A South Australian Case For Marriage Equality

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With the High Court handing down its decision on the postal plebiscite, it looks like we’re going to have to participate in this survey, voting on LGBTI people’s relationships, whether we like it or not. Since we’ve already lost the fight on a voluntary and non-binding survey, the only way forward is to make another case: for marriage equality.

To start with, let’s talk about South Australia and its place in the civil rights movement.

South Australia has been on the bleeding edge of civil rights since its inception. We were among the first places in the country to give aboriginal men the vote in 1858. We all know, of course, that we were the first place in the world to give women the vote – and this included aboriginal women. Federation, of course, stripped all aboriginal men and women of the vote – and we didn’t see those rights returned until 1967. What you may not know is that South Australia was the first state to decriminalise homosexuality in 1975. Even more interesting is the fact that South Australia held the first Pride March in the country, in 1973, five years before Sydney’s Mardi Gras. Both of our leaps forward in queer rights are a direct result of the murder of respected lecturer George Duncan in 1972.

That South Australia is, and should continue to be a state that values equality and civil rights may not be enough to sway you to vote yes. We may have changed too much. We may no longer be that place. But voting yes is important, not least because there a South Australians – queer South Australians – who are already getting married.

ALEX DUNKIN is a writer, academic and reviewer, who, on the day the postal survey was announced, shared a homophobic letter from his great uncle – a response to ALEX’s marriage announcement.

**ALEX:** Yes. So the letter is a few years old, but it was in response to myself and my husband announcing we were engaged, and then on in response to us getting married.

**Mark:** *Tells us the story of how you got the letter.*

**A:** So, the first one was just a general one my parents sent out, so, they would always write letters to him because he couldn’t use a computer. It was just a usual update, so my kids are doing this, this and this, and the news of that time was that I was engage. So, he responded to my parents, encouraging them to tell me to… move away from that path, the dangerous path where there was going to be moral corruption, and I should follow my brother and sister down the righteous path.

**M:** *Yeah, that you might not find happiness*.

**A:** Yep.

**M:** *In a homosexual relationship.*

**A:** Yep. And that it was unnatural.

**M:** *How did you find out about the letter?*

**A:** My parents showed me.

**M:** *Your parents showed you.*

**A:** There had been a few. As he got older the letters had been more anti-gay. Most of them we got rid of, because there was no point holding onto them, but these ones were a direct response to important times in my life, so…

**M:** *And how did they make you feel?*

**A:** I think… I was fine with it. Because I knew his progression over the time, he was slowly becoming more vocal in his homophobia and religiousness. So I was sort of safe. There was a barrier, as well, of my parents and my husband so I was supported the entire time.

**M:** *Was it something you were expecting?*

**A:** In response to the wedding invite? Yes. It was a bit strange to send it out, originally, but growing up he was like a grandfather to me. I was closer to him than my actual grandfather on that side of the family. So, when it came to inviting people who are important in our lives, obviously I was going to invite him. I didn’t want to go the opposite way and say “No, your views don’t line up.”

ALEX shared his great uncle’s letter in response to the postal survey’s announcement – to show what Prime Minster Malcolm Turnbull’s “respectful debate” looks like. Working as part of the Pride and Prejudice team, this “respectful debate” on queer relationships has been unsurprising. ALEX DUNKIN had much the same experience. When I asked if he was surprised, he had this to say:

**ALEX:** Nup. I used to be a journalist, the main Adelaide based one for what was Blaze at the time. I saw it on a daily basis, reporting on it. We’d even get the media releases from people like the Australian Christian Lobby, what’s the other one? I keep forgetting their names because they all seem to be the one organisation or one group of people – but within that there were these sorts of messages. They weren’t as blunt as the graffiti, but they were all out there, still. So I was copping them on a daily basis, so it’s just a matter of time.

I spoke to ROSALIE, a small business owner and once-contributor to Pride and Prejudice, whether or not she was surprised by the posters;

**Mark:** *Have you be surprised by, let’s say the posters or any of the right wing response to the postal survey?*

**ROSALIE:** No, because I’ve had individuals say those things to me so it doesn’t surprise me that people would say those things almost anonymously. That’s a little bit worse but not that much worse than what people were willing to say to your face. Like, I’ve had someone say – I’ve had someone pass on the message to me saying “Sorry, you can no longer work for this organisation, we don’t believe that we can keep children safe around you. Once you’ve had that kind of thing said to you, it’s like, yeah, anything goes.

We’ll return to ROSALIE a little bit later.

This is the experience of most queer people when it comes to “respectful debate”. You may have been exposed to the now infamous “Stop The Fags” poster, which channel ten was accused of faking. I spoke to Buzzfeed reporter LANE SAINTY, who has been covering the plebiscite since it was conceived, about whether or not she thinks this is a respectful debate:

**LANE:** No. I don’t at all. I think that any government minister who says that it is going to – sorry, not just any government minister, any *person* who says that the debate on this will be broadly respectful is either… either completely misunderstands the scope of this debate or is lying. I just think that that is the case.

Touching on the offensive posters, I erroneously assumed that channel ten’s misstep discredited the existence of such posters, however LANE SAINTY continued;

**LANE:** I just wanna say that the poster itself, it hasn’t quite been proven that it was faked by Ten News. What was faked by Ten News is that they took the picture of the poster and superimposed it onto a billboard at a bus stop, to imply that it had been up at bus stops, and that is not what happened. As for the original poster it’s still – you know, my colleague, Josh Taylor has done some really great work in trying to verify it. I would say that at this time, the poster is unconfirmed. I think there’s a lot of questions around it, but I don’t think it was faked, or, sorry, I don’t think it has yet been proven that it’s been faked. So going back to the question; no, I wasn’t surprised at all to see these posters or to hear about the existence of these posters. I mean, Josh and I did a story yesterday about more posters that went up in Melbourne over the weekend. We did verify these ones and they were - I would say we actually chose to blur them, because we didn’t see that there was any public benefit in spreading the false messages on them. I think the really really important thing to point out about these posters is that the No campaign, and even people on the Yes campaign have been going out and saying these are really fringe. These are really extreme. These are not part of the debate. And, to an extent, that is correct. They’re largely, so far, being circulated by really extreme neo-Nazis in some cases, like supremacist, racist groups, and these groups have incredibly extreme views when it comes to… Sorry, what I’m trying to say is that the groups that they’ve been circulated by are certainly extreme, but the messages on the posters themselves are actually not as far outside of the mainstream discourse about same-sex marriage and same-sex parenting as we all like to pretend that they are. I mean, the poster, the Channel Ten one, the one that is unconfirmed, it said “Stop the Fags” right? And the word “fags”, you won’t hear the Australian Christian Lobby or Marriage Alliance going out and using the word “fag”. But when you think about what was actually said, actually on the poster, you know the picture of the menacing rainbow belts, and the research it references, that research has been cited by both of those groups. And on the Marriage Alliance website, it says that same-sex parents raising kids is tantamount to child abuse. I mean, they distributed a picture last year of a woman hanging herself with a rainbow noose in an office. And to act as though that imagery and that research is completely disconnected from the No campaign is a totally myth. And I think we need to be really careful and really clear about where… about what we are giving people a free pass on saying. I mean, it’s not just that they say fags that is the bad part. And it’s not – they’re not actually as disconnected as everyone likes to pretend that they are.

**M:** *You touched on it. So why is the discussion being centred on things that aren’t marriage?*

**L:** Well, I think that is because… Look. I don’t necessarily hold the view, or think it is a good view to say that there are no good reasons against same-sex marriage, or there are no non-homophobic reasons against same-sex marriage. So I think that those reasons do exist. As to why the no campaign is not choosing to employ them, I think it’s because they are perhaps ineffective. Their logical end point is easily disputable, and so, therefore, they’ve resorted to a lot of arguments about things that for whatever reason inspire fear in people. I mean a lot of people do not full understand transgender identities and transgender rights, which is deeply hurtful and unfair to transgender people. But the “No” campaign are aware of that widespread ignorance and so kind of raise the spectre of these rights as if they’re something that is going to affect the majority of Australians an=d their children. Another huge thing they’re bringing up is religious freedom. The idea that same-sex marriage will pass and it will change a whole lot of other laws, and that one is I think a quite difficult one for the “Yes” campaign to argue against. Partly because it is really legally complicated. I mean, you need to have a really comprehensive understanding how the marriage act interacts with the sex discrimination act, and what the current provisions in those acts are, and then also, to an extent how various acts influence the Australian curriculum and all sorts of things when it comes to the exceptions that religious bodies have. It’s extremely complicated and it’s actually really really hard to kind of get into the weeds of this debate and to lay out why what someone is saying is partially true or not true at all or true if you take a certain worldview about who should have the right to discriminate against other people. So I think, you know, broadly speaking it is to do with this fear that is able to be whipped up by these arguments, and the fact that the arguments people might make that are purely related to marriage are not as scary and are not as, perhaps easier to argue against.

JOSH TAYLOR continued reporting on these posters and has since found more evidence of the poster’s existence.

Given LANE SAINTY has been reporting on the plebiscite, tirelessly, since the beginning, she was able to inform me of the full process of the plebiscite;

**Mark:** *You’ve been reporting on the plebiscite for years. We thought it was dead, what changed?*

**Lane**: Well, I suppose the issue just didn’t go away for the government. They were forced to revisit it is the short version. So, a few weeks ago the clamour around same-sex marriage was reaching a really high rate, it was at fever pitch and the government were forced to revisit the plebiscite policy, largely because of the push from certain moderate memebrs of the government who wanted the party to move to a free vote. So they had another emergency party room meeting after things kind of reached a head in the media to revisit the plebiscite policy and they decided that they weren’t going to let go of the plebiscite policy. They tried one more time to get it through the senate, this compulsory attendance version of the plebiscite. The senate once again voted it down, they said no, we opposed this last year, we’re still opposing it now and so then they moved to what we have now, which is a postal survey on the issue, run by the Australian Bureau of Statistics. And the government doesn’t need to pass legislation to hold this postal survey, or at least the government says they don’t need legislation, it is the subject of a court challenge\*. But that’s how we got to where we are with the postal survey.

**M**: *So assuming that we go ahead with the survey, assuming that the high court challenges fail, what happens if we get a “Yes”?*

**L**: If we get a yes, the government will basically allow their members to have a conscience vote on a private member’s bill for same-sex marriage. So this doesn’t actually meant an automatic yes vote “oh great, same-sex marriage is legal now”. That is not what will happen. So if it’s a yes vote, the government will allow a vote on a bill. It’s really likely that that bill will pass the parliament, if everybody – including the government and Labor and crossbenchers – all have a conscience vote. It’s not guaranteed, though. The government keeps saying, you know, trust us, it will definitely happen. Malcolm Turnbull’s favourite phrase is “it will sail through the parliament”. And you know I think it likely will, it is just not guaranteed.

**M**: *And what would happen if, god forbid, we got a “No” vote?*

**L:** If we get a “No” vote, then the government won’t do anything. The government won’t allow a same-sex marriage bill to come forward in parliament, they’ll just continue blocking any kind of private member’s or opposition efforts to get a bill up. And I suppose we keep on talking about this until the next election.

**M:** *So what has been the response to the plebiscite on both sides, both the “Yes” and the “No”?*

**L:**Well, they’ve been very different, and I think the readon for that is that both sides kind of have intrinsically different attitudes to postal surveys or the plebiscite or a public vote. I’ll just call it the survey, but speaking generally, in terms of a national vote on this issue: the “Yes” campaign is very opposed to, generally speaking, to the notion of having a national say on this issue. They think [this], for a number of different reasons to do with fundamental beliefs about voting on human rights, to do with representative democracy, to do with – in some other examples – to do with the cost, the fact that it’s non-binding. So they are kind of approaching this postal survey with the attitude of “we hate this, we don’t wanna be partaking in this process at all, we think it’s wrong, but it is what we have, and we have to deal with it.” And part of that is the reason why there’s a High Court challenge against the postal survey. So that is, in some way, the “Yes” campaign saying “we’re still going to try and stop this national survey, but if we can’t, we need to be prepared for it anyway.” Whereas the “No” campaign has long been a proponent of a national vote or a national survey, or everyone having a say on same-sex marriage for a number of reasons. There are a number of reasons for that. I think they may deny this, but I think it is said this is on of the biggest ones, is they see it as a last ditch effort to turn the countrya round, a way to delay reform, and the no campaign also know that they can efficiently muddy the waters with talk about the Safe Schools coalition, with talk about transgender rights, and their capacity to do that in a national campaign is much more than their capacity to do that when they are pitching, specifically, to politicians who are perhaps a bit more practised at seeing through varied spin and arguments of lobby groups. So these are kind of the two attitutdes that each side has to the postal survey. Beyond that they’ve both kind of embarked on fairly standard national campaigns. A lot of it is happening online at the moment, we’re seeing the creation of a lot of new websites and facebook pages, and, you know, there was the huge enrolement drive, so yeah, I thinkg it’ll be really interesting over the next coming weeks to see how those campaigns unfold.

In the lead up to the postal survey, it seems a cruel irony that R U OK Day will coincide with some receiving their postal votes. The mental well being of queer people has been largely ignored in the debate on same-sex marriage. Turnbull’s response to negativity was to tell people who were friends with queer people – who are largely the target in this hurtful debate:

"If you have friends who are really distressed by this sort of language, stand up for them, put your arms around them.

"This is a time to put your arms around them and give them your love and support."

This is largely too little too late for small business owner, ROSALIE, who had this response to the postal plebiscite announcement:

**Mark:** *Going into the discussion about the plebiscite now: how has you circle, your friends, your family responded to the plebiscite?*

**Rosalie:** It’s been really interesting. It was pretty depressing for a few days. I feel like it happened really quickly, like there wasn’t much of a lea up and I didn’t have a time to emotionally stel myself for that. So I was just almost shocked when that all happened. Obviously facebook is just awash with plebiscite plebiscite plebiscite, or postal survey, which isn’t as catchy. And it’s been a bit hard because I think my family, while they’re really supportive of us, personally, because I have two queer siblings as well as myself, so my parents have had a lot of practise of being supportive of us as indiviudals. And probably still frame it from a very conservative view points, so they’re still kind of saying “Oh, but the postal survey’s a good idea,” because it’s a big issue and Australians should have a right to express their opinion on that. So it’s a bit hard for me to constantly be trying to explain ‘but this is hurtful to us and this is not even the way we do law in Australia’. So that’s been really frustrating. I’ve been really lucky that my current church is so supportive and our minister got up the week after and basically preached a whole sermon basically saying sorry on behalf of the church that it even had to happen and that hurtful things were gonna be said and it was really beautiful. I think for a lot of my queer friends who are very into activism it’s been so frustrating for them that people have, at first as well, were saying very negative things. Like saying eff marriage anyway and that was kind of a little bit hurtful because I was like “but I’m married” and it’s important to me and like I know it’s not important to you because you’re like a really staunch feminist but it’s hurtful, even if it’s not about marriage, it’s hurtful whenever queer politics are… or whenever queerness is politicised

ALEX DUNKIN had a more positive experience with his circle of friends;

**Alex:** I’ve had a couple friends just email out of the blue just to check up, which, uh, yeah, warm feelings for that. It’s quite nice to know that they’re not just going to vote yes if it goes through, but they’re actually making sure I’m okay, their other queer friends are okay. My family, just when I talk to them, they all just say they’ll vote yes. All supportive.

To return to ROSALIE, however; she is another person I spoke to who is already in a gay marriage, who would be directly affected as a result of marriage equality. Her marriage to her wife is precisely what we’ll be voting on in the coming month and a half. I asked her about her wedding

**Mark:** *I’m here in the studio with ROSALIE, a small business owner who is already married to their wonderful partner. Tell us about the wedding.*

**Rosalie**: Yes, so we got married in a little country town in New Zealand called Martinborough in a tiny, tiny idyllic looking church, with about thirty people there. So we just had our closest friends and our immediate family. It was just… the perfect day. It was the happiest that both of us had ever felt. Kylie’s the kind of person who can’t make her mind up about anything, and she said to me, just the other day, she was like, that was the only day in my life that I’ve just been sure about, so it’s the only decision that’s been completely sure about. And yeah, it was just – you hear about wedding days being really stressful, and worrying about stuff, and it just wasn’t like that at all. It didn’t matter, like any little dramas or little worries that we’d had the day before just weren’t there at all. We got to have, basically, the wedding of our dreams with very little stress or worry.

ROSALIE’s response to my questions was very thoughtful and restrained; she was glad to gush about her loving relationship to her wife of two years, but was a little more hesitant to be negative.

**Mark:** *How was your family’s response to the wedding? Very supportive, it sounds.*

**Rosalie:** Yeah, I think so. I think Kylie’s parents were just over the moon. Kylie’s parents were just crying and hugging me and saying welcome to the family, possum, because that’s what she calls me, and then then my parents had probably had like a harder time in the lead up to the wedding, kind of getting their heads around it but in the end were so supportive. Mum and dad walked me down the aisle, dad preached a sermon at the wedding and, yeah, it was just really… everyone in the family were involved, so if it was a bible reading or running the music desk or doing something like that, everyone did something.

**M:** *Were you expecting the family response that you got? Was there any worry that there’d be negativity involved?*

**R:** Yeah, I was really worried, because, both my parents were pretty, like, traditional Christians, and didn’t agree with homosexuality or gay marriage. But they ended up, yeah, they ended up coming on board, but in the lead up, I was… I was probably surprised by their response. So when I had first kind of decided… you know, Kylie and I decided that we wanna get married I called my dad because I was like, he’s not gonna have like a really negative reaction to my face, and then he can break the news to my mum and it’s going to be like, this terrible thing and like everyone’s gonna be really upset. And then I rang my dad up and was just like “Oh, we’re happy for you, that’s really good, I want all of my children to be happy.” I knew it wasn’t 100% genuine, but he was trying to say the words before he even quite believed them himself, because I think, for him, the relationship was more important so even if he wasn’t 100% there, he was going to make sure our relationship didn’t get damaged.

**M:** *This may seem* very *obvious, but why did you decide to go through with the ceremony?*

**R:** I thought about that a lot, because I was studying Women’s Studies at uni and you know, you talk about marriage with all these other feminists and kind of be like this is this awful patriarchal institution. But then I also thought it’s part of the tradition I grew up in and I grew up in the church and in my faith a wedding is more than just a big party or more than just a romantic kind of symbol, it’s a kind of a spiritual thing. And so, in the same way that you can get baptised in front of a community, and that your community promises to like help you with your faith, a wedding is a chance to have a ceremony in your faith community and your family in which they promise to support you and your relationship. And I just though the spiritual side of it was important enough to me that I could put aside, kinda some of the societal negativity that I felt around weddings and marriage.

**M:** *And then, more specifically, why did you go to New Zealand to do it?*

R: Ummm… because it was legal. But we didn’t – I wasn’t 100% on board with that because a lot of me kind of says “screw the government.” I don’t really care if the government says it’s a marriage, and probably because I think it’s such a faith based thing for me. I was kind of, like, well the government doesn’t have a say. I don’t care that much if we’re legally married. In this situation, I wanna be married in the eyes of God and in the eyes of my family, and we could have probably done that in Australia. It’s technically illegal, but no-one’s ever been prosecuted, so we could’ve like had a ceremony and called it a wedding and stuff in Australia but it would’ve been a lot harder for us to have a church wedding. Because in the Uniting Church, which I was a par of at the time, ministers aren’t allowed to say this is a wedding. They have to really clearly say this is not a wedding, this is a commitment ceremony. Which wouldn’t have probably felt the same. And we were able to find this wonderful minister in Wellington who was so on board and so excited that this was his first lesbian wedding. He’d married gay men before but he was just – and he had all these connections with Adelaide, like his son had studied at Adelaide uni, and he was just *so* welcoming and excited about it, and we could call it a wedding and we could get married in a church and there was no problems. So yeah, New Zealand seemed like a good choice. And who doesn’t want a destination wedding?

**M:** *What do you think legal marriage will bring to you and you partner?*

**R:** I think it’ll feel nice to not be discriminated against. That would be, like, a big thing. There’s been a lot of times when we’ve felt really awkward and embarrassed about saying “Hi, this is my wife, Kylie,” or “we’re married” because sometimes you get all sort of people like “Oh, I didn’t know that was legal.” And you have to have this, a whole kind of conversation. Or people think you’re kind of joking and you’re like “No, this is a real thing.” A lot of that is probably just our own perception, like a lot of that doesn’t actually happen, but, it would be nice when it’s just socially accepted and everything. It would save on awkward social occasions. I think there will be some legal stuff that will be a bit easier. I don’t have my head around everything, because we’re lucky in Australia because our de-facto laws are pretty good. But I know there’s a few things – like with your super, it’s not guaranteed, so if I died, it’s not guaranteed that my super would go to Kylie.

This is the case for marriage equality; real relationships that are already called marriages elsewhere. That South Australians should continue to be the forward thinking state it has always been. To defang the hate that queer people are already facing. [We’ll end on a song – by Cub Sport. The band’s lead singers are engaged, and their highly publicised relationship, and now their music, is going to be inexorably linked to this postal survey.]\*\* It should be obvious, by the way, the one argument I didn’t state explicitly. A yes vote is a vote for love.

[End transcript]

\*The interview with LANE SAINTY took place before the High Court ruled on the legality of the postal survey

\*\*This material has been excised for copyright reasons. The track mentioned on broadcast, was Cub Sport’s ‘O Lord’.