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## Earwitnessing the Queer Acoustics of Public Space: Law, Sex and Nature in Ultra-red's Second Nature

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## Earwitnessing the Queer Acoustics of Public Space: Law, Sex and Nature in Ultra-red's *Second Nature*

### Abstract

This paper examines queer sex and public space usage in Los Angeles' Griffith Park through a series of recordings produced by the sound collective Ultra-red. Ultra-red have been using sound as a mode of political analysis since 1994 when they were founded by two AIDS activists in Los Angeles. This paper works in particular with two records released by Ultra-red in the late 1990s: an EP *Ode to Johnny Rio* (1998) and album *Second Nature: An Electroacoustic Pastoral* (1999), which are often referred to collectively as the *Second Nature*. For the *Second Nature* project, they draw their sound material from the public and private soundscapes of everyday queer life and cruising in Griffith Park. Ultra-red's compositions rely on looping, fragmentation, and a radical approach to cutting audio. This disrupts both the musicality and linearity we might expect from recordings that present themselves almost as documentaries that pits queer behaviors, bodies, and identities against the suburban conceits of those who call for laws that curb the behavior in the park through policing, entrapment, barring traffic, and issuing tickets to gay men for loitering and sexual behavior.

# **Earwitnessing the Queer Acoustics of Public Space: Law, Sex and Nature in Ultra-red's *Second Nature***

**David C. Jackson**

## **Introduction**

'You go to parts of Elysian Park and there are straight couples. They're fornicating. And they're not behind a bush,' complained one gay man who was arrested for lewd conduct in the park. 'It's out there. You don't have to look very hard. But there's a different attitude—that's normal. That's OK' (Boxall, 1997).

Queer public spaces are contentious within a heterosexual public sphere. This paper examines queer sex and public space usage in Los Angeles' Griffith Park through a series of recordings produced by the sound collective Ultra-red. Ultra-red have been using sound as a mode of political analysis since 1994 when they were founded by two AIDS activists in Los Angeles. Using the material of the soundscape to construct sonic interventions and reform the soundscape of conflict, Ultra-red operationalize various zones of contention through what they call 'militant sound investigation' (Ultra-Red, 2011). Militant sound investigation offers a conceptual apparatus for thinking about the politics of the soundscape and the way it is ordered, recorded, and composed (see also eg Augoyard and Torgue, 2006; Kane, 2014). This paper works in particular with two records released by Ultra-red

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in the late 1990s: an EP *Ode to Johnny Rio* (1998) and album *Second Nature: An Electroacoustic Pastoral* (1999), which are often referred to collectively as the *Second Nature* project<sup>1</sup>. The project works with ethnographic recordings to map the politics of queer public spaces to reinscribe the dominant narratives about needle exchanges, public space, club space, and AIDs. As militant sound investigation this produces an investigation rooted in 'sound based research that directly engages the organizing and analyses of political struggles' (Ultra-Red, n.d.). Moreover, as Mark Fisher noted in his 2008 profile of the group in the music magazine *The Wire*, Ultra-red's early sound work was contemporaneous with the emergence of 'glitch' music, which was popularized by the label Mille Plateaux that released *Second Nature: An Electroacoustic Pastoral* (Fisher, 2008: 28). Glitch as a genre mimics the sounds of 'malfunction' and failure, usually of some kind of audio technology: CDs skipping, fidelity problems, digital distortion and other examples of what Kim Cascone (2000) memorably called 'the aesthetics of failure'. Purposely pushing this aesthetic and blending it with other trends in electronic music production Ultra-red create sonic collages from samples and field recordings, interviews, found sound, and ambient strategies. Ultra-red's soundscapes jump between noise, ambient music, dance, and experimental electronics, with many other detours along the way.

For the *Second Nature* project, they draw their sound material from the public and private soundscapes of everyday queer life and cruising in Griffith Park. Ultra-red's compositions rely on looping, fragmentation, and a radical approach to cutting that disrupts both musicality and linearity we might expect from recordings that present themselves almost as documentaries. The cuts, loops, and fragments are further distorted by the strategic use of effects such as echo and delay, time stretching, filtering and equalization, and compressing the signal to boost low end frequencies. This sonic strategy is startling, and recordings often become rhythmic and almost danceable, though these impulses are often quickly subverted. The glitches produced in the studio reflect the 'aesthetics of failure' in the public and private spheres in which subjectivity occurs in all its complex relations to

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things in the world that are commonly shared by people occupying the same space at the same time. Augoyard and Torgue write that sonic effects ‘astonish’ and urge us to consider the sonicity of our common sense in urban space (2006: 11). In this instance common sense refers to how sonic effects in the sound environment ‘allows us to integrate the domains of perception and action, observation and conception, and analysis and creation’ (Augoyard and Torgue, 2006: 11). These sounds challenge the perception of hearing which demands a new way of listening: sounds are recontextualized and given new meaning and emphasis in their sonic deconstruction.

The soundscape captured by Ultra-red’s recordings also scrapes up against the ‘lawscape’ as various bodies vie with one another and negotiate actions in public space. For Andreas Phillipopoulos-Mihalopoulos (2015: 71), the public is a multiplicity of spaces ‘in which law and space emerge interfolded’. In *Second Nature: An Electroacoustic Pastoral* (1999) Ultra-red use the sonic materiality of public space and public sex to interfold an intervention in the lawscape that enacts a negotiation between racialized and marginalized queers who frequent Los Angeles’s Griffith Park for both sexual pleasure and sex labour and the legal and institutional realms that attempt to police queer behaviors. Together the two records constitute an ‘electroacoustic pastoral’ where the private domain clashes with the public realm as both cruising for sex and the sexual act become compass points where queer behaviors are modified and restricted. Composed from field recordings, both records capture interviews with Park Rangers who police the park, queers who frequent the parks, nature sounds, along with the sounds of cars presumably cruising for sex. Building on a theory of ‘spatial folding’ we can start to understand how the distinction between public space and private property enacts a social injustice. Queer sex in Griffith Park, with its multiple anonymous partners, illegality, and exchange of sex for money, blurs the public and private boundaries between bodies.

### Earwitnessing the lawscape

Sex is often framed as an essential human function, along with eating,

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expelling waste, and the running of our somatic systems. It would be a mistake to think sex in terms of one specific set of behaviours (conception) with a series of well-defined results (species continuance). Instead, a polyphony of desires exists from non- and asexual to the promiscuous and hedonistic. Within this arc enormous flexibilities are evident, demonstrating that sex is a complex act, not specific to humans or gender binary thinking. For some, sex serves the simple purpose of repopulating the world and continuing the species – a point of view that wilfully ignores the simple pleasures of tactile engagement and the powerful perceptual and sensual becoming that sex offers to us. For others, expressing bodily sensuality, desire, and pleasure, towards other people creates a world of heightened perception, arousal, and touch, becoming a creative unleashing of intensities.

Sex and sexuality are also often rooted in deep strata of misogyny, racism, sexism, and gender politics that code and define 'proper' ways of expressing sexuality and desire, sometimes delimited by dominant cultural codes and rituals that are often intimately bound to ideas about morality, propriety, regulating sexual behaviour (Murray, 2016, 2012). Through expressions of power, control, and negotiation sex becomes a part of the legal sphere which determines what kinds of sex is allowed, where sex can happen, and who can be a consensual participant. The law is demonstrated through codes that regulate sexual activity, particularly around the kinds of sex and identities acceptable, particularly, in this case, the United States. For example, contraception as seen in the Supreme Court decisions *Griswold v. Connecticut* (1965), sodomy in *Lawrence v. Texas* (2003), and interracial marriage in United States District Court for the Eastern District of Virginia, at Richmond in *Loving v. Virginia* (1965). In *Griswold v. Connecticut*, the court ruled that access to birth control and the rights of individual to privacy within a marriage were upheld by the constitution (Issitt, 2018). This led to further decisions around reproductive rights and in part influenced *Lawrence v. Texas*, which found that 'the liberty protected by the Constitution allows homosexual persons the right to choose to enter upon relationships in the confines of their homes and their own private lives and still retain their dignity as free persons'

(Lawrence v. Texas, 539 U.S. 558 2003). Sodomy laws, gay marriage, contraception, abortion, and miscegenation laws serve to regulate and normalize sex around white, patriarchal, and heterosexual identities. These regulations are rooted in questions about normality and what can be constituted as natural and unnatural actions and become part of the negotiation over public space and what kinds of behavior are acceptable in public and private spheres. Sex, then, is frequently couched in norms legitimized through marriage that structure and regulate the spheres of acceptable behavior. Marriage codifies sexual relationships, and in a sense through the law, privatizes the sexual relationship by drawing it into the confines of the monogamous relationship, the private family home and the bedroom, and within the heteronormative reproductive norms of the family. The primary requirements of a legally recognized marriage commonly include not being married to other people, being of a legal age, and to be witnessed. It is important to note that at the time in which Ultra-red's recordings take place, gay marriage was prohibited by law in the United States which reinforced the idea that marriage was for men with women only.

The deployment of a totalizing apparatus of security and criminality has seen public space and the right to public space removed through surveillance, privatization, and policing (Harvey 2013, Lefebvre et al. 1996, Mitchell 2003, Soja 2010). In the late 1990s, as public space was being eroded, Ultra-red used field recording, audio intervention, and sonic documents to challenge legal issues and raise questions and change awareness around inequalities concerning queer public sex. *Second Nature* 'earwitnesses' (Birdsall, 2012) the legality of queer space in Griffith Park by exploring the sonics of cruising and public sex. The project traces the lawscape of a public space and the attendant harassment by a range of actors including park rangers, residents with property encroaching on the park, and the Los Angeles Police. *Second Nature* is the artists' sonic questioning and blurring of the lines between public and private space, parks and wilderness, and nature and desire. As a case study, Ultra-red's acoustic re-imagining of a public space permeated with private desire complicates the private/public divide and situates the soundscape adjacent to the lawscape, thus representing

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the tension between public space, regulation of that space and queer desire. Understanding how space and bodies create juridical timbre and textures that striate public spaces and give shape to new forms of movement or affect involves the recording of queer ethico-aesthetics. The recordings excessively spill over the frames of representations toward an exceptional becoming of bodies. The queer bodies relation to heteronormative places challenges both legal and social norms of sexual behaviour. The notion of 'earwitnessing' can be situated within the emerging biopolitical and resonant theories of sonic space that question sound's adjacency to epistemological and ontological modes and challenge ways of being and understanding the world. (Birdsall 2012, Cox 2018, Goodman 2010, James 2019, Voegelin, 2014).

The idea of the 'earwitness' has been elaborated by Carolyn Birdsall (2012: 12) in relation to sonic experiences that emphasize the sound of an event of witnessed. This emphasis on sound supplements law's frequent trust in eyewitness testimony and tendencies to rely on ocularcentric methods that reaffirm the spectacular nature of crime. But as the field of sound studies has demonstrated in a number of different contexts ranging from church bells to understanding race, sound can play a critical part in how we construct knowledge and understand social, cultural, ecological, economic, and political phenomena. Carrabine (2012) writes that 'as images of crime, harm and punishment proliferate across old and new media, there is a growing recognition that criminology needs to rethink its relations with the ascendant power of spectacle'. To think of the ear as a witness is complex, as much of law is about visual representation, identification, and recognition. The remembering ear may trouble the witnessing eye but can also add nuance to what is being witnessed. Brown and Carrabine (2019) note that 'soundscapes and sonic investigations are important and urgent new terrain, with recent work taking up various aspects of urban sound environments, anthropogenic noise pollution, and sound weaponization by the state'. This means we can think of sound and hearing in terms other than the musical, and the ear can lend important analysis to understanding data, information, and biopolitical nuances.

But the soundscape cannot be separated from its other connected contexts. As Birdsall (2012) explains, the historical researcher is challenged by the ephemerality of sound, the lack of recordings in the historical archive, and the contextual problems of witnessing and memory. It is necessary to understand that the soundscape is an ephemeral object that can be difficult to access. Subsequently, the soundscape needs to be understood within contextual relationships – between sound, texts, and the cultural, social, and political milieu – in which the soundscape has been recorded. To fully understand a soundscape, the different contexts that we might call textual, need to be grappled with. Quoting sound scholar Josephine Dolan, Birdsall (2012) notes that ‘the researcher’s act of listening necessarily involves textual sources, since ‘the listening subject is constituted in relation to a range of cultural competencies that are produced at the interface of written, photographic and aural texts’. This orientation towards research impacts this paper by bringing together legal understandings of public space and queer media histories like John Rechy’s 1967 novel *Numbers* and Ultra-red’s *Second Nature* project in the interpretation of the sonicity of public sex in Griffith Park. It is also important that Ultra-red have a clear and carefully crafted visual identity and that both *Ode to Johnny Rio* and *Second Nature: An Electroacoustic Pastoral* have extensive visual and textual cues available for analysis and interpretation as well (See: Ultra-Red, 1999a, 1998b).

Ultra-red’s *Ode to Johnny Rio* and *Second Nature: An Electroacoustic Pastoral* are now historical records and much has changed legally, culturally, and socially around queer politics through the legal acceptance of gay marriage. The culture of cruising in the Silver Lake neighborhood that was so controversial and contentious at the time has been effaced by Los Angeles’s gentrification Silver Lake and changing demographics. But these works maintain their relevance in the contemporary era by doing the important work of memorialization. As Alex Espinova (2019) has documented, the removal of the ‘No Cruising’ signs around Griffith Park by the Silver Lake neighborhood council, indicate the changing structure of Silver Lake from a site of queer bars and bathhouses to a different neighborhood. Ultra-red’s

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project reached back to another era of gay cruising, found in the novels of John Rechy which forms a continuum with contemporary forms of digital cruising. Indeed, Griffith Park endures as a spot for queer desire and shows up on sites like Gaymapper, Queer Maps, and Cruising Gays. It is important to note as well that though legal rights like gay marriage and surrounding sex work in California (ACLU of Southern California, 2020) have been generally accepted, there is no guarantee they will remain so as recent legal attacks on women's reproductive rights and the rights of Trans Women have demonstrated (Planned Parenthood, 2020; The Associated Press, 2021). These records then provide ways of witnessing and understanding inequality and justice in the United States but can also provide a model for sonic activism in the larger global sphere.

Ultra-red's recordings also act as a form of tactical media through their militant sound investigations which continue to resonate across time as a form of activist intervention into the soundscape and its social and legal production (Jackson, 2019; Svec, 2018). Field recordings are used by Ultra-Red to construct a tactical poetics of ambience that summon us to listen in on other experiences of the world and in Rita Riley's words 'to provoke and to reveal, to defamiliarize and to critique' (2009: 7). Recording and listening actively re-signifies sonic space and produce places where the embodied and emotional resonance of privatization, the market, and dispossession can be challenged with other modes of exchange. By reinscribing space sonically, the act of field recording archives both the stories that are overlooked or on the verge of being forgotten, as in the case of Griffith Park's queer history but also the ambience that make up the life of the people who have made use of the space. Ultra-red offer us an earwitness account of harassment and a counter to the narratives that were constructed at that time around queer desire in public. In this way, they defamiliarize standard narrations and amplify the marginalized voices to defamiliarize common tropes about gay cruising and affirming the cultural and social relevance and importance of gay culture. Listening reveals community epistemologies that can become ways of knowing about other people's lived experiences, providing an earwitness to historical events, even as listening remains

ephemeral and fleeting.

### **Neoliberal Enclosures**

Recent political, legal, and social structures have elevated private property rights and completely trumped and blanketed public space to form a thick layer of assumptions that asserts property and market rights over all others (Soja 2010: 44). The marketisation and privatisation of all things held in common and considered public has been one of the critical moves for neoliberal governance, and subsequently, the lawscape (Philippopoulos-Mihalopoulos, 2015). The boundaries that developed with American capitalism asserted and glorified the right of property over all others. Edward Soja explains that the connection between property ownership and the state and legal apparatuses and the juridical system of rights should allow one free access to public space and the simple right to be:

Human rights in general and such specific claims as the right to the city become subordinated to the primacy of rights to property ... as a result, a finely grained netting of recorded but usually invisible boundaries was thrown over the earth's surface, creating a perpetual tension between private and public ownership and between private and public space that is played out in everyday life all over the world (Soja 2010: 45).

The move to establish and network the world with private ownership is a specific spatial political project that compartmentalizes territories that maintain binaries between class, race, and sexual identities. By maintaining such boundaries neoliberal power establishes and administers control over territory and profit as they see fit. The sexed body remains a site in contradiction to an imagined ethic of the market, or more realistically, a conservative morality about certain bodies' sexualization.

The urban park is connected to the power structures and stratifications of the city as a product of planners, urbanists, and city councils who often decide where it is to be located, how it is maintained and after whom it will be named. Critiquing the view of landscape as

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a purely human invention, Yves Abrioux (2009) argues for a landscape that overturns Western ethnocentricity and focuses on the problematic relationship between the human subject and the natural object. Griffith Park can be thought of as a space with several productive forces concentrated in a single space known as Griffith Park. These forces are largely exclusionary and based on a violence connected to the binaristic and hierarchical ideas that assemble much social structure. The land which is now Griffith Park is initially taken, closed off for ranching, and developed as a part of the internal colonial expansion of the United States, displacing Indigenous peoples and communities and beginning the processes of development. Eventually the land comes into ownership by the abusive and violent Colonel Griffith, who gifts the park to the city of Los Angeles in 1896 as a pleasure ground for equality in recreation: 'It must be made a place of recreation for the masses, a resort for the rank and file of the plain people. I have but one request: that the public—the whole public—should enjoy with me this beautiful spot' (Ultra-red 1999b). When queer men, who are largely marginalized both by queerness and race, use that space the police and park rangers adopt a position of control and attempt to expel queers from the park. The park exists on the border between the urban and a manufactured wilderness within the urban. It is not separate from the city but is coextensive with it. It is not a natural space, but it is a space where natural biotic elements are managed and allowed to flourish. A park is clearly a constructed space and subject to the rationalist production of city planners and landscape architects, but it also exists on its own as a biotic and ecological entity. It is a public space subject to regulation, written and unwritten codes of behavior, and generally subject to the law that governs its space.

These strands come together in the City of Los Angeles, which has been the center of many struggles over space and served as a cultural touchstone for understanding the mediation of social and imaginary spaces. A vast literature on Los Angeles exists that covers its status as a place of cultural, neoliberal, and intensely fraught space of development and poverty (see, for example: Davis 2006a, 1999; Smith 1996; Soja 2000, 1996). Indeed, one of the key characteristics of Los Angeles,

particularly as it is received through representations in media and popular culture, is its ability as a place where one can imprint hopes, desires, and ideas. It is these entwinements of cultural, economic, and technological power that make L.A. a representative postmodern city that flickers constantly between image and reality. Los Angeles is also a place of mass economic disparity and social inequality between the wealth generated by its cultural and technological industries, as well as its port and manufacturing activities. L.A.'s inequality has drawn the attention of thinkers like Soja and Mike Davis who note how L.A. exacerbates forms of spatial and distributional inequalities through its institutional racism, gated communities, zoning laws, gentrification, and continued neglect of homelessness and poverty (Davis, 2006; Soja, 2010, pp. 111–155).

Public space has a highly contested history that has privileged white, male, and heterosexual norms. These privileges are a result of ideologies about the abstract value of freedom which defines the United States' understanding of itself as a moral community which also informs its legal imagination. The values inherent in the abstract notion of 'freedom' are theoretically held as an ideal by all but are in fact used as a mechanism for exclusion. George Lipsitz has traced how these moral values have trickled from the imagined past of the free frontier that necessarily excludes the presence of Indigenous populations to preserve an idealized white spatial imaginary which 'required the exclusion of others deemed different, deficient, and nonnormative' (2011: 29). These exclusions circumscribe the contemporary individualized and privatized notion of space which 'shap[e] ideals about the properly ordered prosperous private dwelling' which 'depends upon systematic exclusion' (Lipsitz 2011: 30). Private homes and neighborhoods are pitted against public spaces on the grounds of exchange value of property at the expense of community. Freedom to exclude is not just predicated on the ability to own property but also on the ability to exclude how people use property in your vicinity, whether private or public. Don Mitchell (2003: 130) notes that part of the conflict over public space comes from the messiness of democracy that demands 'a certain disorder and unpredictability to function as a democratic public

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space'. 'White space', both public and private, is coded by default as the property that belongs to white ideologies, through what Lipsitz calls 'possessive investment' (Lipsitz, 2018). Possessive investment invests the idealized individual with a sense of ownership over what belongs a community. An example of this might be a sense of ownership over what happens on the street or sidewalk in front of a private home or what happens in a park which a private property is adjacent to. In the example of Griffith Park, race intersects with class and sexuality as its public space becomes a central place where Black and Latino queers, who may or may not have access to the freedom to express themselves as gay individuals, can be in public and access sex with relatively few problems. The queer cruising community has a set of norms and standards that are in tension with the spatial imaginaries of those who live near the park (Boxall, 1997).

Despite Los Angeles' diversity, its spaces remain racially coded through decades of raced spatial organization and exclusion. Lipsitz (2011) writes about the differences of spatial understanding codified through real estate, tax initiatives, ghettoization, and the white understanding of resource hoarding whereby spatial policies primarily benefit white neighborhoods economically, socially, and politically. The white spatial imaginary, an inherited privilege, politically and socially structures all spaces through an uneven distribution of rights and understandings (Lipsitz, 2011: 2-3). For Lipsitz, the white spatial imaginary inscribes both the affect of a space and people's social positions within that space. The white spatial imaginary, 'structures feelings as well as social institutions' and 'idealizes 'pure' and homogenous spaces, controlled environments and predictable patterns of design and behavior' (Lipsitz 2011: 30). By diverting money and resources and ultimately power and legitimacy towards maintaining and cultivating its own white affluent communities, the white spatial imaginary refuses solutions for what it perceives as its central problems which usually target poor people and racialized communities, or more generally 'others.' As an 'engine of self-interest', the white spatial imaginary tries to hide social problems or have them removed by deploying the disciplinary apparatuses at its disposal, such

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as homeowners associations, private security, defensive architecture, and, ultimately, the law and police (Davis, 2006; Lipsitz, 2011; Soja, 2010).

Surrounded by several Los Angeles neighborhoods, the 3500-acre geography of Griffith Park consists of a variety of socio-economic and racial demographics. For example, Los Feliz, which borders the park's southern edge and provides access to the park's biggest attractions like the golf course, tennis courts, and Greek theatre, is considered to be very diverse even by L.A. standards, with one of the densest populations for the county ('Los Feliz' 2000). Yet, income inequality remains high throughout California, and the city of Los Angeles has one of the highest income inequality rates in the United States (Associated Press et al. 2019). Income inequality deepens other inequalities connected to gender, race, and sexuality, and subsequently access to public spaces and the rights of people to be in public. The transversal lines that cut across the space of the city and Griffith Park blur the distinctions between regulatory uses of space, public and private conceptions of spatial use, and bourgeois conceptions of leisure and more subversive forms of pleasure. Given that Griffith is one of the largest municipal parks in North America it is no surprise that it caters to several different interests. For a homeowner's association bordering on Griffith Park, queer and raced bodies in public space create an ambience that requires policing. The discomfort experienced primarily by white heteronormative homeowners is due to a tension between different identifications and conceptions of use between those allowed to express themselves publicly and those who are not. As the epigraph to this paper makes clear, the problem is not sex in the park, but who is presumed to be having what kind of sex. We come up against a particular legal definition of bodies in space and how their actions are policed and where standards of normalisation are impressed upon queerness.

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### **Queer Lawscapes**

In *Spatial Justice and the Geography of Withdrawal*, Philippopoulos-Mihalopoulos (2015) argues that David Harvey and Edward Soja have largely misunderstood the connection between justice and space. By advancing a weak conception of space that maintains an inert and adjectival position, Soja and Harvey merely describe the term 'justice' instead of allowing it to act as its own unique spatial category (Philippopoulos-Mihalopoulos, 2010: 203). Passive space, per Soja and Harvey, is merely background to the social, political, and cultural; a universal idea rather than an expanding concept that is awkward, angular, and unpredictable. For Harvey and Soja, justice remains a point in time at which we will eventually arrive, but not now. Therefore, a legal concept of space cannot ignore the lived and active occupation of space as the law is an active space of appearing, witnessing, and judging that is actualized through the ways in which law structures space through regulation, policy, and directing behavior. Coming before the law requires spatial movement and a rhythm (Philippopoulos-Mihalopoulos 2015: 205). An appearance subverts the adjectival form of space in favor of the verbal: space as the act of spacing, negotiation, and withdrawal. Philippopoulos-Mihalopoulos considers the activating space as the social lived movement we find emerging in the thinking of Henri Lefebvre and Gilles Deleuze. For Lefebvre and Deleuze, space is a process of always becoming made and unmade and taking new forms. It is in this process of unfolding rhythm and movement, that laws are rewritten, and that ethics and justice is re-inscribed with new tonalities or nuances commence between a body and the space it is in (Philippopoulos-Mihalopoulos, 2010: 211).

The activation of spatial justice occurs by coming to the law and expressing injustice by participating in a hearing (in a double sense of both a statement being listened to and as a court or tribunal) that listens or expresses an opinion about an injustice. The lawscape is activated in the processes of speech acts and in the witnessing and listening to that speech. The law does not lie dormant in the codification of statutes

and legislation but is activated through the discussion of moral codes and norms that have been agreed upon through ongoing negotiated processes of agitation, identification, adjudication, and legislation. The negotiation could include community members, lawyers, politicians, and others, who have the power to impose both their morality and their ethics. Of course, the law cuts both ways and a hearing does not guarantee justice. Actions of law and justice construct lines that enclose what is considered, through the codification of that law, to be a legal or an illegal behavior. Justice is presumed, but not necessarily attained on either side of these laws. Indeed, from the enclosure or limitation on the activation of space that we find in the law, various boundaries are constructed that delimit how one can act and what one can expect as they move and encounter different spaces and places, both private and public.

Sodomy laws in the United States, which outlawed queer sexual acts while usually allowing the same acts if performed heterosexually, were ruled unconstitutional in 2003 in the case of *Lawrence v. Texas*. Despite the U.S. Supreme Court ruling, some states have not formally repealed their sodomy laws and maintain them on the books (Christophi, 2020; Knueven, 2015; Villarreal, n.d.). Significantly, these crimes are considered ‘crimes against nature’ and are included with acts such as bestiality, sex with minors, anal sex, and sex in public. The body is the location at which the law prohibiting queer sex is acted upon to control what a body can and cannot do legally. Law is a mode of disciplining the body but also controlling how the body can and cannot move and what kinds of space it can occupy. The queer body becomes a disruptive presence, an unnatural being in the ‘natural’ space of the public. Queer sex is not just sex that should be held in private, but sex that is unnatural and should not be performed at all. In short, the queer act of sex does not belong to ‘nature’ and therefore needs to be expelled from the natural environment.

Queer sex has a long and embattled history with interpreting how public space can be used and understood by queer communities dispossessed of the simple right to demonstrate desire in public.

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Arguments about morality, values, and common-sense usage, have policed and restricted queer publics to specific zones that demarcate where queerness is permitted. But even these zones are contentious within a heterosexual public sphere: much of queer history narrates the violence and denigration of queer spaces as degenerate and subject to harassment from both authorities and public opinion, an echo of the legal, heteronormative, and frequently homophobic view of queer desire. Even as queerness gains cultural and social acceptance within the public sphere, there are still major contentions around queerness, especially as it extends beyond comfortable normative expressions deemed permissible through the prescriptivism of marriage, children, and property ownership.

### **The Acoustics of Queer Public Space**

Taking its title from John Rechy's 1967 novel *Numbers*, *Ode to Johnny Rio* is an EP containing two tracks on the A-side, 'Auto Body' and 'Cruise Control' and two remixes of 'Cruise Control' on Side B. The front cover informs us that *Ode to Johnny Rio* 'is a public space occupation recorded 2 September 1997 in Griffith Park, Los Angeles' (Ultra-Red, 1998a). Both tracks center on the sounds of cars, central to cruising the park in both Rechy's *Numbers* and in real cruising situations. The tracks on Side A are glitchy and have an inconsistent lurching rhythm and it is difficult to tell without looking at the grooves of the vinyl where one track ends and the other begins. Harmonizing with the sound of the cars are the drones of an airplane passing overhead and the doppler effect of both of these. Car radios and sound systems are sampled and provide each track their most consistent rhythmic and melodic elements. Underscoring these sound events is the ever-present sound of insects droning, giving the albums an unmistakably nocturnal mood. The audio is heavily processed by filtering which modifies our perception of the soundscape. Modification of the sound forms the key starting point for manipulating our perceptions of gay cruising.

The car in many ways represents both the machine in the garden of Leo Marx's pastoralism (2000), and the injection of a private enclosed

space into the open public space of the park. The blurring of the public and private divide is emphasized by the passing car's sounds, both mechanical and radiophonic, which rupture the boundaries between enclosed space of the car and the ambient space of the park. Sonically reinforcing privacy are the sounds of car doors closing presumably after a successful pick up: the public cruising is now interfolded into the private realm of the car where the sexual act can take place, ironically though, in a public parking lot or by the side of a public road. The car as a vehicle for sexual is for Ultra-red a 'fetish object' that exposes the class antagonism at work in the park's cruising culture and in the debate over gay inclusion in the market and the military that was going on at the time. Writing on the back cover of *Ode to Johnny Rio*, Ultra-red 'denounces the current definition of queer politics as market empowerment' and arguing that the utopian promise of the park contains some kind of accepted queer public space by 'suggesting the cruiser is marked by class transgresses the codes of public sex. It is in the very nature of public space in our late-model capitalist society that space like Griffith Park hold out the promise of erasing all vestiges of class antagonism' (Ultra-red, 1998). This class antagonism persists in the cruising culture and is represented by the model of car, the quality of bass pounding from the car's sound system, and the rainbow sticker affixed to the bumper (Ultra-red, 1998). The car, the sound, the sticker are all markers that indicate your position in the economy.

On *Ode To Johnny Rio*, a number of keynotes sonically reoccur, especially the centrality of the automobile, which 'explores the overdetermination of property' (Ultra-red 1998b) in relation to cruising and the class composition of this cruising. Johnny Rio's car becomes the vehicle for his sexuality and his radio transmits his desire through a nascent rock music that was still seen as dangerous, overtly sexual, and transgressive. Ultra-red mark this connection between the sonic elements that soundtrack and accompany his cruising of the park connecting the natural soundscape with the electrification identified by thinkers of acoustic ecology and the noise that the radio brings to create a low-level drone of everything that act as a keynote for the soundscape:

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Thirty years ago, Rechy's Johnny Rio drove these same parkways listening to the 'electronic murmuring' of the radio. Odes to radical desire like 'Wild Thing' and 'Satisfaction' act[ed] as a catalyst for Johnny's buried despair. Beginning by cruising Griffith Park with a microphone, Ultra-red's Ode to Johnny Rio records the chorus of birds and crickets accompanied by the din of passing cars, the shuffle of footsteps and the low-level drone of the urban machine outside the garden. Ultra-red's manipulation of this soundscape catalyzes a critique of cruising as controlled by the political economy of public space (Ultra-Red, 1998a).

Ultra-red's preoccupation with Johnny Rio and Rechy's novel acknowledges the echo that exists across queer history while also rejecting Rio's struggle coming to terms with his own sexuality. History never returns in the same way and Ultra-red are explicit in their 'rejecting [*Johnny Rio's*] existential despair for a materialist approach to queer space' (Ultra-red 1998a). This materialist approach takes the form of a political economy of public space that pits the benefits and costs of public space and leisure against the private value of territories of exclusion. Ultra-red's primary concern in their recordings is the class and race-based assault on queer desire in a public space that has a strong historical precedent for public sex in general and queer sex in particular. Ultra-red cruise the park with their microphones and recorders capturing the soundscape of cruising. The 'manipulation of this soundscape catalyzes a critique of cruising as controlled by the political economy of public space' (Ultra-red, 1998). Other keynotes recur throughout the entirety of the *Second Nature* project, such as insects, interviews, sounds of oral sex, radios, cars, and ambiances between night and daytime in the park, which make up sonic character of the album.

Ultra-red's occupation and challenge to dominant forms of heterosexual and white identities pushes a class analysis of queerness to the forefront, as homosexuality in the park becomes part of the spatial reorganization of queer space along bourgeois claims to property rights, values, and privacy in contradiction to the democratic foundation of Colonel Griffith's bequest. The line that maps the queer experience

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of sex, so prevalent in the visuals of the album covers and liner notes, provides a sonic and bodily materialism for an imaginable 'dérive' and cartography. I want to be explicit here about the line as both a metaphoric marker of differences between people and also as a real set of conditions that enclose how subjects display themselves sexually and publicly. But Ultra-red is also opening the territory up to a new call that moves beyond standard ways of being sexual.

*Second Nature: An Electroacoustic Pastoral* captures a variety of queer events in the park, some staged in protest legal harassment by police, neighborhood associations, and park rangers, and others capturing the everyday queer ambience of the park's patrons. The people recorded remain anonymous, as do the narrators and questioners heard throughout the document presumably maintaining the implied contract of anonymous public sex. The only identified voices are those of authority, but even those are recognized through a line of questioning that establishes their authority. Ultra-red map the different source materials in *Second Nature: An Electroacoustic Pastoral's* liner notes, stating in one instance that:

Tracks three, six, seven and ten were recorded August 2, 1998 in a public space occupation conducted jointly by Ultra-red and the Gay and Lesbian Action Alliance. This occupation took place in response to a police raid on July 5, 1998. Pressured by a local homeowner association to 'rid Griffith Park of the gays,' Los Angeles Police descended upon the park with mounted patrols, a phalanx of squad cars and helicopters. Within minutes, LAPD evicted several hundred mostly black and Latino queers on the grounds of being a public nuisance. Again, the sight of queers in public space is not the source of antagonism, but rather the ambience their desire produces. An ambience which amplifies competing claims upon public space, particularly a public park defined by 19th century urban planners as, 'pleasure grounds' (Ultra-Red, 1999a).

These queer and sexual actions in public space are in conflict with bourgeois interests initiated by the homeowner's association and subsequent response by the LAPD and park rangers. We read in this short description a matrix of tensions and rhythms, between

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deterritorializing queer desire, heteronormative and bourgeois spatial imaginaries, the policing of behavior along territorialized sexual and racial lines, and the trumping of property rights over public use value. The occupation of the park enacts a recognized form of civil protest whereas the field recording of sex acts between men, captured when 'the audio-activists entered the company of twenty men joined together to desubliminate the 'pleasure grounds' shift our ideas about the representation of dissent towards the sonic (Ultra-Red, 1999a). The recording overturns the territorialized public sphere by imagining a public space permeated with private desire—to bring the privatized realm of sex and sexuality into public consciousness—thereby complicating the private/public divide through 'common sense' in Augoyard and Torgue's sense of the experience of a sonic effect in the soundscape (2006). *Second Nature* attempts to 'detourn the bourgeois character of a public sphere which excludes any recognition of class conflict - specifically, an awareness which may lead to actions against bourgeois interests' (Ultra-red 1999b). We also hear in the expression, 'ridding the park of the gays', a diachronic resonance of Griffith Park's connections to its own violent past of colonial appropriation of Tongva lands and the authoritarian misogyny of Griffith himself.<sup>2</sup> The space of the public, a space supposed to be created and used for and by people, comes into tension with the actual bodies that make use of that space. Ultra-red develops a historical understanding of the park as a 'queer space' and account for the erasure of that history through the displacement and legal exclusion of queers from accessing the space.

*Second Nature: An Electroacoustic Pastoral* maps an ambience of transgressive desire by thinking of field recording as a type of writing that is broadcasted and performed for a listener who can witness desire through its sound. The recording and album cover design signal several returns of queer history, queer desire, and public recreation. This triad can be witnessed as transgressive legal resonances between the natural and the social. The recorded sounds are organized around the repetitive sonics of cruising coupled with sounds of nature, primarily insects stridulating. The sonic connection between automobiles and insects echoes Leo Marx's *The Machine in the Garden* (2000), a work

of literary criticism that examined how technology and the industrial revolution disrupts pastoral themes in American literature of 19<sup>th</sup> and 20<sup>th</sup> Centuries. Updating Marx for a 'electroacoustic pastoral' Ultra-red's microphone witnesses and records everything that happens in the park 'from its vantage-point on the forest floor' (Ultra-Red, 1999a). As a form of genre, pastoral connote an older literary style, a mode that is outdated and that belongs to the medieval shepherd tales. Terry Gifford in his analysis of the pastoral forms notes the importance of these two aspects of the pastoral but pushes the idea of the pastoral into more interesting territory by asserting that 'there is a broader use of the 'pastoral' to refer to an area of content. In this sense the pastoral refers to any literature that describes the country with an implicit or explicit contrast to the urban' (Gifford, 1999). Given that Griffith Park borders the intense urbanism of Los Angeles the rural and the urban blend together as the wilderness park amid the city also contains several urban luxuries, such as golf courses, paved roads, and clear signage. These contradictions are embedded in Ultra-Red's recording and composition of *Second Nature*:

Through their performances atop the mountains of Los Angeles Crest to the groves of Griffith Park, Ultra-red spent over three years crafting what was to become their electro-acoustic pastoral. However, their subject conspired against them. Bleeps and blips threatened to become music and the panting of erotic excess continually fell under the jurisprudence of the Eye. In the wake of this contrariness, Ultra-red's pastoral found its beginnings, as well a course for political action (Ultra-red, 1999a).

A number of contradictions that build upon the relationship between natural and urban are to be found in this passage: noise/music; excess/restraint; eye/ear; straight/gay; aesthetic/politics and the utopian/dystopian. It is in the contradictions between these different binaries and the resonances between them where Ultra-Red locate the beginning of a political project that can encompass the legality of public sex and the value systems that work to distinguish laws, morals, and rights, by the amplification and public address of these very contradictions.

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The protest performances that Ultra-Red broadcast through short wave radio contained on *Second Nature: An Electroacoustic Pastoral* are a part of the pastoral vision in the founding of Griffith Park as a pleasure grounds: 'This too was meant to be a pastoral; all reflective resonance and the harmonious synthesis of industry and leisure' (Ultra-Red, 1999a). For Ultra-Red sex in public does not merely transgress and reveal the sexuality of a pleasure that should remain private. Instead, public sex and its examination produces a rupture that reveals the 'antagonistic social relations which constitute public space' (Ultra-red, 2000). Arresting queers cruising the park does not challenge desire and sexuality but situates and amplifies the class relations that exists in the use of public space and the legal structures that enforce the law on behalf of a ruling class described above as white and heteronormative. A crucial move for Ultra-red's recording requires the addition and refinement the sonic material to encompass aspects of the imagination and creativity as they relate to the construction and experience of everyday life. The field recording is tied into the general collective investigation to construct a resistance against the force that has power. Rather than art constituting a radical, special, and unique relationship to the mundane quality of the everyday there is a strong avant-garde political tradition that attempts to invest the everyday with art. The everyday, rather than being a boring state becomes extraordinary through the movement of imaginative creation. Ultra-red's project is utopian in a sense that it constructs an imaginary community out of the queer ambience of desire.

The presence of queerness in the park in the form of sexualized and racialized bodies creates an antagonistic ambience from the perspective of private property owners around the park which is countered by Ultra-red's project of utopian sound creation that forges a kind of acoustic justice in response. Ultra-red write that they have been 'compelled to compose an ambient pastoral which retraces its steps from the given, back to the utopian' (Ultra-red 1999b). Pastoralism is connected to the concept of utopia through the idea of nature that stretches back to the Garden of Eden where the utopian vision of heterosexual and privatized relationship between Adam and Eve is observed only by the law and

punishment of God. Ultra-red proposes an imaginative rhythmic movement through space and time, across the geography of the park and the space of public sex, and the history of queerness, that has been covered up and ignored providing a queering of the utopian pastoral origins that codified heterosexuality and the family as normative.

José Estaban Muñoz writes that 'queerness is utopian, and there is something queer about the utopian' (2009: 26). Queerness offers a future potentiality that has not yet arrived against the pragmatic issues of queer subjectivity and experience. Ultra-red retraces queer space in the form of a pastoral tale, deliberating on what the territory of the natural is. Ultra-red's recording of Griffith Park interrogates the bourgeois nature of public space that attempts to efface any kind of class antagonism surrounding the use of public space for sexual ends. For hetero-bourgeois sentiment, sexual desire can only be a private affair and therefore cannot be something that emerges in the public sphere. The two albums, *Ode to Johnny Rio* and *Second Nature: An Electroacoustic Pastoral* conceive their recording as a form of public address, a kind of queer public service announcement that witnesses both as a detailing of harassment and injustice and as the lived reality of social space.

Sure enough, one of the key tracks on *Second Nature: An Electroacoustic Pastoral* is entitled 'Public Address (C.B.)'. An anonymous voice (presumably Dont Rhine of Ultra-red) begins by recounting Mike Eberts' official history of Griffith Park and troubles it from a queer perspective by detailing the measures taken by Park Rangers, such as road closures, painting curbs red to indicate no parking zones, and harassment and entrapment by undercover police, to 'curb' the behavior of gay men in the park. Eberts' history acknowledges the sexual politics of the park, gay and straight, but the narrator of the public address notes that it is 'public sex between men that has caused the most debate' (Public Address (C.B.): 0:24-0:27). The norms of the voice are subverted by a sonic effect of time stretching before we are clearly told this again. This play between synchronization and desynchronization decontextualizes the material of the sentence. Augoyard and Torgue (2006: 38) note that desynchronization 'creates a feeling of incongruity.'

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The incongruity pertains to the absence of any criticism of the police or park ranger's long history of harassment and the legal norms that supported and condoned these actions. This revelation is quickly followed by a collage of noise and the echoing effect of the end of the word 'debate.' The echoes feedback on themselves suspending the syntax and prolonging and broadening our understanding that some kinds of sex are more controversial than others, even forms of public sex. It has the further effect amplifying the idea that these actions have been silenced and debate or any kind of hearing has been neglected. The delay on 'debate' has a further resonance with AIDS activism at the time and the Act Up slogan, 'Silence = Death'.<sup>3</sup> The voice goes on to tell the queer history of cruising in the park, noting its connection to films like the 1979 documentary of gay activism in the United States, *Army of Lovers or Revolt of the Perverts* and Rechy's *Numbers*. 'Public Address (C.B.)' asserts that within the public space of the public park there is a public dispossessed of their right to be in public: 'there is no public in that part of the park anymore' the narrator tells us (Public Address (C.B.): 2:25-2:31). The parenthetical '(C.B.)' evokes the amateur unlicensed broadcast standard of the Citizen's Band, a short distance two-way radio standard, which can both broadcast and receive. 'C.B.' also calls attention to the citizen rights of gay people who are permitted to use the park as a public space, just as any other citizen is allowed to through 'curbed behavior.' Communicatively, this message is directed outwards toward those willing to listen and those who harass queers on the basis of their sexuality: the required legal negotiation of space is not occurring, and a queer public space is being threatened with extinction.

This raises the question about what kinds of public space are sanctioned within the city. If we accept that most of the developed space is geared towards the white imaginary, we must ask if public spaces for others can be allowed to exist in and as a public. The public right to the park is reinforced throughout *Second Nature: An Electroacoustic Pastoral* by four short recordings called 'Eclogues,' (a short pastoral poem made of dialogue) which comprise a series of short interviews with queer men, and one instance a park ranger, who share information about

their experiences with entrapment and harassment by the police. The recordings are for the most part, straight forward sounding interviews in a crowded public space. The voices are sometimes difficult to hear and the ambient field of people in public talking, listening to music, and moving form a noisy background of public noise, a noise that would be familiar to anyone who has been in a crowded public space. In 'Eclogue V' a man talks about being 'accosted' and 'arrested' and ultimately entrapped by an officer presumably posing as a someone interested in sex. In 'Eclogue VI' a man talks about a group of men being ticketed by the Park Rangers at 8 PM for being in the park after hours but the park does not close until 10:30. In 'Eclogue VII' they question a park ranger if they are patrolling all of the park, implying that the police presence is focused around the queer part of the park and not over by the golf course. They further ask why the park rangers closed the queer section of the park 'on the 5<sup>th</sup>,' to which the officer responds by saying he was off on the 5<sup>th</sup>. In 'Eclogue LL' a man questions why the park rangers are bothered by the presence of queers in the park stating, 'haven't they been doing this for years?' They also address their general usage of the park beyond sex. What is exposed in these recordings is the social disconnection between what is generally called the 'public' and what is called 'private'. The noise of the public could be any public and it is only the dialogues occurring in the recording that identify this public as 'queer.'

Ideas about public space are continuously under heavy scrutiny as debates circulate in the public sphere about who can be in public and in what ways as the recent COVID pandemic has demonstrated in a different context. The streets are clearly public, bringing people together and having them move and circulate amongst each other and within a specific public milieu. Parks also are public, drawing people to them for a nice place for a rest, an identifiable point in public to meet and gather, a place to play, walk through and enjoy. Ultra-red address both state harassment, as well as the self-policing morality of queer activists who rally against cruising on the grounds of safe sex. A disturbing refrain arises towards the end of the track which concerns a quote from a park ranger of the goals of regulation and harassment to 'eliminate

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homosexual behavior from the parks' (Public Address (C.B.): 4:30-6:28). This refrain is repeated for almost two minutes to exaggerate the argument and affirm the testimony that this is not a negotiation or conversation but the explicit eradication of a specific type of park user. Towards the end of the track, the narrator's voice is chopped up and reduced to repeated feedback that renders it indecipherable, the last audible statement concerning the removal of sexuality from identity, challenging the specificity of policing only queer sex. As this part fades out birdsong becomes the dominant sound, which is eventually replaced by the sound of a car, blending ideas about public space, the private space of the car, and the natural world.

### **Public Parks and Private Natures**

John Rechy's *Numbers* ends with a silent scream of dread. Johnny Rio's body has become a horrific body of accumulation. David Harvey demonstrates how Karl Marx's conception of class concerns property rights over the ownership of production or the laborer rights over the ownership of their body. (2000a: 102). Harvey expands Marx's concept to entail the 'positionality in relation to capital circulation and accumulation' (2000a: 102). This allows one to account for the variety of ways that bodies under capitalist forms of production are situated in relation to their different modes of being. Harvey's expansion adds a multiple, relational and flexible notion of the body, which is so integral to understanding how the body is sensually positioned within urban space as a worker, and how the body adapts or is adopted by the various rhythms of everyday life. The body is used up physically and cognitively by capital to produce value and also becomes an object of research for efficiency and for increasing the limits of what the human body is capable of doing. Simply, a body produces (for capital) and exchanges its power for and energy in the form of labor and as a consumer and reproducer. Thus, the body is in 'accumulation strategy' involved in the contestation of forces that create it in actual time and space. The queer body is not simply 'queer' but is also consumed, works, circulates in private and public, and expresses desire in a diverse

number of ways, both publicly and privately. Johnny Rio's body has been variously desired, bought, drugged, and used and exchanged. Rio's horror and scream is complex but has to do with the novel's tackling of repression and the existential angst of Rechy's own struggle with his homosexuality filtered through the character Johnny Rio.

I imagine the sonic terrain of *Ode to Johnny Rio* and *Second Nature: An Electroacoustic Pastoral* builds Rechy's scream and turns it to a scream of ecstasy, of unregulated pleasure and joy: a surge of conduction—a resisting force. The echoes of this scream are a part of the signal processing that occurs between recording, composing, and manipulating the sonic material. The recording becomes a part of the ecology for the rest of the repetitions that characterize both Rechy and Ultra-red's aesthetic productions for 'charting a ringing tone of critical distance eventually given way to low-end fury' (Ultra-red 1999b).

Another opening that Ultra-red pursues is the geologic, a move that I think situates Ultra-red's concerns with the larger cosmic forces of the earth and a form of sonicity taking us beyond the musical and sexual onto the plane of composition: 'art is connected to sexual energies and impulses, to a common impulse for more' (Grosz 2008: 63). The connection to sexual energy marks an opening in public space to Ultra-red's political concerns: a territory that moves beyond the human, anthropocentric focus and includes animals, machines, and the environment itself in its recording. Ultra-red's recording synthesizes and captures a number of 'natural,' machinic, and human actions and sounds; the rhythms of oral sex, the stridulating of crickets, and the Doppler effects of cars passing, along with the vocalizations and repetitions of harassment and violence that accompanies the park. In short, a capturing of the forces of the earth that sonically affect people. As Simon Frith argues, the importance of music is not found in how it reflects people and places but in 'how it produces them, how it creates and constructs an experience—a musical experience, an aesthetic experience' (1996: 109). On the one hand, then, Ultra-red's *Second Nature* captures the experience of queer men who cruise and who are harassed in Griffith Park. But on a much deeper level Ultra-red

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deterritorializes the lines of striation that mark the space (Guattari, 2016), quite literally in the case of the red curbing. By painting the park's curb red, the park rangers have determined the movements of bodies in that space. The line expands the territory of discussion, not to just the radical queer sexology explored by Ultra-red, but to the idea of sexuality itself; not just sensation as a specific thing that happens between two people, but the creativity, the plane of composition of all things. For Ultra-red 'the bleeps and blips of electro-acoustic performance, like the sighs and slurps of sex, are best experienced *al fresco*. In the open: an act of nature' (Ultra-red 1999b). As the territory gives way, as the ear begins to hear and the eye begins to see, as the body begins to move, we become resonant and vibrational, like the crickets and other 'uncaged fauna' that meet with other forces in the process of becoming other:

Chasing away the residual echoes of long-removed caged fauna, the performance charted a ringing tone of critical distance eventually given way to low-end fury. This too was meant to be a pastoral; all reflective resonance and the harmonious synthesis of industry and leisure. From the edges of that synthesis, a contradicting din arose... (Ultra-red 1999b)

### **Conclusion**

I have argued in this paper that there is a contradiction and fragmentation in the space of the park that manifests in its use as a place of leisure, a place of escape, a place of nature, a place that appears public but often is privately owned and therefore privatized. What we would know as zoning, or the practice of carving up urban space into its various use sectors (or use values), permits a group to use the space as it is intended by the city governors and their economic interests. Zoning often supports and consolidates the power of the dominant interest groups who control the city. As such, zoning is able to delineate space in a way that controls who stays where, regulates vice, and promotes narratives of health and safety. Lefebvre calls this contradictory space, noting how space appears to be homogenous despite its fragmented nature: 'Space is what makes it possible for the

economic to be integrated into the political. 'Focused' zones exert influences in all directions and these influences may be 'cultural,' ideological, or of some other kind' (1991: 321). These zones spill over into different uses as prohibitions are transgressed by the social needs of the users of that space. This can be as banal as stepping on the grass when one is not allowed to or taking a short cut across a space one is supposed to keep off of. It can also include activities like skateboarding on public monuments, having sex in public, or acts of vandalism

There is a problem in the spatial practice of justice with the actual exercise of law. Between space and justice an exchange, relation and transformation must be enacted and embodied for a transformation in the ambience of space that is the acoustic. Furthermore, the body and its affective and political registers, in its possibilities and applicability, must be situated within both justice and space. This is because justice and the act of justice is necessarily related to one's body in space. Spatial and acoustic justice must eventually be linked to an idea of power that operates in and through space and the knowledge that something is not right; and there needs to be a corresponding desire to challenge power and to be recognized by that power. In terms of normalisations this recognition is achieved (with hope) through the institution of the law and the recognition that some laws are unjust. That is, they deny people their rights, and must be challenged and changed. The question arises how to challenge the legal framework and how to operate within it? This is a particularly fraught question then, as it is today, when spatial reorganization in the United States has been largely successful in changing laws to disposses people of their voting, work, housing, and reproductive rights. What benefit can operating within the law, which largely seems to be rigged and oppressive, have when challenging injustice? Law is a process that constantly challenges norms and is re-written to adapt to those norms. Rather than being a stable and certain set of prescriptions, the lawscape, like the soundscape, is always in question and undecided in a flux of uncertainty (Philippopoulos-Mihalopoulos, 2010: 2).

The way that sex is defined is predicated on ideas of what is natural

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and where transgression occurs. While there have been shifts in the public consciousness regarding gay rights and the ambience of queer desire, the limitations of how a queer body can be in public is still fraught with tensions around such acts as public displays of expression, dressing, and whether or not gay people should be provided with the same services as heterosexual couples. To contextualize this, it is good to remember that in the late 1990s debates over 'gays in the military' and equal marriage rights were at the forefront of public consciousness, as was the continuing specter of the HIV/AIDS crisis and the stigma surrounding people categorized as queer and HIV+. These scant histories of parks are a deliberate complication and realization that occupied space is complicated over time by its history and connection to violence through the dispossession of Indigenous populations to the very real violence of Colonel Griffith's brutal attack on his wife and the everyday violence of poverty. The park has a unique relationship to pleasure, transgression and what may be called deviance in its wide recognition as a place of sexual exchange. A large part of the ambience is no doubt due to queer bodies in public being sexualised by the people complaining about them: the queer body announces itself in space simply by locating its identity as an assumed sexual preference. Furthermore, it is no doubt that these queer bodies are also considered diseased bodies, given the connections all around America at the time (and that continue still) between homosexuality, HIV/AIDS, and sex. Public health legislation surrounding queer spaces where public space has been practiced for years, such as bath houses, clubs and parks, is largely based on either complete abstinence or strict safe sex practices (Binson et al., 2001; Frieden et al., 2005; Martin, 1987; Woods et al., 2003). Queer ambience is not just a matter of gay sexual expression but is bound up in with a number of political and social aspects of sex.

Ultra-red writes that 'public sex remains scandalous because its prosecution exercises the truth of antagonistic social relations which constitute public space. *Second Nature* constructs a map of such a space, utilizing audio reproduction as a way of remembering social antagonisms even within queer space' (Ultra-red, 1999a). Hence the conflict in Griffith Park, which pits queer behaviors, bodies, and

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identities against the suburban conceits of those who call for laws that curb the behavior in the park through policing, entrapment, barring traffic, and issuing tickets to gay men for loitering and sexual behavior. What is at issue here for Ultra-red is not the presence of queers being seen in public enjoying themselves, but rather the ambience that queer desire produces captured in their field recordings. It is in this gap that Ultra-red's soundscape recording becomes critical.

## Endnotes

1. *Second Nature* is both a 1999 album by Ultra-red and the entirety of the project about queeer public sex which includes a number of actions, videos (unavailable), protests, and the 1998 Ultra-red EP, *Ode to Johnny Rio*.
2. Griffith was a notorious alcoholic who suffered from paranoid delusions. In 1903 he shot his wife Mary Agnes Christina Mesmer in the eye, permanently disfiguring her. For more see, (Bell, 2011)
3. Another Ultra-red project is 'The AIDS Uncanny' which constructed 'an archive of silence.' See <http://www.publicrec.org/archive/2-04/2-04-002/2-04-002.html> for more information.

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