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Abstract

[Extract] There is little doubt that there are gay and lesbian students, faculty, staff, and administrators in our universities. You may not see all of us unless we want you to, but we are there. Whether you choose to acknowledge our presence is another issue. Historical prejudices against minority groups and those who are 'different' still exist in many parts of the world and in many of our universities. There are significant cultural, religious, national and regional differences in how minority 'tribes' or 'groups' are identified and treated. There is a significant body of research discussing issues of homosexuality and discrimination against homosexuals. A simple search of the World Wide Web (WWW) will lead any interested person to thousands of pages and sites that discuss the discrimination. The research discusses many different aspects of same sex attraction and same sex practices. However, many of those who are in charge of our tertiary institutions systematically ignore this body of research. Those of us who are 'gay activists' and human rights activists are constantly reminded of the systematic discrimination against gay men and lesbians in our societies. Some of us are more open about our sexuality than others. Many gay men and lesbians who are comfortable with their orientation still choose to remain 'in the closet' and hidden from their colleagues and others within the university.

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Gay Men and Lesbians in the University Community

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Introduction:

There is little doubt that there are gay and lesbian students, faculty, staff, and administrators in our universities. You may not see *all* of us unless we want you to, but we are there. Whether you choose to acknowledge our presence is another issue. Historical prejudices against minority groups and those who are 'different' still exist in many parts of the world and in many of our universities. There are significant cultural, religious, national and regional differences in how minority 'tribes' or 'groups' are identified and treated.

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Those of us who are 'gay activists' and human rights activists are constantly reminded of the systematic discrimination against gay men and lesbians in our societies. Some of us are more open about our sexuality than others. Many gay men and lesbians who are comfortable with their orientation still choose to remain 'in the closet' and hidden from their colleagues and others within the university.

This paper is prepared from a gay male perspective. I am unable to speak in the first person about lesbian issues. While my work as a gay activist and human rights activist indicates that much of the systematic prejudice and discrimination is directed at men who have sex with other men¹

The United Nations Declaration of Human Rights (UNDHR):

The current interpretation of this document and its protocols prohibit discrimination based on sexual orientation. Nevertheless, many governments choose to ignore the human rights edicts and court rulings even though their governments have agreed to the treaty obligations of the UNDHR. In some countries, homosexuality is illegal. In other countries, homosexuality, particularly male homosexuality is both a legal and medical problem.

The change of sodomy laws and laws criminalising homosexual conduct is possible. Two Australians, Rodney Croome and Nick Toonan sustained an action against the State of Tasmania's anti gay laws. The State of New South Wales has created three important pieces of legislation decriminalising homosexuality [1984], anti-vilification legislation [1994] and most recently the Property Relations Act [1997] that recognises the rights of same sex couples in relationships. The Hawaii [1999] and Vermont [2000] legislation regarding legal recognition of same sex relationships is another step forward in the achievement of equal rights and social justice for gay men and lesbians. Other States in the US still consider 'sodomy' and 'homosexuality' criminal activities. Sodomy laws are seldom enforced, but they are there as threats to otherwise consenting same sex sexual activities.

¹ Many men who have sex with other men do not identify as 'gay' or 'homosexual'. There are significant numbers of men who have sex with men who are married and living with their families. Most of these men keep their homosexual activities concealed and separate from their 'real' lives. Cultural biases and prejudices, particularly in Asian cultures where all men are expected to marry and reproduce, make life as an "out" person very difficult.

While these are just a few examples of gay positive legislation, there are still significant problems with systematic discrimination. The Defense of Marriage Act (DOMA) in the US is a federal interference into State's Rights to determine 'marriage' relationships. I believe that DOMA is a clear violation of the US Constitution and will eventually be overturned. The legislative battles over hate crime legislation that includes homosexuality or perceived homosexuality in the 'hate crimes' category are difficult in the more conservative governmental units.

What We Know (or think we know) About Gay Men and Lesbians in our Educational Institutions:

Some attitudes toward homosexuals and homosexuality have changed. Unfortunately some ideas and biases remain static and apparently unchangeable. There are still some out in our communities who condemn homosexuality and homosexuals. This group continues to base their systematic biases and discrimination on interpretation of Scripture and / or a medical / psychological view that is increasing marginalised from the mainstream of medicine and psychology.

I identify many of these individuals and groups as the self appointed protectors of heterosexual privilege. It is unclear what agendas that they have other than to systematically discriminate against homosexuals and homosexuality. There are many identifiable characters in these groups. People like Fred Nile from the Australian Christian Democrats and his wife Elaine, the newly appointed Arch-Bishop of Sydney, George Pell, and the One Nation Party in Australia are representative of these individuals and groups.

Other US groups and individuals are powerful and well funded. The Family Research Council, American Family Association, Paul Cameron's anti-gay groups, and perhaps the most virulent of all, Fred Phelps. There is a small group of psychologists, primarily NARTH that supports 'reparative therapy' to 'cure'

homosexuality. Their programs include Exodus and Living Waters. These groups purport to offer treatment to those who are 'sick' and 'perverted'.

Their rhetoric is all too familiar to those who work on my side of the arguments. They 'protect' the family as though only heterosexuals are privileged to have 'family values'. The radical religious right preaches that homosexuality is a sin and condemned by Scripture. Those interpretations are not universally accepted. The RRR preaches that homosexuals have a 'choice'; that we have 'chosen' to be homosexual. I often wonder when people like Joseph Nicolosi or Richard Socarides *chose* to be heterosexual. Socarides in particular presents a very interesting dilemma for NARTH and the RRR because his son Richard is an openly gay man who served the Clinton administration as an adviser on lesbian and gay issues. Current US Vice President Dick Cheney's daughter is an 'out' lesbian who worked for Coor's Brewing Company as a marketing coordinator to sell Coor's products to gay men and lesbians.

We all know too well that all gay men 'recruit' young boys for sex. And of course *all* gay men are paedophiles who sexually abuse the young. The sexual abuse industry is alive and well in many parts of the world, never acknowledging that 95% of the people who sexually abuse children (who are prepubescent by definition) are men who identify as 'straight'. The simple fact that the gender of the person abused by many paedophiles is not of importance to the abuser is never noted. Those who sexually abuse boys are *always* defined as gay men, and *never* acknowledged as abusers of prepubescent children. The child sexual abuse industry often chooses to treat the person who is selected by a physically mature 15 year old male for any kind of consensual sexual activity the same as a 45 year old male who rapes an 18 month old child.

The NSW State Royal Commission into Police Corruption veered off into a witch-hunt of an organised gang of paedophiles. There has never been any proof that any such gang, group, or association existed. Since the Commission was not subject to the antivilification and antidiscrimination laws, and was immune to charges of defamation, the witch-hunt was a broad and sweeping generalisation that cost many people their careers. There were at least a dozen suicides by people who were accused and persecuted by the press and by the Commission. To date the only convictions that have resulted were cases of male - male sex that were illegal before 1984 in NSW, and would be legal today, or cases where the consensual sex acts occurred between someone between the ages of 16 and 21. At least some of the evidence that was given to the Commission came from those incarcerated for other crimes. In some instances information came from those who were underage male prostitutes working the streets of Kings Cross or out of Sydney's gay bars where the presumed age of customers was minimally 18. Had the sexual acts been with females over the age of 14, they would have been legal.

How do Gay Men and Lesbians Fight Back?

Crew [1978], says in the introduction to his book *The Gay Academic*:

After over 2,000 years of being stigmatized as “corrupters of youth;,” gay academics are declaring themselves to be what they have always been, viz., an integral part of the academy, serving with distinction in the academy’s most celebrated achievements as well as in its more mundane endeavors, certainly with no demonstrable monopoly on corruption, sexual or otherwise.

While Crew’s book is not the first book discussing the presence of gay men and lesbians in the academy, Crew stands out as one of the leaders of the ‘gay movement’ in tertiary education. Many others, including the 26 papers included in *The Gay Academic* helped lay the foundation on which Crew and so many others have constructed their organisations and structures.

We know that much of the impetus for change came from the Stonewall Riots in June, 1969. There are many stories about the people of Stonewall. Some of these stories were repeated during the 1st Sydney Mardi Gras parade and protest in 1978 in Australia.

Rutgers University appointed a Select Committee for Lesbian and Gay Concerns on February 3, 1988. This committee proceeded on the premise that the university must ensure an environment in which all members of our community, including lesbian and gay student, are able to participate and develop intellectually and emotionally, free from fear, violence, or harassment [Anderson, 1988]..

Michigan State University in their report *Moving Forward* [1992] begins:

This story reports what lesbians, gay men, and bisexuals on the MSU campus have gone through, what they are going through, and what they hope will change so that the circumstances of their lives may also change. Before change can occur, voices must be found to speak about the misconceptions, the sorrows, the oppression experienced by those who have previously had no voice, or whose voices have been silenced by the dominant culture. This report begins to shatter that silence.

The Rutgers study recommends that the university take these actions:

1. The establishment of an Office for Lesbian and Gay Concerns with at least one full time staff person,
2. The creation of incentives for the integration of the 'new curriculums,'
3. Combatting homophobia through distinct, tailored sensitivity programs,
4. The creation of a safe space, and
5. Ensure equity in access to benefits and services.

At my University, the University of Wollongong, which is located about 100km south of Sydney, New South Wales Australia, we have achieved some of these goals. While we do not have a full time Office or a full time position, there is an increasing awareness in the Equal Employment Opportunities office, University

Counselling, and the University Union in addressing heterosexism and homophobia in our University. The 'new curriculum' projects include some subjects in the Faculty of Arts that create a positive climate to discuss and explore issues of sexuality.

There is much information available about these issues on the internet and the web. A search of <http://www.google.com> with the keywords gay university student is revealing. I have cited only a few of the available academic works. Certainly the Journal of Homosexuality is a good place to begin one's search of the literature. They have been published for 25 years and have a good 'track record'.

The Religious Right and Homosexuality:

Much of this discrimination is based on interpretations of 'scripture' or 'religion'. The radical religious right (RRR) believes in the fundamentalist 'black letter' infallibility of the written scriptures. Rudy [1997], Herman [1997] and Boston [1993] all discuss the problems with the radical religious right and their condemnation of homosexuality. Some branches of the Christian churches are more prejudicial and discriminatory against homosexuality and homosexuals than other branches. There is no single accepted doctrine or interpretation of Scripture, so there are those within the Christian faiths who believe that homosexuality varies from a mortal and fatal flaw to those denominations that are far more accepting of homosexuality and homosexuals.

This discussion will not centre on the differences in interpretation of doctrine in the various faiths, but we cannot ignore the significant role that religious belief plays in the systematic discrimination against gay men and lesbians.

The new Archbishop of Sydney (NSW Australia) George Pell has a long history of discrimination against gay men. His most recent remarks about gay priests indicate his fundamentalist Roman Catholic Church approach to homosexuality. Pell has refused communion to those 'practicing' homosexuals in his congregations. His

most recent remarks on Australian television indicate that Pell believes that homosexuality is a psychological problem that can be cured by treatment. It is likely that Pell *knows* about the medical / psychological groups decision about homosexuality as sickness or disease, yet he continues to discriminate. His position is consistent with the directives of the Pope and the church hierarchy. Pell says that he knows of a group of Catholic priests who are called 'the Spice Girls' by others in the Church and will send them for psychological intervention. Pell will find it difficult to find a 'mainstream' psychologist or psychiatrist who will do as he wishes.

There are others who are virulently homophobic in their religious interpretations. The Legislative Council of the NSW Parliament has two elected representatives from a political party named 'The New Christian Democratic Party (Fred Nile Group)²' that are based on fundamentalist 'family values'. Fred Nile writes,

I do hate what is evil Henry and homosexuality is evil, as is al sin, however homosexuality is particularly singled out by God as detestable to Him³.

Fred Nile says that he loves homosexuals but hates homosexuality. His beliefs are similar to those held by the Roman Catholic Church that says love the sinner, hate the sin. Others reject the Nile's and the Catholic Church's positions on homosexuality. Fred Nile's statements are inconsistent with those of the Uniting Church of Australia. One of the Uniting Church groups in Paddington NSW has a pastor, Rod Pattenden, whose statements and beliefs are diametrically opposed to those of the Niles.

The Metropolitan Community Church (founded by a fundamentalist Christian minister by the name of Troy Perry) serves a largely gay and lesbian community. Perry's fundamentalist upbringing parallels that of Dr. Mel Whiteⁱ [1994] another supporter of gay and lesbian rights in the Christian communities.

² The party was formerly known as 'The Call To Australia Party'. Their representatives in Parliament are Fred Nile, a retired Uniting Church minister and his wife Elaine Nile.

³ A personal letter from Fred Nile dated 19 April 2001.

Homosexuality on University Campuses

With the history of legal and religious prohibitions against sexual activities outside of marriage, it is no wonder that many universities are still wary of extending equal rights and social justice to the members of their communities. Universities are slow to change in many ways.

Student movement and dissatisfaction with the status quo are difficult to maintain. Students are a vocal but highly transitory group, and keeping the pressure on to demand change is difficult. Administrators often, too often in my opinion, use decision avoidance and procrastination as means of avoiding change in form and / or structures. Governance is difficult at best, and instituting change can be time consuming and frustrating. Committees and ad hoc bodies delay and obfuscate change. Decisions are deferred and reports sent back for 'clarification' and 'reconsideration' rather than acted upon.

As Universities become more 'corporatised' and 'customer oriented' in many ways, the inputs of faculty into the decision making process are minimised and / or ignored. University decision-makers are adopting short-term revenue driven customer satisfaction models that focus on the 'credential' at the end of the course. As such, University managers are less likely to consider controversial actions that do anything to impinge on the 'reputation' or 'management' of the business enterprise. Sometimes gay rights and social justice issues are not important to university administrators because of personal bias. Sometimes gay rights and social justice issues are just 'too hard' to deal with. While Universities are less likely to be confronted by sex negative parents that secondary schools, the RRR and sex negative pressures exist.

Government bureaucrats and legislatures control much of the funding for Universities. Therefore homophobic legislators and the RRR can have significant

influence over policies of the educational institutions under their control. One only need review the actions of the State of Utah's anti-gay policies that closed *all* clubs and societies in their State schools rather than recognise a student gay/straight alliance in some high schools.

The Role of the Military and Acceptance of Gay Men and Lesbians

While some countries have accepted gay men and lesbians into their military services and defense forces⁴ other countries have policies that systematically exclude⁵ 'out' gay men and lesbians. Gay military personnel have always served in their armed forces. Singapore with its national service requirement for all males has a method of dealing with their gay men by classifying them as '3-0-2' and assigning these people to mainly clerical tasks. Nevertheless, I know many gay men who have served in the Singapore NS who were not '3-0-2' and who served (and still serve in the reserves) honourably and with pride.

Much the same should be said in our colleges and universities. Many gay men and lesbians remain in their 'closets' while they study. Some find partners and other gay / lesbian friends in their classes and through other off campus social activities. Nearly every community has somewhere that gay men gather. It could be a café or a bar, or a 'beat'. But there will be somewhere that men who have sex with other men will meet. After all, we *are* everywhere.

Discrimination and Bias

In today's society we would never accept racial vilification and discrimination in most of the civilised world. Yes, there are some places where the 'other' is evil and discriminated against. Violence occurs based on religion, race, culture and ethnicity. We must do what we can to stop the hate and the bigotry and the violence.

⁴ Australia, Israel and the Netherlands are examples of military services that do not discriminate against gay men and lesbians.

While much of the World has created a climate of acceptance of religious and racial differences, anti gay and homophobia is still very apparent in many places. Some countries, notable the Islamic countries like Iran and Iraq execute those charged and convicted of homosexual acts. They are not far removed for the Nazi approaches to homosexuality that put suspected homosexuals in concentration camps. Many of us wear a 'pink triangle' just as many Jewish people have taken the yellow star of David as their symbol of never forget, never again in their response to racial, ethnic and religious persecution. These were the symbols of hate, violence and bigotry forged by the National Socialists and we have appropriated them.

Systematic discrimination and bias in our universities and colleges cannot be tolerated. If we are to advance as human beings, the rights and duties of all people must be protected.

What to do to stop the hate and the discrimination?

Stop! Look! Listen! Recognise that much of the systematic discrimination against gay men and lesbians is based on religious rhetoric and folklore. It would seem as though every group needs someone to hate and belittle in order that they might be superior to someone or some group.

Gay men and lesbians are often viewed as the 'other'. Some gay men are effeminate, some lesbians are very 'butch'. Gender roles are confused and confusing. I know many gay men who despise the effeminate males whether they are gay or not. Even within the gay male community there is some discrimination.

Somehow, some way our colleges and universities have to teach that discrimination in any form is wrong. We cannot allow our student (or ourselves) to be systematically biased against Blacks or Aboriginal populations or Jews. We work

⁵ The Don't Ask, Don't Tell policy of the US is particularly telling.

long and hard to eliminate the glass ceiling that affects women's 'promotability' in business. Discrimination against other humans on the basis of race, colour, religion, national origin, language background is unacceptable in most parts of the world. Why would we ever tolerate discrimination based on sexual orientation or sexual preferences?

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