

PERVERTS ON THE BEACH



UROS CVORO

In December 2006, an article in *The Australian* reported that the celebrated Australian photographer Rex Dupain was questioned by the police for twenty-five minutes while taking pictures for his new book *The Colour of Bondi* at Sydney's Bondi Beach.¹ Dupain had his camera confiscated, even though he was well within legal rights in photographing people in a public space. In Australia, this approach to photography was pioneered by his famous father Max Dupain—the author of the iconic *Sunbaker* (1935)—and practised by Rex Dupain in his ongoing project of documenting Sydney.² Even though this kind of highly questionable behaviour by the police is clearly in breach of civil rights, it is the logical outcome of a general hysteria that has surrounded (public) photography in recent years.

In 2004, Waverley Local Court convicted and fined Peter James Mackenzie \$500 for secretly photographing topless women at Coogee Beach with his mobile camera phone.³ Following the high profile of this case, several of Sydney's Councils tried to ban unauthorised photography—in late 2004 Waverley Local Council tried to ban all unauthorised photography at all of its beaches—including Bondi and Coogee—and in 2005 Waverley Council moved to ban photography from playgrounds, public parks and beaches over the concern of children being photographed by 'perverts'.⁴ Due to public uproar, all the attempts at passing policy were suspended; however, following the incident involving Dupain, the *Sydney Morning Herald* reported that Attorney-General, Philip Ruddock is considering introducing new laws governing 'unauthorised' photography.⁵ At the public debate level, the two sides of the argument—the ever-increasing suspicion with which authorities have come to regard public conduct and the questioning of the grounds on which such intrusion into civil rights of photographers is taking place—merely confirm an existing climate of fear and paranoia. The increasing State control of public life in Australia can be directly related to the nationalist conservatism under John Howard, fuelled by fears of internal

and external threats to democracy. Two days before Australia Day 2007, Australian politicians publicly united in their condemnation of the organisers of Sydney's Big Day Out festival for attempting to discourage fans taking Australian flags to the concert at Sydney's Showground. Possibly seeking to score political points in the lead-up to this year's election, all refused to even consider that the flag could be used to disguise other intentions over patriotism, even though the events at Cronulla—little over a year earlier—had shown otherwise. In this instance, political interference (disguised as patriotism) into public events acted to impose rules of public conduct.

Yet, the current focus of civil rights debates on photography on the beach also signals a more general shift in the understanding and representation of 'the beach' in Australia. While events such as the Cronulla riots (2005) have at least in Sydney, supplemented the social coordinates of 'the beach' with previously unseen violence and State control—through regular police presence—the debates over beach photography still seem to cling to the notion that certain rules of conduct are only now being inscribed onto the democratic public space. Given the significance that 'the beach' as a symbol of Australia

carries, this may be a good opportunity to reflect on some of the myths that govern our understanding of its relation to photography. Even though there may be nothing particularly new about the concerns over the use of photography in public spaces, the sheer amount of photography produced today, its dependence on newly emerged (and mass-produced) digital technology, and the increased interventionism of the State over its usage constitute what Walter Benjamin described as the “now of recognisability”.⁶ To paraphrase Benjamin, in the present circumstances, the knowledge that is linked to the mass-reproduction of photography that in turn makes possible the representation of ‘the beach’ in ways previously unseen—through the eyes (lens) of a ‘pervert’ (voyeur) or the paedophile—is revealing of series of paradoxes in society.

The present hysteria over sexually inclined imagery in beach photography comes at a time of unprecedented cultural taste for voyeurism and exhibitionism, evident in the popularity of reality television, and cyberspace phenomena such as *Myspace*, *YouTube* and willingly disseminated, home-made pornography. While the relation of sex in cyberspace to ‘the beach’ may not be clear at first, the form that representation of sex takes in cyberspace—through the multiplicity of sexual forces and desires, always articulated and guarded visually—corresponds to the coordinates of sexuality defined on ‘the beach’ in public. Whether it is the chaotic eroticism of the crowded semi-nude bodies on display, or the coded homoeroticism of lifesavers implicit in the observed spectacle of their work routines and rituals—such ‘sexuality’ is always “kept at bay by closing the eyes”.⁷ Thus, the debate over beach photography is as much about the staking out of control over the representation of the Australian ‘way of life’ at the beach,⁸ as it is about the ownership of the public display of bodies articulated through pleasure, health and leisure.⁹

With the increase in accessibility to digital cameras and camera-equipped mobile phones, there has emerged both a thorough process of archiving almost every detail of life and a closely related process of self-surveillance.¹⁰ As a consequence of the omnipresence of photography—part of a wider network of image recording devices such as CCTV—what has taken place is an inversion in our relationship to surveillance and spectatorship. Today, in contrast to fearing being watched, as articulated in science fiction fantasies such as *The Matrix* (1999) and *Truman Show* (1998), we are afraid of not being watched.¹¹ Late in 2006, a class of Sydney undergraduate students at the University of New South Wales was asked to imagine that there was a public announcement that all monitoring equipment around Sydney would be switched off and to describe how that would make them feel. The majority of students responded by saying that they would feel insecure and scared, suggesting that today we identify with the protection that surveillance warrants as long as it presented as the protective and impartial gaze of the State.

This impartial gaze is axiomatic to the increased media presence in staking out a public image for bodies through pedagogical gore. Recent ‘White Ribbon’ (anti-domestic violence) and ‘Quit’ (anti-smoking) campaigns on Australian television both prominently feature confronting imagery. A ‘White Ribbon’ Day television commercial included footage of a father declaring his love and commitment to his daughter by crawling across broken glass, walking in front of a bus and getting his arm cut off; ‘Quit’ features footage of various cancer and gangrene-infected body parts and of limbs

being amputated.¹² If such scenes of carnage were fictionally represented in a movie they would warrant an R-classification, yet these advertisements featured regularly during primetime and on billboards around Sydney. The high moral ground of the State’s concern for its population and the pseudo-scientific nature of the footage warranted the graphic contents.

Both the increase in State-sponsored healthy lifestyle advertising campaigns, and the concerns over the threat of beach photography promote public victimisation. According to this logic, passive smoking is a de facto threat-at-a-distance to health, just as beach photography is potential sexual harassment despite its long history in Australia. In the case of beach photography, the already ambiguous position of personal privacy on the beach—we are never completely private or public—has been consolidated with media hysteria over the fear of digital technology in the hands of the public (including perverts and paedophiles) to a new understanding of spectatorship as an act with sinister undertones. This fear has been translated to the beach partly because of recent (illegal) fads among voyeurs such as ‘upskirting’ and ‘downblousing’—the covert recording of women bodies beneath their clothes—which the State has found difficult to control because of the associated advanced technology.¹³ Yet, this fear owes more to a deep-seated prejudice against (art) photographers as ‘perverts’ posing behind the mask of their practice, evident in trials against artists who have used images of minors, such as Alice Sims and Jock Sturges.¹⁴ Regardless of the fact that the present hysteria stems from cases of paedophilia that are removed from both art photography and the beach, the over-protective attitude towards privacy and heightened sensitivity about the potential exploitation of children have merged the photographer with the paedophile as the symbol of ultimate evil. Ironically, the growing concern over the potential misuse of beach photography by voyeurs is at odds with the presence of several completely legal webcams which may be used for the same goal of titillation.¹⁵ More concerning is that the very fear that fuels attempts to forestall public sexual provocation of paedophiles and ‘perverts’ has imposed stringent rules of public conduct.

Therefore, opposition of the civil right to photograph versus the right to privacy overlooks the fact that public life at the beach has already disappeared (been hijacked). For present purposes, it then may be more appropriate to consider an increased attention to beach photography as a struggle for the ownership of ‘spectacle’ on ‘the beach’, between the State and the individual (spectator) and the awkward position of art photography in this space, as evidenced in Dupain’s case.

The relation between Rex Dupain’s personal history and photographic practice in many ways mirrors the debates in which he is caught. He was born to a famous artist father whose work is critical to any representation of Australian beach culture,¹⁶ in having provided its most discernible symbols in *Sunbaker* (1935), *Bondi* (1939) and a number of photographs at Newport Beach. In January 2007, Australian ABC television used the *Sunbaker* image as a basis to promote their summer programs, testifying to the ongoing iconic status of Max Dupain’s beach and body imagery. Thus, Max Dupain’s representational space is poised between the photographically established symbolic coordinates of ‘the beach’, and this newly emerged ‘threat’ of photography to that symbolic space of ‘the beach’.



To paraphrase Blair French, Rex Dupain’s practice seeks to document the beach as a means of accessing the social, imaginative and psychological experience of ‘the beach’.¹⁷ In photographing people without their knowledge, he self-professedly wants to capture moments of spontaneity in public spaces and to use them as means of teaching us about ourselves. However, while his quest for personal moments in public ostensibly operates in contrast to the purely exhibitionist space of ‘the beach’, it also refuses the accepted norms of public display associated with that space. The necessity to see *The Colour of Bondi* as a visualisation of the egalitarian and democratic space of ‘the beach’ is also a necessary recreation of its organised public space with its implicit hierarchies. Rex Dupain’s photography of Bondi is less of a denial of his father’s vision than a promise of mirroring the (political) space of ‘the beach’, in that it both restores the visual language defined by his father’s two key additions—the lifesaver and the surfer—while maintaining that ‘the beach’ is an apolitical space.

In the case of the latter, Rex Dupain's must be evaluated. For a majority of Sydney's non-Anglo-Celtic population living in the western suburbs, Bondi Beach is defined by its relative (non)accessibility. Although *The Colour of Bondi* looks past recent history where intercultural relations were washed away in a momentary tide of violence and knee-jerk conservatism, its attempt at representing multicultural Australia necessarily implicates the cultural differences in experiencing Australia at the beach. Dupain's practice is never political though—his figures are connected by the way in which they physically inhabit the beach. Yet, his seductive representational space is shot through the unease of recent events and the accompanying media campaign of fear and hysteria.

Conversely, the experience of belonging to the space of 'the beach' itself is always defined by Dupain through the associated 'body culture' so enthusiastically generated by his father.¹⁸ For example, *At The Gym* (2005) and *Big Wave* (2005) can be located between the symbolic coordinates of the lifesaver and the surfer. *At The Gym* is a representation of masculinity of lifesavers. It features two scantily-dressed men exercising at Bondi's public gym, apparently oblivious to the sea in the background—highlighting an implicit homoeroticism. On the one hand, the male body is here associated with the narcissistic and exhibitionist physicality of weight lifting, which functions only as means of presenting the body as the space of spectacle. On the other, the presence of physically powerful bodies against the beach echoes the masculinity of the lifesavers and their associated (militaristic) histories and rituals, such as parades and patrolling of the beach.¹⁹ Yet, this is offset against works such as *Big Wave*, which reference the notion of the Australian surfer, the more liberal version of the sportsman in touch with nature. As a testament to the ongoing popularity of the surfer as the trope of spirituality in photographic practice the Australian Centre for Photography held an exhibition in 2006 titled *Magicians of the Sea*, aimed at celebrating post-1950 surf culture in Australia. The title reaffirmed the deep and intrinsic connection of the surfers to 'the beach', through association with the key exhibition in Paris *Magicians of the Earth* in 1989. Rex Dupain's images thus create a representational space, where the body can simultaneously function as the paternal means of protection (the lifesaver) and a spiritual connection to the water (the surfer).

Yet, while his practice reaffirms the national space of 'the beach' created by his father, it also simultaneously denies the beach as a public space. In attempting to capture the spontaneity of people in public, Dupain is effectively representing the (non-existing) public sphere and thus exposing the paradox of the present debates over beach photography. His practice both simultaneously expands and shortens the space of the beach (as egalitarian space underwritten by implicit rules of behaviour) and visualises its implicit sexual tensions, while establishing the beach-goer (spectator) as de facto 'pervert' (voyeur). Dupain's photography thus short-circuits the opposition between the dispassionate, objective, value-free scrutiny of the State and subjective individual interpretation. His practice implies both categories of meaning, the objectivity of the scrutiny of the State, and the subjective (sexual) undertones attributed to amateur photography.

The inability to completely account for the position of Rex Dupain's beach photography within this nexus opens a productive possibility for its reception. For in providing both a meeting point and a point of resistance for the two modes of seeing 'the beach', it may provide some alternative way of beginning to contemplate it.

In this present climate of Western hysteria regarding sex, the internet, child pornography and threat of paedophilia, any artistic investigation that touches upon (public) sexuality is potentially dangerous. In Rex Dupain's case, a longtime beach photographer of almost fifteen years,²⁰ he has been 'burnt' (pun intended) by a sex-obsessed conservative society too myopic to successfully address and negotiate questions regarding the relationship of technology and sexuality. The cultural and legal denial of the sexualisation of children—matched by their increased sexualisation through American-styled advertising—creates a gap in which artists become 'perverts' by association. Any attempt at artistic investigation that touches upon sexuality outside the protection of objectivity licensed by the State leaves artists like Dupain open to accusations. Unfortunately, since at present there is no clear consensus on the relationship between new technology and sex, and the law leaves the power of accusation (to this hysterical public) and prosecution in the hands of the police, the issue seems destined to remain problematic and any artistic investigations fraught with risk.

Notes

¹ D.D. McNicoll, 'Dupain Beach Snaps Draw Police Focus', *The Australian*, December 9, 2006

² Rex Dupain, *Bondi to Broken Hill*, Sydney: Angus and Robertson, 1998

³ For an online account of the events with special attention to the legal rights of photographers see, NSW Photo Rights, at <http://www.4020.net/unposed/photorigths.shtml>

⁴ Russ Grayson, 'No Right Not To Be Photographed', *Sydney Morning Herald*, 12 July, 2005

⁵ Andrew Clark, 'These Photos May Be Illegal', *Sydney Morning Herald*, 16 November, 2005

⁶ Benjamin used this notion to describe the ability of mass-produced cultural forms to produce moments of insight into the historical condition of its contemporaries: "The historical index of the images not only says that they belong to a particular time; it says above all, that they attain to legibility only as a particular time. And, indeed, this acceding to 'legibility' constitutes a specific critical point in the movement at their interior. Every present day is determined by the images that are synchronic with it: each 'now' is the now of a particular recognizability." See Walter Benjamin, *The Arcades Project*, Howard Eiland & Kevin McLaughlin (trans.), Cambridge, Massachusetts & London, UK: Belknap Press of Harvard University Press, 1999

⁷ Geoffrey Dutton, *Sun Sea and Sand—The Myth of the Beach*, Melbourne & NY: Oxford University Press, Melbourne and New York, 1985: 80

⁸ Mark Gibson, 'Myths Of Oz Cultural Studies: The Australian Beach And English Ordinarity', *Continuum: Journal of Media & Cultural Studies*, Vol 15 No 3, November 2001: 275–288

⁹ Craig McGregor, 'The Beach, The Coast, The Signifier, The Feral Transcendence And Pumpin' At Byron Bay', *The Abundant Culture: Meaning and Significance in Everyday Australia*, David Headon, Joy Hooton and Donald Horne eds, Sydney: Allen & Unwin, 1995: 51–60; also see Douglas Booth, *Australian Beach Cultures: The History of Sun, Sand and Surf*, London: Frank Cass, 2003

¹⁰ Steve Dow, 'The Power Of The Citizen Paparazzi', *Sydney Morning Herald*, 30 January, 2005

¹¹ For a discussion of the correlation between the rise of our tolerance for (and increased dependence on) surveillance, and a drop in civil rights, see Slavoj Žižek, 'Against Human Rights', *New Left Review* 34, 2005

¹² See www.whiteribbonday.org.au and www.quit.org.au

¹³ The report details the 'national crackdown' on voyeuristic photography, and describes the authorities' difficulties in dealing with the problem; <http://www.abc.net.au/worldtoday/content/2006/s1700003.htm>

¹⁴ In the late 1980s, Alice Sims took nude photos of her baby daughter for a series called *Water Babies*, which were to be combined with images of water lilies. Even though the images of her daughter looked like any family snapshot, when Sims sent the film to be developed, the police were called. Her home was raided, several boxes of 'evidence' were confiscated, and her two children were taken into protective custody. Eventually, the case was dropped. Similarly, Jock Sturges' home in San Francisco was raided in April 1990 and his work confiscated. For a full account of the events concerning both artists, see Elizabeth Hess, 'The Alice Sims Case', *Aperture: The Body in Question*, New Jersey, USA, 1990: 45

¹⁵ For example, see Bondi Beach Cam which provides video streaming images of Sydney's Bondi Beach from multiple angles. The viewer is able to switch cameras which provide various degrees of beach close-ups; http://www.bondifm.com.au/public_interface/vision/webcam_selection.php

¹⁶ Jill White, *Dupain's Beaches*, Neutral Bay: Chapter and Verse, 2000

¹⁷ Blair French, 'Art/Photography', *Broadsheet* Vol 35 No 5, 2006

¹⁸ See Isobel Crombie, *Body Culture: Max Dupain, Photography and Australian Culture, 1919–1939*, National Gallery of Victoria and Pelens Press, 2004

¹⁹ *Ibid*: 85

²⁰ See transcript of 2004 ABC Stateline interview with Dupain; <http://www.abc.net.au/stateline/nsw/content/2004/s1197532.htm>

