primary site of political battles to State arenas.' Sullivan 1997: 77. 'These Federal agencies have been with us a long time. What is new is the increased virulence of State actions in these matters, often in spite of

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- the supposed gentleman's agreement of uniform censorship arrived at by the State attorneys-general.' Max Harris 1969 'Sparks that are Bringing the Censorship Crisis to a Blashpoint' *Australian* 2 August.
- 14 Graeme Blundell comments: 'Sharman was always clever at subverting authority by accommodating it' (Blundell 2008: 126). A few months later the New South Wales Chief Secretary banned the play *America! Hurrah!* which had been performed by the New Theatre, where Buzo worked as an actor. Public protest over the ban culminated in a free performance of the banned play, attended by police, and the resulting scuffle marked the high point of state intervention in theatre in New South Wales (Tasker 1970: 43; Katharine Brisbane 1968 *Australian* 24 June report, reprinted in *Australian* 2004 'On the Record – From the Pages of the Australian – 40 years of the Australian: The Culture' 23 July). See also Brisbane 2005.
  - 15 Norman Staines' letter to Alex Buzo gives a rather unlikely account of this moment: 'I must tell you. Last Saturday night we had just finished the play — came heavy footsteps —down the aisle and four sinister looking gentleman (?) mounted the stage (gasp!). One fellow [feller(?)] stepped forwards — pointed a pistol at the audience and told sixty faces to keep calm (and [word unintelligible]). They were taking Mr Staines away for questioning. (God, my writing is getting worse — I am 3/4 slooshed).' Handwritten letter from Norm Staines 6 May 1969 in Papers of Alex Buzo National Library of Australia MS 6383, Box 4 Folder 26.
  - 16 The police would later claim that their promise had been made in relation to Staines' obscene utterance during the previous night's performance rather than to obscenities he might utter in future performances: Wright and Lake 1970: 114.
  - 17 Norman Staines told the press that the police 'said they would not arrest me but would refer the complaint to Licensing Squad Chief for any further action.' *Courier Mail* 1969 'Twelfth Night Production Shock: Police Raid on City Theatre – Warning' 19 April: 1. See also *Courier Mail* 1969 'Police Arrest of Actor Criticized' Letter to the Editor 23 April.
  - 18 The Fitzgerald Inquiry later found that police had been running protection rackets for organised prostitution and starting-price betting as well as other forms of gambling (See further Finnane 1994: 175; Bolen 1997: 32).
  - 19 Premier Bjelke-Petersen appointed Max Hodges as Police Minister on 29 May 1969 (See further Bolen 1997: 35).

- 20 Butler suggests that whether a particular drag performance will be subversive depends on its degree of theatricality, explaining: 'This kind of citation [ie. drag] will emerge as theatrical to the extent that it mimes and renders hyperbolic the discursive convention that it also reverses' (1990: 232). 'When gender is alienated or foregrounded, the spectator is enabled to see a sign system *as* a sign system' (Diamond 1988: 85).
- 21 Held at the Theatre Royal in Townsville, 12-14 June 1969.
- 22 There is a suggestion that *Norm and Ahmed* was moved to the last position on the schedule in case the police shut the festival down after it was performed: see Mr Ron Hamilton, retelling the story as part of the Townsville Yarns, part of the 2003 Townsville Centenary Celebrations, in Kylie Stockdale 2003 'Police Rewrote Script' *Townsville Bulletin* 20 October.
- 23 As Staines' lawyer Mr L J Wyvill unsuccessfully argued at his client's initial conviction: 'This section was designed to catch the drunken sailors on the wharf, or drunks on the street who might abuse anyone who might come past. In order to be affronted by my client the public had to seek him out. They had to pay to see him in a theatre.' cited in *Courier Mail* 1969 'Actor Staines Fined for Use of "That Word"' *Courier Mail* 24 May: 1.
- 24 The idea of a written script has served to distinguish 'performativity' from theatrical performance. Where John L. Austin viewed an actor reciting their lines as a peculiar or non-serious use of language (Austin 1975: 22), Derrida identified it as a 'heightened instance' of 'a general citationality - or rather a general iterability' underlying all language-use, 'the graphematic structure of every communication' (Derrida 1988: 17, 12, 19). For Andrew Parker and Eve Kosofsky Sedgwick, the *scripted* nature of theatre, which fixes the relationship between the speaker and words in advance, distinguishes it from performativity more generally, which has a 'contingent, heterogenous and contestable relationship between subject and utterance' (Parker and Sedgwick 1995: 13).
- 25 The 'Act to Restraine Abuses of Players' of 1606' preceded the 1623 Act which proscribed swearing in public generally. 3 James I. c.21 cited in Hughes 2006: 105. For the debate over the actor's intentionality within theatre theory and performance practice, see references in Jackson 2004: 213.

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- 26 Historically, the theatre was the paradigmatic public place and modern courts have decided that the necessity of payment and entry restrictions does not change its essentially public nature. See for instance *A-G (SA) v Huber* (1971) 2 SASR 142. In that case, the producer of *Ob! Calcutta!* argued that his proposed restrictions on entry to the theatre could take the work outside of the legal definition of public place. In rejecting the argument, J Wells quoted with approval the concept of the 'public *qua* public', formulated in *Ward v Marsh* [1958] ALR 724, that to be considered a public place '[a]ll that is necessary is that at the time in question members of the public may, because they are members of the public, go to the place if they choose' at 725 per Lowe J.
- 27 There is no evidence of public complaint in relation to the Brisbane performance. On the absence of public complaint in Townsville, see handwritten letter from Graham McKenzie 24 June 1969 in Papers of Alex Buzo, National Library of Australia MS 6383 Box 4 Folder 26.
- 28 The Festival's chairman, Mr Ian Gay, recalled: '*Norm and Ahmed* was the only play the police took any notice of, and yet I consider others were probably more obscene than this one. The Pinter Play *The Collection* put on by the Townsville State High School is concerned with homosexuality, and there was a very ribald piece called *Bird Bath*.' (*Courier Mail* 1969 'That "Word" Out of Norm and Ahmed' *Courier Mail* 16 June: 17). As Graham McKenzie remarked to Buzo, 'Other plays in the festival were probably more obscene than N+A – so it just doesn't seem to add up.' (Handwritten letter from Graham McKenzie, 24 June 1969 Papers of Alex Buzo, National Library of Australia, MS 6383, Box 4 Folder 26). See also Wright and Lake 1970: 117.
- 29 As producer, Blundell was actually charged with aiding and abetting the utterance of obscene language in a public place. For newspaper coverage of the dismissal of their appeal, see: *Age* 1970 'That Word is Obscene, Says Judge' *The Age* 24 July: 2. See further Blundell 2008: 135.
- 30 *Norm and Ahmed* was the first play to explore Australia within an Asian context. See further Brisbane 2005: 167.
- 31 Other playwrights working at this time were Jack Hibberd, David Williamson, John Romeril, Richard Wherrett, Rex Cramphorn, John Bell and Max Gillies.



- 32 The play begins with the following stage directions: 'Lights up on NORM, who is leaning against the fence ... Norm moves around restlessly looking up and down the street. He takes out a cigarette packet, looks in it, then screws it up and flings it on the ground angrily. He brings out a fresh packet, rips off the cellophane with his teeth and takes out a cigarette, which he lights with a lighter. He moves around a bit more and then leans on the fence again. He waits. Then he starts moving around some more, and suddenly straightens up, looking to his left. He puts his cigarette out and takes another from the packet, putting it in his mouth unlit. He leans casually against the fence. The sound of footsteps is heard and AHMED appears...' *Norm and Ahmed* at 3.
- 33 Here is another similarly inflected pause:  
Ahmed: One always experiences difficulties when one is seeking to adjust to an alien environment. But once the initial period of adjustment is over, it is easier to acclimatise oneself.  
[Pause]  
Norm: That's very true. *Norm and Ahmed* at 5.
- 34 Wendy Brown has demonstrated how the discourse of tolerance functions within liberalism to reduce engagement with difference in the public sphere, to depoliticise sources of conflict, and to enable the State to abrogate its commitments to the protection of minorities (Brown 2007).
- 35 *Police v Butler* [2003] NSW LC 2. See further Gelber and Stone 2007
- 36 For the extensive literature on this topic, see Lennan (2007); NSW Bureau of Crime Statistics and Research 1999 'Race and Offensive Language Charges,' *Bureau Brief* August; NSW Aboriginal Justice Advisory Council 1998 *Policing Public Order: Offensive Language & Behaviour, the Impact on Aboriginal People* Report; Pirie and Cornack (1992). On judicial disquiet over the notorious 'trifecta' of charges – using offensive language, resisting arrest and assaulting a police officer, see *DPP v Carr* [2002] NSW SC 194 and *Director of Public Prosecutions v AM* [2006] NSWSC 348. The shift from 'obscene' language to laws against 'offensive language' in the *Summary Offences Acts* of Australian States has meant little in practice as 'offensive', 'obscene' and 'insulting' have always tended to be defined similarly by the courts (Walsh 2005: 131-2).

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