

# **The Road to Rainbow Liberation**

**Marriage, Sex & Gender Rights  
Today**

**Farida Iqbal & others**

# Contents

<b>1. The Human Cost of Prejudice</b> .....	<b>3</b>
Campaigning for Queer Refugees <i>by Farida Iqbal</i> .....	3
Homophobia Kills Young People <i>by Paola Harvey</i> .....	6
Churches Still Free to Discriminate <i>by Karl Hand</i> .....	9
<b>2. The Marriage Ban</b> .....	<b>12</b>
How the ‘Marriage Ban’ Is Used to Oppress <i>by Karl Hand</i> .....	12
We Can Win the Fight for Equal Marriage Rights <i>by Farida Iqbal</i> .....	15
Equal Marriage Campaign Gains Strength <i>by Adrienne Corradini</i> .....	18
Equal Marriage — It’s 2011, Let’s Get On With It <i>by Rachel Evans &amp; Karl Hand</i> .....	21
‘Marriage Equality & Nothing Less’ <i>An interview with Peter Tatchell</i> .....	24
<b>3. Sex and Gender Diverse People</b> .....	<b>29</b>
Transgender Hate Crimes Remembered <i>by Rachel Evans</i> .....	29
Historic Rally for ISGD People’s Rights <i>by Rachel Evans &amp; Tracie O’Keefe</i> .....	31
<b>4. The Struggle Within the Revolution</b> .....	<b>34</b>
The Truth About Queer Rights in Cuba <i>by Rachel Evans</i> .....	34
Venezuela’s Sexual Revolution Within the Revolution <i>An interview     with Ricardo Hung, Moises Rivera &amp; Marcel Quintana</i> .....	36
<b>What We Demand</b> <i>by Rachel Evans &amp; Karl Hand</i> .....	<b>40</b>

First published 2011; reprinted 2012

ISBN 978-1-876646-69-1

Published by Resistance Books, [resistancebooks.com](http://resistancebooks.com)

# 1. The Human Cost of Prejudice

## Campaigning for Queer Refugees

*By Farida Iqbal*

On September 23, activists from Community Action Against Homophobia (CAAH) and the NSW Queer Students Network visited lesbian, gay, bi-sexual, transgender and intersex refugees in Villawood detention centre. The LGBTI movement has been campaigning for years to free all refugees, and is particularly concerned about queer refugees.

Many LGBTI refugees have been bashed, tortured, sexually assaulted or imprisoned as punishment for their sexuality or gender identity. Seventy-seven countries carry legal penalties for homosexuality; some include the death penalty. Right-wing regimes, such as in Iraq and Afghanistan, are often particularly harsh in their treatment of LGBTI people.

LGBTI refugees often flee not only from government persecution, but also from their families and religious right-wing vigilantes. State repression encourages “grassroots” homophobia to flourish and LGBTI people cannot seek the assistance of the police when homosexuality, or transgenderism, are illegal.

In “Imagining otherness: refugee claims on the basis of sexuality in Canada and Australia”, from the April 2002 *Melbourne University Law Review*, Jenni Millbank examined 204 cases of refugees seeking asylum in Australia between 1994 and 2000 on the basis of homophobic persecution. Of these, 42 were lesbians, one was transsexual and the rest were gay men. These categories of “gay”, “lesbian” and “transsexual” are not hard and fast given the different conceptions of sexuality in various cultures, and that Millbank does not include data about bisexuals.

The Refugee Review Tribunal (RRT) has a record of treating queer refugees in a harsh and unrealistic manner, Millbank argued. Of the 204 cases examined, 26% of gay men were accepted and just 7% of lesbians. The RRT has rejected some LGBTI refugee claims on the basis that refugees fleeing homophobic persecution could be safe in their home country if they were discreet about their sexuality.

In 2004, the High Court overturned such an RRT ruling about a gay couple from Bangladesh, but that landmark decision has not resulted in a rise in successful sexuality-based refugee claims. The RRT continues to be as harsh as always, although for different reasons.

To seek asylum on the basis of homophobic persecution, refugees must prove in court that they are queer. This is an unreasonable expectation; it is not always something that can be easily proven, especially for lesbians. Being queer means different things in different cultures and RRT case managers often demonstrate a very Eurocentric understanding of what it means to be gay, lesbian, transgendered or bisexual.

One Iranian man's application was rejected on the grounds that "the Tribunal was surprised to observe such a comprehensive inability on the Applicant's part to identify any kind of emotion-stirring or dignity-arousing phenomena in the world around him". Examples of such "dignity-arousing phenomena", that the tribunal suggested the asylum seeker could have mentioned included Oscar Wilde, Alexander the Great, Andre Gide, Greco-Roman wrestling, Bette Midler or Madonna (WAAG v MIMIA, 2004. See <http://www.austlii.edu.au/au/other/HCATrans/2004/475.html>.)

The expectation that an Iranian gay man should cite such Western cultural references was absurd. Furthermore, closeted, traumatised people are often not "out and proud" in an intimidating legal setting.

Refugees sometimes hide their history of homophobic persecution and seek asylum on some other basis because they sense the homophobia in the system. The outcomes of LGBTI refugee cases tend to differ on the basis of their country of origin, despite the RRT's assertion that it judges claims on a case-by-case basis. Middle Eastern LGBTI refugees tend to have a higher success rate than Chinese LGBTI refugees.

The RRT makes decisions based on the general level of homophobic persecution in the applicant's country of origin, yet it has a history of relying on unreliable, over-generalised, anecdotal assertions about the circumstances of gays in particular countries.

If the Spartacus gay travel guide says a country has plenty of gay cruising areas, beaches and nightclubs, the RRT reasons that this means asylum claims from LGBTI people from those countries must be false. The tribunal has also used evidence of the freedom and status of gay men in a country to assess the claims of lesbian refugees, despite the often vast differences between the circumstances of gay men and lesbians.

Lesbian refugees tend to make less onshore claims than gay men. Globally, women are poorer than men and therefore find it more difficult to leave a country to make an onshore claim. The poor success rate of lesbian refugees is also a reflection of the Australian legal system's attitude toward women.

Homophobic violence against lesbian refugees has much in common with violence against women in general — it tends to occur in private rather than public and sexual assault is commonly used.

Millbank identified a RRT trend to dismiss the persecution of lesbians as “domestic” or “personal”. In one 1999 case, a lesbian from Bolivia had been sexually assaulted by men in her neighbourhood after a male relative had “outed” her “because he hoped that if they all insulted and attacked her, she would change”. The RRT decided that this persecution was “a purely private matter and not ... for reasons of the Applicant’s membership of a particular social group of homosexuals”. Rape and domestic violence are tacitly understood as “normal” by the Australian legal system.

Mandatory detention can be particularly isolating for queer refugees. Many find it impossible to meet other LGBTI people. There is no support service that caters specifically to the needs of LGBTI refugees, and religious groups’ support services often do not meet the needs of LGBTI clients.

Homophobic practices are common in detention centres. In one instance, a gay male couple in a long-term relationship was detained in separate compounds because Australian Correctional Management did not recognise their relationship.

Refugees who are refused asylum by the RRT are deported back to their country of origin, including to countries where they potentially face the death penalty for being homosexual.

There are several LGBTI refugees who are free today because the community stood up for them. But the LGBTI protest movement campaigns for rights for all refugees, not only queer refugees, because it sees the links between the Howard government’s oppression of both LGBTI people in general and all asylum seekers. ■

# Homophobia Kills Young People

*By Paola Harvey*

In a tragedy that occurs far too often, Tyler Clementi, an 18-year-old gay university student, committed suicide by jumping off a bridge in New Jersey on September 22. Clementi's roommate and another student had set up a web camera and live streamed him having sex with a man, outing him online.

In Clementi's case, the two students that caused him to feel his only way to escape his situation was death have been charged with invasion of privacy, which holds a maximum jail term of five years. But this is unusual with queer suicides.

In the past month in the US, three other young gay men have killed themselves. Two were 13 years old — all suffered intense bullying at school. Despite telling school administration about the abuse they were enduring, nothing was done to stop their tormentors.

Counterpunch.org reported on October 1 that, in the Anoka-Hennepin School District in Minnesota alone, four queer youths had committed suicide in the past year due to homophobic bullying.

Sexual diversity is not taught in the district and the bullying goes without punishment.

When asked to explain why, district spokesperson Mary Olsen said that because opinions about sexuality are diverse in the district, it was too sensitive an issue for teachers to intervene — teachers were asked to remain neutral.

To avoid offending homophobes, the boys were abandoned to physical and psychological assault.

There is no neutral ground here. Renowned Brazilian educator Paulo Freire summed it up when he said: "Washing one's hands of the conflict between the powerful and the powerless means to side with the powerful, not to be neutral."

In the Minnesota cases, no charges are expected to be laid. In one of them, police

said no crime had been committed.

These suicides are not an isolated event in the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. A 1998 study published in *Youth Studies Australia* found about 30% of all queer youth attempt suicide. Figures like this are astounding, but they're hardly surprising in a society that holds people's sexuality up for scorn and ridicule.

In Australia, the same-sex marriage ban legally classes LGBTI relationships as different and lesser, and the mainstream media habitually mocks people's sexuality. Phrases like "that's so gay" are used to express dislike, disdain and derision.

This is culturally accepted by sections of our society. It legitimises and reinforces the harassment and violence that leads so many young LGBTI people to attempt suicide like Clementi.

Intense social pressure puts queer youth at higher risk of mental illness. They have higher rates of depression, anxiety, self-harm and suicide. The discrimination queers face getting and keeping a job contributes to higher rates of homelessness.

Another reason the rate of homelessness is higher for LGBTI people, particularly young people, is because many young queers are kicked out of home after coming out.

School, supposedly a safe place for students, is the place queer youth are most likely to face abuse.

The 2005 Australian Writing Themselves In report found that 74% of the abuse LGBTI youth experience happens at school.

By instructing teachers to "be neutral", the Anoka-Hennepin school district spokesperson was in effect condoning this status quo — the status quo that killed four students in one year alone. Apparently, in Anoka-Hennepin school district, four gay youths being driven to suicide is less abhorrent than offending some homophobic thugs.

But the status quo is being challenged. In Australia, the equal marriage rights campaign has brought LGBTI issues into the spotlight. Support for marriage equality has swelled from 38% in 2004, according to an SBS News poll, to 60% in May 2009, according to a Galaxy poll.

This is the strength of a vibrant, public queer rights movement.

Although we are yet to win marriage equality, the campaign has had many wins that have advanced queer rights in Australia. Most recently, these include the passing of reforms in NSW that now permit same-sex couples to adopt, and Tasmanian legislation giving legal recognition to same-sex marriages performed in other countries.

These wins strike a blow against homophobia. They undermine the cultural legitimacy it has enjoyed for so long, and take us one step closer to a future where

LGBTI people are never in a position where they feel their only option is death.

By building an inclusive, democratic, vibrant movement, we can change the culture of homophobia that devalues LGBTI people. We are already changing it. ■

## About our contributors

**Farida Iqbal** lives in Margaret River, WA where she is involved in the campaign against coal and gas mining. She has just completed a doctoral thesis on violence against gay, lesbian, bisexual and transgender youth. She ran for the Socialist Alliance in the ACT seat of Fraser in the 2007 Federal elections.

**Paola Harvey** is a founding member of Equal Love Wollongong and belongs to the Wollongong Climate Action Network (WCAN). She stood for the Socialist Alliance in Keira in the March 2011 NSW elections.

**Karl Hand** is a Christian pastor in Metropolitan Community Church, an LGBTI rights activist, and is a member of Socialist Alliance. He is the pastor of CRAVE MCC ([www.cravemcc.com](http://www.cravemcc.com)).

**Adrienne Corradini** lives in Wollongong where she is a student at the university, a member of the Socialist Alliance, the organiser of the socialist youth group Resistance, and a refugee rights campaigner.

**Rachel Evans** is a longtime campaigner for marriage equality and is an activist in Community Action Against Homophobia. She is also a refugee rights activist. She stood for the Senate for the Socialist Alliance in the 2010 Federal elections.

**Tracie O'Keefe** is a clinical hypnotherapist, psychotherapist, counsellor, sexologist and trainer in Sydney. She is the clinical director of the Australian Health and Education Centre in Glebe where she runs the International Sex, Gender and Sexuality Clinic.



# Churches Still Free to Discriminate

*By Karl Hand*

Since 2004, a mass mobilisation of popular support for marriage equality for lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people has gained momentum, and now a possible victory is in sight.

But sadly, marriage equality would not mean an end to homophobia or transphobia in Australia.

Lurking behind Australia's marriage ban is an even more sinister injustice clothed in the language of religious tolerance.

Religious organisations have a blanket exemption from the anti-discrimination act, which means that no matter how many rights LGBTIQ people win, religious organisations are not legally bound to honour them.

There are several implications of this exemption, each of which is a significant example of oppression of LGBTIQ people.

## Religious schools can expel LGBTIQ kids

Statistics from Suicide Prevention Australia show that same-sex attracted individuals “attempt suicides at a rate of 3.5 to 14 times those of their heterosexual peers” and that one in five transgender people reported current suicidal feelings.

However, these are only conservative estimates.

Most people do not come out while they are still in high school, so it is reasonable to suspect that the vast majority of LGBTIQ teen suicide attempts, especially successful ones, are never recognised as LGBTIQ suicides — so they're not counted.

La Trobe University's 2010 Writing Themselves In 3 report has shown that the primary factor increasing the likelihood of LGBTIQ youth suicide is physical abuse,

and the second is verbal abuse.

It says: “Almost double the number of young people who had been verbally abused (40%), in comparison with those who had experienced no abuse, had thought of self harm (22%).

“Three times those who had been physically abused (62%), in comparison with those who reported no abuse, had thought of self harm.

“In comparison with those who reported no abuse, twice the number of young people who suffered verbal abuse, had attempted suicide and four and a half times the number of young people who had been physically assaulted, had attempted suicide.”

The religious exemptions give religious teachers and principles the right to severely endanger the lives of children and youth. If we want to keep our kids alive, we need to get rid of these unjust laws.

## Churches can discriminate against women

Have you ever wondered why the Catholic Church, and the Sydney Anglican diocese, which refuse women the right to be employed as bishops, priests or rectors, don't have a million anti-discrimination lawsuits on their hands? They're exempt!

On this issue, the churches often gain sympathy from compassionate people who do not want to persecute religious believers. If having all-male clergy is a doctrine of the faith, then wouldn't forcing religious bodies to ordain women as clergy be a form of persecution?

But that's a double standard. Imagine if a local McDonald's restaurant was allowed to discriminate because the manager personally believed God didn't intend women or black people to flip burgers!

## Religious charities & welfare groups can discriminate

Religious charities and welfare agencies can sack or refuse to hire not only LGBTIQ people, but people who have pre-marital sex, are divorced, or masturbate.

My mother works for Anglicare. It's lucky for her that she's 40 years' heterosexually married, because Anglicare is exempt from anti-discrimination and can fire her if they think she is a sinner.

But perhaps Anglicare workers are safer than it seems. David Marr recently quoted Sally McManus of the Australian Services Union in *The Age*, who said: “Anglicare has lots of lesbians, it's a bit like Don't Ask Don't Tell.”

Marr also asked the Anglican Bishop of Parramatta, Robert Forsyth, (who happens to agree that queer students should not be expelled) to specify who should be sacked.

The list included adulterers, the unmarried and unchaste, gay men and lesbians in

relationships and de factos. Single mothers were not to be “carte blanche” sacked, until they were given a chance to explain themselves, and divorcees were not normally at risk of losing their jobs.

His reason was that “immoral” workers “chill the fervor and the life of the organisation”.

In any case, if McManus is right and discrete sinners are indulged, then what Forsyth is really saying is that honest workers give him the chills.

## **Religious adoption agencies can refuse LGBTIQ parents**

Independent NSW MP Clover Moore reluctantly made this concession to allow her same-sex adoption bill to pass the Labor and Liberal-dominated state lower house in September.

But this is not okay, for many of the same reasons I have discussed above. Parliamentary democracy has clearly failed when human rights can become a bargaining chip.

If we win marriage equality, it will not be the end of the struggle.

We were never fighting because we wanted fairytale weddings in Disneyland. We have been fighting, and must continue to fight, for LGBTIQ rights because they are human rights.

The struggle to specifically overturn religious exemptions from anti-discrimination law is a struggle for workplace rights. The only people who are powerful enough to get these rights recognised by law are the working people of Australia — united against the homophobic ruling class.

That’s why we can’t give up this fight. ■

## 2. The Marriage Ban

### How the 'Marriage Ban' Is Used to Oppress

*By Karl Hand*

In 2010, Christina Perri's song *Jar of Hearts* became a hit and had everyone singing the words, "Who do you think you are, running round leaving scars, collecting your jar of hearts, tearing love apart?" The words are pretty shocking, but when you think about it, this is what the Australian Federal Government does with its 2004 ban on same-sex marriages, as well as many marriages between sex and gender diverse people.

Banning marriage tears apart people's relationships. We would never accept behavior like this from a human being. But for some reason our government, which is meant to be on our side and protect us, gets away with doing it! This hasn't always been the case. There is a history which explains how we ended up in this situation. In fact, throughout Australia's history, marriage has been used as a marker of privilege, a special right which is only given to certain groups, while others have been denied equal marriage rights.

In 2011, Tasmanian sociologist Rodney Croome wrote an article called "True and Good Citizens" in *Overland Journal* in which he outlines some of the history of Australian marriage bans. He also showed how throughout this historical process, the right to marry has been connected with the acceptance of such marginalized people as equal. In other words, marriage equality equals positive social change!

This is a brief summary of argument that Croome presented in his paper.

#### **Colonisation and convicts**

The British colony of Australia has had marriage bans in effect from day dot. In 1788, at the arrival of the first fleet, marriage was a privilege granted to individuals by the

government on an *ad hoc* basis. During this period of time, marriage became a rite of passage from convict life into the working class, and it was granted to the most industrious convicts.

In 1978, historian Marian Aveling chronicled the experiences of convict women in a paper called “She Only Married to Be Free” in *The Push from the Bush*. It shows how, in colonial Australia, women openly and publicly sought marriage in order to escape convict life. They married to find better employers, or financial freedom. They frequently colluded with men to create marriages of convenience for these specific purposes, and they talked about it openly.

When marriage is treated in this way, as a special privilege, it destroys the true purpose of a marriage: to find love, build a happy home and possibly even a family, and turns the institution into a commodity and a means of social control.

But this ban was also a great motive for social and political change. In 19th century Australia, the Australasian Anti-transportation League (AAL) took up the cause of marriage equality. They argued that convict transportation should be abolished, because of the dehumanizing effect it had on convicts, specifically on their ability to make contracts such as ‘matrimony’.

The victory of the AAL in 1852, and the arrival of the last convict ship, the *St. Vincent*, in 1853 spelled the end of the institution of convict transportation, and with it the marriage ban.

## Indigenous Australians

It would be almost a century until a marriage ban was imposed on the people of Australia. This was caused by the proliferation of racist ideologies in the 1930s. In fact, since the time of federation in 1901, a concern to maintain a “White Australia” had been growing.

The ability of indigenous people to get married in the mid twentieth century was often dependent on the whim of the state or territory in which they belonged. The Chief Protector of Queensland was absolutely opposed to inter-racial marriage because he believed that the aboriginal race was degenerate, and prone to alcoholism, sexual perversion and radical political beliefs.

In Western Australia, the policy was different. The Chief Protector of WA, A. O. Neville believed that Aboriginals and Europeans were both superior races, and forbade all indigenous marriages *except* inter-racial ones in order to promote mixing the two best races. So, the ability of aboriginal people to marry black or white people varied from state to state, and often, people had to travel to the right state in order to marry the person they wanted to marry!

In this period, because racial ideology used highly scientific language, racism was often presented as a socially progressive force. By contrast, it was often the clergy in rural missions who defended marriage equality on the belief that all races were equal before God. How times have changed!

In 1959, a young aboriginal woman named Gladys Namagu began to campaign for the right to marry her fiancé, Mick Daly: they popularly acclaimed as an “outback Romeo and Juliet”. Within a few months of this scandal, the laws were overturned, and Indigenous Australians were enabled to marry whoever they wanted.

Only eight years later in 1967, a national referendum resulted in an overwhelming 97% majority granting full citizenship and suffrage to indigenous people. Just as in the case of the emancipation of convict, the emancipation of indigenous Australians came after a vanguard movement for marriage equality!

One of the clearest lessons from the marriage ban on indigenous people is that these bans are used by the government in order to control privilege in our world. By legislating to make some people superior to others, the government can create classes of people who are not equal or fully human, and these classes can be exploited, blamed, abused at the government’s whim. Marriage equality therefore is one way of making sure that all people are treated equal within society.

## The current situation

What the history of Australian campaigns teaches us for the contemporary struggle for marriage rights is firstly that this campaign is a struggle not just for a piece of paper, but for full inclusion of minorities in society. It is also resistance against the kind of state social control which seeks to marginalize and victimize people who are different in order to uphold the *status quo* of an unjust system. Finally, it makes it clear that marriage rights are not an ‘optional extra’, but are a part and parcel of human rights – that no group of people is being treated equally until they are given complete freedom to build their family, relationships and home life in any way they choose, without discrimination based on their sex, sexuality or gender.

This all leads us to 2004 and the marriage ban on homosexual people, and on many sex and gender diverse people, which will be explored in the following articles. ■

# We Can Win the Fight for Equal Marriage Rights

*By Farida Iqbal*

In the lead-up to the 2004 federal election, legislation was passed against marriage rights for lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The 2004 marriage ban became the catalyst for the development of a powerful protest movement.

This movement has won a series of important victories. These include the repeal of 85 pieces of federal legislation discriminating against same-sex couples, but not the repeal of the discriminatory marriage ban. Recognition of civil unions has been won in the ACT, after a five-year struggle.

Same-sex adoption has recently passed the New South Wales lower house. Tasmania's lower house has just passed legislation recognising same-sex marriages and civil unions registered in other states and countries.

Home, the movement still has a lot of work to do. Transgender and intersex people are still denied basic human rights, let alone the right to marry. Further, the federal government — whoever it turns out to be — will be opposed to full marriage rights for LGBTI people.

It is for this reason that the movement for LGBTI rights began this year with a mission. We claimed 2010 as our national year of action and made LGBTI marriage an election issue.

Politicians would have liked to ignore it, but LGBTI marriage was something that the major parties kept getting questioned on.

Australians voted “neither of the above” for the two major parties and marriage equality was one of the issues that influenced this decision.

The Greens, the only party in parliament with a pro-equality stance, significantly increased their vote. In Melbourne, Adam Bandt won the Greens' first ever lower

house seat in a general election. Deeply homophobic Family First Senator Stephen Fielding is likely to lose his seat.

This election result puts increased pressure on the major parties to come out in support of marriage equality. The Labor candidate for Melbourne, Cath Bowtell, came out publicly against her party's position on marriage equality and addressed the August 14 equal love rally.

The Liberal candidate for Denison, Cameron Simpkins, also came out in support for queer marriage rights. Independent Andrew Wilkie, who ended up winning that seat, is a supporter of queer marriage.

Marriage equality supporters inside the major parties use the excuse that that if their MPs came out in support of queer marriage they would lose votes. However, more than 60% of society supports equal marriage rights.

Both parties, however, are cynically chasing the support of the Christian right.

Labor Party politicians who may privately support queer marriage, but refuse to come out against their party's opposition to it publicly, display a deep cynicism about the ability of ordinary people to be progressive.

For some Liberal and National Party politicians, their stubbornness is due to an irrational fixation on heterosexual procreation and the bizarre notion that "the survival of the species" depends on maintaining marriage as a heterosexual institution.

This is ironic, given the hammering that the government has given to refugees. One the one hand, they have told us that we have an aging population, our workforce is decreasing, and heterosexually married couples need to have more babies because the survival of the species is at stake.

Yet on the other hand, they tell us that we have an unsustainably high population and we can't keep taking in refugees.

Is our population unsustainable or are we under threat from extinction because we aren't breeding enough? They can't both be true. Both of these positions are in fact lies.

Wendy Francis, candidate of the Christian fundamentalist Family First, claimed that marriage equality is a form of child abuse because all children have a right to both a mother and a father. This is extraordinarily insensitive considering the deep pain that exists in our society due to widespread child abuse in heterosexual nuclear families.

Ultimately, this stubbornness from politicians indicates that anti-queer prejudice is not a superficial thing. It has deep roots in the structure of society itself.

In the 1970s, the queer historian John D'Emilio argued that queer people are scapegoated for the problems of capitalism. It is time for the movement to look at his arguments again in light of the current struggle around the right to marry. At a time



when queer people are being scapegoated not only for child abuse but also for the prospect of human extinction, D'Emilio's argument sounds increasingly compelling.

Politicians might be stubborn, but the protest movement is stubborn too. The election result is likely to further encourage this already strong movement. ■

# Equal Marriage Campaign Gains Strength

*By Adrienne Corradini*

Over the July 9-10 weekend, the New South Wales Labor conference failed to produce a motion in support of equal marriage rights. The conference instead voted to send the decision to the ALP national conference that is to be held in December.

This motion passed despite the fact that all other ALP state conferences have passed motions in support of reforming the law to grant equal marriage rights. It also came two weeks after New York legalised same-sex marriage on June 24.

NSW Labor general secretary Sam Dastiyari introduced the motion to the conference. The motion read: “The conference welcomes the removal of discrimination against same-sex couples in state and federal law. Conference notes the branches motions about same-sex marriage. Conference refers the issue of same sex marriage to national conference.”

It was seconded by openly lesbian MLC Penny Sharpe, who also said it was not the motion she personally wanted.

The equal marriage rights movement urges supporters of same-sex marriage in all political parties, including the ALP and the Liberal Party, to openly declare their support, despite the position of their political parties.

The open support of members of parliament plays an important role in the push for reform and also drives other members of such parties to change their views.

During the past year, many members of the Labor Party have declared their support for equal marriage rights, including MPs Tanya Plibersek, Anthony Albanese and union leader Paul Howes.

These declarations of support were largely due to the push of the equal marriage rights movement throughout 2010, reflected in the large numbers in attendance at

rallies and media stunts.

At the South Australian Labor conference in November, openly lesbian Senator Penny Wong seconded a strong motion of support for equal marriage. The motion also addressed the sex and gender diverse community.

It said the South Australian ALP called on “the ALP national conference ... to support the legal right of all adult couples in Australia to be married if they so choose, and for that marriage to be recognised and registered by law in Australia, regardless of the sexual orientation, or gender, of the parties to the marriage”.

Wong broke her silence on the issue, vowing to support equal marriage rights at the next ALP national conference.

Similar motions of support came out of other ALP state conferences. The Victorian ALP conference in May did not debate the issue of same-sex marriage because it did not have the numbers to form a quorum. But the branch has a standing motion of support for equal marriage.

NSW’s failure to support marriage equality is not in touch with the general Australian public, 75% of which expect same-sex marriage to be legalized, according to a recent Galaxy poll.

The same poll said 62% of Australians support marriage equality — the number among young people is 80%. Seventy-eight percent of Australians believe there should be a conscience vote on the issue.

More and more countries are legalising same-sex marriage, and the pressure must be kept on the Australian government to follow suit.

Prime Minister Julia Gillard has previously said that she does not support marriage equality and reiterated this earlier this month.

On July 7, Prime Minister Julia Gillard also told Sky News: “What the national conference does is it sets the platform, the aspirations for our political party. But always Labor caucus in government makes decisions on government policy.”

This implied she may ignore a national conference decision to change ALP same-sex marriage policy.

With Australians overwhelmingly in support of marriage equality and a looming national conference decision to overturn ALP policy on the issue possible, the Gillard government should recognise this shift in public sentiment.

If the aspirations of Gillard’s own political party and the clear support of the public are not enough to incite reform, then this highlights a shameful and dangerous situation for Australia’s democracy.

The next National Day of Action for equal marriage rights is on August 13, with rallies across the country.

Supporters are urged to take to the streets to continue to show their support. Rallies in August 2010 reached numbers of more than 2000 people in some cities.

At the South Australian ALP conference, Wong criticised the Greens, and in turn presumably others, for “shouting about” equal marriage, rather than advocating for change in different ways.

However, the reality is these rallies, and the open and public presence of supporters, have largely been responsible for the mounting pressure on the government to reform the Marriage Act.

Australian Marriage Equality national convener Alex Greenwich also encourages same-sex marriage supporters to “email, phone, and meet with our parliamentarians”.

There will also be a convergence on the national ALP conference on December 3, which aims to show Labor exactly what the public thinks on the issue.

There will be a rally and march outside the conference at midday and supporters of equal marriage rights from all over the country are urged to attend. ■

# Equal Marriage — It's 2011, Let's Get On With It

*By Rachel Evans & Karl Hand*

In the lead up to the ALP National Conference next month, marriage equality is shaping up to be the biggest test yet to Prime Minister Julia Gillard's leadership.

Gillard has moved from her position that she would override a pro-equality decision at the conference, to hinting she will allow Labor MPs a conscience vote.

However, she now also holds the dubious honour of being the only remaining Labor leader supporting the marriage ban.

Every current Labor state premier or state opposition leader supports an end to second-class citizenship for lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people.

The public pressure for equality is too great for the ALP to ignore.

Sydney City Council passed a motion supporting marriage equality on November 7. It will fly rainbow flags in the lead up to the December 3 marriage rally outside the ALP national conference.

Only a week after evicting "Occupy Sydney" activists from their Martin Place protest site, this move may reclaim some political credibility for independent mayor Clover Moore.

With so much popular support for equality, the ALP has had to scrape the barrel for arguments justifying its conservative position.

The religious arguments no longer hold water — 53% of Christians support equality.

Polls have said up to 68% of Australians think it's time for marriage equality. One poll found three quarters of Australians think it's "inevitable".

Unlike Gillard, this broad cross section of the community has a social conscience. They are aware of the ramifications of legislated homophobia, tragically revealed by

the recent suicide of openly gay 14-year-old Jamey Rodemeyer of Buffalo, New York.

A September *IBTimes* article said Rodemeyer placed an “It Gets Better (you can survive queer bullying)” clip on YouTube in May this year and assured “himself that it gets better ... and ... that Lady Gaga always made him happy”.

On November 7, students at Essex High School in Vermont, inspired by Occupy Wall Street, led a mass sit-in to protest repeated bullying of bisexual 15-year-old Cole Peterson. TruthWinsOut.com said at least 300 students took to the streets in protest, and met a local LGBTIQ group.

Given high levels of support for the campaign, and the fact the PM is a publicly proclaimed atheist living with her de facto partner, in opposition to conservative Christian morals, why doesn't Australia have marriage equality?

If queers in Spain, Argentina and the capital of Mexico can do it, why can't Australia? The heterosexual family unit hasn't imploded after the love that dared speak its name got megaphoned into history's tabulates.

Gillard is now indicating ALP members will be given a conscience vote. This vote would allow individual MPs to ignore ALP policy and vote “according to their conscience”.

Greens MP Sarah Hanson-Young has been calling for both political parties to allow a conscience vote since mid 2010.

But marriage activist groups Community Action Against Homophobia, Equal Love groups, Australian Marriage Equality (AME) and Rainbow Labor oppose having a conscience vote.

AME spokesperson Alex Greenwich told *Green Left Weekly*: “It is a shame Gillard hasn't opened her heart, but I am ever hopeful we will see a change at the ALP conference. If we get a conscience vote instead of the ALP changing their position, it means more challenges for the campaign. But we have shown we're up for challenges, and we will continue.”

AME's campaign manager Rodney Croome said “a conscience vote can never be a substitute for a party policy in favour of equality ... The ALP rank and file has made it clear it wants to overturn the party's existing discriminatory marriage policy. It has passed motions calling on a new national policy at almost every state and territory party conference.”

Minister for mental health and ageing and member of the ALP national executive Mark Butler is the first high-profile ALP member to come out against the conscience vote.

In the November 9 *Sydney Morning Herald*, Butler said: “Within the ALP, there is strong support and strong opposition to changing the federal Marriage Act, as well as

a middle view that this matter should be subject to a ‘conscience vote’. I support a change to the Marriage Act and will oppose the granting of a conscience vote.”

Given all this pressure, why does Gillard refuse to support equality and move to abolish the marriage ban? One theory is that Gillard owes NSW Christian right faction leaders some payback after they helped her knife former PM Kevin Rudd for the top job.

Another theory is that the ALP won’t concede because it is so focused on marginal seats dominated by the Christian right.

Either way, the momentum continues to build. On December 3, thousands of people are expected to rally around the national conference of the ALP to demand change.

The 1love conference on December 4 will also take place, as well as the first Australasian Sex and Gender Diverse Conference on December 2. At these conferences, the broader community will be consulted about the future of the campaign for equality and freedom.

Now seven years into this battle for human rights and equality the campaign just keeps getting stronger, and the marriage ban is in serious danger of being overturned. History is going to leave homophobia in the dust. ■

# ‘Marriage Equality, & Nothing Less’

*An interview with Peter Tatchell*

[Peter Tatchell is an internationally renowned lesbian, gay, transgender, bisexual, intersex and queer (LGTBIQ) human rights activist based in England. He was one of eight “heroes” selected to take part in the lead float of the 2011 Sydney Mardi Gras.

[Tatchell spoke to *Green Left Weekly*’s Rachel Evans, Hannah Wykes and Farida Iqbal about his history of activism and the fight for equal marriage rights.]

## **When did you get involved in activist politics?**

I was born in Melbourne, Australia in 1952. At high school I got involved in campaigns for Aboriginal rights and against the death penalty.

I was campaigning against the execution of Ronald Ryan, which we couldn’t stop. The [government] killed him in February 1967.

The following year, I woke up to the reality of what the US and Australian governments were doing in Vietnam. I joined the draft resisters union when I was only 16 — too young to be drafted.

In 1969, I realised I was gay. In Melbourne at that time, there were no helplines or switchboards or organisations to help young people coming out.

I tried to encourage gay friends of mine to campaign for gay rights, but they were all too scared. So I operated as a do-it-yourself freelance activist — writing letters to newspapers, protesting against their homophobic coverage or just to highlight abuse of gay people.

I moved to London in 1971 and got involved in a newly formed group — the Gay Liberation Front (GLF). I moved as I always wanted to travel and had a possible job, but also, as I was not prepared to register for national service.



I did not want to fight in Vietnam. I did not agree with the war. It was an unjust and immoral conflict.

## How did the LGBTIQ struggle develop in England?

The GLF fizzled out by mid-1970s, so I got more involved in left politics and various single-issue campaigns, such as anti-apartheid and the campaign for nuclear disarmament.

The Conservative Thatcher government introduced “Section 28” in 1988 that banned the so-called promotion of homosexuality. This was the first new anti-gay law for more than a century.

The law didn’t define how homosexuality was “promoted”. Everyone was targeted with the law — local councils, health and education authorities.

## What groups were you involved with in the 80s?

In 1987, I co-founded the world’s first AIDS and human rights campaign — the UK AIDS Vigil Organisation, which later emerged as ACTUP [the AIDS Coalition To Unleash Power] London.

Then, in 1990, I was one of 30 people who came together to create the queer rights direct action group — OutRage!

The campaign that attracted the biggest vilification by politicians, the media and religious leaders was the leafleting of schools with a flyer saying “Its okay to be gay.”

We initiated this campaign in 1992. Then we received a huge backlash in the outing of the ten Anglican bishops in 1994, and then the disruption of an Easter service in the Anglican Canterbury Cathedral.

At this time, 1998, Archbishop of Canterbury, Dr George Carey was advocating legal discrimination against gay people, and refusing to meet with the LGBTI community or any Christians who were part of his own church and disagreed with his position.

We didn’t disrupt any sacred parts of the sermon but at a quiet moment, unfurled placards and I addressed the congregation, condemning Dr Carey’s opposition to an equal age of consent, homosexual marriage, gay fostering and employment rights for lesbians and gay men.

As a result of these various actions, I was denounced as “public enemy number one”, and “homosexual terrorist”. I came under significant fire.

This condemnation hit a turning point in 1999 and 2001 when I and three other members of OutRage! attempted a citizen’s arrest of President Robert Mugabe of Zimbabwe on charges of torture and other human rights abuses.

Suddenly all of my critics began applauding me as a hero. It was quite bizarre and

unexpected.

## You have been attacked by other governments too?

In 1973, I attended the first ever gay rights rally in East Germany and was arrested and interrogated by the Stasi [secret police].

In 1983, I stood as a left-wing candidate for the Labour Party and was widely vilified on account of my left-wing politics and my support for LGBTIQ rights.

That response against me is generally recognised as being the dirtiest and most violent election campaign in recent times.

I received dozens of death threats, three attempts to run me down in a car, bricks through my windows, three arson attempts on my home, and a bullet through the front door. No surprise that I lost.

It was the dirtiest campaign in England in the 20th century. I was the democratically selected Labour candidate, but there was not much support from head office during the campaign.

I left Labour in 2000, appalled by its right-wing drift under Tony Blair. Four years later in 2004, I joined the Green Party and I am its human rights spokesperson for England and Wales.

## Can you tell us about the marriage rights campaign in Britain?

Civil unions were introduced in England in 2004. There is little legal difference between civil marriage and civil unions. However, separate is not equal.

Gay people in Britain are banned from civil marriages and heterosexuals are banned from civil partnerships. Two wrongs don't make a right. Civil partnerships are fine for people who don't want to get married, but they are not equality.

If the government banned black people from getting married, but offered them civil partnerships instead, there would be an outcry.

Most people would say it was racist and a form of apartheid. Black people are not banned from getting married, but same-sex couples *are*.

Civil unions are a form of sexual apartheid. One law for same-sex couples, civil partnerships, and a separate law for opposite sex couples — civil marriages. We don't accept either of these legal exclusions.

This is why the Equal Love campaign [in Britain] is mounting political and legal challenges to sexual orientation discrimination in relationship law.

## **Are you fighting for marriage rights so as to be able to marry?**

I personally would not want to get married. I agree with the feminist critique that marriage has an unsavoury history of sexism and patriarchy.

But as a human rights defender, I believe in equality and that couples should have the right to get married if they wish.

It's not up to me or politicians to dictate who can or cannot get married. I think civil partnerships are marriage-lite.

They underscore the second-class status of LGBTI people. It's time that civil marriages and civil partnerships were opened up to gay and straight couples without discrimination.

## **In your mind, who benefits from LGBTI oppression?**

There is a clear link between the oppression of women and the oppression of LGBTI people. Homophobia and sexism are two dimensions of the same oppression.

Traditional heterosexual masculinity and patriarchy have historically been the key forces that have oppressed women and LGBTI people. That's why it's so important that the LGBTI movement aligns with struggles of female emancipation.

It is macho straight men who, down the ages, have demanded the second-class status of women and LGBTI people.

## **Can corporations deliver us liberation?**

It's quite obvious that LGBTI people have fought for and won a significant degree of legal equality and social acceptance within the confines of a free market capitalist system.

These gains have not been given to us. We've had to fight long and hard.

But this freedom is somewhat ambiguous in that it has gone hand-in-hand with the corporate commercialisation of LGBTI culture.

Nowadays we are so often wooed as consumers rather than citizens and gay culture has been packaged as a commodity and sold back to us for profit. The culture we created now has a price.

Increasingly, we are expected to buy our LGBTI identity through the clothes we wear, our haircuts, the clubs we go to, the music we enjoy. The rampant commercialisation of the culture is one of the downsides of the freedom that we've won.

It has gone hand in hand with the demise of community spirit and solidarity. Poorer or disabled LGBTI people are often left behind in the rush for the glitz and

glamour of what passes as modern, gay culture.

**You organised a rally against the Pope's visit to Britain last year. What happened?**

Twenty thousand people attended. This was by far the most exuberant, exhilarating protest in England for more than a decade, if not longer.

The atmosphere was so joyful, witty and imaginative. It brought together gays and straights, humanists and the religious. ■

## 3. Sex & Gender Diverse People

# Transgender Hate Crimes Remembered

*By Rachel Evans*

[On November 20, a meeting initiated by the NSW Greens marked Transgender Remembrance Day. Below is an abridged presentation by Rachel Evans, co-convenor of Community Action Against Homophobia, National Union of Students female queer officer and NSW Socialist Alliance upper-house candidate.]

Transgender Remembrance Day began in 1999 when Rita Hester, an American, was brutally murdered on November 28. It is a day of mourning, a day to rail against bigots and a day to work out how to stop hate crimes.

Our transgender sisters and brothers have a lot of trouble changing their identity: they have to tell a doctor that they are suffering a mental disorder — gender dysphoria — in order to be placed on hormones. Some risk the public health system for an operation, but given this unappealing option, most transgender operations cost between \$20,000 and \$30,000. The other option is Thailand, where it costs a little less.

Not only do successful transgender sisters and brothers have to have enough money, they also have to “pass” the gender test to be able to find work and rent a house. Then they still face the prospect of: a passport with restrictions of movement, traumatic experiences getting birth certificates changed, avoiding being beaten, and not being able to get married to the person they fall in love with.

A LaTrobe University report, *Private Lives: A Report on the Health and Well-being of GLBTI Australians*, noted that 46.9% of transgender females faced threats of violence and intimidation compared with 29.4% of transgender males, although the

latter faced more verbal abuse (73.5%) compared to transgender females (69.7%). Many transgender sisters and brothers cannot escape bigoted and discriminatory employers: 34.9% of transgender females surveyed were refused employment or promotion compared to 23.5% of transgender males. Transgender people are also refused housing in this so-called “fair go country”. Even Mission Australia refuses to take them in.

How easy would it be to increase funding to Sydney’s Gender Centre? If Cuba can change passports and birth certificates to the new gender and grant free sex change operations, why can’t Australia?

We need affirmative action programs for transgender people in jobs and training. We urgently need a nation-wide education campaign about the need to accord human rights and dignity to transgender people.

If we’re to make Australia free of hate crimes, the major parties have to stop creating a political climate of hatred towards lesbian, gay, bi- and transgender people. PM John Howard’s “straight Australia” policy has to end; this includes his ban on same-sex marriage, funding for preachers in schools, funding cuts of LGBTI material in schools, and funding transfers from HIV centres to religious organisations.

The major party leaders, who are supposed to be secular, are giving Family First and the Exclusive Brethren political prominence. It’s a crime against science, queers and women, who have to deal with their attacks on our democratic rights. We have to make it stop. Our transgender sisters and brothers led Stonewall and while, today, we reflect on the pain, we must also marshal our forces for the fight ahead. ■

# Historic Rally for ISGD People's Rights

*By Rachel Evans & Tracie O'Keefe*

Australia's first national rally of intersex, sex and/or gender diverse (ISGD) people saw 180 participants gather on the lawns of parliament house, Canberra, on May 11.

Two buses of ISGD people and allies travelled from Sydney. A bus arrived from Melbourne and 10 activists flew from Brisbane to attend the important action, undeterred by the cold, windy weather.

Intersex, transexed, transsexual, transgendered, genderqueer and androgynous people and people without sex and gender identity spoke of their experiences of discrimination, harassment and violence. The rally highlighted the need for equal treatment under federal and state laws.

ISGD activist group Still Fierce was the key organiser of the rally. Co-founder of Sydney Still Fierce, Griffen Jones, told the rally: "We are making history here today. I look forward to the time when those of us who are from rural places can return there and be welcomed instead of harassed."

Sex and Gender Education Australia's Tracie O'Keefe said ISGD people should get full Medicare rebates for their medical needs: "We want full Medicare for ISGD people — we don't want a penny less. If you have a heart transplant it's covered by Medicare, same with a hysterectomy. Why can't you have it for sex and/or gender health?"

Social justice activist norrie mAy-welby rose to international fame in 2010 as the world's first person to have their official documents stating "sex not specified". The NSW Department of Attorney General later withdrew the document and norrie continues to fight for its reinstatement.

Norrie told the rally: "Since I went public with my experience, I've heard from

people across the globe who also want a 'sex not specified' document. It's resonated with people from many places, including Iraq and Russia."

Zoe Brain, an intersex person and Australian National University lecturer, said that ISGD people and groups such as Still Fierce were making a difference. "People are working on things now and listening because of your pressure."

Ava Bishop told the rally her story. She was born in 1956, raised on a farm and diagnosed as a male-to-female transsexual at the age of 21.

She had gender reassignment surgery at 23, joined a church and at the age 30 went back to trying to live as a man.

But after 18 years she could no longer hide who she really was. She re-transitioned at 48 after being severely depressed, anxious and suicidal due to abuse and being raped a year and a half ago. She moved many in the crowd to tears.

Conor Montgomery also addressed the rally. Previously, Conor identified as a female-to-male transsexed/transsexual man, and now is just a man.

He became front-page news in NSW in 2010 when he launched a case against the NSW Attorney General's office because it advised him not to apply to change his birth certificate to male from female, because he had not had genital surgery.

Montgomery roused the gathering with the cry: "This is just the beginning, let's remain fierce! We will be back!"

The rally demanded the implementation of the Australian Human Rights Commission Sex Files (2009) recommendations, legal protection against enforced medical treatment of ISGD children, federal anti-discrimination laws to protect all ISGD people, full Medicare funding for medical and psychological procedures available to all ISGD people, full marriage rights for ISGD people, and that the government enshrine the right for a person to establish their own sex and/or gender identity in federal law.

Activists presented a memorandum of six demands to representatives of Greens senator Sarah Hanson-Young and requested she present them to Prime Minister Julia Gillard.

Another activist in Sydney's Still Fierce, Jade, spoke about her support for full marriage equality. Jade is unable to have her primary identity document, her birth certificate, issued in her new identity because she is still legally married to Sandra, who she has lived with for 10 years.

Mish, an ISGD sex worker from Scarlet Alliance, the Australian sex workers association, relayed the discrimination trans sex workers face, and called on the rally to support the decriminalisation of sex work.

Indi spoke from an intersexed person's perspective and described her trans



experience. Bastian from Sydney Still Fierce, Cody Price from Brisbane Still Fierce and Jackson, elected ISGD sex worker spokesperson from the Scarlet Alliance, also addressed the rally.

Labor senator Louise Pratt spoke with representatives from the rally, telling them that several federal politicians were looking at the issues they raised.

The rally attendees described it as a profoundly positive milestone experience and vowed to continue their fight for equal civil rights for all intersex, sex and/or gender diverse people regardless of their identities.

Rally organisers announced a new national ISGD project that would include organisational and individual membership working toward political, legal, medical and social change. ■

# 4. The Struggle Within the Revolution

## The Truth About Queer Rights in Cuba

*By Rachel Evans*

Having just returned from Cuba, I find some US-propagated lies about the country particularly galling. I want to lay some to rest.

The Cuban Revolution nationalised US agribusiness, telecommunications, petrol and every other private robber baron that pillaged the island.

Angry at arable land being given to peasants, holiday homes given to the poor and natural resources being used for the betterment of the majority, the US invaded, bombed, engaged in chemical warfare, economically blockaded and lied about Cuba.

None of these tactics worked. The Cuban Revolution remains 50 years on — an example to all countries seeking to feed, clothe and educate their people.

One of the lies spread by the US government is that gays and lesbians are oppressed in Cuba.

A 1999 US Department of Homeland Security report said: “Freedom for Cuban gays and lesbians continues to be limited [and] reinforced by decades of government persecution.”

This allegation is made by a government institution of a nation with an appallingly high incidences of hate-crimes — and a wave of bans on same-sex marriages.

It was only in June 2003 that the US Supreme Court struck down Texas’s

discriminatory same-sex sodomy law. This ruling struck out other US sodomy laws.

Prior to this, 14 states in the US listed sodomy as a crime. Michigan meted out the toughest sentence — sodomy was punishable by 15 years in jail for the first conviction and life imprisonment for the second. This was until 2003.

In comparison, Cuba had removed all anti-sodomy laws by 1973. By the early 1990s, no Cuban laws mentioned homosexuality. Cuba, with a much higher education and cultural level than the US, suffers no hate-crimes against homosexual or transgendered people.

Every second night on Cuba's state television channel, ads made by Cenesex (the government-run Centre for Sexual Education) are broadcasted in favour of sexual diversity. The ads show same-sex couples going about their daily life and end with the message: "Diversity is natural."

A half-hour youth program screened while I was in Cuba interviewed young and old Cubans about attitudes to transgendered people. Attitudes were supportive.

Cubans support the government policy of free gender change operations for transgendered people. In Australia, no trans person risks the operation offered by the public system. They travel to Thailand for a \$20,000 male to female operation or pay the local private health system \$25,000.

Australian female to male breast reduction operations will set you back a maximum of \$10,000.

In Cuba, this is all free.

Cuba's National Assembly is discussing the question of same-sex marriage. Cenesex is conducting a massive sexual education campaign in the lead-up to more formal government moves.

Fifty years ago the revolution opened up profound discussion about human rights. One of the remaining chapters in this country's impressive history is gay and trans rights. Cuba is writing this chapter much faster than their hypocritical imperialist neighbour. ■

# Venezuela's Sexual Revolution Within the Revolution

*An interview with Ricardo Hung, Moises Rivera & Marcel Quintana*

At the January World Social Forum in Caracas, *Green Left Weekly's* Rachel Evans and Maurice Farrell caught up with Ricardo Hung from the Alianza Lambda gay-rights organisation and Moises Rivera Lopez, the coordinator of the Sexual Riverside Network for the gay, lesbian, bisexual and transgender (GLBT) community.

Rivera Lopez is also employed by the mayor of metropolitan Caracas Juan Barreto to work on anti-homophobia campaigns. GLW also spoke to Marcel Quintana, the president of Consultants for Education and Health Venezuela (ASES), an HIV care group.

Hung explained that Lambda is part of a coalition of gay and lesbian groups that organises activities throughout the year. "In June we organise gay and lesbian rights forums, presentations and workshops, cinema screenings and other political meetings ending with a gay pride march." Last August, on the international day of action against homophobia, Lambda "held a big protest in the Simon Bolivar plaza ... We took down the national flag and raised the rainbow flag." In September, Lambda helps with a gay and lesbian film festival and with a December cultural festival.

According to Hung, "The new 1999 constitution includes no discrimination based on sexual orientation", but there is a push to extend it to cover transgender discrimination as well.

"We are also campaigning for same-sex marriage rights", Rivera Lopez said.

Hung believes "it will be a long road to get to same-sex marriage. In the state of Merida we currently have civil unions. Six months ago with six other non-government gay organisations we made a petition to the Supreme Court" to replicate this nationally.

Lambda is part of the International Lesbian and Gay Association. Hung explained that in Venezuela, Lambda is the "only gay-rights association that is legally based and has community services, medical counselling, a doctor and a surgeon. Anyone can get

involved in Lambda. We have straight supporters come to meetings and students doing research projects on the state of our human rights. We hold meetings every week where government representatives have also come along to ask us questions and hear about our issues.

“We produce educational programs with gays and lesbians for young teenagers. We have just begun a focus on education in the countryside, where we have established mini branches of Lambda ...

“Our main goal is to provide education to other people, so that people in the street will stop someone who is bashing a GLBT person ... We promote safer sex and we provide medical counselling about HIV. This government provides full free treatment for people with HIV that ask for it.”

Quintana works with HIV-infected children and adults, providing free counselling and drugs. “We work with 950 children who are infected with HIV. We work with another 550 street kids and single-mother families”, he said.

“There are 18,000 people registered with HIV in Venezuela. We don’t know how many of them are gay men. ASES distributes free HIV medicines, which would cost US\$750 per month [per patient] if we did not receive cheaper generic drugs from India.

“Only three countries in Latin America provide free HIV drugs — Venezuela, Brazil and Argentina. We fought to have HIV drugs distributed for free before [the 1998 election of Venezuelan President Hugo] Chavez. It was a hard fight, but we won universal access a short time before Chavez was elected. When elected, Chavez advanced — rapidly — the program of universal access. There are five hospitals, broken up into every region in the country, that offer drugs. Alongside this drug distribution program the hospitals have infectious disease units. We have these five points of control because of the black market. Hospital Vargas has a one-year-old infectious disease unit, which is just great — the best in the country.”

There is also a battle against corruption. Quintana described a protest action he was involved in that invaded the health department “because people who worked there were stealing anti-retroviral drugs to sell on the market. Afterwards Chavez chucked the minister out and now we have a better relationship with the department.

“ASES provides housing and entertainment for children with HIV. We also teach computer and technical programs for people who work with the government’s free health-care program, Barrio Adentro.”

According to Hung, “The history of what we have been able to achieve in the movement is clearly linked with the Chavez government. The first Gay Pride march took place under the Chavez government six years ago. We have never, ever seen this

kind of devotion, open-minded activities and behaviour in a government. The government has really promoted diversity and is based on the integration of all the alienated branches of society. Hugo Chavez is promoting this.

“Last year, the attorney-general’s office passed an act that created a division called the Department for Information to the Gay, Lesbian, Bisexual and Transgender Community. Every person in Caracas can go to that office and receive counselling to see if their issues can be dealt with. This is a big step because now GLBT issues are part of the government [agenda].

“Our movement has grown with this support. Six years ago our first Gay Pride parade took place and was 100 people. Last year it was almost 20,000. Permission is very easily obtained. We have the support of the police during the parade, which has been great. The Caracas mayor gives us the sound system for free. Now there is an amendment to the constitution [proposed] in order to promote same-sex marriage.”

According to Hung, it is “difficult to come out of the closet when you are in a precarious economic position. It is easier if you are from the upper class. We are also up against a culture of machismo. Everyone is brought up with that ... We have problems with gay bashings. On the other hand, it is easier if you live in a big city than in the countryside.

“Teenage suicide used to be a huge problem 20 years ago. Now the big issue for teenagers is vulnerability to STDs. They still don’t know much about sex education. So that’s why we work on this.

“The other problem for young Venezuelans is getting kicked out of home when they come out. Those at higher risk are the ones from lower-income families. If you have a family with 10 children, are in poverty and find out your child is gay, then it is easy to say ‘Get out, we have more mouths to feed’.

“Hence child prostitution among young GLBT people is common, but not well-known. It really has to be dealt with on the social level. The new mission to eradicate homelessness ... Negra Hipitolia, is providing education and shelter for young homeless. Not enough people have access to the shelters, but the government is doing well.”

Gay bashings are a big problem in Venezuela. “Out of all the violent bashings that occur and are reported, 5% are gay bashings”, Hung said, adding that many people lack the confidence to report incidents. He explained that reporting attacks can be “a very bureaucratic process”, and many people fear repercussions if they are recognised.

“If you are working and say ‘I am a homosexual’, then people might not fire you immediately, but they won’t give you a better job or a raise. Gay Venezuelans who come out often have financial security. They can be gay publicly because they have

their own business. This is why I came out — I can sustain myself.

“There are no problems for people who are employed in the public government or working for themselves”, Hung clarified. “Every worker has legal protection. But if you are working for a private company, coming out can be hazardous. Same when you become HIV infected.

“When you are a top executive, you have all the benefits the company can provide: social security and so on. If you are in lower work — administrative trainer, cashier, bank-teller — the company is not interested in keeping you on the payroll and will get you to quit.”

Hung said that along with other countries in the region, Venezuela has experienced an increase in herpes and syphilis. “The Ministry of Health provides free condoms to us to give to the people, but outside these free condoms, condoms are expensive. They are about US\$3 for a packet. This is equivalent to two lunches. We still have a high rate of unemployment and people are worried about living and eating. So they look for escape holes, like not buying condoms.”

According to Hung, one of the “greatest achievements of the [Chavez] government” is the provision of health care such as treatment for STDs. “In the main hospitals they have the specialists. In the barrios they have free doctors. Tests and drugs are free.”

“Changes are coming through. We are going to be great. The movement here is growing stronger and stronger. I pray we get same-sex marriage”, concluded Hung. ■

# What We Demand

*By Rachel Evans & Karl Hand*

So our world is still homophobic and transphobic in many ways, but there is hope. Grassroots movements around the world are making demands on their governments for change. In Australia, the Socialist Alliance calls on our government to:

- Repeal the ban on marriage equality. Institute marriage rights for all.
- Repeal all religious exemptions to anti-discrimination law.
- Strengthen and enforce anti discrimination laws, and expand them to include all sex, sexuality and gender identities.
- Enforce affirmative action to make sure LGBTI persons have equal access to employment, education, adoption and housing.
- Abolish all laws that deny people pensions or income on the basis of their marital status, defacto or otherwise.
- End all non-essential surgery on intersex children.
- Automatically provide housing and a living income for all people who are fleeing homophobic abuse in their home.
- Begin sex education in schools that adequately teaches all young people about sexuality, sex and gender diversity, and lets LGBTI children know they were OK.
- Fund anti-bullying programs in schools, and provide free and appropriate counseling for all children who feel different or experience homophobia, transphobia or intersexphobia.
- Adequately train and empower teachers to create schools that are safe spaces, and to prevent bullying without criminalizing children.
- Make all HIV meds, hormones and sex-change surgery free, safe and easy to access.
- Launch a community action and education campaign in all schools and workplaces to promote positive, non-stereotyped, anti-homophobic and anti-transphobic images of LGBTI people in all areas of society.



The following Socialist Alliance policies on LGBTI issues, intersex people, and on marriage rights have been developed by activists in the rainbow rights movement and adopted by the Socialist Alliance at our democratic decision-making conferences. We are committed to fight for the implementation of these policies, as part of our broad platform for change.

## **Policy on equality for lesbians, gay men, bisexuals, transgender and intersex people**

*Adopted at Socialist Alliance's 7th National Conference, January 2010*

We live in a society which attempts to dictate sexual preference and gender identity through promoting the gender stereotypes and homophobic attitudes which underpin the heterosexual nuclear family, and by promoting marriage and the nuclear family as the only legitimate model for relationships. Lesbians, gay men, bisexuals, trans people and intersex people suffer oppression because their lives are a challenge to the nuclear family which is an economic cornerstone of capitalism.

The Socialist Alliance opposes all attempts to shoehorn people into sexual and gender conformity. We believe it is a basic democratic right that a persons' self-definition of sexual preference and gender identity should be recognised. Heterosexism exists at almost every level in this society, and discrimination on the basis of sexual orientation and gender identity is entrenched in all of the key institutions of society — education, health, the law, the media, family, church and state.

The Socialist Alliance supports politically independent and self-organizing social movements that fight the oppression of women, lesbians and gay men, trans and intersex people, people with HIV and sex workers through mass action, public demonstrations, lobbying, voting and by building alliances with the broader working class, feminist, and anti-capitalist movements.

We oppose sexism, racism, ageism, and discrimination against people with disabilities within the lesbian and gay communities, as we do in the broader community.

In government the Socialist Alliance will:

- Enact enforceable anti-discrimination legislation to protect lesbians, gay men, bisexuals, people living with HIV and trans and intersex people. We will remove existing exemptions from anti-discrimination legislation in relation to employment for private schools, religious organisations, the insurance industry, the tax system, superannuation etc. The Socialist Alliance will legislate for the right of trans and intersex people to be issued with passports, drivers licenses and other documents specifying the gender (or non-gender) of their choice.
- Legislate full social, legal, trade union and industrial recognition of same sex and

gender variant relationships. This would include extending to same sex relationships equal status with heterosexual de factos in superannuation, immigration, taxation, family law, industrial relations and any other laws and regulations; ensure the right of gays, lesbians and gender variants to choose to marry if they so wish; provide independent incomes [Newstart, Pensions, etc] for all regardless of relationship status — this will end state-enforced economic dependency.

- Guarantee the right of gay men and lesbians to adopt or foster children and to access free, safe reproductive technology like IVF. End discrimination against gay men, lesbians, trans and intersex people in child custody cases.
- Legislate against use of non-violent homosexual “advance” as a defense of “provocation” in violent crime.
- Provide full state funding for gay, lesbian, bisexual, trans people and intersex youth programs including refuges and housing services, health services, coming out, self-esteem and suicide prevention programs.
- All public funding for education, youth, aged, health, employment and welfare to be directed through non-discriminatory government and/or secular non-profit community organisations. Education in schools to incorporate positive material on homosexuality, trans and intersex peoples.
- Support Pride Marches, the Sydney Gay and Lesbian Mardi Gras, film and video festivals and other queer community events; defend and extend gay, lesbian trans and intersex programming on the ABC, SBS and community broadcasters; work vigorously for an end to the vicious and destructive portrayal of gay men, lesbians and trans people in some sections of the media.
- Mandatory sensitivity training and refresher courses for the police force in how to deal with LGBTI issues. This education and training must be developed with and by the LGBTI community. The selection of LGBTI liaison officers should be under the control of the LGBTI community and recallable.
- Support gay, lesbian, bisexual and trans and intersex workers; promote strong policies within unions to defend gay, lesbian, trans and intersex workers; support the establishment of gay and lesbian caucuses within trade unions.

### **Policy on intersex people**

*Adopted at Socialist Alliance’s 7th National Conference, January 2010*

Intersex people are people born with physiological differences that may be seen as being both male and female at once, not wholly male or female or as neither male nor female.

Intersex people are subjected to discrimination in employment, in housing, in the

provision of medical services, and the provision of government services.

There are no laws preventing discrimination against intersex people.

Intersex children may be subjected to non-consensual surgery so that their bodies conform to dominant ideas of what constitutes a ‘male’ or ‘female’ body. Non-consensual genital surgery is particularly controversial and where there is little debate against prohibitions on female circumcision, similar procedures on intersex people happen with little community comment.

The Socialist Alliance rejects pathologising definitions of intersex such as “disorders of sexual development”. The difficulty for Intersex is not differences in anatomy but rather how those differences are perceived by the community.

Social prejudice against non conforming bodies such as intersex, are the issues that needs attention. Intersex people should not be compelled to change their bodies, their behavior, or themselves to meet mainstream social expectations.

The Socialist Alliance stands for:

1. All non-consensual surgery on children, where the child is denied the informed and cognizant right to consent or reject) ceasing immediately save for those cases where surgery is life preserving.
2. Children being able to declare their sex, even if that is none, when they are fully informed and able to understand those concepts.
3. Any individual having their passport marked with X rather than sex or gender if they so desire.
4. An affirmative action policy in public housing, work opportunities, education, and the provision of medical and government services.
5. Education campaigns to be conducted in schools and wider society to debunk the myth of sex and gender binaries, informing individuals about sex and gender diversity, and opposing bigotry because of perceived sex and gender differences.
6. Intersex athletes like Caster Semenya not being publicly outed. That there are no compulsory sex testing procedures in sport.
7. Legislation that provides protection against discrimination and vilification and promotes equal opportunities for intersex people.
8. Access to appropriate medication and surgery when and if required based on the needs of the individual and not on the expectations of diagnostic protocols. This includes the abandonment of the diagnosis of “gender dysphoria” for those intersex who reject their birth assignment.
9. All people, particularly legislators and medical professionals, acknowledging that sex and gender is more than men and women, male and female.

## **Policy on marriage & civil unions**

*Adopted at Socialist Alliance's 7th National Conference, January 2010*

The Socialist Alliance supports the right to marry regardless of gender or sexual orientation.

In other countries civil unions have been offered to the LGBTI community to placate the movement for equal marriage rights. This is not the situation in Australia, where even civil unions have been suppressed by the federal government because they “mimic marriage”. It is for this reason that the Socialist Alliance supports civil unions but will continue the campaign for marriage . Civil unions are not a substitute for marriage rights.

The Socialist Alliance stands for:

1. Immediate equal marriage rights for LGBTI people.
2. Civil unions legislation in each State and Territory, as well as on the federal level. Civil unions legislation should allow official, legally recognised ceremonies, and it should be open to everyone regardless of gender or sexuality. ■

### Imagine a world where —

- Nobody felt shamed, excluded, bullied or intimidated because of their sex, sexuality or gender identity
- No young person experiences low self-esteem or depression. No young person is bullied or harassed. No young person is driven to suicide because of their sexuality or gender identity.
- Everyone who wants to get married can get married!
- Children who felt 'different' were able to talk openly, to anyone they wanted, and feel safe.
- No child was forced to identify as a gender that was inappropriate for them.
- No healthy child ever suffered an operation to 'fix' their sex against their consent.
- Nobody could be fired from a job or expelled from a school for their sexuality.
- Nobody ever had to lie about their identity in order to feel safe at work or school.
- People, not profits, matter; where all people's basic needs are automatically met, and their hopes and dreams for a fulfilling life are treasured, and their sexual and gender identity are valued.

People deserve to live in a world like this, but the reality we face is very different. We live in a world where people suffer from prejudice discrimination and sometimes just plain hatred.

The articles in this pamphlet are about the real world we live in, and the homophobia or transphobia that people experience.

They're also about the solution to homophobia in our world, and how ordinary people can get involved in the struggle for a better world.

The contributions in this collection are by activists in the rainbow movement, many of whom are members of the Socialist Alliance. Most of the articles first appeared in the newspaper Green Left Weekly.

*Resistance books*