

A TALE OF TWO CITIES:

THE POLICE AND THE GAY COMMUNITY IN THE U.S.A. AND THE
NETHERLANDS IN THE 1960S

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INTRODUCTION

‘Rights are won only by those who make their voices heard.’¹

Harvey Milk, the first openly gay American politician, spoke these words in San Francisco, California in 1977. He was murdered in 1978 in San Francisco and he has been an icon for gay rights in America since then.² Another iconic moment in American gay history is the Stonewall Riots in 1969. Almost a decade before Milk’s death, the police invaded this gay club in New York City, which led to riots between the gay community and law enforcement for days. The Stonewall Riots resulted in multiple milestones for gay activism, for example the Gay Pride. On the other side of the Atlantic, in The Netherlands, a comparable gay club, DOK, existed in Amsterdam and was left in peace by law enforcement. A comparison between the attitude of society and the police towards these clubs in the U.S.A. and The Netherlands therefore would seem interesting. Two gay clubs, both settled in a modern nation’s capital in the same modern era: how can their history have turned out so different?

The research question addressed in this thesis is: What differences existed between the United States and The Netherlands in the relationship between law enforcement and the gay community with its protests in the period 1960 to 1970? How has this affected the position of these gay clubs at the time? The research question will be examined in three chapters.

In the first chapter, two case studies will be presented, one in the United States and one in The Netherlands. For the United States, this thesis will examine the Stonewall Inn riots. This was a popular gay club in New York City in the 1960s. ‘Stonewall’ turned into gay heritage on June 28, 1969, when a police raid turned into an ongoing fight between law enforcement and the gay community that lasted for several days. The Stonewall Inn riots will be compared to the events that took place in the DOK Amsterdam, a gay club in the capital of The Netherlands. These two clubs are selected because they are both comparable as gay clubs in nation’s capitals in the 1960s. There will be also some attention to the Gay Pride Parades in both countries, since these events are directly linked to the protests from the 1960s.

¹ Harvey Milk, *The Harvey Milk Interviews: In His Own Words* (San Francisco: Vince Emery Productions, 2012).

² *Between Relative Deprivation and Entitlement: An Historical Analysis of the Battle for Same-Sex Marriage in the United States*, Ella Ben Hagai and Faye J. Crosby, 480.

The second chapter addresses the historical context, comparing the legal and socio-cultural aspects of American and Dutch society in the 1960s. Although the Dutch government historically has a more tolerant character and the American government is known for its “hands-on” technique, there may be additional explanations for the differences between the events under study. The media in the 1960s for example also may have played a substantial role in society’s attitude towards the gay community.

The final chapter will focus on the role of the law enforcement in both countries in the 1960s: firstly exploring the historical background of police violence and secondly analyzing the relationship between law enforcement and the gay community. Not only legislation and culture are important to answer the research question, but understanding the history of law enforcement and its approach may grant insight on why the level of violence is substantially higher towards gays in the U.S.A. in comparison to The Netherlands.

This thesis examines the transatlantic communication between gay organizations and the notion in both gay communities assuming they were connected. A common view is that the gay community in the U.S.A. perceived the situation of their counterparts in the Netherlands as exemplary. The legal and social position of homosexuals in the Netherlands indeed has always been less restricted than in the U.S.A. However, few authors have compared the American and Dutch gay culture in the 1960s, and challenged the (American) view of the Netherlands being tolerant towards the gay community. The social relevance of examining police violence seems obvious. Perhaps police violence is nowadays also seen as a problem in The Netherlands, but in the 1960s this was not as much as topic in the Dutch public opinion as it was in the U.S.A. In both case studies, the events took place in the largest and most advanced city in the country, and were therefore, unlikely to reflect rural views.

The gay liberation movement is an interesting object of study as it differs from the other large social movement groups in the 1960s: the feminist/women, the anti-racism or –in the U.S.A.- African-American civil rights movements and the Dutch Provo’s. The gay community is interesting because gays are harder to recognize, as they cannot be identified based on external differences like women and people of color. All minorities are in a way potentially seen as outsiders, but for gays it is simply easier to hide or ‘stay in the closet’. Although police violence against women is well recognized, the confrontations of the type described in this thesis, openly violent behavior in the street, are usually reserved for confrontations between men, both on the side of the gays and on the side of the law enforcement communities, at least in the 1960s.

This thesis is based on historical research and is to be seen as a literature and primary source based project. The International Institute for Social History provided diverse sources, such as the periodical from the largest Dutch gay organization in the 1960s, a wide research on opinions about homosexuality in The Netherlands and a Amnesty International investigation about police brutality in the U.S.A. Leading publications of historians such as Tielman, Cruikshank and D'Emilio were studied for analyzing gay culture in the 1960s. Newspaper articles retrieved from Delpher were also used as primary sources as well as websites from the U.S. government and DOK Amsterdam and the Stonewall Inn –both still thriving clubs. Remarkably, most literature suggests that while there were violence, discriminating laws and riots in the U.S.A., Dutch gays had a relatively quiet and safe life in Amsterdam. Few have studied the Dutch and American culture very closely besides each other, and that is what this thesis focuses on.

1. STONEWALL INN VS. DOK AMSTERDAM

The nature of the gay liberation movements in the U.S.A. and The Netherlands differs. The Netherlands in the 1960s had a gay community that was fixed on social gatherings: gay culture was mostly focused on nightlife, lectures and frivolity. In the U.S.A., however, the gay liberation movement of the 1960s was of a more political kind: the gay community – besides meeting in secret night clubs- had a more political message. This is probably due to the reasonably progressive legislation of The Netherlands in contrast to the many discrimination laws restricting the rights of gay people throughout the U.S.A. In this chapter both liberation movements will be analyzed focusing on two iconic meeting spots of the gay community in the 1960s: club DOK in Amsterdam and the Stonewall Inn in New York. The chapter concludes with a comparison of the first Gay Prides that took place in New York and Amsterdam.

1.1 GAY LIBERATION IN THEIR EARLY DAYS

Although Germany was the leading country when researching gay organizations,³ The Netherlands was also very progressive in the late 1800s and early 1900s. The gay liberation movement in The Netherlands started as early as 1911, which makes the movement the most extensive and successful gay emancipation movement in the world.⁴ This does not mean that there was no gay history before that. Of course, as a religious Christian country, being heterosexual was the norm ever since the religious medieval times. In the 18th century hazardous times started for the international position of The Netherlands and this led to strict persecutions of accused homosexuals.⁵ The Netherlands accepted a more liberal state of mind after the French Occupation. With the freedom of religion, came also the decriminalization of gay lifestyle in 1811.⁶

A landmark in legal history of homosexuality was 1911, when discrimination against gays was reintroduced with the article 248bis in penal law. Article 248bis raised the age of consent only for homosexuals from 16 to 21. The Netherlands have known criminalization of

³ Please refer to Barry D. Adam, *The Rise of a Gay and Lesbian Movement* (New York: Twayne Publishers, 1995), 19-28, for more information about the gay liberation movement in Germany.

⁴ Rob Tielman, *Homoseksualiteit in Nederland* (Meppel: Uitgeverij Boom, 1982), 76.

⁵ Tielman, *Homoseksualiteit in Nederland*, 53-60.

⁶ Tielman, *Homoseksualiteit in Nederland*, 63-67.

homosexuality again during World War II, from 1940 to 1945 when the country was controlled and governed by the Nazi's. After WWII, Dutch law was reintroduced and therefore, homosexuality was decriminalized again. However, article 248bis was still valid and there was one organization that was the major opponent of this.

A very important role in gay culture since the 1940s and the fight against article 248bis was for the COC. The "Cultuur- en Ontspannings Centrum" was founded on December 7th, 1946 and first named the Shakespeare's Club. The club originates in the magazine "Levensrecht", which has been published since 1940. The COC advocates for overall awareness and acceptance of the gay community in The Netherlands, but in the 1960s has a strong focus point on eliminating article 248bis. It is important to be aware of the fact that the COC was an organization without legal recognition until 1973, two years after the abolishment of article 248bis. Although the organization was never illegal, it struggled to get official "royal approval". Besides fighting for gay rights regarding article 248bis, the club was the biggest organizer for leisure in Dutch gay culture in the 1960s. It was responsible for a third of social activities for homosexuals all over the Netherlands.⁷ Moreover, the COC founded the gay club DOK in 1952 in Amsterdam. The COC and their clubhouses were mostly left alone by the Dutch law enforcement. Why this was the case, and why it is not in the U.S.A., will be discussed in section 1.2 and 1.3.

Almost contrary to the tolerant Dutch society, American people have had a strong negative opinion about homosexuality. Cruikshank states: 'Like racism, homophobia pervades American life.'⁸ Homophobia stands for irrational fear of homosexuals and according to Cruikshank it is a substantial part of American life historically and today. When investigating early history of gay rights in the U.S.A., the military is a good example of testing the waters.

The United States have always been a country with a major Defense Department and the military has a history of great homophobia.⁹ During both World Wars, homosexuals were not allowed in the American military and would be persecuted when they did enter.¹⁰ This regulation is based on multiple factors: fear of the unknown, the belief of homosexuals being

⁷ Tielman, *Homoseksualiteit in Nederland*, 327.

⁸ Margaret Cruikshank, *The Gay and Lesbian Liberation Movement* (New York: Routledge, 1992), 10.

⁹ Cruikshank, *The Gay and Lesbian Liberation Movement*, 11.

¹⁰ Cruikshank, *The Gay and Lesbian Liberation Movement*, 11.

less likely to be a productive soldier and of course, religion.¹¹ Outside of the military, positive voices about homosexuality in American public life were not tolerated in the first half of the 20th Century.¹² In those decades, racial segregation was still valid and almost ironically, the first underground gay bars and theater outlets only were placed in non-white neighborhoods – although the public was predominantly white.¹³ Meanwhile, homosexuality was addressed as a dangerous, illegal disease and moreover, a felony by scholars.¹⁴ It took until the 1950s for American homosexuals to speak and come out.

1.2 DOK AMSTERDAM

The DOK Amsterdam is not only a still famous club, in the 1960s it functioned as one of the society clubs for the COC Amsterdam branch.¹⁵ As a clubhouse, it represented the frivolity of the gay community and it was the meeting place not only for gays, but also for lecturers or artists.¹⁶

When analyzing the relationship between law enforcement and DOK Amsterdam, it is interesting to note that no records of any confrontations between the police and the gay club scene in general seem to exist. For example, in the renowned book, *Homosexuality in The Netherlands*¹⁷, “police” is not even listed in the register. Law enforcement seemed to have almost no interest in the gay nightlife and vice versa. Of course, this conclusion does not tell the whole story. There was actually a very interesting bond between the DOK Amsterdam, the COC and the Dutch government: what Tielman describes as ‘repressive tolerance’.¹⁸ This repressive tolerance exists of two components: on one side the Dutch government was still

¹¹ Cruikshank, *The Gay and Lesbian Liberation Movement*, 10-15.

¹² Barry D. Adam, *The Rise of a Gay and Lesbian Movement* (New York: Twayne Publishers, 1995), 42.

¹³ Adam, *The Rise of a Gay and Lesbian Movement*, 43.

¹⁴ Adam, *The Rise of a Gay and Lesbian Movement*, 45.

¹⁵ Tielman, *Homoseksualiteit in Nederland*, 153-158.

¹⁶ Tielman, *Homoseksualiteit in Nederland*, 151.

¹⁷ Tielman, *Homoseksualiteit in Nederland*, 329-35.

¹⁸ Tielman, *Homoseksualiteit in Nederland*, 160.

critical towards a gay lifestyle, especially because 248bis was still valid and needed to be obeyed.

On the other hand, having a controllable organization like the COC with clear clubhouses in all major cities made governmental supervision fairly easy.¹⁹ The government knew that forbidding these kinds of acts would only mean that the gay scene would go underground, which would make it harder to control the age rules according to 248bis. When law enforcement did meddle in the clubs of the COC, the only thing checked was age of majority. It was very easy for DOK to obey article 248bis simply by allowing entry of the club only to people over 21.²⁰

Overall, when analyzing the (early) history of Dutch legislation regarding homosexuality, tolerance is a key word. For the case study, it is important to realize that the government made a very clear decision to maintain a policy of ‘repressive tolerance’. Therefore, little to no conflict existed between the gay community and the police in DOK Amsterdam. At this point in the research, it seems to have succeeded. Little evidence is there of (violent) clashes between law enforcement and the gay community. In chapter 2, more historical background will be granted but also the gay protests will be analyzed. Meanwhile, the U.S. government had some major problems to resolve in New York City.

1.3 STONEWALL INN

On June 28 1969, the iconic Stonewall Riots took place after a police raid in the Stonewall Inn bar in Christopher Street, New York City. In 1969 in New York State, it was illegal to serve alcohol to homosexuals and to dance with same-sex partners. This meant that, in contrast to The Netherlands, the actions that took place in gay bars were illegal. Therefore, the police did not only want to verify the age of clubbers, but police was also interested in the behavior taking place in (gay) bars. There was no situation of ‘repressive tolerance’ or any tolerance for that matter. In and before 1969, it was very common during a police raid to

¹⁹ Tielman, *Homoseksualiteit in Nederland*, 160.

²⁰ Martien Sleutjes, “Geschiedenis | Hallo, Meneer De Uil,” *Gay.nl*, March 03, 2016, accessed December 9, 2016.

arrest club owners and management of gay bars, to line attendee up and arrest everyone without identification or with deviant clothing.²¹

On June 28th, however, the raid at the Stonewall Inn did not go as planned. Eight police officers arrived at Stonewall around 1.20 a.m. and lined up the 200 attendees, in anticipation of the police wagons to arrive and bring everyone to the station. As some people were not arrested, they left the building and turned into an aggravated crowd outside of the building. This tense crowd witnessed several lesbians and transgenders being abused by the police as they were arrested and aggressively handcuffed. Soon there was an angry crowd of approximately 600 people, throwing pennies, beer bottles and bricks at the police. Ironically, the only safe place for the police officers was inside the Stonewall Inn and 10 officers locked themselves up inside the club. It took until 4 a.m. to clear the streets and 13 protesters were arrested that night with four policemen injured. This did not end the riot, the days after June 28, more than 1.000 protesters returned to Christopher Street and fought against law enforcement.²²

Soon after, the Stonewall Riots were recognized as a special event, first by the people who were involved with the protests, but publicity rose.^{23,24} One year later, the first Gay Pride Parade was organized in New York City, in part to remember the Stonewall Riots and partly to advocate gay rights.

1.4 GAY PRIDES

In 1970, the U.S.A. was the first country in the world where a Gay Pride Parade took place. New York City formed the stage of this gathering fighting for the right to be proud and homosexual. Of course, the 1970 Gay Pride can be seen as a reaction to the Stonewall Riots and it formed a huge part of why Stonewall is seen as one of the most important landmarks of gay liberation history in the U.S.A.²⁵ In The Netherlands, the gay community was inspired by

²¹ "History." The Stonewall Inn NYC. Accessed December 14, 2016.

²² "History." The Stonewall Inn NYC. Accessed December 14, 2016.

²³ T. Kissack, "Freaking Fag Revolutionaries: New York's Gay Liberation Front, 1969-1971," *Radical History Review*, 62 (1995): 105.

²⁴ Armstrong, Elizabeth A., and Suzanna M. Cragge. "Movements and memory: The making of the Stonewall myth." *American Sociological Review* 71, 5 (2006): 724-6.

²⁵ Armstrong and Cragge, "Movements and memory: The making of the Stonewall myth," 741.

the American event and two counter-events emerged: in 1977 Pink Saturday was introduced and later, since the 1996 Amsterdam Gay Pride has been organized mostly on the water of the Amsterdam canals. Both events have a political and festive side to it, but very remarkable is that the 1977 Pink Saturday did not focus on any national issues –such as the recognition of same-sex marriage. It focused on the international problems regarding the right to be gay or to express as a homosexual.²⁶ In the 1970s, the Dutch gay community became more interested and outspoken about these international issues and this is definitely remarkable: the Dutch gay community chose *not* to fight for their own wellbeing, but for others. However, even today, the Dutch version of the Gay Parade (the Canal Pride) seems more like a great - and sexually quite explicit- carnivals as opposed to the more political ‘gay prides’ in the U.S.A. and elsewhere in the world.

Concluding, this chapter showed that the 1960s were very different for gays in The Netherlands and The United States. The early history shows very clearly that there was more hatred and controversy towards homosexuality in the United States than in The Netherlands. This hatred is also seen in the case study of the Stonewall Inn: not only law enforcement were very strict in raiding gay bars, the gay community seemed fed up with the ongoing discrimination and in 1969, it climaxed. Meanwhile in The Netherlands, a relatively peaceful relationship between law enforcement and the gay community seemed to be established.

In chapter two, more background will be giving about what it meant to be gay in the 1960s in both countries. This could explain why there was more conflict in the U.S.A. and why this was absent in The Netherlands. Chapter three zooms in on the relationship between law enforcement and the gay community: was it just that being gay led to a complex or easy relation with the police or was there more to it?

²⁶ Tielman, Homoseksualiteit in Nederland, 252-3.

2. BEING GAY IN THE U.S.A. OR THE NETHERLANDS: LEGAL AND SOCIO-CULTURAL VIEWPOINTS IN THE 1960S

This chapter addresses the legal and social context needed to answer the research question. Firstly, it explains the usage of the term gay liberation movement and it will discuss why it is important for this subject to focus in the timeframe of the 1960s. In sections 2.2 and 2.3, the political situation in the U.S.A. and The Netherlands of the 1960s will be explained by two factors: the legislation and the media. The legislation is of interest because it is what law enforcement is based upon and what the gay liberation movement is fighting against. Furthermore, the gay culture of the 1960s is examined: what are the differences and why are these differences crucial for the relationship between law enforcement and the gay community.

2.1 DEFINITIONS, TIMEFRAME AND BACKGROUND

There are a number of definitions used for the gay liberation movement in the historical literature. Nowadays, the most widely used term for “gay” is LGBTQ: this term includes all (legal) sexual groups that are not heterosexual. In the 1960s however, ‘transgender’ for example was not as known and understood as it is in the 21th century. In the Netherlands, doctors in the 1960s would decline transgender surgery on women or men because they did not know what it was.²⁷ This also means that it was not a subject that was outspoken in public spheres. Gay sexuality on the other hand was actually recognized as something other than a disease or a temporary phase, and therefore, the term gay liberation was used by this movement in the United States in the 1960. The Dutch term used at the time, “homofiel” means exactly the same.

Secondly, the usage of “liberation movement” as opposed to civil rights movement is important to explain. According to the American historian Barry D. Adam, the gay liberation movement itself did not want to be named a civil rights movement, because of their belief their cause was larger than just improving civil rights. The gay liberation movement was fighting to ‘free the homosexuality in everyone, challenging the conventional arrangements that confined sexuality to heterosexual, monogamous families.’²⁸ This shows that it was not

²⁷ Nederlandse Vereniging tot Integratie van Homoseksualiteit COC, and Edward Brongersma. *COC Periodiek*. Amsterdam, no. 5 (1960-1963), 13-7.

²⁸ Adam, *The Rise of a Gay and Lesbian Movement*, 84.

just a fight for legal or social rights, but for understanding and acceptance –changing the status quo of sexuality forever. This is why the definition “gay liberation movement” will be used throughout this thesis.

It is important to understand the timeframe that this thesis describes. The American writer and academic Margaret Cruikshank identifies three separate periods in the history of the gay and lesbian movement. The first one starts in the 1890s and leads up to the end of World War II, the second one starts right after WWII and ends with the Stonewall Riots in June, 1969 and the last period extends from the 1970s until now.²⁹ This thesis will examine a large part of the second period, which is known as a very tumultuous decade in both the Netherlands and the United States. Moreover, Cruikshank claims that without the gay protests in the 1960s in the U.S.A., there would have been little space for other liberation movements in the 1970s.³⁰ These protests however did not emerge solely, the 1960s contained more protesting social groups: such as the civil rights movement or the feminist movement. Dutch historian Righart also argues that the 1960s were not a walk in the park for The Netherlands: it contained a fair amount of generational gaps and therefore, gay liberation did have more opportunities to rise.³¹ This, and more concerning the 1960s, will be examined more closely in the rest of this chapter.

2.2 COMPARING THE LEGAL STATUS OF GAYS IN USA AND NETHERLANDS

The U.S.A. legislation is a system with national laws and variation in laws between states and districts.³² This makes U.S. law by definition more complex than Dutch law, which is the same for all in the country. In this section a short overview of the legislation regarding gay rights is given, for an overview see Table 1.

²⁹ Cruikshank, *The Gay and Lesbian Liberation Movement*, 63.

³⁰ Cruikshank, *The Gay and Lesbian Liberation Movement*, 62.

³¹ Hans Righart, *De Eindeloze Jaren Zestig: Geschiedenis Van Een GeneratieConflict* (Amsterdam: De Arbeiderspers, 1995), 26.

³² "The U.S. Legal System: A Short Description." Federal Judicial Center. Accessed December 14.

Table 1: Important steps for equal gay rights

	U.S.A.	The Netherlands
Gay sex legal between adults	2003	1811, age raised from 16 to 21 in 1911 until 1971
Law against discrimination minorities	1964, but in some states not applicable to gays until 2003	1815 Constitution, Article 1
Gay marriage legal in country	2015	2001
Adoption legal for same sex couples	2015	2001
Gay rights organization founded	1924	1946
Election of first openly gay politician	Harvey Milk, 1977 San Francisco Board of Supervisors ("gemeenteraad")	Coos Huijsen, 1976 National Parliament (first homosexual member of a national parliament in the world)

In the USA in the 1960s, discrimination of the gay community was common. As an openly gay person, one could get rejected for almost all legal actions: from renting a home to participating in organizations.³³ The law did not protect minorities: It was not until 1964, the Civil Rights Act was enacted. This Act gave a huge boost to all minority group rights in the U.S.A. containing a prohibition to all discrimination based on race, color, religion or sex. Very contradictory, this Act did not apply to homosexual people³⁴ and in 1968 forty-nine out of fifty states still criminalized homosexual behavior. It took until 2003 for the Supreme Court to declare these state laws unconstitutional.³⁵ Not only gay marriage was legally recognized in 2015, but also gay relationships in general and adoption for gay couples. However, as stated above, the U.S. legislation is very complicated and therefore, anti-

³³ Cruikshank, *The Gay and Lesbian Liberation Movement*, 57-59.

³⁴ Cruikshank, *The Gay and Lesbian Liberation Movement*, 79.

³⁵ John D'Emilio, *In a New Century: Essays on Queer History, Politics, and Community Life* (Madison: University of Wisconsin Press, 2014), 53.

discrimination laws may still differ between states. To show how gay rights are still as issue in all of America, the Employment Non-Discrimination Act (ENDA) that prohibits discrimination based on sexual orientation in the work sector has still yet to pass Congress.³⁶

The Netherlands has a worldwide reputation for tolerance, and Amsterdam has been promoted as “the gay capital of the world”. However, to understand the situation with respect to gay rights it is important to understand that The Netherlands does not have state or city legislators deciding about discrimination and civil rights. Only the central government controls the legislation about fundamental rights. In the Netherlands, gay marriage was legalized in 2001, as the first country worldwide. Since as early as 1811, there has been a law against the punishment of homosexual behavior between consenting adults. This more progressive legislation is definitely different from the United States, but that does not mean that there was no struggle for gay rights in the 1960s.

In 1911, the impunity of gay interaction was restricted, through a change in the age of consent for homosexual couples. For heterosexual couples, the age of consent was set at 16 and for homosexuals; it was raised from age 16 to 21. The frontier fighter to change this statutory article 248bis was the COC, a gay rights organization founded in 1946 in The Netherlands. In their periodical they explain why they want the law to change. They think it is absurd how two gay adults are in a legal relationship when they are both 18 to 20, but that their relation suddenly becomes illegal once one of the two turns 21 before the other. Secondly, they state that is an illegal act of discrimination to make a difference in the legislation between heterosexuals and homosexuals.³⁷ Ten years after this publication, the COC won this legal battle and in 1971 article 248bis was scraped out of Dutch law.

2.3 COMPARING THE SOCIAL ATTITUDE TOWARDS GAYS IN THE MEDIA

The social attitude towards the gay community in the 1960s, as reflected in the public media, may differ from what is the spirit of anti-discriminatory legislation. In the U.S.A., D’Emilio does not give a very hopeful sketch of the media situation stating that in 1968, there

³⁶ Stonewalled Still Demanding Respect: Police Abuses against Lesbian, Gay, Bisexual and Transgender People in the U.S.A. (London: Amnesty International, 2006), 70.

³⁷ Nederlandse Vereniging tot Integratie van Homoseksualiteit COC, and Edward Brongersma. COC Periodiek. Amsterdam, no. 4 (1961), 24-6.

was not one openly gay character to be found on American television.³⁸ Nevertheless, this criticism only points to characters of fiction. The Dutch COC reported in one of its periodicals of a television-broadcast as early as 1961 in San Francisco. It reports that station KOED broadcasted a whole program about homosexuality.³⁹ This show was mostly positive, with scholars and the reportedly sister organization of the COC mostly explaining homosexuality and pleading for a legislation change.

This shows three matters: that homosexuality was (sporadically) giving television attention that was positive, that there was communication about the American media in the Dutch gay media and that there actually was a sister organization in the U.S.A. for the COC, which communicated frequently. More evidence on this is given with the COC sponsoring five International Conventions for Sexual Equality in the 1950s.⁴⁰ Again, The Netherlands seemed to be not only on the frontline of achieving gay rights, but this created the thought that The Netherlands was the country where international organizations looked up to.

In the 1960s, the Dutch media (in those days mainly the newspapers, as TV was less popular than in the USA) regularly reported about incidents within the gay community, although not always in a positive sense. Dutch newspapers reported multiple times about a person prosecuted under article 248bis.⁴¹

In the second half of the 1960s, there is growing critique in the newspapers towards article 248bis and very noteworthy is the newspaper article published in the social-democratic newspaper 'Het Vrije Volk'⁴² from 1971, where the title very bluntly states: "Homofielen-artikeltje wordt eindelijk geschrapt" (Gay (little) article is finally scraped).⁴³ The use of the words "little" and "finally" indicates the tiredness of the media regarding this allegedly redundant article. This is not very surprising, coming from the very left-winged newspaper, a descendent of the socialist party PvdA. However, with 1.5 million votes and 24.5% percent of

³⁸ D'Emilio, *In a New Century*, 156.

³⁹ Nederlandse Vereniging tot Integratie van Homoseksualiteit COC, and Edward Brongersma. *COC Periodiek*. Amsterdam, no. 2 (1962), 19.

⁴⁰ Adam, *The Rise of a Gay and Lesbian Movement*, 70.

⁴¹ Please refer to www.delpher.nl for more newspaper articles about these persecutions, "248bis".

⁴² Please visit <http://www.hetvrijevolk.com/> for more information about the Dutch newspaper.

⁴³ "Homofielen Artikeltje Wordt Eindelijk Geschrapt." *Het Vrije Volk* (Rotterdam), January 26, 1971.

the national vote overall, this party was the largest party in Parliament in 1971.⁴⁴ Therefore this can be seen as a well-founded source for public opinion, although it needs more back up. Especially since one year earlier, a Christian newspaper ‘Nederlands Dagblad’ critiques the somewhat neutralist attitude of minister of Justice Polak towards the divided opinion of parliament about 248bis. Moreover, the author believes the minister is not even willing to equate homo- and heterosexual relationships in his words.⁴⁵ Having a religious newspapers critiquing the ministers detachment of normalization of homosexuality is understandable, since they were not the outspoken advocates of homosexuality. Both newspapers did not have the largest reach in the 1970 and 1971, but were quite geared to their audience: respectively socialists and Christians.

Concluding, the social and political situation in The Netherlands regarding gay liberation was very thriving. Also, it is important to note that there was accomplishment right after the 1960s, unlike the United States where decriminalization was not reached until 2003. The scrapping of 248bis indicates more acceptance of gay culture by the Dutch society than the American society. This will be investigated more in the second section of this chapter. In the USA in the 1960s some media attention was given to gays, but gayness was not accepted in popular TV-shows or sitcoms. However, in this period a new political situation started that prompted media attention: the rise of gay culture and protests.

2.4 GAY CULTURE IN THE 1960S

According to D’Emilio, the 1960s in the U.S.A. were filled with new gay liberationists: people that were not shy about their sexuality or culture. Because of the legislation, though, most gay culture in the U.S.A. was tolerated and took place “off the radar”. This changed after the publication of the New York Times newspaper article ‘Growth of Overt Homosexuality in City Provokes Wide Concern.’ in 1963.⁴⁶ This article received a large audience and ended the secrecy of gay clubs and other community life. But what was this community life exactly like in the 1960s?

⁴⁴ "Tweede Kamerverkiezingen 1971." Parlement & Politiek. Accessed December 14, 2016.

⁴⁵ "Weest Dan Geen Neutralisten." *Nederlands Dagblad* (Amersfoort), July 30, 1970.

⁴⁶ D’Emilio, *In a New Century*, 156.

Because the gay community lacks a shared language, skin-color, country, gender, religion and so on, it was important for the gays to organize a form of community. Cruikshank argues that the term 'gay community' in the U.S.A. refers more to a political movement, than to a sexual orientation. According to her it can contain everything related to that: values, events, rituals and shared history.⁴⁷ A possible flaw in her argumentation is that she does not acknowledge that an important difference between the gay political movement and the gay community is that also people who are not a part of the community are able to join the political movement. To join the gay political movement, one does not have to be gay. Cruikshank states that before the Stonewall Riots in 1969, gay culture did not really exist in the public sphere. She emphasizes some important factors of (underground) gay culture. It is very important to understand that in the 1960s bars were crucial to gay community life, as Cruikshank argues: 'Until the 1970s, bars were the only meeting places for homosexuals.'⁴⁸ This could explain why the Stonewall Riots have become such a landmark for gay liberation: the gay were attacked on their own territory.

As shown in chapter one, gay culture was thriving in The Netherlands in the 1960s. There is no evidence of any violence used by law enforcement on base of sexual orientation and gay nightlife seemed to be not only possible, but also accepted in the 1960s. Though this indicates acceptance towards homosexuals, some nuance has to be given. An important source for this is the COC periodical and their own research concludes that suicide rates were considerably higher for homosexuals compared to general Dutch suicide rates in 1960.⁴⁹ A year later, the question of why this might be the case is answered. The COC do not think it is because of discrimination, either by society or law enforcement, but they blame loneliness. More than 50% of the Dutch homosexuals did not have a long-term partner and they make the link between the suicide statistics and the high rate of loneliness and unhappiness.⁵⁰ Very interestingly, these figures show a less positive representation of being gay in The Netherlands in the 1960s.

⁴⁷ Cruikshank, *The Gay and Lesbian Liberation Movement*, 118-9.

⁴⁸ Cruikshank, *The Gay and Lesbian Liberation Movement*, 121.

⁴⁹ Nederlandse Vereniging tot Integratie van Homoseksualiteit COC, and Edward Brongersma. *COC Periodiek*. Amsterdam, no. 4 (1960), 15.

⁵⁰ Nederlandse Vereniging tot Integratie van Homoseksualiteit COC, and Edward Brongersma. *COC Periodiek*. Amsterdam, no. 4 (1961), 4.

The lack of recognition of international authors of these digits might be because these COC periodicals are only available at the IISG in Amsterdam. It makes their vision about Dutch gay culture in the 1960s somewhat incomplete and one-sided. Having a substantial higher suicide rate for homosexuals in The Netherlands makes the historical debate more questionable. Apparently, there were still complications for the Dutch gay community in the 1960s. In these rates, it was not law enforcement that caused problems for the gay community, but more about this relationship is analyzed in the next chapter.

3. COMPARING THE ROLE OF LAW ENFORCEMENT IN THE 1960S BETWEEN U.S.A. AND THE NETHERLANDS

In this chapter police violence and law enforcement's historical relationship with the gay community will be discussed. Two aspects of the history of police violence in the United States and The Netherlands will be described: the legal differences regarding law enforcement and its use of violence and the socio-cultural differences. Naturally, the latter is harder to describe objectively than legal history. Therefore, more primary sources will be used for the understanding of the social position of law enforcement in both countries.

3.1 LEGAL HISTORY OF POLICE VIOLENCE

The police force as the Dutch society knows it today started to be established in most of Western Europe in the second half of the 19th century. The presence of a police force implied an enlargement of the government's influence on civilians, especially when it comes to violence.⁵¹ In The Netherlands, the state has the monopoly of (armed) violence and has organized this through establishing an armed police force. Dutch citizens are not allowed to carry weapons officially since 1890.

An important difference between the U.S.A. and the Netherlands is the lack of violence monopoly of law enforcement in de U.S.A. The second amendment of the U.S. constitution says: 'A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.'⁵² On this amendment the U.S. Supreme Court ruled in 2008, deciding that this sentence actually gave the people the right to carry firearms privately. This means that legally, the private and public sector are both potentially fire-armed and unavoidably, this could lead to increasing fear and therefore more chaos between the relationship of law enforcement and the community. But was this really the case in the 1960s?

⁵¹ Pieter Spierenburg, *Sociale Controle, Misdaad En Het Geweldsmonopolie: De Veranderende Rol Van De Politie.* (2008), 395.

⁵² "Charters of Freedom." U.S. Senate: Constitution of the United States. 1994. Accessed December 14, 2016.

3.2 SOCIO-CULTURAL ASPECTS

In the USA there have been many violent responses of law enforcement towards protesters in the 1960s.⁵³ During the Civil Rights Movement (1954-1968), multiple violent acts of law enforcement took place.⁵⁴ The police forces were evidently perceived as oppressing towards minorities –including the gay community-, but a more precise overview is given in the third part of this chapter. Historically, in the USA there have always been groups protesting against police violence, especially in the last 30 years.⁵⁵ According to Hodgson, this protest against police violence is partly the result of a lack of non-violent training of police officers. He states that another explanation of the on-going protests against police violence is the constant media-attention for these events. Not only television-stations broadcast largely about this topic, but also since the 1950s numerous videos of police violence have been taped privately and discussed within communities.⁵⁶ This media-aspect indicates that the concern about police violence is a constant part of the American culture historically.

In general, in the Netherlands, there was little concern for excessive police violence, but during the 1960s there were some confrontations between law enforcement and the new youth culture (called Provo as in ‘to provoke’). This can be linked to the rise of a more outspoken, controversial generation that was unsatisfied with the post-war culture of conservative morals of their parents.⁵⁷ A great example of this clash between law enforcement and the youth culture is the picture Pas gives in his article. It is the image of a student protest against police violence in Amsterdam, 1968. Although there were many protests in the 1960s, against the marriage of the Dutch crown princess with a German for example, there are almost no records of these protests growing into violent riots, or reports of excessive police violence.

Considering this lack of real violence, it is remarkable how much historians are interested in “The Sixties”: just in 2008 dozens of new researches, discussions and gatherings

⁵³ James F. Hodgson, “Police Violence in Canada and the U.S.A.: Analysis and Management,” *Policing: An International Journal of Police Strategies & Management* 24, 4 (2001): 539.

⁵⁴ For more imagery on this, please watch <https://www.youtube.com/watch?v=6IrjXz6IHDA>.

⁵⁵ Hodgson, “Police Violence in Canada and the U.S.A.: Analysis and Management,” 539.

⁵⁶ Hodgson, “Police Violence in Canada and the U.S.A.: Analysis and Management,” 539-541.

⁵⁷ Niek Pas, “De Problematische Internationalisering Van De Nederlandse Jaren Zestig,” *BMGN – Low Countries Historical Review* 124, 4 (2009): 619.

were visible in The Netherlands after the sixties 50th anniversary.⁵⁸ This is maybe due to the worldwide tendency of the 1960s, as people protested against the Cold War, and especially the Vietnam War all around the Western world. Righart attempts to connect the international discourse to The Dutch sixties and concludes with the Netherlands as the “moderate version”.⁵⁹ This summons the presence of discontent and the corresponding protests. It also, though, gives a very justified twist to this agility: law enforcement and the youth had their differences and their anger towards each other, but it never led to an aggressive outcome.

Maybe this is why these protests were actually very successful as the police started to change their attitude beginning in the 1970s.⁶⁰ Moreover, not only law enforcement changed, but so did the legislation in The Netherlands. In the U.S.A., it took much more time and tiny steps to achieve legal change. There is still protesting and demonstrating needed according to the gay community, because there is no equality in the whole country.⁶¹

3.3 LAW ENFORCEMENT AND THE GAY COMMUNITY

It is not particularly easy to find American sources describing accurate figures about law enforcement and the gay community in the 1960s. This difficulty is due to multiple factors, such as the fear among the gay community to report crimes such as excessive police violence, and the lack of willingness to investigate these crimes by law enforcement.⁶² However, this lack of direct evidence makes the relationship interesting to study for historians.

In the 1960s, and especially the second half of the decade, pro gay protests all over America became more common than before. A large part of these protests took place on university campuses and were combined with racial and gender equal rights activism. Amnesty International concludes that in the U.S.A. the gay community has been the victim of police brutality more often than “traditional” sexual groups. Also, they state that police brutality against gays goes hand in hand with racism-based violence.⁶³ However, Amnesty presents little evidence for these claims.

⁵⁸ Pas, “De Problematische Internationalisering Van De Nederlandse Jaren Zestig,” 621-2.

⁵⁹ Pas, “De Problematische Internationalisering Van De Nederlandse Jaren Zestig,” 624.

⁶⁰ Spierenburg, *Sociale Controle, Misdaad En Het Geweldsmonopolie*, 400.

⁶¹ "Mission - Stonewall Community Foundation." Stonewall Community Foundation. Accessed December 14, 2016.

⁶² Stonewalled Still Demanding Respect, 32.

⁶³ Stonewalled, Still Demanding Respect, 14-15.

The act of raiding bars is central when analyzing police violence against gays.⁶⁴ This is because, as stated before, urban nightlife in bars was the place where the gay community could meet in the 1960s. The Stonewall Riots are a good case study because it represents a climax of the 1960s atmosphere in the gay community: raiding gay bars were regular acts of law enforcement all across the U.S.A.⁶⁵ In fact, in the three weeks prior to Stonewall, five gay clubs were already raided.⁶⁶ A turning point in the 1960s was 1967, when a new police campaign started in Los Angeles. This campaign focuses, again, on condemning the gay urban nightlife. Surely, this (and other campaigns) led to multiple acts of violence between law enforcement and the gay community.

Sexual violence is one form of police brutality against the LGBTQ community. Amnesty International claims: ‘The reports show how, far from protecting the rights of LGBT people, police officers in many parts of the USA are using their positions of power and privilege to coerce people in to having sex and to evade prosecution for attacks, some of which involve intense violence’⁶⁷ and ‘under international law, the rape of a prisoner by a state official is considered to be an act of torture.’⁶⁸ This means that even after incarceration, prisons did not mean safety for many of the gay community. Police brutality seems therefore not only a problem in the public sphere, but even after confinement and in penitentiary. In conclusion, there is definitely evidence of violence by the law enforcement towards the gay community in the 1960s. This has occurred in different forms, such as raiding bars in gay nightlife, sexual violence by police officers and a lack of protection of the gay community by the police. Hodgson attempts to grasp why this situation of police violence has not changed:

Furthermore, the reliance by police agencies on traditional practices and policies negates or dismisses any serious attempt to reform the police utilization of direct force as the primary method of resolving conflict. The systemic denial of reform agendas condemns the institution of policing to inadequately respond to violent encounters with the citizens that they are sworn to “serve and protect”. The over-reliance on direct and lethal force ensures that citizens and police officers are needlessly seriously injured or killed each year.⁶⁹

⁶⁴ D’Emilio, *In a New Century*, 156-7.

⁶⁵ Stonewalled, *Still Demanding Respect*, 48.

⁶⁶ Adam, 81.

⁶⁷ When interested in more about abuse against LGBTQ in police detention, please see *Stonewalled Still Demanding Respect: Police Abuses against Lesbian, Gay, Bisexual and Transgender People in the U.S.A.* (London: Amnesty International, 2006), chapter 3.

⁶⁸ Stonewalled, *Still Demanding Respect*, 15.

⁶⁹ Hodgson, “Police Violence in Canada and the U.S.A.: Analysis and Management,” 541.

Part of the problem, according to Hodgson and others, is the denial of law enforcement that it needs to change its attitude and approach towards the gay community. Very few police departments educate their officers on LGBTQ hate crimes and more than half does not educate their officers sexual violence aimed towards the gay community.⁷⁰ An impaired relationship is the result.⁷¹

The relationship between law enforcement and the gay community in The Netherlands in the 1960s was very different from the situation in the U.S.A. For example, there is almost no literature about acts of police brutality in The Netherlands. Investigations indicate that this relationship might be less violent because of more acceptance of homosexuality in the Dutch community.

The publication “Meningen over Homosexualiteit III” (“Opinions about homosexuality”) taken between 1966 and 1967 gives more insight on this matter. Interestingly, 75% of the respondents answer negatively to the question whether someone should report their homosexuality when applying for a job in a hospital or the public sector.⁷² This indicates that, in any case in the late 1960s, Dutch inhabitants did not have problems with working among homosexuals or feel like they should be discriminated because of their sexual orientation. Another striking fact is that 70% of the respondents was in favor of sexual orientation about homosexuality for children.⁷³ In contrast, only 8% of the respondents themselves reported to have been educated about homosexuality.⁷⁴ Also, the research proves that the younger respondents were not only more positive about homosexuality, they stated they had met more homosexuals and were more open about homosexuality.⁷⁵ This does indicate a positive change of the perceiving and education of homosexuality in the 1960s by the younger generation.

There is only one gay demonstration that took place in the Netherlands in the 1960s – and it was also the first Dutch gay rights demonstration. This demonstration took place on

⁷⁰ Stonewalled, Still Demanding Respect, 55.

⁷¹ D’Emilio, In a New Century: Essays on Queer History, Politics, and Community Life, 226.

⁷² Meilof-Oonk, I.S., Otto Valkman, and M. Brouwer, *Meningen Over Homosexualiteit*. 's-Gravenhage: Staatsuitgeverij, III, 9.

⁷³ Meilof-Oonk, Valkman, and Brouwer, *Meningen Over Homosexualiteit*. 's-Gravenhage: Staatsuitgeverij. I, 4.

⁷⁴ Meilof-Oonk, Valkman, and Brouwer,, I, 3.

⁷⁵ Meilof-Oonk, Valkman, and Brouwer, I, 7.

January 21, 1969 at the Binnenhof in The Hague, when about 100 students protested against the discriminating article 248bis, which was abolished two years later. It was a small, well-organized and nonviolent protest. Not only that, it was well timed and successful, as politicians kept discussing the article extensively after the protest.⁷⁶

When researching law enforcement and the gay community, Amsterdam in the 1960s represented all that international gay rights organizations were standing for: openness of gayness, freedom for homosexuals and no police brutality.⁷⁷ In the U.S.A., the relationship between law enforcement and the gay community was different. On one hand, law enforcement might have a different role towards society anyway, but chapter three showed also some specific complications from the police towards the gay community. The question still remains why this is the case, if homophobia, religion and fear for the unknown do not cover it all.

⁷⁶ Tielman, Homoseksualiteit in Nederland, 176-180.

⁷⁷ Cruikshank, The Gay and Lesbian Liberation Movement, 204.

CONCLUSION

In this thesis, the research question: What differences existed between the United States and The Netherlands in the relationship between law enforcement and the gay community with its protests in the period 1960 to 1970? How has this affected the position of these gay clubs at the time? was answered examined from three angles.

One angle of this thesis is studying the major differences in the situation of two gay clubs: DOK in Amsterdam and the Stonewall Inn in New York. The case studies point towards the following conclusion: there was a tense, violent relationship between law enforcement and the gay community in the U.S.A. throughout the 1960s and that this relationship might be the result of rooted homophobia in American culture. In The Netherlands, however, the case study showed that there was an effective relationship between the gay community and the police and that in DOK there was no evidence provided for any violent events between them.

Furthermore, this thesis examines what it meant to be gay in the U.S.A. or The Netherlands. In the 1960s, there were multiple substantial legal differences: such as a very clear legislation in Dutch law prohibiting discrimination based on sexual orientation. This was absent in American law and unfortunately, discriminating laws are still intact and anti-discrimination laws still have to be passed today. Perhaps an important question if a government can actually criminalize “bedroom behavior” without risking a reach of privacy or inaccuracy, resulting in arbitrary arrests or violence.

The final research topic was the role of law enforcement in the U.S.A. and The Netherlands. The laws concerning gays differed between both countries. A possible explanation for the difference in police violence between the U.S.A. and The Netherlands is the strict policy of leaving the monopoly of violence with the police in The Netherlands. An American has a fundamental right to defend him or herself and to carry arms, in The Netherlands does not have such a culture of armed self-defense. Another difference is the high amount of police raids in the 1960s in New York, pointing to a far more “hands-on” policy by the government. In The Netherlands, law enforcement had a far more passive attitude and more an approach of “repressive tolerance”. Also, in The Netherlands, the only gay protest seemed to be somewhat successful: article 248bis was discussed in the parliament and dismissed only two years later. In the U.S.A. there was more violence, but also more frustration because of the lack of legal progress.

As stated in the introduction, scholars writing about the 1960s and gay rights seem to always refer to The Netherlands as a good example for tolerance and peace. As proved, this is not peculiar: Dutch society was more successful on not only achieving sexual equality, but also in maintaining an effective relation between law enforcement and gay community. Though, chapter two brought nuance to this statement by examining the COC periodical from the 1960s: suicide rates under homosexuals were substantially higher.

Another factor addressed in the introduction was the contrast between rural and urban views on homosexuality: this thesis focused on urban settings and urban views, thus eliminating on possible source of variation. Conflicts between the American law enforcement and the gay community might be more clarified if there's more sociological research about the demographic origin of these groups. Historically, most gay communities established themselves in larger cities and therefore, would have more progressive views. It would be interesting to research if law enforcement in the city-centers also had progressive views, or if city police forces were collectivized men and women from the country. This could explain why the relationship between American city law enforcement and gay communities was complicated. It could also explain, apart from more progressive legislation, the easier relationship between these groups in The Netherlands. Since The Netherlands is a small country, the contrast between the people of countryside and the city are not as large as in the U.S.A.

It seems that the attitude of American authors towards the Dutch tolerance for the gay community is confirmed when studying Dutch sources together with American sources. This thesis, comparing the position of a gay club in Amsterdam and in New York, within its legal and societal context, points to a number of interesting differences. It tells the tale of two cities, where one is clearly more successful than the other.

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