



Australian  
National  
University



HAPPY ANNIVERSARY?

REFLECTING ON MARRIAGE EQUALITY

**12-13 November 2018**

# ACKNOWLEDGEMENT OF COUNTRY

We would like to show our respect and acknowledge the traditional custodians of this land, of Elders past and present, on which this event takes place.

## Symposium organisers

**Katrine Beauregard**

*ANU School of Politics and International Relations*

**Kevin Boreham**

*ANU College of Law*

**Simon Copland**

*ANU School of Sociology*

**Anne Macduff**

*ANU College of Law*

**Kerry Price**

*ANU School of Sociology*

**Mary Lou Rasmussen**

*ANU School of Sociology*

This is the signature event of the ANU Gender Institute for 2018.

It is also supported by the ANU School of Sociology and the ANU School of Politics and International Relations, and by the ANU College of Law.

# WELCOME



November 2018 marks the one year anniversary of Australia's yes 'vote' in the Marriage Equality Postal Survey. This vote represented a significant moment in the fight for LGBTIQ rights in Australia, as well as in global campaigns for marriage equality. Over the past decade there has been an increasing trend for countries to legislate for marriage equality, either through the passage of laws through Parliament, judicial decisions based on the principles of equality and non-discrimination, or through national votes. Despite this momentum, marriage equality remains a site of contention. Struggles over same sex marriage pose a distinct set of dilemmas, especially when governments determine the question using direct democracy. What are the implications of such processes for LGBTIQ people, their families and communities? What sorts of proxy

debates erupt in relation to these ballots? What kinds of precedents do such ballots create?

Coinciding with the first anniversary of the survey announcement in November 2017, this symposium engages with the legacy of the Australian, as well as international, campaigns for marriage equality. It will dive into debates about the value of marriage equality, the nature of marriage equality campaigns, and the value, or not, of public votes on rights-based issues. This symposium focuses on two overlapping streams: Marriage Campaigns and Marriage Debates.

Queer and feminist debates regarding marriage, and marriage equality in particular persist. Some continue to argue that the rights provided by marriage equality fail to satisfy as citizenship rights invariably rely on the exclusion of those who do not or

cannot fit. Twelve months after the event, has people's thinking shifted? Might legislating for marriage equality incite new forms of resistance to marriage? As Annamarie Jagose argues "important questions of social justice, equity and social belonging cannot get worked out across such an absurdly constrained and increasingly irrelevant category as marriage". However, for many the passage of marriage equality has major symbolic significance because of its capacity to authorize diverse relationships and kinship affiliations. Marriage equality also has the potential to inspire creative new forms of marriage and associated rituals and arrangements.

This symposium will explore these various debates as well as considering diverse national and international perspectives surrounding marriage equality.

# KEYNOTE SPEAKERS



## Rosemary Auchmuty

*University of Reading, UK*

### Abstract

#### **Feminism, Marriage Equality and Competing Rights**

Feminists are divided on whether relationship recognition really helps to break down gender norms and advance women's position. The liberal view is that marriage equality is to be celebrated for achieving recognition and equal status for sexual minorities and, more controversially, as a prerequisite for the transformation of an admittedly problematic institution. For radical feminists, marriage remains anathema because it reinforces a gendered and couplish hierarchy within the family and society, and equality is a problem because gays and lesbians had higher goals for their relationships than the models offered by heterosexuals. Same-sex marriage has been easier for many governments to grant than justice for women – for example, in Ireland and Argentina same-sex marriage long preceded abortion rights – because it helps to bolster an institution which is declining in popularity, and to contain previously deviant groups within an acceptable family structure. But every reform changes the social and legal terrain to open up new challenges and new controversies which are quickly appropriated by other rights-demanding groups. This presentation will re-visit the dilemma facing feminists when competing rights claims means that prioritising rights for lesbians and gay men, or indeed transgender people, continues to impede or compromise the achievement of goals for women.

### Biography

A pioneer of women's studies and feminist legal studies in higher education in Britain, Rosemary (Australian by upbringing) was Associate Director of the AHRC Centre for Law, Gender and Sexuality, a joint enterprise between the Universities of Westminster, Keele and Kent, for three years before joining Reading Law School in 2007 from the University of Westminster. She has been Director of Teaching and Learning and now teaches Property Law subjects and Gender and Law. She was a Visiting Professor from 2000 to 2015 at the University of Paris-Ouest Nanterre La Defense, France, teaching Land Law and Trusts.

Rosemary is Chair of the ISA Research Committee on Sociology of Law's Working Group on Comparative Study of Legal Professions, an international body of legal scholars working together on research into legal education and the legal professions, and is a contributor to one of its current projects, on Gender and Careers in the Legal Academy. She is also a member of the Society of Legal Scholars, the Socio-Legal Studies Association and the (American) Law and Society Association; a Fellow of the Higher Education Academy; and a Fellow of the Royal Society of Arts. Prior to moving into law she wrote widely in the areas of women's history and children's literature, including three books: *Australia's Daughters* (Sydney: Methuen, 1978), *A World of Girls: the Appeal of the Girls' School Story* (London: The Women's Press, 1992, 2nd ed. 2004) and *A World of Women: growing up in the girls' school story* (London: The Women's Press, 1999, 2nd ed. 2008). She co-edited the 2-volume *Encyclopaedia of School Stories* (Aldershot: Ashgate, 2000), wrote several entries for the *Oxford Encyclopedia of Children's Literature* (2006) and, most recently, provided the programme note for a musical called *Crush!*, based loosely in the school-story tradition, which premiered in September 2015.



# David Paternotte

*Université libre de Bruxelles, Belgium*

## Abstract

### *After marriage, do we get backlash?*

LGBTI politics have long been dominated by optimism: things could only get better. Tolerance was growing everywhere and rights were expanding worldwide, both at national and international level. Rapidly, same-sex marriage, which was no longer restricted to the West, became a symbol of the irresistible march of progress.

In recent years, the global landscape has dramatically changed, with a higher salience of conservative movements and several defeats for the LGBTI movement. This new situation has rapidly propelled scholars and observers alike into apocalyptic scenarios, predicting the end of everything associated with progressive sexual politics.

This talk will assess and compare these two narratives, as well as examine the ways they are related. It will also interrogate the frames we build to study sexual politics and discuss concepts such as backlash, counter-movements or polarisation. While focusing on Europe, this talk will also include insights from other parts of the world, especially Latin America.

## Biography

David Paternotte is Associate Professor in Sociology and Gender Studies at the Université libre de Bruxelles, where he is the head of the Atelier Genre(s) et Sexualité(s) and STRIGES, the ULB research network on gender and sexuality. He also chairs the Belgian French-speaking master in gender studies. His research focuses on gender, sexuality and social movements. After years spent on same-sex marriage and LGBTI transnational activism, he examines activism against women's and LGBTI's rights in Europe today.

In addition to many articles and book chapters, he is the author of *Revendiquer le "mariage gay"*. Belgique, France, Espagne (Éditions de l'Université de Bruxelles, 2011) and the coeditor of several volumes, including *The Lesbian and Gay Movement and the State: Comparative Insights into A Transformed Relationship* (Ashgate, 2011 with M. Tremblay and C. Johnson), *LGBTI Activism and the Making of Europe: A Rainbow Europe?* (Palgrave, 2014, with P. Ayoub), the Ashgate Research Companion to Lesbian and Gay Activism (Ashgate, 2015, with M. Tremblay) and *Anti-Gender Campaigns in Europe: Mobilizing against Equality* (Rowman & Littlefield International, 2017, with R. Kuhar). He has served in many scientific organisations and is currently a co-editor of the series "Global Queer Politics" (Palgrave).



## FEATURED SPEAKERS



### Tiernan Brady

*Executive Director of the Equality Campaign in Australia, Political Director of Yes Equality, the Irish campaign for marriage equality, policy Officer for GLEN - The Gay and Lesbian Equality Network, Ireland's leading LGBTI organisation.*

Tiernan Brady is one of the most prominent and successful international LGBTI rights and equality campaigners in the world today. He has been integral in delivering marriage equality in Ireland and Australia, the only two countries in the world to do so by public vote. Brady has designed a campaign approach to LGBTI equality that focusses on equality being about social peace and cohesion. This approach is built on the principle that real victory for LGBTI people was not about defeating others, but persuading them. This means how we campaign for equality is just as important as why we campaign. He believes polarising campaigns do not create the real change that LGBTI people need even when they win. While it may change the law it will also damage the social fabric and the daily lives of LGBTI people in its wake. The approach was to be respectful and positive, avoiding angry debates with the activists from the opponents of equality. His work in Australia and Ireland on LGBTI equality and his experience working in Irish politics give him a unique insight into how to make change happen.



### Gemma Killen

*Australian National University*

Gemma is a PhD candidate and sessional academic at The Australian National University. Her research focuses on queer women's online community formations and how they can be thought of as both reminiscent of a pre-digital age and distinctly contemporary. Outside of academia, she is a writer, editor, collector of stories and lover of cats.



### Neha Madhok

*Democracy in Colour*

Neha Madhok has ten years of experience in Australian political campaigning and is driven by the power of grassroots organising to win tangible outcomes for social justice.

Most recently, she was a Senior Campaigner at 350.org Australia, prior to which she worked on the YES campaign at Australian Marriage Equality. She was a Digital Campaigner for the Australian union movement and has worked as a Community Organiser.

Neha spent a year as the Digital Director at Democracy in Colour - a national racial justice organisation run by and for people of colour.



## Quinn Eades

*La Trobe University*

Quinn Eades is a researcher, writer, and poet whose work lies at the nexus of feminist and queer theories of the body, autobiography, and philosophy. Eades is published nationally and internationally, and is the author of *all the beginnings: a queer autobiography of the body*, and *Rallying*.

Eades is a Lecturer in Interdisciplinary Studies at La Trobe University, as well as the founding editor of Australia's only interdisciplinary, peer reviewed, gender, sexuality and diversity studies journal, *Writing from Below*. He is currently working on a collection of fragments written from the transitioning body, titled *Transpositions*.

In 2015 Quinn Eades changed his name and gender. Prior to 2015, he was writing and speaking as Karina Quinn.



## Anja Hilkemeijer

*University of Tasmania*

Anja Hilkemeijer is a lecturer in constitutional, human rights and international trade law at the University of Tasmania. Prior to commencing at the University of Tasmania, Anja worked as a legal officer in the Department of Foreign Affairs and Trade, including as head of the Human Rights Law section.



## Carol Johnson

*University of Adelaide*

Carol Johnson is a Professor of Politics at the University of Adelaide. She has published extensively on the politics of sexuality in an Australian and comparative perspective. Recent publications include Carol Johnson and Manon Tremblay, "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will", *Government and Opposition* 53, (1), 2018 and Carol Johnson, "Sexual Citizenship in a Comparative Perspective: Dilemmas and Insights." *Sexualities*, 20 (1-2), 2017. She was the co-editor, with Manon Tremblay and David Paternotte of *The Lesbian and Gay Movement and the State: Comparative Insights into a Transformed Relationship* (Ashgate, 2011).

# AUSTRALIA'S JOURNEY TO MARRIAGE EQUALITY



## Alex Greenwich

*Co-Chair  
Australian Marriage Equality*

Alex is currently the member of the New South Wales Legislative Assembly seat of Sydney since the 2012 Sydney by-election. Prior to entering politics, Alex was a prominent LGBT rights activist and the National Convenor of Australian Marriage Equality. As National Convener, Alex was instrumental in lobbying the Australian Bureau of Statistics to count same-sex marriages in the 2011 national census. He also organised over 44,000 submissions to be made to the 2011 senate inquiry into same-sex marriage, and continues to be a prominent activist for achieving same-sex marriage reform in Australia.

Alex was also named as one of Samesame.com.au's 25 most influential Gay and Lesbian Australians in 2010. He is known to many for successfully taking on the major parties and moving the marriage equality campaign from impossible to inevitable. He has built strong working relationships with senior political leaders in all parties both federally across the various states, especially NSW. Alex was also the first same-sex married member of parliament in Australia. In May 2012, Alex married his German long-term partner, Victor Hoeld in Argentina, where same-sex marriage is legal.

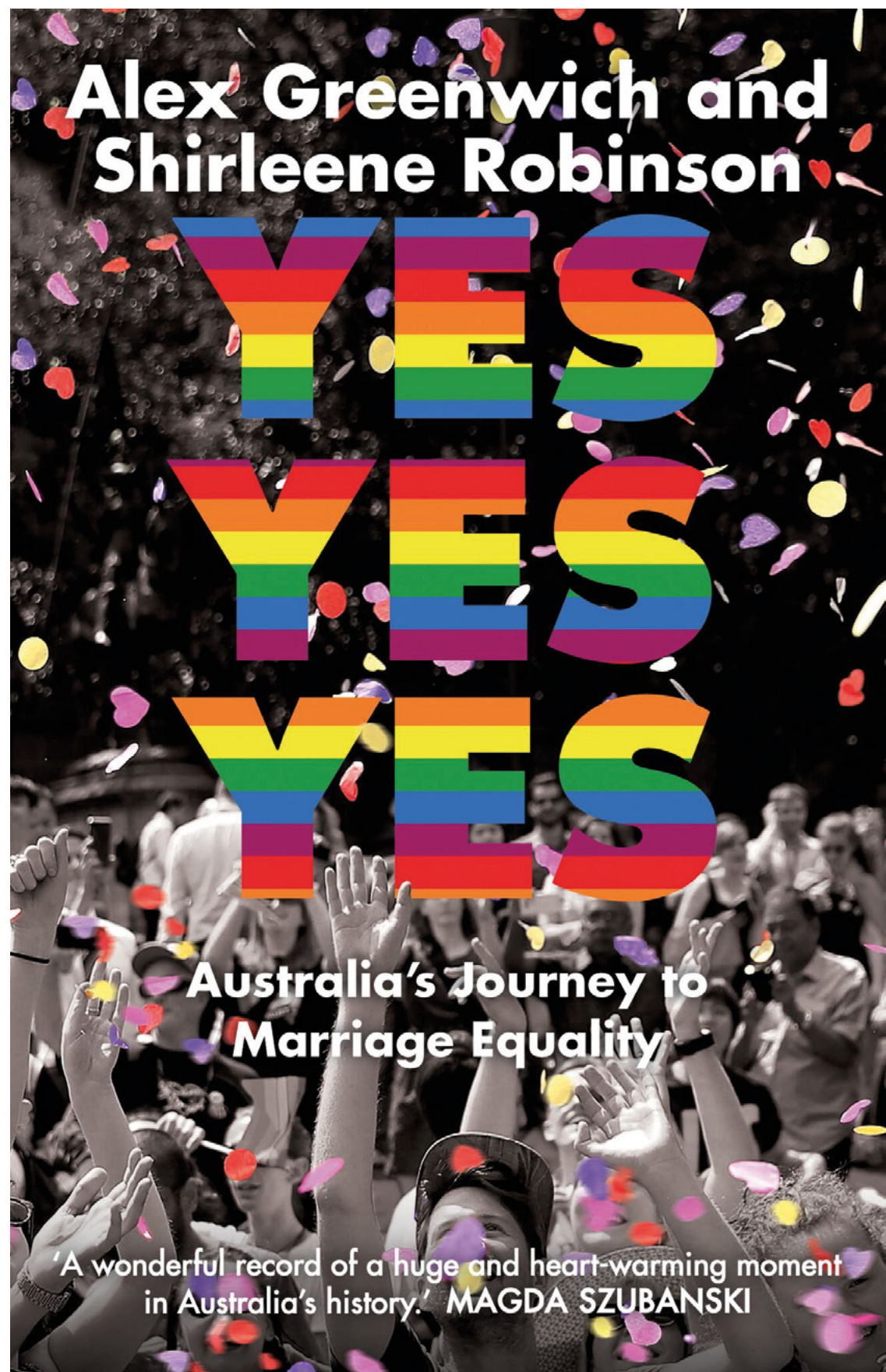


## Shirleene Robinson

*Director, National Spokesperson &  
NSW Co-Coordinator,  
Australian Marriage Equality*

Dr Shirleene Robinson has a PhD in History from the University of Queensland and is an academic historian and Associate Professor. She is the author of a number of books. These include the edited collection "Homophobia: An Australian History", which was the first study to consider the history of homophobia in an Australian context. She was also the co-author in 2010 of the largest study of homophobia and transphobia in any Australian jurisdiction. She has worked (with the National Library of Australia and in partnership with a number of universities across Australia) on the first national oral history project to explore gay and lesbian lives across Australia. Shirleene has been a volunteer with Australian Marriage Equality since 2012. She is currently President of Sydney's Pride History Group. In 2017, Shirleene was named as one of The Conversation's top fifty Australian thinkers.





**Alex Greenwich and  
Shirleene Robinson**

# YES YES YES

**Australia's Journey to  
Marriage Equality**

**'A wonderful record of a huge and heart-warming moment  
in Australia's history.' MAGDA SZUBANSKI**

# PROGRAM

## MONDAY 12 NOVEMBER

LOCATION: HEDLEY BULL BUILDING, 130 GARRAN ROAD, ACTON, ACT 2601

Time	Event
9.30am - 10.30am	<b>Q and A</b> Tiernan Brady (Marriage Equality Campaigner – Australia and Ireland) in conversation with Simon Copland (ANU).
10.30am - 11.00am	<i>Morning tea</i>
11.00am - 12.00pm	<b>Roundtable</b> Quinn Eades (La Trobe University), Neha Madhok (Democracy in Colour) and Gemma Killen (ANU) in a roundtable discussion about the marriage equality campaign.
12.00pm - 1.00pm	<i>Lunch</i>
1.00pm - 2.30pm	<b>Paper Sessions</b> <div> <div> <i>Statistics and Survey Architecture</i>  <b>Threshed out by others: statistical and moral victories in the Australian Marriage Law Postal Survey</b>            Samantha Vilkins  <b>How equality was won – the demographics of the Yes and No voting coalitions at the 2017 marriage law postal survey</b>            Ben Raue  <b>The marriage law postal survey – was it truly accessible to everyone?</b>            Chris Pycroft         </div> <div> <i>Personal Encounters</i>  <b>The politics of difference: posting my ‘vote’ on marriage equality</b>            Odette Mazel  <b>Wake up! Australia is less tolerant than you believed</b>            Celeste Sandstrom  <b>I couldn’t even vote: fighting for my right to be part of the postal survey</b>            Shea Macdonough &amp; Patsie Frawley         </div> </div>
2.30pm - 3.00pm	<i>Afternoon tea</i>
3.00pm - 4.30pm	<b>Keynote</b> Rosemary Auchmuty (University of Reading, England).
4.45pm - 6.00pm	<i>Reception</i>

# PROGRAM

## TUESDAY 13 NOVEMBER

LOCATION: HEDLEY BULL BUILDING, 130 GARRAN ROAD, ACTON, ACT 2601

Time	Event
9.00am - 10.30am	<b>Keynote</b> David Paternotte (Université libre de Bruxelles)
10.30am - 11.00am	<i>Morning tea</i>
11.00am - 12.00pm	<b>Plenary</b> Anja Hilkemeijer (University of Tasmania) Carol Johnson (University of Adelaide)
12.30pm - 1.30pm	<i>Lunch</i>
1.30pm - 2.00pm	<b>Paper Sessions</b> <div> <i>Framing Marriage Equality</i>  <b>Coupledness and subjectivity: identity anxieties and the 'reason' for marriage</b>  Rob Cover  <b>Marriage equality and human rights</b>  Andrew McIntyre </div> <div> <i>Anthropological Accounts</i>  <b>Being Feminine in LGBTQIA+ Sydney</b>  Katherine Giunta  <b>The silent B in same-sex marriage law reform: a critical bisexual perspective in marriage</b>  Dylan Amy Stanford </div>
2.00pm - 2.30pm	<i>Afternoon tea</i>
2.30pm - 4.00pm	<b>Paper Sessions</b> <div> <i>Analysing the Campaign</i>  <b>Heterosexuality and race in the Australian same-sex marriage postal survey</b>  Benjamin Hegarty, Daniel Marshall, Mary Lou Rasmussen, Peter Aggleton &amp; Rob Cover  <b>The failure of "fairness": post-liberation politics in the Australian marriage equality campaign</b>  Hannah McCann, Geraldine Fela &amp; Amy Thomas  <b>Anti-marriage equality rhetoric: A discourse analytic perspective</b>  Melanie Burns </div> <div> <i>Mental Health</i>  <b>The Australian Marriage Law Postal Survey and limits to a vulnerability-based politics</b>  Simon Copland  <b>Coping with the debate national survey: stress impacts</b>  Saan Ecker  <b>Marriage equality, mental health and wellbeing</b>  Chris Pycroft </div>
4.00pm - 4.30pm	<b>Q and A</b> Alex Greenwich & Dr Shirleene Robinson will conduct a Q and A about their book YES YES YES (New South Publishing)

# ABSTRACTS

## *Statistics and survey architecture*

Monday 1.00 - 2.30

### **Threshed out by others: Statistical and moral victories in the Australian Marriage Law Postal Survey**

*Samantha Vilkins*

In 2017, the Deputy Australian Statistician explained that the Australian Bureau of Statistics' role in the Australian Marriage Law Postal Survey ended at "the publication of survey results, which people then use in all manner of ways." These comments echo back to the 1834 founding motto of the Royal Statistical Society, "Aliis exterendum" or "to be threshed out by others". This distance and impartiality between numbers and their use is clung to by both statisticians and politicians alike: Statistics are produced as objective truths under claims of transparency and freedom from ideology, but then used to shape governable realities, narrow political discourse and provide inflexible, justifiable backbone to policy decisions. They have the power to make people visible, and invisible.

These patterns are traced over long scales, with populations made more quantified in steps over time. The Australian Marriage Law Postal Survey presents a more direct flash point: a statistical exercise that was practically indistinguishable from a vote. Drawing on histories of identity construction through commensuration, and the concept of mechanical objectivity, this paper explores the reliance on quantification and statistical data in modern policy and the power of numbers to force political focus. In particular, I examine what new questions became imperative when the Survey went from a possibility to concrete plan, the role of the Australian Bureau of Statistics, and how politicians shifted goalposts for simultaneous statistical and moral victories. How do statistics move from proxy measures to central truths, and what is sacrificed in becoming visible by number?

### **How equality was won – the demographics of the Yes and No voting coalitions at the 2017 marriage law postal survey**

*Ben Raue*

This paper would focus on the results of the 2017 Australian Marriage Law Postal Survey, with a focus on different demographic groups and how they were likely to have voted.

The volume of hard evidence for how groups voted is unfortunately limited. We only have vote counts at the electorate level, although we do have data on turnout levels broken down by age and gender.

We can identify some trends by examining the 2016 census information for each electorate, as well as examining the relationship between voting totals and turnout levels in each demographic group.

In addition, numerous public polls were published in the lead up to the election. I will examine the difficulties in polling this unusual public vote, and also use this demographic information to paint a picture about the demographics of the Yes and No voting coalitions.

I also plan to compare these demographics to the demographics of Yes and No coalitions at previous referendums and plebiscites, such as the 1999 Republic referendum, the 1916-17 conscription plebiscites, and the recent Irish marriage equality referendum. I would also touch on historic demographic breakdowns in support for LGBTI rights in Australia, to paint a picture of how this has changed up to 2017.

### **The marriage law postal survey: Was it truly accessible to everyone?**

*Chris Pycroft*

The Australian Marriage Law Postal Survey was the first of its kind in Australian history, and was the largest single-question survey conducted by the Australian Bureau of Statistics. But with the small timeframes from the announcement of the postal survey through to the closing date, were all Australians going to be able to actually participate?

This presentation analyses the accessibility of the Australian Marriage Law Postal Survey for the almost one in five Australians that have a disability. It will review procedures put in place to ensure as many Australians with a disability could participate in the postal survey, roadblocks that needed to be addressed in order to remove barriers to voting, and lessons learned to ensure that democratic processes (such as participating in a national vote) are as accessible to as many people eligible to participate as possible.

## *Personal encounters*

Monday 1.00 - 2.30

### **The Politics of Difference: Posting my 'vote' on marriage equality**

*Odette Mazel*

On 7 December 2017, the House of Representatives voted with an overwhelming majority to pass the Marriage Amendment (Definition and Religious Freedoms) Bill 2017. From accounts of those who were in Parliament that day, the moment was exhilarating. The song from the gallery capturing the sense of unity. It was a historic moment, the culmination of years of activism and campaigning on the part of so many.

Watching proceedings from my laptop on the sixth floor of the law school building in Parkville, I too felt elated. But this was a complicated moment for me, for at the same time, I couldn't shake a feeling of ambivalence. This paper will provide a personal account of the events leading up to the passing of the Bill in Parliament and a reflection on the intellectual and emotional tensions that this debate has encouraged within me—as a member of the queer community, a mother, daughter of a lesbian, feminist and PhD student.

### **Wake up! Australia is less tolerant than you believed**

*Celeste Sandstrom*

As a young queer person, the Liberal government's postal survey was a slap in the face. It was a slap in the face that said: "Wake up! Australia is less tolerant than you believed." It was a slap in the face that said: "This government doesn't really care about queer people." However, it was in the activist scene that the biggest slap was to be found. There was little to no representation of trans and gender non-conforming people in the campaign, in spite of our continued struggles with the "trans marriage law." There was little representation of people of colour in the campaign. In a word, the campaign focussed on promoting what could be considered the most hegemonic of the queer community – the cisgender, white, middle-class lesbians and gay men – and based itself largely on the normalisation of the queer community. This has its advantages when looking at the campaign in a vacuum. However, attached to the ongoing struggle of the queer community, the lack of representation of further marginalised groups in the queer community has the potential to stunt the movement and where we go now. How can we try to create a less racist community, when we don't represent people of colour in our biggest campaign? How can we fight for trans and gender diverse people if they remain invisible in one of the most talked about struggle for queer rights? This paper talks about what the 'Yes' campaign of 2017 missed and how that could affect the queer movement going forward.

### **I couldn't even vote: Fighting for my right to be part of the postal survey**

*Shea Macdonough & Patsie Frawley*

"My name is Shea Macdonough. I am 31 years old. I have Down syndrome." Shea will tell the story of her fight to participate in the postal survey and what she learned from standing up for herself. Together Amie and Shea will talk about how peer education and a focus on rights equipped Shea to advocate for herself. We will show how ideas of capacity and personhood mean that Shea's story is just one example of the exclusion of people with intellectual disability in discussions about sexuality and rights.



# ABSTRACTS

## *Framing marriage equality*

Tuesday 1.30 - 2.00

### **Coupledness and subjectivity: identity anxieties and the 'reason' for marriage**

*Rob Cover*

In an era in which the religious, legal, social and customary pressure to legitimise relationships has long been on the wane, why was marriage equality so appealing to a broad Australian population supporting legal change in the postal survey? What are the underlying social frameworks that constitute not just marriage equality but marriage per se as a desirable status and an aspiration for non-cisgendered non-heteronormative participants? Is it just a desire to 'equalise' rights for minorities? Or can we identify and theorise much deeper social practices and knowledge frameworks that make this particular mode of relationship, relationality and coupledness appealing? This presentation discusses some of the ways in which we can understand the cultural concept of the 'coupled relationship' as a practice related to identity stability. In the context of widespread social anxieties over identity, subjectivity and selfhood such as the role of rapid consumption on identity presentation and social demands for identity authenticity, it is argued that marriage represents one of the most 'efficient' ways in which gender and sexual identities can be upheld in contrast to the less-stable frameworks of sexual and romantic desire and play. This way of thinking opens the possibility of understanding not just why marriage equality might be important for minority communities, but what kinds of genders, sexualities and selves are further marginalised by the normativisation of romantic coupledness through marriage.

### **Marriage equality and human rights**

*Andrew McIntyre*

Social movements increasingly utilise the language of human rights, and adopt rights-based strategies, when advancing their goals. Human rights are an attractive framing device given their capacity to engage with international legal norms, to appeal to moral values, and to 'universalise' issues that primarily affect a particular social group—thereby assisting with the mobilisation of support across broader sections of the public.

However, a human rights frame is not without its drawbacks. For example, in the marriage equality context, the human rights frame has been criticised for perpetuating hetero-normative values and for creating divisions within the LGBTI+ community based on notions of respectability and acceptance. Framing marriage equality as a human rights matter has also been criticised as contributing to the conflation of marriage equality with LGBTI+ rights more generally—which in turn has stymied progress on other issues affecting the LGBTI+ community. These criticisms suggest that other frames might be more appropriate to the marriage equality movement.

In light of these matters, the paper seeks to assess the effectiveness of framing marriage equality in human rights terms and, in particular, to determine whether a human rights frame is more effective in countries with embedded rights-based legal infrastructure (for example, a domestic charter of rights). It intends to test this hypothesis by examining the marriage equality movement in Australia, and comparing Australia's marriage equality experience with a range of countries with which Australia shares political, economic and social links. These are likely to include Canada, the United States, the United Kingdom, Ireland and New Zealand. The paper will also suggest other potential means of framing marriage equality, which may be equally effective in terms of mobilisation of support while avoiding some of the drawbacks associated with a human rights frame.

## *Anthropological accounts*

Tuesday 1.30 - 2.00

### **Being Feminine in LGBTQIA+ Sydney**

*Katherine Giunta*

Drawing on twelve months of ethnographic research undertaken with LGBTQIA+ and Queer Sydney residents, in this paper I consider the impacts of the 2017 same sex marriage postal survey on this group and their reactions to it. Specifically, I focus on LGBTQIA+ and Queer Sydney residents who enact forms of femininities, discussing the ways in which they deployed public performances of femininities at protests, rallies and parties. In doing so, I explore how participants negotiated their ambivalent desires to be both queerly different from the 'mainstream' and be recognised as equal to the straight 'majority'.

### **The silent B in same-sex marriage law reform: a critical bisexual perspective in marriage**

*Dylan Amy Stanford*

Although many have critiqued the push for same-sex marriage on the basis that marriage rewards and legitimises certain relationships while marginalising and stigmatising others, little work has considered same-sex marriage from a specifically bisexual perspective (cf Boucai, 2012; Paz Galupo, 2009). Furthermore, although bisexuals were ostensibly included in the 2017 marriage equality campaign, substantive discussion of bisexuals and bisexuality was remarkably absent from the campaign and surrounding media coverage. In this paper I attempt to understand the significance of this absence, not just in terms of the marginalisation of bi-spectrum people, but also as a tool for analysing marriage as an institution. I take as my starting point the common explanation for bisexual erasure that bisexuals are perceived as straight when in opposite-sex relationships and gay when in same-sex relationships. I suggest, however, that the relationship between bi-erasure and marriage goes beyond merely the hetero-homo binary and must also account for the temporal aspects of compulsory coupling and monogamy. In particular I suggest that marriage, with its future-focused temporalities of monogamous commitment to 'the one', struggles to account for bisexual histories and in turn bisexual identity. In doing so I add to existing critiques of marriage by interrogating the ways in which the temporal logics of monogamy and marriage function to privilege certain life trajectories while excluding and erasing others. By focusing on bisexuality in the marriage equality campaign I aim develop new ways of thinking critically about both bisexuality and marriage, and to present bisexuality as a lens for thinking through longstanding debates around marriage in new and productive ways.

# ABSTRACTS

## *Analysing the campaign*

Tuesday 2.30 - 4.00

### **Heterosexuality and race in the Australian same-sex marriage postal survey**

*Benjamin Hegarty, Daniel Marshall,  
Mary Lou Rasmussen, Peter Aggleton,  
& Rob Cover*

This paper argues that race and class are central aspects of sexual citizenship in Australia. It does so by investigating representations of heterosexuality that were produced and circulated during the 2017 same-sex marriage postal survey. Engaging with feminist and critical race theorists, we position same-sex marriage as not exceptional but part of a wider distribution of citizenship within Australia's ongoing settler colonial history. We do so by introducing a number of illustrative examples of representations of heterosexuality produced during the survey. These representations reveal how same-sex marriage perpetuated heterosexual authority by asserting claims to authenticity and the occupation of space. We observe how heterosexuality in the survey material reproduced fantasies linking these three themes, for example, in an authentic white heterosexual family who speaks from their suburban backyard. In doing so, this paper illustrates how same-sex marriage is not exceptional but rather a part of broader history of settler colonialism through which sexual citizenship materialises in Australia. It reveals that ceding to a bifurcated view of either progressive or conservative voices forestalls rather than advances other visions which may exceed the limited imaginings of sexual citizenship offered by the white liberal settler colonial state.

### **The Failure of "Fairness": Post-Liberation Politics in the Australian Marriage Equality Campaign**

*Hannah McCann Geraldine Fela  
and Amy Thomas*

In this paper we consider how and why the Yes campaign of the 2017 Australian same-sex marriage (SSM) postal survey failed to adequately address issues of homophobia and transphobia. Engaging with both Yes and No television and online video advertisements, we outline how the Yes campaign limited itself to narratives around love, the family, and "fairness", and in doing so refused to engage with issues raised by the No campaign. While No linked SSM to gender fluidity, transgender identity, and Safe Schools, Yes offered no response. We argue that in failing to attend to the fears raised by the No campaign, the Yes campaign narrowed the transformative possibilities of what could be "won" beyond marriage equality. We suggest that this aspect of the Yes campaign is symptomatic of a "post-liberation politics" which imagines marriage equality as a final hurdle for LGBTIQ organising. This perspective allows us to understand the limited nature of the SSM "victory", which delivered legislative change yet tacitly reinforced normative ideas of who within the LGBTIQ community must remain on the margins. We suggest alternative ways that Yes may have oriented the campaign, which we hope might prove fruitful for future campaigning around LGBTIQ rights.

### **Anti-marriage equality rhetoric: a discourse analytic perspective**

*Melanie Burns*

The implementation of the Marriage Equality Postal Survey saw various anti-marriage equality groups, including Australian Christian Lobby, Australian Marriage Forum, and various religious groups, join together to form the Coalition for Marriage. This unified lobby group became the leading voice in the 'no' campaign, forging a strong public presence to argue against changes to Australia's marriage laws.

Utilising critical discourse analysis (e.g. Fairclough, 2010), an interdisciplinary approach which analyses texts as social products that may reproduce inequalities and hegemonic power relations, this presentation examines media releases, advertisements, and other promotional material from Coalition for Marriage during the postal voting period. Content, textual, and linguistic analyses are conducted to reveal how marriage equality is discursively constructed by the lobby group, and to examine ideologies around marriage, sexuality, gender, and family in the texts.

The presentation shows how ideologies regarding the complementarity of the sexes, the privileging of the biological family, and the definition of marriage as a union between man and woman are embedded within morality- and fear-based discourses which are enacted to persuade the public to vote against changes to the marriage laws. It also examines how essentialist understandings of marriage, gender, and family are drawn upon to reinforce 'traditional' marriage as central to social organisation and position marriage equality as a threat to social order. Finally, it is shown how the anti-marriage equality campaigners draw on such conceptualisations to discursively position themselves as protectors of the social good and to deflect any criticisms of bigotry or homophobia.

## *Mental health*

Tuesday 2.30 - 4.00

### **The Australian Marriage Law Postal Survey and limits to a vulnerability-based politics**

*Simon Copland*

This paper investigates opposition to the Australian Marriage Law Postal Survey, which surveyed Australians on their position on marriage equality from September – November 2017. Opposition to the hosting of a public vote on marriage equality was based in a perceived vulnerability of LGBTIQ Australians, with marriage equality advocates taking what Tietze (2016) described as a 'dark view of the voting public'. While acknowledging the high levels of homophobic rhetoric that occurred during the postal survey, and the impacts that public votes can have on the mental health of LGBTIQ people, the paper argues this 'dark view' was overstated. This paper argues that opposition to the survey reinforced vulnerability within LGBTIQ Australians, promoting an increased reliance on the state for protection and recognition. Opposition ignored the democratic potential of the survey, particularly as an opportunity to further debate on LGBTIQ issues and to reduce broader societal homophobia. Despite the eventual yes vote therefore, approaches to the postal survey missed a political opportunity, likely leaving LGBTIQ Australians and the Australian queer movement in a weaker position than previously.

### **Coping with the debate national survey: Stress impacts**

*Saan Ecker*

In November, 2017, The Australia Institute and the LGBTI National Health Alliance surveyed more than 9,500 LGBTIQ+ Australians and their allies about their experiences during the marriage equality postal survey using an online questionnaire administered during the voting and debate period. This ethically approved research used quantitative measures and free text responses to identify impacts of the postal survey and associated debate on psychological distress experienced by LGBTIQ+ people and their allies as well as coping strategies used. This presentation focuses on the results describing stress impacts. Participants completed demographic items, measures of stress and psychological distress, and covariates including prior experiences of depression, stress and anxiety and prior stressful life events. Debate stress accounted for unique variance in psychological distress after accounting for prior life stress, prior psychological distress and demographic variables. Depressive symptoms were the most effected by debate-related stress, followed by stress and anxiety. Qualitative responses supported that this was an intense period of individual, interpersonal and societal stress for LGBTIQ people and their allies. Key qualitative themes derived describe impacts on identity, negative messages from ads and social media, legitimizing of hate and bigotry within society, experiences or expectations of discrimination or prejudice from others and betrayal by country and government. Dr Saan Ecker, project leader of the international team analysing this data, will present key findings, including empirical evidence on the stress and difficulties faced, as well as examples of strength, resilience, community building and creative coping during this time.

### **Marriage equality, mental health and wellbeing**

*Chris Pycroft*

One of the primary reasons of opposition to a public vote on deciding the future of marriage equality in Australia, was the impact an intensive public debate would have on the mental health and wellbeing of LGBTI people. With negative wellbeing already being felt by LGBTI people as a result of continued public debate about their personal lives and their civil rights, it was set to escalate as a result of the Australian Marriage Law Postal Survey. Duty of care was paramount for the YES campaign, and was considered at every major step of the campaign until marriage equality became a reality.

This presentation will identify all considerations taken towards mental health and wellbeing of LGBTI people throughout the final months of the marriage equality debate in Australia, the collaborative effort undertaken by the YES campaign with the mental health and suicide prevention sectors, reviewing the impact of the Australian Marriage Law Postal Survey on people's mental health and wellbeing, as well as the continued efforts to support those impacted by the debate following the results of the postal survey and legislation passing federal parliament.

# CONTRIBUTOR BIOGRAPHIES

## **Peter Aggleton**

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Peter Aggleton is an emeritus professor at UNSW Sydney, an honorary distinguished professor at The Australian National University, an adjunct professor in the Australian Research Centre in Sex, Health and Society at La Trobe University Melbourne, and an honorary professor at UCL in London.

## **Melanie Burns**

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Melanie Burns is a linguist teaching in the School of Languages, Literatures, Cultures and Linguistics at Monash University, Melbourne. She specialises in discourse analysis and sociolinguistics, having completed her PhD on discourses of gender and sexuality in popular Australian media. Her research areas include representations of sexualities in the media, the discursive construction of gender and sexuality, and language and taboo.

## **Simon Copland**

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Simon Copland is a PhD candidate in Sociology at the Australian National University (ANU), studying online men's rights groups and communities 'manosphere'. He has a Masters in Science Communication.

## **Rob Cover**

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Rob Cover is associate professor in the School of Social Sciences at The University of Western Australia. He is a social, media and cultural studies researcher whose work focuses on the implications of media and digital cultures for minorities, particularly in respect to health, social integration, diversity, ethics and belonging.

## **Geraldine Fela**

*University of Melbourne*

Geraldine Fela is a PhD candidate at Monash University in the School of Philosophical, Historical, and International Studies. Her research examines the role of Australian HIV nurses in the 1980s and 1990s and in 2017 she was awarded the Eric Fry Labour History Research Grant for her work in this area. She has published in Australian Feminist Studies and Lilit.

## **Katherine Giunta**

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Katherine Giunta is a PhD candidate in the Department of Anthropology at the University of Sydney. She has recently completed twelve months of ethnographic fieldwork with LGBTIA+ and Queer Sydneyiders, focusing on those who identify as femme and/or feminine. Her research is informed by queer studies and critical femininity studies in anthropology.

## **Benjamin Hegarty**

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Benjamin Hegarty is research fellow in gender and sexuality studies in the School of Communication and Creative Arts at Deakin University in Melbourne, Australia. His research draws on anthropological and historical methods to investigate the cross-cultural constitution of categories of gender and sexual difference, including in Indonesia and Australia.

## **Shea Macdonough & Patsie Frawley**

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Dr Amie O'Shea is Research Fellow in the School of Health & Social Development at Deakin University in Geelong, Victoria. As the National Co-ordinator for Sexual Lives & Respectful Relationships (SL&RR), a peer education program for people with intellectual disability, Amie is committed to sexuality and inclusion rights for people with intellectual disability.

Shea Mcdonough is from Melbourne and loves music, dance and performance and is proud of being an SL&RR Peer Educator. Shea has performed in Everyone Can Fly, the theme song for the 2014 Special Olympics, and acted in Monster Pies which won Australia Choice Award Best Feature Movie at the Melbourne Queer Film Festival in 2013.

## **Daniel Marshall**

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Daniel Marshall is a senior lecturer in Literature in the School of Communication and Creative Arts at Deakin University in Melbourne, Australia. He is also the Convenor of Deakin's Gender and Sexuality Studies Major in the Bachelor of Arts programme, and of Deakin's Gender and Sexuality Studies Research Network.



## **Odette Mazel**

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Odette is a PhD student at the Melbourne Law School. Her research focuses on the rights of the LGBTQ community and the cultural, social and legal avenues through which to pursue those rights. Her PhD examines the impact of marriage equality on the lived experience of the law for the LGBTQ community.

## **Andrew McIntyre**

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Andrew McIntyre is a Senior Research Officer with the Department of the Senate. He holds a Bachelor of Arts, a Juris Doctor and a Master of Legal Practice from the Australian National University.

## **Hannah McCann**

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Dr Hannah McCann is a lecturer in gender studies at the University of Melbourne. Her research explores feminist discourse on femininity, queer femme LGBTIQ communities, LGBTIQ history, beauty culture and aesthetic labour.

## **Chris Pycroft**

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Chris Pycroft was the Stakeholder Director for the Equality Campaign. Chris is currently the Accessibility Engagement Manager for Intopia.

## **Mary Lou Rasmussen**

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Mary Lou Rasmussen is a professor in the School of Sociology at the Australian National University. She is part of the ARC Discovery Project Queer Generations, investigating the experiences of two generations of LGBT young people in Australia. She leads an ARC Discovery investigating Worldviews of Australia's Generation Z.

## **Ben Raue**

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Ben Raue is an electoral analyst and blogger who writes about elections in Australia at tally room. He works as a data analyst at GetUp!

## **Celeste Sandstrom**

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Celeste is an undergraduate student in the areas of Sociology and Gender, Sexuality and Culture at the Australian National University. They have interests in intersectional queer and transgender theory and in the intersection of religion and LGBTQ struggles. They were active in the 'Yes' campaign of 2017, including participating in efforts such as call banking, door knocking and protest marches. They have further participated in queer activism and community in Canberra, being a leader of the AIDS Action Council's Encampment program and as a part of the ANU Queer Department.

## **Dylan Amy Stanford**

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Dylan Amy Stanford is a PhD candidate in the School of Law at the University of Wollongong. Dylan's thesis examines the erasure of bisexuality as a category within contemporary Western social, cultural and legal discourses and presents bisexuality as a strategic site of intervention into existing queer legal debates. Through qualitative interviews with bi-spectrum individuals and legal case studies, their research aims to bring a bisexual perspective to queer legal scholarship on LGBTIQA asylum seekers, same-sex marriage and legal parenthood claims arising from assisted reproductive technologies. Dylan has also published on the recognition of non-binary transgender individuals in Australian law.

## **Amy Thomas**

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Amy Thomas is an academic in the Faculty of Arts and Social Sciences at the University of Technology Sydney (UTS). She is completing a PhD on the history of Australian colonialism and the contest between self-determination and assimilation in Aboriginal schooling in northern Australia. Her research interests include Aboriginal history, LGBTIQ history, social movements, and language and educational policy. She has published in *Overland Literary Journal*, *The Lifted Brow* and *New Matilda*.

## **Samantha Vilkins**

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Samantha Vilkins is a PhD candidate in science communication and Communications and Engagement Officer at the Australian National Centre for the Public Awareness of Science at The Australian National University in Canberra.

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