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## An Australian Regional Response to Marriage Equality: Newcastle and the Hunter

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#### ABSTRACT

In Australia same-sex marriage was passed in 2017 following public debates, a postal survey, and legislative reform. This article explores the impact of this process on the rainbow community, with a specific focus on the regional site of Newcastle, New South Wales and the adjacent Hunter Valley. As part of a research project titled "Waiting for Equality," semi-structured interviews with individuals were conducted that focused on the marriage equality debates, the postal survey and current issues pertaining to equality. The analysis found that the debates and survey exposed many members of the rainbow community to stigma, discrimination, and that there were concerns about how their human rights could be legislatively unwound.

#### **KEYWORDS**

Marriage equality; Australia; Newcastle; postal survey; stigma; well-being

#### Introduction

Marriage equality is emerging as a major area of research for social scientists, historians, and academics within the broader humanities. The concept of marriage equality, or the legalization of same-sex marriage as a civil institution, exists as a relatively new social phenomenon in many countries in the twenty-first century. Yet marriage equality has a long history of individual and community activism, support, and critical debate. The impact of marriage equality on individual wellbeing, community cohesiveness, and debates around queer identity create a rich field for historical and social science inquiry. While there are records of same-sex partnerships, marriages, and commitments from throughout human history, at the time of writing this article only 29 countries had legalized same-sex marriage. The implementation of same-sex marriage varied between these 29 countries, with some nationstates adopting same-sex marriage through variations to legislation, court rulings that assess same-sex marriage to be consistent with current legislation, and two—Australia and Ireland—through legislation only after a national vote had been conducted (Coontz, 2005; Human Rights Campaign, 2021).

This article focuses on a specific case study of marriage equality by examining the Australian experience of legislating same-sex marriage and assessing

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the impact of this process on the defined regional community of Newcastle and the Hunter in the state of New South Wales. Australia provides a unique opportunity for historical and social science analysis within this context. The national experience of legislating marriage equality was unique in the sense that it did not follow a singular legislative decision; rather it was debated and decided using the court system, public opinion and legislation. This Australian case study also provides the opportunity of assessing the impact of a postal survey provided to the public in 2017, which was designed to gauge public acceptance of marriage equality. More specifically, it allows for a contemporary analysis of how the highly contested postal survey impacted individuals within the rainbow community.

Throughout this article we are privileging the term "rainbow community" or "rainbow" individuals to refer to the broad range of identities, experiences, and cultures present within diverse sexual and gender communities. We are choosing to use rainbow over more traditional identifiers such as LGBT+ (lesbian, gay, bisexual, transgender, and other), as this language can have the unintended impact of prioritizing certain identities and experiences over others (Smith, Shin, & Officer, 2011). While the marriage equality debates in Australia predominately focused on the right to marry someone of the same sex, the debates and postal survey inevitably involved the entire rainbow community. An example of this is how prior to the 2017 Act in certain Australian states and territories transgender and gender diverse individuals were required to be unmarried before legally changing their gender marker (Greenwich & Robinson, 2018). The Marriage Amendment (Definition and Religious Freedoms) Act 2017 amended this requirement, showing how far reaching the implications of "marriage equality" were for the diverse rainbow community.

The Australian postal survey was contentious and not just for members of the rainbow community. Critics derided the cost of the postal survey, approximately 80.5 USD million in Australian currency,<sup>1</sup> as a waste of tax payers' money and time (Report on the conduct of the Australian Marriage Law Postal Survey, 2017). The postal survey was further critiqued as it was non-binding on the Parliament, and a successful "Yes" vote would introduce a bill for the legislation of same-sex marriage with no constitutional obligation for it to be adopted. Furthermore, the marriage equality community expressed concern that a public vote was a deliberate tactic used by the ruling conservative Liberal-National Coalition to delay the passing of same-sex marriage and to divide supporters of marriage equality (Greenwich & Robinson, 2018; Rugg, 2019).

Despite the criticisms, the voluntary national postal survey returned a 61.6% "Yes" response in a national participation rate of 79.5%. This opened the way for the *Marriage Amendment (Definition and Religious Freedoms) Act 2017*, which came into effect in December 2017. This article explores the impact of

the marriage equality debates and postal survey in their immediate aftermath and assesses the impact that the process had on members of the rainbow community.

We provide a historical and contemporary analysis of the impacts of the postal survey and wider social debates upon Australia's rainbow community with a focus on one specific regional community in New South Wales. There is some uniqueness to the experience of this region: while Australia returned an overall 61.6% response in favor of marriage equality, the federal voting electorate of Newcastle returned a "Yes" vote of 75%, the highest of any non-capital city in Australia.<sup>2</sup> This article draws on the findings from a research project titled "Waiting for Equality," an interdisciplinary endeavor designed to capture the experiences of the region during the marriage equality debates. It incorporated mixed methods of collecting data and materials including community interviews, local artwork, artifacts and ephemera, and we created a public facing exhibition showcasing this material. We examine how legislation and social policy around equality shifts over time, and how discourses around these developments reflect a variety of social beliefs and paradigms. This analysis also reflects on how progressive social policy can be legislatively unwound or removed in a post-equality world.

Legislative developments are merely one step in the progression of social and civil equality. We do not mean to ignore or downplay the achievements of the "Yes" campaign. Rather, we want to draw attention to minority stressors and community discourses that continue to propagate systems of discrimination and stigma. Minority stress in this context refers to the excess and additional stressors individuals feel due to being part of a socially marginalized group (Meyer, 2003). We suggest, as other researchers have, that future endeavors to support human rights and social participation must adopt a more critical and inclusive perspective toward the tools used to advocate for equality (Thomas, McCann, & Fela, 2020).

#### Setting the Scene: Local-Global

In May 2004 the conservative government of John Howard, inspired by the Defense of Marriage Act (DOMA) passed by the United States Congress in 1996, introduced the *Marriage Amendment Bill 2004* into the federal Parliament (Kirby, 2016). The amendment altered federal legislation that had been in effect since 1961, prior to which the province of marriage had been a matter for state jurisdiction. The critical intent of the amending legislation was to legally define marriage in Australia as "the union of a man and a woman to the exclusion of all others, voluntarily entered into for life." (Australian Commonwealth, 1961). At this point in time, same-sex marriage was not on the political radar of most Australians—not even rainbow Australians. The principal motive for Howard—a shrewd and formidable

conservative political leader—moving on this issue in mid-2004 was to prevent couples who had already married in North American jurisdictions from "challenging a potential loophole in the [Australian] law" (Phelps, as cited in Marsh, 2011, p. 187). From 2003, some Canadian provinces had legislated for marriage equality with no requirement for couples to be domiciled in Canada. As the 1961 Act did not exclude recognition of same-sex marriage, two Melbourne couples who had already married in Canada were in the process of exploring recognition of their relationships in Australian law when they were preempted by the federal government's legislative maneuver (Greenwich & Robinson, 2018) In spite of his best intentions, Howard's actions inadvertently gave the marriage equality movement in Australia significant early ballast (Gahan, 2011).

In order to understand the more cautious embrace of the marriage equality cause by the Australian rainbow movement it is helpful to place the analysis in a wider international context that can explain, in particular, the more urgent pursuit of marriage equality in the United States. We concur with Joanne Meyerowitz and Regina Kunzel who suggest that sexuality is a "useful theme to consider transnational flows of knowledge, people, products, and ideas" (Kunzel, 2018, pg. 1574-5; Meywerowitz, 2009). Writing in the same year that the first American state-Massachusetts in 2004-legislated for same-sex marriage, American historian, George Chauncey (2004), identified four key changes to the marital institution since the nineteenth century that made it "more imaginable and more urgent to lesbians and gay men" (pg. 59). In summary, these changes were: the civil right of individuals to choose their marriage partner; evolution of the marital institution into a more genderneutral configuration; powerful economic and legal benefits conferred by marriage, and the much-diminished power of religious groups to impose their own rules on those who marry (Chauncey, 2004; Cott, 2000). Of these various factors, the significant rights and benefits that accrued from marriage in post-Second World War American society is perhaps the critical differentiating factor from jurisdictions such as Australia and New Zealand with universal public healthcare systems where the allocation of financial benefits to the married applied far less (Brickell, 2020). Indeed, a recent Australian study corroborates the finding that marriage equality was supported by rainbow Australians more for its symbolic value than practical or financial benefit (Cover, Rasmussen, Newman, Marshall, & Aggleton, 2020a). Aside from the issues Chauncey identifies, and as advocates of equality have pointed out for some time, access to marriage increases feelings of social inclusion for samesex couples while supporting de-stigmatization through greater public visibility. In this way, the "power of marriage" far exceeded its exterior significance as a legal document. (Greenwich & Robinson, 2018, pg. 54; Badgett, 2011; Martin, 2011).

Mirroring the debate in the United States in the 1980s and 90s, many in the Australian rainbow movement viewed marriage as "an assimilationist retreat from the radical aspirations of gay liberation" (Chauncey, 2004, pg. 122; Altman, 2011; Greenwich & Robinson, 2018; Thomas et al., 2020; Reynolds & Robinson, 2019; Cover et al., 2020a). Resistance from Australian activists derived in part from liberationist and feminist thought that marriage had historically been a patriarchal and oppressive institution for women, but also on the more pragmatic ground that it could not be seen as a first order issue at a time when the HIV-AIDS epidemic, the continuing need to combat prejudice and discrimination and other such pressing issues demanded higher priority (Gahan, 2011; Greenwich & Robinson, 2018). It is salient to note in this regard that the state of Tasmania had decriminalized consenting sex between adult males as late as 1997, twenty-two years after South Australia had reformed its own version of this discriminatory legislation; the first and last Australian states respectively to do so. Notwithstanding a long tradition of marriage-like rituals and legally unrecognized weddings predating the era of marriage equality, early campaigners for marriage equality encountered a combination of indifference and even outright hostility from many in the rainbow movement after the initial catalyst provided by the Howard government's legislative intervention in 2004. From slow beginnings at a time when no major political party embraced the cause of same-sex marriage and a conscience vote was refused in the federal Parliament, the Australian marriage equality movement continued to build grassroots support for change in the community at the state and federal levels, among corporate organizations, and through cross-parliamentary actions. Public interest in, and support for, the cause grew significantly in the period 2004 to 2012, a time of legislative action at both state and federal levels to put in place protections for same sex couples. In 2008, for example, the incoming Rudd federal government lost no time in addressing a Human Rights Commission report that had identified 58 pieces of legislation discriminatory toward samesex couples (Johnson, Maddison, & Partridge, 2011). And from 2004, most Australian state jurisdictions introduced relationship recognition schemes generally known as civil or domestic partnerships. The nation's pathway to marriage equality, however, remained firmly blocked. A combination of strong conservative opposition to reform in the federal parliament as well as among powerful religious organizations; the idiosyncrasies of the Australian political system, and the need to build public and parliamentary support over time added up to a thirteen year wait involving twenty-two attempts at reform before the Howardera legislation could be undone and equal rights enshrined in legislation (Greenwich & Robinson, 2018). As Greenwich and Robinson observe, "[m]ost countries with marriage equality achieved it through parliament, the courts or a public vote. We had all three" (Greenwich & Robinson, 2018, pg. 7).

The public vote was the postal survey, conducted by the Australian Bureau of Statistics between 12 September and 7 November 2017. Subjected to two

High Court challenges to test its validity before it could proceed (Australian Bureau of Statistics, n.d.), this national survey was conducted through the national postal service and involved a "Yes"/"No" response to the straightforward question: "Should the law be changed to allow same-sex couples to marry?" The incumbent Coalition government had pledged prior to the survey that a majority "Yes" vote would trigger the introduction of a private member's bill to legislate for same-sex marriage, but it was not constitutionally bound to do so.

The pro-change community had mounted the unsuccessful High Court challenges and its members were aware of the dangers of the plebiscite and the public campaign that preceded it. For instance, a 2016 survey commissioned by PFLAG and Just.Equal<sup>3</sup> revealed that 85% of the rainbow community opposed a plebiscite and felt delaying the passage of legislation was preferable to the damaging effects it posed (Rugg, 2019). Among the lobbyists against the plebiscite were Rainbow Families and their supporters. They made clear the likely impacts of a bruising national campaign upon mental health and general well-being (Greenwich & Robinson, 2018).

Opponents of legislative change, on the other hand, seized upon the potential of the postal survey, as they had an earlier plebiscite proposal voted down in the parliament, to slow the momentum to equality by broadening the debate to encompass side issues such as parenting, 'Safe Schools'<sup>4</sup> and "religious freedom" (Poulos, 2020). They saw this as a way to divide the marriage equality community and as a short-term pragmatic solution to a conservative government internally riven by a range of pressing issues including climate change and marriage equality (Greenwich & Robinson, 2018; Rugg, 2019; Thomas et al., 2020).

#### Methods

The "Waiting for Equality" project used a variety of data collection methodologies and resources to create a series of public and professional resources on the Australian marriage equality debates. These included material culture, images, textual sources, moving images, and interviews with community members. These resources were curated to produce a local exhibition on marriage equality in a student gallery at Newcastle—and subsequently at a major regional gallery which brought together archival and contemporary material to focus on marriage equality as it has emerged in the city of Newcastle and the hinterland Hunter region. The exhibition aimed to reflect on and celebrate this history and culture, focusing on the development of rights pertaining to sexual and gender diversity, and the historically significant moment in 2017 when same-sex marriage was legalized following a vote in both Houses of the federal parliament.

#### **Data collection**

The data this paper is addressing was collected from seventeen semistructured interviews with participants from the region. The interviews were conducted in mid-2019 and lasted approximately one hour per interview. The interviews were conducted by one of the authors of this paper and were all completed at The University of Newcastle. We recruited participants by advertising in local rainbow community groups. The advertisements asked for participants who were willing to speak about their experiences living in Newcastle and the Hunter region during the 2017 postal survey. Potential participants were asked to contact a member of the research team to assess their eligibility for the research. Participants needed to be over the age of 18 at the time of the interview and identify as part of the rainbow community to take part in the research. We recorded the interviews for transcription purpose, with all identifying information removed from the transcripts and dissemination of the material.

The semi-structured interviews used an interview guide consisting of twelve open-ended questions. These questions addressed personal and community experiences of the marriage equality debates, the impact of the debates on individual and community wellbeing, and whether people thought particular forms of advocacy and equality are still pertinent in a post-marriage equality Australia.

We used a process applied thematic analysis to develop key themes in the data. Applied thematic analysis is a process used by researchers to distil large quantities of qualitative data into distinct and relevant themes (Braun & Clarke, 2006, 2020). This process followed the creation and application of data codes to the transcribed interviews, where the codes were distinct and measurable units of information pertinent to the research project (Guest, MacQueen, & Namey, 2012). This code development allowed for a textual description of what occurred in the interviews. In this research 47 individual codes were used, each focusing on a specific experience or finding related to the research questions. We organized and analyzed these codes in order to show relationships, connections, and insights that were relevant to the overarching research question, resulting in the finalization of three distinct themes, which are discussed in the findings section of this article (Braun & Clarke, 2006, 2013, 2014, 2020).

#### Sample details

The age range of the participants who took part in this research was between 23 and 66. Eight of the participants identified as men, nine as women, two of whom identified as transgender women. The participants included gay men,

lesbian women, bisexual individuals, and individuals who identified as queer. All of the participants identified as Australians of European heritage. Of the 17 participants, 14 were in romantic relationships at the time of the interviews.

### Results

One of the aims of the "Waiting for Equality" project was to explore how the Newcastle community engaged with and responded to the marriage equality debates. The postal survey and subsequent debates highlighted a diverse range of issues that affected the wider rainbow community, primarily concerns regarding safety, discrimination, and participation in social and civil institutions. These findings are presented in three distinct themes; surviving the debates; the "Newcastle" experience; and "waiting" for equality.

### Surviving the debates

A significant theme that was developed in the analysis of this research was that many members of the rainbow community had to actively survive the postal survey and associated debates—it was not a passive or neutral process. Within this theme the common narratives and experiences were that individuals were exposed to open and hostile forms of stigma, that this stigma often emerged from unexpected sources, and that this hostility penetrated previously private and safe spaces. The fact that the postal survey exposed members of the rainbow community to overt forms of stigma is concerning. Research has demonstrated that individuals with diverse sexual and gender identities face increased forms of minority stressors, where through the act of belonging to one or more disadvantaged social group individuals face higher rates of psychological and social distress (Meyer, 2003). For the participants in this research this occurred in various contexts, where some of the participants discussed disparaging or dismissive comments that arose within families, and the frustration they felt at being unable to influence or change these views:

It was actually really upsetting. I had a few times where I would get into these heated arguments and it's still been hard to reconcile that. It's just sort of depressing seeing certain things reinforced and feeling like you're a bit powerless even with the people you love to affect change or change their perspective about something that is so important to you, and impacts you (27, female, bisexual).

This participant described a sense of powerlessness during the postal survey, where they were unable to affect change on either a personal or a societal level, a factor that contributed to their frustration and distress and affected mental health. The absence of power in the face of bureaucratic systems has been identified as a common experience for individuals with minority-group memberships, and is linked to experiences of demoralization, negative wellbeing, and increased social marginalization (Angel, Lein, & Henrici, 2006), an impact which is reported by the participants in this research. Other participants built on this narrative and articulated instances of invasive questions, interrogations, and uncritical assumptions within workplaces as an example:

I worked there for a long, long time, and I was having face-to-face contact with lots of people every day and it was a very hot topic on everyone's lips ... everyone asked me. Even the people I was working with would openly say, 'Well, my parents are voting no, so I am too' (31, female, lesbian).

This participant noted that it was impossible to escape comments regarding the postal survey, even in professional spaces, and that there was no respite from the narratives that surrounded the survey. Additionally, exposure to overt forms of discrimination and stigma occurred within public neighborhoods and community spaces, with one participant providing details of hatemail that was delivered to their address:

I'd open my mailbox and there were these pamphlets of hate. You know, 'the gays are coming for your kids, and they're going to turn everyone gay' and all this ridiculous nonsense (33, male, gay).

Ultimately this constant exposure to forms of stigma and discrimination, and this concept of having to "survive" rather than tolerate the debates, was framed through the experience of fear and hyper-vigilance:

There was that constant, just absolute fear. Every time I had to drive somewhere and have the radio on or have the TV on and see these really foul ideas being expressed, it was really heart-breaking a lot of the time (23, female, queer).

This fear and hyper-vigilance for members of the rainbow community can be understood through the lens of the hostile-world scenario. The hostile-world scenario refers to how individuals perceive threats to their physical and mental integrity, with individuals in the rainbow community reporting a higher vulnerability to these perceptions (Shenkman & Shmotkin, 2016). The impact of the hostile-world scenario on individuals is similar to the impact of minority stress, and can result in internalized phobias, social distress and discomfort, and fears of physical violence and abuse (Shenkman & Shmotkin, 2016). The marriage equality debates in Newcastle, Australia demonstrated both this hostile-world scenario and minority stress in action, where members of the rainbow community faced increased stressors during the postal survey.

The concerns expressed by participants are borne out in recent published research involving the participation of 1,305 adult Australians belonging to the rainbow community in an online survey during the postal survey. The authors' findings further confirm community and mental health organization concerns that the process had a detrimental effect on the mental health of the rainbow community, where there were high levels of exposure to negative media messaging and where participants perceived limited personal support from their social network (Verrelli, White, Harvey, & Pulciani, 2019). An argument that has been made in Australia is that the postal survey offered the opportunity for radical social change; a change that could occur through open and confronting discourse on the topic of rainbow equality, potentially resulting in a change that has been argued would benefit members of the rainbow community (Copland, 2018). However, the results from this research show that the postal survey served to discriminate and potentially isolate members of an already excluded community.

Yet at the same time, the postal survey and broader debates around marriage equality did provide the opportunity for unique aspects of Newcastle, and Newcastle's identity, to emerge in the participant interviews.

#### The "Newcastle" experience

"Waiting for Equality" was broadly concerned with exploring why the experience of achieving marriage equality was such a fraught process in Australia. However, it had an equal emphasis on the more specific Newcastle and Hunter experience. As such, we were curious and critical about what was different or unique about these experiences within the Newcastle-Hunter<sup>5</sup> region, and the theme of the "Newcastle" experience was developed as a result. The insights and reflections presented within this theme focus on the unique components of the region, dissatisfaction with how the postal survey impacted the local Newcastle community, but also address the inherent complications of knowing exactly how many constituents of the Newcastle-Hunter region voted against marriage equality.

The "Waiting for Equality" project team, including the two authors of this article, all live and work in the Newcastle area. Beyond that, there were some compelling reasons to focus the discussion on one particular region. As with much of the historiography on Australian social history, what we know of rainbow history and identity in Australia is framed almost entirely through the lens of metropolitan experience, chiefly Sydney and Melbourne. This parallels the American experience where scholars—particularly those working in the field of queer studies—have regularly entreated others to write nonmetropolitan spaces into their scholarship (Gray, Johnson, & Gilley, 2016).

In stark contrast with Australian metropolitan areas there has been a longstanding silence about lesbian, gay and gender diverse life in the Newcastle and Hunter region, punctuated only occasionally in a sustained scholarly form. The most notable example to date is the pioneering collection, *Out in the Valley: Hunter gay and lesbian stories* (Wafer, Southgate, & Coan, 2000), which laid important foundations for further scholarly work. Reflecting the ambiguous status of Newcastle as a city with a long industrial tradition and a strong working-class demographic, some of our interviewees ruminate on the implications of navigating the apparent paradox of a queer identity in a predominantly working-class context as well as the city's geographical location in an intermediary space between metropolitan and rural. As if to underline the very ambiguity of Newcastle and the Hunter as a geographical and conceptual space, in 2018 the New South Wales state government made a formal ruling that Newcastle was a *metropolitan*, not a regional area, while simultaneously conceding that nearby suburbs met the definition of "regional" communities (ABC News, 2018). In this case, the definition was tied almost entirely to politically contentious allocations of government grant funding. That declaration, however, makes little sense when we analyze it through the lens of Halberstam's critical concept of "metronormativity," a key structural component of which is absence of visibility in nonmetropolitan spaces, identified so clearly in discussion of local historical attitudes to homosexuality by Wafer et al. (Gray et al., 2016; Wafer et al., 2000). Gray and her co-editors draw the reader's attention to the "wildly unpredictable" effects of space and the politics of gender and sexuality, historically, and more than ever in the present. This, they argue, points to the importance of the role of rural and nonmetropolitan spaces in the shaping of these identities in the United States (Gray et al., 2016, pg.7). Similarly, we contend that Newcastle and the Hunter region defy any simplistic imaginary dichotomy between metropolitan spaces on the one hand and regional and rural on the other, a finding consistent with recent Australian scholarship that complicates rainbow spatial narratives suggesting "a simple urban/rural binary" (Cover, Aggleton, Rasmussen, & Marshall, 2020b, pg. 325). Following this argument, the evidence for Newcastle confounding such simple binaries is evident in debates over marriage equality in the region but equally in antecedents such as data from a national survey conducted by polling company Roy Morgan Research in 2003-2004. These survey results revealed Newcastle and the Hunter region to be less homophobic than several areas in Sydney (Flood & Hamilton, 2008).

When the "Waiting for Equality" survey participants were asked to reflect on why Newcastle returned such a high "Yes" vote to the postal survey, the responses painted a unique view of the local response to marriage equality. One of the key points in these discussions referenced the history and geography of Newcastle, and the shifting nature of the city in contemporary Australia. A participant described the city as "weird," with significant contradictions:

I think Newcastle's in a weird place compared to other parts of Australia when it comes to things like LGBT acceptance. We're like the halfway point between regional and rural Australia, and major urban places like Sydney. I think there's a long history of little pockets of LGBT groups and different organizations or communities, and the fact that there is a history of LGBT venues that has gone on for a while. But it is a bit at odds with itself (29, male, gay).

This apparent contradiction, or at least perceived contradiction as far as our participants were concerned, was sometimes described through the framework of Newcastle having multiple identities that link and combine, creating a unique experience and response to the Australian marriage equality debates:

I think the results speak for itself [sic]. Out of all the regional non-capital cities, Newcastle had the biggest 'Yes' vote. I think that comes down to a lot of factors. We are working class, which sometimes . . . doesn't help LGBT people. We're kind of a hybrid. It's good to see, but I don't think we're necessarily quite there yet (male, 33, gay).

The quotes from these two participants reflect the argument put forth by Gray et al. (2016) that the politics of gender and sexuality cannot be easily tied to rural, regional, and urban locations, and that meteronormative perspectives on the history of sexual and gender equality miss the influence and unique components of regional locations on these debates.

While Newcastle's 75% "Yes" outcome was celebrated as a success, despite the negative impact it had on the local rainbow community, it did evoke the question of "who were the other 25%?" As one participant noted:

It's really great that we were 75% that voted 'Yes,' but there's still the remaining - what is it? - 25% of the thing. A quarter of the town said no. I'm not trying to be pessimistic about it, but it's something that I keep in the back of my mind (39, female, bisexual).

The fact that 25% of people who lived in Newcastle voted "No" was not something that could easily be forgotten or ignored by the participants, as the quote above illustrates. This participant was positive about the outcome, and equally proud of the relatively higher percentage of people who voted "Yes" in comparison to many other locations. Yet the very nature of a postal survey, as opposed to an act of legislation passed by the federal government, directly highlights the number of people in each community opposed to marriage equality. While it was realistically noted that a 100% "Yes" vote might not ever be possible, it did serve as a reminder that despite a positive outcome their wider community was not universally supportive or inclusive of their right to marriage. This point is additionally troublesome for the rainbow community: the postal survey was different from general elections and referenda in Australia in the important sense that it was a voluntary vote, not a compulsory one. It meant that out of the 95, 157 individuals in Newcastle who voted, 23,999 actively went out of their way to voluntarily vote against marriage equality, a number that did not go unnoticed by the participants in this research:

I'm happy to be living in somewhere like Newcastle with that idea of the 75% being 'Yes.' Although it does make me constantly think about the 25% who aren't willing (27, female, bisexual).

Yet even with a successful "Yes" vote across Australia, the supposed democratic nature of a postal survey had the potential to reinforce the notion that sexual and gender diversity was not universally accepted.

#### "Waiting" for equality

While marriage equality has been argued, contentiously, to consist as one of the final barriers for equity and social inclusion for sexual and gender minorities (Bernstein, Harvey, & Naples, 2018; Thomas et al., 2020), the "Waiting for Equality" team was concerned with interrogating how far that process for equality had actually progressed. As a result, the final theme of "waiting" for equality was developed to articulate how in a post-marriage equality world many members of the rainbow community are still waiting for full social and civil rights. The primary narratives and findings present in this theme include: frustration at the process of a postal survey; the importance of marriage equality for everyone; the exhaustion in continuing to fight for equality, and how progressive victories for diverse communities may be legislatively wound back in the future.

Despite the outcome of the "Yes" vote, and the way this reflected potentially positive changes in Newcastle, there was no avoiding the controversial topic of the postal survey itself. While Newcastle may have returned a high "Yes" vote at 75%, the nature of a postal survey itself was heavily critiqued. The postal survey was directly linked by the participants to their experiences of stigma, discrimination, and public scrutiny. When asked to reflect on how effective the postal survey was, or whether it served the needs of the local rainbow community, most participants were vocal in their dissatisfaction with that form of political and legislative process. They decried it as ineffective, suggested it removed the onus for progressive change from the government, and, as one commented, it could be seen as an "outsourcing" of governmental responsibility:

I was always against the postal survey ... I did not like the precedent that it set where we were outsourcing our government. The whole point of our political system is to represent, is to elect a representative for our electorate, who goes to Canberra and represents us. And then they all go together, they pass legislation and they get their jobs done (48, female, lesbian).

This participant was concerned with how the postal survey on marriage equality was not only antithetical to the notion of elected officials, but that it might also be used in the future as a precedent for future forms of legislation pertaining to equality. Another participant was more explicit with their frustration, citing the unbinding nature of the survey, the fiscal cost of the process, and the lack of accountability it provided:

I think the first word that comes to mind is "cowardice." They needed this so-called evidence which cost us so much money and then it wasn't even binding anyway. Everyone's kind of saying, "Well yeah, but I got my say," but if 100% of the population agreed with gay marriage, it wasn't binding anyway. If no one agreed with it, it's not binding. It's up to the government to step up and do their job . . . they're so spineless (31, female, lesbian).

Despite the supposedly democratic and representational philosophy behind a public postal survey, the choice to pass legislation on marriage equality was still dependent on a coalition government in which there were powerful and vocal opponents of marriage equality, even in 2017. Some authors, including Copland (2018) and Ritchie (2016), have claimed that the postal survey was a democratic action, one that might have allowed issues of equality and diversity to be brought to a wider audience, however the participants in "Waiting for Equality" rejected those assertions.

While the postal survey itself was critiqued, the response to the marriage equality debates in Newcastle was complex and nuanced. For instance, many of the participants in this research felt that marriage equality was not, at its basis, about marriage. Rather it was about equality, civil rights, and social participation directed through the civil institution of marriage:

All it is, is marriage equality. Not same-sex marriage like some people call it. It's marriage equality. That's what it's about. Equality. Equal rights. And them denying us equal rights. End of story (57, female, lesbian).

This participant was explicit about a common finding from this research—that marriage equality was about equal rights, and the denial of rights—rather than about the institution of marriage itself. This finding is also reflected in research by Cover et al. (2020a), whose work found that many individuals in the rainbow community articulated marriage equality as an idea that was inseparable from human rights and equality discourses. This focus on the importance of equality was related not just to the rainbow community, it was also noted that this was an important issue for many people in the Newcastle-Hunter region, regardless of sexual or gender identity:

In the end I felt like this isn't something just for the gay community, this is something about the broader community... and points it to that idea of equality (49, female, lesbian).

Despite the noted frustrations with the postal survey process, and the implications of marriage equality for issues of social justice more broadly, we were equally interested in asking participants a range of questions on how to advance and protect the achievements of the "Yes" campaign. When they were asked how to build on the momentum of positive change that resulted from marriage equality, participants focused on the importance of constant vigilance and the notion of protecting social advancements. This theme was expressed through a variety of emotions, emphasizing the

nuanced reactions our participants had when reflecting on the marriage equality debates. One participant expressed a concern that apathy toward protecting and maintaining civil rights could emerge in a post-marriage equality Australia:

In terms of the priority now, it is to continue the fight. It's exhausting, but it sucks because social change takes a long time, but it could in a heartbeat be undone. Someone could sign a bill and people's rights are gone. Apathy will creep in again (36, male, gay).

This participant was open about their own feelings of exhaustion at not only having fought for marriage equality, but at the idea of having to continuously protect those hard-won rights. This notion that substantial and effective social change takes a long time to solidify is significant in the context of a postmarriage equality Australia. International research has indicated that while public opinion can shift after the implementation of social policy supporting the rights of sexual and gender diverse individuals, it is more likely to make an impact on demographic groups already positioned to support these rights in the first place (Kreitzer, Hamilton, & Tolbert, 2014). Kreitzer et al. argue that progressive social policy is only one step in shifting social views and attitudes (2014). This reinforces the participants' concerns about the need for vigilance in Australia and Newcastle, lest some of the hard-fought gains achieved through the struggle for marriage equality are wound back. Related to this notion, a significant number of the participants brought up their concerns around the Religious Discrimination Bill introduced in 2019, the first version of which was widely criticized for allowing people of religious belief a positive right to discriminate (McLoughlin et al., 2020). A concern that was reflected in the following point:

We were all quite alarmed because we were frightened that they would try and overturn some of the good that we had done ... that had been done. So we're working on making sure that that hopefully doesn't happen, and the religious freedom doesn't give that scope for that to happen (61, female, lesbian)

While another succinctly noted:

I just think that it's a massive step backwards because it's allowing people, in a sense, the right to discriminate using false grounds (66, male, gay).

Both of these quotes reflected a concern that not only would they lose the rights they had gained through marriage equality, but that future acts of legislation would allow for new forms of discrimination. At the time of writing, submissions to the second version of the Bill had closed and few if any concessions had been made to critics of the original draft of the legislation (Marr & Karp, 2019; Rice, 2020). There was a general concern that this new form of legislation would allow people to actively discriminate against the rainbow community and protect those who did. On this same topic of

religious discrimination, a participant expanded on the importance of supporting and fighting for equality:

I don't think there's ever a time where you just sit back and think you've achieved what you need to achieve and that there isn't a need for vigilance (37, female, queer).

This need for vigilance in the post-marriage equality era is not without justification. Research has indicated that countries introducing progressive and protective legislation have witnessed efforts to resist and circumvent these rights (Browne & Nash, 2014). In both the United Kingdom and Canada, for example, many diverse organizations were found to actively resist these rights. These bodies commonly took the forms of charitable organizations, legal defense funds, Christian and other religious organizations, with connections existing between churches, political parties, think tanks, and governmental representatives (Browne & Nash, 2014). While these findings take place in a different national context, they reflect the participants' belief that constant vigilance is needed to protect and maintain the rights of sexual and gender diverse individuals.

#### Discussion

The "Waiting for Equality" project tells stories of the marriage equality movement in Australia, with a spotlight on Newcastle and the Hunter. Here we have focused on exploring findings from the community interviews, with specific attention to the experiences of individuals during the public debates and postal survey. While the responses to the marriage equality debates were varied and nuanced, there were a few common themes. Members of the rainbow community were exposed to heightened forms of stigma and discrimination during the public debates, and while the outcome of a 75% "Yes" vote for Newcastle was celebrated, it also served as a reminder that a significant portion of the community was not supportive of their civil and human rights. This reflection was coupled with a frustration and anger at the unnecessary process of a postal survey that was described as ineffective, costly, and unfairly positioned the participants' human rights as a subject for public debate. The rights won in the marriage equality debate were important, but our participants considered them to be only one part of the broader agenda for rainbow equality.

The findings regarding the impact of the postal survey belie the assertion that the negative impacts were overblown, and that the survey was in fact an opportunity for productive debate (Copland, 2018; Ritchie, 2016). Those assertions also fail to recognize that progressive social change can occur without having "to put the question of basic civil and human rights to a popular vote" (House of Representatives, 2017). This assessment of politicians failing to act bravely in the face of issues of equality may read as overly critical, however the deficiencies of the postal survey are evident. The postal survey in Australia required those who were already marginalized by wider social discourses relating to sexual and gender diversity to expose themselves for the sake of social change, and there was no onus or responsibility on elected representatives to serve the needs of their constituents (Thomas et al., 2020). This added another form of stress and hostility to individuals who were potentially already impacted by minority stressors and concerns (Meyer, 2003; Shenkman & Shmotkin, 2016).

The findings presented in this article also demonstrate the importance of moving away from meteronormativity in examinations of queer history, politics, and equality (Gray et al., 2016). The Newcastle and Hunter experience of the marriage equality postal survey was distinct, in relation to the history of working-class action and solidarity in the region, but was also reflected in the proportionately high "Yes" vote for a non-capital city. While the majority of research in Australia around marriage equality, and the broader rainbow community, focuses on large metropolitan areas, regional and rural perspectives can provide a unique and valuable insight.

An important consideration of this research pertains to the social and legislative focus of the marriage equality debates. The debates focused on an issue that pivoted primarily around gay men and lesbian women wanting a formal legalized union with an individual of the same gender identity. However, the public debates also focused on broader areas, including discussions around the rights of gender diverse individuals, specifically transgender persons in schools (Law, 2017; Thomas et al., 2020). For example, the currently debated Religious Discrimination Bill, often described as a direct response to the passing of same-sex marriage, is feared to significantly impact gender diverse and transgender individuals (Rugg, 2019). Previous research has shown that certain groups within the rainbow community are exposed to higher rates of general social stigma, but also stigma and exclusion within broader rainbow spaces, with bisexual, transgender, and gender diverse people as key examples (Fredriksen-Goldsen et al., 2011; Hughes, Harold, & Boyer, 2011; McLean, 2008; Rugg, 2019). It is important then to consider the intersectionality of experiences within the rainbow community, and how those not primarily positioned as the "recipients" of marriage equality have been, and will continue to be, impacted by marriage equality. While this is currently beyond the scope of the "Waiting for Equality" project at this time, the answer to that questions will be of benefit to future efforts to advocate for equality.

The findings presented in this research show that vigilance in protecting social and civil rights is important, but so too is broadening the scope of these rights to promote equality for all members of the rainbow community. The participants were vocal that a failure to protect these rights could result in them being removed, or weakened, and many spoke of their concerns regarding the Religious Discrimination Bill 2019 as an instrument to do just that. The fact that the "No" campaign's powerful framing of religious freedom in debates has had crucial input to the post-marriage equality draft legislation provides a material basis for these concerns. (Brickell & Bennett, 2021; Poulos, 2020). Moreover, it was frequently mentioned that many individuals in the rainbow community were rightfully concerned about the prominence of discriminatory views regarding sexual and gender diversity, whatever the successful outcome of the marriage equality postal survey.

## Limitations

There are limitations in this research that are important to acknowledge. As noted earlier in this article the public debates around marriage equality also incorporated broader subjects, including the rights of transgender persons in schools. The majority of the participants in this research identified as cisgender male and female, with a smaller number identifying as transgender women. As a result, this research was unable to sufficiently explore and represent the experiences of gender diverse and transgender persons during this time. Future research could address this limitation through deliberate recruitment strategies.

Another limitation concerns the research guide and questions pertaining to the Religious Discrimination Bill. While the focus of this research was on marriage equality, the topic of religious discrimination did emerge in the interviews, however it was not included in the interview guide and subsequently not all of the participants discussed this piece of legislation and related concerns. Future research could focus on the backlash to marriage equality by specifically exploring the development of the Religious Discrimination Bill, other forms of legislation and social policy that have emerged since the 2017 marriage equality postal survey, and how these may be impacting on the rainbow community.

## Conclusion

Marriage equality is still under-researched in Australia. Our article is a small contribution to ongoing research at the regional, national, and global levels on this important topic, and serves as a reminder of the importance of continuing this conversation and process of reflection. The issue of simultaneously striving for equality, supporting individual and community wellbeing, while staying vigilant to protect rights already won will continue to be relevant for the rainbow community and other socially marginalized groups.

#### Notes

- 1. The initial figure budgeted was \$122 million, but \$80.5 million was used.
- 2. There are eight capital cities in Australia, each of which functions as the seat of government for the state or territory in which it is located.
- 3. A community campaign organization for justice and equality.
- 4. An anti-bullying campaign focused on diverse sexual and gender identities.
- 5. The Hunter region is an area of New South Wales in Australia, approximately 160 kilometers (100 miles) north of Sydney, with Newcastle as its capital. The population of Newcastle was 322,278 as of 2016, while the greater region of Hunter had a population of 620,530. The city of Newcastle is the second largest in the state of New South Wales and is the largest coal exporting harbor in the world.

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#### **Ethics approval**

This project was approved by The University of Newcastle Human Research Ethics Committee, Approval No. H-2019-0161.

#### **Disclosure statement**

No potential conflict of interest was reported by the author(s).

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