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## **C21st LGBTI activism in Australia: The limits of equality**

The celebration of the 40<sup>th</sup> anniversary of the Sydney Gay and Lesbian Mardi Gras parade coincided with the celebration of the achievement at the end of 2017 of marriage equality in Australia. After the floats that traditionally lead the parade Australian Marriage Equality (AME) and Australians for Equality (A4E), representing the most recognisable face of the marriage equality campaign, were given pride of place.<sup>i</sup> Another float in the parade was the ‘huge’ contingent from the Refugee Action Coalition who marched under the banner ‘No Pride in Detention’ in opposition to the Australian government’s asylum seeker policy, drawing particular attention to the gay men claiming refugee status sent by the Australian government to detention centres on Nauru and Papua New Guinea, countries where homosexuality is criminalised. Separately, a group of protesters jumped in front of the official ‘Liberal Friends of LGBTIQ – THE EQUALIBERALS’ contingent carrying a banner that read ‘Turn back the float!’ a humorous reference to former Liberal Prime Minister Tony Abbott’s ‘turn back the boats’ policy in relation to asylum seekers.<sup>ii</sup>

In this article I look back from the 2018 Sydney Gay and Lesbian Mardi Gras (hereafter Mardi Gras), to construct a history of LGBTI politics in Australia in the twenty-first century. I do this by taking the widely publicised campaign for marriage equality and the less widely known activism in support of LGBTI asylum seekers to illustrate different strands in the broadly defined LGBTI movement. I use the term ‘campaign’ for LGBTI marriage equality politics and ‘activism’ for LGBTI asylum seeker politics. This signifies the systematic and increasingly institutionally engaged nature of marriage politics and the smaller, less systematic and less sustained political support for asylum seekers. I argue that activism to support asylum seekers constitutes a ‘minor’ LGBTI politics and that the campaign for marriage equality constitutes a ‘major’ LGBTI politics, terms drawn from the work of French post-structuralist theorists Gilles Deleuze and Felix Guattari as it has been used by feminist and other critical scholars.<sup>iii</sup> In order to elaborate the notion of ‘major politics’ I follow Tanja Dreher’s description of the marriage equality campaign in Australia as an ‘uncanny double’ of the LGBTI movement although I conclude that the campaign also contains the possibilities of new horizons.<sup>iv</sup>

Given the very recent achievement of marriage equality historians have barely begun to attend to the campaign. The canonical account of gay and lesbian activism in Australia, Graham Willett’s *Living Out Loud*, brings us to the late 1990s and barely mentions relationship issues.<sup>v</sup> Activism is often

subsumed under broader accounts of gay and lesbian life, including accounts of HIV/AIDS, too numerous to mention here. There has been some chronicling of the state-based campaigns for same sex relationship reform which preceded the marriage equality campaign.<sup>vi</sup> The inevitability of marriage equality is celebrated in Willett's 2010 account of the advance towards 'gay and lesbian legal equality' during the years of the conservative Howard government (1996-2007).<sup>vii</sup> Some historians, political scientists and media and cultural studies scholars bring a critical lens to this inevitability, but the marriage equality campaign *per se* has rarely been a focus.<sup>viii</sup> I am not aware of any research that documents or analyses LGBTI activism that supports asylum seekers although there is a significant body of Australian critical legal literature about LGBTI asylum seekers.<sup>ix</sup> This article contributes to the historiography about LGBTI politics in three ways. In narrating LGBTI refugee and asylum seeker activism it brings to light a recent history that is not widely known. In offering an empirical account of the two strands of the wider movement it grounds critical analysis in a historical narrative. Thirdly, the juxtaposition of the two strands creates a complex historical account of twenty-first century LGBTI politics and poses a model for future research that eschews liberal triumphalist narratives.

### *Major and minor politics*

Deleuze and Guattari's notion of Franz Kafka's work as minor literature<sup>x</sup> has been widely applied by critical scholars, beyond concern with literary phenomenon. For example, feminist scholar Rebecca Stringer describes her account of 'the constructions, erasures and paradoxes' of the dominant neoliberal paradigm of victimhood as minor theory.<sup>xi</sup> Of more direct relevance to my argument, Bert Olivier characterises the work of activist and writer Naomi Klein as a "'minor discourse'" in the current global situation of neoliberal discursive hegemony'.<sup>xii</sup> He takes up Deleuze and Guattari's widely used idea of 'deterritorialization' which refers to 'something like dismantling the comparative stasis and stability that characterise identifications of all kinds'.<sup>xiii</sup> Stringer shows 'the fragility and impermanence of the current community in a way that is only possible from its margins and minor literature'.<sup>xiv</sup> Olivier notes that in Deleuze and Guattari's consideration of literature the minor is always apparent and possible from within the major.<sup>xv</sup> It might emerge by 'seizing on potential "lines of flight" within major discourses, or by introducing moments of "chaos" into them'.<sup>xvi</sup> 'Line of flight' is another widely used concept from Deleuze and Guattari which can be defined as a creation of 'connections among bodies that were previously only implicit (or "virtual") that releases new powers in the capacity of those bodies to act and respond'.<sup>xvii</sup> Olivier claims that Klein's investigations of global capitalism unleash 'just enough "chaos" into the discursive system to unsettle its majoritarian discursive claims'.<sup>xviii</sup>

### *The Uncanny Double*

To elaborate major politics I draw from Tanja Dreher's 2017 argument that 'same-sex marriage may come to function as an "uncanny double" of queer politics in Australia'.<sup>xix</sup> Like the use of Deleuze and Guattari's minor and major literatures/discourses, Dreher's uncanny double argument offers a model for understanding strands in LGBTI politics that are potentially opposed. Dreher implicates the LGBTI 'uncanny double' in the politics of colonialism, race and the global Islamophobic regime of the 'war on terror' where 'homonational' affirmations of gay rights are made to distinguish the alleged modern and progressive West from the backwardness and intolerance assumed to be 'intrinsic to Islam'.<sup>xx</sup> Referring to the limited range of relationships that are granted legitimacy Dreher claims that marriage equality campaigns can 'narrow the discursive possibilities for sexual citizenship and ... obscure pressing political concerns'.<sup>xxi</sup> Instead of the 'celebratory or triumphalist narrative' around marriage Dreher calls for attention to the state violence that is justified by 'sexual nationalism', and for 'intersectional and coalitionist approaches' to politics. By this she means making 'connections between human rights campaigns', promoting voices that speak across categories of difference and continuing 'difficult conversations' rather than settling for certainty and closure in the wake of the success of marriage equality.<sup>xxii</sup>

Dreher borrows 'the uncanny double' from US socialist feminist Nancy Fraser's 2009 account of second wave feminism in the West in the context of 'the recent history of capitalism'.<sup>xxiii</sup> Fraser sees an ongoing radical political movement but argues that it is 'increasingly confronted with a strange shadowy version of itself, an uncanny double that it can neither simply embrace nor wholly disavow'.<sup>xxiv</sup> She argues that the task for the feminist movement is to avoid 'resignification by neoliberalism'.<sup>xxv</sup> I bring together Fraser's focus on neoliberalism and capitalism and Dreher's focus on race, colonialism and the global politics of Islamophobia to set the background for my investigation of 21st LGBTI politics in Australia.

### *Method*

This article is concerned specifically with the period 2004-2018 and builds its narratives from the pages of the weekly 'gay and lesbian newspaper', the *Sydney Star Observer (SSO)*, since 2011 the *Star Observer (SO)*. When discussing the whole period the paper is referred to here as the *S/SO*. The timeframe follows the period of the marriage equality campaign which began, abruptly in Australia, in 2004.

The *SSO* began in 1979 as a Sydney-based free newspaper and since 1988 has been owned by a community managed board. While still committed to ‘the gay community’, in the 1990s the paper ‘took an increasingly “objective” tone’ shifting from ‘advocate’ to ‘chronicler’.<sup>xxvi</sup> It is arguably the newspaper of record for the Australian LGBTI community. Audited readership numbers were about 12,000 in 2011.<sup>xxvii</sup> In 2014 the newspaper transformed into a monthly magazine, available in hard copy and as a digital download, and its tone and content changed, less up to date news and more sophisticated advertising. Material for this article draws from the newspaper, the magazine and the website’s regular news feed (and other sources where necessary to create a thorough account).

The narratives presented here are preliminary and partial, limited by their reliance on a single archival source. The *S/SO* is considered as both record and voice. While it covers LGBTI news nationally the narratives are Sydney based.

The acronym ‘LGBTI’ (Lesbian, Gay, Bisexual, Transgender, Intersex) is used to describe the community and politics discussed here. ‘Same sex’ is used to describe the relationships at issue in the marriage debate as this has become the commonly used term. As far as I know all detainees seeking asylum in Australia on the basis of persecution because of sexual orientation are men so I refer to them as gay men.

### **The Marriage Equality Campaign**

The legal recognition of ‘same sex relationships’ in each of the states and territories had, since the early 1990s, increasingly been the main priority of LGBTI politics. Marriage was a federal issue and so outside the purview of these campaigns. By 2004 significant legislative change had brought same sex couples close to legal equality with *de facto* heterosexual couples in most jurisdictions.<sup>xxviii</sup>

Some individuals were, however, pressing for marriage equality. In 2004 two couples who had married in Canada sought to have their marriages recognized in Australian law. With knowledge of these cases, and with an election at the end of the year, in June 2004 the conservative Liberal-National Coalition (hereafter Coalition) government introduced a bill to amend the Marriage Act 1961 to specify that a marriage was between a man and a woman and to prevent the recognition of same-sex marriages conducted overseas. A rally organised by the NSW Gay and Lesbian Rights Lobby (GLRL), the AIDS Council of NSW (ACON), New Mardi Gras and the Pride Centre was held in Sydney on June 26 ‘to protest for equal relationships recognition before the law’.<sup>xxix</sup> The legislation passed on 13 August 2004, with the support of the Australian Labor Party ((ALP) opposition party and, from outside the

parliament, the Australian Christian Lobby (ACL).<sup>xxx</sup> An SSO article at the end of 2004 makes clear that the LGBTI community did not have a singular vision for the new political environment. Thus began the Australian campaign for marriage equality.<sup>xxxi</sup>

AME was formed in 2004 and launched formally as a national lobby group in May 2005.<sup>xxxii</sup> A letter in the SSO from the Sydney branch convenor states 'We believe that the granting of equal marriage rights is the single most important legislative change in decreasing homophobia in Australia'.<sup>xxxiii</sup> The first National Day of Action to mark the anniversary of the amendment to the Marriage Act was included rallies in Sydney, Brisbane, Perth, Melbourne and Hobart where mock same-sex weddings were held.<sup>xxxiv</sup> Activists held consultations with the LGBTI community during 2005 to educate and seek their views.<sup>xxxv</sup>

In May 2007 the Human Rights and Equal Opportunity Commission (HREOC) released *Same-Sex: Same Entitlements*, the report of its inquiry into discrimination experienced by same sex couples in relation to a range of financial issues.<sup>xxxvi</sup> The 2007 federal election delivered an ALP government lead by Prime Minister Kevin Rudd. He had gone to the election promising to introduce legislation to reform the 58 laws that the HREOC report had identified, but declaring opposition to marriage equality. The '58 '08' relationship equality legislation was GLRL's priority for the coming year.<sup>xxxvii</sup> The government's legislation to remove discrimination passed late in 2008 with bipartisan support.<sup>xxxviii</sup>

The August 2009 National Day of Action in Sydney coincided with the ALP's national conference at Darling Harbour; as part of the protest about 150 couples participated in a mass wedding ceremony outside the conference venue. Inside, the conference shifted its policy but came short of supporting marriage. 10,000 people rallied around the country, the largest ever mobilisation of LGBTI people.<sup>xxxix</sup> Another National Day of Action was held in November to coincide with the release of the Senate committee's report on Greens Senator Sarah Hanson-Young's bill to allow same sex marriage.<sup>xl</sup> About 90 groups had made submissions; LGBTI and human rights and civil liberties groups wrote in support, Christian and conservative family groups wrote in opposition. Over four thousand individuals made original submissions and thousands more sent standard form letters.<sup>xli</sup> The bill was defeated in the Senate in February 2010, 5 votes to 40, not the first marriage equality bill put before the federal parliament but the first to be voted upon.<sup>xlii</sup>

In 2010 Melbourne based Equal Love (EL) and Community Action Against Homophobia (CAAH) in Sydney declared a National Year of Action for Same-Sex Marriage.<sup>xliii</sup> CAAH co-convenor Ben Cooper

said 'This isn't going to be solved by parliamentary means alone ... that's why we all need to get out on the streets to demand our rights'.<sup>xliv</sup> Hanson-Young's bill was re-introduced into the Senate in September 2010 and while it languished AME announced that political focus had shifted to calling on the two major parties to allow a conscience vote by their members.<sup>xlv</sup> In the wake of significant statements of support from key ALP figures, in November the *S/SO* published an article titled 'Marriage Equality "Inevitable"'.<sup>xlvi</sup>

Throughout the early years of the marriage equality campaign the *SSO* regularly covers the ongoing state-based campaigns for relationship and parenting rights reform and related developments overseas. New expressions of support for marriage equality from professional and community bodies were a constant feature. The paper conducted their own readership surveys and reports public opinion polls conducted by others, always showing increasing support for the right to marry among the LGBTI community and the general public.<sup>xlvii</sup> A Galaxy poll commissioned by Parents, Family and Friends of Lesbians and Gays (PFLAG) and AME in 2010 showed that 62 percent of Australians supported same-sex marriage.<sup>xlviii</sup> The rallies held in capital cities and some regional centres as part of National Days of Action are regularly reported, and continue to be so throughout the whole campaign. Speakers included Greens and progressive and dissident ALP politicians, Sydney's Lord Mayor Clover Moore, LGBTI activists and, from 2010, friendly celebrities.<sup>xlix</sup> Crowds in Melbourne and Sydney regularly numbered in the 1000s.

In February 2011 GetUp, a progressive lobby group with 400,000 online members, joined AME to announce a nationwide television advertising campaign calling for marriage equality. AME Convenor Alex Greenwich said that GetUp and LGBTI community members would be engaged to take action from 'donating to get this ad on television through to writing to your MP, through to making a meeting request with your MP through the AME webform'.<sup>i</sup> Large corporations declared their support for marriage equality, in February this included 'the Commonwealth Bank, ANZ, Westpac, IBM, Qantas and ING'.<sup>ii</sup> In March AME released research showing that 'the ban on same-sex marriage is hurting the Australian economy to a tune of close to a billion dollars', referring principally to lost potential spending on weddings and tourism. A University of Queensland study showed '53% of same sex couples would marry if they could'.<sup>iii</sup> PFLAG launched their own television advertising campaign featuring national representative Shelley Argent.<sup>iiii</sup> In September eleven NSW unions joined the campaign and support from state ALP politicians and governments grew, signifying intensifying contest within the ALP in the lead-up to the party's December conference in Sydney.<sup>liv</sup> With petitions from ACL and from Get-Up to be presented to the conference, GetUp launched a new

marriage equality video which was viewed internationally 2 million times before the conference.<sup>lv</sup> Thousands of protesters from around the country, endorsed by AME, EL, PFLAG, Mardi Gras, GetUp, Amnesty and the City of Sydney, marched to the ALP conference at Darling Harbour. Inside, delegates voted in favour of a motion from Rainbow Labor to support marriage equality although some within the party, including Prime Minister Julia Gillard, were successful in making the issue a conscience vote, a qualifying measure that was both enabling and conservative.<sup>lvi</sup>

In the wake of victory at the ALP conference, campaigning in 2012 was quiet. A paper from the National Drug and Alcohol Research Centre (NDARC) argued that marriage was good for spouses' mental health.<sup>lvii</sup> An attempt by the Tasmanian government to introduce (constitutionally questionable) state based marriage equality failed but by October there were similar marriage equality bills in the SA, WA, Victorian and ACT parliaments.<sup>lviii</sup> In September federal ALP backbencher Stephen Jones' bill for marriage equality was defeated, although a clear majority of ALP members voted in support.<sup>lix</sup>

In April 2013 the New Zealand parliament voted for marriage equality and in July the British parliament did too.<sup>lx</sup> After returning to the Prime Ministership in August Rudd committed to a vote on marriage in the first 100 days if his government was re-elected at the coming election.<sup>lxi</sup> (At the same time he also announced a new tougher policy on asylum seekers). When the Coalition led by Tony Abbott won the September election. CAAH immediately called a rally to oppose Abbott's 'bigotry'. The *SO* overview of the election result quotes a different perspective from AME national director Rodney Croome. He was encouraged by the growing number of parliamentary supporters of marriage equality and outlined AME's plan to bring marriage supporters together, press for a conscience vote for Liberals and meet newly elected members.<sup>lxii</sup>

In 2013 the *SO* gives some prominence to criticism of the LGBTI movement's focus on marriage. In May a front page article reports calls from former High Court Judge Michael Kirby and academic Dennis Altman for more attention to the rising influence of religious organisations, GLRL co-convenor Justin Koonin's concern about the view that once marriage equality was won there would be no more to do, and 'a strong feeling among the trans community that marriage equality had been given too much focus' relayed by Transgender Victoria's Sally Goldner.<sup>lxiii</sup> In November, the *SO* reports Altman's 'scathing attack' on the marriage equality movement for its exclusion of single people and his call for a more international approach to LGBTI politics.<sup>lxiv</sup> At the end of 2013 there was also dispute about political tactics, with a Socialist Alternative banner used in a Brisbane



marriage equality rally and CAAH banners in Sydney rallies being criticised by other activists for being 'too radical'.<sup>lxv</sup>

The *SO*'s end of year summary for 2014 notes that 'marriage reform continued to stumble in 2014' with the Liberal party looking unlikely to grant its members a conscience vote and the ALP unlikely to ditch theirs.<sup>lxvi</sup> The major event in 2015 was Prime Minister Tony Abbott's announcement of a plebiscite to ask the Australian people about marriage equality, whilst reiterating his government's opposition to it.<sup>lxvii</sup> AME acquiesced to the plebiscite but key LGBTI rights groups were strongly opposed, even if this delayed the eventual outcome.<sup>lxviii</sup> In their end of year summary the *SO* began with an image of a placard that read 'After Ireland and America it's Australia's turn'. Meantime state parliaments, local councils and the Senate passed motions calling for a free vote in the parliament but having deposed Abbott, the ostensibly more liberal new PM Malcolm Turnbull continued his commitment to a plebiscite.<sup>lxix</sup> In early 2016 AME formed Australians for Equality as a body to receive donations and to conduct the Equality Campaign as the main vehicle to progress the campaign in light of a possible plebiscite.<sup>lxx</sup> Corporate support for the campaign grew, although not without contest from the Catholic church.<sup>lxxi</sup> The plebiscite was 'canned' in November 2016 when the ALP voted with the Greens and other non-government members of the Senate to oppose it.<sup>lxxii</sup>

In August 2017 the government made an unanticipated move. When its attempt to restore the plebiscite bill failed it announced a non-compulsory and non-binding public ballot to be conducted through the post by the Australian Bureau of Statistics; the Prime Minister would vote in favour.<sup>lxxiii</sup> The ballot was conducted between September and October, the result announced in November. The Equality Campaign conducted a well-resourced final campaign, using social media, television advertising, IT facilitated telephone lobbying as well as door-knocking, and rainbow-coloured posters and badges to reach voters. 'Equality' and 'love' were the key concepts. A4E claimed that at its peak there were '80 full-time campaigners and over 15,000 volunteers' working on the Yes campaign.<sup>lxxiv</sup> Support among academic institutions, regional, small and big business, faith organisations, unions, local councils, and medical and sport organisations, grew during the campaign period.<sup>lxxv</sup> The Victorian government pledged \$1 million to LGBTI support agencies to deal with the anticipated increased demand for mental health support services.<sup>lxxvi</sup> *SO* urges readers to talk to family and friends to ensure they vote.<sup>lxxvii</sup> *SO* editor Matthew Wade writes repeatedly of the 'hate and vitriol' of the No campaign.<sup>lxxviii</sup> ACON's one page flyer of tips for individuals to remain 'strong and resilient' during the campaign was distributed widely during the ballot period.<sup>lxxix</sup> The *SO* website includes image of rallies in Sydney and Brisbane in September, and in Melbourne in October.<sup>lxxx</sup>

On November 15<sup>th</sup> it was announced that 79.5% of Australians voted in the ballot; 61% in favour, 38% against.<sup>lxxxix</sup> A bill introduced by gay Liberal Senator Dean Smith followed shortly. When the bill passed finally passed both houses of parliament, with very little opposition, Prime Minister Turnbull declared 'This is Australia: fair, diverse, loving and filled with respect'. The crowded public gallery then lead the house in a rousing rendition of 'I am Australian', an unofficial Australian national anthem. In an impromptu group media conference at parliament house Alex Greenwich said 'love finally conquered'.<sup>lxxxii</sup> These were peak moments in the performance of the 'uncanny double' of LGBTI politics in Australia.-In an opinion piece in the *SO* in the aftermath of the campaign Rodney Croome writes critically of AME's and A4E's 'out-dated aristocratic governance model' and calls for a new accountable national LGBTI rights group and the democratisation of 'ownership of the networks, resources, and skills acquired during the marriage equality campaign'.<sup>lxxxiii</sup>

Over its fourteen years, as state, territory and federal parliaments passed legislation to remove legal discrimination against same sex couples, the marriage equality campaign moved to an increasingly singular focus on marriage. The campaign's eventual success in the parliament is a tale of liberal democratic methods in action – public opinion polls, private member's bills and parliamentary inquiries (23 bills and four Senate inquiries in total),<sup>lxxxiv</sup> and change within the mainstream political parties. Campaign methods became more professional, particularly after 2011, as sophisticated use of social media and advertising-style videos supplemented and supplanted public rallies and mock weddings as the main ways to demonstrate and shift public opinion. From 2016 the Equality Campaign, a well-resourced campaign machine enabled by paid staff and 'volunteers' (not 'activists'), epitomised this shift but the longer standing institutional infrastructure of the LGBTI movement – in NSW, the GLRL, ACON and the *S/SO*, and the range of old and new community activist groups, played a necessary and significant role over the longer period.

The ideas that animated the marriage equality campaign shifted over time. In the second half of the campaign the initial call for the liberal principle of equal rights was joined to the idea that marriage equality would be good for the economy and that marriage was good for the health of couples, a framework consistent with the alliance with the corporate sector and manifesting the neoliberal and homonormative impulse towards domesticated self-reliance.<sup>lxxxv</sup> 'Love' and 'Australia' joined 'Equality' to become central organising concepts during the 2017 postal ballot period. The neo-liberal LGBTI citizen produced by the narrow focus on marriage emerged fully formed – a consumer tied to the conservative institution of marriage in self-maximising obligation, and reconciled with the

nation as a place of fairness and love.<sup>lxxxvi</sup> Criticism of the campaign *per se* and division and contest within were aired only occasionally.

### **LGBTI Activism in Support of Asylum Seekers**

The first cases in Australia where refugee status was claimed on the basis of persecution because of sexual orientation were decided in 1994.<sup>lxxxvii</sup> Stereotyped assumptions informed decisions in the Refugee Review Tribunal (RRT) and in the Federal Court of Australia through the 1990s. Some claimants were denied refugee status on the basis that they could be discreet on return to their home country. 'Gay men and lesbians were outraged by such decisions'.<sup>lxxxviii</sup> In 2003 one such case, known as S395, came before the High Court. The majority judges ruled that LGBTI asylum seekers could not be sent home on the basis that discretion would make them safe.<sup>lxxxix</sup> The High Court decision came, however, at a time when the political climate in Australia was turning away from all asylum seekers. Legal academics Crock and Saul described the government's 2001 changes to asylum seeker policy as a growing fixation with 'strict border control – and keeping foreigners out – rather than pursuing legal and ethical obligations'.<sup>xc</sup>

In the period after S395 LGBTI concerns in the *SSO* focus on the increasing attacks on the credibility of claimants. In 2006 legal academic Jenni Millbank says that despite S395 'there has not been an increase in successful claimants'.<sup>xcj</sup> In 2006 and 2007 the *SSO* reports two Pakistani men, a Bangladeshi man and Egyptian Mohamed (Mike) Sarhan who had each received RRT decisions that accused them of 'faking homosexuality'. Sarhan had initially not disclosed his sexual identity and this then later went against his claim for asylum, a not uncommon sequence of events.<sup>xcii</sup> In 2011 the *SO* features a column from Gina Wilson from the Organisation Intersex International Australia raising the issues for intersex people seeking asylum.<sup>xciii</sup> In early 2013 a story reports that a Bangladeshi couple, the appellants in S395, were again returning to the RRT after a federal court magistrate had viewed photos of them having sex, not the first or only instance of this requirement.<sup>xciv</sup>

Despite these difficulties, LGBTI asylum seekers were being granted refugee status in Australia. In 2006 Millbank says that 'gay claims from Iran and Iraq are relatively successful' and in 2009 she says that 'between 20 to 30 per cent of cases are successful, which is a pretty good compared with the overall average'.<sup>xcv</sup> Personal success stories appear in the *SSO* in 2007, 2008 and 2010.<sup>xcvi</sup>

The supporters of LGBTI asylum seekers were various, among them their lawyers and refugee support groups. In 2004 the *SSO* features a full page article about an Adelaide gay man who visits a

young Middle Eastern man in the Baxter Immigration Detention Facility in regional SA. The article quotes Norman Radican from the AIDS Council of SA who has been providing support to gay men in Baxter and ongoing training and resourcing for staff. Radican called for the LGBTI community to 'get off our arses and start supporting our brothers in detention'.<sup>xcvii</sup> In 2007, the GLRL were developing training materials about sexuality for the RRT, using the Sarhan case 'as an example of getting it wrong'.<sup>xcviii</sup> The Greens federal spokespersons on refugees are quoted regularly in the *S/SO*. Among activist groups CAAH appear in the *S/SO* most frequently. In 2006 they organised an Easter Saturday protest at Villawood Detention Centre to raise awareness about LGBTI asylum seekers.<sup>xcix</sup> In 2007 they worked with the Amnesty GLBTI Network to hold a candlelight vigil on IDAHO day for LGBTI asylum seekers in detention and members gave evidence to the RRT in support of a Bangladeshi gay activist.<sup>c</sup> They celebrated Ali Humayun's release from detention in early 2008. They had been supporting him for over a year and co-convenor Rachel Evans declares 'Struggle works'.<sup>ci</sup> In 2008 their letter writing campaign to urge the government to support a UN Declaration calling for the international decriminalisation of homosexuality was successful.<sup>cii</sup> In 2010 they were setting up a fund to support gay and lesbian refugee applicants and a campaign to support them, especially those currently in detention. They invited community members to join them to visit detainees in Villawood in late May.<sup>ciii</sup> Later in 2010 CAAH protested at Sydney Airport to oppose the transfer of Sri Lankan Villawood detainee Leela Krishna to Melbourne, officially for his own safety. CAAH pointed out that his transfer undermined access to his network of LGBTI and refugee community supporters.<sup>civ</sup> CAAH co-convenor and Metropolitan Community Church pastor Karl Hand was quoted in 2013 saying that LGBTI media was being withheld from detainees at Villawood.<sup>cv</sup>

In July 2013, in the lead up to the election and just before announcing his new found support for marriage equality, Prime Minister Rudd announced the Regional Resettlement Arrangement, a major change in asylum seeker policy. This development brought about a significant shift in the focus of activist support for LGBTI asylum seekers. All future asylum seekers who arrived in Australia by boat would be sent to offshore detention centres on Manus Island in Papua New Guinea if single men, or to Nauru if women or in family groups, for processing and resettlement.<sup>cvi</sup> These people would *never* be resettled in Australia but could be resettled in PNG or Nauru (or returned to their country of origin).<sup>cvi</sup> A front page story in the *SO* quotes journalist David Marr, Greens Senator Sarah Hanson-Young and Amnesty's Senthoran Raj expressing extreme concern that LGBTI asylum seekers would be sent to a country where homosexuality is criminalised. Raj said that 'Either they "come out" to make their refugee claim and risk punishment or they remain silent and are returned to their country of origin where they face persecution'. LGBTI advocates met with Foreign Minister Bob Carr

who assured them that the government would continue working with foreign governments to encourage them to decriminalise homosexuality but two weeks later Attorney-General Mark Dreyfus stated that no pressure would be applied on PNG.<sup>cxviii</sup> In July CAAH were part of the organisation of a rally at the Sydney Town Hall to protest what co-convenor Cat Rose described as ‘a humanitarian disaster in waiting’.<sup>cxix</sup>

In December 2013 the *SO* reports an Amnesty International report about Manus Island, where the asylum seeker population was now over 1000 men. Gay asylum seekers were being bullied by some fellow detainees and staff and threatened with being reported to local police. Distribution of condoms was prohibited. Gay men were being forced to hide their identity ‘including altering their asylum bids to remove any claims of sexuality persecution so as not to come to the attention of PNG authorities’.<sup>cx</sup> In January 2014 the *SO* marks Australia Day with a double page spread on asylum seekers. Minister for Immigration Scott Morrison’s failure to respond to an email from the *SO* is noted, a brief ALP response defends the party’s support for the government’s policy. Greens leader Christine Milne notes that the indefinite detention on Manus sentences the men to ‘a raft of mental health problems in the future’.<sup>cxvi</sup> Under the title ‘Intersecting LGBTI and Refugee Rights’ Senthorun Raj challenges the LGBTI community not to allow the focus on marriage to mean that asylum seekers are forgotten.<sup>cxvii</sup> Dennis Altman writes ‘It is time for our movement to make thinking beyond our borders central’.<sup>cxviii</sup>

In September 2014 a two page *SO* article gives a comprehensive account of the history of LGBTI asylum seekers in Australia which concludes with a call from CAAH’s Cat Rose for more LGBTI community members to show support to asylum seekers.<sup>cxix</sup> The November magazine includes a feature about a gay activist from Cameroon who sought asylum in Australia after the July International AIDS conference in Melbourne. It calls for financial and housing assistance for him.<sup>cxv</sup> A feature on racism in the LGBTI community in 2016 includes a statement from Raj who comments on asylum seekers and anti-Muslim views among the LGBTI community.<sup>cxvi</sup> Among the brief items on the news page of the April 2016 issue Australian Human Rights Commissioner Gillian Triggs, who is pictured, calls for LGBTI Australians to do more to support ‘rainbow refugees’. Another item reports a ‘viral online video’ of a Mardi Gras parade official yelling at the No Pride in Detention (NPID) group. ‘Mardi Gras officials said they had been asked by NSW Police to curb NPID’s alleged harassment of [ALP leader Bill Shorten and] the Rainbow Labor float’.<sup>cxvii</sup> The last edition of the *SO* for 2017 reports the formation of an NPID group in Melbourne following the Sydney group which had been participating in Mardi Gras ‘for some years’. Among approximately 600 men for whom ‘every day is a

fight for survival' there are '30 – 40 gay and bisexual asylum seekers on Manus'. NPID member Geraldine Fela wished that the energy levels of the marriage equality campaign could be focused on asylum seekers. Accompanying photos show approximately 60 activists in a NPID photo action staged in front of the Victorian state library.<sup>cxviii</sup> In the first issue of *SO* for 2018 the post-marriage equality 'Agenda' for the year includes 'Asylum Seekers' as the number two issue in a list of seven.<sup>cxix</sup>

This narrative of LGBTI activist support for people seeking asylum in Australia details the actions of loosely connected individual academics, activists, Greens politicians, and refugee and LGBTI focused organisations rather than a sustained campaign. This activism is as much part of the broader refugee support movement as it is part of the LGBTI movement. As with the marriage equality campaign, the *S/SO* gives voice to this activism. The narrative here, of LGBTI community awareness raising, protest rallies, direct action, presence in LGBTI events and support for individual asylum seekers, tells of action taken predominantly outside the formal parliamentary possibilities of liberal democracy. Activists and advocates speak through discourses of human rights, intersectionality and internationalism. Calls to the Australian LGBTI community to do more for asylum seekers are a constant refrain over the fourteen years.

This brief account of support for LGBTI asylum seekers is drawn from a very small number of news report and articles in the *S/SO* from 2004 until early 2018. In most years there were one, two or three items. This may reflect the relatively small amount of activist time and energy devoted to this issue. There were six *S/SO* front page stories on asylum seekers over the fourteen year period. The small amount of attention in the *S/SO* makes this activism marginal to the main concerns of the *S/SO* and, arguably, to the broader LGBTI movement in Australia. There were 139 *S/SO* front page stories about relationship recognition and marriage in the same period. Marriage and relationships issues were thus over twenty times more likely than asylum seeker stories to appear on the front page.

### **Major and Minor LGBTI politics**

At the same time as the achievement of marriage equality has expanded the boundaries of the legitimate the impermeability of these borders has been reinforced.<sup>cxx</sup> The juxtaposition of the two strands of the LGBTI movement in this article maps an ostensibly liberal democratic space *inside* which marriage equality has been achieved. The asylum seekers are not only literally *outside* Australia because the government continues to flout its moral and legal responsibilities. They are also excluded discursively when the marriage campaign endorses a nationalist discourse of Australia

as a respectful, fair and loving nation, and when it is unable to hear or take up the claims of asylum seekers. They are excluded by the logic of the inside that proposes, for example, that mental health can be secured by marriage and self-care. The juxtaposition of the histories of the two strands of the movement makes connections that are not apparent when they are considered separately, although the LGBTI activists who support asylum seekers work continually to bring these connections to public attention. The coincidence of Prime Minister Rudd's support for marriage equality as he campaigned for the 2013 election and his move away from justice for asylum seekers, with particularly dangerous consequences for gay asylum seekers, reveals much about the 'homonational' contours of the mainstream politics of sexuality in twenty-first century Australia.<sup>cxxi</sup>

The activism in support of LGBTI asylum seekers is a 'minor' discourse because its intersectional and internationalist analyses, which repeatedly make connections and illustrate the overlap between asylum seekers and LGBTI people, have the effect of deterritorialising the apparent stability of the allegedly newly equal place of LGBTI people in Australia. The connections made by intersectional analyses create new horizons for LGBTI political activism. The re-purposing of the LGBTI concept of 'pride' in 'No Pride in Detention', and the creative chaos that the LGBTI supporters of asylum seekers caused at Mardi Gras in 2018 and in 2016, have the potential to unsettle the 'majoritarian discursive claims' of the LGBTI movement in general.

The quantitative predominance of the marriage issue in the *S/SO* since 2004 testifies to its saturation of the space of LGBTI politics since that time. The increasingly limited vision of the dominant narrative of the campaign for marriage equality makes it 'major', especially if marriage is understood as a conservative institution and its promotion excludes other forms of relationships.<sup>cxxii</sup> The mainstream marriage equality movement's narrow version of rights and equality, its consequent convergence with neoliberal ideology and the interests of corporations, and with the celebration of the nation, qualify it as major discourse. The marriage equality movement's alleged capture by an undemocratically organised campaign makes it a major discourse.

This characterisation of LGBTI politics is limited by reliance on a single source whose journalistic accuracy is thus not tested. Other sources, including other LGBTI community publications and the broad left media, will add critical voices to historical accounts, dissipate the focus on Sydney and may facilitate more nuanced accounts of community conflict and difference.<sup>cxxiii</sup> The small signs of disunity in the marriage equality campaign and the criticisms of it apparent in the *S/SO*, however, already open the historical narrative to consideration of 'potential "lines of flight"'.<sup>cxxiv</sup> Some activist

organisations and individuals were involved in both marriage equality and asylum seeker politics, the two are not necessarily mutually exclusive, although while many LGBTI asylum seeker activists are marriage equality supporters the reverse is not apparent in the *S/SO* reports. Future oral history projects will deepen analysis of the subjective experience of both strands of politics, and offer insight into action behind the scenes; I urge those who will conduct such research with marriage activists to reflect on the argument in this article. The risk of a reductive or universalising account of the marriage equality campaign needs to be offset with a more complex history. The risk that LGBTI activism in support of asylum seekers will be left out of the historical record needs to be offset with a sustained attention to the history of this marginal movement. The analysis of significant political difference in the LGBTI movement that this article offers suggests a potential conceptual framework for future accounts of twenty-first century LGBTI politics in Australia.

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<sup>xiii</sup> Olivier, 3

<sup>xiv</sup> Stringer, 157.

<sup>xv</sup> Olivier, 8

<sup>xvi</sup> *Ibid.*, 8-9

<sup>xvii</sup> Parr in Olivier, 6.

<sup>xviii</sup> Olivier, 18, 16, 17.

<sup>xix</sup> Dreher, 177.



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