

**Cross-Party Collaboration in the  
Australian Federal Parliament:  
Testing the Limits of Institutional Constraints  
and Enabling Factors**

**Adele Lausberg**

A thesis submitted in fulfilment of the requirements for the degree of  
Doctor of Philosophy,  
Department of Politics & International Studies, School of Social Sciences,  
Faculty of Arts, University of Adelaide.  
June 2018

## **Abstract**

This thesis identifies and explores the use of cross-party collaboration (CPC) in Australian politics. It investigates why politicians collaborate across party lines in the Australian Parliament and how this relates to political representation. Although there are some earlier examples, CPC rose to prominence when it was used to achieve legislative change in 2006 by four women Senators. These women employed CPC to circumvent institutional norms by presenting a co-sponsored bill concerning the medical abortion drug RU486. Their success contributed to an acceleration of CPC.

This thesis finds that both women and men have become more likely to adopt the previously rare practice of CPC since 2006. The occurrence of CPC is stimulated by enabling factors which include: electoral shifts; a shared cosmopolitan outlook that compels actors to disregard localised party policies in favour of a higher universal law; and desire for community leadership. For women using CPC to represent women, there are some differences in the enabling factors: critical actors and a critical mass of women; minor parties; and parliamentary groups/committee minority reports. CPC has occurred despite the existence of institutional constraints which deter politicians from seeking collaboration across party lines. These constraints include: strict party discipline; party leadership style; and limitations in the norms, practices, and structure of parliament.

The phenomenon of CPC has not been holistically analysed in Australian political science, and this thesis offers in-depth analysis of the topic. It combines critical constructivist and New Institutionalism theories to understand the broader implications of CPC by unveiling power dynamics and questioning institutional norms. The methods used include analysis of Hansard, media reports, and political-party documents, complemented by original interviews with politicians and participant observation in parliament. The investigation focuses on six case studies involving socio-moral issues that in many respects transcend left-right party-political cleavages: RU486; pregnancy counselling; same-sex marriage; asylum seekers; banning cosmetic testing on animals; and gene patents.

While this thesis explores CPC generally, including examples from before 2005, there is a close focus on women's use as they have participated more than men. As women intensively used CPC in 2005 and 2006 this thesis examines gendered practices in parliament that help explain why they adopted the practice. It also explores whether this constitutes a substantive representation of women. Other actors with less power, including backbenchers of major parties, minor party members, and independents, noted women's success in 2006 and after became increasingly likely to use CPC for their policy interests.

While the success of CPC has been limited, politicians with the requisite political will continue to pursue collaboration across party lines to achieve their policy aims. This thesis identifies CPC as a form of representation which provides a means of opening debate over hitherto ignored and/or contested issues in the political realm. It allows a wider variety of views to be represented by offering an alternative way to agitate for policy change. As parliament has become more volatile through close or hung numbers, CPC is increasingly recognised by politicians as a useful strategy to represent issues.

## Thesis Declaration

I certify that this work contains no material which has been accepted for the award of any other degree or diploma in my name, in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text.

In addition, I certify that no part of this work will, in the future, be used in a submission in my name, for any other degree or diploma in any university or other tertiary institution without the prior approval of the University of Adelaide and where applicable, any partner institution responsible for the joint-award of this degree.

I give consent to this copy of my thesis, when deposited in the University Library, being made available for loan and photocopying, subject to the provisions of the Copyright Act 1968.

I also give permission for the digital version of my thesis to be made available on the web, via the University's digital research repository, the Library Search and also through web search engines, unless permission has been granted by the University to restrict access for a period of time.

I acknowledge the support I have received for my research through the provision of an Australian Government Research Training Program Scholarship.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## Acknowledgements

This thesis was made possible through the continued support of my family. Gisela, Werner, and Sebastian – I love you all very much. You are the family I would choose time and time again.

To my friends who have seen me through this journey, thank you for loving me through the entirety of this experience. Subasha – without the tough love and late-night conversations this would've been much harder (and much less fun). Jess – for your inexhaustible willingness to dissect and discuss ideas (thesis related or not), thank you.

My gratitude goes to all the friends I have made in PhD Land. Clare, Jill, and Alex, you all made coming in to the office a fun – if sometimes distracting – experience. Special mention to Erin and Meghan, though state borders separate us our mutual love/hate relationship with our theses unites us. Others from across Australia, including my APSA friends and Olivia, also, a huge thank you.

Thank you to my supervisors Lisa Hill and Carol Johnson for your advice, wisdom, and willingness to answer every question I had. I am also appreciative of the funding I received through an Australian Postgraduate Award which helped me immensely and to Diana Barnes for her diligent editing work. I am especially grateful to the politicians I interviewed who were willing to share their experiences with me.

There are others along the way that have provided help in some form or another, whether by reading a chapter, listening to me rant about politics, or simply giving me a friendly smile at a café.

You all did your utmost to make this the best thesis possible. Any remaining errors are my own responsibility.

## Table of Contents

Abstract	ii
Thesis Declaration	iv
Acknowledgements	v
Table of Contents	vi
Abbreviations	vii
Introduction	1
Chapter 1: Literature Review	17
Chapter 2: Theory and Methodology	52
Chapter 3: Representation	89
Chapter 4: The Australian Parliament: Constraining Action	112
Chapter 5: Women and Cross-Party Collaboration	147
Chapter 6: Cross-Party Collaboration 2006 – 2016	178
Chapter 7: Discussion	232
Conclusion	252
Appendix	261
Bibliography	263

## Abbreviations

AES – Australian Election Study
ALP – Australian Labor Party
ANC – African National Congress
APGPD - Parliamentary Group on Population and Development
AWNLC - Australian Women’s National League
AWS - All Women Shortlists
CBC – Children By Choice
CEDAW - Convention on the Elimination of All Forms of Discrimination Against Women
CI – Constructivist Institutionalism
CLP – Country Liberal Party
COAG – Council of Australian Governments
CODESA – Convention for a Democratic South Africa
CPC – Cross-Party Collaboration
DEM – Australian Democrats
DHJP – Derryn Hinch’s Justice Party
DI – Discursive Institutionalism
EMILY (EMILY’s List) - Early Money Is Like Yeast
FF – Family First Party
FI – Feminist Institutionalism
GRN – Australian Greens
HI – Historical Institutionalism
HRA – Humane Research Australia
ICC – International Criminal Court
IND – Independent
LDP – Liberal Democratic Party of Australia

LP – Liberal Party of Australia
LNP – Liberal National Party of Queensland
MEP – Australian Motoring Enthusiast Party
MP – Member of Parliament
MPNP – Multiparty Negotiation Process
NI – New Institutionalism
NP – National Party of Australia
NT – Northern Territory
NXT – Nick Xenophon Team
OI – Old Institutionalism
PFG – Parliamentary Friendship Group
PR – Proportional Representation
PWG – South African Parliamentary Women’s Group
RCA – Reproductive Choice Australia
SI – Sociological Institutionalism
TGA – Therapeutic Goods Administration
UK – United Kingdom
UN – United Nations
US – United States
WNC – South African Women’s National Coalition
WWFP - <i>Mulheres Sem Medo do Poder</i> (Women Without Fear of Power)



## Introduction

Australia has a Westminster two-party adversarial political system. As such, the wider public tends to view it as a competition-driven realm. This is supported by media stories citing the combative elements in politicians' behaviour, attitudes and statements.<sup>1</sup> This characterisation ignores the daily practices of politicians who often reach consensus in collaborative ways, particularly in the extensive committee system. While collaboration does occur in structured settings, more remarkable is the practice of cross-party collaboration (CPC). This phenomenon involves politicians collaborating across party lines by co-sponsoring bills and motions, campaigning and appearing together in the media, or forming cross-party working groups. CPC is analysed in this thesis to reveal who participates in the phenomenon, what motivates them to do so, which issues it is used on, and how it reflects broader changes in Australian political practice.

Collaboration is not an alien concept in Australian politics: as governments rarely control the House of Representatives and the Senate concurrently, their members must collaborate and negotiate with members of other parties and independents to pass legislation. Although Australian politics is characterised by a high level of party discipline,<sup>2</sup> at moments in Australia's history politicians have possessed sufficient political will to break party ranks and collaborate with ideological adversaries. This thesis analyses six cases of CPC on the topics of: the medical abortion drug RU486; pregnancy counselling; same-sex marriage; asylum seekers; banning cosmetic testing on animals; and gene patents. Significantly, the *Therapeutic Goods*

---

<sup>1</sup> James Massola, "I Hold You Responsible for Every Hurtful Bit of Filth This Debate Will Unleash': Bill Shorten Puts Malcolm Turnbull on Notice," *Sydney Morning Herald Online*, August 10, 2017, <http://www.smh.com.au/federal-politics/political-news/labor-and-bill-shorten-to-pull-out-all-the-stops-and-campaign-for-a-yes-vote-on-samesex-marriage-20170810-gxt54g.html>, accessed 14 August 2017; Amy Remeikis, "Bill Shorten the 'Most Dangerous Left Wing Leader in Generations', Says Malcolm Turnbull," *Sydney Morning Herald Online*, August 12, 2017, <http://www.smh.com.au/federal-politics/political-news/bill-shorten-the-most-dangerous-left-wing-leader-in-generations-says-malcolm-turnbull-20170812-gxuug0.html>, accessed 14 August 2017.

<sup>2</sup> Kerry Ross, Susan M. Dodds, and Rachel A. Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," *Australian Journal of Social Issues* 44, no. 2 (2009): 123; Michelle Grattan, "Is Politics Still a Vocation?" (National Library of Australia, September 8, 2007), <http://www.nla.gov.au/kenneth-myer-lecture/2007>, accessed 2 December, 2016.

*Amendment (Repeal of Ministerial Responsibility for Approval of RU486) Bill 2005* (RU486 Bill) was co-sponsored by four women Senators from different parties and its success contributed to CPC becoming more widely used in parliament, rather than existing only infrequently as it did before 2005.

This thesis argues that the use of CPC by women on the RU486 Bill served as an influential demonstration of how CPC could achieve legislative change; while CPC had transpired before this bill it was the first time four Senators from different parties co-sponsored legislation.<sup>3</sup> The passage of this bill was a significant achievement when considering that only 29 non-government bills have passed into law in Australia, of which 10 were from private member's bills, 13 from private Senator's bills, 3 from the Speaker, and 3 from the President.<sup>4</sup>

This study finds that institutional constraints and enabling factors<sup>5</sup> have influenced the occurrence of CPC. Constraints reduce the likelihood of CPC occurring, and include the following: party discipline; party leadership style; and limitations in the structure, norms, and practices of parliament. Enabling factors which assist CPC include: an increased number of parties and women in parliament; a cosmopolitan outlook (respect for human dignity and the sanctity of other living creatures) that compels actors to disregard localised party policies in favour of a higher universal law; and a desire for community leadership. The presence of these factors served to accelerate the rate of CPC after the successful passage of the RU486 Bill in 2006 thrust the phenomenon into the spotlight. For women using CPC to represent women, the

---

<sup>3</sup> Marian Sawer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," *International Political Science Review* 33, no. 3 (2012): 320.

<sup>4</sup> Damon Muller, "The Passage of Private Members' and Senators' Bills through the Parliament," *FlagPost* (blog), December 6, 2017, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2017/December/Private\\_Members\\_and\\_Senators\\_Bills](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2017/December/Private_Members_and_Senators_Bills), accessed 16 May 2018; Australian Bureau of Statistics, "Survey Results," Australian Bureau of Statistics, November 15, 2017, <https://marriagesurvey.abs.gov.au/results/>, accessed 16 May 2018.

<sup>5</sup> I take the phrase institutional constraints and enabling factors from Sarah Childs and Mona Lena Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," *Government and Opposition* 44, no. 2 (2009): 127–28. They list 'Constraining and Enabling Characteristics of Legislative Contexts' as: '[i]nstitutional norms, especially in legislative practices; [p]ositional power, especially in legislative committees; [p]olitical parties, especially in terms of party ideology; [p]olitical climate, especially in terms of its relation to women's empowerment; [l]egislative arenas, especially in terms of varying distributions of women and men in distinct legislative spaces.'

enabling factors vary slightly: critical actors and a critical mass of women; minor parties; and parliamentary groups and committee minority reports.

In the following sections, I will outline the significance of CPC in Australian politics, define relevant terms, outline the research questions driving this inquiry, and provide a chapter-by-chapter overview of the thesis.

## **Cross-Party Collaboration**

CPC involves politicians disregarding party-ideological differences to focus on a single-issue. Politicians utilise it to spotlight issues that they believe have not been given adequate attention by parliament. Politicians collaborating across party lines and how this relates to representation has not been explored in a holistic manner in Australian political science literature. This thesis addresses this lack by: defining CPC; comprehensively surveying studies of representation, women in politics, conscience votes, crossing the floor, and CPC (both Australian and international); and providing in-depth analysis of CPC in Australia focused on six case studies. Due to the intensive use of CPC by women in 2005 and 2006, a sizable portion of the thesis is dedicated to understanding and exploring the institutional constraints and enabling factors influencing women's use of CPC. This thesis also identifies institutional constraints and enabling factors related to all cases of CPC in this thesis.

The thesis employs critical constructivism and New Institutionalism (NI) as complementary theoretical frameworks for understanding CPC. Critical constructivism allows me to consider power and to explore how individuals both shape and are shaped by social constructions, while NI allows me to identify norms and analyse practices within the institution of parliament. Together, these theories allow me to critically assess the factors that influence the occurrence of CPC. These theories reveal how parliamentary practices have formed over time and show that politicians have agency in parliament to change existing norms and prescribed roles or, in the case of CPC, work around these norms and normalise an alternative practice.

In terms of methods used, Hansard – the official record of the proceedings of parliament – was closely read for primary data on voting patterns and speeches to discover politicians' publicly-stated motivations for pursuing CPC and the reactions of

other politicians to CPC. Including Hansard as a source of data provides evidence for why politicians supported a bill or motion, and ultimately why they took the step of engaging in CPC. Interviews in the media also provide evidence, as politicians often use the media to argue a position on a bill or motion.

These sources were complemented by semi-structured interviews with 16 current and former politicians from major and minor parties as well as independents. Interviews ranged in length from 15 minutes to 1 hour. They were conducted in electorate offices, parliament offices, private workplaces, private homes, and over the telephone. A set of questions was prepared in advance (see Appendix), but to allow for a natural discussion of relevant topics, the sequence in which they were posed was determined by how each discussion unfolded. Politicians with known involvement in CPC were prioritised for interview selection, providing a small pool of desirable candidates. Triangulation<sup>6</sup> was completed by analysing relevant primary and secondary sources to cross-reference interview data. I also spent a year during the thesis candidature working as a political staffer for a federal MP (Member of Parliament). This study draws upon insights gleaned from my insider experience.

This is the first detailed and holistic study of CPC in the Australian context. Political scientists have analysed isolated cases of CPC in Australia but have generally done so with a narrow focus rather than seeking exploration of broader implications for representation in Australian politics.<sup>7</sup> There is an existing scholarly literature on conscience votes,<sup>8</sup> a related area of study. Although some of these works acknowledge

---

<sup>6</sup> Triangulation is the use of a variety of data sources in a study, providing cross-data validity checks and allowing for deeper understanding of a phenomenon. For more see Chapter 2 of this thesis and 'Part Twelve, Triangulation: A Case for Methodological and Combination Evaluation' in Norman K. Denzin, *Sociological Methods: A Sourcebook* (Chicago: Aldine Pub. Co., 1970), 449–58, 469–522.

<sup>7</sup> Kate Gleeson, "Tony Abbott and Abortion: Miscalculating the Strength of the Religious Right," *Australasian Journal of Political Science* 36, no. 3 (2011); Helen Pringle, "Urban Mythology: The Question of Abortion in Parliament," *Australasian Parliamentary Review* 22, no. 2 (2007): 5–22; Helen Pringle, "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate," *Australasian Parliamentary Review* 23, no. 1 (2008): 195–202; Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia."

<sup>8</sup> See for example Deirdre McKeown and Rob Lundie, "Conscience Votes During the Howard Government 1996–2007," (Canberra: Parliamentary Library, Department of Parliamentary Services, 2009); Kerry Ross, Susan M. Dodds, and Rachel A. Ankeny, "A Matter of Conscience? The democratic significance of 'conscience votes' in legislating bioethics in Australia," Faculty of Arts Papers, University of Wollongong (2009); John Warhurst, "Conscience Voting in the Australian Federal Parliament," *Australian Journal of Politics and History* 54, no. 4 (2008).

the existence of CPC, hitherto there has been no wide-ranging overview of the phenomenon in Australia.

I have divided this study of CPC into three periods: pre-2005; 2005 and 2006; and 2006 to 2016. The pre-2005 period includes significant examples of CPC from the 1970s and 1990s, some of which recur on similar issues in later instances of CPC case studies included in this thesis. I detail two case studies of CPC from 2005 and 2006: the RU486 Bill (introduced in late 2005); and the *Pregnancy Counselling (Truth in Advertising) Bill 2006* (Pregnancy Counselling Bill). Women's use of CPC on these two bills gained significant media coverage. The RU486 Bill was the first legislative change resulting from four co-sponsors of a bill<sup>9</sup> and contributed to an increase in the practice. Women used CPC in these years as a political strategy to represent reproductive issues. Four women Senators from different parties co-sponsoring a bill involved more of an on-going commitment than co-sponsoring a motion, or voting in a bloc on a conscience vote, for which CPC had been generally used in the past.<sup>10</sup> CPC on reproductive rights demonstrates that there are gendered aspects of parliament that limit the representation of some issues. Women worked together on instances of CPC in 2005 and 2006 and by analysing the intensive use of CPC by women this thesis contributes to the literature on women in politics, particularly the substantive representation of women, that is, the degree to which women's interests are reflected in policies and laws.<sup>11</sup>

After 2006, CPC was more likely to be adopted by other politicians, most notably following the 2010 election, when a more extensive variety of parties and independents were elected to parliament, leading to a minority government. Backbenchers of major parties, minor party members, and independents – both women and men – began to adopt CPC to draw public attention to political issues and

---

<sup>9</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia"; Muller, "The Passage of Private Members' and Senators' Bills through the Parliament."

<sup>10</sup> See Chapter 5 and Carol Johnson, "From Morality to Equality: Labor's Sexuality Conundrum" (The Australian Political Studies Association Conference, University of Adelaide: Social Science Research Network, 2014).

<sup>11</sup> Karen Celis, "Studying Women's Substantive Representation in Legislatures: When Representative Acts, Contexts and Women's Interests Become Important," *Representation* 44, no. 2 (2008): 114.

initiate legislative change. The issues addressed by these actors cut across traditional political party divisions. As with women in 2005 and 2006, these actors have restrictions on their actions: they are not wielders of power in the sense that they are unable to direct major party policy and possessed limited means of setting the political agenda. All case studies in this thesis originated with instigators who held a strong personal commitment to an issue, and the political will to pursue it,<sup>12</sup> sometimes in defiance of their party. This thesis employs political will, a relatively underutilised concept in Australian politics, to probe why individuals use CPC to fill a policy vacuum.

Analysing the phenomenon of a political strategy such as CPC raises questions about success: what factors lead to successful CPC? How is success measured? The question of success is considered in relation to empirical evidence presented in this study. Having a major party adopt an issue as policy could be construed as one form of success, and legislative change another, or seeing the issue attract political and public attention is yet another. The intentions of the actors involved may also differ when it comes to considering what success in CPC looks like. For a backbencher of a major party, success may come in their party adopting the issue, but this may not be the ultimate goal of a minor party or an independent.

Before outlining research questions and providing an overview of the thesis it is necessary to define terms used throughout the remainder of the text.

## **Definitions**

### *Cross Party Collaboration*

CPC is defined as a phenomenon involving politicians from different parties (and independents) working together to achieve a common goal. Forms of CPC include: the co-sponsorship of a bill or motion; appearing in the media together to advocate and campaign for policy change on an issue; or forming a cross-party working group. This broad definition includes a substantial portion of everyday business in parliament. Under such a definition, a cross-party co-sponsored motion of condolence or

---

<sup>12</sup> I outline political will in detail in Chapter 2. Briefly for now, Henry Mintzberg has defined political will as an individual's desire, inspiration and capacity to initiate action. For more see Henry Mintzberg, *Power in and around Organizations* (Englewood Cliffs, New Jersey: Prentice-Hall, 1983), 23–26, 183–84.

procedure could be included for analysis here. I identified 415 such motions in the Senate alone from 2000 to 2016 (see Figure 1, Chapter 6, p. 180 and Chapter 7, p. 238). Therefore, the cases included for analysis in this thesis involve substantial instances of CPC, those that require sustained and dedicated efforts rather than a single co-sponsored motion or media appearance.

Cases of CPC studied in this thesis include a combination of instances of co-sponsored motions, bills, media appearances, and cross-party working groups that involve a member from both major party<sup>13</sup> groupings, as well as further, coordinated campaigning on the issue. This could include speaking on bills and motions in parliament or appearing in the media together or holding regular meetings to discuss the issue. It is important that the collaboration is more than a one-off spontaneous occurrence. I identified two cases of women participating in such cases of CPC in 2005 and 2006 and then sourced four additional cases involving men and women between 2006 and 2016. The findings in this thesis are drawn from these cases of CPC unless otherwise indicated.

Parliamentary Friendship Groups (PFGs) assist collaboration and have formed on interests ranging from sports and medicine to identity and foreign affairs. PFGs allow individuals from different parties to work together on shared objectives. They are not structurally necessary for parliamentary operation; they are voluntary and often change composition. Broadly speaking, CPC can occur in PFGs, where members of different parties who share interests meet and organise events.<sup>14</sup> There were 72 PFGs in the 44<sup>th</sup> Parliament of Australia including the *Parliamentary Friends of Netball*, *Parliamentarians Supporting Cancer Causes*, and the *Parliamentary Friendship Group for Better Cities*.<sup>15</sup>

Investigating the membership and activities of PFGs could give more insight into collaborative activities within parliament. Sawer's research into the RU486 Bill

---

<sup>13</sup> Here the term 'major party' refers to the Australian Labor Party and the Coalition, the latter comprised of the Liberal Party and National Party.

<sup>14</sup> Parliament of Australia Website, "Parliamentary Friendship Groups for the 44th Parliament Register," n.d., [http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Friendship](http://www.aph.gov.au/About_Parliament/Parliamentary_Friendship), accessed 2 December 2016.

<sup>15</sup> Ibid.

identified the *Australian Parliamentary Group on Population and Development* (APGPD) as providing important opportunities for women to meet and discuss ideas.<sup>16</sup> Although the APGPD led to an instance of CPC, I have not found evidence of other PFGs having done so. While they can provide a foundation for CPC, I analyse PFGs only when they have direct relevance to the cases of CPC presented in this thesis. It is outside the scope of this thesis to discuss the many PFGs in detail as this would require extensive interviewing of PFG members due to minimal public record of their activities. However, in-depth investigation may be unlikely to yield information directly relevant to the case studies: indeed, when politicians interviewed for this thesis were asked about PFGs and their relation to CPC they provided only general observations on the topic.

There are existing ergonomic arrangements in Australian politics that are more conducive to collaboration: the seating arrangement of committees offers an opportunity for more consensual and collaborative politics. Sawer argued that women politicians often feel more comfortable in 'intimate forums' where parliamentarians sit next to one another, instead of being diametrically opposed.<sup>17</sup> This is significant given that women prominently demonstrated how CPC could be used to achieve legislative change. However, committee work has been excluded from my definition of CPC as it is a form of structured collaboration built into parliamentary processes, albeit one that often follows partisan lines. As with PFGs, I analyse committees when they are relevant to a case of CPC.

Bi-partisanship is also excluded. CPC is individual, rather than party, driven. CPC involves risks as politicians may deviate from party positions and individually drive policy proposals. By contrast, bi-partisanship involves parties reaching consensus and the leadership team directing policy alignment with the other major party leadership team.

---

<sup>16</sup> Sawer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 327-29.

<sup>17</sup> Marian Sawer, "Waltzing Matilda: Gender and Australian Political Institutions," in *Australia Reshaped: 200 Years of Institutional Transformation*, ed. Geoffrey Brennan and Francis G. Castles (Cambridge: Cambridge University Press, 2002), 165.



## *Socio-moral Issues*

The cases of CPC studied in this thesis centre on issues that often divide political parties and the wider community and are usually considered 'socio-moral' in nature. Following John Warhurst's definition, socio-moral issues refer to controversial matters that are usually put to a conscience vote.<sup>18</sup> The phrase captures moral issues associated with humanitarianism, sexual morality, and reproductive rights.

Socio-moral issues concern the postmaterialist values of self-expression and quality of life, environment and community, which Ronald Inglehart differentiates from materialist issues concerning economic and physical security.<sup>19</sup> Some socio-moral issues are neglected in Australian politics owing to the divide between the public and private spheres. This is apparent in the case of reproductive rights, for example, and this neglect reflects the gender bias in Australian politics detailed in Chapter 4. Ian McAllister and Clive Bean identified increased support for postmaterialist issues among Australian voters from 1990 to 1996, and also found that postmaterialist voters outnumbered materialist voters in the 1996 federal election.<sup>20</sup> They indicated that if the minor parties who champion postmaterialist issues, such as the environment (i.e. the Greens), did not gain strength then the net advantage of a rise in postmaterialists would go to the Labor Party.<sup>21</sup> However, minor parties have increased in number<sup>22</sup> since McAllister and Bean's research was completed. Minor parties often champion socio-moral issues and this presents the major parties with the problem of how to determine their position amongst the differing views of the electorate. For example, marriage equality was initially championed by the Democrats and the Greens, and was

---

<sup>18</sup> John Warhurst, "Conscience Voting in the Australian Federal Parliament," *Australian Journal of Politics and History* 54, no. 4 (2008): 582.

<sup>19</sup> Ronald Inglehart, "Postmaterialism," in *The Blackwell Encyclopaedia of Political Institutions*, ed. Vernon Bogdanor (Oxford: Basil Blackwell, 1987), 488–90.

<sup>20</sup> Ian McAllister and Clive Bean, "Long-Term Electoral Trends and the 1996 Election," in *The Politics of Retribution: The 1996 Federal Election*, ed. Clive Bean et al. (St Leonards, NSW: Allen & Unwin, 1997), 187.

<sup>21</sup> *Ibid.*, 187–88.

<sup>22</sup> Antony Green, "Record Vote for Minor Parties at 2013 Federal Election," *Antony Green's Election Blog* (blog), November 19, 2013, <http://blogs.abc.net.au/antonygreen/2013/11/record-vote-for-minor-parties-at-2013-federal-election.html>, accessed 2 December 2016; Antony Green, "Preference Flows at the 2016 Federal Election," *Antony Green's Election Blog* (blog), March 20, 2018, <http://www.abc.net.au/news/2016-09-15/preference-flows-at-the-2016-federal-election/9388826>, accessed 5 May 2018.

later adopted into Labor Party policy,<sup>23</sup> though not without heated and prolonged debate (explored in Chapter 6).<sup>24</sup>

### *Sex and Gender*

This thesis employs the definition of sex as entailing biological differences, and gender as the characteristics that society deems masculine and feminine. Judith Butler outlined a ‘distinction between sex, as biological facticity, and gender, as the cultural interpretation or signification of that facticity.’<sup>25</sup> Candace West and Don H. Zimmerman describe sex as ‘a determination made through the application of socially agreed upon biological criteria for classifying persons as females or males.’<sup>26</sup> They define gender as ‘the activity of managing situated conduct in light of normative conceptions of attitudes and activities appropriate for one’s sex category.’<sup>27</sup> Barbara Risman treats gender as a social structure, seeing it as ‘embedded not only in individuals but throughout social life.’<sup>28</sup> I argue that gender norms that exist in society also exist in parliament, as detailed in Chapter 4.

With these terms defined, I now present the questions that guided my research into CPC.

### **Research Questions**

The questions guiding my research explore CPC in a number of ways. The first set focuses on the ‘who’ and ‘what’ of CPC as follows:

- *Who participates in CPC and what motivates them to do so?*

---

<sup>23</sup> Australian Labor Party, “It’s Time. Marriage Equality.,” August 2017, <http://www.itstimeformarriageequality.org.au/>, accessed August 14, 2017.

<sup>24</sup> Peter Jean, “Labor Party Conference: Decisions Made on Gay Marriage, Boat Turn-Backs,” *The Advertiser Online*, July 26, 2015, <http://www.adelaidenow.com.au/news/south-australia/labor-party-conference-decisions-made-on-gay-marriage-boat-turnbacks/news-story/d6fb20897509201299fe8f3d3debb8e6?nk=fcadfaff1f0684de12782ddfcd3c0597-1503190796>, accessed 20 August 2017.

<sup>25</sup> Judith Butler, “Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory,” *Theatre Journal* 40, no. 4 (1988): 522; see also Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London: Routledge, 1990).

<sup>26</sup> Candace West and Don H. Zimmerman, “Doing Gender,” *Gender & Society*, 1, no. 2 (June 1987): 127.

<sup>27</sup> *Ibid.*

<sup>28</sup> Barbara J. Risman, “Gender as a Social Structure: Theory Wrestling with Activism,” *Gender and Society*, 18, no. 4 (2004): 431.

- *Is there a pattern to the types of issues for which CPC is utilised?*

Initially, I set out to determine why women politicians utilised CPC to represent women’s issues, as women used CPC to bypass the entrenched gender bias of parliament and its processes to initiate change on reproductive rights in 2005 and 2006. However, women have not been the only ones to employ it. Prior to changing the law on medical abortion drug RU486 in 2006, CPC was used by other actors – albeit rarely (see Chapter 1 for more detail). Following women’s success, CPC has been

<b>House of Representatives (150 members)</b>	Number in house	Percentage	CPC participants	Percentage
Women	39	26%	6	15.38%
Men	111	74%	15	13.51%
<b>Senate (76 Senators)</b>	Number in house		CPC participants	Percentage
Women	29	38.2%	15	51.72%
Men	47	61.8%	6	12.77%

2013 numbers are used in this table.<sup>29</sup>

increasingly used by a wider variety of politicians and hence this study also focuses on post-2006 cases of CPC. I found that gender remains important as CPC continues to be used more by women than men in the cases studied here (in both houses, and markedly more in the Senate: see Table 1, above), but no longer primarily on women’s issues. CPC offers an alternative means of representing an issue, which is particularly important for groups that wish to see their views represented in parliament.

As CPC was used successfully by women on the RU486 Bill, and then employed more widely by other actors, I asked two questions related to this. The first focused on women’s activities:

- *Why did women utilise CPC in 2005 and 2006 to represent women’s reproductive rights?*

The second looked at the period when CPC began to be used more widely:

<sup>29</sup> Parliamentary Library, Composition of the 44th Parliament, December 2013, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BriefingBook44p/Composition44th](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook44p/Composition44th), accessed 9 May 2018.

- *Why did politicians increasingly utilise CPC between 2006 and 2016?*

As CPC is not a regular feature of Australian politics, I deemed it important to determine the factors influencing the occurrence of CPC. Therefore, I explored what factors may prevent the practice from occurring and asked:

- *What factors constrain CPC?*

I found that limitations in the norms, practices, and structure of parliament play a role in deterring collaborative activities across party lines, as well as party factors, including the level of discipline and characteristics of the leader. Equally important to analysing the constraints of CPC is understanding what factors facilitate the practice and hence I also asked:

- *What factors enable CPC to occur?*

In answering these questions, it became clear that political will – an underutilised concept in Australian political science – is required for CPC. Following the presence of political will, the increase of women and parties other than the major ones, a shared cosmopolitan outlook which involves favouring universal law over party policy, and a desire to lead the community on an issue contributed to the increased occurrence of CPC after 2006.

After asking questions relating to how and why CPC has occurred, I moved to the topic of success, asking:

- *What factors are required for successful CPC outcomes?*

This question allowed me to explore the determinants of success. As CPC has not been an overwhelmingly successful strategy in terms of legislative change, I explore other ways to measure success in this thesis.

My final question probes broader implications of CPC. Increased use of the practice allows for alternative approaches to policy within parliament which led me to ask:

- *Does CPC reflect broader changes in Australian political practice?*

This question examines the relationship between CPC and changes in Australian political practice. It allows me to examine whether CPC is part of a broader shift in the way political representatives engage with their constituents and parties and vice versa, potentially challenging existing modes of representation.

In the below section I provide a summary of the thesis structure.

## **Overview of the Thesis**

Chapter 1 provides an overview of the existing literature on CPC and related topics. Conscience voting and crossing the floor, for example, often involve instances of collaboration, so literature on these subjects has been analysed despite these works not explicitly focusing on CPC. Studies of the transformation of the two-party system are also analysed to identify changes in the broader practice of Australian politics. I cover relevant CPC material focused on Australia as well as international literature. I also detail studies of women's CPC in both Australia and internationally, particularly analysing Brazil, South Africa, Norway, and the United Kingdom (UK) where instances of CPC have occurred and been analysed with an academic lens. Surveying the occurrence of CPC in other contexts reveals a phenomenon endemic to different political systems. Overall, there is a lack of literature on political collaboration across party lines in Australia that this detailed study of CPC seeks to redress.

Chapter 2 outlines why critical constructivism and NI are optimal theoretical approaches to understand CPC. Critical constructivism assumes that structure and agency are mutually constituted, and this is complemented by NI which is employed to explain why parliament has developed certain practices and norms over time, ones that may not be optimal for representing controversial issues. Politicians use CPC because existing party and parliamentary structures limit debate on socio-moral issues. I also outline the methodology in this chapter. In terms of the original data generated, I completed semi-structured interviews. These interviews were supplemented with content analysis of Hansard and analysis of other primary and secondary documents including media reports, government publications, and party platforms to provide a holistic understanding of CPC. I also completed participant observation during my employment for one year as a staffer for a Federal politician.

As collaboration is a means of representing an issue, I surveyed theories of representation relevant to CPC. CPC allows individuals to address issues that either fall outside the major parties' purview or are represented in a way that party members do not find acceptable. Chapter 3 explains Edmund Burke's concepts of the trustee and delegate representative: politicians' divergent conceptions of their role along the Burkean distinction were reflected in data gathered for this thesis, particularly in interviewees' justifications of why they used CPC. This analysis grounds arguments made in Chapters 5 and 6 where I propose that in 2005 and 2006 women politicians were more likely to adopt a delegate style of representation, and after 2006 they (and other participants of CPC) favoured the trustee style. As women used CPC intensively in 2005 and 2006, the descriptive and substantive representation of women is also analysed in Chapter 3. This thesis argues that women's collaboration across party lines to seek legislative changes on behalf of women constituted a substantive representation of women.

In Chapter 4 I introduce empirical evidence that outlines the ways in which parliament is a constraining institution that restricts the actions of those inhabiting it, particularly their ability to pursue collaboration across party lines. Visual, structural, discursive, and physical aspects of parliament work against politicians seeking out more collaborative and consensual politics that differ from the adversarial and masculine style of politics that has developed in Australia. For actors that were not included in the design and development of parliament, this makes navigation of the system difficult when seeking to represent some socio-moral issues. This chapter focuses on how constraints are ultimately detrimental to representation. While parliament and parties within it constrain, there are also factors that enable actors to use CPC, which are explored further in the remainder of the thesis.

Chapter 5 provides details of the intensive use of CPC by women in 2005 and 2006 on women's issues and outlines women's similar voting patterns on conscience votes during the John Howard Coalition Government era (1996 – 2007). Hansard and interview data are used to illuminate the political context and identify the institutional constraints and enabling factors affecting women's use of CPC. Women faced constraints from the gendered norms, practices, and structure of parliament. In

addition, they were restricted by party discipline. One of the enabling factors of CPC in this period was women prepared to act on behalf of women regardless of party-political affiliation. Accordingly, this chapter discusses how CPC has been used to achieve a substantive representation of women. A critical mass of women (30%) in at least one house of parliament was another additionally important enabling factor, as was the presence of a women's parliamentary group or the drafting of a minority report.

Chapter 6 details the establishment of CPC as a political strategy that was increasingly seen as viable following the success of the RU486 Bill and hence adopted by a wide range of political actors from 2006 to 2016. Over this decade, backbenchers of major parties, members of minor parties, and independents utilised CPC. This chapter considers four case studies of CPC that focus on issues spanning across left-right party-political cleavages: same-sex marriage; asylum seekers; banning cosmetic testing on animals; and gene patents. The use of CPC in this timeframe demonstrates its viability as a form of political representation and as a strategy to develop and promote policy. While men also utilised CPC, women dominated the practice. Despite the existence of constraints in the form of party discipline and party leadership, as well as practices, norms, and the structure of parliament deterring politicians from participating in CPC, the practice still occurred. Backbenchers of major parties were enabled to pursue representation of an issue through CPC; they were emboldened by the presence of 'other' non-major parties and an increase in women, possessed a desire to lead the community on the issue, and were driven by cosmopolitan values that compelled them to disregard party policy in favour of higher universal laws.

Chapter 7, the final chapter, dissects all case studies between 2005 and 2016 identifying 'who' participates in CPC. It identifies that those most likely to feel disempowered by the current system are also most likely to pursue CPC. Although it is difficult for backbenchers to influence policy formation, the existence of CPC demonstrates that there is a strategy available for politicians to work around barriers and present policy. This chapter also analyses the factors necessary for success, which can be measured by legislative change, or forcing a major party to adopt the policy through advocacy and pressure.

## Conclusion

This thesis investigates the ‘who, what, why, and how’ of CPC in Australian politics. It demonstrates that four women successfully co-sponsoring legislation helped thrust the previously rare practice of CPC into the spotlight. Women using CPC to represent women were enabled to do so by the following factors: critical actors and a critical mass of women; minor parties; and parliamentary groups and committee minority reports. Following the success of the RU486 Bill, an increase in other parties and women politicians, shared cosmopolitan allegiance to universal law, and a desire to lead the community emboldened other actors to use CPC, contributing to a rise in the practice. Politicians with the aim of achieving the representation of an issue who have limited power – backbenchers, minor party members, and independents – have used the practice following women’s success in 2006. This is despite institutional constraints of strict party discipline, controlling party leadership, and aspects of the norms, practices, and structure of parliament working to restrict collaboration across party lines. For some politicians, as revealed in interviews for this thesis, CPC is becoming recognised as a normal political practice.

CPC offers an alternative means of representation within parliament; it allows previously marginalised views to be debated in the political realm and this is particularly true where women politicians are concerned. Knowing how and why CPC is used by Australian politicians furthers our understanding of the limitations and opportunities within a strictly bipartisan parliamentary system. Understanding this mode of political representation provides a model for minorities and other under-represented groups to champion legislation on issues important to their constituency but not yet adequately covered by major party ideologies. In the next chapter, I outline the literature relevant to CPC. I include coverage of related topic areas, as well as studies of CPC in Australia and overseas. This thesis seeks to extend the existing body of work on CPC by analysing Australian federal politics in a holistic manner.



## Chapter 1: Literature Review

### Introduction

Although some research on Australian politics mentions CPC,<sup>1</sup> the topic has not been studied in-depth and CPC is sometimes misidentified as ‘bipartisanship.’<sup>2</sup> Blurring the distinction between CPC and bipartisanship downplays the significance of politicians instigating and participating in CPC, and flattens the practice into party-led agreement, which is not what CPC is. Crediting parties with these collaborative activities gives recognition to the wrong actor. Dismissing CPC as bipartisanship sidelines the complex factors that lead individuals to collaborate.

CPC is a relatively neglected topic in Australian political science. There has been little published on CPC in Australia though there has been notable mention of CPC in the 1970s on same-sex rights by Carol Johnson<sup>3</sup> and analysis by Marian Sawer on the RU486 Bill.<sup>4</sup> The body of literature on CPC in international contexts has some history, with examples of cross-party modes identified in executive-legislative relations in Western Europe.<sup>5</sup> Cross-party alliances and friendships have attracted some academic attention, particularly in the UK,<sup>6</sup> and co-sponsorship and collaboration has been

---

<sup>1</sup> Kate Gleeson, “Tony Abbott and Abortion: Miscalculating the Strength of the Religious Right,” *Australasian Journal of Political Science* 36, no. 3 (2011): 473–88; Helen Pringle, “Urban Mythology: The Question of Abortion in Parliament,” *Australasian Parliamentary Review* 22, no. 2 (2007): 5–22; Helen Pringle, “The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate,” *Australasian Parliamentary Review* 23, no. 1 (2008): 195–202; Sawer, “What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia”; Johnson, “From Morality to Equality: Labor’s Sexuality Conundrum.”

<sup>2</sup> Timothy Vines and Thomas Faunce, “Cancer Voices Australia v Myriad Genetics Inc [2013] FCA 65: Should Gene Patent Monopolies Trump Public Health?,” *Journal of Law and Medicine* 20 (2013): 754.

<sup>3</sup> Johnson, “From Morality to Equality: Labor’s Sexuality Conundrum.”

<sup>4</sup> Sawer, “What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia.”

<sup>5</sup> Anthony King, “Modes of Executive-Legislative Relations: Great Britain, France, and West Germany,” *Legislative Studies Quarterly* 1, no. 1 (1976): 11–36; Rudy B. Andeweg, “Executive-Legislative Relations in the Netherlands: Consecutive and Coexisting Patterns,” *Legislative Studies Quarterly* 17, no. 2 (1992): 161–82; Rudy B. Andeweg and Lia Nijzink, “Beyond the Two-Body Image: Relations Between Ministers and MPs,” in *Parliaments and Majority Rule in Western Europe*, ed. Herbert Döring (University of Mannheim: Mannheim Centre for European Social Research, 1995), <http://allman.rhon.itam.mx/~emagar/ep3/rules/doring.ed.parliamentsAndMajRule1995.pdf#page=152>, accessed 31 March 2018.

<sup>6</sup> Heather Devere and Graham M. Smith, “Friendship and Politics,” *Political Studies Review* 8, no. 3 (2010): 341–56; Sarah Childs, “Negotiating Gendered Institutions: Women’s Parliamentary Friendships,” *Politics & Gender* 9, no. 2 (2013): 127–51; Emma Crewe, *The House of Commons: An Anthropology of MPs at Work* (London: Bloomsbury, 2015).

studied in the United States (US).<sup>7</sup> However, there is a greater amount of literature in Australia and overseas focusing predominantly on women. This is due to the fact that women tend to participate in CPC more than men. Hence, much of this literature review focuses on women's use of CPC. There are additional reasons for this focus. First, as women notably used CPC in 2005 and 2006 to change laws in Australia, part of this thesis is dedicated to understanding why women were driven to use CPC. Where this thesis differentiates from the majority of past studies of women's CPC is by analysing how it has been used by both women and other actors. Second, although CPC was more likely to be used by a wider variety of individuals between 2006 and 2016, women were more likely to utilise it relative to their numbers in parliament: 30.9% of the women and 13.3% of the men in parliament participated in 1 of the 6 cases of CPC presented in this thesis (see Table 1, Chapter 7, p. 238 for more details).<sup>8</sup>

This chapter first provides an overview of the small body of literature on CPC in Australia, followed by coverage of published works on CPC in other countries. These works are supplemented by a survey of relevant studies of conscience votes, parliamentary friendships, and party discipline. Following this, I analyse the research on women's CPC in Australia. The review is then extended internationally to cover scholarship on other legislatures, followed by a focus on Norway, South Africa, Brazil and the UK. I close the chapter with a comparison of differences and similarities across the countries discussed in the literature review on women's CPC, including Australia.

---

<sup>7</sup> James H. Fowler, "Connecting the Congress: A Study of Cosponsorship Networks," *Political Analysis* 14, no. 4 (2006): 456–87; Yan Zhang et al., "Community Structure in Congressional Cosponsorship Networks," *Physica A: Statistical Mechanics and Its Applications* 387, no. 7 (March 1, 2008): 1705–12; Clio Andris et al., "The Rise of Partisanship and Super-Cooperators in the U.S. House of Representatives," *PLOS ONE* 10, no. 4 (April 21, 2015): e0123507.

<sup>8</sup> I utilise 2013 figures for men and women in parliament. As the difference in the number of women elected between the 2010 and 2016 elections was slight, the 2013 data provides a useful basis for commentary on gender balance. Inter-Parliamentary Union, "Women in Parliaments: World Classification," December 1, 2013, <http://archive.ipu.org/wmn-e/arc/classif011213.htm>, accessed 22 October 2017.

## 1.1 Collaboration Literature

### *Australia*

One of the earliest instances of CPC reported in the literature in Australia involved same-sex rights in the 1970s.<sup>9</sup> There was a tension in the political narrative surrounding same-sex rights between being considered a private concern versus an equality issue. This tension created an opportunity for CPC. Johnson identified different political approaches and attitudes to same-sex rights that have been expressed in parliament.<sup>10</sup> She demonstrated how in the 1970s Labor Prime Minister Gough Whitlam constructed sexuality as a private concern, rather than a matter of public policy, and therefore an issue to be determined by conscience votes and not party platform.<sup>11</sup> The socio-moral issues at the centre of CPC cases in this thesis often touch on the divide of public/private, as they tend to fall outside the purview of mainstream party policies.

Johnson outlined how Labor Party MPs Bill Hayden and Moss Cass and Senator Arthur Geitzelt pursued law reform on homosexuality but after the Labor Party discouraged their actions they were forced out of party channels and sought across the aisle support.<sup>12</sup> They formed a cross-party group which included former Liberal Prime Minister John Gorton who moved a motion, seconded by Cass, in support of decriminalising homosexual acts. This motion was passed, but Johnson noted that it was not expressly an 'endorsement' of homosexuality and was constructed in terms of equal treatment.<sup>13</sup> Labor Prime Minister Paul Keating continued this view of homosexuality as a private matter, and his government introduced reforms that made allowances for homosexual couples.<sup>14</sup> Further allowances were made under the Kevin Rudd Government, but it was when the Labor Party formally recognised same-sex

---

<sup>9</sup> Johnson, "From Morality to Equality: Labor's Sexuality Conundrum."

<sup>10</sup> *Ibid.*, 1.

<sup>11</sup> *Ibid.*, 3.

<sup>12</sup> *Ibid.*, 4.

<sup>13</sup> Carol Johnson, "Heteronormative Citizenship: The Howard Government's Views on Gay and Lesbian Issues," *Australian Journal of Political Science* 38, no. 1 (2003): 48; Johnson, "From Morality to Equality: Labor's Sexuality Conundrum," 5.

<sup>14</sup> Johnson, "From Morality to Equality: Labor's Sexuality Conundrum," 6–11.

marriage as an issue of equal rights in 2011 at the National Conference<sup>15</sup> that CPC began to occur frequently on this topic (explored in Chapter 6).

This early instance of CPC did not see the practice more widely or commonly adopted by other actors. After John Howard won government in 1996 there were similarities in women's voting patterns on the conscience vote issues of euthanasia and embryo research, which are briefly canvassed in Chapter 5. Howard turned previously private conscience vote issues into binding party policy as part of his mobilisation of socially conservative values within his broader electoral strategy.<sup>16</sup> This had implications for CPC as across party lines politicians – including Coalition members – rallied against these conservative values. Significantly, issues of euthanasia and embryo research involved women voting in similar ways across party lines, providing similar arguments about community opinions. They had a shared delegate model of representation, which demonstrates early indicators of the potential for women's collaboration. These concepts are explored further in Chapters 3 and 5.

Given the limited scope of material in Australia on CPC, I now extend my review to incorporate analysis of other legislatures.

### *International Examples of Cross-Party Collaboration*

In Anthony King's study of modes of executive-legislative relations in the 1970s, he identified a 'cross-party mode' of executive-legislative relations in West Germany, where politicians were united in their work across party lines.<sup>17</sup> King analysed West German committees and noted that members acted as a bloc to condemn government actions, though he notes that this was a rare occurrence.<sup>18</sup> Although King's modes relate to executive-legislative relations and his article was written several decades ago, his exploration into the cross-party mode is useful to consider in a study of CPC. As

---

<sup>15</sup> Anon, "Labor Votes in Favour of Gay Marriage," *The Age Online*, December 3, 2011, <http://www.theage.com.au/national/labor-votes-in-favour-of-gay-marriage-20111203-1oc4a.html#ixzz1fQyaMT02>, accessed 1 December 2017.

<sup>16</sup> Carol Johnson, "John Howard's 'Values' and Australian Identity," *Australian Journal of Political Science* 42, no. 2 (June 1, 2007): 205.

<sup>17</sup> King, "Modes of Executive-Legislative Relations: Great Britain, France, and West Germany."

<sup>18</sup> *Ibid.*, 31–32.

indicated more recently in Rudy B. Andeweg's work, cross-party modes are evident in more consensual democracies such as the Netherlands:

In this mode one or more ministers are in alliance with a number of MPs against other ministers ... Such cross-party alliances may be based on regional, ethnic or linguistic, sectoral, or other common interests.<sup>19</sup>

Andeweg cites the example of the Green Front, which was a united group of agriculture spokespeople from across the parties – including the Minister for Agriculture – that stood in defence of farmer's interests, as a demonstration of the cross-party mode.<sup>20</sup>

The increase in parties in Australia has seen politicians adopt the cross-party mode (through CPC), involving backbenchers, minor party, and independent members. CPC also bears some resemblance to King's 'intra-party mode', where backbenchers confront their party leaders.<sup>21</sup> As King explains, governments (and shadow governments) prefer that their backbenchers do not cause problems, especially ones that attract negative media attention.<sup>22</sup> King's work reminds us that modes of interaction in parliament beyond the two-body dichotomy exist, and while he is referring to the executive-legislative relationship, I propose that focusing on the dyadic relationship between the two major parties is also an area that needs to be extended to consider other interactions, hence the present study's focus. King stated that politicians from different parties have few incentives to agree.<sup>23</sup> Though this may be true generally and politicians are members of parties for (largely) ideological reasons, this thesis identifies that there are times they do agree and work together across party lines.

Research from Andeweg and Lia Nijzink identified committees and caucuses – particularly women's and regional caucuses – as providing opportunities for the cross-party mode.<sup>24</sup> Their research is part of a collection of works on parliaments in Western

---

<sup>19</sup> Andeweg, "Executive-Legislative Relations in the Netherlands: Consecutive and Coexisting Patterns," 163.

<sup>20</sup> *Ibid.*, 172.

<sup>21</sup> King, "Modes of Executive-Legislative Relations: Great Britain, France, and West Germany," 15–17.

<sup>22</sup> *Ibid.*, 15.

<sup>23</sup> *Ibid.*, 18.

<sup>24</sup> Andeweg and Nijzink, "Beyond the Two-Body Image: Relations Between Ministers and MPs," 167.

Europe in the 1980s. They pointed out that the cross-party mode is most evident in Germany and the Netherlands, and least evident in the UK.<sup>25</sup> The cross-party mode is said to be adopted on 'policy oriented, technocratic or regional issues', which involves minority coalitions making decisions on issues – in essence, a similar description to that of CPC.<sup>26</sup>

There are a small number of quantitative studies into legislative social networks in US politics which refer to CPC. Research from Yan Zhang *et al.* identified Senators who participated in co-sponsorship with members of the opposite party but did not explore how this collaboration came about or what issues it was centred on.<sup>27</sup> Co-sponsorship in the US involves a legislator signing his or her name to a bill that has been introduced to the chamber, a practice that is generally regarded as a low-cost form of collaboration.<sup>28</sup> Studies of social networks in the US – which touch on CPC – point to the strength of ties between legislators based on connections which are usually institutional, regional, issue-based, or personal in nature.<sup>29</sup>

Bruce Desmaris *et al.* researched US Senate press events that contained collaboration, and provided some examples of CPC in their findings.<sup>30</sup> They classified these events as a high cost form of collaboration.<sup>31</sup> In contrast to CPC in Australia, the authors indicated that collaborative press events are best run with a smaller number of Senators and that there are incentives to limit involvement of multiple legislators.<sup>32</sup> Common across these studies is a tendency to focus on the broad quantitative results, rather than seeking to understand the motivations for participating in CPC, which this thesis does for Australia.

---

<sup>25</sup> *Ibid.*, 175.

<sup>26</sup> *Ibid.*, 176.

<sup>27</sup> Zhang *et al.*, "Community Structure in Congressional Cosponsorship Networks."

<sup>28</sup> Andris *et al.*, "The Rise of Partisanship and Super-Cooperators in the U.S. House of Representatives"; Bruce A. Desmaris *et al.*, "Measuring Legislative Collaboration: The Senate Press Events Network," *Social Networks* 40 (2015): 43–54.

<sup>29</sup> Frances E. Lee, "Geographic Politics in the U.S. House of Representatives: Coalition Building and Distribution of Benefits," *American Journal of Political Science* 47, no. 4 (2003): 714–28; Fowler, "Connecting the Congress: A Study of Cosponsorship Networks"; Desmaris *et al.*, "Measuring Legislative Collaboration: The Senate Press Events Network."

<sup>30</sup> Desmaris *et al.*, "Measuring Legislative Collaboration: The Senate Press Events Network."

<sup>31</sup> *Ibid.*, 43.

<sup>32</sup> *Ibid.*, 52.

A group of researchers completed a statistical analysis of the number of times members of US Congress voted the same or different ways with members from their party and from the opposing party between 1949 and 2012.<sup>33</sup> Clio Andris *et al.* designated the Congress members that voted a significant amount of times with the opposing party as ‘super-cooperators’ and identified that cooperation tends to be undertaken by a small number of legislators.<sup>34</sup> The authors found that CPC has decreased since the 1960s and 70s, resulting in a highly partisan Congress. The authors identify this increase in ‘non-cooperation’ as an electoral paradox: US voters increasingly elect partisan representatives, yet public faith in Congress has been declining.<sup>35</sup> The highly polarised Congress leaves little space for legislators to reach across party lines. The authors state that a lack of cooperation could be a result of: a decrease in social interaction in Washington, D.C; an increase in the use of telecommunications; and the commute to home districts.<sup>36</sup> Even more influential is the effect of partisanship: effectively, party discipline acts as a constraint on individual voting tendencies.<sup>37</sup> This is a concept I explore further in this thesis for the Australian context related to collaborative activities across party lines.

Laura McAllister, in writing about the Welsh devolution referendum, pointed to cross-party efforts in both the ‘yes’ and ‘no’ campaigns.<sup>38</sup> The campaigns included members from across different political parties, though it should be noted that McAllister did not give detailed focus to their activities. The existing research on CPC across different legislatures is evidently still emerging. This thesis contributes to our understanding of this under-explored area in Australian political science and does so by drawing upon related literatures, explored directly below. As the conscience vote is frequently used in CPC, research on this topic is relevant to understanding CPC in Australian politics, as is research on the topics of friendship and party discipline.

---

<sup>33</sup> Andris et al., “The Rise of Partisanship and Super-Cooperators in the U.S. House of Representatives.”

<sup>34</sup> *Ibid.*, 8.

<sup>35</sup> *Ibid.*, 10.

<sup>36</sup> *Ibid.*, 12.

<sup>37</sup> *Ibid.*, 10.

<sup>38</sup> Laura McAllister, “The Welsh Devolution Referendum: Definitely, Maybe?,” *Parliamentary Affairs* 51, no. 2 (April 1998): 149–65.

## 1.2 Related Literature

Research on conscience votes is useful to consider when researching collaboration. Work on conscience votes during the Howard Government era (1996-2007) illuminates how individual politicians act when freed from party constraints. John Warhurst argued that, while conscience votes allow party members a 'free' vote, politicians are more comfortable voting with the party majority or following the leader's opinion when he or she publicly states it.<sup>39</sup> Broad ideological ties remain important in a conscience vote; however, other factors link members across parties, such as religion or gender.<sup>40</sup> Although politicians occasionally vote across party lines on religious grounds, I have found no significant CPC instances based on religion. The conscience vote literature thus far has included considerable focus on women.<sup>41</sup> Overall, the literature has concluded that women are more socially liberal than their male counterparts when it comes to conscience votes.<sup>42</sup> This same socially liberal view is reflected in women's actions on CPC – they are more likely to participate in CPC that addresses socio-moral issues including reproductive rights.

Deidre McKeown and Rob Lundie<sup>43</sup> identified gender as a significant factor in conscience votes. They tracked trends in voting from 1996 to 2007 and identified women's support for bills as '[p]erhaps the most outstanding feature of conscience votes during the Howard Government.'<sup>44</sup> McKeown and Lundie described women as collaborating in a 'cross-party fashion' on the RU486 Bill, but found no evidence that cross-party activities were becoming a common practice.<sup>45</sup> However, this paper used

---

<sup>39</sup> John Warhurst, "Conscience Voting in the Australian Federal Parliament," *Australian Journal of Politics and History* 54, no. 4 (2008): 585–86.

<sup>40</sup> Deidre McKeown and Rob Lundie, "Conscience Votes during the Howard Government 1996-2007" (Canberra: Parliamentary Library, 2009), 585.

<sup>41</sup> Pringle, "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate"; Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia"; Warhurst, "Conscience Voting in the Australian Federal Parliament."

<sup>42</sup> Warhurst, "Conscience Voting in the Australian Federal Parliament"; Sharon Broughton and Sonia Palmieri, "Gendered Contributions to Parliamentary Debates: The Case of Euthanasia," *Australian Journal of Political Science* 34, no. 1 (1999): 29–45; Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia"; McKeown and Lundie, "Conscience Votes during the Howard Government 1996-2007."

<sup>43</sup> McKeown and Lundie, "Conscience Votes during the Howard Government 1996-2007."

<sup>44</sup> *Ibid.*, 10.

<sup>45</sup> *Ibid.*, 12.



the Howard years as a timeframe, which was just prior to an increase in parties 'other' than the major ones being elected to parliament. This increase helped to facilitate a rise in CPC activities. This thesis gives focus to a timeframe that includes the increase in parties and is hence able to expand the parameters of cross-party analysis by identifying a greater number of CPC cases to examine.

In their paper on conscience votes Kerry Ross, Susan M. Dodds, and Rachel A. Ankeny made the tentative conclusion that the increase of women in parliament has seen conscience vote results align more closely with public opinion.<sup>46</sup> This suggests that women are more inclined towards the Burkean delegate model of representation, something reflected in justification for using CPC in 2005 and 2006 by my interviewees (see Chapter 5 for more detail). The Burkean distinction refers to the models of the delegate and the trustee as proposed by Edmund Burke: a *delegate* representative is said to follow the views of their constituents and act in accordance with their wishes, while a *trustee* representative acts in a manner that she believes would best serve her constituents' interests, even if it does not follow their wishes.<sup>47</sup> Based on their postulation that women vote in a manner that better reflects public opinion, Ross, Dodds, and Ankeny concluded that conscience votes can provide more favourable conditions for the representation of socio-moral issues.<sup>48</sup> As politicians who use CPC are commonly seeking to represent socio-moral issues, this thesis complements Ross, Dodds, and Ankeny's research.

Sharon Broughton and Sonia Palmieri's analysis of alliances between women politicians delineated differences in how women and men perform politics.<sup>49</sup> They conducted content analysis of all women's speeches and a sample of men's speeches in debates on the *Euthanasia Laws Bill 1996* (Euthanasia Bill) to identify women's distinct 'voice.'<sup>50</sup> Broughton and Palmieri proposed that a conscience vote removed the

---

<sup>46</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 3.

<sup>47</sup> Edmund Burke, "To The Electors of Bristol, 3 November 1774," in *The Works of the Right Hon. Edmund Burke, with a Biographical and Critical Introduction by Henry Rogers*, vol. 1 (London: S. Holdsworth, 1842), 180.

<sup>48</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 18.

<sup>49</sup> Broughton and Palmieri, "Gendered Contributions to Parliamentary Debates: The Case of Euthanasia."

<sup>50</sup> *Ibid.*, 37.

constraints of party and allowed women to speak for themselves.<sup>51</sup> Their research was framed with a discussion of the gendered nature of institutional practices and focused on how parties restrict what women can achieve in politics. The Euthanasia Bill offered women politicians the opportunity to act without party constraints. This case allowed the authors to objectively analyse whether women were ‘doing’ politics differently and speaking with a different ‘voice.’ They found evidence that women cited arguments relating to personal life experiences, palliative care, and self-autonomy more than men.<sup>52</sup>

Brendan Prosser and Richard Denniss have written about ‘marginal members’, defined as ‘the non-ministerial member of parliament whose discretionary support is needed to turn the governments’ policy ideas into the laws of the land that shape public policy action.’<sup>53</sup> Prosser and Denniss illuminated the role of marginal members in shaping policy. They cited the example of Mal Washer (LP) winning conscience votes to overturn the ministerial discretion on the medical abortion drug RU486 in 2006.<sup>54</sup> However, their analysis did not focus on Senators involved in the co-sponsorship of this bill, though they mentioned it briefly in passing with a quote on the importance of cross-party action by Senator Judith Troeth (LP), one of the co-sponsors of the bill.<sup>55</sup> I extend the work of Prosser and Denniss by highlighting the important roles played by minor parties, independents, and major party backbenchers in shaping the legislative output of parliament.

Christopher J. Kam has researched party discipline in a number of different Westminster systems, including Australia, with the aim of answering the questions: *what goals MPs desire and what, if anything, constrains how they pursue and achieve these goals?*<sup>56</sup> He outlined three approaches commonly employed to study parliamentary behaviour: the first approach is preference-driven and sees MPs having

---

<sup>51</sup> Ibid., 31.

<sup>52</sup> Ibid., 43–44.

<sup>53</sup> Brenton Prosser and Richard Denniss, *Minority Policy: Rethinking Governance When Parliament Matters* (Carlton, Victoria: Melbourne University Press, 2015), 9.

<sup>54</sup> Ibid., 29.

<sup>55</sup> Ibid., 136.

<sup>56</sup> Christopher J. Kam, *Party Discipline and Parliamentary Politics* (Cambridge: Cambridge University Press, 2009).

distinct policy preferences and voting according to these preferences; the second approach concerns the influence of variables that constrain the actions of parliamentarians, such as the electoral or party systems (institutional factors); and the final approach is sociological and assumes that MPs toe the line due to party loyalty norms.<sup>57</sup> Kam proposed that the three approaches are not necessarily distinct and can be combined.<sup>58</sup> I agree that institutional factors are important and not epiphenomenal, and I consider the institutions of parliament and parties as highly influential on CPC. I also give emphasis to MP's individual preferences and their desire to adhere to existing norms. My focus on the individual complements Kam's research, as I consider how individual politicians conceive of representation and why they dissent from party line.

Researchers have also turned their attention to parliamentary friendships between women.<sup>59</sup> Sarah Childs' study of UK parliamentary friendships between women incorporates the findings of interviews with female MPs.<sup>60</sup> Childs demonstrated the importance of researching friendship in parliament, a field heretofore largely understudied in gender and politics. Completed in 2013, her findings provide recent research relevant to this study as they demonstrate differences in the way women and men behave within parliament. She illustrated how friendships between Labour Party women allowed them to navigate the gendered institution of parliament, however she does not find evidence of cross-party friendships and suggested that the small number of women and lack of a formal cross-party institution for women contributed to this lack.<sup>61</sup> My research focus is on a complementary area, that is, strategic alliances based on interests rather than friendships.

I have included analysis of related literature here as the current CPC literature is relatively small. Where there is more academic analysis though is on women's CPC, not only in Australia but in other legislatures. I explore this in the sections below.

---

<sup>57</sup> Ibid., 11–14.

<sup>58</sup> Ibid., 15.

<sup>59</sup> Devere and Smith, "Friendship and Politics"; Childs, "Negotiating Gendered Institutions: Women's Parliamentary Friendships"; Crewe, *The House of Commons: An Anthropology of MPs at Work*.

<sup>60</sup> Childs, "Negotiating Gendered Institutions: Women's Parliamentary Friendships."

<sup>61</sup> Ibid., 138–39.

### 1.3 Collaboration between Australian Women Politicians

Sawer, Lenita Freidenvall, and Sonia Palmieri have studied CPC between women in Australia.<sup>62</sup> They focused on specialised parliamentary bodies that promote gender equality, such as standing committees, women's caucuses, and parliamentary groups. Sawer closely examined one instance of CPC, the RU486 Bill, and demonstrated how it provides insights into the substantive representation of women.<sup>63</sup> Sawer's research on this topic includes interviews with all four bill co-sponsors (and other politicians involved with the bill's successful passage) and provides invaluable insights on how the RU486 collaboration came about. She also briefly identified other instances of CPC that occurred between women.<sup>64</sup> Her study outlined the factors required to facilitate the substantive representation of women: critical mass; critical actors; timing; and institution building.<sup>65</sup>

Rosemary Whip has applied Rosabeth Moss Kanter's formative theories on alliances to Australia and in her research she touches on the concept of CPC.<sup>66</sup> Kanter studied alliances between women in a private corporation (explored further in Chapter 3).<sup>67</sup> She determined that numbers were a key factor for minorities' ability to influence an organisation's culture, and concluded that alliances between small numbers of women in a male dominated environment were unlikely unless the individuals were 'highly identified with their own social category.'<sup>68</sup> As the representation of women grows however, alliances become more likely.<sup>69</sup> For the Australian parliament, Whip concluded that women politicians were unlikely to work together even if they were present in higher numbers.<sup>70</sup> Since Whip's study, however,

---

<sup>62</sup> Marian Sawer, Lenita Freidenvall, and Sonia Palmieri, "Playing Their Part? Parliamentary Institutions and Gender Mainstreaming" (Third European Conference on Politics and Gender, Universitat Pompeu Fabra, Barcelona, 2013).

<sup>63</sup> Sawer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia."

<sup>64</sup> *Ibid.*, 327.

<sup>65</sup> *Ibid.*, 325–31.

<sup>66</sup> Rosemary Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma," *Women & Politics* 11, no. 3 (1991): 1–22.

<sup>67</sup> Rosabeth Moss Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women," *The American Journal of Sociology* 82, no. 5 (1977): 965–90.

<sup>68</sup> *Ibid.*, 988.

<sup>69</sup> *Ibid.*, 987.

<sup>70</sup> Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma," 15.

there have been alliances across party lines as the number of women in parliament increased.

Mark Considine and Iva Ellen Deutchman analysed the representation of women in state-level politics in Australia and the US.<sup>71</sup> They found that there was no ‘magic in numbers’, meaning that an increase in women did not necessarily impact on the prevailing culture of the institution, nor did it automatically lead to CPC.<sup>72</sup> Considine and Deutchman argued that the large number of women in the New South Wales parliament resulted in networking across party lines but did not detail the type of networking or identify the participants involved.<sup>73</sup> Their research revealed that numbers are not enough to see a cultural change concerning gender,<sup>74</sup> meaning women’s interests will not automatically be included on the agenda even if the number of women increase. Women’s issues are often marginalised in mainstream party cultures which can contribute to women using CPC. This leaves space for critical actors to commence action on women’s issues, something women were moved to do in 2005 and 2006 with CPC.

My own preliminary study addressed women’s use of CPC in Australian politics<sup>75</sup> and I explore this topic further in Chapter 5. In the below section I extend the review of literature to different legislatures to outline how CPC has occurred across a variety of countries and contexts.

#### **1.4 International Examples of Women’s Cross-Party Collaboration**

CPC by women has not been restricted to a single country or institutional arrangement and I have identified research on CPC across different legislatures which demonstrates its widespread occurrence. The material that is emerging is contributing to a CPC literature in political science, one that is still in need of detailed national case studies, though I note that scholars have completed recent research on several

---

<sup>71</sup> Mark Considine and Iva Ellen Deutchman, “Instituting Gender: State Legislators in Australia and the United States,” *Women & Politics* 16, no. 4 (1996): 1–19.

<sup>72</sup> *Ibid.*, 18.

<sup>73</sup> *Ibid.*, 17.

<sup>74</sup> *Ibid.*, 18.

<sup>75</sup> A.K. Lausberg, “Women and Representation: Cross-Party Collaboration in the Australian Federal Parliament,” *Parliamentary Affairs* 69, no. 2 (2016): 249–68.

countries (see further below). This thesis redresses the lack of scholarship on Australian politics. Future research on other legislatures could follow the methodology that I develop in my analysis of the Australian case (outlined in Chapter 2).

Existing material on CPC by women reveals that this practice is neither limited to one form of government, nor exclusive to one region. I have found academic works that show it has occurred in South America, the US, Africa, Scandinavia and other parts of Europe.<sup>76</sup> Academic work on women politicians and CPC addresses how they have: crossed party lines to support legislation;<sup>77</sup> established a place for women in a new constitution and legislature;<sup>78</sup> and been involved in networking and mentoring.<sup>79</sup> Scholars have described the practice of CPC variously, sometimes terming it as ‘cross-

---

<sup>76</sup> Tiffany D. Barnes, “Gender and Legislative Preferences: Evidence from the Argentine Provinces,” *Politics & Gender* 8, no. 4 (2012): 483–507; Tiffany D. Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration* (United Kingdom: Cambridge University Press, 2016); Craig Leonard Brians, “Women for Women?: Gender and Party Bias in Voting for Female Candidates,” *American Politics Research* 33, no. 3 (May 2005): 357–75; Jackie Steele and Nancy Peckford, “Effects of National Roundtable on Women and Politics,” 2003; Mirya R. Holman and Anna Mahoney, “Stop, Collaborate, and Listen: Women’s Collaboration in US State Legislatures,” *Legislative Studies Quarterly*, January 24, 2018; Fiona J. Macaulay, “Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?,” in *Equal Participation of Women and Men in Decision-Making Processes, with Particular Emphasis on Political Participation and Leadership* (United Nations Department of Economic and Social Affairs (DESA) Division for the Advancement of Women (DAW), Addis Ababa, Ethiopia, 2005); Anne Marie Goetz, “Women in Politics & Gender Equity in Policy: South Africa and Uganda,” *Review of African Political Economy* 25, no. 76 (1998): 241–62; Hannah E. Britton, “Coalition Building, Election Rules, and Party Politics: South African Women’s Path to Parliament,” *Africa Today* 49, no. 4 (2002): 33–67; Hege Skjeie, “Credo on Difference - Women in Parliament in Norway,” in *Women in Parliament: Beyond Numbers*, ed. Julie Ballington and Azza Karam (Stockholm: International IDEA, 2002); Elizabeth Powley, “Rwanda: Women Hold Up Half the Parliament,” in *Women in Parliament: Beyond Numbers*, ed. Julie Ballington and Azza Karam, Revised Edition (Stockholm: IDEA, 2005); Anna Maria Holli and Johanna Kantola, “A Politics for Presence: State Feminism, Women’s Movements and Political Representation in Finland,” in *State Feminism and Political Representation*, ed. Joni Lovenduski et al. (Cambridge: Cambridge University Press, 2005); Knut Heidar and Karina Pedersen, “Party Feminism: Gender Gaps within Nordic Political Parties,” *Scandinavian Political Studies* 29, no. 3 (2006): 192–218; Bonnie N. Field, “De-Thawing Democracy: The Decline of Political Party Collaboration in Spain (1977 to 2004),” *Comparative Political Studies* 38, no. 9 (2005): 1079–1103; Jacqueline Nolan-Haley and Bronagh Hinds, “Problem-Solving Negotiation: Northern Ireland’s Experience with the Women’s Coalition,” *Journal of Dispute Resolution* 387 (2003): 387–402.

<sup>77</sup> Field, “De-Thawing Democracy: The Decline of Political Party Collaboration in Spain (1977 to 2004).”

<sup>78</sup> Britton, “Coalition Building, Election Rules, and Party Politics: South African Women’s Path to Parliament”; Goetz, “Women in Politics & Gender Equity in Policy: South Africa and Uganda”; Nolan-Haley and Hinds, “Problem-Solving Negotiation: Northern Ireland’s Experience with the Women’s Coalition.”

<sup>79</sup> Azza Karam and Joni Lovenduski, “Women in Parliament: Making a Difference,” in *Women in Parliament: Beyond Numbers*, ed. Julie Ballington and Azza Karam (Stockholm: International IDEA, 2005), 187–212.

party collaboration',<sup>80</sup> other times referring to it as 'cross-party alliances',<sup>81</sup> or 'cross-bench alliances.'<sup>82</sup>

Tiffany D. Barnes' well-researched and robust contribution details collaboration between women in Argentina and provides a useful parallel to my own research.<sup>83</sup> Published relatively recently (and after this project had been conceived and commenced), Barnes explores collaboration between politicians and how institutional constraints affect this, though her focus is given chiefly to women, and is on collaboration both within and between parties. Her methods include interviews with legislators and analysis of bill co-sponsorship data at the provincial level, of which Argentina provides a large set due to the existence of multiple chambers.<sup>84</sup> Barnes also provides extant analysis of other countries to demonstrate the widespread nature of CPC.<sup>85</sup> There are some similarities in patterns of collaboration between women in Argentina and Australia, which are commented on at relevant points in the present thesis. Indeed, it is exciting to note that other works are emerging that explore the phenomenon of CPC and how it is influenced by institutional constraints, demonstrating that this is an important concept worthy of detailed study across different contexts.

Azza Karam and Joni Lovenduski have also pointed to examples of women working in cross-party alliances in: Sweden, France, the Netherlands, South Africa, Croatia, and Egypt.<sup>86</sup> Karam and Lovenduski give brief examples of the types of issues and collaboration in which women have been involved, but detailed case studies are limited. Follow-ups on the cases they list did not reveal in-depth research, except for South Africa, which I detail further below. More in-depth studies of these countries

---

<sup>80</sup> Susan Markham, "Strengthening Women's Roles in Parliament," *Parliamentary Affairs* 65, no. 3 (2012): 688-98; Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia"; Steele and Peckford, "Effects of National Roundtable on Women and Politics."

<sup>81</sup> Skjeie, "Credo on Difference - Women in Parliament in Norway"; Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?"

<sup>82</sup> Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?"

<sup>83</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*.

<sup>84</sup> *Ibid.*, 8.

<sup>85</sup> *Ibid.*

<sup>86</sup> Karam and Lovenduski, "Women in Parliament: Making a Difference," 194.

would enrich the broader literature on women and politics. Georgina Waylen found evidence of CPC by women in countries that have undergone government or constitutional transition including Brazil, Chile, Argentina, El Salvador, South Africa, Hungary, Poland, and the Czech Republic.<sup>87</sup> Waylen compared the substantive representation of women in each context. She found CPC more likely to occur in a country where there is low party discipline and party fracturing.<sup>88</sup> Waylen tentatively posited that CPC is more successful on a case-by-case basis when employed to support individual issues, rather than establish lasting alliances of women from different political parties.<sup>89</sup> She stated that it is difficult to apply CPC successfully to reproductive rights issues; by contrast it is more likely to succeed on less contentious issues such as child maintenance, quotas, and domestic violence.<sup>90</sup> The case of RU486 in Australia supports Waylen's first position, but not her second.

In the remainder of this section I focus on cases of CPC from the following four countries: Norway, South Africa, Brazil, and the UK. For these countries I was able to source more than one account of CPC in the academic literature. Often, I obtained information from surprising sources, including literature focusing on quotas. Given that the literature on CPC is emergent, to obtain further information on cases of CPC already identified I searched for the country name where CPC occurred combined with terms such as 'cross-party', 'women in politics', 'coalition', and 'alliances'.

### *Norway*

The five Nordic countries (Sweden, Norway, Denmark, Finland, and Iceland) are renowned for their high levels of social and economic gender equality<sup>91</sup> and boast some of the highest levels of women in national parliaments in the world.<sup>92</sup> At Norway's 2017 election 70 women were elected to the single house in parliament, bringing their percentage to 41.4%, 11<sup>th</sup> highest in the world at that time, according to

---

<sup>87</sup> Georgina Waylen, "Enhancing the Substantive Representation of Women: Lessons from Transitions to Democracy," *Parliamentary Affairs* 61, no. 3 (2008): 518–34.

<sup>88</sup> *Ibid.*, 521.

<sup>89</sup> *Ibid.*, 522.

<sup>90</sup> *Ibid.*

<sup>91</sup> World Economic Forum, "The Global Gender Gap Report 2016," 2016, <http://reports.weforum.org/global-gender-gap-report-2016/>, accessed 18 May 2018.

<sup>92</sup> Inter-Parliamentary Union, "Women in Parliaments: World Classification," September 1, 2017, <http://archive.ipu.org/wmn-e/classif.htm>, accessed 22 October 2017.



the Inter-Parliamentary Union table of women in national parliaments.<sup>93</sup> Norway has a closed-party list proportional representation (PR) voting system with multiple parties and voluntary party quotas,<sup>94</sup> and they are seated in district groups in the debating chamber.<sup>95</sup>

Norwegian women politicians have been successful in gaining recognition from other politicians of the political value in addressing women's issues. In the 1960s, prominent leaders from different political parties jointly called on all political parties to increase the number of women running in elections.<sup>96</sup> Hege Skjeie has written on the various ways women have facilitated a mandate of 'difference' around themselves that party leaderships recognise as a relevant political mandate.<sup>97</sup> One notable way Norway has incorporated women into its political structure is the inclusion of a child-care facility in parliament.<sup>98</sup> Despite this recognition, Knut Heidar and Karina Pedersen compared Norway to Denmark and concluded that women's presence in parliament has facilitated CPC on gender-related issues, and, while there are differences between men and women within parties, ultimately party serves as the dominant factor in voting in both countries.<sup>99</sup> Skjeie's research included a series of interviews with members of the Norwegian Parliament from 1985 to 1989. Skjeie's interviews revealed that women reportedly avoided clashes with their male counterparts and tended not to use women's 'difference' to challenge party priorities.<sup>100</sup> In 1975 women politicians said CPC had not taken place and that politicians had not sought collaboration across party lines.<sup>101</sup> The women Skjeie interviewed between 1985 and 1989 showed more willingness to engage in CPC than those interviewed in 1975 but she identified that

---

<sup>93</sup> Ibid., accessed 22 October 2017.

<sup>94</sup> Richard E. Matland and Donley T. Studlar, "The Contagion of Women Candidates in Single-Member District and Proportional Representation Electoral Systems: Canada and Norway," *The Journal of Politics* 58, no. 3 (August 1996): 715–17.

<sup>95</sup> Andeweg and Nijzink, "Beyond the Two-Body Image: Relations Between Ministers and MPs," 159.

<sup>96</sup> Matland and Studlar, "The Contagion of Women Candidates in Single-Member District and Proportional Representation Electoral Systems: Canada and Norway," 716.

<sup>97</sup> Hege Skjeie, "The Rhetoric of Difference: On Women's Inclusion into Political Elites," *Politics & Society* 19, no. 2 (1991): 234.

<sup>98</sup> Ann Wicks and Raylene Lang-Dion, "Women in Politics: Still Searching for an Equal Voice," *Canadian Parliamentary Review* 31, no. 1 (2008): 36.

<sup>99</sup> Heidar and Pedersen, "Party Feminism: Gender Gaps within Nordic Political Parties," 215.

<sup>100</sup> Skjeie, "The Rhetoric of Difference: On Women's Inclusion into Political Elites," 235.

<sup>101</sup> Ibid., 247.

this either refers to coordination organized on other levels of the political system – efforts that include a few women members of Parliament within a larger group of women – or to previous alliances among a larger group of women members of Parliament of whom some now have left Parliament.<sup>102</sup>

Skjeie also found that party loyalty tended to limit women’s ability to collaborate.<sup>103</sup> Former Norwegian Labor Prime Minister Einar Gehardsen, despite heading the campaign to increase women’s representation, expressed reservations about increasing the number of women in parliament. He speculated that women would vote together across party lines and break down the established party system.<sup>104</sup> Even in a relatively egalitarian society like Norway, women’s entry into politics was received with suspicion and mistrust, reflecting the historical dominance of men in parliament. Nevertheless, Skjeie identified several ways in which women managed to impact political processes in Norway: they formed inter-party and cross-party alliances (explored in more depth below); learnt ‘the rules of the game’ within parties and parliament; and lobbied to include women’s issues in party policy platforms.<sup>105</sup>

Whilst Norwegian women politicians tend to follow their party’s line and avoid casting an oppositional vote in parliament, they have instigated two instances of CPC. In one case women politicians acted to successfully ensure that the national social security system provided pension-rights for care-givers.<sup>106</sup> Women from across the major parties met with the Minister of Social Affairs during the preparation stage of the relevant ministerial report. This early intervention made it easier to reach parliamentary consensus and the pension-rights issue was already on the agendas of all major parties.<sup>107</sup>

The second case of CPC involved women aiming to stop a change to the *Act on Children and Parents* proposed by a committee composed of members from all parliamentary parties.<sup>108</sup> It was suggested that regulations be changed so that fathers

---

<sup>102</sup> Ibid., 246.

<sup>103</sup> Ibid., 245–47.

<sup>104</sup> Ibid., 245.

<sup>105</sup> Ibid., 246.

<sup>106</sup> Ibid., 247.

<sup>107</sup> Ibid., 248.

<sup>108</sup> Ibid.

who did not, or had not lived with their children, could gain visiting rights. The women opposed the change as it seemed to favour the father's interests over the children's interests. Despite this opposition, the law was passed, and fathers were granted visiting rights.<sup>109</sup> Child-custody concerns had not been on any party platforms; it was only after the justice committee put forth a ministerial proposal that women collaborated on the issue.<sup>110</sup> A blow against this CPC was the fact that if parties were to support the initiative, they would be rejecting the justice committee's proposal, which comprised members from all political parties. Two factors inhibited the success of this CPC: timing; and the fact that as child-custody had not yet been fully addressed by parties, individual politicians did not feel comfortable putting forth an opinion on the matter. Skjeie's interviews revealed that many individual politicians did not want to discuss the child-custody issue as they considered it a private concern.<sup>111</sup> This reluctance to comment in interviews demonstrates the strength of party discipline. Skjeie's findings do not substantiate Gehardsen's above mentioned concerns regarding women causing upheaval to the political system by banding together at the expense of political parties. However, despite continued strong party identification CPC between women was possible, albeit rare.<sup>112</sup>

Even though Norway has relatively more women in parliament than most other countries, coming in at 11<sup>th</sup> place in world rankings, political scientists recognise that women enter the Norwegian parliament through a party. Although unresolved gender inequalities remain, the gender measures are particularly high in comparison with the rest of the world,<sup>113</sup> and women have been able to represent 'women's issues' without fear of party reprimands. Heidar and Pedersen argued that women and men hold different opinions, but party is the dominant factor in voting.<sup>114</sup> Their research supports Skjeie's thesis that party is a stronger determinant of behaviour than gender. They stated that: 'gender politics as such does not constitute a political force transcending the left-right dimension' and document consistent gender gaps between

---

<sup>109</sup> Ibid., 247-49.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid., 248-49.

<sup>112</sup> Ibid., 247-49.

<sup>113</sup> World Economic Forum, "The Global Gender Gap Report 2013" (Switzerland, 2013), 8.

<sup>114</sup> Heidar and Pedersen, "Party Feminism: Gender Gaps within Nordic Political Parties," 215.

men and women within parties.<sup>115</sup> Heidar and Pedersen identified what they call ‘peripheral issue division,’ that is, the greatest gender gaps within parties are on issues that are not directly related to the core focus of the party.<sup>116</sup> As pension-rights were on parties’ agendas and care-giver rights were not, this hypothesis assists in explaining the outcome of these two cases of CPC.

As can be seen in the case of Norway, CPC has occurred between women in a country with a more egalitarian balance of women in parliament and high levels of social and economic gender equality.<sup>117</sup> Similarly to Australia, party constraints work against CPC in Norway, but, despite this, women still sought out representation of women’s issues with partners across party lines. This furthers our understanding of CPC, demonstrating that it offers a means of representation outside existing norms, one that women even in legislatures with a high number of women will pursue to achieve legislative change. It lends support to my findings that an increased number of women in a legislature constitutes an enabling factor of CPC. Another country with a high number of women in the legislature is South Africa, a case which also exhibits strong party discipline, but nevertheless saw women band together in the upheaval following the end of apartheid.

### *South Africa*

In South Africa women grouped together to ensure that gender equality was on the agenda in the reconstruction of their state. Useful insights into CPC can be derived from the way women of all political persuasions banded together to ensure the representation of women’s interests during Constitutional negotiations. South Africa uses a closed-list PR electoral system to elect its bicameral parliament<sup>118</sup> and has voluntary political party gender quotas: the African National Congress (ANC) party has a 30% gender quota.<sup>119</sup> The *Municipal Structures Act 1998* urges parties to adopt the 50% gender quota, and to adopt a ‘zebra’ system wherein women and men are evenly

---

<sup>115</sup> Ibid.

<sup>116</sup> Ibid., 196.

<sup>117</sup> World Economic Forum, “Global Gender Gap Report”, accessed 18 May 2018.

<sup>118</sup> S Meintjes, “South Africa: Beyond Numbers,” in *Women in Parliament: Beyond Numbers*, Revised (Stockholm: International IDEA, 2005), 231.

<sup>119</sup> Georgina Waylen, “Women’s Mobilization and Gender Outcomes in Transitions to Democracy: The Case of South Africa,” *Comparative Political Studies* 40, no. 5 (May 2007): 534.

distributed on the party lists; however, there is no compulsion to do so.<sup>120</sup>

Nevertheless, the consistently high numbers of women in South Africa's Parliament since the first democratic election in 1994 can be attributed to the new PR system and the ANC quota.<sup>121</sup> After the 2014 election women comprised 41.5% of the Lower House and 35.2% of the Upper House.<sup>122</sup>

The relevant literature for CPC from South Africa focuses on women's role in the creation of a new state after a period of conflict. Hannah Britton demonstrates how women of all political persuasions worked together to ensure gender equity was incorporated into the new state.<sup>123</sup> Women mobilised by banding together in groups, such as the Women's National Coalition (WNC). They maintained cohesion by avoiding potentially divisive issues such as abortion and focused on crafting a national platform of action, getting women into constitutional negotiations, and adjusting the electoral system.<sup>124</sup> The fact that women played significant roles throughout the long liberation struggle against apartheid explains why in South Africa's first multi-racial elections in 1994 women were included in the Government of National Unity. Collaborative activities in pre-transition South Africa gave women success in obtaining constitutional mandates and helped them to project their voices in politics and gain office. This is significant because, as with other countries, political parties in South Africa have traditionally been male-dominated institutions.<sup>125</sup>

Women effected change by influencing the post-apartheid Constitution through the formation of the WNC. It was formed in 1992 partly to address the lack of women involved in the first negotiations for the new South Africa.<sup>126</sup> The newly-formed coalition of women crossed racial and ideological divides. Britton explained that the WNC included women from different 'races', classes and political parties and was a

---

<sup>120</sup> Quota Project, "South Africa" (Quota Project: Global Database of Quotas for Women, July 4, 2014).

<sup>121</sup> Meintjes, "South Africa: Beyond Numbers," 230.

<sup>122</sup> Inter-Parliamentary Union, "Women in Parliaments: World Classification," September 1, 2015, <http://www.ipu.org/wmn-e/classif.htm>, accessed 24 October 2015.

<sup>123</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament."

<sup>124</sup> *Ibid.*, 38.

<sup>125</sup> Anne Marie Goetz and Shireen Hassim, "In and Against the Party: Women's Representation and Constituency-Building in Uganda and South Africa," in *Gender Justice, Development, and Rights*, ed. Maxine Molyneux and Shahra Razavi (Oxford: Oxford University Press, 2002), 309.

<sup>126</sup> No women were included in the first negotiations. *Ibid.*, 315.

world first in its size and diversity.<sup>127</sup> It included 92 national organisations, 13 regional coalitions, involved most political parties, rural women's organisations, and religious and professional organisations and its broad agenda was to develop a national platform for action to ensure that women had a formal and informal place in politics.<sup>128</sup> Women from political parties who were WNC members exerted pressure on their party leadership. The WNC's avoidance of divisive issues helped ensure that unity was maintained during constitutional negotiations.<sup>129</sup>

The first step towards the inclusion of gender equality in the new Constitution was to ensure that women attended the meetings in which the document was written. Rather undemocratically, there were only 23 female delegates out of a total 400 in the Convention for a Democratic South Africa (CODESA), the body responsible for the official meetings at which the Constitution was composed; to rectify this, the WNC established a multi-party Gender Advisory Committee to monitor the first round of negotiations.<sup>130</sup> As the political parties did not want to risk alienating voters early in the process, they capitulated to the WNC's pressure. This example demonstrates women's ability to 'skilfully exploit' political parties.<sup>131</sup> The inclusion of women in the Multiparty Negotiation Process (MPNP) (the second round of negotiations that replaced CODESA in 1993)<sup>132</sup> represented a win for the WNC. The WNC successfully lobbied for one woman to be included in each delegation attending the negotiation process. Although this was a momentous symbolic achievement, women negotiators were expected to toe their respective party lines.<sup>133</sup> Once women attended the talks, however, they tended to prioritise party loyalty over gender loyalty and made few interventions on behalf of women.<sup>134</sup> The WNC demonstrated that whilst women united to ensure women's inclusion in constitutional processes, group party allegiance

---

<sup>127</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament," 38.

<sup>128</sup> Gisela Geisler, "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa," *The Journal of Modern African Studies* 38, no. 4 (2001): 613.

<sup>129</sup> *Ibid.*, 615.

<sup>130</sup> Waylen, "Women's Mobilization and Gender Outcomes in Transitions to Democracy: The Case of South Africa," 531.

<sup>131</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament," 42.

<sup>132</sup> *Ibid.* endnote 13, 59.

<sup>133</sup> Goetz, "Women in Politics & Gender Equity in Policy: South Africa and Uganda," 247.

<sup>134</sup> Geisler, "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa," 614.

overshadowed group gender allegiance and individual women kept to their relative party lines.

Before in-fighting compromised its effectiveness, the WNC achieved progress for women in politics by producing a document, the *Charter for Women's Effective Equality*, based on input from over two million women across the nation and political spectrum.<sup>135</sup> This document called for equal representation of women in politics, and urged political parties to integrate women's issues into their agendas.<sup>136</sup> Although the document was not included in the final Constitution, the influence of the WNC through the Charter is evident in the Constitutional gender equality statement. Though the final 1996 Constitution did not include the WNC Charter, it 'enshrined gender equality and the possibility of affirmative action, making it one of the most gender sensitive constitutions in the world.'<sup>137</sup> The Constitution's statement that the new state is founded on the value of non-sexism has been described as 'one of the world's broadest and most inclusive anti-discrimination clauses.'<sup>138</sup> This clause outlines that

[t]he state may not unfairly discriminate directly or indirectly against anyone on one or more grounds including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.<sup>139</sup>

Without pressure from unified WNC voices, the call for gender equality may not have had equal footing with racial equality in the non-discrimination clause. Additionally, the women delegates to the MPNP, backed by the WNC, ensured that customary law (which treated women as minors, subject to their male relations and the chief)<sup>140</sup> would instead be subject to gender equality, meaning that rights would surpass

---

<sup>135</sup> Meintjes, "South Africa: Beyond Numbers," 231; Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 205.

<sup>136</sup> Meintjes, "South Africa: Beyond Numbers," 231.

<sup>137</sup> Geisler, "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa," 614.

<sup>138</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament," 41.

<sup>139</sup> "Constitution of the Republic of South Africa" (1996), Article 9 (3).

<sup>140</sup> S Meintjes, "Gender, Nationalism and Transformation: Difference and Commonality in South Africa's Past and Present," in *Women, Ethnicity and Nationalism: The Politics of Transition*, ed. Robert L. Miller and Rick Wilford (London: Routledge, 1998), 65.

culture. The specifics of this were not spelt out in the Constitution, however, which left the status of customary law not properly defined, and therefore open for debate.<sup>141</sup>

The timing of the WNC's collaborative actions appears to have been important for success. One MP reflected on the two struggles for liberation – national and women's – and outlined how they were not separate as some men claimed:

There is no contradiction between national liberation and women's liberation. And since there is no contradiction, we felt that we don't want a two-staged struggle. Because our experience is that once you postpone an issue, it is very difficult to bring it up on the agenda again.<sup>142</sup>

Women's persistence in pushing for the inclusion of gender equality in the post-apartheid Constitution was successful, yet they had little official authority as Britton points out; '[w]omen were leaders in the struggle but they were excluded from the leadership.'<sup>143</sup>

The WNC was particularly successful between 1992 and 1994 at the new South Africa negotiations, but internal party divisions diminished its political strength over time. The WNC had ideological and philosophical consensus on the issues of women's subordination and quest for liberation.<sup>144</sup> Currently, it supports national networking and provides gender training programs.<sup>145</sup> Gisela Geisler has labelled it a 'transitional alliance', one that was able to work because 'members shared a sense of exclusion from the future of South Africa':<sup>146</sup> women were prepared to work with potential political adversaries to rectify their exclusion. The WNC's fight for the constitutional inclusion of gender is an example of successful CPC.

---

<sup>141</sup> Goetz and Hassim, "In and Against the Party: Women's Representation and Constituency-Building in Uganda and South Africa," 313.

<sup>142</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament," 38.

<sup>143</sup> Hannah E. Britton, *Women in the South African Parliament: From Resistance to Governance* (Urbana and Chicago: University of Illinois Press, 2005), 21.

<sup>144</sup> Britton, "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament," 43.

<sup>145</sup> *Ibid.*, 44.

<sup>146</sup> Geisler, "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa," 615.



Party allegiance continued to dominate gender allegiance when minor parties failed to fully support an informal cross-party Parliamentary Women's Group (PWG) created in 1997.<sup>147</sup> While women had been willing to join the WNC as a broad movement, Goetz and Shareen Hassim stated that there was only a 'shallowness of common interest among women from different parties.'<sup>148</sup> The differences that divided the WNC prevented the formation of a broad alliance in parliament. Minor parties expressed concerns that the dominant party, the ANC, would control the PWG.<sup>149</sup> Although there was little enthusiasm for a PWG, some instances of CPC occurred. For example, there was a broad call for the introduction of a crèche in parliament, which was successful.<sup>150</sup>

Barnes pointed to the 'extreme' party constraints evident in South African politics that contributed to a lack of CPC.<sup>151</sup> She indicated that the closed-list electoral system provides party leaders with close control over electoral fates; this is compounded by political parties owning the rights to seats, rather than individuals, as per the constitution.<sup>152</sup> There is considerable risk involved for potential collaborators in South Africa as party discipline stymies the ability of women to work outside party lines.<sup>153</sup> Australian women politicians also face constraints from party discipline, though not to the same extent as in South Africa, which helps to explain why CPC has been more limited in the latter country. By way of expanding our knowledge of CPC in different contexts, I now look at a legislature with weaker party discipline.

### *Brazil*

Like South Africa, in Brazil CPC can be traced to women working together in discussions to create a new constitution. Brazil has a quota system that operates on a PR closed-list which is not compulsory for parties, nor are penalties enforced: indeed,

---

<sup>147</sup> Waylen, "Women's Mobilization and Gender Outcomes in Transitions to Democracy: The Case of South Africa," 535.

<sup>148</sup> Goetz and Hassim, "In and Against the Party: Women's Representation and Constituency-Building in Uganda and South Africa," 320.

<sup>149</sup> Geisler, "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa," 622.

<sup>150</sup> Brand South Africa, "South Africa's Women in Politics," Brand South Africa, August 25, 2016, <https://www.brandsouthafrica.com/governance/developmentnews/south-africa-s-women-in-politics>, accessed 31 March 2018.

<sup>151</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 207.

<sup>152</sup> *Ibid.*, 203.

<sup>153</sup> *Ibid.*, 209.

parties have exploited loopholes to avoid putting up women candidates.<sup>154</sup> Despite having a quota system since 1995 the number of women politicians in Brazil is low; women composed 9% of legislators in 2008.<sup>155</sup> There has been minimal increase in the number of women elected to parliament since 2008 with women constituting 10.7% in the Lower House and 14.8% in the Upper House as at October 2017.<sup>156</sup>

Fiona Macaulay has detailed how 'structures' influence CPC in Brazil.<sup>157</sup> Brazilian political parties have a limited level of ideological separation and are split on economic rather than social issues. Brazil's weak party structure provides women politicians with ample room to build alliances and vote together across the political spectrum.<sup>158</sup> The many political parties and relatively low party discipline are said to help facilitate sustained cross-party groups, such as the *bancada feminina*.<sup>159</sup> The *bancada feminina* is a women's caucus in which all women federal Deputies and Senators are automatically members and most become active members.<sup>160</sup> It was established informally in the 1986 federal elections during the Constitutional Assembly and sought to ensure that women's rights were included in the new constitution.<sup>161</sup> Thanks to the work of a women's movement campaign, many feminists were elected to the Constitutional Assembly where they worked to influence the writing of the constitution.<sup>162</sup> Their presence helped ensure that women's rights were represented. By providing women with a venue to discuss feminist issues without party concerns the *bancada* is useful for enabling collaboration.

The National Council on Women's Rights and feminist NGOs are important for the *bancada's* agenda and provide links to the women's movement outside

---

<sup>154</sup> See for more detail Mala N. Htun, "Puzzles of Women's Rights in Brazil," *Social Research* 69, no. 3 (Fall 2002): 733–51.

<sup>155</sup> Teresa Sacchet, "Beyond Numbers: The Impact of Gender Quotas in Latin America," *International Feminist Journal of Politics* 10, no. 3 (September 2008): 371.

<sup>156</sup> Inter-Parliamentary Union, "Women in Parliaments: World Classification," September 1, 2017, accessed 22 October 2017.

<sup>157</sup> Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?," 7–12.

<sup>158</sup> *Ibid.*

<sup>159</sup> Waylen, "Enhancing the Substantive Representation of Women: Lessons from Transitions to Democracy," 521.

<sup>160</sup> Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?," 6.

<sup>161</sup> *Ibid.*, 13.

<sup>162</sup> *Ibid.*

parliament.<sup>163</sup> Strong connections between the political realm and external associations 'give confidence and leverage to women legislators to act together and seek support across party lines in Congress.'<sup>164</sup> The *bancada* is a venue for women to discuss women's interests, and develop agendas that they can present to their party leaders to pressure them to act. Unfortunately, there is limited detail on the *bancada's* activities in the Anglophone scholarship.

CPC is evident in women's efforts to popularise the quota system in Brazil in the mid-1990s. One feminist activist reported that the impact of quotas helped 'the formation of alliances of women from different political and social sectors, highlighting and lending legitimacy to struggles for gender inequality.'<sup>165</sup> The initial campaign for gender quotas came from the federal deputy Marta Suplicy and was quickly supported by all women in the national congress. Initially the policy was only enacted at the local election level but two years later, in response to consistent pressure from the women's movement, the quotas were extended to state and federal elections.<sup>166</sup>

The *bancada feminina's* campaign *Mulheres Sem Medo do Poder* (Women Without Fear of Power, WWFP) was designed to attract women to run for election and to provide them with training.<sup>167</sup> This campaign also brought media and widespread public attention to the push to extend the local-level quota system. WWFP involved women from across the political spectrum and included institutional, voluntary, and civil society sectors.<sup>168</sup> The campaign to support quotas brought women together from different political parties.

Macaulay highlighted another example of CPC in Brazil concerning reproductive rights. She cited the work of feminists in challenging a constitutional amendment in 1995 regarding conception.<sup>169</sup> An amendment was proposed by pro-lifers which aimed

---

<sup>163</sup> Ibid., 6.

<sup>164</sup> Ibid., 7.

<sup>165</sup> Maria Teresa Augusti, NGO advisor and feminist activist quoted in Sacchet, "Beyond Numbers: The Impact of Gender Quotas in Latin America," 380.

<sup>166</sup> Ibid., 372.

<sup>167</sup> Ibid., 378.

<sup>168</sup> Ibid.

<sup>169</sup> Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?," 14.

to protect life 'from conception': feminists garnered significant cross-party support to block it.<sup>170</sup> Party whips advised parliamentary members to vote against the pro-life amendment; this was a controversial move as such socio-moral issues are normally put to a conscience vote.<sup>171</sup> While women have made achievements and have participated in CPC in Brazilian politics, Mala Htun argued that these efforts are largely symbolic in nature and that gender representation is not yet mainstream.<sup>172</sup> Despite low numbers, through the *bancada* women politicians have successfully established a gender quota, maternity and paternity leave, equal opportunity legislation, and anti-discrimination measures.<sup>173</sup>

There is continuous CPC work in the form of discussing, and responding to, common issues that face women in politics in Brazil. For example, in 2004 a cross-party seminar was organised to share ideas on campaign strategies for female contenders running for a city councillor position. Discussion covered the possibility of a broader gender policy women could use to pressure parties to incorporate these concerns.<sup>174</sup> Teresa Sacchet proposed that Brazil's weak party system and lack of formal institutional rules allowed women to utilise alliances across political lines.<sup>175</sup> Such strategic alliances are necessary to put women's interests on the political agenda. The continued existence of the *bancada* demonstrates that cross-party support is needed to ensure the proper representation of women's interests in parliament. While there appears to be much cross-party activity, in the form of meetings and discussion of ideas, in only a few cases has cross-party collaborative action transpired. Though Brazil has weaker party discipline and a centralised caucus for women to meet and organise in, CPC is not a frequent event. A critical mass of women in Brazil is a missing element, and the increase of women in Australia has assisted with the occurrence and

---

<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Htun, "Puzzles of Women's Rights in Brazil," 747–48.

<sup>173</sup> Macaulay, "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?," 4; for a more detailed list see: Htun, "Puzzles of Women's Rights in Brazil," 739–40.

<sup>174</sup> Sacchet, "Beyond Numbers: The Impact of Gender Quotas in Latin America," 380.

<sup>175</sup> Ibid.

increase of CPC, explored further in Chapters 5 and 6. Now though I turn to a country that has a similar parliamentary system to Australia.

### *United Kingdom*

The UK provides the opportunity to explore CPC in another Westminster system. There is evidence of CPC in the UK, but the literature is limited: my survey of UK CPC revealed a joint letter published by politicians across six different parties and both houses,<sup>176</sup> but I have not found a significant amount of academic research on the general topic. Paul Webb identified that in UK politics there could be an opportunity for CPC based on shared pro-European libertarian beliefs;<sup>177</sup> however, this research was completed before 'Brexit' and hence is dated. It is interesting however to briefly note the libertarian centre that Webb branded as the potential 'pivotal' point for enabling future CPC.<sup>178</sup> Libertarianism is

a political philosophy that affirms the rights of individuals to liberty, to acquire, keep, and exchange their holdings, and considers the protection of individual rights the primary role for the state.<sup>179</sup>

Webb's research revealed that the libertarian centre has no defined partisan leaning and that 11% of Conservatives, 15% of Labour politicians, and two-thirds of Liberal Democrats could be described as libertarian centrist.<sup>180</sup> He stated that MPs attracted to collaboration across party lines would likely come from this group. Although he did not discuss the possible influence of women politicians, or issues concerning women as a likely source for CPC in the UK, I have done so for the Australian context and found women utilised the practice on women's issues in 2005 and 2006. Similarly, to Webb, I

---

<sup>176</sup> Catherine Bearder et al., "Greener Transport; Letters to the Editor," *The Telegraph*, July 23, 2017, sec. Opinion, <http://subscriber.telegraph.co.uk/opinion/2017/07/22/lettersgovernment-can-win-public-trust-open-approach-brexit/>, accessed 26 March 2018.

<sup>177</sup> Paul Webb, "Attitudinal Clustering within British Parliamentary Elites: Patterns of Intra-Party and Cross-Party Alignment," *West European Politics* 20, no. 4 (1997): 89–110.

<sup>178</sup> *Ibid.*, 104.

<sup>179</sup> Peter Vallentyne and Bas van der Vossen, "Libertarianism," *The Stanford Encyclopedia of Philosophy*, July 1, 2014, <https://plato.stanford.edu/entries/libertarianism/>, accessed 13 October 2017.

<sup>180</sup> Webb, "Attitudinal Clustering within British Parliamentary Elites: Patterns of Intra-Party and Cross-Party Alignment," 97.

found a philosophical belief was part of the motivation for CPC after 2006, though in the Australian cases this was cosmopolitanism rather than libertarianism.

Sarah Childs analysed a prominent example of CPC involving women on the controversial issue of all women shortlists (AWS) introduced by the Labour Party in 1997.<sup>181</sup> In the 1997 General Election, an unprecedented number of Labour Party women were elected due to the party's AWS. Prior to this election, women in parliament totalled 9.5% of representatives in the House of Commons, but after the election their representation rose to 18.2%.<sup>182</sup> In the 2001 election, however, the AWS was not used, and the representation of women decreased to 17.9%. The removal of the AWS stemmed from an industrial tribunal finding that the Labour Party's policy was illegal in relation to sex discrimination and employment.<sup>183</sup> To prevent future problems, the Labour Party introduced the *Sex Discrimination (Election Candidates) Bill* (Sex Discrimination Bill) in 2001 which was designed to ensure that the courts would not interfere with a future AWS.<sup>184</sup> The Sex Discrimination Bill involved an alliance between women politicians from different political parties, academics, and women's civil society groups.<sup>185</sup> The bill passed into law with little resistance and allowed the Labour Party to reintroduce the AWS. It was a permissive law, and not prescriptive as the previous AWS policy had been. There was cross-party support for the bill, and it was women (from all parties) who were most vocal in the debates.<sup>186</sup> Across the political parties and both houses there was a shared view that there should be a higher number of women in the House of Commons.<sup>187</sup>

---

<sup>181</sup> Sarah Childs, "Concepts of Representation and the Passage of the Sex Discrimination (Election Candidates) Bill," *The Journal of Legislative Studies* 8, no. 3 (Autumn 2002): 90.

<sup>182</sup> Inter-Parliamentary Union, "Women in Parliaments: World Classification," January 1, 1997, <http://www.ipu.org/wmn-e/arc/classif010197.htm>, accessed 12 January 2017.

<sup>183</sup> Sarah Childs, "The Sex Discrimination (Election Candidates) Act 2002 and Its Implications," *Representation* 39, no. 2 (2003): 83.

<sup>184</sup> Childs, "Concepts of Representation and the Passage of the Sex Discrimination (Election Candidates) Bill," 91.

<sup>185</sup> Rosie Campbell and Sarah Childs, "Women in Parliament: In the Press Flurry That Accompanied Tony Blair's Departure from Downing Street, Many Newspaper Columnists Analysed the Impact of New Labour's Women MPs. But Does It Really Matter How Many Female MPs There Are? And, If So, Why?," *Sociology Review*, November 2007, 8.

<sup>186</sup> Childs, "Concepts of Representation and the Passage of the Sex Discrimination (Election Candidates) Bill," 91.

<sup>187</sup> *Ibid.*, 94.

The results of the 1997 election attracted research from Philip Cowley and Childs, assessing why the women elected were unlikely to be involved in rebellions.<sup>188</sup> By their own admission, the authors struggle to find a convincing explanation.<sup>189</sup> The women MPs themselves claimed to work more ‘behind the scenes’ in pursuing their aims, wanting to outwardly maintain party loyalty.<sup>190</sup> A finding that is particularly interesting for CPC is Cowley and Childs’ revelation that in parliaments before 1997, women MPs across all parties were more likely to rebel than men<sup>191</sup> despite – or perhaps because of – their small numbers. Cowley and Childs referred to the Burkean distinction and stated that

Rebellion is also related to MPs’ *legislative roles*, the extent to which they see their role in parliament as including rebellion (with delegates being less likely to rebel than those who see themselves as trustees).<sup>192</sup>

What this research demonstrates is the power of party constraints in limiting rebellions, as self-reported by women MPs. In related research, Cowley and Rosie Campbell provided evidence through survey results that UK voters prefer rebellious voters to loyalists.<sup>193</sup> They proposed that this is based on a general dislike for political parties from the public and their wish to see MPs behave independently.<sup>194</sup> Their research demonstrated that while the level of rebelliousness did not markedly change voters’ preferences, overall voters reacted positively to members voting against their party.<sup>195</sup> This result suggests a potentially positive correlation between CPC and voters: that politicians who break away from the party machine will be viewed favourably by the electorate.

---

<sup>188</sup> Philip Cowley and Sarah Childs, “Too Spineless to Rebel? New Labour’s Women MPs,” *British Journal of Political Science* 33, no. 3 (2003): 345–65.

<sup>189</sup> *Ibid.*, 352.

<sup>190</sup> *Ibid.*, 363–64.

<sup>191</sup> *Ibid.*, 352.

<sup>192</sup> *Ibid.*, 351.

<sup>193</sup> Rosie Campbell and Philip Cowley, “Rebellion Versus Loyalty, Shirking Versus Working: A Note on Framing Parliamentary Behaviour,” *Representation* 50, no. 4 (2014).

<sup>194</sup> *Ibid.*, 424–5.

<sup>195</sup> *Ibid.*

## *International Comparisons*

Three of the countries mentioned in this review – Norway, South Africa, and Brazil – have markedly different histories and political backgrounds to Australia, while the UK has a similar and historically-related political system. Despite differences in electoral systems, proportion of women, party discipline, quotas, and women’s caucuses, all four feature instances of CPC by women politicians in the national parliament. The number of women in these parliaments differs widely, particularly South Africa and Norway compared with Brazil (a range of some 30%).<sup>196</sup> Whilst an equal number of women in parliament is important for descriptive representation reasons (see Chapter 3), it appears not to be a direct cause of CPC based on the literature reviewed here.

For South Africa and Brazil, a women’s caucus that cut across party lines to unite a wide range of women was important for women’s CPC in the formation of the new state. These women’s caucuses are important for countries in transition to new political systems, though as shown here their power after constitutional discussions conclude has been limited. As Waylen proposed, these examples lend support to the idea that CPC has had more success on a case-by-case basis than in lasting alliances.<sup>197</sup> Is it more remarkable that countries without a women’s caucus experience CPC? There is a general lack of opportunity for women to meet formally and discuss women’s issues across party lines in Australia,<sup>198</sup> Norway, and the UK. Women in these countries have sought out collaboration with like-minded women from different political parties without a dedicated whole of parliament venue for networking. While it does provide an avenue for CPC inception, based on the cases presented here having an all-party

---

<sup>196</sup> Inter-Parliamentary Union, “Women in Parliaments: World Classification,” September 1, 2017, accessed 22 October 2017.

<sup>197</sup> Waylen, “Enhancing the Substantive Representation of Women: Lessons from Transitions to Democracy,” 522.

<sup>198</sup> Di Zetlin, 1995, “Women Members of Federal Parliament: A comparative analysis over two decades”, Australian Research Council Grant, University of Queensland in Sonia Palmieri, “Gender Sensitive Parliament: A Global Review of Good Practice” (Inter-Parliamentary Union, 2011), <http://archive.ipu.org/pdf/publications/gsp11-e.pdf>, accessed 12 January 2017; Marian Sawer, “Beyond Numbers: The Role of Specialised Parliamentary Bodies in Promoting Gender Equality,” in *Gender Representation in Parliament* (Australasian Study of Parliament Group Conference, Sydney, 2014), <https://www.aspg.org.au/wp-content/uploads/2017/08/Session-8-Prof.-Marian-Sawer-Gender-representation-in-parliament.pdf>, accessed 12 January 2017.



women's caucus in the legislature does not markedly increase the odds of co-sponsored legislation and is not a determining variable of CPC.

Party discipline also played a role in the cases surveyed here. The strong party constraints in South Africa, as indicated by Barnes, played a prohibitive role in individuals seeking out CPC.<sup>199</sup> As was seen in the UK, rebellion from women politicians was something that did occur, but lessened with the increase of women after the 1997 election. These women claimed that they did not rebel as they sought out behind the scenes strategies instead.<sup>200</sup> This was a desire to adhere to party discipline. In Brazil, where there is weaker party discipline the *bancada feminina* has been able to persist, however instances of CPC have still been minimal. In Barnes' survey of collaborative work between women, she concluded that strong party constraints will stifle women's voices, and found some evidence that women facing weak party constraints will be more likely to seek out cross-party alliances – however she concluded that the evidence is far from clear cut.<sup>201</sup> My analysis here supports this finding.

The common feature of CPC in these different contexts is the fact that these political systems have been, and continue to be, male dominated. In Norway, South Africa, Brazil, the UK, and Australia, men numerically dominate parliament. This extends to the substantive realm, in the sense that women's issues are largely seen as issues for women, rather than of concern to the entire community. The different electoral systems, existence and implementation of quotas, party discipline, existence of a women's caucus, and number of women in parliament all vary, but men's historical dominance remains stable. The history of men's dominance in legislatures across the world and the traditional relegation of women's issues to the private realm have contributed to women's use of CPC. In Rwanda, women numerically dominate parliament,<sup>202</sup> yet CPC has also occurred there between women to protect women's rights regarding land inheritance,<sup>203</sup> a case of women seeking to overcome substantive

---

<sup>199</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 207.

<sup>200</sup> Cowley and Childs, "Too Spineless to Rebel? New Labour's Women MPs," 363–64.

<sup>201</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 225–26.

<sup>202</sup> Women in the Chamber of Deputies total 61.3% and women in the Senate total 38.5%. Inter-Parliamentary Union, "Women in Parliaments: World Classification," September 1, 2017, accessed 22 October 2017.

<sup>203</sup> Powley, "Rwanda: Women Hold Up Half the Parliament," 160.

male dominance in society. The occurrence of CPC across different legislatures indicates both that gender can surpass party allegiance, and that women representatives are needed to bring attention to issues that are often relegated to the private, rather than public, realm.

The cases examined in this thesis cover women's, backbenchers' and 'other' party (minor party and independent) members' utilisation of CPC in Australia. In brief, these actors turn to CPC because they lack traditional power within party structures and the institution of parliament. I found that this lack of power was evident in women's use of CPC across the countries presented in this review and throughout this thesis I demonstrate that it is a common theme of the practice in Australia, across all case studies 2005 – 2016.

## **Conclusion**

This review of research demonstrates that CPC has notably been used by women, usually on women's issues, not only in Australia, but in other settings. As a result, this thesis pays significant attention to women and CPC, as there was intensive use of CPC by women in Australia in 2005 and 2006 and as they continued to dominate the practice after 2006. International examples show that the historical dominance of men in legislatures and the view of women's issues as private have led women to utilise collaboration to ensure representation. CPC helps to achieve the substantive representation of women, a theoretical concept considered in Chapter 3 alongside other theories of representation. Chapter 5 provides empirical evidence of the substantive representation of women through CPC. While much of the existing CPC literature focuses on women and CPC, I noted in this review that researchers have analysed instances of CPC involving actors other than just women. The present thesis contributes to both the literature on women's use of CPC and moves beyond this to explore how other actors have utilised the practice in Australia.

While literature on conscience votes and crossing the floor in Australia is relevant to the practice of CPC, there is still a need for dedicated research on the topic. Studies of other political systems also suffer this lack, though the field is beginning to burgeon, as indicated here. Uncovering and analysing CPC reveals

institutional practices and structures that do not necessarily allow for representation of all politically relevant issues, especially those of concern to minority groups. CPC reveals power imbalances between actors within a legislature, which reflect wider power structures within societies. This was evident in the international examples in this chapter and is also true for Australia given that CPC is used more by women than men, and often on minority issues. Critical constructivism and New Institutionalism are the key theoretical approaches used in this thesis and they provide a lens for understanding how actors behave in institutions with power imbalances, as detailed in the following chapter.

## Chapter 2: Theory and Methodology

### Introduction

This chapter outlines the theoretical frameworks and methodological approach utilised in this study of CPC. Critical constructivism is applied to analyse activities within parliament alongside New Institutionalism (NI). These two theories complement one another and are suited to empirical research on representation and collaboration in politics. They allow me to: consider the operation of power and norms within institutions; shed light on how behaviour is constrained; and identify opportunities for individuals to defy institutional norms. Political will, a relatively underutilised concept in the study of Australian politics, as well as a cosmopolitan outlook that favours universal laws over party policies, an enabling factor of CPC, are also employed in this thesis and are explained in this chapter.

The thesis methodology centres on six case studies and employs a number of methods to uncover relevant data. The actions of individuals were analysed through close readings of Hansard debates which was complemented by first-hand accounts of CPC gleaned from original interviews with politicians. The data from these interviews was corroborated with primary and secondary documents, and one year of participant observation. This combination of methods allowed me to carefully consider the influence of structure and agents and their operation within parliament from a variety of viewpoints.

The chapter begins by explaining constructivism, particularly focusing on critical and feminist constructivism. I include consideration of feminist constructivism given the concentrated use of CPC by women in 2005 and 2006. Next, the different variants and benefits of NI are identified, followed by a discussion of political will. I then outline cosmopolitanism. The chapter finishes with a discussion of the methodology adopted to complete analysis of CPC.

## 2.1 Constructivism

In this thesis, I conceptualise institutions and the agents within them as mutually constitutive, a view derived from constructivist – and New Institutionalist – approaches. Constructivism helps to explain why actors continue to use institutions that may not be in their best interests. John Searle captures this sentiment in the following statement: ‘the remarkable feature of institutional structures is that people continue to acknowledge and cooperate in many of them even when it is by no means obviously to their advantage to do so.’<sup>1</sup> This statement is relevant to understanding the practices, traditions and values upheld in parliament; in essence, how individuals have constructed the reality of parliament.<sup>2</sup> Certain parliamentary practices are gendered. For example, including the symbolic use of weaponry, such as the mace and the Black Rod; and the physical dragging of the Speaker of the House of Representatives to her or his new position (discussed in Chapter 4). In what follows I outline the conceptual tools constructivists use to explain why actors accept these less than ideal circumstances.

A key element of constructivist thought is the assumption that structure and agency are mutually constituted.<sup>3</sup> Constructivism stresses the co-constitutive relationship between agency and structure and allows for multiple levels of analysis.<sup>4</sup> Emanuel Adler provided the following definition:

Constructivism is the view that the manner in which the material world shapes and is shaped by human action and interaction depends on dynamic normative and epistemic interpretations of the material world.<sup>5</sup>

---

<sup>1</sup> John R. Searle, *The Construction of Social Reality* (New York: The Free Press, 1995), 92.

<sup>2</sup> Michael Quinn Patton, *Qualitative Research & Evaluation Methods*, 3rd ed. (Thousand Oaks: Sage Publications, 2002), 96.

<sup>3</sup> Audie Klotz and Cecelia Lynch, *Strategies for Research in Constructivist International Relations* (Armonk, New York: M. E. Sharpe Inc., 2007), 3, 18; Birgit Locher and Elisabeth Prügl, “Feminism and Constructivism: Worlds Apart or Sharing the Middle Ground?,” *International Studies Quarterly* 45, no. 1 (2001): 114; Jeffrey T. Checkel, “The Constructivist Turn in International Relations Theory,” *World Politics* 50, no. 2 (January 1998): 328; Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory in International Relations* (Columbia, South Carolina: University of South Carolina, 1989), 36.

<sup>4</sup> Locher and Prügl, “Feminism and Constructivism: Worlds Apart or Sharing the Middle Ground?,” 114.

<sup>5</sup> Emanuel Adler, “Seizing the Middle Ground: Constructivism in World Politics,” *European Journal of International Relations* 3, no. 3 (1997): 322.

By contrast, rationalism is individualist in nature and assumes that humans are self-interested utility maximisers,<sup>6</sup> leaving little room for considering the influence of structures. According to Birgit Locher and Elisabeth Prügl, norms, rules, institutions, and language allow 'structures [to] reproduce through the practices of knowledgeable agents while at the same time enabling these practices.'<sup>7</sup> It is the consideration of the influence of both individuals and structures that makes constructivism a useful broad approach to studying CPC. CPC is a way for politicians to operate outside constraints, in the sense that they work around the normal process of policy being introduced by major parties. There is a mutual relationship between individuals and structures (that is, parliament, and political parties). These structures define the boundaries of what is possible, but individuals can step outside these constraints.

For Ian Hacking, the idea of the *status quo* is central to constructivism.<sup>8</sup> In his view, proponents of social construction theory aim to identify and define socially constructed elements. He argued that many constructivists hope to effect change in the *status quo*.<sup>9</sup> He considered topics as diverse as *danger*, *youth homelessness* and *the medicalized immigrant* as socially constructed.<sup>10</sup> Hacking set out specific factors that identify something as socially constructed, with X representing the socially constructed concept:

- 1) X need not have existed, or need not be at all as it is. X, or X as it is at present, is not determined by the nature of things; it is not inevitable.
- 2) X is quite bad as it is.
- 3) We would be much better off if X were done away with, or at least radically transformed.<sup>11</sup>

---

<sup>6</sup> Stefano Guzzini, "A Reconstruction of Constructivism in International Relations," *European Journal of International Relations* 6, no. 2 (2000): 163.

<sup>7</sup> Locher and Prügl, "Feminism and Constructivism: Worlds Apart or Sharing the Middle Ground?," 114..

<sup>8</sup> Ian Hacking, *The Social Construction of What?* (Cambridge, Massachusetts: Harvard University Press, 1999).

<sup>9</sup> Hacking uses the term social constructionism, but for the purposes of this thesis his ideas fit with the concept of constructivism. *Ibid.*, 6–7.

<sup>10</sup> *Ibid.*, 1 Hacking offers a lengthy list of "construction titles" from a library catalogue which includes gender.

<sup>11</sup> *Ibid.*, 6–7.

To these factors, Hacking added a precursor: '0) In the present state of affairs, X is taken for granted; X appears to be inevitable.'<sup>12</sup> He did not argue that all constructivists follow steps 2) and 3), or 0) for that matter. He merely stated that they share a belief in 1).<sup>13</sup> Using the example of gender as a social construction, the additional 0) step is important. Divisions based on gender are considered (by some) as a natural extension of biological differences. Constructivists scrutinise the construction of social reality, refusing to take it at face value without analysing the factors that contribute to its existence.

### *Critical Constructivism*

Critical theory intersects with constructivism through a shared emphasis on actor's identities as socially constructed. Like constructivism, a critical theory approach attempts to challenge the *status quo*: a concept useful in the exploration of CPC. Robert Cox applied critical theory to analyse social relations and the wielding of power and asked how it could be changed.<sup>14</sup> Critical constructivism, like constructivism, makes the ontological assumption that structure and agency are co-constitutive. Cox outlined a structure in which actions are determined by pressures and constraints that derive from three categories of forces: material capabilities; ideas; and institutions.<sup>15</sup> Material capabilities refer to accumulated forms of resources, equipment and wealth, and dynamic technological and organisational capabilities. Ideas can be either: 1) shared concepts which perpetuate certain notions of behaviour; or 2) collective images of social order. Finally, institutions reflect existing power relations and circulate the dominant actors' desired collective images.<sup>16</sup> Institutions allow dominant individuals to strengthen their hold on power by influencing ideas through consensus building.<sup>17</sup> Critical theory, particularly in Coxian terms, has clear links with constructivism.

---

<sup>12</sup> Ibid., 12.

<sup>13</sup> Ibid., 19–20.

<sup>14</sup> Although Cox uses critical theory to analyse international relations and power between states, I have used his theory as a broad social approach to considerations of power between individuals in politics. Cox, Robert W., "Social Forces, States and World Orders: Beyond International Relations Theory" in Robert O. Keohane, *Neorealism and Its Critics* (New York: Columbia University Press, 1986), 208.

<sup>15</sup> Robert W. Cox, *Approaches to World Order* (Cambridge: Cambridge University Press, 1996), 217–18.

<sup>16</sup> Ibid., 218–19.

<sup>17</sup> Ibid., 11.

An aim common to critical constructivists is to unpack and reveal the power dynamics of ideational structures.<sup>18</sup> In so doing they aim to re-envisage these structures; in Martha Finnemore and Kathryn Sikkink's words, they are involved in the 'imagining of alternative worlds.'<sup>19</sup> Critical theorists not only strive to envision a future alternative world order in which power is more evenly distributed but are mindful of the historical processes that frequently thwart such change.<sup>20</sup> Critical constructivism provides a focus on power missing from constructivism that is useful to this thesis. Jutta Weldes *et al.* provided three principles that guide a critical constructivist analysis:

1. What is understood as reality is socially constructed.
2. Constructions of reality reflect, enact, and reify relations of power. In turn, certain agents or groups of agents play a privileged role in the production and reproduction of these realities.
3. A critical constructivist approach denaturalizes dominant constructions, offers guidelines for the transformation of common sense, and facilitates the imagining of alternative life-worlds. It also problematizes the conditions of its own claims; that is, a critical constructivism is also reflexive.<sup>21</sup>

Critical constructivism focuses less on ideas and more on how dominant groups have controlled the process of social construction. The analysis of power and change are important in the study of CPC.

There is a gendered element in the distribution of power, to which critical constructivists have paid limited attention. I now consider how feminist constructivists

---

<sup>18</sup> Martha Finnemore and Kathryn Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," *Annual Review of Political Science* 4 (2001): 398; Richard Price and Christian Reus-Smit, "Dangerous Liaisons?: Critical International Theory and Constructivism," *European Journal of International Relations* 4, no. 3 (1998): 261.

<sup>19</sup> Finnemore and Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," 398.

<sup>20</sup> *Ibid.*, 210.

<sup>21</sup> Jutta Weldes *et al.*, "Introduction: Constructing Insecurity," in *Cultures of Insecurity: States, Communities, and the Production of Danger*, vol. 14 (Minneapolis: University of Minnesota Press, 1999), 13.



incorporate gender in their analysis of social relations. This theory helps me explain why CPC was utilised by women politicians on women's issues.

### *Feminism and Critical Constructivism*

Feminism supplements shortcomings in critical constructivism and helps to explain why women used CPC in an intensive way in 2005 and 2006, hence I include a brief outline here. Feminists highlight how gender is socially constructed, that is, in V. Spike Peterson's words, the force that 'dichotomizes identities, behaviours, and expectations as masculine and feminine.'<sup>22</sup> In the past, biology and gender were not considered separate concepts. It has been observed that '[g]ender should be understood as a social category whose definition makes reference to a broad network of social relations, and it is not simply a matter of anatomical differences.'<sup>23</sup> Social expectations of what is feminine and masculine are reiterated in institutional settings.

It is important to consider gender when studying social relations, particularly when it comes to power. Power affects actors within institutions and is often distributed differentially between genders. In terms particularly apt for this thesis, Locher and Prügl reported the benefits of combining constructivism and feminism as follows:

Femininity and masculinity, institutions, ideas, social purpose, as well as power politics and instrumental agency are all part of a constructed world. From a feminist perspective, conflict, power, and material phenomena are thoroughly enmeshed in institutions, and institutions implicated in the exercise of power. We would argue again that institutionalists, including most constructivists, have paid too little attention to power and when they have done so they have described power as outside social construction.<sup>24</sup>

---

<sup>22</sup> V. Spike Peterson, "Transgressing Boundaries: Theories of Knowledge, Gender and International Relations," *Millennium* 21, no. 2 (1992): 183-206.

<sup>23</sup> Haslanger, Sally, "Ontology and Social Construction", *Philosophical Topics*, 23: 127-157 quoted in Hacking, *The Social Construction of What?*, 8.

<sup>24</sup> Birgit Locher and Elisabeth Prügl, "Feminism: Constructivism's Other Pedigree," in *Constructing International Relations: The next Generation* (New York: M.E. Sharpe, Inc., 2001), 85.

Constructivists analyse power to the extent that they consider it a limiting device: institutions shape the possibilities for individuals acting within them.<sup>25</sup> Feminist critical theorists are familiar with the idea that power delimits possibilities. As Locher and Prügl argued, constructivism would provide a richer analysis of power by including a feminist perspective.

## 2.2 Critical Constructivism and Cross-Party Collaboration

Critical constructivism allows for the consideration of both individual agency and social structure. This provides a useful means to study CPC as both factors bear upon the likelihood of CPC occurring. Critical theory allows me to consider how power is wielded in an institution, and how CPC provides actors with an opportunity to defy traditional power dynamics in parliament.

Although critical constructivism offers a useful framework for analysing CPC in parliament, as stated above, it does not account for gender adequately. To rectify this blind spot, I have incorporated feminist constructivist thought into my use of critical constructivism. The fact that women turned to the underutilised practice of CPC in a notable way in 2005 and 2006 points to power discrepancies based on socially constructed gender differences. Power differences continue to exist, and backbenchers and ‘other’ party members (minor party members and independents) with limited power were increasingly likely to adopt the practice after 2006.

Questioning adversarial practices in Australian politics fits the constructivist approach as studying the construction of society often entails critique of the *status quo*.<sup>26</sup> Constructivists working with a post-positivist epistemology look at context and ‘seek to understand how certain meanings get taken for granted or dominate while others remain unspoken or marginalized.’<sup>27</sup> For example, attempts to increase the representation of women in parliament have often stemmed from external

---

<sup>25</sup> Wendt, Alexander and Duvall, Robert, “Institutions and International Order” in *Global Changes and Theoretical Challenges: Approaches to World Politics for the 1990s*, eds. Czempiel, Ernst-Otto and Rosenau, James N., (Lexington: Lexington Books, 1989) paraphrased in *ibid.*, 88.

<sup>26</sup> Hacking, *The Social Construction of What?*, 6.

<sup>27</sup> Klotz and Lynch, *Strategies for Research in Constructivist International Relations*, 20–22.

associations or political parties (such as EMILY's List<sup>28</sup> and Labor Party affirmative action<sup>29</sup>) rather than from parliament. In other countries, legislative and constitutional measures have been utilised to increase the number of women in parliament. In Australia, no such legislation has been moved. By exploring CPC, I aim to show how, in Australian politics, the marginalised can work outside the mainstream channels.

I take the view that practices within parliament have been constructed by the politicians within it, who are at the same time restricted to those specific practices. I allow for change, however, and do not consider the present situation as fixed. For example, once women were denied a voice at the political level as constituents and electors but they now vote and are representatives in parliament. Politicians work within the confines of parliament and political parties, but some are willing to step outside mainstream party divides to co-sponsor bills with members of different political parties. This suggests that there are individuals who recognise that the present system fails to represent certain issues.

I also utilise NI to analyse CPC, a theory that augurs well with critical constructivism as it also focuses on agents, ideas, and change. In what follows I outline NI and identify how it is useful for understanding CPC, incorporating a focus on the institution of parliament and how it influences, and is influenced, by actors within it.

## **2.3 Institutional Theories**

NI is applied in this thesis to analyse how parliament constrains individuals. Critical constructivism is useful for understanding the mutual construction of structures and the agents within them and NI builds on this with a dedicated focus on institutions and their norms and practices. The consideration of power from feminist and critical constructivism is also supported by feminist institutionalism (FI) as a means of highlighting the relationship between power and gender in an institution. Whilst critical constructivism offers a useful broad framework for considering social relations, NI allows for more effective empirical analysis of CPC.

---

<sup>28</sup> "EMILY's List, About Us, Our History," EMILY's List, n.d., <https://www.emilyslist.org.au/about/our-history/>, accessed 4 June 2018.

<sup>29</sup> Australian Labor Party, "National Platform: 47th National Conference," December 2015, 209–10, [https://cdn.australianlabor.com.au/documents/ALP\\_National\\_Platform.pdf](https://cdn.australianlabor.com.au/documents/ALP_National_Platform.pdf), accessed 7 February 2017.

The two approaches of critical constructivism and NI are compatible due to their shared consideration of power and change. Critical constructivism informs the worldview of this thesis to consider how individuals view, and hence *construct*, their reality: in essence, how politicians have developed practices in parliament which have become norms over time. There are accepted behaviours within parliament due to a shared constructed reality, one which sees CPC as an aberration. However, this does not mean that new norms cannot be developed, which is how NI fits in with critical constructivist thought. The variants of NI are all variously interested in explaining change. So, while NI fits with critical constructivism in offering an institutional-specific way of exploring and explaining how politicians construct the reality of parliament, this approach also allows for a more empirical understanding of how change can occur in parliament – change here being the increasing normalisation of CPC in Australian politics.

### *New Institutionalism*

NI emerged in the 1980s as an epistemological response to an increase in the size and complexity of institutions. This approach to institutionalism is ‘new’ in the sense that it differs from older frameworks. Old Institutionalism (OI) provided a way of studying political science that focused on formal aspects of government and emphasised the importance of law and the functions of government, particularly through public institutions.<sup>30</sup> Structure was central to OI and was said to determine behaviour, leaving little room for individuals to alter the existing system.<sup>31</sup> Kathleen Thelen described OI as a theory that views structures in a normative light.<sup>32</sup>

NI aims to unpack the rules and norms that structure political behaviour. Peter March and Johan Olsen identified a single approach to NI,<sup>33</sup> while Peter Hall and Rosemary Taylor outlined three chief approaches to NI: rational choice (RI),

---

<sup>30</sup> B. Guy Peters, *Institutional Theory in Political Science: The “New” Institutionalism* (New York: Continuum, 2012), 3–4.

<sup>31</sup> *Ibid.*, 9.

<sup>32</sup> Kathleen Thelen, “Historical Institutionalism in Comparative Politics,” *Annual Review of Political Science* 2 (1999): 3.

<sup>33</sup> James March and Johan Olsen, “The New Institutionalism: Organizational Factors in Political Life,” *The American Political Science Review* 78, no. 3 (1984): 734–49.

sociological (SI), and historical (HI).<sup>34</sup> Additional approaches to NI have been developed to counter perceived problems with the three main approaches, namely: discursive (DI) or constructivist (CI), and feminist (FI). Despite clear differences in the conceptualisation of institutions across these variants, the lines between them are not fixed and authors draw from different variants to address their research questions,<sup>35</sup> as I do in this thesis.

Variants of NI explain change differently, with varying degrees of success. Peter L. Berger and Thomas Luckmann acknowledged that though institutions are susceptible to change, some of them contain practices and norms which have a stubborn 'tendency to persist.'<sup>36</sup> Elisabeth Clemens and James Cook proposed that institutions provide models for action that become 'taken for granted' and also make it difficult to imagine 'alternative scripts.'<sup>37</sup> The emphasis on continuity and seeming inevitability of an institution led Thelen and Steinmo to state that 'institutions explain everything, until they explain nothing.'<sup>38</sup> They referred to Stephen Krasner's model of a 'punctuated equilibrium', which posits that institutions enjoy a lengthy period of stability before facing crises that usher in change.<sup>39</sup> This approach often depicts institutions as independent variables that provide stability, but when they breakdown they become the dependent variable. Thelen and Steinmo questioned the idea of an institution becoming the dependent variable in the event of institutional breakdown. They believed that it misleadingly downplays the effect of institutional constraints and political strategies, and highlight instead their concept of 'institutional dynamism' over 'institutional determinism.'<sup>40</sup> One form of institutional dynamism that they outline concerns how 'piecemeal change [results] from ... ongoing strategic maneuvering [sic]

---

<sup>34</sup> Peter A. Hall and Rosemary C.R. Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44, no. 5 (1996): 936-57.

<sup>35</sup> Thelen, "Historical Institutionalism in Comparative Politics," 370.

<sup>36</sup> Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (London: The Penguin Press, 1971), 99.

<sup>37</sup> Elisabeth Clemens and James Cook, "Politics and Institutionalism: Explaining Durability and Change," *Annual Review of Sociology* 25 (1999): 445.

<sup>38</sup> Kathleen Thelen and Sven Steinmo, "Historical Institutionalism in Comparative Politics," in *Structuring Politics: Historical Institutionalism in Comparative Analysis*, ed. Sven Steinmo, Kathleen Thelen, and Frank Longstreth (Cambridge: Cambridge University Press, 1992), 15.

<sup>39</sup> *Ibid.* See for more Stephen D. Krasner, "Approaches to the State: Alternative Conceptions and Historical Dynamics," *Comparative Politics* 16, no.2 (Jan. 1984): 223-46.

<sup>40</sup> *Ibid.*, 15-16.

within institutional constraints.’<sup>41</sup> E. Spencer Wellhofer identified the ‘formal and informal, normative, material and coercive’ constraints on human agency within institutions as ‘ideologies, belief systems, religions, production enterprises, the social relations of production, classes and states.’<sup>42</sup> My own work extends these explanations of continuity to focus on the prospects for change within an institution; it does so by looking at how actors utilise strategic manoeuvring in the form of CPC to counter the restrictions of parliament. NI helps to contextualise the behaviour and actions of individuals within an institution.

I use NI to demonstrate how parliamentary culture and practice affects the actors within it, and how these actors adhere to both formal and informal rules. Variants of NI relevant for understanding CPC—specifically, historical, constructive, discursive, and feminist institutionalism— are considered next. First though, I explain why SI and RI are not used in this thesis. RI draws on a logic of calculus and utilises insights from economics. Rational institutionalists focus on individuals, taking a micro-level approach to explain macro-level outcomes.<sup>43</sup> They presume that the actors within an institution have a predefined set of interests and that they will attempt to maximise the attainment of those interests in a manner that suggests prior calculation.<sup>44</sup> Actors will be strategic and weigh their actions against the expected actions of others and ultimately will act in their own best self-interest. Institutions serve as a guideline: they define and structure actors’ interactions, limiting the number of possibilities open for individuals.<sup>45</sup> While RI could be applied to CPC, I do not find it overly insightful – particularly as the actors I study are taking actions which are not necessarily in their best interests. Furthermore, RI is not well attuned to the influence of power. It also tends to see change as an exogenous occurrence, and though some authors have considered the possibility of endogenous change in RI,<sup>46</sup> Thelen has critiqued these

---

<sup>41</sup> Ibid., 17. For other sources of institutional dynamism, see the remaining chapters in Structuring Politics.

<sup>42</sup> E. Spencer Wellhofer, “Men Make Their Own History, But...’: The ‘New Institutionalism’ and the Fate of Liberal Democracy in Inter-War Europe,” *Democratization* 1, no. 3 (1994): 327.

<sup>43</sup> Fiona Mackay, Meryl Kenny, and Louise Chappell, “New Institutionalism Through a Gender Lens: Towards a Feminist Institutionalism?,” *International Political Science Review* 31, no. 5 (2010): 574.

<sup>44</sup> Hall and Taylor, “Political Science and the Three New Institutionalisms,” 1996, 945.

<sup>45</sup> Ibid.

<sup>46</sup> Greif Avner and David D. Laitin, “A Theory of Endogenous Institutional Change,” *American Political Science Review* 98, no. 4 (November 2004): 633–52.

works for focusing too much on the breakdown or reproduction of an institution, rather than on what a changing one looks like.<sup>47</sup>

Although SI theorists propose that individuals have the power to shape their institutions,<sup>48</sup> the focus on cultural influences makes this form of NI less appealing in studying CPC than other forms. Change in the SI tradition is said to originate in the logic of appropriateness: organisations adopt a new practice not because of rational means-ends efficiency, but due to the acceptance of the practice by broader society.<sup>49</sup> This has been called ‘context-rationality’ by Fiona Mackay, Surya Monro, and Georgina Waylen.<sup>50</sup> Explaining CPC as a result of the exogenous influence of society misses key considerations of power and constraints that are part of the norms and rules within an institution. Hence, my focus is given to historical, discursive, and feminist institutionalism to better capture an understanding of the factors influencing CPC.

### *Historical Institutionalism*

HI sees institutions as reliant on the broader political and social context in which they are situated.<sup>51</sup> HI emphasises the asymmetry of power in institutions and highlights how actors within them tend to follow both formal and informal rules. Historical institutionalists consider institutions as the unit of analysis rather than the individual. This line of thought emphasises how context determines behaviour.<sup>52</sup> Emphasis on the institution over the individual provides little room to account for agency. This can make it difficult for historical institutionalists to explain change as anything other than exogenous shock, and for this reason HI theorists incorporate a range of ways to explain change as endogenous.<sup>53</sup>

---

<sup>47</sup> Kathleen Thelen, *How Institutions Evolve: The Political Economy of Skills in Germany, Britain, the United States, and Japan* (New York: Cambridge University Press, 2004), 30.

<sup>48</sup> Meryl Kenny, “Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland” (The University of Edinburgh, 2009), 49.

<sup>49</sup> Hall and Taylor, “Political Science and the Three New Institutionalisms,” 1996, 949.

<sup>50</sup> Fiona Mackay, Surya Monro, and Georgina Waylen, “The Feminist Potential of Sociological Institutionalism,” *Politics & Gender* 5, no. 2 (2009): 256.

<sup>51</sup> Thelen, “Historical Institutionalism in Comparative Politics,” 384.

<sup>52</sup> Wellhofer, “‘Men Make Their Own History, But...’: The ‘New Institutionalism’ and the Fate of Liberal Democracy in Inter-War Europe,” 326.

<sup>53</sup> Vivien Schmidt, “Institutional Theory,” ed. Bertrand Badie, Dirk Berg-Schlosser, and Leonardo Morlino, *International Encyclopedia of Political Science*, 2011, 1192.

HI views institutions as path dependent, meaning they consider how past decisions and events influence current (and future) decisions and events. In economics, the concept stems from the attempt to understand fixed technological trajectories.<sup>54</sup> Path dependency explains how one course becomes dominant and 'locked in' despite not necessarily being the most efficient or ideal course in the long run.<sup>55</sup> This concept works on the premise of a punctuated equilibrium that 'emphasizes moments of "openness" and rapid innovation followed by long periods of institutional stasis or "lock in":<sup>56</sup> the 'QWERTY' keyboard exemplifies this concept.<sup>57</sup> The QWERTY design continues to dominate keyboard layout despite the possibility of other, perhaps stronger, contenders. Thelen described how the QWERTY concept is too deterministic for political science, as its proponents accept that those who do not adopt the dominant path will simply disappear. She argued that this does not hold for politics, as marginalised actors do not necessarily disappear and can either wait for a chance to change conditions, or work to undermine the *status quo*.<sup>58</sup> CPC is an example of how politicians can undermine the *status quo*.

HI theorists explain change through the concept of critical junctures. Critical junctures are points in time where an institution proceeds along a certain development path.<sup>59</sup> Once an institution follows a path, feedback effects produce mechanisms to keep it on the chosen course.<sup>60</sup> Thelen explained change in the path dependency conceptualisation via institutional layering and conversion. Layering refers to the way institutions keep some elements whilst changing others, and conversion refers to how institutions adapt to new circumstances and goals.<sup>61</sup> However, as the opportunities for

---

<sup>54</sup> Thelen, "Historical Institutionalism in Comparative Politics," 384.

<sup>55</sup> *Ibid.*, 384–85.

<sup>56</sup> Kathleen Thelen, "How Institutions Evolve: Insights from Comparative Historical Analysis," in *Comparative Historical Analysis in the Social Sciences* (Cambridge: Cambridge University Press, 2003), 208–41.

<sup>57</sup> Thelen, "Historical Institutionalism in Comparative Politics," 384.

<sup>58</sup> *Ibid.*, 384–85.

<sup>59</sup> Meryl Kenny, "Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland" (The University of Edinburgh, 2009), 54.

<sup>60</sup> *Ibid.*

<sup>61</sup> Thelen, "How Institutions Evolve: Insights from Comparative Historical Analysis," 228. Thelen takes her understanding of layering largely from Eric Schickler, see Schickler, "Disjointed Pluralism and Congressional Development: An Overview", Paper read at the 95th annual meeting of the American Political Science Association, Atlanta, Sept. 2-5, 1999 and *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*, Princeton, NJ: Princeton University press (2001) for more.



change are restricted by previous choices at earlier critical junctures, this explanation of change is limited.<sup>62</sup> Different ways to understand change are suggested by newer variants of NI, explored directly below.

### *Constructivist and Discursive Institutionalism*

A newer variant of the NIs, CI, was conceived in response to the perceived limitations of other approaches, particularly their failure to offer a convincing explanation of change.<sup>63</sup> CI aims to put agency back into an account of institutional change. It highlights the effect of structure and agent on one another and emphasises the importance of ideas in constraining actors and limiting change.<sup>64</sup> According to Stephen Bell, proponents of CI see the shift of focus to the ideational and the discursive realm as providing a means of understanding agents' ability to 'construct' their reality, giving less focus to the existing constraints of the institution.<sup>65</sup> Bell argued that CI proponents have gone too far, however, leaving institutions with almost no role whilst over-emphasising the power of ideas and individual agency. He advocated for an agency-centred HI as an approach that acknowledges both individual agency and the role of institutions.<sup>66</sup> I tease out this idea in the explanation of my own approach further below.

Vivien Schmidt aimed to incorporate ideas and discourse into NI by using what she calls 'discursive institutionalism' (DI).<sup>67</sup> DI is a related variant of CI that focuses on the role of ideas and discourse. In DI, institutions are framed as meaning structures and constructs. Proponents of DI lament the exclusion of ideas and discourse by RI, SI, and HI and conceptualise an ideational approach that gives a more dynamic account of change that credits some agency to institutions. Schmidt criticised the other approaches as resistant to considering the different ways change can occur.<sup>68</sup> DI

---

<sup>62</sup> Kenny, "Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland," 2009, 56.

<sup>63</sup> Colin Hay, "Constructivist Institutionalism," ed. Rod A.W. Rhodes, Sarah Binder, and Bert Rockman (Oxford: Oxford University Press, 2007), 56–57.

<sup>64</sup> *Ibid.*, 62, 65.

<sup>65</sup> Stephen Bell, "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?," *British Journal of Political Science* 41, no. 4 (2011): 886.

<sup>66</sup> *Ibid.*, 890–95.

<sup>67</sup> Vivien Schmidt, "Discursive Institutionalism: The Explanatory Power of Ideas and Discourse," *Annual Review of Political Science* 11 (2008): 303–26.

<sup>68</sup> *Ibid.*, 313.

incorporates ideas and discourse into the other institutionalisms. Unlike CI, discursive institutionalists include a variety of ideas and discourses such as: narratives, myths, collective memories, scripts, and more.<sup>69</sup> The discursive element is central to explaining change as an endogenous process. Schmidt proposed that discourse needs to be understood as the exchange of ideas, as we cannot ascertain what is going on within an actor's head. She outlined that individuals cannot move to collective action without communicating their ideas about said action.<sup>70</sup>

Concerns with DI also exist. At times, ideas and discourse are emphasised to the exclusion of power: for example, some DI scholars appear to ignore the fact that historical paths have framed the way ideas and discourse are expressed.<sup>71</sup> However, DI adds to considerations of power through analysing the way power is exercised and perceived by the actors within an institution. While HI is useful in determining who has power based on their position, DI emphasises the importance of how they wield and express their power. To illustrate this point, Schmidt outlined the way activists or social movements – which arise from positions of little power within an institution – can come to shape the political agenda of a government institution.<sup>72</sup> NI's broader failure to recognise the significance of gender to the functioning of dominance and power in institutional culture prompted feminist scholars to develop feminist institutionalism (FI).<sup>73</sup> Given that women utilised CPC in an intensive way in 2005 and 2006, I now explore FI.

### *Feminist Institutionalism*

The FI approach is pluralist in that it draws upon, and supplements, other NIs to make gender a central concern. FI acknowledges that 'political institutions produce, reproduce, and subvert gender.'<sup>74</sup> Louise Chappell advanced the study of gender in political institutions by considering how gender shapes, and is shaped by, institutions

---

<sup>69</sup> Schmidt, "Institutional Theory," 1195.

<sup>70</sup> *Ibid.*, 1196.

<sup>71</sup> *Ibid.*, 1198–99.

<sup>72</sup> *Ibid.*, 1197.

<sup>73</sup> Fiona Mackay and Petra Meier, "Institutions, Change and Gender Relations: Towards a Feminist New Institutionalism?" (European Consortium for Political Research, Edinburgh, 28 March - 2 April).

<sup>74</sup> Sally J. Kenney, "New Research on Gendered Political Institutions," *Political Research Quarterly* 49, no. 2 (June 1996): 456.

and actors.<sup>75</sup> She praised mainstream institutional literature's description of how norms affect outcomes, but is critical that it gives too little attention to masculinity and femininity, specifically the difference between women and men within an institution.<sup>76</sup> Chappell acknowledged that masculinity and femininity vary across different institutions within a single state citing the bureaucracy, courts, and parliament as examples.<sup>77</sup> Gender is complex, and the context and history of an institution needs to be studied to understand how it can restrict the actions of actors who inhabit said institution. Particularly important is how gender can help explain change effected by the actions of individuals, such as feminists who serve as 'gender equity entrepreneurs.'<sup>78</sup> In this context Chappell points to Australian 'femocrats' who worked from within the Australian public sector to shape gender norms.<sup>79</sup>

Fiona Mackay's concept of 'nested newness' in FI is particularly relevant to the present study's consideration of how historical legacies influence behaviour.<sup>80</sup> Although the Australian Parliament is relatively new as a legislature, rules and norms were carried over from the Palace of Westminster in the UK that continue to undermine new entrants to parliament, including women and other minorities. Chapter 4 investigates the influence of Westminster on the Australian Parliament in detail. Mackay's work reminds us that no institution is a 'blank slate'<sup>81</sup> and although steps may be taken towards improving or redesigning an institution to create equality, historical legacies persist.

### *Towards a Holistic New Institutionalism*

As this literature review illustrates, scholars have used NI variants in diverse ways to explain the persistence of institutions. They have been criticised for failing to properly account for change in institutions,<sup>82</sup> and for creating and maintaining distinct

---

<sup>75</sup> Louise Chappell, "Comparing Political Institutions: Revealing the Gendered 'Logic of Appropriateness,'" *Politics & Gender* 2, no. 2 (2006): 223–35.

<sup>76</sup> *Ibid.*, 226.

<sup>77</sup> *Ibid.*, 229.

<sup>78</sup> *Ibid.*, 230.

<sup>79</sup> Louise Chappell, "Comparative Gender and Institutions: Directions for Research," *Symposium* 8, no. 1 (2010): 185.

<sup>80</sup> Fiona Mackay, "Nested Newness, Institutional Innovation, and the Gendered Limits of Change," *Politics & Gender* 10, no. 4 (December 2014): 549–71.

<sup>81</sup> *Ibid.*, 552.

<sup>82</sup> Thelen and Steinmo, "Historical Institutionalism in Comparative Politics."

divisions between each approach, instead of integrating them.<sup>83</sup> This thesis adopts a combination of HI, DI, and FI to ensure focus is given to gender as well as to endogenous prospects for change. Some scholars advocate integrating HI and DI to draw together HI's historical account of the rules and background that shape an institution and DI's emphasis on the idea that 'institutional design is not destiny.'<sup>84</sup> The incorporation of DI includes consideration of an actor's agency to interpret the institution in which they operate. As Stephen Bell argued, this variant of HI is more flexible than 'sticky' HI: by sticky, Bell was referring to the 'determinist view about the extent to which institutions shape agents, resulting in a highly constrained view of agency.'<sup>85</sup> He proposed another variant of HI that does not conceive of change as exogenous but incorporates elements of constructivism to explain change.<sup>86</sup> This second, more flexible variant looks at how agents within an institution are able to demonstrate their agency. Agents must work within the rules and norms of the institution, but they can 'navigate and negotiate' these rules and norms over time:<sup>87</sup> while institutions constrain, they also enable.<sup>88</sup> This variant of HI explains change endogenously and understands that agents may exploit 'loopholes' to suit their agenda,<sup>89</sup> making this approach relevant for understanding actions such as CPC. Bell indicated that actors' agency is shaped – but not determined – by institutions and he viewed change not as a dyadic either/or but as facilitated by a combination of exogenous and endogenous factors.<sup>90</sup>

Actors marginalised within an institution are more likely than their counterparts to instigate change. Having benefited least from the *status quo*, marginalised actors have the least to lose from deviating from the norm.<sup>91</sup> For

---

<sup>83</sup> Peter A. Hall and Rosemary C.R. Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44, no. 5 (1996): 936–57.

<sup>84</sup> Vivien Schmidt, "Taking Ideas and Discourse Seriously: Explaining Change through Discursive Institutionalism as the Fourth 'New Institutionalism,'" *European Political Science Review* 2, no. 1 (2010): 12.

<sup>85</sup> Bell, "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?," 883.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*, 891, 894–95.

<sup>88</sup> Fritz W. Scharpf, *Games Real Actors Play: Actor-Centred Institutionalism in Policy Research* (Colorado: Westview Press, 1997), 36.

<sup>89</sup> Bell, "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?," 894–95.

<sup>90</sup> *Ibid.*, 896–97.

<sup>91</sup> Clemens and Cook, "Politics and Institutionalism: Explaining Durability and Change," 452.

example, according to HI, parliament has developed in a way that it is path dependent and fixed as a two-party adversarial system in which men have dominated, and continue to dominate, despite the fact that women have achieved equality in voting and representation rights. The flexible variant of HI takes into consideration the agency of individuals in contributing to change and acting outside of formal and informal rules, helping to explain why CPC has occurred. Although institutions restrict actions, they also enable actors 'to be very creative in interpreting or bending rules or in finding loopholes to suit their agendas'<sup>92</sup> as is evident in the use of CPC.

Together the NI variants of HI, DI, and FI fit well with critical constructivism to show that while an institution can influence the actors within it due to persistent historical elements, the actors themselves are also able to shape the future of the institution. Though the legislative agenda is generally accepted as controlled by the two major parties, there are opportunities for actors to break this norm – one such way is through CPC. NI provides a workable framework for empirical analysis of CPC and explains the interplay between an institution and an actor, highlighting how constraints can restrict actions but that actors can circumvent – and change – the status quo regarding representation. To uncover individuals' motivation to pursue CPC, I have also employed political will in this thesis, which I will now detail.

## **2.4 Political Will**

I adopt the concept of political will in this study to understand why CPC occurs in Australian politics. Changes in the composition of parties and gender in parliament, a shared cosmopolitan outlook across party lines that trumps domestic party-political considerations, and desire to lead the community are enabling factors of CPC but only with individual agency (or individual political will, as I use it in this thesis) can it occur. Henry Mintzberg defined political will as an individual's desire, inspiration, and capacity to initiate action.<sup>93</sup> Common refrains across the literature are that political will is neither sufficiently understood nor analysed and that it is commonly defined by its absence rather than a positive workable definition.<sup>94</sup> It has been applied more

---

<sup>92</sup> Bell, "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?," 895.

<sup>93</sup> Mintzberg, *Power in and around Organizations*, 23–26, 183–84.

<sup>94</sup> Linn Hammergren, *Political Will, Constituency Building, and Public Support in Rule of Law Programs* (Washington, D.C.: U.S. Agency for International Development, 1998); Derick W. Brinkerhoff, "Assessing

commonly to studies of international relations<sup>95</sup> than Australian politics.<sup>96</sup> One author utilising it in conflict studies, Lawrence Wocher, has rallied against the idea of political will as simple, outlining that there are in fact multiple conceptions of political will, all with multiple determinants.<sup>97</sup>

I follow Carmen Malena's framework for viewing political will holistically.<sup>98</sup> Her definition of political will begins with a simple premise: *the commitment of political leaders and bureaucrats to undertake action*.<sup>99</sup> She then identified three components of political will that interrelate and overlap: political *can*; political *want*; and political *must*.<sup>100</sup> She proposed that to understand political will these three key elements should be studied together but acknowledged that at times one or more may be absent. She argued that 'in order for power-holders to become committed to act, they need to *want* to undertake a given action, feel confident they *can* undertake that action, and feel they *must* undertake the action.'<sup>101</sup> Her analysis incorporated different levels that influence political will. First, she identified the most common level, the individual, but then expanded to consider organisational, relational, and societal levels.<sup>102</sup>

For CPC, both the individual and societal levels are important. Malena used the language of 'champions' to describe individuals who are prepared to take action. I utilise 'critical actor' for the same purpose throughout this thesis, a term taken from

---

Political Will for Anti-Corruption Efforts: An Analytic Framework," *Public Administration and Development* 20, no. 3 (2000): 239–52; Lawrence Wocher, "Deconstructing Political Will: Explaining the Failure to Prevent Deadly Conflict and Mass Atrocities," *Princeton Journal of Public and International Affairs* 12, no. 10 (2001): 179–205; Darren C. Treadway et al., "Political Will, Political Skill, and Political Behavior," *Journal of Organizational Behavior* 26, no. 3 (2005): 229–45; Carmen Malena, "Building Political Will for Participatory Governance: An Introduction," in *From Political Won't to Political Will: Building Support for Participatory Governance* (Johannesburg: CIVICUS, 2009); Carol Johnson and Manon Tremblay, "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will," *Government and Opposition* 53, no. 1 (November 2016): 131–58.

<sup>95</sup> Wocher, "Deconstructing Political Will: Explaining the Failure to Prevent Deadly Conflict and Mass Atrocities"; Carmen Malena, "Building Political Will for Participatory Governance: An Introduction," in *From Political Won't to Political Will: Building Support for Participatory Governance* (Johannesburg: CIVICUS, 2009).

<sup>96</sup> Carol Johnson and Manon Tremblay, "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will," *Government and Opposition*, November 2016, 131–58.

<sup>97</sup> Wocher, "Deconstructing Political Will: Explaining the Failure to Prevent Deadly Conflict and Mass Atrocities," 182–85.

<sup>98</sup> Malena, "Building Political Will for Participatory Governance: An Introduction," 2009.

<sup>99</sup> *Ibid.*, 19.

<sup>100</sup> *Ibid.*

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*, 22.

representation literature (explored in Chapter 3). Malena outlined how an individual's willingness to act is influenced by his/her life experience, namely:

his/her character, background, upbringing, education, instincts, experiences, relationships, and the myriad factors that shape his or her perspective and understanding of the world, as well as attitudes and goals.<sup>103</sup>

The views of the public (societal level will) are important to politicians and can influence actions taken in parliament. My discussion of institutional constraints and enabling factors constitutes the organisational level of political will. 'Organisational' is defined by Malena as including a study of the culture, practices, and procedures of an organisation that influence political will and political actions.<sup>104</sup> I already pay close attention to the influence of institutions on CPC by utilising NI, a theory Malena refers to when defining the organisational level.<sup>105</sup> Therefore, discussion of political will in this thesis focuses on the individual and societal levels, as I already cover the organisational level with NI.<sup>106</sup> Alongside political will this thesis also discusses cosmopolitanism, a theory I outline directly below.

## 2.5 Cosmopolitanism

While other concepts, such as postmaterialism, could broadly be applied across the issues involved in CPC, cosmopolitanism allows for insight into the motivations of individuals in pursuing CPC. As indicated earlier, when a unifying term such as socio-moral or postmaterialist is applied to CPC it is relevant more to the classification of the issues and does not have the explanatory value required for analysing why CPC occurs.<sup>107</sup> Further, interviewees expressed sentiments that fit with modern cosmopolitanism. At this juncture then, it is important to outline what I mean by a cosmopolitan outlook.

---

<sup>103</sup> Ibid., 23.

<sup>104</sup> Ibid, 23–24.

<sup>105</sup> Ibid.

<sup>106</sup> The relational level is important in Malena's work on participatory governance. For the application of her concept to CPC, however, relational level does not translate well. The actors in civil-society (lobby-groups, community organisations) relevant for CPC can be subsumed under the societal level. Therefore, I have excluded relational-level analysis.

<sup>107</sup> Inglehart, "Postmaterialism."

Broad definitions of modern cosmopolitanism point to a belief system that allows for the peaceful co-existence of different peoples, valuing respect for human dignity and equality. Cosmopolitan views – the concept of the ‘cosmos’ here referring to the *world* in the wider sense of the *universe*<sup>108</sup> – share the idea that all individuals are citizens in a common world community.<sup>109</sup> For Stan van Hooft cosmopolitanism ‘is the view that the moral standing of all peoples and of each individual person around the globe is equal,’ one that accords all people respect.<sup>110</sup> Garrett Wallace Brown and David Held framed it as ‘moral obligations owed to all human beings based solely on our humanity alone, without reference to race, gender, nationality, ethnicity, culture, religion, political affiliation, state citizenship, or other communal particularities.’<sup>111</sup> Held has further indicated that he understands equal worth and dignity to be key components of cosmopolitanism.<sup>112</sup> Kwame Anthony Appiah framed it as an openness to and tolerance of differences in culture and history that form the basis for identities of different peoples.<sup>113</sup> Cosmopolitans in this sense are open to dialogue with other cultures.<sup>114</sup>

Thomas Pogge offered a more detailed definition of cosmopolitanism, composed of three elements:

First, *individualism*, the ultimate units of concern are *human beings, or persons* – rather than, say family lines, tribes, ethnic, cultural, or religious communities, nations, or states. ... Second, *universality*: the status of ultimate unit of concern attaches to *every* living human being *equally* – not merely to some sub-set, such as men, aristocrats, Aryans, whites, or Muslims. Third, *generality*: this special

---

<sup>108</sup> Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (London: Allen Lane, 2006), xiv.

<sup>109</sup> Appiah, *Cosmopolitanism: Ethics in a World of Strangers*; Pauline Kleingeld and Eric Brown, “Cosmopolitanism,” *The Stanford Encyclopedia of Philosophy*, Fall 2014, <https://plato.stanford.edu/entries/cosmopolitanism/>; Lisa Hill, “Classical Stoicism and the Birth of a Global Ethics: Cosmopolitan Duties in a World of Local Loyalties,” *Social Alternatives* 34, no. 1 (2015): 14–18.

<sup>110</sup> Stan van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics* (Montreal and Kingston: McGill-Queen’s University Press, 2009), 4–5.

<sup>111</sup> Garrett Wallace Brown and David Held, “Editor’s Introduction,” in *The Cosmopolitanism Reader*, ed. Garrett Wallace Brown and David Held (Cambridge: Polity Press, 2010), 1.

<sup>112</sup> David Held, “Principles of Cosmopolitan Order,” in *The Cosmopolitan Reader*, ed. Garrett Wallace Brown and David Held (Cambridge: Polity Press, 2010), 230.

<sup>113</sup> See Appiah, *Cosmopolitanism: Ethics in a World of Strangers*.

<sup>114</sup> van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics*, 6.



status had global force. Persons are ultimate units of concern for *everyone* – not only for their compatriots, fellow religionists, or such like.<sup>115</sup>

Pogge's definition is a useful encapsulation for cosmopolitanism in this thesis. Cosmopolitanism encompasses consideration of the moral responsibilities that we have to one another, particularly in the realm of decision-making by national leaders – acutely relevant here. Issues such as the environment, global justice, or world peace that constitute global or international concerns may exceed national interests. This view indicates that individuals who hold positions of political leadership should consider moral concerns of equity that transcend boundaries of nationality, race, religion, or ethnicity.<sup>116</sup> What these definitions share overall is that human dignity should be afforded to all people no matter their background. Boundaries and differences do not lessen the responsibility to extend equality and respect to fellow human beings.

These cosmopolitan values of respect for human dignity and the sanctity of other living creatures were reflected in the data gleaned from my interviews. I detail their specific responses related to CPC in Chapters 5 and 6. Politicians involved in CPC had the inclination to do so because, on some issues at least, they valued cosmopolitan principles more than party policies and discipline. A particularly relevant cosmopolitan value is the obedience to universal law. Lisa Hill identified the cosmopolitan belief that universal or natural law trumps positive laws or practices that seek to subvert or devalue human rights.<sup>117</sup> Cosmopolitans believe in a moral system that transcends positive law. Politicians using CPC felt an allegiance to universal law, choosing to defy their leaders and party policy to uphold it.

Immigration policy is highlighted by van Hooft as a test for those with a cosmopolitan outlook. He stated that the Australian Government, in rejecting refugees and seeking punitive policies for asylum seekers to deter them, held their actions to be

---

<sup>115</sup> Thomas Pogge, "Cosmopolitanism and Sovereignty," in *The Cosmopolitan Reader*, ed. Garrett Wallace Brown and David Held (Cambridge: Polity Press, 2010), 114.

<sup>116</sup> van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics*, 7–8.

<sup>117</sup> Hill, "Classical Stoicism and the Birth of a Global Ethics: Cosmopolitan Duties in a World of Local Loyalties," 17.

in the national interest and safeguarding Australian borders.<sup>118</sup> This is an example of the national interest trumping global issues that transcend boundaries. The government's response creates an 'othering', wherein there is a differentiation between insiders and outsiders. This brings to question Australia's role in providing 'hospitality towards strangers.'<sup>119</sup> van Hooft stated that

a person with a cosmopolitan outlook would respond to the vital needs of others, whether they are near or far and irrespective of their nationality, race, caste, religious commitments, gender or ethnicity. The cosmopolitan outlook refuses to allow the distance, difference or anonymity of those who suffer oppression, poverty or catastrophe to obscure the responsibility we all have to respond to their needs.<sup>120</sup>

He further outlined that cosmopolitanism makes some of those in positions of political power consider moral stances,<sup>121</sup> a view that was expressed by my interviewees regarding CPC on asylum seekers (see empirical evidence in Chapter 7). Cosmopolitans hold that our borders should not restrict us from assisting those in need, reflected in Ulrich Beck's principle of *the experience of crisis in world society*, which is described as 'the awareness of interdependence and the resulting "civilizational community of fate" induced by global risks and crises', one that 'overcomes the boundaries between internal and external, us and them, the national and the international.'<sup>122</sup> Politicians who subscribe to a cosmopolitan outlook thus find policies by the major parties that do not reflect this view uncomfortable and have sought alternative solutions through CPC.

## 2.6 Methodology

In this section, I outline the methods used to examine CPC. My research questions strive to direct an inquiry into both 'what' CPC is and 'why' it occurs.<sup>123</sup> The phenomenon of CPC is social in nature and occurs as a result of interactions between individual actors working within an institutional context. To understand what CPC is

---

<sup>118</sup> van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics*, 28.

<sup>119</sup> Ibid., 49.

<sup>120</sup> Ibid., 83.

<sup>121</sup> Ibid., 8–9.

<sup>122</sup> Ulrich Beck, *The Cosmopolitan Vision* (Cambridge: Polity Press, 2006), 7.

<sup>123</sup> Robert K. Yin, *Case Study Research: Design and Methods*, 3rd ed., vol. 5, Applied Social Research Methods Series (Thousand Oaks: Sage Publications, 2003), 5–6.

and why actors decide to use it, this study employs a qualitative approach. The qualitative approach is frequently employed by political science scholars, particularly the use of interviews<sup>124</sup>, case studies<sup>125</sup>, and discourse and content analysis.<sup>126</sup> Others incorporate surveys and statistics.<sup>127</sup> To avoid relying on one source of data, a triangulation approach is commonly used to: corroborate findings; minimise reliance on a sole source of potentially subjective data; and lead to more robust results. Triangulation is the cross-referencing of data which gives credibility to the research design.<sup>128</sup> For example, regarding interviews this means checking the validity of interview data against other first-hand accounts (such as Hansard) and then verifying with secondary source material (such as media reports).<sup>129</sup>

Norman K. Denzin identified four different types of triangulation, which Paulette Rothbauer neatly summarised as the

triangulation of methods of data collection, investigator triangulation, theory triangulation (including methodological variations that account for between-method and within-method approaches), and triangulation of data sources.<sup>130</sup>

---

<sup>124</sup> For example, see Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma"; Rebecca Klatch, *Women of the New Right* (Philadelphia: Temple University Press, 1987); Mary Crawford and Barbara Pini, "The Australian Parliament: A Gendered Organisation," *Parliamentary Affairs* 64, no. 1 (2011): 82–105.

<sup>125</sup> For example, see Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women"; Brenton Prosser and Richard Denniss, *Minority Policy: Rethinking Governance When Parliament Matters* (Carlton, Victoria: Melbourne University Press, 2015); Johnson and Tremblay, "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will," November 2016.

<sup>126</sup> For example, see Broughton and Palmieri, "Gendered Contributions to Parliamentary Debates: The Case of Euthanasia"; Karen Celis, "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900–1979)," *Journal of Women, Politics & Policy* 28, no. 2 (2006): 85–144.

<sup>127</sup> Cindy Simon Rosenthal, "Gender Styles in State Legislative Committees," *Women & Politics* 21, no. 2 (2000): 21–45; Joni Lovenduski and Pippa Norris, "Westminster Women: The Politics of Presence," *Political Studies* 51 (2003): 84–102; Ian McAllister, Clive Bean, and Juliet Pietsch, "Leadership Change, Policy Issues and Voter Defection in the 2010 Australian Election," *Australian Journal of Political Science* 47, no. 2 (2012): 189–209.

<sup>128</sup> Robert E. Stake, "Qualitative Case Studies," in *The Sage Handbook of Qualitative Research*, ed. Norman K. Denzin and Yvonna S. Lincoln, Third (Thousand Oaks: Sage Publications, 2005), 444.

<sup>129</sup> Davies, P.H.J, "Elite Interviewing: Approaches and Pitfalls", *Politics* 21, no. 1 (1996); 73-80 in Darren G. Lilleker, "Interviewing the Political Elite: Navigating a Potential Minefield," *Politics* 23, no. 3 (2001): 211–12.

<sup>130</sup> Paulette M. Rothbauer, "Triangulation," in *The SAGE Encyclopedia of Qualitative Research Methods*, ed. Lisa M. Given (Thousand Oaks: Sage Publications, 2008), 893–94, <http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?term=triangulation>,

I have utilised the triangulation of data sources to capture different dimensions and perspectives of CPC, helping me to gain a fuller picture of the phenomenon. When employing triangulation, it is important that a researcher is not simply seeking the same results from different data sources, but instead is testing for consistency and exploring how several types of inquiry might yield different results. Michael Quinn Patton indicated that this does not necessarily weaken the results, but instead allows for 'deeper insight into the relationships between inquiry approach and the phenomenon under study.'<sup>131</sup> He outlined that the ideal-typical qualitative methods strategy is made up of three parts:

- (1) Qualitative data;
- (2) A holistic-inductive design of naturalistic inquiry; and
- (3) Content or case analysis.<sup>132</sup>

With this study of CPC, I sought to include these three parts. I have utilised the qualitative primary data of interviews, participant observation, and a careful reading of Hansard, government and party publications. These methods are applied to six case studies of CPC in the Australian Parliament. Utilising interviews provided insight to individual actors' perspectives and the diverse ways they interpret their political situation. Hansard provided objective and measurable data on how politicians justify their actions. Participant observation was undertaken for a year whilst I worked as a staffer for a federal politician. To identify discrepancies the above data sources were cross-referenced with secondary sources including newspaper articles, publications, and other documents.

The holistic-inductive design is evident in my uncovering of six significant instances of CPC, which I use as case studies in this thesis. I initially discovered examples of women utilising the practice to achieve representational goals. However, as I explored CPC further, I found that after women's intensive use in 2006 other actors

---

accessed 24 March 2018; For more see Norman K. Denzin, *The Research Act: A Theoretical Introduction to Sociological Methods* (Englewood Cliffs, New Jersey: Prentice-Hall, 1989).

<sup>131</sup> Patton, *Qualitative Research & Evaluation Methods*, 248.

<sup>132</sup> Ibid.

were increasingly likely to adopt the practice. I discovered these cases of CPC by reading media reports, Hansard, government and political party publications, academic literature, and by interviewing CPC participants. My discovery of different cases of CPC followed Patton's idea that a

qualitative design needs to remain sufficiently open and flexible to permit exploration of whatever the phenomenon under study offers for inquiry. Qualitative designs continue to be *emergent* even after data collection begins.<sup>133</sup>

This approach to research has been termed naturalistic by Patton and involves

moving back and forth between inductive, open-ended encounters and more hypothetical-deductive attempts to verify hypotheses or solidify ideas that emerged from those more open-ended experiences.<sup>134</sup>

Interview data allowed me to reveal information unavailable elsewhere, and I could verify the findings of these interviews with other primary and secondary sources. I used these methods in exploring case studies of CPC and below I explain why case studies were utilised for this project.

### *Australian Case Studies*

Six different instances of CPC in the Australian Parliament have been selected as case studies. The selected cases occurred between 2005 and 2016 and embody different types of collaborative activities, however all involve substantive and continued CPC. This ensures several types of CPC can be assessed:  $N > 1$ . Having multiple cases gives greater coverage of the kinds of CPC that exist. Further, it allows consideration of negative instances. Understanding why some instances of CPC were unsuccessful provides valuable clues in determining causation. This follows Gary King, Robert O. Keohane, and Sidney Verba's rule: *selection should allow for the possibility of at least some variation on the dependent variable*.<sup>135</sup> I use CPC success as a dependent variable, and, in this thesis, I aim to determine whether there is a linear process in

---

<sup>133</sup> Ibid., 255.

<sup>134</sup> Ibid., 253.

<sup>135</sup> Gary King, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton, New Jersey: Princeton University Press, 1994), 129.

determining the success of CPC, or whether CPC exhibits equifinality. 'Equifinality' is a term used frequently in George and Bennett's *Case Studies and Theory Development in the Social Sciences* to refer to different paths that lead to the same outcome. These paths may or may not share one or more variables.<sup>136</sup> It derives from Ludwig von Bertalanffy's work on open systems, specifically his designation of a system as 'equifinal' if it could be reached in different ways from different conditions.<sup>137</sup>

Whilst holistic comparative analysis will not be completed here, Gerring warned of the danger in completely disregarding adjacent peripheral units.<sup>138</sup> Without a comparative element it is difficult to argue that the Australian cases represent a broader phenomenon. Gerring outlined the strategy of studying the central formal unit intensively and completing readings through secondary literature on informal units. When informal units are studied in more detail, the study becomes multiple in focus, thus only a superficial analysis is needed to compare the formal and informal units.<sup>139</sup> I have outlined research on CPC in other countries (see Chapter 1) and I utilise this literature in my discussion chapter (Chapter 7) to offer comparisons with the Australian case. This allows me to identify Australian CPC as part of a broader global phenomenon. With Australia as the central formal unit, other legislatures have been studied informally as Gerring recommended. As there is little research dedicated to CPC, I often gleaned information from passing comments and one or two paragraphs or footnotes on the subject (see Chapter 1 for detail). The countries selected (Norway, South Africa, Brazil, and the UK) for comparison were those that yielded enough information upon which I could develop a superficial analysis.

I now outline detailed justifications for each method employed in this thesis.

---

<sup>136</sup> Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, Massachusetts: The MIT Press, 2005), 20; see also King, Keohane, and Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research*, 87–89.

<sup>137</sup> Christopher Gresov and Robert Drazin, "Equifinality: Functional Equivalence in Organization Design," *The Academy of Management Review* 22, no. 2 (April 1997): 403.

<sup>138</sup> John Gerring, "What Is a Case Study and What Is It Good For?," *American Political Science Review* 98, no. 2 (2004): 344.

<sup>139</sup> *Ibid.*

## 2.7 Methods

### *Interviews*

Scholars frequently utilise interviews to understand the subjective opinions of politicians. This method yields results that cannot be gained from secondary sources. Interviews allow scholars to understand issues from the subject's perspective. Mary Crawford and Barbara Pini used semi-structured interviews with women and men politicians to study pre-selection and women's representation in Australia.<sup>140</sup> Rosemary Whip also conducted interviews to complete her study of Australian women politicians<sup>141</sup> and Tiffany D. Barnes interviewed women and men in Argentina to explore women's use of collaboration both within and between parties.<sup>142</sup> The interviews completed for this research project revealed important new data on CPC in Australia.

Interviews were audio-recorded with the permission of interviewees and lasted between 15 minutes and 1 hour. Each interviewee was asked a similar set of questions, which were open-ended but allowed for spontaneous, searching questions in response to ambiguous or loaded answers. Interviews were conducted in 2014, 2016, and 2017: I did not complete interviews while undertaking participant observation and explore why in the 'Interviewer Bias' section further below. The interviews have been coded with constellation names<sup>143</sup> and references to gender and party have been removed where necessary to ensure anonymity. Assuring anonymity was important to maximise the opportunity for candid answers.<sup>144</sup> The following is a list of pseudonyms used throughout the thesis:

- Pegasus
- Scorpius

---

<sup>140</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation."

<sup>141</sup> Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma," 6.

<sup>142</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 8.

<sup>143</sup> I utilise constellation names taken from Chris Dolan's website: Chris Dolan, "Alphabetical Listing of Constellations," *The Constellations and their Stars*, accessed October 7, 2017, <http://www.astro.wisc.edu/~dolan/constellations/constellations.html>, accessed 10 July 2017.

<sup>144</sup> Glenn Beamer, "Elite Interviews and State Politics Research," *State Politics & Policy Quarterly* 2, no. 1 (March 1, 2002): 92.

- Taurus
- Orion
- Draco
- Lynx
- Libra
- Dorado
- Aquila
- Volans
- Fornax
- Cygnus
- Corvus
- Vela
- Crater
- Hydrus

Giving participants a pseudonym assists in protecting identities, and potential harms that may arise from information disclosed in the interview.<sup>145</sup>

It is important to extend the interview method to research on CPC in Australia as interviews provide data based on the individual's experience and motivation in pursuing CPC. Although other methods such as content analysis are an effective way of uncovering historical facts, they do not always reveal why actors chose a course of action. In such cases the researcher must infer the individual's motivation from available information. Interviews are vital to gaining an understanding of why politicians participated in collaborative activities. Interviews are the only means available to obtain certain kinds of data.<sup>146</sup> If individual insights are required, then an

---

<sup>145</sup> Russel Ogden, "Anonymity," in *The SAGE Encyclopedia of Qualitative Research Methods*, ed. Lisa M. Given (Thousand Oaks: Sage Publications, 2008), 17, <http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?term=triangulation>, accessed 24 March 2018.

<sup>146</sup> Brian C. Rathbun, "Interviewing and Qualitative Field Methods: Pragmatism and Practicalities," in *The Oxford Handbook of Political Methodology*, ed. Janet M. Box-Steffensmeier, Henry E. Brady, and David Collier (Oxford: Oxford University Press, 2008), 690; Herbert J Rubin and Irene S. Rubin, *Qualitative Interviewing: The Art of Hearing Data*, 2nd ed. (Thousand Oaks, California: Sage Publications, 2005), 2–3.



interview is the primary means to gain this information.<sup>147</sup> Criticism of interviews has focused on a lack of objectivity and inability to generalise data.<sup>148</sup> Despite this risk, interviews provide insights not available elsewhere. Further, the researcher can be vulnerable, in that he/she cannot know whether interviewees are giving true and accurate accounts. As Lovenduski and Norris point out, using interviews without verifying participants' self-reported claims would mean that the researcher accepts interviewees' statements at face value.<sup>149</sup> To minimise this potential for risk, I have included a triangulation approach in this thesis.

Semi-structured interviewing was utilised in this thesis as this technique allows for flexibility, particularly as the data being sourced are memories and opinions. A survey or closed interview would not capture the details and specificities of each politician's experience. By contrast, open interviewing would also be problematic. Conducting open interviews contains an element of risk in that the discussion may not yield relevant information regarding CPC, and instead may result in data that is interesting, but not directly relevant or useful. Semi-structured interviewing offers a middle ground approach that allows the researcher flexibility and room to probe for further information.

Interviewing politicians for a study of CPC allows for an insider perspective of the practice. Including their voices as a key data source creates a textural depth and provides original information.<sup>150</sup> An important consideration in completing interviews with politicians is their position as elites. As elected representatives, politicians fit the category of elites which are defined by Darren G. Lilleker as 'those with close proximity to power or policy-making: the category would include all elected representatives, executive officers of organisations and senior state employees.'<sup>151</sup> Interviewing elites requires considerable preparation,<sup>152</sup> and if the researcher fails to ask relevant questions the interviewee might consider the interview a waste of time. For my

---

<sup>147</sup> Lilleker, "Interviewing the Political Elite: Navigating a Potential Minefield," 208.

<sup>148</sup> Rathbun, "Interviewing and Qualitative Field Methods: Pragmatism and Practicalities," 688.

<sup>149</sup> Lovenduski and Norris, "Westminster Women: The Politics of Presence," 91.

<sup>150</sup> Lilleker, "Interviewing the Political Elite: Navigating a Potential Minefield," 208.

<sup>151</sup> *Ibid.*, 207.

<sup>152</sup> *Ibid.*, 210.

interviews, preparation included reading first-hand accounts such as parliamentary speeches, media interviews, and press releases, and secondary sources on the issues.

A group of politicians directly involved in, or witness to, CPC activities between 2005 and 2016 were selected for interview. Individuals involved in CPC were of the highest priority when arranging interviews, limiting the pool of desirable subjects: most participants interviewed were directly involved in the six cases of CPC. Finding willing participants presented a challenge, including a repeated unwillingness to speak about CPC. For some, discussion of CPC was considered politically sensitive and potentially damaging for career progression into the ministry within the existing constraints of party discipline. For others, they did not deem CPC an important topic worthy of discussion. Communication with interviewees was often halted quickly after the intent of the project was revealed. Some refused interview requests because they did not want to speak about CPC, even after they had left politics. Another hurdle was arranging interview locations. Phone interviews were offered as alternatives, but interviewees were not always open to this option. To conduct interviews, I travelled to Canberra on multiple occasions to visit parliament, and visited various electorate offices, personal offices, and homes across Australia. Telephone interviews were completed where necessary. I discuss the results in depth in Chapters 5, 6 and 7.

The issues were determined by the interviewer posing questions. Interviewees were given time to talk at length on an issue. I had a list of prepared questions, though the order was not always followed. Allowing space to change the order or re-ask a question using different wording was important for the flow of discussion. Interview questions can be found in the Appendix. Additional probing and searching questions were utilised to clarify ambiguous answers or to encourage the interviewee to reveal more information. Several interview participants requested certain parts of their answers be off the record. I have respected those wishes.

### *Interviewee Bias*

The selection of interviewees active between 2005 and 2016 provided a mix of current and former politicians. It was expected that the retired politicians, removed from the constraints of party discipline and formal practices, would offer a franker

account of their involvement in collaborative activities than politicians still active. I hypothesised that they would be more likely to criticise their party's failure to act on a specific issue and cite it as the motivation for their involvement in CPC. This ties in with Rathbun's idea that former politicians are preoccupied with creating and preserving a legacy for themselves.<sup>153</sup> Though securing interviewees was difficult at times, those that agreed to an interview were relatively open in their responses to questions and gave detailed accounts of their involvement in or view of collaboration. The guarantee of anonymity likely played a role in achieving this result.

I anticipated that politicians still serving in parliament would be less critical of their party and may explain their involvement in CPC in terms of constituent demand and personal belief rather than party constraints. I expected that active politicians would likely be concerned with the public perception of their work and therefore attempt to portray themselves in the best possible light, while also protecting their party.<sup>154</sup> They would possibly exaggerate their level of involvement in successful collaboration, particularly if it reflected favourably on public opinion. Whilst it was true that active politicians did frame their actions in a positive light, they also criticised their parties. This was likely enabled by the anonymity guaranteed for their involvement in the project.

### *Interviewer Bias*

The position of a researcher can influence the data obtained from an interview. This was apparent in Crawford's experience in completing research for her PhD thesis. Owing to her previous experience as a federal Labor Party MP, former colleagues treated her as an insider, rather than an independent researcher.<sup>155</sup> Her interviews with members of the Coalition often led to identification tags based on her politics. The terms 'you' or 'your party' were used, creating a distance that went beyond traditional divides between interviewer and interviewee.<sup>156</sup> Furthermore, Crawford's age impacted upon her conversations with younger women, who saw her as representative

---

<sup>153</sup> Rathbun, "Interviewing and Qualitative Field Methods: Pragmatism and Practicalities," 689.

<sup>154</sup> Ibid.

<sup>155</sup> Mary Crawford, "Gender and the Australian Parliament" (Queensland University of Technology, 2008), 70.

<sup>156</sup> Ibid., 69–70.

of an old era of politics. They questioned the worth of her study into gender and politics, which they saw as long since resolved in parliament.<sup>157</sup>

The conductor of the interviews participates as a collaborator, not as an objective observer.<sup>158</sup> Crawford's collection of data was skewed due to her status as a former politician in the Labor Party. Her interviewees were aware of her political views and former position. I have not been a member of parliament and so can present as a more objective interviewer. It was imperative to keep my own political views private in order to minimise bias in data results: for this reason, I did not complete interviews while employed by a federal politician.

Despite not completing interviews during participant observation as a staff member of a politician, my own 'situatedness'<sup>159</sup> may have had an impact upon the information relayed by interviewees. Brooke Ackerly and Jacqui True used this term to explain that a researcher should 'situate' themselves in their research and 'cultivate a habit of self-reflection about the research process and the power of epistemology at work even in our ability to conceive of our research.'<sup>160</sup> Situatedness can refer to two types. First, it may refer to the immersion of a researcher within a research site. Phillip Vannini described this as a

researcher's physically being on site and consequently to research shaped by personal relationships and by linguistic, biographical, historical, political, economic, cultural, ideological, material, and spatial dimensions.<sup>161</sup>

Vannini outlined a second type of situatedness, which sees researchers and their subjects as social agents, where there are various symbolic and material dimensions as well as social interactions. Vannini stated that this offers a 'sharp opposition to the

---

<sup>157</sup> Ibid., 71–72.

<sup>158</sup> Lois Presser, "Negotiating Power and Narrative in Research: Implications for Feminist Methodology," *Signs: Journal of Women in Culture and Society* 30, no. 4 (2005): 2069.

<sup>159</sup> Brooke Ackerly and Jacqui True, "Reflexivity in Practice: Power and Ethics in Feminist Research on International Relations," *International Studies Review* 10, no. 4 (2008): 698.

<sup>160</sup> Ibid., 704.

<sup>161</sup> Phillip Vannini, "Situatedness," in *The SAGE Encyclopedia of Qualitative Research Methods*, ed. Lisa M. Given (Thousand Oaks: Sage Publications, 2008), 815–16, <http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?term=triangulation>, accessed 24 March 2018.

universal, determinist, atomistic, and absolute pretensions of classical positivism.<sup>162</sup> A critique of research in social science is that objectivity is unlikely to be achieved. Being reflexive and aware of situatedness allows a researcher to expand beyond a subjective view, taking into consideration multiple views to weave a deeper perspective of the subject at hand. Due to intersecting viewpoints that exist when completing qualitative research, the researcher needs to be aware of how their own experiences and that of their various subjects operate within a research site.<sup>163</sup> To address this, it was important for me to consider the data self-reflexively in light of my situatedness. I wanted to appear as neutral as possible and so I strove to position myself as a 'seeker of knowledge', a relatively easy persona to adopt as a young woman wanting to understand political activities.

### *Hansard Analysis*

To understand why politicians participate in CPC a close reading of public statements by the actors involved was completed. Hansard offers an important source of data for researching CPC. It provides first-hand accounts from politicians and captures the opinions and votes of the actors involved. Hansard records relevant to CPC were analysed, including the first, second, and third reading speeches on bills, procedural debates, motions, committee discussions, and other related statements. Politician's speeches were read carefully for repeated themes. While media sources and other scholar's interpretations are useful to understand the issues involved, reading first-hand statements made in the House of Representatives and the Senate provides a wealth of data that has not been interpreted by other researchers. Completing content analysis on Hansard speeches in the specified period of 2005 – 2016 allowed for insight into common themes: from it I could draw inferences about trends in justifications for collaborative activities. As the sole researcher, I had the flexibility to review significant issues or themes as they emerged from the text.

---

<sup>162</sup> Ibid.

<sup>163</sup> Ibid.

Content analysis can be used qualitatively or quantitatively and involves some form of objective and systematic application of rules to analysing data.<sup>164</sup> It is the 'systematic counting, assessing and interpreting of the form and substance of communication'<sup>165</sup> whether it be media articles, parliamentary documents or other forms of recorded communication. When used quantitatively, content analysis can be employed to draw inferences about a text by analysing the repeated use of words or phrases.<sup>166</sup> Qualitative content analysis is more concerned with the meanings and motives inherent within a text and is closer to discourse analysis.<sup>167</sup> An advantage of utilising this method is the removal of the researcher from what is being studied. In other words, it is a non-reactive and unobtrusive method as the content is not impacted or changed by the presence of the researcher as in interviews.<sup>168</sup> This removes bias or prejudice that often occurs in interviews – from both the interviewer and interviewee – and eliminates the tendency for participants to give 'socially acceptable' answers rather than truthful statements.<sup>169</sup> Content analysis complements interviewing as it allows a researcher to verify interviewees' statements by reference to other recorded statements. This allows the researcher to check for inconsistencies, inaccuracies and the level of 'truth' in the interview data. Content analysis can also be completed on a larger scale than interviews. One disadvantage of content analysis is that the situatedness of the researcher can impact upon how the material is interpreted and coded.<sup>170</sup>

### *Primary Documents*

I utilise additional primary sources to give background and context to Hansard debates and the interviews.<sup>171</sup> This data provides a snapshot of opinions circulating

---

<sup>164</sup> Sandra Halperin and Olivia Heath, *Political Research: Methods and Practical Skills* (Oxford: Oxford University Press, 2012), 182.

<sup>165</sup> James Babb et al., *Empirical Political Analysis: An Introduction to Research Methods* (Harlow, Great Britain: Pearson Education Limited, 2012), 201.

<sup>166</sup> Halperin and Heath, *Political Research: Methods and Practical Skills*, 310.

<sup>167</sup> *Ibid.*

<sup>168</sup> Alan Bryman, *Social Research Methods*, 2nd ed. (Oxford: Oxford University Press, 2004), 196; Halperin and Heath, *Political Research: Methods and Practical Skills*, 318.

<sup>169</sup> Halperin and Heath, *Political Research: Methods and Practical Skills*, 318.

<sup>170</sup> Bryman, *Social Research Methods*, 197.

<sup>171</sup> Glenn A. Bowen, "Document Analysis as a Qualitative Research Method," *Qualitative Research Journal* 9, no. 2 (2009): 29–30.

before and at the time of each case study. Newspaper articles, publications from community groups, political parties, government, and other documents were read to understand broader trends and to provide supplementary data. Document analysis has the advantage of being free from reactivity, countering concerns related to reflexivity.<sup>172</sup>

### *Supplementary Secondary Sources*

In addition to Hansard, interviews, and primary documents, I also consulted research on related literatures including conscience votes, parliamentary friendships, and party discipline, and scholarship on CPC in Australia and other legislatures as outlined in Chapter 1, as well as the representation literature explored in Chapter 3.

### *Participant Observation*

In addition to the above methods, I spent one year during my doctoral candidature employed as a part-time political staffer for a federal MP. This allowed me to participate in parliamentary sitting weeks as an insider. I visited parliament on four occasions, three of which were sitting weeks during the 44<sup>th</sup> and 45<sup>th</sup> Parliaments of Australia. This opportunity contributed to a greater understanding of parliament's norms and informal rules.

This experience gave my research an ethnographic perspective, in the sense that it increased my understanding of how the actors in the study experience their social and political reality. Edward Schatz explained that ethnographic sensibility is more than participant observation.<sup>173</sup> It utilises several methods and explores the perspectives of the actors within the study itself. Schatz's edited collection focuses on political ethnography and champions the merits of immersion in a community to the field of political science. It aimed to move participant observation to the mainstream of American political science research methods.<sup>174</sup> The novel approach of my own research is a step towards achieving this goal for studies of Australian politics.

---

<sup>172</sup> Ibid., 31.

<sup>173</sup> Edward Schatz, "Introduction: Ethnographic Immersion and the Study of Politics," in *Political Ethnography: What Immersion Contributes to the Study of Power*, ed. Edward Schatz (Chicago: The University of Chicago Press, 2009).

<sup>174</sup> Ibid., 5–6.

## Conclusion

This chapter detailed the theory and methodology used to complete research into CPC. The overarching frameworks used are critical constructivism and NI. Critical constructivism allows for a focus on co-constitutive relationships between institutions and the individuals within them. Critical constructivism's emphasis on the importance of actors and structures is complemented by NI. NI is utilised to draw out concepts of change and continuity, in order to look at how CPC is possible in a relatively static institution such as parliament: Chapter 4 considers how the historical development of parliament has bred difficulties for minorities within it and encourages adversarial behaviour. Chapters 5 and 6 empirically demonstrate how actors defy this institutional 'stickiness' by using CPC.

The different methods utilised to investigate my case studies were outlined in detail to justify their application in understanding CPC. Methods used include semi-structured interviewing, Hansard analysis, primary and secondary document readings, and participant observation. Together, these methods provide a novel approach to the study of Australian politics. By accessing the insider perspective via interviews and participant observation, I gained unique insights into collaborative activities. Interviews with politicians revealed their interpretations of CPC and representation and the ethnographic perspective of witnessing parliament enriched my understanding of institutional norms and structures. Before I explore my empirical results, I outline theories of representation that help ground later discussions of CPC.



## Chapter 3: Representation

### Introduction

This chapter will outline the concepts of representation relevant to the study of CPC in the Australian Parliament. First, I detail descriptive and substantive representation, utilising Hanna Pitkin's seminal text as a start point.<sup>1</sup> These theories of representation are relevant to this thesis given women's intensive use of CPC in 2005 and 2006 as well as their continued domination of the practice in later years. A discussion of the connection between increased numbers of women and the probability of alliances follows. It is symbolically important to have an equitable balance of women and men in decision-making bodies: women need to have the opportunity to represent women. This argument draws on Anne Phillips concept of a 'politics of presence,'<sup>2</sup> to be elaborated on in relation to parliament and CPC.

I then analyse Edmund Burke's delegate and trustee models of representation and Pitkin's similar mandate/independence controversy and hypothesise that the delegate model of representation evident in women's use of CPC assisted with the substantive representation of women. Although women's use of CPC in 2005 and 2006 followed the delegate model (explored in relation to empirical evidence in Chapter 5), after 2006 politicians who used CPC followed the trustee model (examined in Chapter 6). These concepts of representation were discussed in interviews and were evident in Hansard speeches.

### 3.1 Descriptive and Substantive Representation

A substantial body of literature on the representation of women has emerged since the 1970s, one that provides insights for women's use of CPC. This field grapples with questions such as: What proportion of women politicians will ensure an adequate representation of women?<sup>3</sup> Is it necessary to have high numbers of women, or would

---

<sup>1</sup> Hanna Pitkin, *The Concept of Representation* (Berkeley and Los Angeles: University of California Press, 1967).

<sup>2</sup> Anne Phillips, *The Politics of Presence* (Oxford: Clarendon Press, 1995).

<sup>3</sup> Drude Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics," *Scandinavian Political Studies* 11, no. 4 (1988): 275-98.

dedicated actors working on behalf of women be better?<sup>4</sup> Must only women be allowed to represent women's interests?<sup>5</sup> A major split occurs on whether or not women should be present in parliament in equal numbers to men – 'standing for' women, (descriptive representation) – or whether they should possess an equal voice through individual legislators acting in a manner favourable to women – 'acting for' women (substantive representation).<sup>6</sup> Substantive representation involves a representative acting on behalf of a certain group. This form of representation does not consider shared characteristics as descriptive representation does. Descriptive representation concerns physical presence in parliament and involves an individual representing groups with which they share features, such as gender, race, or education level.

Research demonstrates that women are more likely than men to raise women's issues<sup>7</sup> and this suggests that women are necessary within a legislature to ensure women are represented. This raises the question of how many women in parliament would be sufficient for effective representation: One? Half of the legislature? More? It is difficult to prove the connection between descriptive and substantive representation owing to the influence of other variables, such as the electoral system, institutional culture, and broader societal attitudes to women. The existing literature focuses particularly on Western democracies, with a small proportion on the Australian context.<sup>8</sup> The two most commonly analysed forms of women and representation are descriptive and substantive. Before comparing these forms of representation and

---

<sup>4</sup> Celis, "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900-1979)."

<sup>5</sup> Sarah Childs and Mona Lena Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," *Government and Opposition* 44, no. 2 (2009): 125-45.

<sup>6</sup> See for more explanation: Hanna Pitkin, *The Concept of Representation* (Berkeley and Los Angeles: University of California Press, 1967), chapter 4; Laurel Weldon, "Beyond Bodies: Institutional Sources of Representation for Women in Democratic Policymaking," *The Journal of Politics* 64, no. 4 (2002): 1153-74; Childs and Krook, 'Analysing Women's Substantive Representation: From Critical Mass to Critical Actors.'

<sup>7</sup> Celis, "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900-1979)"; Childs and Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," 2009; Jennifer Curtin, "Women, Political Leadership and Substantive Representation: The Case of New Zealand," *Parliamentary Affairs* 61, no. 3 (2008): 490-504.

<sup>8</sup> See for example: Marian Sawer, "From Motherhood to Sisterhood: Attitudes of Australian Women MPs to Their Roles," *Women's Studies International Forum* 9, no. 5 (1986); Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma."

discussing their relevance to CPC, I consider Hanna Pitkin's *The Concept of Representation*, a work invaluable to any discussion of political representation.

### *Hanna Pitkin's 'The Concept of Representation'*

First published in 1967, Pitkin's *The Concept of Representation* provides a useful starting point for considering political representation, something intensely relevant to this study of CPC. Pitkin identified four types of representation – formal, descriptive, symbolic, and substantive – of which her discussion of descriptive and substantive has garnered the most attention. Rosie Campbell, Sarah Childs, and Joni Lovenduski summarised these neatly as quoted below:

Representation is *formal* or *authorized* where the representative is legally empowered to act for another; *descriptive* where the representative stands for a group by virtue of sharing similar characteristics such as race, gender, ethnicity or residence; *symbolic* where a leader or symbol such as a flag stands for national ideas; and *substantive* where the representative seeks to advance a group's policy preferences and interests.<sup>9</sup>

Formal representation can be discounted as a procedural and official necessity for a democratic nation. Though symbolic representation in the Pitkin sense is for the most part uncontroversial, my later discussions of symbolism explore the importance of this concept regarding women in politics.

Pitkin discounted descriptive representation because it focuses on a representative's identifying features (e.g. gender, race, religion) rather than her or his output (bill proposals and contribution to debate). In essence, this form of representation is about what someone *is* rather than what they *do*.<sup>10</sup> *Proportionalists* – those who support a direct descriptive reflection of the community in parliament – are interested in the composition of the legislature: '[w]hat matters is being present, being heard; that is representation.'<sup>11</sup> *Proportionalists* see the substantial activity of representatives as naturally reflecting the community provided it is in proportion to it.

---

<sup>9</sup> Rosie Campbell, Sarah Childs, and Joni Lovenduski, "Do Women Need Women Representatives?," *British Journal of Political Science* 40, no. 1 (2010): 172 FN 3.

<sup>10</sup> For more explanation see Chapter 4 of Pitkin, *The Concept of Representation*.

<sup>11</sup> *Ibid.*, 63.

Pitkin criticised this ‘microcosmic’ form of descriptive representation for involving characteristics and no action. It is categorised as being about the giving of information – ‘talking’ – and not creative activity nor the formulating of policy.<sup>12</sup> Pitkin did not consider descriptive representation based on shared experience.<sup>13</sup> This is significant, and I discuss the worth of correcting this omission in relation to Phillips’ politics of presence<sup>14</sup> further below.

After dismissing descriptive microcosmic representation, Pitkin turns to substantive representation. According to Pitkin, descriptive representation alone cannot explain how representation occurs: it neither accounts for ‘leadership, initiative, or creative action’ nor considers ‘the creative activities of a representative legislature, the forging of consensus, the formulating of policy, the activity we roughly designate by “governing.”’<sup>15</sup> Instead, Pitkin believes a politician’s identity is moot as it is more important for a representative to produce output that takes into account the needs and interests of the group for which the representative claims to act.<sup>16</sup> Thus ‘[t]he activity of representing as acting for others must be defined in terms of what the representative does and how he [sic] does it.’<sup>17</sup> This idea of substantive representation moves away from the descriptive identities of representatives and introduces the concept of an individual able to represent a group’s interests even if they do not physically identify with the group.

Phillips criticised the dichotomy Pitkin establishes between representatives either ‘being’ or ‘doing.’ She pointed to the lack of discussion concerning power and inequality, concepts that feature frequently in more recent debates on representation.<sup>18</sup> Indeed, Pitkin’s index includes no entries for power, equality (or inequality), or women. Descriptive representation in the sense of a shared experience remains important as the idea that men can represent women’s interests is dubious. It

---

<sup>12</sup> *Ibid.*, 90.

<sup>13</sup> Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women? A Contingent ‘Yes,’” *The Journal of Politics* 61, no. 3 (1999): 629.

<sup>14</sup> Phillips, *The Politics of Presence*.

<sup>15</sup> Pitkin, *The Concept of Representation*, 90.

<sup>16</sup> *Ibid.*, 89.

<sup>17</sup> *Ibid.*, 143.

<sup>18</sup> Anne Phillips, “Dealing with Difference: A Politics of Ideas or a Politics of Presence?,” *Constellations* 1, no. 2 (1994): 77.

is not impossible, yet we should acknowledge that men were not key agitators in the campaign for women's suffrage. Certainly, there were supportive men, but women formed movements to campaign for their right to vote and stand as political representatives. Without women's efforts at both the activist and administrative levels, it is unlikely that women's suffrage would have been won when it was.

### *Descriptive Representation, Substantive Representation, Critical Mass, and Critical Actors*

Pitkin's preference for representation by actions rather than numbers has garnered considerable support from other scholars researching women and politics.<sup>19</sup> In this section I analyse the literature on substantive and descriptive representation, which grounds later discussion of how women's use of CPC constitutes a substantive representation of women. I also discuss critical mass and critical actors. Substantive representation is broadly defined as a political representative who seeks to advance a specific group's interests. Building on Pitkin's work, Karen Celis offered a flexible framework that is defined not by the researcher but by the political actors and women's movement. She explained: 'Acting for women is to denounce a situation that is disadvantageous for women, to formulate a proposal to improve the situation of women, or to claim a right for women with the same goal.'<sup>20</sup> Any representative – female or male – can theoretically undertake this substantive representation of women, provided his or her actions promote policies in women's interests.<sup>21</sup> Celis summarised the actions that constitute a substantive representation of women as follows:

---

<sup>19</sup> Virginia Sapiro, "Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women," *The American Political Science Review* 75, no. 3 (1981): 701–16; Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics"; Suzanne Dovi, "Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?," *American Political Science Review* 96, no. 4 (2002); Suzanne Dovi, "Theorizing Women's Representation in the United States," *Politics & Gender* 3 (2007): 297–319; Sarah Childs and Mona Lena Krook, "Critical Mass Theory and Women's Political Representation," *Political Studies* 56 (2008): 725–36; Karen Celis, "On Substantive Representation, Diversity, and Responsiveness," *Politics & Gender* 8, no. 4 (2012).

<sup>20</sup> Celis, "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900-1979)," 88.

<sup>21</sup> Childs and Krook, "Critical Mass Theory and Women's Political Representation," 734.

putting (and keeping) women's interests on the political agenda; translating women's interests, concerns and views into legislation and subsequently guiding it through the legislative process that ends with the vote; establishing a higher congruence between the interests, wishes, views and perspectives present in parliament on the one hand and in society and amongst women on the other.<sup>22</sup>

CPC by and for women fits this definition of substantive representation. Detractors of substantive representation contest its reliance on critical acts and instead emphasise the importance of numbers in creating an egalitarian parliament. These defenders of descriptive representation often cite the concept of critical mass, that is, the hypothesis that a threshold of 30% of a minority in parliament is needed to change the political culture in its favour.<sup>23</sup> Here, descriptive representation is premised on shared characteristics or shared experiences.<sup>24</sup> According to Jane Mansbridge these 'shared experiences' lie at the heart of descriptive representation. Whilst gender is commonly seen as a typical descriptive element, the idea extends further: for instance, a farmer can represent farming interests.<sup>25</sup> Mansbridge stressed that biological markers (skin colour, sexual organs) should not be the definitive criteria for descriptive representation. Instead, historical commonalities should bind a group. Contingency is a central argument for Mansbridge, who argued that context is everything. Groups that have been excluded legally from the vote, for example, require descriptive representation to redress historical political subordination.<sup>26</sup>

Iris Marion Young challenged descriptive representation, arguing that sharing a descriptive similarity with constituents is insufficient explanation for a

---

<sup>22</sup> Celis, "Studying Women's Substantive Representation in Legislatures: When Representative Acts, Contexts and Women's Interests Become Important," 114.

<sup>23</sup> Dovi, "Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?"; Dovi, "Theorizing Women's Representation in the United States"; Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics"; Childs and Krook, "Critical Mass Theory and Women's Political Representation"; For an article offering a tabled comparison of the different arguments see Marian Sawer, "Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability," *International Political Science Review* 21, no. 4 (2000): 361–80.

<sup>24</sup> Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes,'" 629.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid., 648–49.

representative's actions.<sup>27</sup> J. Roland Pennock expressed a normative rejection of descriptive representation in pejorative terms: 'No one would argue that morons should be represented by morons.'<sup>28</sup> Addressing this concern, Mansbridge argued that descriptive representation does not extend to every identifiable group in society: children are not expected to represent themselves, as they may be incapable of fulfilling such a role.<sup>29</sup> This differs from a group with shared characteristics or experiences (i.e. women, indigenous populations) and possessing no impairment preventing a representative fulfilling his or her role other than the fact that he or she faced institutional barriers to being elected.<sup>30</sup> Thomas Hobbes considered the use of reason to be paramount in determining who has agency over their actions: he deemed children, fools, and the insane as incapable of rational thought and therefore of self-representation.<sup>31</sup> Women do not fall into any of these three categories.

The rationality argument outlined above affirms that descriptive representation is not intended to exactly mirror society. However, concerns about justice deem that political representatives should be drawn from different elements of society rather than a privileged few. The justice argument can be summarised as follows: women and men should be politically represented in equal numbers as a matter of fairness, particularly as each sex composes approximately half of the population.<sup>32</sup> Phillips questioned the current situation and asked: 'by what 'natural' superiority of talent or experience men could claim a right to dominate assemblies?'<sup>33</sup> Two criteria are cited for men to establish a burden of proof for their political dominance. The first is that they show some innate quality that gives them superior skills in political

---

<sup>27</sup> Ibid., 629.

<sup>28</sup> Pennock J. Roland, *Democratic Political Theory* (Princeton: Princeton University Press, 1979): 314, in *ibid.*; Virginia Sapiro also makes this point using the example of a red-headed woman, see Sapiro, "Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women," 703.

<sup>29</sup> Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes,'" 633; Virginia Sapiro also makes this point using the example of a red-headed woman, see Sapiro, "Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women," 703.

<sup>30</sup> Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes,'" 633.

<sup>31</sup> Pitkin, *The Concept of Representation*, 21.

<sup>32</sup> Phillips, *The Politics of Presence*, 39; Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma," 2.

<sup>33</sup> Phillips, *The Politics of Presence*, 65.

representation. No biological argument has been put forth with sufficient evidence to qualify this claim. The second is that men rely on social advantages that have equipped them with better political skills.<sup>34</sup> This argument is based on inequality and discrimination in broader society. Phillips explained that no argument based on justice could be used to defend the current dominance of men in legislatures and therefore the justice argument supports roughly equal numbers of women and men in national decision-making bodies.<sup>35</sup>

Drude Dahlerup's 1988 influential study focused on women as a minority in the Norwegian parliament and argued that 'critical acts', which help change the position of a minority, are important to aid progress for women.<sup>36</sup> Such critical acts are instances of a representative acting substantively for a specific group of people. Dahlerup explored the proposal that a minimum of 30% representation was required to start a chain reaction that would cause a shift in an organisation.<sup>37</sup> This 30% critical mass figure is important to CPC, which will be demonstrated in Chapter 5. Dahlerup argued that numbers are important, but progress for women in politics depends upon critical acts that alter the position of a minority.<sup>38</sup> However, her interviews revealed that women politicians hesitate to act owing to concerns over being judged negatively as 'too' feminist.<sup>39</sup>

### **3.2 A 'Politics of Presence'**

The studies surveyed thus far identify no certain combination of factors that equate with a substantive representation of women. It is clear that while women may not always represent women their presence is important, for justice and symbolic reasons. Indeed, the increase of women in the Australian parliament has been an important contributing factor to CPC overall but notably to CPC on women's issues. Phillips extended the argument of the importance of descriptive representation, proposing that increased numbers of women will introduce more views to a

---

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics," 296.

<sup>37</sup> Ibid., 275.

<sup>38</sup> Ibid., 290.

<sup>39</sup> Ibid., 294.



legislature, although she indicated that only some women will feel compelled to represent women's interests.<sup>40</sup> She recognised that equal representation of women will not automatically lead to substantive representation; rather it is a 'shot in the dark.' Nevertheless, it is worthy of pursuit based on the poor historical record of men addressing women's interests.<sup>41</sup> Phillips justified this 'shot in the dark' on pragmatic grounds:

there is something distinctly odd about a democracy that accepts a responsibility for redressing disadvantage, but never sees the disadvantaged as the appropriate people to carry this through.<sup>42</sup>

She pointed out that parties cannot know in advance all the issues that will emerge in parliament but when unexpected issues arise the underrepresentation of certain groups can have consequences.<sup>43</sup> She developed a combination of the mandate and trustee models (which are detailed further below): a representative will be informed by their circumstances (female, male, unemployed, wealthy) but should be autonomous. His or her decisions will be informed by his or her background and therefore it is preferable that such representatives have a variety of different circumstances and traits.<sup>44</sup>

If there were no societal variations in power or experience, political representatives would be distributed evenly across the population. There would be a greater balance of genders, ethnicities, and people with minority status.<sup>45</sup> This is not the case in Australia (or indeed, elsewhere) as there are 'obstacles' that prevent it from being so, according to Phillips. One obstacle is 'deliberate discrimination.' In this case one group cannot claim to represent another's view: 'those who currently monopolize positions of power cannot stand in for those they have excluded.'<sup>46</sup> Equally concerning is the problem of a structural obstacle.<sup>47</sup> Phillips cited the difference in the sexual

---

<sup>40</sup> Phillips, *The Politics of Presence*, 169.

<sup>41</sup> *Ibid.*, 83.

<sup>42</sup> *Ibid.*, 43–44.

<sup>43</sup> *Ibid.*, 43–46.

<sup>44</sup> *Ibid.*, 44.

<sup>45</sup> *Ibid.*, 53.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

division of labour as a structural obstacle. Such differences create different perspectives and needs. Even '[w]ith the best will in the world ... people are not good at imagining themselves in somebody else's shoes.'<sup>48</sup> This echoes Lord Lindsay's sentiment that 'only the wearer of the shoe will know if it pinches.'<sup>49</sup> Therefore, as women and men experience life differently, women's issues are differentiated from men's and their marginalisation has contributed to women's use of CPC. Phillips accepted that women are not guaranteed to represent women, however she identified gender parity as a step towards democracy, specifically towards the representation of women's interests.<sup>50</sup> Lena Wangerund analysed women's representation in the Swedish Riksdag and found evidence for Phillips' argument that the gender of a representative matters for political representation. She stated that when women take seats from men 'it should mean that we gain a greater number of politicians who prioritize issues such as gender equality and social welfare.'<sup>51</sup> Wangerund concluded that Swedish women politicians were more likely than men to represent the interests of women.<sup>52</sup>

Phillips argued that it may be possible for the 'interests' of certain groups of citizens (workers, pensioners and the long-term unemployed, for example) to be championed by representatives who do not themselves fit these categories.<sup>53</sup> She did not elaborate on this point, but it can be deduced that as individuals are likely to be transient members of these groups it gives a remit to a wider group of people to champion such interests. On the other hand, she found it difficult to see how the 'perspectives' of women or black Americans could be expressed except by individuals who identify with these groups.<sup>54</sup> The experience of being a woman or a black American is not transient and as such not all representatives will share this perspective. This serves to emphasise the importance of ensuring that women's – and

---

<sup>48</sup> Ibid.

<sup>49</sup> Ibid., 32 paraphrasing from Verba et al., *Participation and Political Equality*, 301-7.

<sup>50</sup> Ibid., 158.

<sup>51</sup> Lena Wangerund, "Testing the Politics of Presence: Women's Representation in the Swedish Riksdag," *Scandinavian Political Studies* 23, no. 1 (2000): 85.

<sup>52</sup> Ibid.

<sup>53</sup> Phillips, *The Politics of Presence*, 70.

<sup>54</sup> Ibid., 176.

other marginalised groups' – views are substantively heard in legislative forums. CPC offers one means to achieve the representation of these groups.

### *Moving towards a Substantive Representation of Women*

While critical mass may not be the most important variable in measuring the substantive representation of women, scholars have highlighted the symbolic importance of having a more equitable balance of women and men in decision-making bodies.<sup>55</sup> Increased numbers of women may not always equate with better representation of women, as women will likely diversify as their numbers increase. Rosabeth Moss Kanter's research into 'tokens' is relevant here.<sup>56</sup> In her study of a sales force Kanter completed interviews with women and men to gain insight into how the proportion of women and men within an institution affected how women were perceived as a group. She utilised a single case study in her research on numbers in social groups – specifically what she termed 'tokens', that is, individuals who can easily be differentiated from the majority – within a large industrial corporation.<sup>57</sup> Kanter concluded that if a minority comprises 20% or less of a group, the numbers make it more difficult to overcome tokenism and establish alliances between the minority members.<sup>58</sup> Kanter's study of women in a male-dominated industry led to three conclusions: 1) more women can lead to more coalitions between women and a change in culture; 2) more women will lead to more diversification;<sup>59</sup> and 3) feminists (critical actors) are important.<sup>60</sup> Her first conclusion finds some tentative support in the results of this thesis, with women utilising CPC and then more actors adopting the practice in later years. For our current discussions, the third claim is significant for substantive representation. Women have acted disproportionately in favour of promoting women's interests relative to their small numerical presence, as seen in Brazilian CPC outlined

---

<sup>55</sup> Michelle Saint-Germain, "Does Their Difference Make a Difference? The Impact of Women on Public Policy in the Arizona Legislature," *Social Science Quarterly* 70, no. 4 (1989): 956–68; Phillips, *The Politics of Presence*; Karin L. Tamerius, "Sex, Gender, and Leadership in the Representation of Women," in *Gender Power, Leadership, and Governance*, ed. Georgia Duerst-Lahti and Rita Mae Kelly (The University of Michigan: The University of Michigan Press, 1995), 93–112; Wangerund, "Testing the Politics of Presence: Women's Representation in the Swedish Riksdag."

<sup>56</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women."

<sup>57</sup> *Ibid.*

<sup>58</sup> Unless the tokens are "highly identified within their own social category." *Ibid.*, 987.

<sup>59</sup> *Ibid.*, 966.

<sup>60</sup> *Ibid.*, 987.

in Chapter 1. Support for Kanter's second claim has been identified by Celis, who found that women MPs in the Catholic and Socialist parties in Belgium pushed different views of women's roles in the workforce, which 'diversified the direction of the representation and, therefore, improved its quality.'<sup>61</sup> Celis measured the substantive representation of women by analysing 'interventions' made in favour of women; she included denouncing a situation disadvantageous for women, formulating a proposal to improve the situation of women, or claiming a right for women.<sup>62</sup>

Kanter's second and third claims allow for the reconsideration of links between descriptive and substantive representation. Numbers are only part of the equation; other variables, such as feminists, institutional norms, and party alliances, require consideration. In addition, context plays a role and historical circumstances should be included as explanatory background factors. Empirical evidence from the UK supports the idea that women perform different representative roles from men, an important concept to discuss in a study that explores why women have sought representation through CPC. Pippa Norris found women frequently self-identify as *constituency workers* rather than *party loyalists*.<sup>63</sup> Constituency workers emphasise their representative roles of liaising with individual constituents, holding local meetings and acting for local interests in parliament, while party loyalists emphasise working on party activities and attending informal party-related meetings.<sup>64</sup> The evidence of parliamentary activities Norris cites supports the women's claims that they are more likely to be constituency workers, while men are more likely to be party loyalists.<sup>65</sup>

In Australia, political parties play a significant role in representation. The major Australian political parties are rigid in their rules and norms: voting is 'whipped', and elected representatives are required to be loyal. Indeed, Pitkin used the Australian Labor Party as an example of firm party control.<sup>66</sup> The Labor Party requires its

---

<sup>61</sup> Celis, "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900-1979)," 108.

<sup>62</sup> *Ibid.*, 89.

<sup>63</sup> Pippa Norris, "Women Politicians: Transforming Westminster?," *Parliamentary Affairs* 49, no. 1 (1996): 89-102.

<sup>64</sup> *Ibid.*, 99-100.

<sup>65</sup> *Ibid.*, 99-101.

<sup>66</sup> Pitkin, *The Concept of Representation*, 149.

candidates to sign a pledge to: give their allegiance to decisions and rules made by the party; promise not to oppose an endorsed Labor Party candidate; and vote with the majority decision of caucus on parliamentary questions.<sup>67</sup> Although in theory, the Liberal Party claims not to exercise party discipline, in practice it does do so, albeit not to the extent of Labor.<sup>68</sup> Parties can therefore make it harder to achieve the representation of a minority group, and can divide the loyalties of their members. Frustrated by this situation, some politicians turn to CPC.

But what other measures are available in conflicts between the individual and the party? An electorate composed chiefly of a minority religion may vote for a candidate of that religion in anticipation that the representative, in line with stated party aims, will support freedom of religion. Yet the party may uphold and support the dominant religion in parliament. The electorate may then be disappointed in ‘their’ representative’s failure to tackle this issue, leaving them feeling under-represented. Is the representative ultimately a representative of the party, or the electorate? The strength of party discipline in Australia suggests representatives have little room for independent action without prior party approval.<sup>69</sup> Party whips ensure the structural embeddedness of discipline in parliament, which can work against substantive representation. This party control is rarely challenged creating a parliament of mandated party individuals, though as this thesis shows this has started to change and politicians have sought out collaborative action that allows for the substantive representation of women.

I now outline how women have operated within the structured institutions of parties and parliament in Australia, which assists in understanding why women utilised CPC in 2005 and 2006.

---

<sup>67</sup> Dean Jaensch, *Parliament, Parties & People: Australian Politics Today* (Melbourne: Longman Chesire Pty Limited, 1991), 136; Campbell Sharman, “Discipline and Disharmony: Party and the Operation of the Australian Federal System,” in *Parties and Federalism in Australia and Canada*, ed. Campbell Sharman (The Australian National University, Canberra: Federalism Research Centre, 1994), 29 FN 12.

<sup>68</sup> Ariadne Vromen, Katharine Gelber, and Anika Gauja, *Powerscape: Contemporary Australian Politics*, 2nd ed. (NSW: Allen & Unwin, 2009), 105; Marija Taflaga, “Politics, Policy Development and Political Communication during Opposition: The Federal Liberal Party of Australia 1983-1996 and 2007-2013” (Australian National University, 2016), [https://openresearch-repository.anu.edu.au/bitstream/1885/112342/1/Taflaga\\_Thesis\\_2017.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/112342/1/Taflaga_Thesis_2017.pdf), accessed 19 May 2017.

<sup>69</sup> Jaensch, *Parliament, Parties & People: Australian Politics Today*, 219–20.

### 3.3 Women in Australian Politics

There was a general increase in the numerical representation of women in the late 1980s and early 1990s and as women crossed the critical mass threshold of 30% in the Senate in 1996<sup>70</sup> they began to participate increasingly in collaborative activities (detailed in Chapter 5). I trace the literature on women in Australian politics here to explore how women politicians conceive of representation. Scholars have probed whether women politicians consider it part of their role to represent women's interests.<sup>71</sup> The field of women in Australian politics has expanded to include studies of single issues, such as abortion,<sup>72</sup> maternity leave,<sup>73</sup> and women's opinions in conscience votes.<sup>74</sup> Other scholars, notably Sawyer, have explored women's attitudes to representation.<sup>75</sup>

Rosemary Whip's study of the women elected to the Australian Parliament from 1921 to 1981 concluded that women are best represented by women politicians who are 'committed to the enhancement of women's position in the community and prepared to act on their behalf.'<sup>76</sup> Whip's results show that over 80% of the women politicians included in her research considered attending to the interests and needs of

---

<sup>70</sup> The Senate Parliament, "Senate Brief No. 3 - Women in the Senate," August 2017, [http://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/Senate\\_Briefs/Brief\\_03](http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Senate_Briefs/Brief_03), accessed 4 September 2017.

<sup>71</sup> Sawyer, "From Motherhood to Sisterhood: Attitudes of Australian Women MPs to Their Roles"; Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma"; Ian McAllister and Donley T. Studlar, "Gender and Representation among Legislative Candidates in Australia," *Comparative Political Studies* 25, no. 3 (October 1992): 388–411.

<sup>72</sup> Karen Coleman, "The Politics of Abortion in Australia: Freedom, Church and State," *Feminist Review* 29, no. 75–97 (1988); Pringle, "Urban Mythology: The Question of Abortion in Parliament"; Jasmina Brankovich, "Constructing a Feminist Morality in the Western Australian Abortion Debate, 1998," *Fresh Cuts: New Talents* 86 (2001).

<sup>73</sup> Deborah Brennan, "The Difficult Birth of Paid Maternity Leave in Australia," in *The Politics of Parental Leave*, ed. S Kamerman and P Moss (Bristol: Policy Press, 2009), 15–31.

<sup>74</sup> Warhurst, "Conscience Voting in the Australian Federal Parliament"; McKeown and Lundie, "Conscience Votes during the Howard Government 1996–2007"; Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia"; Pringle, "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate."

<sup>75</sup> See: Sawyer, "From Motherhood to Sisterhood: Attitudes of Australian Women MPs to Their Roles"; Sawyer, "Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability"; Marian Sawyer, "A Matter of Simple Justice? Women and Parliamentary Representation," in *Speaking for the People: Representation in Australian Politics*, ed. Marian Sawyer and Gianni Zappala (Carlton South: Melbourne University Press, 2001).

<sup>76</sup> Whip, "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma," 19.

women part of their representative role.<sup>77</sup> Whip supported the diversification model of women's interests, Kanter's second claim. She judged that Australian women were unlikely to work together across party lines even with increased numbers due to the strong partisanship of Australian politics and thus refuted Kanter's first claim.<sup>78</sup> Nevertheless, since Whip's study was published, women MPs from different political parties have worked together even as their numbers increased.

Sawer's 1986 article supports Whip's study in its evaluation that women in Australian politics are committed to the representation of women to some extent.<sup>79</sup> Sawer demonstrated that women have had varying understandings of their role as women's representatives: the first women in parliament emphasised their maternal role in politics;<sup>80</sup> in the 1960s some women, termed 'individualists' by Sawer, believed gender was irrelevant in politics. For these latter women, their ministerial portfolios encompassed the community, education, welfare, youth, tourism, and the arts; that is, portfolios typically categorised as nurturing and feminine.<sup>81</sup> Though these women wanted to defy gender stereotyping, their ministerial roles reflected traditional views of women. From the 1960s through to 1980s a wave of feminist women became visible in politics. They firmly believed they should act for women as a special and distinct category within their electorate.<sup>82</sup> This group saw the need for women to raise awareness of women's issues, such as abortion and childcare, as men had failed to do so in the past.<sup>83</sup> This same sentiment can be seen in women's intensive use of CPC in 2005 and 2006, evidence of which can be found in Chapter 5.

In a comparative study of women politicians in Australia and Canada, Manon Tremblay found that women representatives felt compelled to act for women in both legislatures.<sup>84</sup> Tremblay identified other variables important in shaping women

---

<sup>77</sup> Ibid., 6.

<sup>78</sup> Ibid., 15.

<sup>79</sup> Sawer, "From Motherhood to Sisterhood: Attitudes of Australian Women MPs to Their Roles."

<sup>80</sup> Ibid., 532-33.

<sup>81</sup> Ibid., 534-36.

<sup>82</sup> Ibid., 536.

<sup>83</sup> Ibid., 537.

<sup>84</sup> Manon Tremblay, "Women's Representational Role in Australia and Canada: The Impact of Political Context," *Australasian Journal of Political Science* 38, no. 2 (July 2003): 217.

politician's roles, namely party affiliation, electoral system, parliamentary cycle, and the structure of parliament.<sup>85</sup> Tremblay's study involved interviews with both Canadian and Australian women politicians. When asked directly in interviews, both Australian MPs and Senators and Canadian MPs stated that they felt they had a mandate to represent women.<sup>86</sup> However, when not prompted one third of Australian Senators spontaneously mentioned women, as did 20% of Australian MPs, and only 13.6% of Canadian MPs.<sup>87</sup> The interviewees mentioned their low numbers and the political rules (defined as the parliamentary system, party system, and the media by the author), as restricting their ability to represent women.<sup>88</sup> Though these constraints may prevent some women from seeking representation of women's interests, it has not restricted all women, as evident in women's use of CPC.

Australian politician Carmen Lawrence (ALP) expressed the sentiment that justice would be attained when mediocre women had the same opportunity to sit in parliament as mediocre men.<sup>89</sup> The Labor Party aims to have 50% women by 2025 at all levels in the party under its affirmative action plan,<sup>90</sup> demonstrating that Labor believes higher numbers of women – and a more equal balance of the sexes – is needed to achieve better representation of women's interests. What this belief – and the above research – suggests is that while Australian women politicians often feel obliged to promote women's interests, other factors constrain this. There is a need for more thorough investigation of other ways the substantive representation of women is restricted, and to this end, this thesis considers the limitations of a gendered parliament. Difficulty in substantively representing women's interests can also be linked to the view that these are private concerns rather than public concerns.<sup>91</sup> Of course, it cannot be expected that all women will automatically act for other women.

---

<sup>85</sup> *Ibid.*, 233.

<sup>86</sup> *Ibid.*, 225.

<sup>87</sup> *Ibid.*, 224.

<sup>88</sup> *Ibid.*, 229.

<sup>89</sup> Sawyer, "A Matter of Simple Justice? Women and Parliamentary Representation," 175.

<sup>90</sup> Australian Labor Party, "National Platform: 47th National Conference", accessed 7 February 2017.

<sup>91</sup> Saint-Germain, "Does Their Difference Make a Difference? The Impact of Women on Public Policy in the Arizona Legislature," 957.



However, those who want to promote women's interests face barriers. CPC has been utilised to bypass these barriers.

The representation of women requires women to be present, both physically and vocally. Lisa Hill outlined that in fighting for universal participation, the suffragists argued a proceduralist democratic line that all people were entitled to 'the normative standard of equal political liberty.'<sup>92</sup> Hill also noted that the suffragists held the underlying epistemic assumption that an excluded group was better placed to understand its own situation and interests than those excluding them.<sup>93</sup> I begin from this premise, acknowledging that the wearer of the shoe is best placed to know if and how it pinches. Tremblay captured this sentiment in her statement: 'since they experience subordination, exclusion and denial, female politicians are in a better position than men to represent women.'<sup>94</sup> However, the fact that women are better placed does not automatically guarantee their support of a substantive representation of women.

By highlighting women's use of CPC to promote women's issues I seek to demonstrate one way the substantive representation of women occurs. Women using CPC in 2005 and 2006 demonstrates that the presence of feminists is central to championing women's issues in parliament. The performance of critical acts in parliament, in the form of CPC, affects the substantive representation of women. The willingness of critical actors to reach across the political divide reflects their determination to see all political issues represented in parliament, even if they must side with political adversaries to achieve this.

Party/factional affiliation is a variable relating to Kanter's second claim – that more women will result in women more confidently differentiating themselves from one another – relevant for Australia. Women across society differ greatly in opinion and background and therefore they differ in their politics. I follow Dahlerup's idea that

---

<sup>92</sup> Lisa Hill, "Voting Turnout, Equality, Liberty and Representation: Epistemic versus Procedural Democracy," *Critical Review of International Social and Political Philosophy*, 2016, 9.

<sup>93</sup> Ibid.

<sup>94</sup> Tremblay, "Women's Representational Role in Australia and Canada: The Impact of Political Context," 223.

party identities divide women's loyalties to prevent CPC from occurring as regularly as we might expect.<sup>95</sup> Indeed, Ian McAllister and Donley T. Studlar found that women ranked gender lowest in importance behind electorate and party.<sup>96</sup> However, McAllister and Studlar completed their research in 1992 and admit that their findings are limited due to the small number of women in parliament at that time.<sup>97</sup>

From this discussion of the link between women and representation, a concept important in tracing women's use of CPC in 2005 and 2006, I now turn to Edmund Burke's delegate and trustee models of representation, both used as justifications for CPC cited in interviews (see Chapters 5 and 6). I also include a discussion of Pitkin's related mandate/independence controversy.

### **3.4 Delegate/Mandate and Trustee/Independence Models of Representation**

In 1774 Burke described the delegate representative model as undesirable in his *Speech to the Electors of Bristol*. He was critical of the public controlling a representative's decisions: 'what sort of reason is that ... in which one set of men deliberate, and another decide; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?'<sup>98</sup> He instead advanced a trustee model of representation, in which the representative acts in a way that she believes best serves her constituents' interests, even if it goes against their wishes.<sup>99</sup>

Pitkin's idea of the mandate-independence controversy is similar to Burke's trustee-delegate model. A *mandate* representative takes explicit instructions from constituents, while an *independence* representative believes an elected member should be free to use her own judgement in making decisions.<sup>100</sup> Pitkin used the relationship between a patient and her physician to explain the obligations of the representative to the represented. Although a physician may prescribe remedies the patient dislikes, he

---

<sup>95</sup> Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics," 293.

<sup>96</sup> McAllister and Studlar, "Gender and Representation among Legislative Candidates in Australia," 402.

<sup>97</sup> *Ibid.*, 396–98.

<sup>98</sup> Burke, "To The Electors of Bristol, 3 November 1774," 180.

<sup>99</sup> *Ibid.*

<sup>100</sup> Pitkin, *The Concept of Representation*, 146.

or she does so with the intention of ensuring recovery.<sup>101</sup> We seek a physician's advice on the grounds that he or she is an expert who possesses knowledge and skills that we lack.<sup>102</sup> The independence line of thought sees the representative as completing a task too difficult and complex for ordinary individuals. Pitkin drew on Burke's conceptualisation of the representative as a trustee of the public will.<sup>103</sup>

Pitkin's formulation of the mandate-independence controversy problematically assumed that constituents are of one mind. She took as given a normative cohesiveness of the electorate in her idea that 'the constituents would approve what he is doing if they knew all that [the representative] knows.'<sup>104</sup> She discussed the importance of not conflicting with the will of constituents (when expressed), but not how different opinions within an electorate should be represented.<sup>105</sup> Pitkin took a normative theoretical approach to the consideration of mandate and independence and did not consider horizontal differences among voters alongside the vertical relationship between representative and represented. In 1967 when *The Concept of Representation* was published, America had recently passed the *Voting Rights Act 1965* to prohibit racial discrimination in voting.<sup>106</sup> While representatives were still predominantly white males, they were no longer a homogenous group: women<sup>107</sup> and African-Americans<sup>108</sup> had served as members of Congress before 1967. Considerations of intersectionalities (gender, race) are therefore necessary in defining a theory of the modern representative role, particularly as the advent of women and minorities into legislatures continues to increase.

---

<sup>101</sup> Ibid., 128.

<sup>102</sup> Ibid.

<sup>103</sup> Ibid., 147.

<sup>104</sup> Ibid., 164.

<sup>105</sup> Ibid., 162.

<sup>106</sup> Lani Guinier, "The Triumph of Tokenism: The Voting Rights Act and the Theory of Black Electoral Success," *Michigan Law Review* 89, no. 5 (March 1, 1991): 1077-1154.

<sup>107</sup> United States House of Representatives, "Rankin, Jeannette," *History, Art & Archives* (United States House of Representatives, n.d.), [http://history.house.gov/People/Listing/R/RANKIN,-Jeannette-\(R000055\)/](http://history.house.gov/People/Listing/R/RANKIN,-Jeannette-(R000055)/), accessed 19 February 2016.

<sup>108</sup> United States House of Representatives, "Revels, Hiram Rhodes," *History, Art & Archives* (United States House of Representatives, n.d.), [http://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-\(R000166\)/](http://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-(R000166)/), accessed 19 February 2016.

Phillips argued for representative autonomy, although she framed it as autonomy from the party machine more than from the electorate. This could be interpreted as a trustee/independence model, but further analysis reveals a more complex situation. Our disappointment or surprise at the lack of collaboration in politics, Phillips explained, stems from a belief that representatives who differ from the norm (minority women in a majority male legislature, for instance) will act differently, and exercise freedom in what they choose to do.<sup>109</sup> Phillips pointed to the unavoidable fact that the life experiences of a representative will frame her or his behaviour. Her concept of a politics of presence could be taken to suggest a preference for the mandate role. This is the idea that women will bring 'women' to parliament, even if only pictorially or experientially. Women share the experience of structural inequality, and of different societal expectations from men. The representative is bound to a group of people who share similar experiences but remains free to work on issues not anticipated by political parties.<sup>110</sup> Phillips conceptualised this as a balance of accountability and relative autonomy.<sup>111</sup>

Bernard Manin's four principles of representative regimes incorporates elements of both the trustee and delegate and has some similarity to Phillips 'balance' in accountability and autonomy argument outlined above.<sup>112</sup> Alongside the principles of regular elections and public decisions undergoing the trial of debate, Manin indicates that representatives should have a degree of independence from their electorate's wishes, yet the electorate must have the ability to express their view freely.<sup>113</sup> As is evident from the above discussion, more modern conceptions of representation have further developed the Burkean distinction and Pitkin's models. However, politicians I interviewed and evidence from Hansard demonstrate that Australian politicians still utilise trustee and delegate models of representation, therefore I refer to these throughout the thesis.

---

<sup>109</sup> Phillips, *The Politics of Presence*, 77.

<sup>110</sup> *Ibid.*, 80.

<sup>111</sup> *Ibid.*, 160.

<sup>112</sup> Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997).

<sup>113</sup> *Ibid.*, 6.

## *Delegate and Trustee Models in Cross-Party Collaboration*

The convention of Australian politicians referring to Burke's trustee and delegate models of representation is recorded in Hansard and in interviews completed for this thesis. As this preoccupation with Burke's models persists, I have adopted it here to fit the practice of representation as viewed by politicians themselves. Delegate representation was evident in women's use of CPC in 2005 and 2006, while trustee representation was present in the cases of CPC after 2006. Hansard and interview data supporting this finding is presented throughout Chapters 5 and 6. The delegate model can be linked to the substantive representation of women, detailed below.

The delegate model is defined as taking 'instructions' from voters, and politicians can look to opinion polls, their constituents, and media reports for communication of community views. Whilst socio-moral issues do not just affect women, the case studies from 2005 and 2006 in this thesis involve women as a group with specific interests. In performing the delegate model of representation, women listened to a wider array of community members, including other women. This meant that voices often silenced in the dominant discourse were included. Giving a voice to women and women's issues, such as reproductive rights, is substantively representing women's interests.

Whilst the onus cannot be placed solely on women to address these issues in policy making, it has fallen to women to instigate action. Women representatives have typically been pioneers in addressing women's issues, suggesting that historically these issues have not been as important for men representatives. However, Dana E. Wittmer and Vanessa Bouché proposed that if women representatives speak out on issues such as domestic violence and equal pay, then the public views them as 'women's issues', and for this reason men representatives may distance themselves from such issues, further contributing to the public perception of designated gender roles in an institution.<sup>114</sup> This topic requires further research (which is beyond the

---

<sup>114</sup> Dana E. Wittmer and Vanessa Bouché, "The Limits of Gendered Leadership: Policy Implications of Female Leadership on 'Women's Issues,'" *Politics & Gender* 9, no. 3 (2013): 271.

scope of this study) of how women bring women's issues to parliament and how this is perceived by society.

Individual politician's preparedness to collaborate shows a determination to see a diverse range of political issues represented in parliament. This willingness to collaborate underscores the close attention some politicians pay to community concerns. As outlined above, women were more likely to perform a delegate model of representation. In contrast, after 2006 women and men politicians were more likely to believe in their ability to act in the best interests of the community without instructions from voters. This suggests a closer alignment with the trustee model.

## **Conclusion**

This chapter detailed different forms of representation and explained how they are important to CPC. It examined the concepts of descriptive and substantive representation and concluded that a politics of presence is important in the representation of women's interests. I identified the relevance of critical mass theory and Edmund Burke's concepts of the delegate and trustee models for the Australian context. The delegate model can be linked to the substantive representation of women based on the examples of CPC from 2005 and 2006, while the trustee model is evident in cases after 2006. These ideas about representation will be further developed with supporting data throughout the remaining chapters.

This thesis investigates how institutional constraints restrict the possibility of collaboration across party lines. It also analyses the enabling factors which contribute to the occurrence of CPC. I seek to understand how politicians with limited power (including women) have found themselves seeking representation using means outside the usual presentation of policy. Politicians are prepared to utilise alternative strategies – like CPC – to achieve their representation goals. The next chapter considers how institutional constraints have restricted politicians to certain actions and behaviours in parliament, especially those that emphasise competition and favour masculine practices. The history of the Australian Parliament has made it difficult for issues – particularly women's issues – to be debated in the chamber. Understanding institutional constraints helps to explain why CPC has been utilised, demonstrating

that the practice offers a viable strategy for other actors to achieve representation and legislative change.

## Chapter 4: The Australian Parliament: Constraining Action

### Introduction

Constraints in the parliamentary system, evident within institutional and party structures, impact the occurrence and success of CPC. Institutional constraints are facets of parliament that restrict politicians' actions. The debating chambers of the Senate and the House of Representatives are arranged so that the governing majority is in direct opposition with the remaining minority. This creates an adversarial system that is not conducive to consensus-building politics. The chambers encourage confrontation involving physical and vocal intimidation from members on the opposite side.

This chapter traces the historical development of parliament and identifies features of parliament that have shaped Australian politics as a competition driven practice. It explores the concepts of the public and private spheres and then assesses existing frameworks for studying gendered institutions. The chapter provides analysis of constraints in parliament through a survey of the physical, visual, discursive, and structural aspects of the design and functioning of Australia's Parliament, assisting with answering my research question that asked *what factors constrain CPC*. These constraints have made it difficult for politicians to collaborate across party lines. By recognising that women and other actors utilise alternative practices to bypass mainstream processes this thesis investigates an innovative way political results can be achieved in Australia, offering an opportunity to circumvent constraints.

The ability of actors to pursue CPC is limited by elements of the structure, norms, and practices of parliament, which can be considered constraints. Aspects of parliament can particularly constrain actors that were not originally included in the development and establishment of norms and rules within parliament's walls. Constraints work against representatives that do not fit the white, male, heterosexual categories, but they also limit actors who do fit these categories and lock Australian politicians into a masculine and combative culture. Constraints especially limit women politicians and their ability to represent women's issues and do not encourage



collaborative work across party lines. This helps to explain why women used CPC in 2005 and 2006. While I focus primarily on the difficulties faced by women, my remarks here are extended at times to other minorities and power differentials within parliament.

#### **4.1 Gendered Institutions**

The works outlined in Chapter 1 demonstrate that most detailed literature on CPC focuses on women's use of it. This could suggest that CPC is practiced predominantly by women, but the absence of literature on men's use does not mean we should assume only women utilise the practice. As this thesis demonstrates, men do utilise CPC, however women have thus far been more likely to use it. This suggests that women have a greater inclination to represent differently on certain issues. This chapter focuses on elements within parliament as well as the historical development of parliament and how these have particularly restricted the actions of women, hence an emphasis on gender. Institutional and party constraints play a role in determining the available options for women to represent an issue as they do not encourage collaboration. Women's use of CPC in 2005 and 2006 demonstrates their preparedness to act outside traditional structures of power to achieve change. They have done so despite the presence of constraints within parliament and their parties, and despite a historical relegation to the private realm, a concept I discuss directly below.

##### *Public and Private Spheres*

Women have been subject to men's rule in both the private and the public spheres and experience friction in adapting to institutional norms as they have historically been excluded from shaping said norms.<sup>1</sup> This traditional divide contributed to women utilising CPC across a number of legislatures internationally, as evident in my Chapter 1 literature review of CPC. Carol Pateman outlined how classic theorists have conceptualised the private and public sphere as separate realms, with private being a woman's domain and public being a man's domain.<sup>2</sup> She critiqued this

---

<sup>1</sup> Carole Pateman, *The Sexual Contract* (Cambridge, UK: Polity Press, 1988), 113; Carole Pateman, "Feminist Critiques of the Public/Private Dichotomy," in *Public and Private in Social Life*, ed. S.I. Benn and G.F. Gaus (London and Canberra and New York: Croom Helm and St Martin's Press, 1983).

<sup>2</sup> Pateman, "Feminist Critiques of the Public/Private Dichotomy," 11–12.

separation arguing that '[t]he public realm cannot be fully understood in the absence of the private sphere.'<sup>3</sup> Political was equated with masculine, and only limited opportunities existed for women to engage in the public sphere. This limitation has been recreated in parliament, where some socio-moral issues – often including women's issues – have been deemed private rather than public. This has contributed to women being more likely to engage in CPC. The relegation of women to private issues is evident in recent politics, with women typically adopting nurturing and caring roles within ministries and cabinets.<sup>4</sup> This is relevant to CPC as the public/private divide was evident in the issues at the centre of CPC by women in 2005 and 2006: reproductive rights have been traditionally constructed by mainstream political parties and by society as private not public.

Australian political parties emerged at a time when women were not yet fully engaged as citizens in the democratic process. Ideological splits between parties divided men into camps with different beliefs and little or no need for them to consider the status of women. When women became representatives, gender became a visible issue but not one successfully incorporated into major party platforms. Women's interests continue to be conceptualised as part of the private sphere and politics is structured to minimize the attention they are given. Virginia Sapiro objected however that as women's private lives are affected by law and public policy, it is strange to continue to relegate interests that predominantly affect women (such as reproductive rights) to issues of conscience – or not address them at all.<sup>5</sup> Despite their historical exclusion, women have become part of the public world of politics. In this chapter I explore how women's previous relegation to the private world has influenced the limits placed on their actions within the institution of parliament. Before doing so I explore approaches from other scholars in uncovering gender and power dynamics within an institution.

---

<sup>3</sup> Pateman, *The Sexual Contract*, 4.

<sup>4</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 90–91; Georgina Waylen, "Engendering the 'Crisis of Democracy': Institutions, Representation and Participation," *Government and Opposition* 50, no. 3 (2015): 499–500.

<sup>5</sup> Sapiro, "Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women."

## *Frameworks for Studying Gendered Institutions*

Crawford and Pini followed Joan Acker's framework<sup>6</sup> to analyse the Australian Parliament.<sup>7</sup> They identified the ways parliament is gendered according to Acker's four dimensions, namely: the division of labour; symbols and images; gendered interactions; and gendered components of individual identity such as self-identification as feminine or masculine.<sup>8</sup> While Crawford and Pini's study is limited by a strict adherence to Acker's framework, they uncover a number of ways that parliament is gendered. They noted that ministers are more likely to be men and when women do make the cut, they are given 'nurturing portfolios', such as health, education, and welfare.<sup>9</sup> Their interviewees identified the lack of a child-care centre (until 2008) and long-working hours as incompatible with the family responsibilities that typically fall to women.<sup>10</sup> Crawford and Pini's interview data demonstrated differences in the way women and men communicate in parliament and suggested that women face difficulty in this area. This is because women who act in feminine modes (exhibiting traits such as empathy or openness) are restricted by those characteristics, while those who adopt masculine traits (aggression, roughness) are seen as aberrations.<sup>11</sup> In addition, dress sense and presentation was considered by interviewees as a more difficult field to navigate for women than for men.<sup>12</sup>

Sarah Childs and Mona Lena Krook analysed the substantive representation of women and identified five categories of observations that assist with understanding the link between descriptive and substantive representation, one of which included constraining and enabling legislative contexts.<sup>13</sup> They listed the characteristics of legislative contexts that can constrain or enable as: institutional norms; positional

---

<sup>6</sup> Joan Acker, "Hierarchies, Jobs, Bodies: A Theory of Gendered Organizations," *Gender and Society* 4, no. 2 (1990): 139–58.

<sup>7</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation."

<sup>8</sup> Acker, "Hierarchies, Jobs, Bodies: A Theory of Gendered Organizations."

<sup>9</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 90–91.

<sup>10</sup> *Ibid.*, 94–95.

<sup>11</sup> *Ibid.*, 95–96.

<sup>12</sup> *Ibid.*, 97–98.

<sup>13</sup> The other four are: anticipated effects of increased proportions of women; legislators' identities and interests; definitions of women's issues; and policy-making processes. Childs and Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," 127.

power; political parties; political climate; and legislative arenas.<sup>14</sup> Childs and Krook stated that a legislature can compel its occupants to adhere to masculine norms which may ultimately limit women's ability to represent women's concerns and perspectives. In agreement with the broader literature outlined in Chapter 1, they acknowledge the role of parties and discipline, and the existence of a women's caucus as additional factors important to consider alongside the institutional context.<sup>15</sup>

Feminist literature on institutions points to the negative result of being a late entrant to an institution.<sup>16</sup> The historical dominance of men in parliament has affected the possibilities for women. Whilst women are now an obvious presence in both the Senate and the House of Representatives, their ability to successfully represent women's interests has been constrained by gendered aspects of parliament. Waylen pointed out that when an institution is new it offers opportunities for gender considerations to be incorporated as a norm.<sup>17</sup> She linked the gendering of institutions to a wider 'crisis of democracy' that requires a change to both the formal and informal aspects of institutions, 'in order to promulgate democracies with enhanced levels of participation, representation and legitimacy.'<sup>18</sup> Waylen indicated that political institutions are gendered by a number of formal and informal mechanisms, including social norms of masculinity and femininity. She stated that more research into the gendering of institutions is needed and recognised that there are challenges in identifying – and therefore, changing – informal norms.<sup>19</sup>

In order to demonstrate how norms operate in an institution, Louise Chappell looked at how women introduced considerations of gender into the Rome Statute and the International Criminal Court (ICC).<sup>20</sup> Women have been constructed traditionally as

---

<sup>14</sup> Ibid., 128.

<sup>15</sup> Ibid., 129–30.

<sup>16</sup> Kenny, "Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland," 2009, 76.

<sup>17</sup> Georgina Waylen, "Transforming Global Governance: Challenges and Opportunities," in *Global Governance: Feminist Perspectives*, ed. Shirin M. Rai and Georgina Waylen (London: Palgrave Macmillan, 2008), 273.

<sup>18</sup> Waylen, "Engendering the 'Crisis of Democracy': Institutions, Representation and Participation," 498.

<sup>19</sup> Ibid., 507.

<sup>20</sup> Louise Chappell, "Governing International Law through the International Criminal: A New Site for Gender Justice?," in *Global Governance: Feminist Perspectives*, ed. Shirin M. Rai and Georgina Waylen (London: Palgrave Macmillan, 2008).

victims and adjuncts to men, reliant on them in times of conflict. The creation of the ICC in 2002 created an opportunity to redefine how women were categorised in international law: gender-justice advocates and activists pushed for women to be accepted as individuals rather than as mothers or dependents on men.<sup>21</sup> These advocates incorporated a new understanding of gender in a newly created institution by ensuring that the law framed women as individuals with the right to sexual autonomy.

Building on some of the concepts discussed above, this chapter outlines ways that the Australian parliament constrains actors, mainly focusing on gender. The institution of parliament is defined as the Westminster parliamentary system of the two Houses, comprised of parties and physical spaces for parliamentary activities.<sup>22</sup> Historical ties to the British Empire reinforce parliament as a male space, both materially and as a system. This chapter argues that, whilst intangible elements contribute to the masculine culture of parliament, corporeal elements also represent authoritative signifiers of masculinity. The following discussion analyses how gender operates in parliament, and, where relevant, how other actors are constrained, contributing to later arguments for why individuals use CPC. By examining the debating chambers, it is possible to see how a physical adversarial setup can contribute to gendered interactions between members of parliament. It contributes to a culture of competition, one that does not prioritise collaboration. I now provide analysis of physical structures in parliament that contribute to its gendering.

---

<sup>21</sup> Ibid., 178.

<sup>22</sup> This thesis refers to the Westminster model to demonstrate the historical basis for political activity in Australia. In particular it is identified as the origin of the division between two main parties. It is acknowledged that the Australian system differs from the United Kingdom parliamentary setup, particularly through its adoption of the United States house of review system concerning the Upper House. For this reason Australia's system is often deemed "Washminster". For commentary on the concept of "Washminster" see: Elaine Thompson, "The 'Washminster' Mutation," *Politics* 15, no. 2 (1980): 32–40; for a discussion of the transition from Washminster to "Westington" see A.M.G. Jarman and A. Kouzmin, "Public Sector Think Tanks in Inter-Agency Policy Making: Designing Enhanced Governance Capacity," *Canadian Public Administration* 36, no. 4 (1993): 499–531.

## 4.2 Physical

### *A 'Boys Club'*

Parliament is an institution wherein masculinity is practiced daily. The traditional notions of women and men's roles in society have contributed to the gendering of parliament. This institution is the epitome of the public sphere where women did not traditionally have a place and is reflected in the physical features of the Westminster style of parliament. The locations where political interactions take place can, and do, affect the actors within them. The building home to parliamentary activities contains physical features that promote a masculine culture, some immediately perceptible, others less so. Although the move from 'old' to 'new' parliament in 1988<sup>23</sup> reduced some of the obvious gendered elements, new parliament possesses elements that indicate that Australian politics remains predominantly masculine in nature.

The non-members' bar was a significant part of the built structure of old parliament. Here, the consumption of alcohol served as a bonding exercise between politicians, staff, and the media. As per the wider culture of Australian society at the time, women could not enter the bar and had a separate drinking room: men could also enter this separate room and it provided the opportunity for socialisation between women and men.<sup>24</sup> Male politicians enjoyed the company of the women in the drinking room, but they were able to separate their social activities with women from their bonding with other males in the non-member's bar. Men's ability to move freely between the women's drinking room and the main bar gave them power to control social relations. Women were not privy to the bonding that occurred in the bar and could only socialise with men if men permitted it. The centrality of the non-members' bar underscores the masculine 'boozy' culture of old parliament. Women were only part of the collegiate and 'mateship' atmosphere as a distraction for the men. Men acted as gatekeepers; they controlled the time spent with women and could move

---

<sup>23</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 93.

<sup>24</sup> It was only after this women's room was closed that women were allowed into the main bar. Rob Chalmers, *Inside the Canberra Press Gallery: Life in the Wedding Cake of Old Parliament House* (Acton: ANU E Press, 2011), 89.

freely between the drinking room and the bar. By contrast women had the luxury of only one space. This constraining of women's ability to network freely, whilst now obsolete, added to the masculine culture of parliament.

The overtly masculine culture of communal drinking was disrupted by the change in premises, yet other architectural and design features which perpetuated a masculine culture remained intact. The construction of new parliament offered what NI would deem a 'critical juncture', that is, a moment in time when development takes a new path.<sup>25</sup> There was an opportunity to include a child care centre to assist women's integration into parliament and recognise the changing roles for women and men regarding work and child care. However, feedback mechanisms worked to sustain previous patterns. According to HI, this allowed male dominance to persist as 'once actors have ventured far down a particular path ... they are likely to find it very difficult to reverse course.'<sup>26</sup> Crawford and Pini cited the absence of a child care centre in their explanation of how parliament is gendered, although as of 2008 a child care centre has operated in parliament.<sup>27</sup> Crawford and Pini stated that the exclusion of this facility reiterates the idea that a worker's domestic and familial responsibilities do not have a place in the employment sector.<sup>28</sup> While the construction of the child care centre was a significant win symbolically as well as practically, its existence and operation remain tenuous as it is not a permanent fixture. The centre operates based on contracts with providers and it has been at risk of closure.<sup>29</sup> Its vulnerable position reflects a continued resistance to the normalisation of women as politicians.

Failing to update new parliament to reflect changes to the gender composition shows the power of history in sustaining an institution designed with male actors as

---

<sup>25</sup> Hall and Taylor, "Political Science and the Three New Institutionalisms," 1996, 942.

<sup>26</sup> Paul Pierson and Theda Skocpol, "Historical Institutionalism in Contemporary Political Science," in *Political Science: State of the Discipline*, ed. Ira Katznelson and Helen V. Milner (New York: W.W. Norton, 2002), 6.

<sup>27</sup> Crawford and Pini state that there was no child-care centre in parliament, however one had been constructed at the time of the article's publication.

<sup>28</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 93.

<sup>29</sup> Primrose Riordan and Noel Towell, "Parliamentary Babies May Be out in the Cold as Childcare Centre Set to Close," *The Canberra Times Online*, July 23, 2014, <http://www.canberratimes.com.au/act-news/parliamentary-babies-may-be-out-in-the-cold-as-childcare-centre-set-to-close-20140723-zvxyd.html>, accessed 16 November 2016.

standard. The member's hall walls are lined with images of former Prime Ministers, almost all of whom are male. This serves as a reminder of women's intrusion into this male space.<sup>30</sup> The dominance of men in politics is an unescapable fact of Australia's history, and the failure to pass a proposal to build a child care centre until 2008<sup>31</sup> is a clear demonstration of this.

### *A Tale of Two Swords*

Constraints on politicians that deter collaboration are evident in the physical set-up of the debating chambers of parliament. A relevant area of research for politics is analysis of how physical structures influence their occupants. The theoretical underpinnings of this thesis emphasise the circular relationship between institutions and actors within them. Former UK Prime Minister Winston Churchill highlighted the influence of architecture on human behaviour stating that: 'we shape our buildings and our buildings shape us.'<sup>32</sup> This idea has been investigated by scholars of environmental behaviour, such as Anthony Giddens and Thomas Gieryn, who analyse the recursive relationship between social practice and place.

As Giddens asserted: 'places are made through human practices and institutions even as they help to make those practices and institutions.'<sup>33</sup> Thomas Gieryn considered the rarely recognised importance of space in sociological studies.<sup>34</sup> Relevant here is his consideration of how physical space institutes difference and hierarchy. Gieryn included Bourdieu's account of place as generated 'by not-fully-conscious-or-strategic practices and symbolic logics that are (at the same time) embodied in and structured by the resulting material arrangements of buildings.'<sup>35</sup> The adversarial style of politics in Australia reflects the oppositional arrangement of the debating chamber. This structural set-up lends itself to competition rather than

---

<sup>30</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 93.

<sup>31</sup> Anthony Albanese, "Parliamentary Zone - Construction of a Childcare Facility within Parliament House - Approval of Proposal" (House of Representatives, June 24, 2008), 421.

<sup>32</sup> Winston Churchill quoted in Michael Rush, *Parliament Today* (Manchester and New York: Manchester University Press, 2005), 141.

<sup>33</sup> Giddens, A. *The Constitution of Society*, (Cambridge: Polity Press, 1984), paraphrased in Thomas F. Gieryn, "A Space for Place in Sociology," *Annual Review of Sociology* 26 (2000): 467.

<sup>34</sup> Gieryn, "A Space for Place in Sociology."

<sup>35</sup> Bourdieu, P., *The Logic of Practice*, (Stanford: Stanford University Press, 1990) paraphrased in *ibid.*, 474.



cooperation, so that when CPC does occur it appears to be at odds with the physical setting.

The House and the Senate debating chambers are arranged in direct opposition; two sides are split down the middle and face one another. The composition and ergonomics of the Australian debating chambers are such that collaboration is not encouraged, but competition is. Two sword lengths and a foot is said to have been the historical distance between the two sides of the earliest incarnation of the modern Westminster Parliament.<sup>36</sup> This demonstration of the parliamentary members' civility ensured there was a realm where national affairs could be discussed and, ultimately, resolved without the use of violence. This physical conceptualisation of the laying down of arms was exported by the British Empire and replicated in the Australian debating chambers. Although some changes have occurred over space and time, the emphasis on gentlemen remains even in the 21<sup>st</sup> century. In short, Westminster Parliament was created by men, for men, which has restricted the actions of women. This arrangement may be 'an accident of history' as Ken Coghill and Despina Babbage stated,<sup>37</sup> but it supports an adversarial system. It is not conducive to power-sharing or to consensus-building politics. This setup is common across Westminster parliaments and its history is overwhelmingly masculine, further contributing to the idea that women in politics are 'space invaders.'<sup>38</sup> Although the measurement of two sword lengths and a foot apart has been discarded in Australia, the fact remains that chamber design is based on the premise of restrained male aggression.

The process of moving from violence to self-restraint as a means of governance has been termed 'parliamentarization,' a concept explored in depth by Norbert Elias and Robert Dunning.<sup>39</sup> Given that parliamentarization was ultimately a process of change, I outline a brief history here to demonstrate how norms and practices can

---

<sup>36</sup> Nirmal Puwar, *Space Invaders: Race, Gender and Bodies Out of Place* (Oxford: Berg, 2004), 83.

<sup>37</sup> The layout of the House of Commons is said to reflect the seating in St Stephen's Chapel where the House met before the move to Westminster. Ken Coghill and Despina Babbage, "Seating in Legislatures," *Legislative Studies* 5, no. 2 (Summer 1991): 16.

<sup>38</sup> Puwar, *Space Invaders: Race, Gender and Bodies Out of Place*.

<sup>39</sup> Norbert Elias and Eric Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process* (New York: Basil Blackwell, 1986), 26; Charles Tilly, "Parliamentarization of Popular Contention in Great Britain, 1758-1834," *Theory and Society* 26, no. 2/3 (1997): 250.

change in an institution, as CPC also potentially presents a change in norms and practices for the Australian Parliament. Elias and Dunning detailed how England experienced 'cycles of violence' in its governing structure from the mid-16<sup>th</sup> to mid-19<sup>th</sup> century. A cycle of violence is a double-bind involving two or more parties, all of whom operate with a shared acceptance of harm or death from the other groups.<sup>40</sup> This figuration creates mutual fear and distrust and often resolves itself unequivocally with 'absolute victors and absolute vanquished' such as was seen with the beheading of Charles I in 1641 followed by the subsequent installation of Oliver Cromwell.<sup>41</sup> Between the 1780s and 1830s parliamentarization occurred, bringing an end to governing by means of violence. Charles Tilly defined parliamentarization as the pacifying of politics coupled with a move towards popular government.<sup>42</sup> In particular, this process saw increases in: parliament's command over decision-making; central government's influence over Great Britain's national affairs; and the currency of political power.<sup>43</sup> Tilly pointed in particular to the pacifist way citizens levelled their demands, complaints, and enmities at parliament.<sup>44</sup> This process 'reduced direct involvement of troops and other repressive forces in claim-making' and led to more collective complaints, demands, and proposals by way of petition rather than through violent uprisings.<sup>45</sup>

Elias and Dunning also emphasised the reduction of violence in politics in their explanation of parliamentarization, but unlike Tilly, they attributed it to the development of political parties. The crystallisation of two different parties with opposing philosophies and principles saw division between factions of the same landowning group rather than between members of different classes.<sup>46</sup> The civilising process of agreeing upon shared rules and norms saw parliamentary actors constructing a new social reality for themselves, one that excluded violence. Self-restraint became the order of the day and

---

<sup>40</sup> Elias and Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process*, 26.

<sup>41</sup> *Ibid.*, 34.

<sup>42</sup> Tilly, "Parliamentarization of Popular Contention in Great Britain, 1758-1834," 246.

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*, 246-47.

<sup>45</sup> *Ibid.*, 250.

<sup>46</sup> Elias and Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process*, 29.

[h]owever strong the temptation in electioneering battles or parliamentary contests, gentlemen were supposed never to lose their temper unintentionally and never to resort to violence among equals except in the regulated form of a duel.<sup>47</sup>

As politics shifted to non-violent contests rhetoric, debate, and persuasion became key skills.<sup>48</sup> Collaboration is emerging as another skill important in this shift.

Parliament sustains difference and hierarchy through material signposts that display clear messages of masculinity, such as weaponry. Although the use of violence in politics is no longer accepted, weapons remain symbolically present. Historically, weaponry has been associated with masculinity and power and the restraint displayed by a literal separation of the two parties underscores the gendered nature of Westminster parliaments. Traditionally women did not wield weapons, nor did they partake in the public decision-making sphere in the British Empire. They were simply 'other',<sup>49</sup> not considered rational individuals equipped to participate in matters of national importance, even when their lack of skill in weaponry no longer mattered in the age of pacifist politics. This 'othering' constitutes a constraint on women, one that is still evident in the controversial position women's issues such as reproductive rights continue to occupy.

Even without knowing the origins of the chamber design it is obvious that it is a literal reflection of the differences between the two main parties. It shows that competition is central to the workings of parliament. Conflict theory points to the positive and constructive elements of competition and rivalry.<sup>50</sup> Ludwig Gumplowicz proposed that social progress results from inter-group conflict. One theorist of conflict theory, Harry E. Barnes, traced conflict to the first separation of humans into groups and tribes and described it as an 'eternal process of social struggle which can never

---

<sup>47</sup> Ibid., 37.

<sup>48</sup> Ibid., 34.

<sup>49</sup> Simone de Beauvoir, *The Second Sex*, trans. Constance Borde and Sheila Malovany-Chevallier (New York: Alfred A. Knopf, 2010).

<sup>50</sup> Ludwig Gumplowicz has written extensively on conflict theory. An outline of his sociological system of thought can be found in Ludwig Gumplowicz, *The Outlines of Sociology*, trans. Frederick W. Moore (Kitchener, Ontario: Batoche Books Ltd, 1999).

have an end'<sup>51</sup> and contends that it 'existed from the dawn of history and [is] not likely to be self-eliminated for centuries to come.'<sup>52</sup> Although conflict has shaped politics it is not the only means of achieving social progress. Cooperation can also produce political results. The current adversarial arrangement of Australian parliamentary activities does not naturally lend itself to a politics premised on cooperation and conciliation as the Swedish parliament arrangement does. In brief, the Riksdag (Swedish parliament) is arranged in a semi-circle with all members facing the speaker's chair.<sup>53</sup> The members are arranged by region, not party, which creates increased opportunities for cooperation across party lines.<sup>54</sup>

The Australian political houses are arranged in a different manner. Confrontation and competition are standard political practices and include physical and vocal intimidation of members on the opposite side of the chamber. Few women are said to favour this style of politics.<sup>55</sup> Sawyer argued that women politicians prefer 'intimate forums' wherein members from different parties sit next to, rather than across from, one another.<sup>56</sup> By questioning why an institution is arranged in a particular way, we can reconsider its relevance to modern politics, particularly in light of CPC increasing in occurrence. A HI perspective would posit that the masculinisation of parliament is due to path-dependency and the inheritance of patterns and practices from older institutions (i.e. Westminster Palace).<sup>57</sup> It may be true that parliament's institutional origins 'have [had] a lasting and substantial impact on institutional development'<sup>58</sup> but there are possibilities for change, evidenced in New Zealand's switch to a proportional system in 1996.<sup>59</sup> Further comparative work between

---

<sup>51</sup> Harry E. Barnes, "The Struggle of Races and Social Groups as a Factor in the Development of Political and Social Institutions: An Exposition and Critique of the Sociological System of Ludwig Gumplowicz," *The Journal of Race Development* 9, no. 4 (1919): 408.

<sup>52</sup> *Ibid.*, 418.

<sup>53</sup> Wicks and Lang-Dion, "Women in Politics: Still Searching for an Equal Voice," 35–36.

<sup>54</sup> Ingrid Iremark, Sweden's Ambassador to Canada cited in *ibid.*, 36.

<sup>55</sup> Sawyer, "Waltzing Matilda: Gender and Australian Political Institutions," 165.

<sup>56</sup> *Ibid.*

<sup>57</sup> Schmidt, "Taking Ideas and Discourse Seriously: Explaining Change through Discursive Institutionalism as the Fourth 'New Institutionalism,'" 2.

<sup>58</sup> Alexandra Kelso, *Parliamentary Reform at Westminster* (Manchester: Manchester University Press, 2009), 14.

<sup>59</sup> Jennifer Curtin, "Women, Political Leadership and Substantive Representation: The Case of New Zealand," *Parliamentary Affairs* 61, no. 3 (2008): 493.

Australia and other contexts may illuminate how politics can adopt alternative arrangements alongside those based on conflict to allow for different modes of governance. Now, I detail the visual aspects of parliament that constrain actors.

### 4.3 Visual

#### 'Space Invaders'

Alongside physical structures and chamber arrangements in parliament, there are visual signifiers that constrain women's and other marginalised actors' ability to represent issues, which in turn contributes to CPC. The relative homogeneity of federal politicians serves as a visual signifier of parliament as a male and white space. A cursory glance at the make-up of parliament reveals an overwhelming majority of white politicians, even though over a quarter (26%) of Australians are born overseas.<sup>60</sup> In the 43<sup>rd</sup> Parliament of Australia, 12% of federal politicians were born overseas,<sup>61</sup> a difference of 14% to the general population figure. Prior to the 2016 election, there were some open LGBTIQ identifying politicians: 4 in the Senate; and in a 2015 by-election, the first House of Representatives LGBTIQ member was elected.<sup>62</sup> Taking in the status as at 2015, 5 members of the 226 combined two houses is 2.2% of parliament. In 2014, the Second Australian Study of Health and Relationships revealed that 3.2% of men identify as homosexual or bisexual, while 3.4% of women identify as homosexual or bisexual.<sup>63</sup> After the 2016 election, the number of Aboriginal and Torres Strait Islander representatives totalled 5: two House of Representatives members and 3 Senators, roughly 2.2% of representatives.<sup>64</sup> Aboriginal and Torres Strait Islander

---

<sup>60</sup> Australian Bureau of Statistics, "Reflecting a Nation: Stories from the 2011 Census, 2012–2013" (Canberra: Australian Government, June 21, 2012), <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2071.0main+features902012-2013> accessed 6 March 2017.

<sup>61</sup> Martin Lumb, "The 43rd Parliament: Traits and Trends" (Canberra: Parliamentary Library, October 2, 2013), [http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1314/43rdParl](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/43rdParl).

<sup>62</sup> Heath Pickering and Scott Brenton, "The Rise of LGBTIQ Politicians: Is the Parliament More Diverse and Does It Matter?," Election Watch - Australia 2016, n.d., <https://electionwatch.unimelb.edu.au/australia-2016/articles/the-rise-of-lgbtqi-politicians>, accessed 4 June 2018.

<sup>63</sup> Julie Richters et al., "Sexual Identity, Sexual Attraction and Sexual Experience: The Second Australian Study of Health and Relationships," *Sexual Health* 11, no. 5 (2014): 454.

<sup>64</sup> Fergus Hunter, "In Historic Gathering, Nation's Indigenous MPs Reject Hate and Vow to Work Together," *Sydney Morning Herald Online*, September 16, 2016, <http://www.smh.com.au/federal->

people represented 2.8% of the population in the 2016 Census of Population and Housing.<sup>65</sup> However, in the six years before this election, there had only been one House of Representatives member and one Senator. Evidently, across different intersectionalities there is still ground to cover to see a better descriptive match between political representatives and the community. Although parliament is unlikely to ever be a perfect reflection of Australian society, it is important for symbolic reasons (as outlined in Chapter 3) to have diversity in political representatives.

Proportionally, the number of women representatives is significantly lower than women's share of the general population of Australia. As of 1<sup>st</sup> December 2016, women composed just over 30% of representatives for both houses combined (see Figure 4, Chapter 6, p. 223)<sup>66</sup> yet made up just over 50% of the population.<sup>67</sup> The traditionalist notion that women dominate the private world and men dominate the public world continues to hold relevance in the gendered space of parliament. The idea that women are intruding upon a male space is compounded by negative media portrayals of women politicians. Parliament cannot be considered gender-neutral whilst the presence of women is conspicuous rather than normalised.<sup>68</sup> Within the realm of politics, it is impossible for women to escape their bodies. Carmen Lawrence summarised this as follows: 'there's no sense in which you can just be a competent person or a good politician – you're always a woman. In the chamber, when you stand up and the wall of noise rises, you know it's just because you're a woman.'<sup>69</sup> Male bodies are not scrutinised by society in the same way that female bodies are, and

---

politics/political-news/in-historic-gathering-nations-indigenous-mps-reject-hate-and-vow-to-work-together-20160915-grhjde.html, accessed 6 March 2017.

<sup>65</sup> Australian Bureau of Statistics, "Aboriginal and Torres Strait Islander Population 2016 Census Data Summary," 2071.0 - Census of Population and Housing: Reflecting Australia - Stories from the Census, 2016, June 28, 2017,

<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/2071.0~2016~Main%20Features~Aboriginal%20and%20Torres%20Strait%20Islander%20Population%20Data%20Summary~10>, accessed 24 June 2018.

<sup>66</sup> Inter-Parliamentary Union, "Women in Parliaments: World Classification," December 1, 2016, <http://www.ipu.org/wmn-e/classif.htm>.

<sup>67</sup> Australian Bureau of Statistics, "Population by Age and Sex, Regions of Australia, 2015" (Canberra: Australian Government, August 18, 2016),

<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3235.0Main%20Features102015?opendocument&tabname=Summary&prodno=3235.0&issue=2015&num=&view=>, accessed 6 May 2017.

<sup>68</sup> Elizabeth van Acker, *Different Voices: Gender and Politics in Australia* (South Yarra: MacMillan Education Australia, 1999), 85.

<sup>69</sup> Quoting Carmen Lawrence from Mitchell, 1996, 143-4 in *ibid*.

parliament provides no exception. So long as politics remains defined by masculine standards women cannot be full participants.<sup>70</sup> The sheer number of men in the debating chamber is a stark reminder of the maleness of politics and women's actions are dictated and restricted by their female bodies operating in a male space. Though women are limited in some respects, they have rallied against these limitations and taken opportunities to collaborate.

Whilst not often focused on in parliamentary analysis, the mace on the parliamentary table in the centre of the House of Representatives debating chamber serves as an additional reminder of the masculinity of the institution, as does the Black Rod in the Senate debating chamber. These instruments symbolise the authority of the Serjeant-at-Arms and the Usher of the Black Rod who are responsible for keeping order in an adversarial environment.<sup>71</sup> These weapons are physical and violent symbols of power redundant in political decision-making today. Disagreements and exchanges of power are no longer settled with the use of weapons: although conflict remains a feature of political life, this thesis demonstrates collaboration is an important aspect of politics. The opening of a new parliament also involves a display of physical resistance in the election of a new Speaker. Upon being nominated and elected, the Speaker is escorted by the nominator and seconder to the Speaker's chair. It is customary for the individual elected to offer physical resistance to the two members escorting him or her in a mock attempt to escape the new role.<sup>72</sup> Speakers have had a history of dying from execution or murder, or being imprisoned, expelled or impeached.<sup>73</sup> This custom of physical resistance is borne out of a masculine

---

<sup>70</sup> Susan C. Bourque and Jean Grossholtz, "Politics an Unnatural Practice: Political Science Looks at Female Participation," *Politics Society* 4, no. 2 (1974): 226.

<sup>71</sup> House of Representatives, "The Clerk and Other Officials," House of Representatives Infosheets, November 2016, [http://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/00\\_-\\_Infosheets](http://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/00_-_Infosheets), accessed 2 December 2016; The Senate Parliament, "Senate Brief No. 16 - Usher of the Black Rod," November 2017, [https://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/Senate\\_Briefs/Brief16](https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Senate_Briefs/Brief16), accessed 21 May 2018.

<sup>72</sup> Parliament of Australia, "Opening of the 44th Parliament," November 12, 2013, [http://www.aph.gov.au/Parliamentary\\_Business/Opening](http://www.aph.gov.au/Parliamentary_Business/Opening), accessed 2 December 2016.

<sup>73</sup> B.C. Wright and P.E. Fowler, eds., "Chapter 6: The Speaker, Deputy Speakers and Officers," in *House of Representatives Practice*, 6th edition (Canberra, Australia: Department of the House of Representatives, 2012), 161,

environment wherein displays of physicality were normalised as part of political practice.

These visual cues demonstrate to women that they are invading a male space where they will not be accommodated. Nirmal Puwar advanced the idea that women politicians are 'space invaders' in her analysis of the UK's Westminster parliament as a location dominated by white male bodies.<sup>74</sup> Puwar recognised that the introduction of women into this male space constituted a threat to the prevailing masculine culture.<sup>75</sup> It is often believed that those who are 'other' will be unable to move beyond their difference to represent the population at large.<sup>76</sup> Simone de Beauvoir argued that women constitute an aberration in society, existing only partially whilst men, the mainstream, are whole. She outlined the difference between women and men: 'the man represents both the positive and the neuter ... a man is in his right by virtue of being a man; it is the woman who is in the wrong.'<sup>77</sup> The nature of political representation for women, as discussed in Chapter 3, reflects the societal positions of women and men. Society accepts men as 'neutral' in the debating chamber and women as 'negative.' Media reports perpetuate this fact, emphasising the physical markers that differentiate women in politics, with clothes and hair style regular focus points for articles. Though women do face additional difficulties from their male colleagues, women have in turn exploited their 'otherness' and participated in CPC. The actions of four women co-sponsoring a bill was historic, and CPC is becoming less of an aberration in parliament, as evidenced in increased use of the practice since 2006.

Women's bodies can be considered as a visual disturbance to the rank and file male culture of the Australian chambers. The biological fact of child-birth is present when women attempt to combine a parliamentary career with motherhood. A woman who performs both political and maternal roles is problematic for some in Australian society. Criticism abounded in 1983 when Ros Kelly became the first sitting MP to give

---

[https://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/Practice6](https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/Practice6), accessed 4 December 2017.

<sup>74</sup> Puwar, *Space Invaders: Race, Gender and Bodies Out of Place*.

<sup>75</sup> *Ibid.*, 53.

<sup>76</sup> Marian Sawer and Gianni Zappala, *Speaking for the People: Representation in Australian Politics* (Melbourne: Melbourne University Press, 2001), 9.

<sup>77</sup> de Beauvoir, *The Second Sex*, 5.



birth during her term. The source of disapproval was her return to work less than a week after being discharged from hospital.<sup>78</sup> In a more recent example, the 2013 change in the Labor Party leadership saw the issue of children discussed only in relation to a potential woman candidate. Tanya Plibersek was said to be incapable of leading the Labor Party due to her responsibility for her three-year old child.<sup>79</sup> Bill Shorten, another contender for the leadership, also had a three-year old child but this was not considered an impediment. This blatant double-standard demonstrates the view that political careers require a supportive wife to take full care of domestic and familial chores.

Disapproving attitudes are expressed when women politicians choose not to have children or a traditional domestic arrangement. This was particularly evident in the labelling of former Labor Prime Minister Julia Gillard as 'barren' and therefore apparently unfit to lead the country.<sup>80</sup> This presents a quandary for women politicians. The image of a politician as a man is reproduced with the idea that parliamentary representatives are not simultaneously the primary caregivers for their family,<sup>81</sup> but for a woman not having a family also leads to criticism and questioning over abilities to understand perspectives of constituents. This dilemma is captured well by former federal minister and Senator Susan Ryan (ALP):

If a woman can put herself forward for leadership unencumbered by a husband and children, she gets the Julia [Gillard] treatment. If an aspiring female leader has a spouse and offspring, enemies raise other doubts. Will she be neglecting them? Will her family distract her from the affairs of state? What sort of a man would play second fiddle to a powerful wife?<sup>82</sup>

Exemplary of the difficulties women face in performing the dual role of politician and mother can be found in the example of Senator Larissa Waters (GRN) becoming the

---

<sup>78</sup> Cathy Jenkins, "Women in Australia Politics: Mothers Only Need Apply," *Pacific Journalism Review* 12, no. 1 (2006): 57.

<sup>79</sup> Amber Robinson, "Bob Hawke Says Tanya Plibersek Shouldn't Lead Labor 'as She Has a Three-Year Old,'" *Essential Baby*, September 9, 2013, accessed 2 December 2016.

<sup>80</sup> John Lyons, "Bill and Lachlan Join Forces," *The Bulletin*, May 5, 2007.

<sup>81</sup> Sawer, "Waltzing Matilda: Gender and Australian Political Institutions," 164–65.

<sup>82</sup> Susan Ryan in *The Australian*, January 26, 2005, 15, quoted in Jenkins, "Women in Australia Politics: Mothers Only Need Apply," 61.

first woman in the world to breastfeed while moving a motion in parliament. She attracted both criticism<sup>83</sup> and praise for her action.<sup>84</sup> Although women have achieved much in entering Australian politics, there is no simple acceptance of their role as a political representative. Instead, considerations of their family life are ever-present in media reports and judgements on their ability to lead.

### *Media Portrayals*

As the presence of women politicians in the debating chamber is not yet balanced with men, they can be viewed as an anomaly. In Australian politics women continue to constitute a minority of political representatives, which made women's use of CPC in 2005 and 2006 all the more prominent. In the media, women are often considered for their human interest factor rather than for their policy proposals.<sup>85</sup> News stories that focus on appearance rather than policy abound for female politicians.<sup>86</sup> van Acker's study of media representations of women politicians demonstrates the spotlight placed on women politicians' private relationships, appearance and sexual lives, rather than their politics.<sup>87</sup> The women politicians interviewed by Crawford and Pini indicated that the media was a negative force undermining their credibility as representatives of the Australian community.<sup>88</sup> Although van Acker agreed with this sentiment, she illustrated how women can – and have – utilised the media spotlight to their advantage.<sup>89</sup> One common media strategy

---

<sup>83</sup> Caityln Gribbin, "Breastfeeding in Parliament 'over the Top', MPs Trying to Make a 'Statement', Says Liberal Backbencher," *ABC News Website*, September 21, 2017, <http://www.abc.net.au/news/2017-09-21/women-who-breastfeed-in-parliament-over-the-top-making-statement/8968904>, accessed 9 April 2018.

<sup>84</sup> Mahalia Chang, "Senator Larissa Waters Casually Moves A Senate Motion While Breastfeeding Her Daughter," *Elle Australia*, June 23, 2017, <https://www.elle.com.au/news/larissa-waters-breastfeeds-in-parliament-13023>, accessed 9 April 2018.

<sup>85</sup> Elizabeth van Acker, "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom," *Policy, Organisation & Society* 22, no. 1 (2003): 116.

<sup>86</sup> See Anita Quigley, "'I'm Not Here for a Haircut,'" *The Daily Telegraph*, December 7, 2006; AAP, "The Rise of the Coalition Coif," *The Sydney Morning Herald*, September 18, 2013; and for a summary of the way Pauline Hanson has been targeted for her appearance, see Iva Deutchman and Anne Ellison, "When Feminists Don't Fit: The Case of Pauline Hanson," *International Feminist Journal of Politics* 6, no. 1 (2004): 29–52.

<sup>87</sup> van Acker, "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom," 129.

<sup>88</sup> Crawford and Pini, "The Australian Parliament: A Gendered Organisation," 95.

<sup>89</sup> van Acker, "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom," 130–32.

van Acker outlined is to present high-profile women as political saviours with the ability to enact change single-handedly.<sup>90</sup> However, placing women on a pedestal is unfair and sets them up for failure. This was evident in Cheryl Kernot's career.<sup>91</sup> Kernot, as leader of the Democrats, was hailed as a parliamentary translator and peacemaker between the two major parties but when she moved her allegiance, the public held her in contempt.<sup>92</sup> The media portrayed her negatively, particularly in sexual terms<sup>93</sup> and van Acker concluded that it is risky for women politicians to over-utilise media attention as mistakes and flaws will also be highlighted.<sup>94</sup>

The language used to describe the first female Prime Minister often focused on her gender and described her as 'deliberately barren.'<sup>95</sup> Gillard was subjected to vitriolic criticism of all aspects of her life, which extended to her partner and his sexuality.<sup>96</sup> The standard conceptualisation of a politician as a man in a heterosexual relationship with children makes it difficult for an individual who does not fit this model to successfully assert her or himself in Australian politics, leading some to utilise CPC. The overwhelming failure of many media sources to move beyond Gillard's gender demonstrates that women in politics are not yet considered a norm.

The media's portrayal of politicians has not contributed to changing the perception of politics as an adversarial male-dominated practice. This leaves little space for the consideration of other modes of politics, including ones that women are more likely to use, like CPC. Even in hypothetical situations a politician is considered a male: 'the matter of the party only comes into consideration if for some reason *he* is no

---

<sup>90</sup> Ibid., 119.

<sup>91</sup> van Acker provides details of this case in "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom."

<sup>92</sup> Cheryl Kernot, "Cheryl Kernot on Politics, the Media and Female Leadership," *The Conversation*, February 10, 2012.

<sup>93</sup> van Acker, *Different Voices: Gender and Politics in Australia*, 89.

<sup>94</sup> van Acker, "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom," 123.

<sup>95</sup> For an extensive analysis see Anne Summers, "Her Rights at Work (R-Rated Version): The Political Persecution of Australia's First Female Prime Minister" (2012 Human Rights and Social Justice Lecture, <http://annesummers.com.au/speeches/her-rights-at-work-r-rated/>, August 31, 2012), accessed 23 October 2013.

<sup>96</sup> Michael Bodey and Ben Packham, "Howard Sattler Sacked for Julia Gillard 'Gay' Interview," *The Australian*, June 14, 2013.

longer a [S]enator and a replacement must be made in *his* place.<sup>97</sup> Further, the language journalists use to describe politicians often outlines a representative as a male with a supportive family: 'the media is ever on the prowl for stories of ugly behaviour by politicians, their wives or children.'<sup>98</sup> This was evident in a story on Joe Hockey (LP) and how his wife Melissa Babbage 'juggled the couple's three children and a big job as head of the global finance division of Deutsche Bank.'<sup>99</sup> The article emphasised that although the children find it strange to see their mother in business attire, they do not react to their father's suit and tie: 'They know what Daddy is doing in Canberra. They understand that.'<sup>100</sup> Women in these accounts are supportive of their husbands and help to perpetuate the norm of male politician. Such portrayals also exclude other individuals who do not conform to the white heterosexual male breadwinner image.

The public appears better able to accept women stepping into the role of politician when they do so in the traditional domestic sense. The earliest women who entered parliament often did so by inheritance. The public found it more acceptable for married women to enter parliament, as their work 'could be seen as an extension of the maternal function rather than as an exercise of power in direct competition with men.'<sup>101</sup> Conversely however, women could also be seen as neglecting their duties in the home,<sup>102</sup> as was the case in discussions over Tanya Plibersek and Labor Party leadership. This presents a double bind for women: as a mother, a female politician is more readily accepted, yet dedication to political duties raises questions over care and domestic responsibilities. While women politicians defy the traditional role of homemaker, homosexual and single men also fail to subscribe to traditional roles, and lesbian women further subvert the model. Modes of communication and discursive

---

<sup>97</sup> Alison Caldwell, "Australian Motoring Enthusiast Party Closes Victorian Branch over 'Blatant Disregard' for National Executive," *ABC News Website*, October 7, 2013, accessed 2 December 2016.

<sup>98</sup> Chalmers, *Inside the Canberra Press Gallery: Life in the Wedding Cake of Old Parliament House*, 225.

<sup>99</sup> Samantha Maiden, "Shadow Treasurer Joe Hockey and Wife Melissa Babbage Are a True Power Couple," *The Sunday Telegraph*, May 19, 2013, <http://www.dailytelegraph.com.au/news/shadow-treasurer-joe-hockey-and-wife-melissa-babbage-are-a-true-power-couple/story-fni0cx4q-1226646152478>, accessed 2 December 2016.

<sup>100</sup> *Ibid.*

<sup>101</sup> Marian Sawer and Marian Simms, *A Woman's Place: Women and Politics in Australia* (St Leonards, NSW: Allen & Unwin, 1993), 77.

<sup>102</sup> *Ibid.*, 82.

elements in parliament also follow traditional masculine and feminine role delineation, and I outline these directly below.

#### 4.4 Discursive

##### *Speeches*

In addition to the weaponry displayed in the debating chambers outlined earlier, the terminology used within parliament conjures images of violence. These references to violence reinforce traditional symbols of male power. Parties have ‘whips’ to control their members; when a debate is curtailed it is ‘guillotined’; and a ‘gag’ prevents members from delivering speeches. This language and terminology prevails despite being foreign to daily practices of modern life.

Regarding communication in parliament, gender stereotypes persist. Women politicians are said to be more caring, more willing to listen and less adversarial than their male counterparts.<sup>103</sup> Childs concluded that in the UK Westminster Parliament it is not biological sex which determines modes of action for females and males but their ascribed gender roles.<sup>104</sup> This allocation of gender roles occurs in the Australian Parliament and women are segregated into portfolios associated with femininity.<sup>105</sup> Crawford and Pini conducted interviews with male politicians and revealed there was a perception that women politicians communicate in a different manner to men politicians. Feminine traits of gentleness and kindness are associated with women’s political style and are generally not seen as advantageous in the political realm.<sup>106</sup> Childs posited that ‘acting in a feminised way within an institution characterised by masculinised modes of behaviour may limit one’s effect.’<sup>107</sup> This statement neatly summarises the situation in Australia, wherein masculine traits of aggression, strength and tenacity are considered essential to succeed in politics.<sup>108</sup>

---

<sup>103</sup> Sarah Childs, “A Feminised Style of Politics? Women MPs in the House of Commons,” *British Journal of Politics and International Relations* 6, no. 1 (2004): 3.

<sup>104</sup> *Ibid.*, 7.

<sup>105</sup> Crawford and Pini, “The Australian Parliament: A Gendered Organisation,” 90.

<sup>106</sup> *Ibid.*, 96–97.

<sup>107</sup> Childs, “A Feminised Style of Politics? Women MPs in the House of Commons,” 10.

<sup>108</sup> Crawford and Pini, “The Australian Parliament: A Gendered Organisation,” 99.

When women are perceived as using feminine discourse (i.e. display emotion) they risk being ignored or not taken seriously due to the prioritising of more aggressive and masculine modes of action. Thus, women politicians face a catch-22 scenario in parliamentary debates. If they choose to adopt male norms, they contribute to masculine culture, thereby allowing and perpetuating it. In addition, there is no guarantee they will do so successfully. Women are criticised for adopting masculine norms in their discourse and actions, as was evident in Gillard's ascension to power.<sup>109</sup> It was also evident in Cheryl Kernot's move from the Democrats to the Labor Party. This move involved making deals and exhibiting aggressive, ambitious and ruthless behaviour, yet it was parodied and portrayed in extremely sexual terms.<sup>110</sup> On the other hand, choosing to reject the dominant norms of speech is fraught with problems, as embracing femininity risks marginalisation through a perception of weakness and emotionality unsuited to the male world of politics. This was seen in criticism of Senator Sarah Hanson-Young (GRN) when she cried during a Senate address regarding asylum seekers.<sup>111</sup>

When women utilise traits more commonly associated with masculinity it can be problematic. The speech in parliament Gillard delivered highlighting the misogynistic treatment she had received from the Coalition was described as a 'fierce attack' and full of 'aggression.'<sup>112</sup> Yet her impassioned and antagonistic discourse was not held up as good politics, despite containing masculine traits. It received considerable censure from the media.<sup>113</sup> Praise tended to come from smaller feminist-

---

<sup>109</sup> For example, one article describes Gillard as Lady Macbeth. See Mike Carlton, "The Heat's Turned up but Tony Abbott Has Shivers up His Spine," *The Sydney Morning Herald*, June 26, 2010, accessed 2 December 2016.

<sup>110</sup> van Acker, *Different Voices: Gender and Politics in Australia*, 89.

<sup>111</sup> Lainie Anderson, "Cry Me a River, Pollies, Then Show Me a Solution," *The Punch*, June 1, 2012, accessed 2 December 2016.

<sup>112</sup> Laurie Oakes, "An Enraged Sisterhood Will Protect Julia Gillard," *The Punch*, October 13, 2012, accessed 2 December 2016.

<sup>113</sup> Peter Hartcher, "We Expected More of Gillard," *The Sydney Morning Herald*, October 10, 2012, accessed 2 December 2016; AAP, "Bishop Labels Gillard Speech 'Pathetic,'" *The Sydney Morning Herald*, October 11, 2012, accessed 2 December 2016; "Gillard's Anti-Sexism Hypocrisy," *Solidarity.net.au*, October 12, 2012, accessed 2 December 2016.

oriented news sources<sup>114</sup> and international news providers.<sup>115</sup> This demonstrates that women cannot simply emulate a masculinised style of politics. The content of Gillard's speech served only to compound this notion as it predominantly concerned the treatment of women. Though women continue to be considered an aberration in parliament in some ways, this can be used as a strength and means of differentiation from 'politics as usual', as was evident in women utilising CPC on the RU486 Bill, which received positive media attention.<sup>116</sup>

### 'Our Father'...

Given the patriarchal nature of Christianity,<sup>117</sup> the continued presence of religion in Australian politics is seemingly at odds with an institution that purports to be representative of the diverse makeup of Australian society. Australia's settlement by the British Empire ensured Christianity was central to the development of the nation and permeated society, including institutions. Whilst religion is arguably less central to everyday life in the 21<sup>st</sup> century than it was at settlement – Australia has no state religion and secularism is increasing in Australian citizens<sup>118</sup> – parliament operates on the assumption that God exists. Indeed, the Constitution Preamble refers to the 'Almighty God.'<sup>119</sup> Analysis of religion in Australian parliamentary practices is somewhat limited, but Marion Maddox has argued that such practices are

---

<sup>114</sup> Kate Leaver, "Why Julia Gillard's Smackdown Speech Was Brilliant," *Mamma Mia*, October 10, 2012, accessed 2 December 2016; Rachel Madeline, "Misogyny, Julia Gillard and 'That' Speech," *The Feminist Agenda*, October 10, 2012, accessed 2 December 2016.

<sup>115</sup> Tracie Egan Morrissey, "Best Thing You'll See All Day: Australia's Female Prime Minister Rips Misogynist a New One in Epic Speech on Sexism," *Jezebel*, October 10, 2012, accessed 2 December 2016; Amelia Lester, "Ladylike: Julia Gillard's Misogyny Speech," *The New Yorker*, October 9, 2012, accessed 2 December 2016.

<sup>116</sup> Ross Peake, "One in Four Might Prefer Abortion Pill; Women's Groups Hail Drug Vote," *The Canberra Times*, February 18, 2006, accessed 21 May 2018; Matthew Franklin and Suzanna Clarke, "Not so Hard to Swallow," *The Courier Mail*, February 18, 2006, accessed 21 May 2018; Anne Summers, "You Go, Girls," *The Sydney Morning Herald Online*, February 18, 2006, <https://www.smh.com.au/news/national/you-go-girls/2006/02/17/1140151818792.html>, accessed 21 May 2018.

<sup>117</sup> Gila Stopler, "The Liberal Bind: The Conflict between Women's Rights and Patriarchal Religion in the Liberal State," *Social Theory and Practice* 31, no. 2 (2005): 191–231.

<sup>118</sup> Australian Social Trends, "Losing My Religion?" (Australian Bureau of Statistics: <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4102.0Main+Features30Nov+2013#lookingahead>, November 2013), accessed 2 December 2016.

<sup>119</sup> Commonwealth, "The Commonwealth of Australia Constitution Act" (Commonwealth, July 9, 1900), Preamble.

‘inappropriate incursions of religion into the public arena.’<sup>120</sup> I posit here that these practices represent ideas that conflict with the presence of some individuals within parliament.

Gila Stopler identified the effect of patriarchal religion on liberal states as detrimental to achieving equality for women, even in places where there is legal separation between religion and the state.<sup>121</sup> She concluded that if patriarchal religion promotes the oppression of women then the state should actively make efforts to reduce its influence.<sup>122</sup> Examples of problematic aspects of religion are evident in the way Christianity is used in Australian politics. Women’s right to participate in politics contrasts with the separate roles designated for women and men in the Bible. The reading of the prayers in the chambers is a practice that surreptitiously undermines women’s equal right to participate in the public sphere. Though it may seem a small concern, it is not insignificant when combined with the plethora of other processes that signal women’s dislocation from Australian politics.

Standing Orders ensure that the Speaker reads prayers at the meeting of the Senate<sup>123</sup> and the House,<sup>124</sup> beginning with the words ‘Our Father.’ There is a discrepancy here, as religion does not have an official place in a national Australian institution. There was discussion after Federation in June 1901 on the inclusion of prayers at the opening of parliament. One Senator’s statements expressed an underlying masculine aspect of religion that would make ‘Senators as well as other

---

<sup>120</sup> Marion Maddox, “For God and Country: Religious Dynamics in Australian Federal Politics” (Canberra: Commonwealth of Australia, 2001), 109.

<sup>121</sup> Stopler, “The Liberal Bind: The Conflict between Women’s Rights and Patriarchal Religion in the Liberal State.”

<sup>122</sup> *Ibid.*, 231.

<sup>123</sup> Department of the Senate, Senate Standing Orders, October 8, 2013, [http://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/~::~/link.aspx?id=5459B12AA11444589A4A26D50E4AA869&z=z](http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/~::~/link.aspx?id=5459B12AA11444589A4A26D50E4AA869&z=z), accessed 8/10/13 accessed October 8, 2013.

<sup>124</sup> Department of the House of Representatives, House of Representatives Standing Orders, November 14, 2013, 29, [https://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/House\\_of\\_Representatives\\_Standing\\_Orders](https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/House_of_Representatives_Standing_Orders), accessed 24 June 2018.



individuals behave as *brothers* towards each other and as Christians in all things.’<sup>125</sup>

For another Senator the historical connection to Britain justified prayers:

We know that Christianity is regarded as [a] portion of the law of Great Britain, and ... it is a proper thing to recognise the power of the Almighty when we are going to attempt to legislate in the interests of the people of this country.<sup>126</sup>

For a more recent opinion on the matter, former Labor Party leader Kim Beazley highlighted the paradoxical nature of reading prayers:

I always have a pretty fair idea about what we are going to do to each other during the course of the day, and to have prayers as a sort of justification to those proceedings is something which I think is a bit rich.<sup>127</sup>

Several politicians have criticised this religious practice and offered alternatives. In 1996 Senator Michael Beahan (ALP) stated that the prayers were ‘an archaic and anachronistic form of words that really should be changed. I believe that the South Africans have the best idea with a minute’s contemplative silence.’<sup>128</sup> Slightly more than a decade later, the Greens called for the prayer to be dropped.<sup>129</sup> Evidently there has been an interest in removing the prayers from across different parties, but no cross-party campaigns have been instigated to change the practice.

At times individuals within parliament who follow no religious practices have expressed surprise at, and disappointment with, the tradition of reading prayers in parliament. In one of my interviews a respondent from a minor party, ‘Scorpius’, believed prayers were no longer necessary: ‘the prayers are totally out of place ... That we would have a prayer that beseeches God Almighty to, you know, to guide us in our decision making, well no. Not me.’<sup>130</sup> For politicians who do not subscribe to

---

<sup>125</sup> Senator Gregor McGregor, Senate and House of Representatives, Debates, 14 June 1901, 1138, quoted in Maddox, “For God and Country: Religious Dynamics in Australian Federal Politics,” 110.

<sup>126</sup> Senator Major Albert Gould, Senate and House of Representatives, Debates, 7 June 1901, 1138 quoted in *ibid.*, 111.

<sup>127</sup> Beazley in P.Fitzsimons, *Beazley: a Biography*, 187 quoted in *ibid.*, 112.

<sup>128</sup> Senate, Debates, 27 June 1996 in *ibid.*, 113.

<sup>129</sup> AAP, “Greens Want the Lord’s Prayer Dumped from Federal Parliament Sitings,” *The Australian*, January 14, 2014.

<sup>130</sup> Interview with Scorpius, conducted by Adele Lausberg, June 30, 2014.

Christianity, parliamentary practices can appear exclusionary. Anne Aly (ALP), who describes herself as a secular Muslim, believes church and state should be kept separate: 'Like oil and water, religion and politics don't mix, and we've seen the repressive results in countries where religion controls government.'<sup>131</sup> The persistence of these religious practices demonstrates the rigidity of parliament as an institution that resists change despite the fact that secularism is increasing in Australian society. In the 2011 Australian Census 1 in 5 Australians reported having no religion (22%) and this trend is predicted to continue in the future.<sup>132</sup> If the trend does continue, politicians may seek the use of CPC to remove religious practices from parliamentary activities.

#### 4.5 Structural

The way Australian politics is structured is not conducive to CPC. Premised on the Westminster model the Australian political system is composed of two major parties opposing one another, the centre-left Labor Party, and the centre-right Liberal/National Coalition, each having a realistic chance of forming government. Utilising the HI perspective, it is possible to understand how history entrenches limitations of what is possible in the present.<sup>133</sup> This goes far in explaining the stability of the system of two major parties, and the vulnerability and fluidity of the minor parties. One significant way in which the Australian political system differs from that of its ancestor is the use of PR to elect Senators to the Upper House, allowing minor parties considerably more electoral success than those in the UK.<sup>134</sup> Minor parties have greater numbers of women in their ranks (see further below) yet their success as established alternatives to the two major parties has been mixed.

---

<sup>131</sup> Greg Callaghan, "Counter-Terrorism Expert Anne Aly: 'I Dream of a Future in Which I'm No Longer Needed'," *The Age Online*, November 18, 2016, <http://www.theage.com.au/good-weekend/counterterrorism-expert-anne-aly-is-australias-first-federal-female-muslim-mp-20161117-gsreyp.html>, accessed 26 June 2017.

<sup>132</sup> Australian Social Trends, "Losing My Religion?", accessed 2 December 2016.

<sup>133</sup> Kelso, *Parliamentary Reform at Westminster*, 27.

<sup>134</sup> Anika Gauja, "Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats," *Parliamentary Affairs* 63, no. 3 (2010): 486.

## *The Major Parties*

The development of parties and parliamentary practices is 'intertwined' in that they developed together over time.<sup>135</sup> For one former female politician, the adversarial system is locked in and 'you're never going to change that.'<sup>136</sup> It is candidly acknowledged that this system has generated a masculine style of politics in which it is important to have strong oral skills and be an aggressive actor.<sup>137</sup> However, this puts women in a difficult situation. Acting 'like a man' and taking on a competitive and antagonistic persona risks a negative image from the media (as discussed above), yet this is the accepted and dominant style of politics in Australia. That CPC has occurred at all is an exceptional feat given the historical bifurcation between the two major party groupings and emphasis on aggressive and adversarial behaviour.

The major parties were historically dominated and directed by men, which presented something of an obstacle for the pioneers of the women's suffrage movement. These women attempted to bypass the male political system but found that representation was not possible without involvement in an established party.<sup>138</sup> Women have found that their interests, determined by their different life experience from men – especially in regards to family and career – were often required to be sacrificed to ascend the party hierarchy.<sup>139</sup> Although women are present in the major parties today, introducing women-specific policies such as abortion to the mainstream agenda ignites much debate, both within and between parties. However, as these policies do not sit within either party's purview, it also creates the potential for linkages across party lines.

Initial social democratic policies of the Labor Party promoted the rights of workers who were conceptualised as men supporting a wife and family.<sup>140</sup> Women in the Labor Party did not have the strength in union or trade halls to gain access to male networks with influence over the inner workings of the party and they remained

---

<sup>135</sup> Kelso, *Parliamentary Reform at Westminster*, 22.

<sup>136</sup> Amanda Vanstone in van Acker, *Different Voices: Gender and Politics in Australia*, 87.

<sup>137</sup> *Ibid.*, 85.

<sup>138</sup> Sawyer and Simms, *A Woman's Place: Women and Politics in Australia*, 17.

<sup>139</sup> *Ibid.*, 47.

<sup>140</sup> *Ibid.*, 17.

underrepresented for much of the 20<sup>th</sup> century.<sup>141</sup> The Labor Party was forced to reconsider its 'mateship' attitude and began to incorporate women into its policy platform after its dismal performance in the 1977 federal election. Failure to capture the women's vote was negatively impacting the party's electoral performance.<sup>142</sup> An internal inquiry into the 1977 election result recommended affirmative action be utilised and it was adopted in 1981, but only in 1994 was the target of 35% women in all parliamentary Labor parties by 2002 firmly established.<sup>143</sup> The formation of EMILY'S List also helped increase the number of Labor women in parliament.<sup>144</sup> However, an increased number of women does not automatically assure representation of women's interests in the party (see Chapter 3). Although women are part of the platform and policies, Labor Party women have conducted cross-party alliances with women from other parties. This suggests that certain issues that fall out of the purview of the party require attention. It also shows the determination of these politicians in seeking to represent these issues with the aid of members of other political parties.

Initially, compared to the Labor Party, women had a more formal standing on the conservative side of politics. The power and numbers of the Australian Women's National League (AWNL) gave women a strong position in the newly formed Liberal Party in 1944, which reserved half the executive positions in the Victorian Liberal Party for women.<sup>145</sup> This arrangement was more a demonstration of the AWNL's strength than of a belief in equality.<sup>146</sup> The AWNL was established in 1903 in Melbourne after conservative male politicians encouraged its formation, and by 1906 the organisation was supporting votes for women.<sup>147</sup> The organisation aimed to represent the interests of home, women, and children, particularly advocating on

---

<sup>141</sup> Ibid., 55.

<sup>142</sup> Ibid., 183.

<sup>143</sup> Marian Sawyer, "'When Women Support Women...' EMILY's List and the Substantive Representation of Women in Australia," 2004.

<sup>144</sup> Ibid., 18.

<sup>145</sup> Sawyer, "Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability," 371.

<sup>146</sup> Marian Simms, "Conservative Feminism in Australia: A Case Study of Feminist Ideology," *Women's Studies International Quarterly* 2 (1978): 312.

<sup>147</sup> Ibid., 306 FN 2.

behalf of mothers.<sup>148</sup> By joining the Liberal Party the AWNL believed it would have the ability to influence Liberal Party policy.<sup>149</sup> Marian Simms demonstrated that the AWNL could continue its strong commitment to women's political rights within the Liberal Party due to its emphasis on first-wave 'domestic' feminism.<sup>150</sup> Through the 1990s and beyond, competing ideas of third-wave feminism and 'post-feminism' (and further, anti-feminism) have made identification as a feminist or open concern with women's issues harder to find in women of the political right, but as with the Labor Party, they have sought out alliances on women's issues. Further, when retiring some Liberal Party women have been prepared to comment directly on the lack of attention their party gives to women.<sup>151</sup>

It seems paradoxical that the first women elected to the House of Representatives came from the Liberal Party's predecessors<sup>152</sup> when the 2013 Coalition cabinet consisted of only one female member.<sup>153</sup> A female Liberal Senator stated that women rarely feel comfortable with party processes and subsequently abandon the party, which leaves a small number of women in the Coalition's senior ranks.<sup>154</sup> Further, statistics demonstrate the Coalition's trouble attracting and retaining new female members, as only 7 of the 29 newly elected MPs in 2013 were women.<sup>155</sup> Women are attracted to economic policies of the right yet there remain internal party debates over social issues concerning women, creating fertile grounds for women to seek out CPC.

---

<sup>148</sup> Ibid., 312.

<sup>149</sup> AWNL, 1945, Newsletter from Australian Women's National League Special Council Meeting of 20 February 194, quoted in *ibid.*, 313.

<sup>150</sup> Ibid., 308.

<sup>151</sup> For examples see Jenna Price, "Liberal Senator Attacks Party's Promotion of Women," *The Sydney Morning Herald*, September 16, 2013, accessed 21 May 2018; Senator Sue Boyce, *Cth, Matters of Public Interest, Senate*, 177, November 13, 2013; Judi Moylan, *Cth, Valedictory Speech, House of Representatives*, 5769, June 17, 2013.

<sup>152</sup> Margaret Fitzherbert, "Liberal Women - From 1901 to 1949 [Address to the Sydney Institute on 16 June (2004)]," *Sydney Papers* 16, no. 3 (2004): 366.

<sup>153</sup> Heather Ewart, "Sue Boyce and Judith Troeth Express Dismay over Tony Abbott's Male-Dominated Cabinet," *ABC News Website*, September 17, 2013, <http://www.abc.net.au/news/2013-09-16/senior-female-coalition-figures-slam-male-dominated-cabinet/4961344>, accessed 1 October 2013.

<sup>154</sup> Price, "Liberal Senator Attacks Party's Promotion of Women."

<sup>155</sup> Tim Colebatch, "More Women Labor MPs than in Coalition," *The Sydney Morning Herald*, September 23, 2013, <http://www.smh.com.au/federal-politics/political-news/more-women-labor-mps-than-in-coalition-20130922-2u81p.html>, accessed 1 October 2013.

In addition to gender divides, in both major party groupings religion intersects with party politics. As John Warhurst indicated, much of the existing literature addresses the link between parties and denominations, most prominently Catholics with the Labor Party and Protestants with the Coalition.<sup>156</sup> Warhurst tracked how religion was prominent in the John Howard Government years,<sup>157</sup> as did Maddox.<sup>158</sup> Although, when he was Prime Minister, Howard outwardly stated that ‘We do respect very strongly equality of men and women’, Maddox pointed to some of his policies that did not reflect such a belief: attempting to push partnered mothers out of paid work; reinstating the term ‘Chairman’ on Commonwealth boards and committees; proposing an amendment to the Catholic Education Office to offer men-only teaching scholarships; and silence on the ordination of women in the Catholic Church and consecration of female Anglican bishops.<sup>159</sup> Two instances of CPC explored in Chapter 5 involve a collision between devoutly religious politicians and proponents of women’s reproductive choice.

### *The Minor Parties*

While the Labor Party and the Coalition have a majority of men in their political representatives,<sup>160</sup> the minor parties have a more equal gender balance, sometimes skewed towards women. Although their share of seats is considerably less, minor parties have an established place in Australian politics. As younger parties, they are free from the historical bias towards men that shapes the major parties, demonstrating the critical constructivist view that male dominance is not inevitable. The Democrats, for example, have had many female leaders and members, as have the Australian

---

<sup>156</sup> John Warhurst, “Religion in 21st Century Australian National Politics,” *Papers on Parliament, Images, Colours and Reflections, Department of the Senate* 46 (December 2006), [http://www.aph.gov.au/sitecore/content/Home/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/pops/pop46/religionin21stcentury](http://www.aph.gov.au/sitecore/content/Home/About_Parliament/Senate/Powers_practice_n_procedures/pops/pop46/religionin21stcentury), accessed 3 July 2017.

<sup>157</sup> *Ibid.*

<sup>158</sup> Marion Maddox, *God Under Howard: The Rise of the Religious Right in Australian Politics* (Sydney: Allen & Unwin, 2005).

<sup>159</sup> *Ibid.*, 178.

<sup>160</sup> Though when the two houses are combined there are a majority of men, the Labor Party did see more women than men elected to the Senate in 2016, where the split was 14 to 12. Anna Hough, “The Gender Composition of the 45th Parliament,” *FlagPost* (blog), August 25, 2016, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2016/August/The\\_gender\\_composition\\_of\\_the\\_45th\\_parliament](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2016/August/The_gender_composition_of_the_45th_parliament), accessed 8 January 2018.

Greens.<sup>161</sup> Ann Curthoys and Carol Johnson indicated that the absence of a traditional power structure – such as seen in the Labor and Coalition parties – allows women to more easily rise to positions of leadership.<sup>162</sup> It also provides more freedom for members of these parties, enabling them to pursue collaborative work.

The Democrats have led the way in female party leadership: 6 of their 11 federal leaders have been women.<sup>163</sup> This stands in contrast to the two major parties where one has had a single female leader at the federal level in Prime Minister and the other which has not had a female leader at the federal level.<sup>164</sup> The Democrats held the balance of power in the Senate from 1981 to 2005, either alone or with other minor parties and independents.<sup>165</sup> Anika Gauja analysed their success using both institutional and cultural measures, specifically focusing on their long-term electoral impact, political cultural impact, and reformation of the Senate into a ‘house of review’ to (in the words of the Democrats) ‘keep the bastards honest.’<sup>166</sup> Before they lost all parliamentary representation at the 2007 federal election, Gauja demonstrated the considerable electoral success of the Democrats: on average they won 6% of the vote in the House of Representatives and 8.4% in the Senate between 1977 and 2004.<sup>167</sup> Democrats members were involved in the 2005 and 2006 cases of CPC involving women, hence they have also assisted with demonstrating another avenue for legislative change through CPC. Gauja pointed to the Democrats’ ability to demonstrate how minor parties can provide an accountability measure and wield power in scrutinising legislation as lasting indications of their success.<sup>168</sup> The Democrats highlighted the influence minor parties can have in the Senate which has contributed

---

<sup>161</sup> Marian Sawyer, “EMILY’s List and Angry White Men: Gender Wars in the Nineties,” *Journal of Australian Studies* 23, no. 62 (1999): 1–9; Australian Greens Website, “MPs,” April 10, 2013.

<sup>162</sup> Ann Curthoys and Carol Johnson, “Articulating the Future and the Past: Gender, Race, and Globalisation in One Nation Discourse,” *Hecate* 24, no. 2 (1998): 106.

<sup>163</sup> Cathy Jenkins, “Research Paper No. 25, 2008-09: Australian Democrats: The Passing of an Era” (Department of Parliamentary Services, March 27, 2009), [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp0809/09rp25](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp0809/09rp25), accessed 2 December 2016.

<sup>164</sup> Liberal Party of Australia, “Our History” (Liberal Party Official Website, <http://www.liberal.org.au/our-history>, n.d.), accessed 2 February 2016.

<sup>165</sup> Gauja, “Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats,” 488.

<sup>166</sup> *Ibid.*, 489–90.

<sup>167</sup> *Ibid.*, 490.

<sup>168</sup> *Ibid.*, 497–99.

to a systemic change in politics<sup>169</sup> and in the functions of the two-party system. This change allows for an increased presence of women due to their higher numbers in the above identified minor parties, however this change is not necessarily permanent given that minor parties tend to fluctuate in their number of representatives.

In more recent years the Greens have emulated the success of the Democrats in holding the balance of power. They held the balance of power jointly with other parties and independents after the 2007 election<sup>170</sup> and solely after the 2010 election.<sup>171</sup> After the 2013 election the Greens experienced a reduction in popularity by 3.4%, leading to speculation over their future as a viable political alternative for voters.<sup>172</sup> The decline of these minor parties' share of the vote provides some evidence of path dependency in Australian politics. Gauja demonstrated how systemic constraints can undermine the long-term viability of minor parties within a two-party system.<sup>173</sup> Even without the ability to predict the future of the Greens the swing against them in the 2013 election appears to support Gauja's thesis about the fluidity of minor parties in Australian politics. The two-party system makes it difficult for a minor party to keep a sustained presence in parliament, which is detrimental to women's representation due to their higher numbers in the minor parties discussed here. Both the Greens and the Democrats ran more women candidates than men candidates in the 2004 federal election. For the Senate, the Democrats ran 14 female candidates out of a total of 22 (63.6%) while the Greens ran 17 female candidates out of 30 (56.6%).<sup>174</sup> In contrast, the Liberal Party ran 7 female candidates out of 26 (26.9%) and the Labor Party ran 11 female candidates out of 35 (44%).<sup>175</sup> Based on the rise and decline of the Democrats and struggle for the Greens to hold a sizeable portion of votes, it can be difficult for a minor party to maintain a consistent presence in parliament. However,

---

<sup>169</sup> Ibid., 493.

<sup>170</sup> David Charnock, "Can the Australian Greens Replace the Australian Democrats as a 'Third Party' in the Senate?," *Australian Journal of Political Science* 44, no. 2 (2009): 245.

<sup>171</sup> John Warhurst, "The Perils of Holding the Balance of Power," *Eureka Street* 20, no. 17 (2010): 46-47.

<sup>172</sup> Narelle Miragliotta, "Election 2013 Brings a Mixed Result for the Greens," *The Conversation*, September 9, 2013.

<sup>173</sup> Gauja, "Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats," 488.

<sup>174</sup> Australian Electoral Commission, "Nominations by Gender: 2004 Federal Election" (Senate Downloads, January 28, 2014).

<sup>175</sup> Ibid.



there has been a modest increase in the share of the overall vote going to parties other than the major ones since 2007.<sup>176</sup> I explore the effect of this increase on CPC in detail in Chapter 6.

## Conclusion

This chapter illustrated how parliament constrains individuals, leading politicians to partake in and perpetuate the adversarial behaviour that characterises a Westminster system. By stressing the ways physical, visual, discursive, and structural traits contribute to a masculine culture it is apparent that politicians, in particular women and others locked out of the development of parliament, face difficulties in pursuing strategies that do not fit the norm. Women – and other less powerful or marginalised individuals – have found their actions limited on women’s and other minority socio-moral issues. Additionally, men who wish to move away from masculine modes of action find that this culture is somewhat ‘locked in’ despite not always offering an ideal way of pursuing representation.

It could be said that masculinity is so ingrained in Australian politics that dismantling its power would also mean a major overhaul of parliamentary practice as it stands today. This idea rests on an assumption of path dependency and is decidedly deterministic, suggesting change is a virtually impossible feat. As CPC is not used regularly (and is only occasionally successful) this demonstrates the NI concept that institutions tend to persist and lock actors within them into a cycle of practices. However, the fact that women, LGBTQI, and indigenous representatives have entered parliament – and that Australia has had a female prime minister – suggests that change is possible. While some marginalised actors will, or at least will attempt to, deviate from normal practices by utilising CPC this is still an emerging strategy, though it is increasing in occurrence. As the number of women and non-major parties have

---

<sup>176</sup> Antony Green, “Record Vote for Minor Parties at 2013 Federal Election,” *Antony Green’s Election Blog* (blog), November 19, 2013, <http://blogs.abc.net.au/antonygreen/2013/11/record-vote-for-minor-parties-at-2013-federal-election.html>, accessed 29 October 2016 ; Zareh Ghazarian, “The Changing Type of Minor Party Elected to Parliament: The Case of the Australian Senate from 1949 to 2010,” *Australian Journal of Political Science* 47, no. 3 (September 1, 2012): 441–54; Scott Brenton, “Policy Traps for Third Parties in Two-Party Systems: The Australian Case,” *Commonwealth & Comparative Politics* 51, no. 3 (July 1, 2013): 283–305.

increased so too has CPC – their continued presence in current or increased numbers could contribute to establishing more collaborative activities in parliament as a norm.

At the individual level, women politicians displayed resilience in the face of dominant male norms by adopting a strategy not commonly used by their male counterparts prior to 2005 and certainly not used on women's issues. CPC demonstrates how women utilised an existing but rarely seen political technique to pursue representation in parliament. Since its use by women in 2005 and 2006, CPC has been increasingly adopted by other actors in parliament. The next two chapters consider case studies of CPC from 2005 to 2016. Chapter 5 details how women utilised the strategy in an intensive way in 2005 and 2006 and outlines women's voting patterns on earlier conscience votes. Chapter 6 considers how CPC has been increasingly adopted by more politicians between 2006 and 2016. This includes analysis of its use by minor party members, independents, and major party backbenchers. Both chapters give attention to the participating actor's justifications for participating in CPC and the enabling factors that contributed to its occurrence.

## Chapter 5: Women and Cross-Party Collaboration

### Introduction

In 2005 and 2006, two bills co-sponsored by four Senators from different parties were introduced: the RU486 Bill and the Pregnancy Counselling Bill. The concerted effort of four women co-sponsors in both these cases was significant, and signals problems with the gendering of parliament, as detailed in Chapter 4. CPC's potential for legislative change was prominently achieved by women from four different parties in 2006 with the successful passage of the RU486 Bill and contributed to the increased use of the practice in later years.

In this chapter I open with a brief overview of the steps required for CPC. These steps are necessary, though present differently for each case study – and there are differences in instances of CPC involving only women. I outline this guiding framework before tracing women's use of CPC in Australia, beginning with brief analysis of a number of bills that attracted a conscience vote in the John Howard era: the *Euthanasia Laws Bill 1996*, *Research Involving Embryos Bill 2002*, and *Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006* (hereafter the Euthanasia Bill, Research Involving Embryos Bill, and Therapeutic Cloning Bill). It is notable that women voted together across party lines on the three bills.

I then begin my in-depth analysis of case studies with the RU486 Bill, followed by the Pregnancy Counselling Bill, as these bills precipitated an increase in the previously rare practice. They involved ongoing efforts and attention to an issue and included a member of both major parties. The chapter then details the institutional constraints and enabling factors effecting CPC in the 2005 and 2006 case studies. Overall, this chapter contributes to answering my research question: *why did women utilise CPC in 2005 and 2006 to represent women's reproductive rights?* It also furthers our understanding of the constraints and enabling factors affecting the practice of CPC by assessing their impact on women's collaboration in this period.

## 5.1 Steps Required for Cross-Party Collaboration

Individual political will is the first element that must be present for CPC to occur. If this is present, then subsequent steps are necessary for CPC to transpire, which are influenced by institutional constraints (factors that prevent or reduce the likelihood of CPC) and enabling factors (which help to facilitate and encourage CPC). I explore these two sets of factors in the last sections of this and the next chapter.

An element required for CPC across all cases presented in this thesis from 2005 to 2016 is individual political will, while societal political will provides a means of justifying collaboration – though it had more of a determining role in women’s use in 2005 and 2006. Following my finding that individual political will is a necessary component for collaborative action, I developed a formula by which to identify necessary factors for CPC. For ‘other’ party members (minor parties and independents), CPC depends upon: individual political will; a shared willingness to create policy across party lines; and a willingness in members of other parties to collaborate on that policy. For major party backbenchers restricted by party discipline, an additional step is required which involves assessing the risk of pursuing collaboration regarding potential consequences. I have created the following guiding framework and determine that CPC can occur when:

- a) there is individual political will on an issue;
- b) this political will is shared by individuals across party lines;
- c) those individuals are willing to participate in collaboration; and
- d) the individuals perceive the risks of collaboration to be less significant than the value of pursuing the issue through collaboration.

Put simply, when *a)*, *b)*, *c)*, and *d)* are followed, CPC can occur. Individual political will on an issue is the first step required for CPC and each subsequent step must follow. I now explore in detail the concept of political will and its relevance to CPC.

## 5.2 Political Will

The concept of ‘political will’ discussed throughout this thesis is widely regarded as underutilised, particularly in studies of Australian politics.<sup>1</sup> As outlined in Chapter 2, political will is composed of three elements: political *can*, political *want*, and political *must*.<sup>2</sup> On political will, Malena stated that: ‘in order for power-holders to become committed to act, they need to *want* to undertake a given action, feel confident they *can* undertake that action, and feel they *must* undertake the action.’<sup>3</sup>

Individual political will is key to the occurrence of CPC. Societal political will exists as a justifying mechanism, allowing politicians to use public support (at varying levels) to defend their actions. The following two sections determine how individuals form the motivation to act and how they justify their representative role in relation to community opinion. Is collaboration an ideologically driven pursuit, with the overarching aim to progress a certain issue? Or is it a self-serving pursuit, to appear as a policy champion and gain media attention, and thus ultimately aid political survival? The answer seems to fall somewhere in between. It goes without saying that a politician – current or former – would be unlikely to admit he or she pursued collaboration to secure more votes, even in an interview guaranteeing anonymity. Instead, I expected interviews to predominantly unearth individual political *want*: that is, the issue was one of personal value and priority, with public support coming after action as a justification.

If an individual’s political will is sufficiently strong and cross-party consensus exists, the desire to seek action triumphs – despite the existence of institutional rules and norms which may ordinarily deter an individual from pursuing deviant actions. An individual without sufficient political will would be unlikely to participate in CPC, even if he or she were aware of an existing cross-party consensus. This is because they would not feel personally that they *must* act. Further, without first possessing political

---

<sup>1</sup> Johnson and Tremblay, “Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will,” November 2016; Malena, “Building Political Will for Participatory Governance: An Introduction,” 2009; Brinkerhoff, “Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework”; Hammergren, *Political Will, Constituency Building, and Public Support in Rule of Law Programs*. For further discussion of this concept see Chapter 2 of this thesis.

<sup>2</sup> Malena, “Building Political Will for Participatory Governance: An Introduction,” 2009, 19.

<sup>3</sup> Ibid.

will, it is likely that an individual would weigh the risks of being involved as higher than the value of participating in CPC. The usual presentation of policy through party leadership decisions and the resultant pressure to conform to that norm hold greater sway for the majority of individuals in parliament, but not all. While individuals involved in CPC act from an individual sense of duty (political *must*) and personal priority (political *want*), they may also do so as dedicated 'champions' – critical actors – for a perceived issue of injustice and/or self-identify with a relevant group. However, this is as an addendum and justification for action rather than a motivating factor and is explored further in this chapter and Chapter 6.

I now provide brief examination of early instances of CPC which include women voting together on conscience votes in the Howard years. I then analyse two case studies concerning women's use of CPC in 2005 and 2006.

### **5.3 Women's Voting Patterns**

Three prominent conscience vote bills – the Euthanasia Bill, Research Involving Embryos Bill, and the Therapeutic Cloning Bill – show evidence of women voting the same way with similar justifications. I include brief analysis of these bills as they demonstrate how women justified their vote, frequently citing concerns about women's issues, more than men. Similar sentiments were also evident in the co-sponsored bills in CPC in 2005 and 2006. Exploring women's history of voting on conscience votes demonstrates patterns of progressive voting on socio-moral issues across party lines, which assists with understanding the motivation of women in taking the shared sentiment further in co-sponsoring bills.

In particular, (and significantly) women's positions on the Euthanasia Bill better reflected community opinion. There was prominent public support for euthanasia around the time of the bill, with several poll results between 1995 and 1997 showing that 81% of respondents were in favour of euthanasia.<sup>4</sup> Women, being free of party constraints, took public opinion into account in their decision-making process, demonstrating delegate-style representation. Men from both major parties

---

<sup>4</sup> Newspoll Market Research, "Newspoll on Euthanasia," Poll (Federal: The Australian, 1995); See also Geoff Dodd, "Senate More Representative than the Lower House," *The Australian*, April 4, 1997; Aban Contractor, "Female Senators Reflect Euthanasia Polls," *Canberra Times*, March 20, 1997.

supported the Euthanasia Bill in both the Senate and the House of Representatives: men were more likely to vote for the bill than against. Although it was not by conscious co-ordinated design, women politicians supported euthanasia more than men.<sup>5</sup> During the conscience vote, women voted with public opinion to uphold the NT's legislation. This was not an organised and structured response: women politicians were simply more likely to consider community opinion. Based on analysis of the votes, Sharon Broughton and Sonia Palmieri concluded that when party discipline was removed from the equation, sex differences become apparent, more so for the Labor Party than the Coalition.<sup>6</sup> After careful analysis of speeches in the second reading, Broughton and Palmieri surmised that when party constraints are removed, women were more likely to consider different arguments rather than vote reflexively along party lines. They stated that 'women had the potential to influence debate to the extent that if there had been more women, the end result would have been different'.<sup>7</sup> Women in the Senate constituted just over 30% of representatives and their vote was split 16 Noes to 7 Ayes in that house, whereas in the House of Representatives the split was 5 Noes to 14 Ayes.<sup>8</sup> Broughton and Palmieri suggested that the number of women in the Senate gave credence to the idea that when women constitute a critical mass they will feel comfortable in giving a different opinion to men.<sup>9</sup>

Women were even more likely to vote in favour of the Research Involving Embryos Bill than for the Euthanasia Bill. Of the 32 women who cast a vote in the House of Representatives, 27 voted Aye and 5 voted No; it was much the same in the Senate, where 20 of the 23 female Senators voted Aye and 3 voted No. The voting pattern for all men across both houses, however, was not as pronounced as it was for women. While in the House the split was 72 men voting Aye and 28 voting No, in the Senate the men split 25 Ayes to 23 Noes. In addition to women voting similarly on this

---

<sup>5</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 8.

<sup>6</sup> Broughton and Palmieri, "Gendered Contributions to Parliamentary Debates: The Case of Euthanasia," 35.

<sup>7</sup> *Ibid.*, 43.

<sup>8</sup> *Ibid.*, 33–36.

<sup>9</sup> *Ibid.*, 36.

bill, women also voted overwhelmingly in favour of the Therapeutic Cloning Bill, as outlined below.

The Therapeutic Cloning Bill was an amendment bill to the *Prohibition of Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002*. The Therapeutic Cloning Bill maintained existing prohibitions on certain types of human reproductive cloning and allowed for specific types of human embryo research with a licence. The bill was the result of then Minister for Health and Ageing Senator Kay Patterson's (LP) work, and through collaboration Senators Stott Despoja and Webber made efforts to ensure the issue was kept alive in the political realm. The vote in the Senate was close – 34 Ayes to 32 Noes<sup>10</sup> – but overwhelmingly women voted in favour of the bill. From a total of 24 women who voted, 20 voted Aye and 4 voted No.

The above three bills involved women voting across party lines together, citing similar reasons for their vote. Women Senators went a step further and were moved enough on the topic of RU486 to co-sponsor the RU486 Bill, detailed in the below section.

#### **5.4 Therapeutic Goods Amendment (Repeal of Ministerial Responsibility for Approval of RU486) Bill 2005**

The co-sponsoring of the RU486 Bill by four women of different parties was an historic moment in Australian politics. This bill was co-sponsored by Senators Fiona Nash (NP), Judith Troeth (LP), Claire Moore (ALP) and Lyn Allison (DEM). The Bill aimed to remove the Minister for Health's responsibility for approval of the importation of RU486 and return it to the Therapeutic Goods Administration (TGA). This veto to make RU486 'restricted goods' was installed by Senator Harradine, who leveraged it using his balance of power to allow Howard to partly privatise telecommunications.<sup>11</sup>

---

<sup>10</sup> *Cth, Parliamentary Debates, House of Representatives, Division, Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill, 2006.*

<sup>11</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 323.



In addition to the four co-sponsors, other women were heavily involved in passing the RU486 Bill. Sawyer's research on this topic has been illuminative, and she was able to secure interviews with all four co-sponsors and additional politicians involved in the successful passage of the bill.<sup>12</sup> Senator Webber was the Labor Party's 'numbers person' for the bill, and the government whip at the time, Senator Ferris, organised the Liberal Party numbers.<sup>13</sup> Senator Kerry Nettle (GRN) also worked hard to ensure the bill's passage<sup>14</sup> and drew attention to the bill by wearing a t-shirt directed at the then Health Minister's Catholicism that read: 'Mr Abbott: get your rosaries off my ovaries.'<sup>15</sup> The Democrats forced the Prime Minister to allow a private member's bill on the issue after proposing an amendment on a government bill.<sup>16</sup> An overwhelming majority of women politicians in both houses voted in favour of the RU486 Bill in a conscience vote<sup>17</sup> and the final vote in the Senate was 24 women voting Aye and 3 voting No. The bill passed in the House of Representatives with no Third Reading division, but McKeown and Lundie put the percentage of women voting for the bill at 81%.<sup>18</sup>

For the foreseeable future, abortion will remain a prominent concern for women. It has had a noticeable presence in societal debate, incorporating questions of morality, religion, ethics, and bodily integrity. Whilst there is vocal opposition to abortion, polls have shown that the majority of Australians approve of access to abortion. The 2013 Australian Election Study revealed that Australian citizens support readily available access to abortion.<sup>19</sup> Opinion polls in the 1990s and early 2000s revealed discrepancies between the views of the public and their potential representatives.<sup>20</sup> Katharine Betts demonstrated that, whilst Labor Party candidates

---

<sup>12</sup> *Ibid.*, 321.

<sup>13</sup> *Ibid.*, 326.

<sup>14</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 13.

<sup>15</sup> Warhurst, "Conscience Voting in the Australian Federal Parliament," 591.

<sup>16</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 325-26.

<sup>17</sup> Pringle, "Urban Mythology: The Question of Abortion in Parliament," 18.

<sup>18</sup> McKeown and Lundie, "Conscience Votes during the Howard Government 1996-2007."

<sup>19</sup> Ian McAllister and Sarah M. Cameron, "Trends in Australian Political Opinion: Results from the Australian Election Study 1987-2013" (Canberra: Australian National University, February 2014), 57.

<sup>20</sup> Katharine Betts, "Attitudes to Abortion in Australia: 1972 - 2003," *People and Place* 12, no. 4 (2004): 22-27; Katharine Betts, "Attitudes to Abortion: Australian and Queensland in the Twenty-First Century,"

are *more* pro-choice than Labor Party voters, Liberal and National Party candidates are noticeably *less* pro-choice than their voters.<sup>21</sup> Although the majority of the community favours abortion access, neither major party has enshrined this in policy. This can be partly attributed to the belief that the public would seek revenge on representatives who endorse abortion. However, Helen Pringle dispelled this assumption as ‘urban mythology’: her research indicated that electoral losses have not been linked to support for abortion.<sup>22</sup>

Major Australian political philosophies do not yet comfortably allow for abortion debate.<sup>23</sup> This was evident in the failed push from Labor Party women to cease their party’s conscience vote on abortion-related legislation. The Labor Party National Platform supports a woman’s right to determine her own reproductive life, ‘particularly the right to choose appropriate fertility control and abortion.’<sup>24</sup> Any consensus on abortion is not binding on Party members, however.<sup>25</sup> While the National Platform indicates that the Labor Party supports the right of women to choose abortion,<sup>26</sup> it has not translated into party line as conscience votes have been allowed on reproductive matters, as seen in the RU486 Bill debates.

### *Community Opinion*

Politicians in both houses mentioned community opinion in debate on the RU486 Bill. Senator Nettle cited popular opinion: ‘the Australian community have been asked what their view is and the majority of Australians have said that they think women should be able to choose.’<sup>27</sup> In supporting the bill, Stephen Smith (ALP) pointed to community views when he stated that:

---

*People and Place* 17, no. 3 (2009): 25–39; Pringle, “Urban Mythology: The Question of Abortion in Parliament”; Helen Pringle, “Abortion in Australian Elections: A Vote Loser for Women?,” *Australian Feminist Studies* 27, no. 74 (2012): 389–404.

<sup>21</sup> Betts, “Attitudes to Abortion in Australia: 1972 - 2003,” 26.

<sup>22</sup> Pringle, “Urban Mythology: The Question of Abortion in Parliament.”

<sup>23</sup> Pringle, “The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate.”

<sup>24</sup> Australian Labor Party, “National Platform: 47th National Conference”, accessed 2 July 2017.

<sup>25</sup> *Ibid.*, 260.

<sup>26</sup> *Ibid.*, 137.

<sup>27</sup> Senator Kerry Nettle, *Cth, Parliamentary Debates, Senate*, 103, February 8, 2006.

a clear majority of Australians believe that the current framework is appropriate based as it is on regarding it as a matter for an individual concerned, on the basis of medical advice received from a medical practitioner.<sup>28</sup>

Senator Coonan also mentioned majority opinion:

I believe that the majority of Australians acknowledge the quite awful choice that faces any woman uncertain about whether she can cope with her pregnancy, be it for medical reasons or any other, and broadly agrees that it is not up to the government to pre-empt these decisions, which are intensely personal and are informed by individual circumstances.<sup>29</sup>

These speeches contain sentiments that fit with a delegate model of representation.

### *Technical Aspects of the Bill*

The fact that women politicians co-sponsored the RU486 Bill suggests that they were more responsive to public opinion on this topic, and willing to provide representation in this respect. However, the bill did not deal directly with abortion and was instead a question of procedure regarding the power of the health minister in vetoing importation of RU486. This fact was highlighted by Senators and in research by Helen Pringle.<sup>30</sup> Senators Webber and Patterson voted in favour of the bill, stating that it clarified the role of the TGA, noting its technical/bureaucratic nature rather than being solely a women's issue.<sup>31</sup> Despite the technical reality of the bill, abortion, and gender frequently featured during parliamentary debates.

In her Second Reading speech Senator Penny Wong (ALP) pointed out the importance of four Senators from different political parties co-sponsoring a bill:

It is unusual in this place to have such a thing occur, and it is good that there are occasions when our different political beliefs and our membership of

---

<sup>28</sup> Stephen Smith, *Cth, Parliamentary Debates, House of Representatives*, 46, February 15, 2006.

<sup>29</sup> Senator Helen Coonan, *Cth, Parliamentary Debates, Senate*, 46, February 9, 2006.

<sup>30</sup> Pringle, "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate."

<sup>31</sup> Senator Ruth Webber, *Cth, Parliamentary Debates, Senate*, 138, February 8, 2006; Pringle, "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate."

different political parties do not prevent us from pressing an issue that we regard as important for the benefit of women in Australia.<sup>32</sup>

Senator Jan McLucas (ALP) concurred.<sup>33</sup> Senator Moore stressed the importance of the way the bill was introduced: 'I think that as a group it showed that people can work together if they have a common aim and can share their knowledge and experience to ensure that we can work to achieve results for the community.'<sup>34</sup> These speeches reflected the fact that though this type of co-sponsorship is rare it provides a positive demonstration to the public of politicians working together.

### *A Substantive Representation of Women*

The overall onus to change legislation relating to abortion appears to be on women, as evidenced by the fact that the four co-sponsors of the RU486 Bill were women. Whilst women do not necessarily vote on gender lines (as discussed in Chapter 3), their majority support for the bill – alongside the co-sponsorship by women – demonstrates a substantive representation of women's reproductive rights.<sup>35</sup> Women voted overwhelmingly in favour of the bill and mentioned women in their speeches more than men did. Of the 53 women who spoke in the debates on the bill, 23 mentioned 'women' in their speeches, a total of 43%. Of the 100 men who spoke, 26 mentioned 'women', a total of 26%.

Members reflected on the influence of a higher number of women in the Senate. Julia Irwin observed that: 'It was interesting to note the greater number of women Senators voting in favour of this bill.'<sup>36</sup> In a similar vein, Bob McMullan (ALP) saw the significance of the vote in the Senate as showing a

dramatic gender divide in support for this legislation. It reflects a history of male domination breaking down in our country ... this is one example where

---

<sup>32</sup> Senator Penny Wong, *Cth. Parliamentary Debates, Senate*, 147, February 8, 2006.

<sup>33</sup> Senator Jan McLucas, *Cth. Parliamentary Debates, Senate*, 152, February 8, 2006.

<sup>34</sup> Senator Claire Moore, *Cth, Parliamentary Debates, Senate*, 120, February 9, 2006.

<sup>35</sup> Celis, "Studying Women's Substantive Representation in Legislatures: When Representative Acts, Contexts and Women's Interests Become Important"; Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia."

<sup>36</sup> Julia Irwin, *Cth, Parliamentary Debates, House of Representatives*, 58, February 14, 2006.

the breakdown of the male domination of Australian politics is leading to a change in outcomes, and I welcome it.<sup>37</sup>

Martin Ferguson (ALP) also considered the women's vote in the Senate: 'of the 30 women in our Senate, 27 voted in favour of the private member's bill to overturn the minister for health's veto over the importation of RU486.'<sup>38</sup>

Some individuals spoke about women's rights. Senator Stott Despoja said: 'I believe that women have fought long and hard to be able to make decisions about their health and wellbeing. I believe women's reproductive health is women's business.'<sup>39</sup> Nicola Roxon (ALP) took issue with Senator George Brandis' (LP) statement about the bill not concerning women:

Senator Brandis ... has said that this is not a women's issue. I challenge that. Of course, I accept that a decision to abort will often very acutely affect men as well as women, but it is primarily and undeniably a health issue for women. And, most significantly, the current debate is about restricting access to a drug whose consumers are almost exclusively women. ... For me, that falls squarely in the court of being a women's issue.<sup>40</sup>

Senator Allison also advocated for women's rights and took issue with some of the men's speeches:

... it is galling listening to the men ... who have such contempt for women who terminate unwanted pregnancies ... It is okay for people to hold particular ethical or religious views that lead them to oppose abortion but it is not okay for them to impose their position on others who do not. Women are fully human.<sup>41</sup>

Other women took issue with the dominance of men in parliament. Sharon Grierson (ALP) expressed it so: 'There is a paternalism that exists in this parliament, and sometimes I do think that it is about controlling women, through methods of

---

<sup>37</sup> Bob McMullan, *Cth, Parliamentary Debates, House of Representatives*, 68, February 14, 2006.

<sup>38</sup> Martin Ferguson, *Cth, Parliamentary Debates, House of Representatives*, 74, February 14, 2006.

<sup>39</sup> Senator Natasha Stott Despoja, *Cth, Parliamentary Debates, Senate*, 50, February 9, 2006.

<sup>40</sup> Nicola Roxon, *Cth, Parliamentary Debates, House of Representatives*, 84, February 14, 2006.

<sup>41</sup> Senator Lyn Allison, *Cth, Parliamentary Debates, Senate*, 93, February 8, 2006.

legislation in an area where perhaps men feel left out.’<sup>42</sup> Senator Kate Lundy asked: ‘Why do some men in positions of power and influence get this periodic urge to prescribe for women what they do with their bodies?’<sup>43</sup> Senator Amanda Vanstone (LP) recalled a dinner where:

One of the men said that he was opposed to abortion and was going to oppose this bill because he thinks that, if the bill passes, RU486 would be available and—wait for it—he does not want abortion to be any easier and a pill would necessarily be easier. Well, hello! Clearly, he has never had the mindset of it ever happening to him. It is not going to happen to him because he is a boy.<sup>44</sup>

These speeches demonstrated a strong inclination from women to express concerns about women’s rights. This is further supported on the issue of the role of the TGA. A majority of women in both houses expressed the belief that the status of RU486 as an exceptional drug outside the purview of the TGA undermined its regulatory authority. Of the 24 women who voted in the Senate, 17 stated that decision-making on RU486 should be up to the TGA and not the Minister for Health. In the House of Representatives 21 of the 29 women also expressed confidence in the TGA’s ability to make decisions around RU486.

Some men asserted that, as men, they did not have the right to intervene in a woman’s choice. Senator John Faulkner (ALP) expressed this sentiment: ‘It is not my right or the right of any politician, or indeed any person, to decide for any woman whether she can end a pregnancy. That is her decision.’<sup>45</sup> Steve Gibbons (ALP) positioned himself thus: ‘I cannot in all conscience, as a male member of this House, use my vote to restrict, limit or deny women access to an appropriate treatment or drug for any given set of circumstances.’<sup>46</sup> Other men were quick to state that they –

---

<sup>42</sup> Sharon Grierson, *Cth, Parliamentary Debates, House of Representatives*, 141, February 15, 2006.

<sup>43</sup> Senator Kate Lundy, *Cth, Parliamentary Debates, Senate*, 41, February 9, 2006.

<sup>44</sup> Senator Amanda Vanstone, *Cth, Parliamentary Debates, Senate*, 32, February 9, 2006.

<sup>45</sup> Senator John Faulkner, *Cth, Parliamentary Debates, Senate*, 123, February 8, 2006.

<sup>46</sup> Steve Gibbons, *Cth, Parliamentary Debates, House of Representatives*, 152, February 15, 2006.

and men more generally – could not comprehend abortion in the same way a woman would. Bruce Baird (LP) expressed his belief in the following way:

I have been criticised by some for saying that men should butt out of the debate and allow the decision to terminate a pregnancy to be left to the woman to decide ... it is certainly not them [men] that have to deal with the consequences of finding they are pregnant.<sup>47</sup>

Still, other men argued differently. Senator Brandis declared that ‘There is no “female” point of view about abortion’ as part of a broader point that women and men do not vote reflexively on gender lines.<sup>48</sup> Senator Sherry stated that the male perspective should be considered: ‘Abortion is primarily, but, in my view, not exclusively, a decision for a woman to make. I think the interests of the father should also be considered.’<sup>49</sup> Chris Bowen (ALP) made a similar point:

Whatever the reasons that couples consider abortions, let us remember that men also grapple with this issue. ... as vitally important as this issue is for women, it should not be forgotten that this debate also affects men throughout this country.<sup>50</sup>

Other men took a slightly different approach, with Michael Ferguson (LP) framing abortion as something men needed to be partly responsible for:

I think there is a major role for men in this process. We, after all, should take responsibility for our actions. Equally, men should not be excluded from decisions that affect the life of a child they helped to conceive.<sup>51</sup>

It was exclusively men who highlighted issues specific to men within their speeches.

Both men and women believed RU486 would benefit women in rural or remote communities. As Jason Wood (LP) put it:

---

<sup>47</sup> Bruce Baird, *Cth, Parliamentary Debates, House of Representatives*, 45, February 16, 2006.

<sup>48</sup> Senator George Brandis, *Cth, Parliamentary Debates, Senate*, 21, February 9, 2006.

<sup>49</sup> Senator Nick Sherry, *Cth, Parliamentary Debates, Senate*, 136, February 8, 2006.

<sup>50</sup> Chris Bowen, *Cth, Parliamentary Debates, House of Representatives*, 110, February 15, 2006.

<sup>51</sup> Michael Ferguson, *Cth, Parliamentary Debates, House of Representatives*, 149, February 15, 2006.

Supporters of RU486 state that the drug is a great leap forward for women from rural areas for whom medical access is often limited and also a leap forward for women with strong religious or ethnic backgrounds for whom privacy is very important.<sup>52</sup>

Judi Moylan (LP) expressed a similar sentiment: 'By continuing with the current policy, Australian women are denied options other than surgical termination ... this also disproportionately impacts on women and their families in rural areas.'<sup>53</sup> Sharman Stone (LP) reported: 'these rural gynaecologists, obstetricians and GPs are saying, "Please, can we remedy this current ban on medical abortions in Australia." ... Our Australian women deserve better than what they are able to access today,'<sup>54</sup> and Senator Rachel Siewert (GRN) asserted: 'This debate is about women's health and their choices in a country where termination of pregnancy is already frequently performed. It is particularly important for women living in remote and regional communities.'<sup>55</sup> These speeches showed that politicians considered a wide variety of aspects in the debate, including how RU486 would benefit women in rural areas.

### *Variables for Success*

Sawer has studied the passage of the RU486 Bill and identified variables that contributed to its success. She identified timing, critical actors and critical mass, and institutional structures, as contributors to a successful outcome.<sup>56</sup> Timing, or a critical juncture, was also vital and Sawer argued that the RU486 Bill was raised at an appropriate time in the election cycle: the bill was introduced in December 2005 and the next election was not scheduled until 2007.<sup>57</sup> Sawer indicated that some of the women involved in the passage of the RU486 Bill were in the penultimate stage of their political careers: Senator Troeth had often spoke out against her party on other issues and was nearing the end of her career; Senator Allison was witnessing the demise of the Democrats; Senator Webber no longer had pre-selection at the time of the bill; and

---

<sup>52</sup> Jason Wood, *Cth, Parliamentary Debates, House of Representatives*, 10, February 15, 2006.

<sup>53</sup> Judi Moylan, *Cth, Parliamentary Debates, House of Representatives*, 82, February 14, 2006.

<sup>54</sup> Sharman Stone, *Cth, Parliamentary Debates, House of Representatives*, 65, February 14, 2006.

<sup>55</sup> Senator Rachel Siewert, *Cth, Parliamentary Debates, Senate*, 163, February 8, 2006.

<sup>56</sup> Sawer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 322-26.

<sup>57</sup> *Ibid.*, 326-27.



Senator Ferris was on track for retirement.<sup>58</sup> There was also a critical mass of 35.5% women in the Senate. Sawyer additionally identified the work of the APGPD as important in establishing a venue for networking between the co-sponsoring Senators (bar Nash, who was not a member).<sup>59</sup>

While the passage of the RU486 Bill demonstrates that CPC can achieve legislative change the Pregnancy Counselling Bill, considered below, was not able to replicate this success.

### **5.5 Pregnancy Counselling (Truth in Advertising) Bill 2006**

Like the RU486 Bill, the Pregnancy Counselling Bill was co-sponsored by four women from different political parties: Senators Stott Despoja, Nettle, Troeth, and Carol Brown (ALP). However, the Pregnancy Counselling Bill did not match the RU486 Bill's success and lapsed with the end of the 41<sup>st</sup> Parliament, never moving beyond the second reading speech.<sup>60</sup> The Pregnancy Counselling Bill – originally introduced as the *Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005* – aimed to regulate pregnancy services by ensuring they advertised their position on abortion referrals.<sup>61</sup> The original bill introduced by Senator Stott Despoja was referred to the Senate Community Affairs Legislation Committee for inquiry. The Pregnancy Counselling Bill was formed from a minority report to that committee written by Senators Brown, Stott Despoja, Moore, Webber, and Allison.<sup>62</sup>

Reproductive Choice Australia (RCA), a coalition of organisations operating at the national level, was prominent in raising awareness on problems with pregnancy counselling.<sup>63</sup> RCA and Children by Choice (CBC) advocated for transparent advertising for pregnancy counselling. CBC outlined that the not-for-profit status of many

---

<sup>58</sup> Ibid., 326.

<sup>59</sup> Ibid., 328.

<sup>60</sup> Senator Natasha Stott Despoja et al., *Pregnancy Counselling (Truth in Advertising) Bill 2006 [2008]* (Cth).

<sup>61</sup> Children by Choice, "Changing the Law: Transparency in Advertising for Pregnancy Counselling" (Children by Choice Website, March 12, 2012), <http://www.childrenbychoice.org.au/>, accessed 28 April 2014.

<sup>62</sup> Senator Carol Brown, *Cth, Parliamentary Debates, Senate*, 141, June 14, 2007.

<sup>63</sup> Reproductive Choice Australia, "Submission to Review of Australia's Consumer Policy Framework" (<http://www.reproductivechoiceaustralia.org.au/resources>, 2005), accessed 12 July 2014.

pregnancy counselling services means they are not subject to strict regulatory practices.<sup>64</sup> Many of these services are advertised as catering for all options but are anti-abortion in practice. Their not-for-profit nature means they are exempt from trade practices that control misinformation or false advertising.<sup>65</sup> A major concern of RCA and CBC was that without regulation these pregnancy-counselling services would continue to operate and advertise without revealing their anti-choice bias. The Pregnancy Counselling Bill aimed to change this by forcing services to advertise their abortion stance.

While there was a level of pressure on some politicians from community groups to enact change through the bill, this pressure did not translate to parliamentary support. Women politicians did not rally to support the progress of the Pregnancy Counselling Bill as they had the RU486 Bill. This is partly due to the lack of public support for the issue and the timing of the bill.<sup>66</sup> An election was drawing near and sitting candidates did not necessarily want to take a strong position on a controversial issue. Although this case was unsuccessful, it did briefly spotlight a previously ignored socio-moral issue that was particularly of concern to women.

Beside the four women who co-sponsored the bill, additional women were noted by Senator Stott Despoja in her speech as being involved. She thanked Senators Webber, Moore, Adams, and Ferris for their work on the bill.<sup>67</sup> All other women who spoke on the bill (excluding one) mentioned women's rights: these women included Senators Brown,<sup>68</sup> Troeth,<sup>69</sup> Nettle,<sup>70</sup> and Webber.<sup>71</sup> Senator Stephens expressed concern that offering abortion was a directive type of counselling and she opposed the bill.<sup>72</sup> Of the two men who spoke, one was the Leader of the Family First Party (FF), Senator Steve Fielding,<sup>73</sup> who strongly opposed the bill and advocated for improving

---

<sup>64</sup> Children by Choice, "Changing the Law: Transparency in Advertising for Pregnancy Counselling."

<sup>65</sup> Ibid.

<sup>66</sup> Sawyer, "EMILY's List and Angry White Men: Gender Wars in the Nineties," 327.

<sup>67</sup> Senator Natasha Stott Despoja, *Cth, Parliamentary Debates, Senate*, 135, June 14, 2007.

<sup>68</sup> Senator Carol Brown, *Cth, Parliamentary Debates, Senate*, 141.

<sup>69</sup> Senator Judith Troeth, *Cth, Parliamentary Debates, Senate*, 5886, September 8, 2009.

<sup>70</sup> Senator Kerry Nettle, *Cth, Parliamentary Debates, Senate*, 147, June 14, 2007.

<sup>71</sup> Senator Ruth Webber, *Cth, Parliamentary Debates, Senate*, 159, June 14, 2007.

<sup>72</sup> Senator Ursula Stephens, *Cth, Parliamentary Debates, Senate*, 151, June 14, 2007.

<sup>73</sup> Senator Steve Fielding, *Cth, Parliamentary Debates, Senate*, 157, June 14, 2007.

women's access to alternatives to abortion. The other speaker, Senator Ron Boswell (NP), who did not support the bill, also made strong remarks against abortion.<sup>74</sup>

## 5.6 Women's Health Motions

Alongside the above two cases of CPC, women in the Senate actively promoted women's health in 2005 and 2006 through cross-party co-sponsored motions. Senators Moore, Allison, and Ferris jointly proposed that the Senate create an inquiry into gynaecological cancers.<sup>75</sup> At this time women also successfully pushed for a Gardasil vaccination program to be brought forward.<sup>76</sup>

As indicated earlier, political will is required as a necessary precursor to the occurrence of CPC. I explore this with evidence in the below section.

## 5.7 Political Will

In the case of the RU486 Bill and the Pregnancy Counselling Bill, women were motivated by an individual sense of duty (political *must*) and personal values and priorities (political *want*) and they believed they could complete the action through existing political mechanisms (political *can*). The politicians I interviewed felt that women were needed to represent these issues, and one participant, a minor party member referred to as 'Taurus' hereafter, emphasised her personal sense of duty: 'you've got a responsibility to make the world a better place, not just complain about it on the one hand but also women in particular need a voice and opportunities and support.'<sup>77</sup> This interviewee also identified the unique position women's reproductive rights have in parliament: 'When did discretion enter into a headache drug or you know a pill for prostate cancer, or whatever, no – only women's reproductive rights.'<sup>78</sup> She indicated that women politicians were in a unique position to bring women's issues to the public sphere, particularly reproductive rights. This sense of responsibility to take up important opportunities was echoed by another interviewee,

---

<sup>74</sup> Senator Ron Boswell, *Cth, Parliamentary Debates, Senate*, 156, June 14, 2007.

<sup>75</sup> Senator Claire Moore, Senator Lyn Allison, and Senator Jeannie Ferris, *Cth, Parliamentary Debates, Senate*, 82, May 10, 2006; Sawyer, "'When Women Support Women...' EMILY's List and the Substantive Representation of Women in Australia," 327.

<sup>76</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 327.

<sup>77</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.

<sup>78</sup> *Ibid.*

referred to as 'Pegasus' hereafter: 'Before I went into parliament and while I was in parliament I had reasonably strong links with women's organisations.'<sup>79</sup> Pegasus also identified her sense of duty to represent women's issues saying 'I can see that there is a need for it.'<sup>80</sup> These women's backgrounds and values meant they possessed sufficient individual political will to motivate them to act.

Women co-sponsored bills or spoke on conscience votes in ways that reflect community opinion i.e. societal political will. Across the interviews there was an understanding of societal level political will, which also demonstrates some adherence to the delegate model of representation. The following statement from Pegasus displays the opinion that a political representative needs to take into account a wide selection of views: 'as a Senator you represent the whole state not just one electorate so I could see that as a Senator I needed to represent other sections of the community as well.'<sup>81</sup> This account attests that Pegasus was careful to canvass a wide variety of views across the community, and to take them into consideration before acting. She felt 'very strongly' on women's issues like abortion and pregnancy counselling, and when asked if community support was a consideration she responded affirmatively. More specifically, she indicated that she:

knew pretty well that there was support from the community on them [the issue in the bill]. Now, there was equally strong non-support, or you know, outright opposition from other groups in the community as well but I felt reasonably confident that this was what people in the community wanted to happen.<sup>82</sup>

Another interviewee, Scorpius, directly linked the importance of public support to acting on RU486:

if I've learnt anything in campaigning and winning it is that you can't do it on your own, that you need to have, it has to be a sense of a groundswell, the

---

<sup>79</sup> Interview with Pegasus, conducted by Adele Lausberg, May 28, 2014.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> Interview with Pegasus, conducted by Adele Lausberg, May 28, 2014.

public is ready for this. The public will accept this as a reasonable reform at this point in time.<sup>83</sup>

As the above statements demonstrate, women involved in the two cases of CPC were cognisant of societal level factors, largely public pressure (political *must*) and public support (political *want*). While they were encouraged to act by public support, these women also possessed an individual sense of duty to represent women's issues.

In the next section, I examine the institutional constraints that counter the occurrence of CPC by women. Though these constraints exist, women have been enabled to use CPC and I outline these factors in the last sections of this chapter.

## **5.8 Institutional Constraints on Women**

Whether CPC occurs is influenced by institutional constraints and enabling factors working in opposite directions. Women were constrained in 2005 and 2006 from pursuing collaboration due to major party discipline. This is alongside broader constraints evident in parliamentary norms, practices, and structure, as detailed in Chapter 4. As indicated earlier in the thesis, women's use of CPC reflects underlying gender problems in the parliamentary system. Their adoption of CPC demonstrates two interrelated factors. First, it underscores the existence of issues that concern women politicians, but which are generally ignored in mainstream political activities. This is not to suggest that these issues are women-only issues. Rather, they are ones that women politicians believe require representation.

Second, women's use of CPC demonstrates the power differentiation of prescribed gender roles for women and men. I take the position that women and men are treated differently by society and are thus prescribed different gender roles, which are evident in parliament in the allocation of portfolios and patterns of communication, alongside other elements outlined in Chapter 4. Women were historically excluded from the public sphere and whilst they have fought to be included as elected representatives, concerns relating predominantly to women have not by extension

---

<sup>83</sup> Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.

become normalised in political discourse and for this reason they remain private, conscience issues.

The issues addressed in the two co-sponsored bills were (and are) ignored by parties' due to their divisive nature in the community. These issues also divide parties and the existence of CPC reflects internal party problems. Women's voices are often marginalised as major parties can be reluctant to incorporate concerns specific to women in their platforms. Instead they classify issues, like reproductive rights, as personal conscience issues. Women reached across political lines because their strength of conviction on an issue meant they were willing to work with political adversaries. Hansard speeches and my original interview data support this conclusion. This willingness to collaborate indicates that women were prepared to bypass mainstream party channels, choosing not to follow the norm of legislation proposal through party channels.

## 5.9 Major Party Discipline

As has been stated, party discipline is high in Australia.<sup>84</sup> CPC is significant because politicians generally enter parliament with the support of a political party. For a backbencher, acting outside the boundaries of a major political party is a bold and potentially risky strategy. Acting 'out of line' can flag someone as a troublemaker and may threaten ministerial or leadership ambitions. However, willingness to overstep party boundaries also demonstrates initiative and a desire to go against the rule that parties determine the legislative agenda.

Party constraints have worked against CPC across different legislatures. In her study of women's CPC in Argentina, Tiffany D. Barnes found that 'strong party constraints' caused women to behave more like men – that is, to toe the party line and not collaborate.<sup>85</sup> Georgina Waylen indicated that in countries with low party discipline CPC is more likely to occur between women.<sup>86</sup> My interviewees provided evidence that

---

<sup>84</sup> David M. Farrell and Ian McAllister, "Australia: The Alternative Vote in a Compliant Political Culture," in *The Politics of Electoral Systems*, ed. Michael Gallagher and Paul Mitchell (Oxford: Oxford University Press, 2005), 92.

<sup>85</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 126–27.

<sup>86</sup> Waylen, "Enhancing the Substantive Representation of Women: Lessons from Transitions to Democracy," 521.

party constraints worked against women seeking CPC in the Australian Parliament. One interviewee from a major party, Pegasus, explained in three separate statements that CPC was not an activity supported by her party: 'no it's not encouraged to have cross-party alliances put it that way'; 'Oh, I'm interested in exploring opportunities but as I said it is frowned upon'; and 'it's just generally not approved of to work with other Senators.'<sup>87</sup> She identified her determination to work on co-sponsored bills as stemming from her strong belief in women's issues. Her political party was aware of her views. She explained that although she never experienced outright opposition to her participation in CPC, she was aware that it was not approved of by the party. Pegasus outlined how one of the co-sponsors of a bill in which she was involved was spoken to 'in capital letters' by her respective party about involvement in the bill.<sup>88</sup> Unfortunately, as anticipated by other interviewees, the co-sponsor alluded to by Pegasus did not respond to requests for an interview about past events concerning CPC.

Regarding representation, political parties have not fully accommodated women's concerns that were traditionally defined as part of the private realm. While this is changing, and these women's concerns are increasingly viewed as topics that concern the public realm, issues chiefly regarding women do not attract firm party positions. For example, both major parties usually utilise a conscience vote when reproductive rights are debated. My interviewee, 'Orion', disagreed with her party's position on abortion: 'Well it's something that has interested me for a long time and I was opposed to the position that our party had taken to go along with that for political reasons.'<sup>89</sup> She went on to explain how she was involved in pro-choice movements before entering parliament and wanted to see this addressed at the federal level, but that her party did not support her stance.

The legacy of the Labor Party's union movement roots is a strong masculine, as well as Catholic, culture. The 'pledge' in the Labor Party – that elected members will follow the party line – restricts individuals' actions. Taurus, a minor party member,

---

<sup>87</sup> Interview with Pegasus, conducted by Adele Lausberg, May 28, 2014.

<sup>88</sup> Ibid.

<sup>89</sup> Interview with Orion, conducted by Adele Lausberg, August 25, 2014.

recalled speaking with Labor women about raising women's issues to the parliamentary agenda:

for years we've been reassured by Labor women 'oh don't worry it's gonna happen, we're gonna do it' and it's really hard because those back benchers, women ... you know, good women, ... would say 'we're not allowed to initiate it, we can't do it because ... on-high told us not to.'<sup>90</sup>

Taurus believed that the freedom of these Labor women was restricted and recalled a Labor Party Senator losing her pre-selection over the vote on the RU486 and the Therapeutic Cloning Bills:

... she lost her pre-selection over it. She became the example of what you can't do. She voted for RU486 and she voted for the stem cell bill and then she lost her pre-selection. [A male Labor Party member] said [to the female Labor Party Senator] you are not going to stay in the parliament, you were not, you know, put on the ticket in order to do that.<sup>91</sup>

In spite of these reported restrictions, Labor Party women did co-sponsor the RU486 Bill and the Pregnancy Counselling Bill. They were prepared to risk their careers to give these issues representation. Women in the Labor Party had previously tried to make abortion part of party platform. In the 1970s and 1980s Labor Party women argued that abortion concerned 'women's bodies' and not 'men's consciences', and therefore abortion should be party policy, not a conscience issue.<sup>92</sup> This attempt to change the Labor Party position was unsuccessful.

The Liberal Party interviewees provided little feedback on party discipline. Although at times Liberal members rebel and vote against party line,<sup>93</sup> generally Liberal/National members band together in an effective voting bloc, similar to the Labor Party. Ross, Dodds, and Ankeny outlined how the Liberal party tolerated some crossing of the floor based on individual conscience, but that leniency on this waned

---

<sup>90</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.

<sup>91</sup> Ibid.

<sup>92</sup> Pringle, "Urban Mythology: The Question of Abortion in Parliament," 16.

<sup>93</sup> See for more Deirdre McKeown and Rob Lundie, "Crossing the Floor in the Federal Parliament 1950 - August 2004" (Parliamentary Library, Department of Parliamentary Services, 2005).



after its 1996 election win as the leadership wanted to display unity and the conscience vote was more commonly utilised on contentious issues that could split the party.<sup>94</sup>

Pregnancy counselling regulations and RU486 did not attract major party positions before their introduction as co-sponsored bills in parliament. There are two possible reasons for this, one of which has been mentioned. First, not enough community members were concerned with either issue. The co-ordinated public focus of RU486 was specific to the medical community, remote communities, and a small selection of not-for-profits, such as RCA and CBC. Pregnancy counselling was pertinent to an even smaller part of the community and was not a popular media issue, as RU486 was. Political parties cannot adopt a position on every issue, however. This would be an unworkable electoral strategy likely to result in inconsistencies between small issues. Nevertheless, as reproductive issues are consistently ignored in party platforms, CPC is a viable means of providing representation to such issues.

A second reason – referred to earlier in this chapter – parties did not adopt either RU486 or pregnancy counselling regulations into their agendas could be that these issues predominantly concern women. Whilst abortion can also impact men, a woman's body is at the core of the issue. Women are the ones who experience abortion first-hand. The higher numbers of men elected to parliament and the continued inequality between women and men in society more broadly has made parties reluctant to take a position on these issues.

As can be seen from the existence of CPC, constraints did not prevent women from forming alliances, and I explore the enabling factors that contributed to CPC in 2005 and 2006 in the sections below.

---

<sup>94</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 16.

## 5.10 Enabling Factors

After forming individual political will and establishing that there was societal political will on these reproductive issues, enabling factors contributed to women's use of CPC, which are explored in the following sections.

## 5.11 Critical Actors and a Critical Mass of Women

One enabling factor of CPC between women was the fact that in 1996, for the first time, the Senate contained a critical mass of women. The higher number of women saw alliances between them across party lines in co-sponsored motions and they exhibited similar voting on conscience votes. Eventually, legislative change was achieved by women through a co-sponsored bill in 2006. This thesis supports Kanter's argument that a higher representation of women leads to more alliances.<sup>95</sup> This finding holds after 2006 as well, though not just for alliances between women (see Chapters 6 and 7).

It is important to consider an additional factor beyond numbers that led to CPC: critical actors. In the case of the two co-sponsored bills, feminists were important critical actors who were more likely to instigate legislative action than other women politicians. This conclusion is informed by the literature reviewed in Chapter 3. Kanter's proposition – that feminists (defined as individuals 'highly identified' with their own social category) are important for acting on behalf of women – applies here.<sup>96</sup> Kanter's definition does not allow for men to act as feminists. While it is possible for men to act in the substantive interest of women, they did not initiate CPC on women's issues in the case studies presented in this chapter. The co-sponsorship of bills by women demonstrate that women feminists are needed to initiate action. Kanter's third claim therefore has validity for the Australian context: as critical actors, women feminists are important initiators of action towards a substantive representation of women.

---

<sup>95</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women."

<sup>96</sup> *Ibid.*, 987.

A critical mass (30%) of women can positively affect the impact of women on legislative output<sup>97</sup> and can help them to bypass institutional constraints. The use of co-sponsored bills in the Senate, where women constituted a critical mass from July 1996 onwards,<sup>98</sup> supports Kanter's proposal that more women result in more alliances.<sup>99</sup> The majority of women in the Senate voted in favour of the socio-moral issue on the bills analysed in this chapter. For example, women constituted a critical mass in the Senate during the Euthanasia Bill vote, where women voted in favour of legalising euthanasia. The vote in the Senate saw 16 of 23 women vote in favour of keeping euthanasia legal in the NT. Of the 16 Senators voting to uphold the NT Act, 6 were Labor, 5 Democrat, 4 Liberal, and 1 Greens. Of the 7 Senators voting against the NT Act (and for the Euthanasia Bill), 4 were Liberal and 3 Labor. In the Lower House, 14 women (13 Liberal, 1 Labor) voted to reverse the NT's law and only 5 voted to uphold it (2 Liberal, 3 Labor). While there is no obvious pattern in votes across parties here, it is noteworthy that women in the Senate were much more likely to vote in favour of the NT law. This suggests that women were prepared to differentiate in that chamber more so than in the House of Representatives where they did not constitute a critical mass.

The other three bills that went to a vote – the Research Involving Embryos, RU486, and Therapeutic Cloning Bills – saw no division in the House of Representatives. For this reason, the following analysis focuses more on votes in the Senate. McKeown and Lundie summarised general voting patterns based on the last stages when a division was held in the House of Representatives for the Research Involving Embryos and Therapeutic Cloning Bills. They observed that women strongly supported these bills in the House of Representatives.<sup>100</sup> The votes in the Senate on these bills also saw women take a socially liberal view, voting in favour of the socio-moral issue. On the Research Involving Embryos Bill, 20 female Senators (out of 23)

---

<sup>97</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women"; Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics."

<sup>98</sup> Parliament, "Senate Brief No. 3 - Women in the Senate", accessed 4 September 2017.

<sup>99</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women."

<sup>100</sup> McKeown and Lundie, "Conscience Votes during the Howard Government 1996-2007," 10.

voted Aye. One Green, 2 Democrats, 1 independent, 9 Labor, and 7 Liberal women Senators voted for the bill, and 2 Labor and 1 Liberal woman voted against.

The Therapeutic Cloning Bill 2006 saw a similar majority of women Senators vote in favour of therapeutic cloning for research: 20 in favour and 4 against. The party breakdown was 2 Democrats, 2 Greens, 6 Liberals, and 10 Labor women voting in favour, with 1 Liberal and 3 Labor women voting against. The women's vote on the RU486 Bill in the Senate saw 24 women vote in favour of the amendment and 3 against. The vote breakdown for the Aye votes was 2 Democrats, 3 Greens, 7 Liberals, 11 Labor, and 1 National. Two Labor women and 1 Liberal woman voted against. Evidently, women were more comfortable expressing socially progressive views in the Senate, which also helps to account for the two co-sponsored bills on RU486 and pregnancy counselling in that house.

In the House of Representatives, with less than 30% women, CPC between women did not occur in co-sponsorship alliances but there were similarities in women's voting patterns. In this house, the majority of women usually voted in support of the socio-moral issue involved in the bills analysed in this chapter (with the exception of the Euthanasia Bill). Their number has not been high enough in the House of Representatives to see women form alliances and co-sponsor a bill with other female ideological adversaries. Constraints are more powerful when the proportion of women is less than 30%: women did not co-sponsor bills in the House of Representatives, where there was no (and still is no) critical mass but they did in the Senate, where there was critical mass. However, when women were free from party constraints, they generally voted in favour of the social issue in the bills presented here.

Two main points regarding critical actors and critical mass emerge from the above analysis. First, only women co-sponsored bills concerning women's reproductive rights. This, and women's voting patterns, reiterate the gendered private/public divide. The neglect of these socio-moral issues in politics was largely a result of private issues being viewed as part of the home, and therefore outside the purview of politics (see Chapter 4 for discussion on the public and private spheres).

Carol Pateman outlined how traditionally women and men were located in separate, but interconnected, private and public worlds.<sup>101</sup> This connection has become clearer as women have been elected to parliament and introduced issues once considered private to the public sphere.

Second, while both men and women participated in the debates surrounding controversial socio-moral issues, in the speeches and justifications for their vote women were more likely to: consider women as a specific group; cite community concern in their speeches; and vote in favour of the socio-moral issue based on community opinion (in the form of surveys, opinion polls or direct engagement). Certainly, as there were more men in parliament, many men also cited community opinion and concerns about women in their arguments, but the proportion of women who did so relative to their total number was higher across the bills analysed here.

What these two points reveal is that critical mass and critical actors both have a role to play in the substantive representation of women. When there are feminists in parliament in a house with a critical mass of women, CPC can occur, especially on issues that have been avoided by major parties. Another factor enabling CPC has been the presence of minor parties, explored in the next section.

## **5.12 Minor Parties**

It is easier for members of minor parties to participate in collaboration than for their major-party counterparts. Democrats members, for example, had a relatively high degree of freedom with party doctrine stipulating that if a member's personal view, or that of their constituents, clashed with a proposed policy, then they were free to vote accordingly. The presence of vocal minor party members advocating for women's issues helped encourage women from major parties to pursue collaborative action. Orion explained that a minor party member helped to instigate action on RU486:

But the actual thing that stimulated 'now is the time' was 'cause Lyn [Allison] had actually threatened as minor parties can do – and continue to do, so nothing that happens here is new – Lyn had actually threatened that

---

<sup>101</sup> Pateman, "Feminist Critiques of the Public/Private Dichotomy."

she was going to bring forward a bill and of course both the government and the opposition were trying to make that not happen.<sup>102</sup>

Two minor party member interviewees offered insights into conscience issues. Taurus stated that ‘most of the time, you know, policy and ideas I was allowed to – and my colleagues were allowed to – run with their private members bills, that kind of stuff.’<sup>103</sup> Scorpius expressed the opinion that:

[I]t’s just a nice balance of having the freedom to initiate things and to not go through a terrible lengthy process. We’re all so busy with our portfolios so as long as you reported in, and you weren’t doing anything too risky, it was ok.<sup>104</sup>

The level of freedom within the Democrats enabled members to introduce issues they felt required representation. Senator Bartlett (in committee on the debate over Research Involving Embryos 2002 Bill) stated that ‘the view of the Democrats is that every bill before us is a potential conscience vote bill.’<sup>105</sup> His statement supports Taurus and Scorpius’ reports about the freedom of minor party members.

From the outset, the Democrats’ history involved a more equitable gender balance than either of the two major parties. As a more modern party than the major two — formed in 1977 — the Democrats have had more female than male leaders.<sup>106</sup> Scorpius attributed the freedom given to Democrats members to it being a young party: ‘I think that because the Democrats were a new party, they started a bit afresh. They didn’t have the baggage of the two major parties.’<sup>107</sup> It was easier for women in this party to act on women’s issues because the Democrats had neither the entrenched masculine history nor strong religion that influenced the two major parties. The lack of these institutional constraints allowed more freedom for women.

Like the Democrats, the Greens lack a history of male dominance. Senator Nettle was a co-sponsor of the Pregnancy Counselling Bill and campaigned in support of the

---

<sup>102</sup> Interview with Orion, conducted by Adele Lausberg, August 25, 2014.

<sup>103</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.

<sup>104</sup> Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.

<sup>105</sup> Senator Andrew Bartlett, *Cth, Parliamentary Debates, Senate*, 7106, December 4, 2002.

<sup>106</sup> Gauja, “Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats,” 496.

<sup>107</sup> Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.

RU486 Bill.<sup>108</sup> It appears to be easier for individuals from minor parties to engage in CPC than individuals from major parties, something further explored in Chapter 7. CPC highlights the rigidity of the major party lines. Members of the major parties have a harder time representing issues that do not fit with party ideologies, whereas minor party members have more freedom to pursue issues. Their increased number has assisted with an increase in CPC, particularly on women's issues as women in minor parties have often been vocal advocates for women's rights.

### **5.13 Parliamentary Groups and Committee Minority Reports**

As outlined in the literature review in Chapter 1, centralised women's caucuses can assist with enabling CPC, though they are not essential to it. In Australia, there is no centralised women's caucus, though other structures in parliament have facilitated CPC. PFGs provide an avenue for individuals to meet with others who share their views. The minority report in a committee can also offer an avenue for politicians to band together in defiance of the majority report, as was done with the Pregnancy Counselling Bill.

The APGPD was another avenue for CPC: a structure within parliament that facilitated the genesis of the RU486 Bill. Indeed, the APGPD describes itself as:

a group of politicians across Federal, State and Territory Parliaments who have put our political differences aside to work together to champion women's empowerment, break down gender discrimination and advocate access to safe reproductive health services.<sup>109</sup>

Interviewee 'Dorado' independently raised the APGPD in interview and outlined the importance of having an avenue for women to meet and organise within:

the Parliamentary Friendship Group on Population [APGPD]... you know it has a very long and particular tradition around cross-party activism, sometimes quite courageous on feminist issues. I think it's interesting to see

---

<sup>108</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 13.

<sup>109</sup> Australian Parliamentary Group on Population and Development, "About," Australian Parliamentary Group on Population and Development, 2017, <https://www.pgpd.asn.au/about>, accessed 12 January 2017.

the – I think there’s a kind of world beyond the confines of that particular friendship group.<sup>110</sup>

This interviewee – still in parliament at the time of writing – also believed that there was ‘fertile ground for women’s collaboration in the parliament.’<sup>111</sup>

PFGs and committee minority reports offer opportunities for individuals to find common grounds to work together. Rudy B. Andeweg and Lia Nijzink identified caucuses as avenues for the cross-party mode of executive-legislative relations, particularly women’s and regional caucuses.<sup>112</sup> This finding is also supported in Barnes’ research on collaboration between women which concentrates on Argentina, but also looks at women’s collaboration in the US, Uruguay, Rwanda, and South Africa in which she concludes that women’s caucuses and committees can encourage CPC, but they do not automatically lead to it.<sup>113</sup> While Australia does not have a centralised women’s body, my findings here demonstrate the usefulness of the APGPD in facilitating collaboration on RU486. However, as with Barnes’ findings, my findings, and the literature review in Chapter 1 (which surveyed Norway, South Africa, Brazil, and the UK) revealed that a centralised women’s group does not automatically lead to regular CPC.

## Conclusion

The CPC cases presented in this chapter cut across traditional party-political left-right cleavages, allowing politicians from different parties to find common ground to pursue collaborative activities. In particular, it has been women who demonstrated a greater inclination to work with political adversaries. This was most evident in their willingness to represent reproductive rights on the political stage as neither the major parties, nor male politicians, had raised women’s issues in this way. One respondent, Dorado, recognised the significance of women’s collaborative work on RU486 as a demonstration of what could be achieved. S/he did not believe women were inherently

---

<sup>110</sup> Interview with Dorado, conducted by Adele Lausberg, October 26, 2016.

<sup>111</sup> Ibid.

<sup>112</sup> Andeweg and Nijzink, “Beyond the Two-Body Image: Relations Between Ministers and MPs,” 167.

<sup>113</sup> Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*, 215–16.



more collaborative than men, but recognised that the successful passage of the RU486 Bill was symbolic for women:

Because there is this example of women having the courage to find common cause on these questions and because it's an example where they were successful and an example where their collaboration is viewed positively and largely commented upon positively, I think it's quite a powerful example and it gives rise to a belief amongst women that these things might be possible and that there is a place for that kind of collaboration within the structures of the parliament.<sup>114</sup>

While Australian society continues to delineate differences in the treatment of men and women, women politicians are better equipped to represent women's issues. I do not propose that women politicians automatically aim to represent women. Rather, I argue that a greater number of women in parliament is important for symbolic and justice reasons and provides better chances of a substantive representation of women. Therefore, as Anne Phillips' 'politics of presence' argument suggests (outlined in Chapter 3), both substantive and descriptive forms of representation are important. A substantive representation of women was evident in women's use of CPC in 2005 and 2006.

It was necessary for women to use CPC in 2005 and 2006 to represent reproductive rights and circumvent parliamentary and party restrictions. Enabling factors of critical actors, critical mass, minor parties, and parliamentary groups/committee minority reports contributed to the two cases of women's CPC presented here. After 2006, CPC was increasingly adopted by men and women and like women's use of CPC in 2005 and 2006, after 2006 politicians with less power employed CPC to bypass party politics and bring attention to a socio-moral issue that transcended left-right cleavages. In the next chapter, I analyse the increasing adoption of CPC by minor party members, independents, and major party backbenchers, giving attention to their justifications for participating in it, as well as exploring institutional constraints and enabling factors.

---

<sup>114</sup> Interview with Dorado, conducted by Adele Lausberg, October 26, 2016.

## Chapter 6: Cross-Party Collaboration 2006 – 2016

### Introduction

This chapter outlines how CPC, a practice previously rarely used in Australian politics, increased in frequency between 2006 and 2016. Following the legislative success of CPC by four women Senators on the RU486 Bill (detailed in Chapter 5), the practice was more likely to be used by a wider array of politicians. Independents, minor party members, and major party backbenchers – both women and men – utilised CPC increasingly after 2006 to achieve representational aims on socio-moral issues. Time will tell if the increase continues.

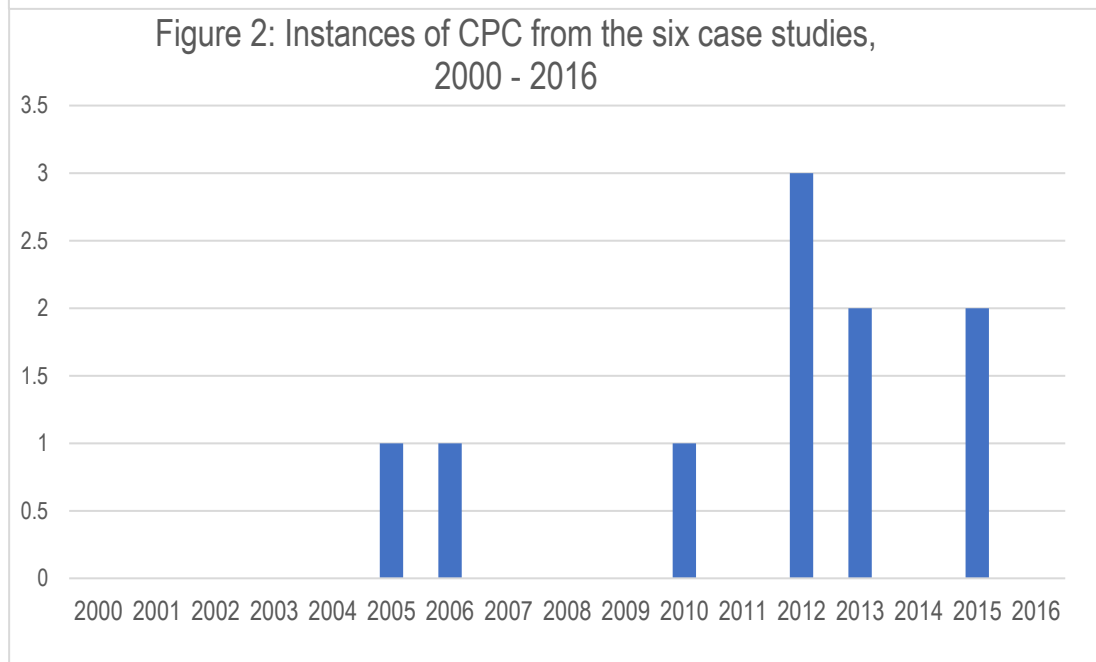
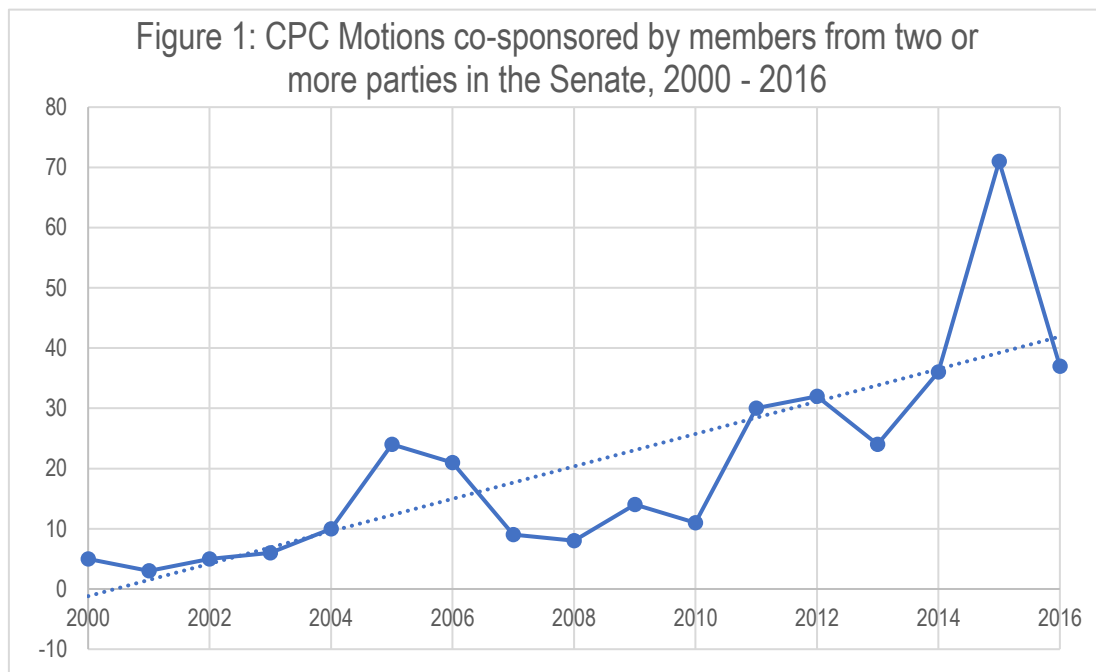
Using data from the case studies of CPC between 2006 and 2016, this chapter: identifies the steps required for CPC's occurrence; outlines the enabling factors affecting an increase of the practice during this timeframe; and explores constraints that work against CPC. It provides answers to my research questions that asked: *why politicians increasingly utilised CPC between 2006 and 2016; what factors enable CPC to occur; and what factors constrain CPC*. This chapter also analyses the issues for which CPC was used. To this end I investigate why and how CPC was used in four areas: same-sex marriage; asylum seekers; banning cosmetic testing on animals; and gene patents. These issues have attracted significant, and sometimes repeated, instances of collaboration across party lines. The socio-moral focus of the cases of CPC covered in this and the previous chapter also provide an answer to *whether there is a pattern to the types of issues for which CPC is utilised*.

This chapter proceeds as follows. It provides an overview of the history and political context surrounding the four cases of CPC between 2006 and 2016. I explore how individual political will must be present for CPC to occur, based on empirical data presented in this chapter. I continue to utilise this data to outline further constraints to those analysed in Chapters 4 and 5 that counter collaboration in Australian politics. These include strict party discipline and party leadership style. I then identify and analyse the enabling factors of CPC in this timeframe: electoral shifts (an increased number of parties and women); a cosmopolitan outlook (involving politicians

disregarding political party values in favour of higher, transcendent laws); and desire for community leadership. With a shifting composition of parliament and shared respect for human dignity evident across party lines, CPC has emerged as a more regular – though not yet ‘sticky’ and routine – aspect of Australian politics.

### 6.1 Cross-Party Collaboration 2006 – 2016

CPC is increasing as an alternative to the norm of policy being presented through major party channels: instances of motions co-sponsored by members from



two or more different parties in the Senate increased in the period 2000 to 2016 (see Figure 1, previous page), and an increase occurred in cases of CPC between 2005 and 2016 (see Figure 2, previous page). Ordinarily, policy is introduced and debated in the party room under the direction of the leadership and then presented to parliament. The changing composition of parties in parliament has created conditions amenable to collaboration, and the increase in number of parties (see Table 1, below) is mirrored in an increase in CPC: as members of parliament not belonging to either major party have increased, so too have opportunities for backbenchers to collaborate with like-minded individuals. In an interview with ‘Aquila’, an interviewee from a major party, s/he commented: ‘Everybody’s happy to work with everybody. Parliamentary friends[hip] groups and committees, it’s very collaborative.’<sup>1</sup> Evidently, CPC is emerging as a routine part of representation for some politicians.

**Table 1: Number of parties/independents other than two major party groupings in parliament**

Election	House of Representatives	Total number representatives	Total number parties	Senate	Total number representatives	Total number parties
2007	2 IND	2	2	1 IND, 3 GRN	4	2
2010	1 GRN, 4 IND	5	2	1 DLP, 6 GRN	7	2
2013	1 GRN, 1 PUP, 1 KAT, 2 IND	5	5	10 GRN, 1 NXT, 2 FF, 1 LDP, 1 AMEP, 2 PUP, 1 JLN	18	7
2016	1 GRN, 1 KAT, 1 NXT, 2 IND	5	5	9 GRN, 1 LDP, 3 NXT, 1 FF, 1 JLN, 4 PHON, 1 DHJ	20	7

CPC exposes both tensions within the major parties, and the limitations of a two-party system. Labor Party candidates are required to make a pledge to give allegiance to party rule, and to vote with the caucus in parliament.<sup>2</sup> Although the

<sup>1</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

<sup>2</sup> Jaensch, *Parliament, Parties & People: Australian Politics Today*, 136; Sharman, “Discipline and Disharmony: Party and the Operation of the Australian Federal System,” 29 Footnote 12.

Liberal Party does not have a formalised pledge, it follows a strict code of party discipline that acts as an informal party rule to deter individuals from crossing the floor.<sup>3</sup> Liberal and National Party members generally vote as a bloc in parliament. Although some crossing of the floor was tolerated in the past, the Liberal Party became less forgiving after the Coalition's 1996 election win.<sup>4</sup> The plurality of views within both major parties creates vulnerabilities and despite party discipline, disagreement is not always containable to party rooms. Backbenchers have sought collaboration with like-minded individuals from other parties. CPC allows politicians to fill gaps in policy that party leadership ignores. It does so by circumventing lengthy party room discussions to force debate in parliament on an issue.

In the sections below, I assess four case studies of CPC. These cases involve sustained and dedicated efforts to see policy change and fit my definition of CPC outlined in the Introduction. Each case involved collaborators from both the Labor and Liberal parties which allows me to analyse how internal dynamics of the major parties influenced backbenchers' decisions to collaborate.

## 6.2 Same-Sex Marriage

The same-sex marriage debate was prominent in the post-2007 public domain and is an issue which numerous politicians have indicated they would be willing to work on with their political adversaries.<sup>5</sup> Historically, same-sex marriage has attracted controversy in parliament; demonstrated by the following brief history of the John Howard Government era and the conservative values it upheld. Initially, Howard wedged the Labor Party into adopting a conservative stance on same-sex marriage. In

---

<sup>3</sup> Vromen, Gelber, and Gauja, *Powerscape: Contemporary Australian Politics*, 105; Taflaga, "Politics, Policy Development and Political Communication during Opposition: The Federal Liberal Party of Australia 1983-1996 and 2007-2013," 119–21.

<sup>4</sup> Ross, Dodds, and Ankeny, "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia," 16.

<sup>5</sup> Cec Busby, "Federal Cross Party Working Groups for Marriage Equality Announced," *Gay News Network*, November 12, 2013, <http://gaynewsnetwork.com.au/news/federal-cross-party-working-group-for-marriage-equality-announced-12557.html>, accessed 12 February 2016 ; Jacqueline Maley, "Tanya Plibersek Seeks Malcolm Turnbull's Help on Gay Marriage Bid," *The Sydney Morning Herald*, December 15, 2013, <http://www.smh.com.au/federal-politics/political-news/tanya-plibersek-seeks-malcolm-turnbulls-help-on-gay-marriage-bid-20131214-2ze8w.html>, accessed 12 February 2016 ; Daniel Hurst, "Cross-Party Same-Sex Marriage Bill to Be Introduced in August," *The Guardian*, July 1, 2015, <http://www.theguardian.com/australia-news/2015/jul/01/same-sex-marriage-opponents-gear-up-for-clash-over-free-vote-for-liberals>, accessed 12 February 2016.

2004 this resulted in the Labor Party supporting the Howard Government's change to the *Marriage Act 1961* to specify that marriage was 'between a man and a woman.'<sup>6</sup> In 2011, however, same-sex marriage was included in the Labor Party's National Platform and after this change in policy instances of CPC on this topic increased.

### *John Howard Government Era*

Carol Johnson and Manon Tremblay have outlined how Howard's prominent support for conservative values echoed former US President George W. Bush's successful electoral strategy of attempting to wedge off socially conservative voters, including working class ones, from his opponents.<sup>7</sup> Johnson has identified four key elements in Howard's broader set of values, of which two – social conservatism and Christian Right beliefs – prohibited the legalisation of same-sex marriage in Australia.<sup>8</sup> Adherence to Howard's values became a signpost for party loyalty: Johnson has speculated that Judi Moylan's (LP) strong feminist streak – at odds with traditional conservative values – resulted in the loss of her ministry portfolio.<sup>9</sup> Failing to adhere to Howard's values had repercussions, and it was rare for Liberal Party members to break party discipline, although there were a few exceptions that I discuss in relation to CPC on same-sex marriage and asylum seekers.

In 2004, same-sex marriage shifted from being a conscience vote issue to becoming a key target of Howard's socially conservative values in the party's electoral strategy. The issue became a feature of the 2004 election and entered the domain of party politics.<sup>10</sup> This made any collaborative action on same-sex marriage difficult as rebellion was fraught with risk. In 2009 Tony Abbott reinvigorated the emphasis on conservative values when he became Opposition Leader. Abbott accepted that same-

---

<sup>6</sup> "Coalition, Labor Pass Same-Sex Marriage Ban," *ABC News Website*, August 13, 2004, <http://www.abc.net.au/news/2004-08-13/coalition-labor-pass-same-sex-marriage-ban/2025130>, accessed 12 January 2017; Misha Schubert, "Democrat Pleads for Rethink on Gay Marriage Ban," *The Age Online*, August 14, 2004, <http://www.theage.com.au/articles/2004/08/13/1092340471989.html>, accessed 12 January 2017.

<sup>7</sup> Johnson and Tremblay, "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will," November 2016, 144.

<sup>8</sup> Johnson, "John Howard's 'Values' and Australian Identity," 199. The other two values are Anglo-Celtic identity and neo-liberal "entrepreneurial culture."

<sup>9</sup> *Ibid.*, 202.

<sup>10</sup> Carol Johnson, "Fixing the Meaning of Marriage: Political Symbolism and Citizen Identity in the Same-Sex Marriage Debate," *Journal of Media & Cultural Studies* 27, no. 2 (2013): 247.

sex marriage was an on-going issue for the community, however, and promised a plebiscite in 2015.<sup>11</sup> After becoming Prime Minister later in 2015, Malcolm Turnbull vowed to uphold Abbott's plebiscite policy (which became a postal survey), a tactic supported by the Coalition's right faction.<sup>12</sup>

Parallel to the conservative view of marriage was an equality narrative, largely championed by minor parties.<sup>13</sup> The Democrats and the Greens proposed bills and motions on same-sex marriage during the Howard era. Johnson indicated that the Labor Party faced pressure to support same-sex relationship rights from minor parties, demonstrated in Senator Brian Greig's (DEM) criticism of then backbencher Anthony Albanese's (ALP) introduction of a private member's bill on superannuation in 1998.<sup>14</sup> If passed, the bill would have allowed gay and lesbian workers to provide for their partners and children in the event of their death.<sup>15</sup> The Democrats' criticism stemmed from the fact that the bill was not endorsed by a Labor Party frontbencher.<sup>16</sup>

### *Collaboration after 2007*

After the Labor Party won the 2007 election, the combined pressures of the Greens and internal party advocates assisted Labor in adopting same-sex marriage to its National Platform, but not until 2011. This adoption initiated an increase in collaborative activities to change marriage laws. After the 2004 election, the Greens replaced the Democrats as the third largest party,<sup>17</sup> and continued pressuring the Labor Party on same-sex marriage. The Greens introduced the *Marriage Equality Bill*

---

<sup>11</sup> Judith Ireland, "Tony Abbott Flags Plebiscite on Same-Sex Marriage in Bid to Defuse Anger," *Sydney Morning Herald Online*, August 12, 2015, <http://www.smh.com.au/federal-politics/political-news/tony-abbott-flags-plebiscite-on-samesex-marriage-in-bid-to-defuse-anger-20150811-giwyg1.html>, accessed 9 February 2017.

<sup>12</sup> Phillip Coorey, "The Push for Malcolm Turnbull to Hold a Parliamentary Vote on Same-Sex Marriage Could Boil over next Week," *Business Insider Australia*, August 1, 2017, <https://www.businessinsider.com.au/marriage-equality-vote-malcolm-turnbull-pressure-2017-8>, accessed 21 May 2018.

<sup>13</sup> Johnson, "Heteronormative Citizenship: The Howard Government's Views on Gay and Lesbian Issues."

<sup>14</sup> *Ibid.*, 55.

<sup>15</sup> Anthony Albanese, *Cth, Parliamentary Debates, House of Representatives*, 2600, February 11, 1999.

<sup>16</sup> Johnson, "Heteronormative Citizenship: The Howard Government's Views on Gay and Lesbian Issues," 55.

<sup>17</sup> Narelle Miragliotta, "One Party, Two Traditions: Radicalism and Pragmatism in the Australian Greens," *Australian Journal of Political Science* 41, no. 4 (December 1, 2006): 585.

2009<sup>18</sup> and had the first openly gay elected member and leader of a party, Senator Bob Brown. The Greens' sizeable parliamentary presence exacerbated and helped publicise the Labor Party's internal divisions over marriage equality<sup>19</sup> and threatened their socially progressive vote. The progressive push from the Democrats and the Greens, as well as internal lobbying, led the Labor Party to a progressive position on same-sex marriage in 2011. The Greens threatened the Labor Party with their potential to attract socially progressive voters (research demonstrates that the Greens present the biggest electoral threat to the Labor Party).<sup>20</sup>

Internal lobbying from individuals and the LGBTQI arm of the Labor Party, Rainbow Labor, assisted the shift in Labor's policy on same-sex marriage. Prominent (and openly gay) Labor-left Senator Penny Wong advocated within the party for same-sex marriage alongside fellow left faction frontbench MPs Tanya Plibersek and Albanese.<sup>21</sup> However, Wong attracted negative media attention for having supported her party's opposition to marriage equality in 2010.<sup>22</sup> The Labor Party pledge is designed to display unity to the public in such contentious situations. Pressure from internal advocates and minor parties made unity unsustainable, and disunity became evident, resulting in negative press for members like Senator Wong.

The Labor Party formally recognised same-sex marriage as an issue of equal rights when its party platform was amended at the 2011 National Conference. However, Labor Party parliamentarians retained a conscience vote on the issue, a

---

<sup>18</sup> Senator Sarah Hanson-Young, *Marriage Equality Amendment Bill (Cth)*, 2009, accessed 12 January 2017.

<sup>19</sup> Matthew Franklin, "ALP Brawls over Gay Marriage and Greens' Influence," *The Australian*, November 30, 2010, <http://proxy.library.adelaide.edu.au/loginhttps://explore.proquest.com/document/814492077?accountid=8203>, accessed 1 December 2016.

<sup>20</sup> Narelle Miragliotta, "The Australian Greens: Carving out Space in a Two-Party System," *Environmental Politics* 22, no. 5 (September 1, 2013): 718.

<sup>21</sup> Senator Penny Wong, "In the Name of Equality, Labor Must Adopt Gay Marriage, Speech to SA Labor State Convention," *Crikey*, November 27, 2010, <https://www.crikey.com.au/2010/11/29/wong-in-the-name-of-equality-labor-must-adopt-gay-marriage/>, accessed 1 December 2016.

<sup>22</sup> Matt Akersten, "Wong 'Hypocrite' on Gay Marriage," *Samesame.com.au*, July 26, 2010, <http://www.samesame.com.au/news/5671/Wong-hypocrite-on-gay-marriage>, accessed 17 March 2017; Andrea Hayward, "Brown 'horrified' at Wong's Anti-Gay Marriage Stance," *Sydney Morning Herald Online*, July 26, 2010, <http://m.smh.com.au/federal-election/brown-horrified-at-wongs-antigay-marriage-stance-20100726-10rwj.html>, accessed 17 March 2017; Tim Dick, "Married to the Mob," *Sydney Morning Herald Online*, July 26, 2010, <http://m.smh.com.au/federal-election/married-to-the-mob-20100726-10r77.html?skin=dumb-phone>, accessed 17 March 2017.



motion moved by then Prime Minister Julia Gillard.<sup>23</sup> As Johnson indicates, this allowed Gillard to placate socially conservative voters and the right faction of her party, whilst conceding ground to the left.<sup>24</sup> By including a conscience vote, supporters of same-sex marriage in the Labor party would need to continue to garner support both inside and outside party lines to achieve legislative change.

The Coalition's political strategy of wedging Labor on the issue of same-sex marriage was generally effective before 2011, although during this period Labor did make concessions on other same-sex rights. The influence of minor parties assisted the passing of reforms on social security, employment, taxation, and superannuation shortly after Kevin Rudd's 2007 election win.<sup>25</sup> Despite these allowances, Labor stopped short of legalising same-sex marriage. Only after Labor adopted same-sex marriage to its National Platform did collaborative activities involving Labor members occur.

In 2012 Adam Bandt (GRN) and Andrew Wilkie (IND) co-sponsored the *Marriage Equality Amendment Bill 2012* (the Bandt and Wilkie Bill) to change the law on same-sex marriage<sup>26</sup> and there have been other informal collaborative activities on the issue. Senator Sue Boyce (LP) crossed the floor for a 2012 bill sponsored by four Labor Party Senators,<sup>27</sup> and again on a 2013 bill proposed by Senator Sarah Hanson-Young (GRN).<sup>28</sup> A pledge in relation to the issue was co-signed by three Senators from different political parties: Boyce, Louise Pratt (ALP), and Hanson-Young. These three Senators also formed a Cross Party Working Group on Marriage Equality.<sup>29</sup> One of the Senators, my interviewee 'Volans', related that these activities involved a 'bipartisan

---

<sup>23</sup> Anon, "Labor Votes in Favour of Gay Marriage."

<sup>24</sup> Johnson, "Fixing the Meaning of Marriage: Political Symbolism and Citizen Identity in the Same-Sex Marriage Debate," 248, 251.

<sup>25</sup> Robert McClelland, *Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill (Cth)*, 2008.

<sup>26</sup> Deirdre McKeown, "Chronology of Same-Sex Marriage Bills Introduced into the Federal Parliament: A Quick Guide" (Parliament of Australia: Department of Parliamentary Services, August 24, 2015), 7, Research Paper Series, 2015-16.

<sup>27</sup> Senator Sue Boyce, *Cth, Parliamentary Debates, Senate*, 7440, September 20, 2012; Senator Trish Crossin and Senator Carol Brown, *Marriage Amendment Bill (No. 2) (Cth)*, 2012; Senator Sue Boyce, *Cth, Parliamentary Debates, Senate*, 3507, June 20, 2013.

<sup>28</sup> Senator Sarah Hanson-Young, *Marriage Act Amendment (Recognition of Foreign Marriages for Same-Sex Couples) Bill (Cth)*, 2013; Boyce, *Cth, Parliamentary Debates, Senate*, 3507.

<sup>29</sup> Busby, "Federal Cross Party Working Groups for Marriage Equality Announced."

dimension' which would 'get the job done.'<sup>30</sup> Volans did not view her work with the two other Senators as particularly exceptional. When asked several times about her involvement in the working group she responded that 'it still requires party cooperation' and 'with an issue like marriage ... you do need cross-party support' and even referred to it simply as 'that other thing [I did]'.<sup>31</sup> Volans' view was that same-sex marriage required CPC as a matter of course.

In December 2013 Labor Party Deputy Opposition Leader Plibersek indicated she was seeking a same-sex marriage bill co-sponsor from the government benches, particularly targeting then Minister for Communications, Turnbull.<sup>32</sup> Turnbull stated that '[i]f the Coalition agreed to a conscience vote on same-sex marriage, I would support [the bill]'.<sup>33</sup> However, the Coalition did not support a conscience vote on the issue.<sup>34</sup> The tactic of the Labor Party deputy leader seeking collaboration was likely intended to display cooperative sentiments between the major parties. However, this strategy could be construed as wedging the Coalition on the issue: socially progressive voters who supported Turnbull could become frustrated with his unwillingness to overrule concerns from the conservative right faction of his party.

Coalition members were restricted by party discipline on same-sex marriage. This did not stop one back-bencher, Warren Entsch (LP), from pursuing a co-sponsored bill in 2015. Entsch had been a long-time supporter of same-sex rights and advocated the recognition of same-sex relationships to Howard in 2007.<sup>35</sup> The 2015 co-

---

<sup>30</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016.

<sup>31</sup> *Ibid.*

<sup>32</sup> Maley, "Tanya Plibersek Seeks Malcolm Turnbull's Help on Gay Marriage Bid"; Jonathan Swan and Judith Ireland, "Tanya Plibersek Looks for Coalition MP to Co-Sponsor Same-Sex Marriage Bill," *Sydney Morning Herald Online*, February 25, 2014, <http://www.smh.com.au/federal-politics/political-news/tanya-plibersek-looks-for-coalition-mp-to-cosponsor-samesex-marriage-bill-20140225-33ea3.html>, accessed 2 December 2016. Patricia Karvelas, "Plibersek Tells Libs to Act on Gay Marriage," *The Australian Online*, March 3, 2014, <http://www.theaustralian.com.au/national-affairs/plibersek-tells-libs-to-act-on-gay-marriage/story-fn59niix-1226843145128?nk=4fa2b150f2cab32804b6001a5ccee4a1-1475982659>, accessed 2 December 2016.

<sup>33</sup> Maley, "Tanya Plibersek Seeks Malcolm Turnbull's Help on Gay Marriage Bid."

<sup>34</sup> Matthew Knott, "Tony Abbott Warns Colleagues Not to Vote for Same-Sex Marriage," *The Sydney Morning Herald Online*, August 12, 2015, <http://www.smh.com.au/federal-politics/political-news/tony-abbott-warns-colleagues-not-to-vote-for-samesex-marriage-20150811-gix1h2.html>, accessed 2 December 2016.

<sup>35</sup> AAP, "Entsch to Hand PM Gay Rights Petition," *The Age Online*, August 8, 2007, <http://www.theage.com.au/news/National/Entsch-to-hand-PM-gay-rights->

sponsored bill had many co-sponsors and attracted substantial media attention.<sup>36</sup> The *Marriage Legislation Amendment Bill 2015* was co-sponsored by Entsch (LP), Teresa Gambaro (LP), Terri Butler (ALP), Laurie Ferguson (ALP), Bandt, Cathy McGowan (IND) and Wilkie.<sup>37</sup> The co-sponsored bill lapsed with the prorogation of parliament in April 2016, although it was anticipated that it would not pass a parliamentary vote due to a binding decision resulting from a six-hour Coalition meeting on same-sex marriage that members would uphold the plebiscite policy and not support a vote in parliament.<sup>38</sup> Coalition MPs and Senators hoping to vote for Entsch's bill would have to cross the floor to do so, and this act would lead to frontbenchers losing their ministerial position, as then Prime Minister Abbott reiterated strongly after the meeting.<sup>39</sup> Entsch's bill was stymied by Abbott's insistence that the matter should be resolved via a plebiscite.<sup>40</sup> This disappointed Coalition proponents of the bill, as they believed Abbott had encouraged them to canvas cross-party support.<sup>41</sup>

---

petition/2007/08/08/1186530437155.html, accessed 11 March 2016; see also Graham Willett, "Howard and the Homos," *Social Movement Studies* 9, no. 2 (2010): 187–99.

<sup>36</sup> Malcolm Farr, "Gay Marriage Bill to Be Introduced in August," *News.com.au*, July 2, 2015, <http://www.news.com.au/lifestyle/relationships/marriage/gay-marriage-bill-to-be-introduced-in-august/news-story/71bd5d388765ba785b1130243c064156>, accessed 2 December 2016; Hurst, "Cross-Party Same-Sex Marriage Bill to Be Introduced in August", accessed 2 December 2016; James Massola and Stephanie Peatling, "Multi-Party Same-Sex Marriage Bill to Be Introduced in August," *The Sydney Morning Herald Online*, July 1, 2015, <http://www.smh.com.au/federal-politics/political-news/multiparty-samesex-marriage-bill-to-be-introduced-in-august-20150701-gi2j5a.html>, accessed 18 October 2016; AAP, "Entsch Introduces Same-Sex Marriage Bill into Parliament," *SBS News Online*, August 17, 2015, <http://www.sbs.com.au/news/article/2015/08/17/entsch-introduces-same-sex-marriage-bill-parliament>, accessed 12 August 2017.

<sup>37</sup> Warren Entsch et al., *Marriage Legislation Amendment Bill (Cth)*, 2015; McKeown, "Chronology of Same-Sex Marriage Bills Introduced into the Federal Parliament: A Quick Guide," 12.

<sup>38</sup> Knott, "Tony Abbott Warns Colleagues Not to Vote for Same-Sex Marriage", accessed 2 December 2016.

<sup>39</sup> Daniel Hurst and Shalailah Medhora, "Same-Sex Marriage: Warren Entsch Urges Tony Abbott to Allow Public Vote on Election Day," *The Guardian Online*, August 12, 2016,

<https://www.theguardian.com/australia-news/2015/aug/12/same-sex-marriage-warren-entsch-urges-tony-abbott-to-allow-public-vote-on-election-day>, accessed 15 November 2016; Lanai Scarr, "Liberal MP Warren Entsch to Lead Way with Cross-Party Bill on Same-Sex Marriage," *News.com.au*, August 12, 2015, <http://www.news.com.au/lifestyle/relationships/liberal-mp-warren-entsch-to-lead-way-with-crossparty-bill-on-samesex-marriage/news-story/613e73ebc15c17519f6cef533602e>, accessed 15 November 2016.

<sup>40</sup> Mark Kenny and Judith Ireland, "Tony Abbott Brings on Same-Sex Marriage Debate, Coalition MPs Reject Free Vote on Issue," *The Sydney Morning Herald Online*, August 12, 2015, <http://www.smh.com.au/federal-politics/political-news/tony-abbott-brings-on-samesex-marriage-debate-coalition-mps-reject-free-vote-on-issue-20150811-giwv15.html>, accessed 15 November 2016.

<sup>41</sup> Lenore Taylor, "Confusing Outcome Shows Coalition's Same-Sex Marriage Troubles Are Not over," *The Guardian Online*, August 11, 2015, <https://www.theguardian.com/australia-news/2015/aug/11/confusing-outcome-shows-coalitions-same-sex-marriage-troubles-are-not-over>,

As leader, Abbott's influence on collaboration over same-sex marriage was not unique. Gillard did not give her support for same-sex marriage as Prime Minister, and Rudd did not support it the first time he was Prime Minister, though he changed his position before reassuming leadership and becoming Prime Minister again in 2013.<sup>42</sup> The issue dogged both Rudd and Gillard and caused problems for Turnbull as Prime Minister. Both he and Opposition Leader Bill Shorten supported same-sex marriage as leaders of their parties,<sup>43</sup> yet they held differing views about the process towards achieving legislative change, with Turnbull first seeking a community vote. The successful *Marriage Amendment (Definition and Religious Freedoms) Bill 2017*<sup>44</sup> legalising same-sex marriage was a private bill proposed by a backbencher, Senator Dean Smith (LP), which had significant cross-party support. It was introduced to parliament shortly after the announcement of results of the postal survey run by Turnbull which returned a 61.6% majority in favour of changing the law to allow same-sex couples to marry.<sup>45</sup> The actions of supporters of same-sex marriage banding together across party lines to propose co-sponsored bills on the issue helped to keep the issue prominent in the public sphere before the success of the 2017 bill. Concerns raised around marriage were often about equality, which echoes a cosmopolitan sentiment. Collaborators on same-sex marriage often reflected the cosmopolitan concept that individuals should have equal value regardless of sexual orientation.<sup>46</sup> This is explored in more detail later in this chapter.

### *Cross-Party Collaboration used by Major Party Leadership*

There is some evidence that the Labor leadership utilised CPC in an indirect manner to change marriage laws. A cynical view is that a major party can use CPC to

---

accessed 15 November 2016; Kenny and Ireland, "Tony Abbott Brings on Same-Sex Marriage Debate, Coalition MPs Reject Free Vote on Issue."

<sup>42</sup> Michelle Grattan, "Gillard Does U-Turn on Same Sex Marriage," *The Conversation*, August 26, 2015, <https://theconversation.com/gillard-does-u-turn-on-same-sex-marriage-46696>, accessed 5 December 2016. After her term in office, Gillard clarified that she wanted marriage replaced with civil unions but that she would support same-sex marriage in a public vote.

<sup>43</sup> Michael Koziol, "Malcolm Turnbull Introduces Same-Sex Marriage Plebiscite Legislation to Parliament," *The Sydney Morning Herald Online*, September 14, 2016, <http://www.smh.com.au/federal-politics/political-news/malcolm-turnbull-introduces-samesex-marriage-plebiscite-legislation-to-parliament-20160914-grfyjg.html>, accessed 23 January 2017.

<sup>44</sup> Senator Dean Smith, *Marriage Amendment (Definition and Religious Freedoms) Bill (Cth)*, 2017.

<sup>45</sup> Australian Bureau of Statistics, "Survey Results", accessed 12 October 2017.

<sup>46</sup> van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics*, 4–5.

wedge the opposition. A party can publicly demand their counterpart support and co-sponsor their bill, forcing the other party to either concede and work together, or refuse the offer and maintain its position. In a more optimistic (perhaps idealistic) vein, a major party can use CPC altruistically, if it wants to achieve change by any means, foregoing public attention and pursuing CPC by back channels.

Both types of CPC were purportedly used by the Labor Party. 'Indus' – a Labor Party member interviewed for this study – explained that the Labor MPs' involvement in the 2015 co-sponsored bill was supported informally by the party leadership: 'Labor wanted to take the politics out of it ... that's what led to the co-sponsored bill ... if what it takes is getting rid of the leaders pushing it – let's try this different tactic.'<sup>47</sup> One of the Labor cosponsors, Aquila, admitted that the Labor Party leadership team tapped her/him 'on the shoulder' and invited her/him to pursue the cross-party avenue.<sup>48</sup> As the Labor Party pursued both these paths, it is clear that although they attempted to achieve public credit through the Deputy Leader calling for a co-sponsor, simultaneously they pursued a more discreet avenue. This reveals a party leadership committed to pursuing the issue to a legislative conclusion by different CPC strategies. It shows that the party leadership recognised CPC as a means to achieve policy goals. This is a testament to the increasing importance of CPC as a political strategy.

A Labor Party supporter of same-sex marriage, interviewee Volans, emphasised the importance of working collaboratively on same-sex marriage:

I think with an issue like [same-sex] marriage, it's best delivered when it's seen to be supported by the whole of the community, which means parliament is a symbol of that, so you do need cross-party support.<sup>49</sup>

CPC is a way for politicians to demonstrate leadership to the rest of the community, and to show that they can set aside ideological differences to work towards a common goal. Volans did not believe a single party could deliver legislative change on the issue:

---

<sup>47</sup> Interview with Indus, conducted by Adele Lausberg, October 7, 2016.

<sup>48</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

<sup>49</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016.

Even when all Labor party members are bound you don't necessarily know whether you'll have the numbers on it or whether it's something you can do in government so you naturally still have to work with the crossbenches.<sup>50</sup>

Labor Party leaders who supported same-sex marriage recognised this and utilised two different collaborative efforts in an attempt to change the law.

### 6.3 Asylum Seekers

Another issue that has involved protracted debate is how to manage Australia's sovereign borders. Politicians have crossed the floor in protest of proposed immigration policies, thereby actively defying party discipline. Backbenchers' have had a propensity to rebel on this issue which has contributed to the occurrence of CPC. Concerns about asylum seekers have dominated the debate and form a point of differentiation for parties on how to best manage immigration. Here I outline the background on the politicisation of immigration, detailing how independents, minor parties and hard-line measures from the major parties led to CPC.

#### *The Asylum Seeker Debate*

At one point in time, a significant point of distinction between the major parties on immigration policy was in the 'Pacific Solution' and the Coalition's hard-line approach. As Prime Minister, Howard departed from the bipartisan informal agreement of the 1970s and 80s between the major parties which avoided the politicisation of immigration.<sup>51</sup> The Gough Whitlam Labor Government (1972-75) had developed the concept of multiculturalism which Liberal Party Prime Minister Malcolm Fraser enthusiastically adopted.<sup>52</sup> When Bob Hawke (ALP) became Prime Minister in 1983 after defeating Fraser, he maintained multiculturalism as a key element of government immigration policy.<sup>53</sup>

---

<sup>50</sup> Ibid.

<sup>51</sup> Malcolm Fraser, "Malcolm Fraser: 2012 Gough Whitlam Oration," *The Conversation*, June 6, 2012, <https://theconversation.com/malcolm-fraser-2012-gough-whitlam-oration-7524>, accessed 13 January 2017.

<sup>52</sup> Malcolm Fraser and Margaret Simons, *Malcolm Fraser: The Political Memoirs* (Carlton, Victoria: The Miegunyah Press, 2010), 426.

<sup>53</sup> Ibid., 439.

However, events in the 1990s led to asylum seekers becoming an election issue in 2001, which contributed to the dismantling of the bipartisan agreement.<sup>54</sup> This relates in large part to community attitudes and minor party influence. Studies demonstrate that the Australian public favours hard-line measures on asylum seekers:<sup>55</sup> this was evident in the significant proportion of votes that went to One Nation in the 1998 election.<sup>56</sup> In 1998-99 there were 921 boat arrivals to Australian shores, but for 1999-2000 and 2000-01 there were over 4000 arrivals.<sup>57</sup> One Nation's 1998 electoral success built on community concerns about this increase, particularly its perceived negative socio-economic impacts.<sup>58</sup> Under Pauline Hanson's leadership, One Nation differentiated itself from the major parties with its anti-migrant and anti-establishment voice. This forced the major parties to respond in order to avoid losing votes. They broke the bipartisan arrangement to win back votes lost to other parties: for the Coalition these were chiefly to One Nation, while Labor had lost votes to One Nation, the Greens, and the Democrats as some voters had concerns about refugees and asylum seekers and preferred minor party policies.<sup>59</sup>

Immigration was politicised in the 1990s partly as a response to minor parties but also to domestic and international events amid a backdrop of fear.<sup>60</sup> Events

---

<sup>54</sup> Prosser and Dennis, *Minority Policy: Rethinking Governance When Parliament Matters*, 29; Ian McAllister, "Border Protection, the 2001 Australian Election and the Coalition Victory," *Australian Journal of Political Science* 38, no. 3 (2003): 462.

<sup>55</sup> Katharine Betts, "Boat People and Public Opinion in Australia," *People and Place* 9, no. 4 (2001): 34-48; Anne Pedersen et al., "Attitudes toward Indigenous Australians and Asylum Seekers: The Role of False Beliefs and Other Social-Psychological Variables," *Australian Psychologist* 40, no. 3 (November 2005): 170-78; McAllister and Cameron, "Trends in Australian Political Opinion: Results from the Australian Election Study 1987-2013."

<sup>56</sup> Rachel Gibson, Ian McAllister, and Tami Swenson, "The Politics of Race and Immigration in Australia: One Nation Voting in the 1998 Election," *Ethnic and Racial Studies* 25, no. 5 (January 1, 2002): 823.

<sup>57</sup> Anne McNevin, "The Liberal Paradox and the Politics of Asylum in Australia," *Australian Journal of Political Science* 42, no. 4 (December 1, 2007): 619.

<sup>58</sup> Gibson, McAllister, and Swenson, "The Politics of Race and Immigration in Australia: One Nation Voting in the 1998 Election."

<sup>59</sup> McAllister, "Border Protection, the 2001 Australian Election and the Coalition Victory," 450-53.

<sup>60</sup> Australian optimism was deflated by concerns about national security, the Asian economic crisis, and tensions in the geographic region. *Ibid.*, 461-62.

including the Tampa Crisis<sup>61</sup> and 'Children Overboard'<sup>62</sup> affair occurred during panic around the 9/11 terrorist attacks in the US. Asylum seekers and terrorism dominated the 2001 election. The Coalition Government's hard-line approach entailed processing all asylum seekers arriving by boat outside of Australia at external sites. This 'Pacific Solution' curtailed asylum seeker boat arrivals until the Rudd Government took office in 2007 and made an immediate change to policy by abandoning the Pacific Solution.<sup>63</sup> In turn this decision led to a spike in asylum seeker arrivals. Continued moral panic in society over refugees and asylum seekers served to justify harsh 'protectivist' measures<sup>64</sup> and the Labor Government revived the Coalition's tough approach, reintroduced regional processing centres, and pursued a people swap deal with Malaysia.<sup>65</sup>

### *Rebellion over the Hard-line Approach*

An unintended consequence of hard-line policies was rebellion against this approach from members of both major parties. This rebellion contributed to CPC. Together, the shift from both major parties to a hard-line approach, the breaking of the informal pact not to use immigration as a political issue,<sup>66</sup> and the rise of One Nation had a galvanising effect that motivated politicians to act against perceived harsh measures. These representatives shared humanitarian concerns about asylum seekers with elements of the wider community.<sup>67</sup> Politicians from across party lines pointed to discrepancies between immigration policies and Australia's international treaty

---

<sup>61</sup> The Tampa Crisis involved the Norwegian vessel the "Tampa", which had rescued asylum seekers, being refused entry to Australian waters by the Australian Government. Legislation was swiftly passed through parliament to excise territories from Australia's migration zone. See Jaffa McKenzie and Reza Hasmath, "Deterring the 'boat people': Explaining the Australian Government's People Swap Response to Asylum Seekers," *Australian Journal of Political Science* 48, no. 4 (December 1, 2013): 418.

<sup>62</sup> The Children Overboard Affair involved the government claiming that in desperation to reach Australian shores asylum seekers had thrown their children off a fishing vessel. It was later revealed that the images were manipulated by the government in the lead up to the federal election. See McNevin, "The Liberal Paradox and the Politics of Asylum in Australia," 623.

<sup>63</sup> McKenzie and Hasmath, "Deterring the 'boat people': Explaining the Australian Government's People Swap Response to Asylum Seekers," 418.

<sup>64</sup> Greg Martin, "Stop the Boats! Moral Panic in Australia over Asylum Seekers," *Continuum* 29, no. 3 (May 4, 2015): 304–22.

<sup>65</sup> McKenzie and Hasmath, "Deterring the 'boat people': Explaining the Australian Government's People Swap Response to Asylum Seekers."

<sup>66</sup> Fraser, "Malcolm Fraser: 2012 Gough Whitlam Oration."

<sup>67</sup> Martin, "Stop the Boats! Moral Panic in Australia over Asylum Seekers," 316–18.



commitments.<sup>68</sup> Their views follow the cosmopolitan idea that ‘moral obligations [are] owed to all human beings’ regardless of differences in ‘race, gender, nationality, ethnicity, culture, religion, political affiliation, state citizenship, or other communal particularities.’<sup>69</sup> This sentiment created fertile grounds for collaboration.

A cross-party group formed in 2012 amid a wider context of political rebellion over asylum seekers. Both Labor and Liberal Party members advocated for greater humanitarianism. In the Howard Government years, a number of Liberal Party members evidenced a cosmopolitan outlook that saw them favour laws of the cosmos over localised ones that were seen to treat others in a less than human fashion. Moylan, Russell Broadbent (LP), and Petro Georgiou (LP) crossed the floor to vote against the *Migration Amendment (Designated Unauthorised Arrivals) Bill 2006* (Migration Amendment Bill).<sup>70</sup> They shared concerns about the prolonged detention of asylum seekers who could not access the appeals process and all three referenced Australia’s role in the global response to the refugee crisis through obligations under United Nations (UN) treaties.<sup>71</sup> Moylan had a public history of advocating for softer migration policy, and stated the following in a 2005 interview:

it's the kind of issue that really tears at your heart because you know people are hurting, you want to do something about it ... but you feel also obliged to be responsible and try to work through the processes that the party requires. Having exhausted that, and feeling that it's a matter of conscience, then you're

---

<sup>68</sup> ABC, “As It Happened: Another Sinking Brings Asylum Debate to a Head,” *ABC News Website*, June 27, 2012, <http://www.abc.net.au/news/2012-06-27/asylum-seeker-boat-in-distress-off-christmas-island/4095566>, accessed 30 January 2017; Barrie Cassidy, “Government Dodging Asylum Protections: Hanson-Young,” *Insiders*, August 19, 2012, <http://www.abc.net.au/insiders/content/2012/s3570972.htm>, accessed 30 January 2017; Jared Owens, “UN Human Rights Review Slams Australia’s Asylum Seeker Policies,” *The Australian Online*, November 12, 2015, sec. Immigration, <http://www.theaustralian.com.au/national-affairs/immigration/un-human-rights-review-slams-australias-asylum-seeker-policies/news-story/29a4c5e8b0ecf94a327f7fe822dfec07?nk=fcadfaff1f0684de12782ddfd3c0597-1485728824>, accessed 30 January 2017; Melissa Parke, *Cth, Parliamentary Debates, House of Representatives*, 2577, February 20, 2016.

<sup>69</sup> Brown and Held, “Editor’s Introduction,” 1.

<sup>70</sup> House of Representatives, *Migration Amendment (Designated Unauthorised Arrivals) Bill, Third Reading Division*, 45 (*Cth*), 2006.

<sup>71</sup> Russell Broadbent, *Cth, Parliamentary Debates, House of Representatives*, 49, August 9, 2006; Petro Georgiou, *Cth, Parliamentary Debates, House of Representatives*, 40, August 9, 2006; Judi Moylan, *Cth, Parliamentary Debates, House of Representatives*, 57, August 9, 2006.

really not left with an option but to try to engender wider debate within the party and within the public forum.<sup>72</sup>

Her statement evidences the strength of individual conscience and a cosmopolitan outlook which led concerned Liberal Party members to defy their government's policy.

The Migration Amendment Bill was withdrawn as it faced further opposition in the Senate from Senators Troeth and Barnaby Joyce (NAT), with possible abstention by Marise Payne (LP) and Russell Trood (LP).<sup>73</sup> Troeth again disagreed with Coalition policy in 2009 and voted with the Labor Government to cease the billing of refugees for their time in detention.<sup>74</sup> Speaking on the bill, Troeth acknowledged that the treatment of asylum seekers was a consistent issue for her: 'Over the last few years I have played a small part in ameliorating and lessening some of the more punitive measures that have been imposed on asylum seekers.'<sup>75</sup> The history of dissension within the Coalition over immigration policies helps explain why politicians were motivated to participate in CPC.

Coalition rebels found collaborators in both the Greens and Labor Parties and independent members. The Greens have consistently posed humanitarian arguments for an increased intake of asylum seekers and the abolition of offshore processing.<sup>76</sup> The Labor Party faced wedge tactics in opposing directions: as a governing party, it could neither ignore the tough measures adopted by the Coalition (and preferred by conservative voters) nor dismiss humanitarian concerns about Australia's international obligations given the electoral threat from the Greens. For Labor Party members, crossing the floor on a party-bound decision is an expellable offence so dissent was instead raised publicly in the media. Melissa Parke (ALP) was vocal about

---

<sup>72</sup> Alexandra Kirk, "A Great Outcome for Asylum Seekers: Judi Moylan," June 17, 2005, <http://www.abc.net.au/pm/content/2005/s1394947.htm>, accessed 13 January 2017.

<sup>73</sup> Phillip Coorey, "PM Dumps New Asylum Law," *The Sydney Morning Herald Online*, August 14, 2006, <http://www.smh.com.au/news/national/pm-dumps-new-asylum-law/2006/08/14/1155407710164.html>, accessed 19 October 2016.

<sup>74</sup> Yuko Narushima, "Liberal Senator Crosses the Floor on Refugee Bill," *The Sydney Morning Herald Online*, September 9, 2009, <http://www.smh.com.au/national/liberal-senator-crosses-the-floor-on-refugee-bill-20090908-fg3d.html>, accessed 19 October 2016.

<sup>75</sup> Troeth, Cth, Parliamentary Debates, Senate, 5886.

<sup>76</sup> The Greens, "Policies: Immigration and Refugees," The Greens, n.d., <http://greens.org.au/policies/immigration-refugees>, accessed 13 January 2017.

her opposition to the Rudd Government reopening offshore processing centres on Nauru and Manus Island in 2012.<sup>77</sup> There is also a Labor for Refugees group with branches in every state that internally lobbies and advocates for refugee rights.<sup>78</sup>

### *A Cross-Party Working Group Forms*

A catalyst for collaborative action was the sinking of two boats transporting asylum seekers in June 2012, after which the cross-party working group was formed.<sup>79</sup> Shared concern for the rights of refugees and asylum seekers was common across group members. The desire for such a group was evident in debate on a bill introduced by Rob Oakeshott (IND), the *Migration Legislation Amendment (The Bali Process) Bill 2012* (the Bali Bill), which passed the House of Representatives but failed to pass the Senate.<sup>80</sup> The Bali Bill was intended to break the impasse between the two major parties and allow the government to pursue the Malaysia Solution, whereby Australia's asylum seekers would be swapped with Malaysia's refugees.<sup>81</sup> During debate in the Lower House Tony Windsor (IND) outlined his belief that a cross-party group was needed to move the issue forward: 'It would be well worthwhile to have a group of parliamentarians ... from across the political spectrum work on the longer term processes that may be required.'<sup>82</sup> Windsor rationalised that even if the Bali Bill passed a continuous review of immigration processes was needed to ensure that any outcome could be improved upon in the future. He believed a cross-party group would be suitable to complete this task.<sup>83</sup>

---

<sup>77</sup> Lauren Wilson, "Labor MP Melissa Parke Troubled by Asylum-Seeker Detention Plan," *The Australian Online*, August 15, 2012, <http://www.theaustralian.com.au/national-affairs/immigration/labor-mp-melissa-parke-troubled-by-asylum-seeker-detention-plan/news-story/3502cc61d323a9c717d94db7058abe40?nk=fcadfa1f0684de12782ddfed3c0597-1481773695>, accessed 15 December 2016.

<sup>78</sup> "Labor for Refugees," n.d., <http://labor4refugees.nationbuilder.com/about>, accessed 13 January 2017.

<sup>79</sup> ABC News, "As It Happened: Another Sinking Brings Asylum Debate to a Head," *ABC News Website*, June 27, 2016, <http://www.abc.net.au/news/2012-06-27/asylum-seeker-boat-in-distress-off-christmas-island/4095566>, accessed 30 January 2017.

<sup>80</sup> Rob Oakeshott, *Migration Legislation Amendment (The Bali Process) Bill (Cth)*, 2012.

<sup>81</sup> Savitri Taylor, "What Has the Bali Process Got to Do with It?," *Inside Story*, July 2, 2012, <http://insidestory.org.au/what-has-the-bali-process-got-to-do-with-it>, accessed 17 March 2017.

<sup>82</sup> Tony Windsor, *Cth, Parliamentary Debates, House of Representatives*, 8261, June 27, 2012.

<sup>83</sup> *Ibid.*

Around this time, a group was conceived by Steve Georganas (ALP) and Moylan, who invited Windsor to participate,<sup>84</sup> with the intention of circumventing internal party channels to find common ground and a way forward on immigration policy. Other members of the group included Oakeshott, Tony Crook (NAT),<sup>85</sup> and Washer.<sup>86</sup> A founding member of the group described the inception in simple terms:

So [name redacted] who was really good on refugee issues in terms of what [his/her] views were, were very similar to mine even though we were from two opposite parties. We were having a discussion one day and decided to have a cross party working group.<sup>87</sup>

The interviewee, 'Cygnus', an independent MP and an executive member of the cross-party group, indicated that up to 60 politicians across both houses attended one meeting.<sup>88</sup> That such a large cross-section group of members met to discuss options counter to the converging policies of the major parties demonstrated widespread problems with existing immigration strategies.

Although the cross-party group formed through individuals seeking a collaborative response to immigration, it was derailed by party politics.<sup>89</sup> In an opinion piece Windsor recounted how 'it became obvious the Liberals weren't particularly interested in a united approach unless it was theirs, and the Greens and Labor needed to maintain different approaches for their own purposes.'<sup>90</sup> Cygnus echoed this

---

<sup>84</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.

<sup>85</sup> "Asylum Seeker Legislation Has Been Voted down in the Senate," *News.com.au*, June 28, 2012, <http://www.news.com.au/national/tragedy-another-asylum-seeker-boat-capsizes/story-e6frfkw9-1226410005101>, accessed 2 December 2016.

<sup>86</sup> Fran Kelly, RN Breakfast, ABC, Re-thinking asylum seeker policy: Tony Windsor, June 26, 2012, <http://www.abc.net.au/radionational/programs/breakfast/tony-windsor-a-new-approach-to-asylum-seeker-policy/4092242>, accessed 20 March 2017.

<sup>87</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.

<sup>88</sup> Interview with Cygnus, conducted by Adele Lausberg, October 12, 2016.

<sup>89</sup> Despite the failings of this first group, during the 44th Parliament another cross-party group formed that aimed to remove children from immigration detention. Members of this group included Craig Laundry (LP), Russell Broadbent (LP), Melissa Parke (ALP), Anna Burke (ALP), Cathy McGowan (IND), and Senator Hanson-Young (GRN). There is very little information on their activities. Katharine Murphy, "Labor MP to Renew Cross-Party Push for a More Humane Asylum Seeker Policy," *The Guardian Online*, August 22, 2016, <https://www.theguardian.com/australia-news/2016/aug/22/labor-mp-to-renew-cross-party-push-for-a-more-humane-asylum-seeker-policy>, accessed 2 December 2016.

<sup>90</sup> Tony Windsor, "Asylum-Seeker Policy a Dark Spot in Australia's History," *The Saturday Paper*, June 27, 2015, <https://www.thesaturdaypaper.com.au/opinion/topic/2015/06/27/asylum-seeker-policy-dark-spot-australias-history/14353272002050#.VZHUVmqpBc>, accessed 17 November 2016.

sentiment and stated in interview that ‘everybody has their own private solution so there was no compromise.’<sup>91</sup> While it is easier for an independent to blame party politics for the group’s failure, another executive member and a major party member interviewed for this study, ‘Vela’, concurred: ‘But politics plays a powerful role ... the politics was brutal.’<sup>92</sup>

A significant split in the group emerged when some members wanted to promote Oakeshott’s Bali Bill, while others wanted to proceed more cautiously. Interviewee ‘Corvus’, another independent member, related the following:

In one of the meetings, I think it was Nick Champion from South Australia said ‘look, in the end all we’ve got to do is get Oakeshott’s bill before the parliament and vote on it’ and then there were others who were in that group going ‘no no no, softly softly, let’s not be too blunt about it.’<sup>93</sup>

The Bali Bill was presented to parliament and was not successful. Without unity on a legislative solution, the complexity and plurality of views thwarted cross-party attempts to find a legislative answer. Though they were unified by broad humanitarian concerns, no solution was found.

## **6.4 Banning Cosmetic Testing on Animals**

Cosmopolitan sentiments held by politicians also led to collaboration on banning cosmetic testing on animals, in the sense that they believed Australia needed to cease unnecessary and cruel practices on animals for cosmetic purposes. Banning cosmetic testing on animals progressed from fringe issue to major party platforms through the successful use of CPC. I explore why this case constitutes a successful one in Chapter 7. Now, I explore the factors that led to its occurrence.

### *Minor Party to Major Party issue*

In 2013, research revealed support from the Australian public for banning cosmetic testing on animals. Humane Research Australia (HRA) commissioned research into the community’s view on animal testing: 64% of respondents stated that

---

<sup>91</sup> Interview with Cygnus, conducted by Adele Lausberg, March 20, 2017.

<sup>92</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.

<sup>93</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

they ‘do not believe that humans have the moral right to experiment on animals’ and 81% believed ‘that the number of animals used for research and teaching in Australia (approx [sic] 7 million p.a.) is unacceptable or is capable of reduction.’<sup>94</sup> In 2014 Clare O’Neil, on behalf of the Labor Party, completed a national consultation on cosmetics and animal testing, receiving 13,680 public submissions.<sup>95</sup> The majority of respondents wanted cosmetic testing on animals banned.

When introducing the *End Cruel Cosmetics Bill 2014*, Senator Lee Rhiannon (GRN) cited the 81% figure from the HRA research.<sup>96</sup> Although this bill did not proceed,<sup>97</sup> the Senate passed a co-sponsored motion on the issue later that year. This motion had support from members of both major parties and most of the crossbench and was moved by Senators Rhiannon, Anne Ruston (LP), Lisa Singh (ALP), Glenn Lazarus (PUP), Dio Wang (PUP), Nick Xenophon (NXT), Barry O’Sullivan (LNP) and Ricky Muir (MEP). It noted that ‘the majority of Australians believe the use of animal testing to evaluate safety of cosmetic products and ingredients is unnecessary’ and called for the Coalition Government to eliminate animal testing methods on cosmetic products and ingredients.<sup>98</sup>

Jason Wood (LP) proposed a motion in 2015 that sought to phase out the testing of cosmetics on animals.<sup>99</sup> Steve Irons (LP) seconded the motion<sup>100</sup> and it had support from O’Neil, who stated the following in her parliamentary speech:

The idea that animals should die in pain so that we can have better lipstick or better moisturiser for our skin is fundamentally wrong. I hold that view, and it

---

<sup>94</sup> Humane Research Australia, “Australians Say No to Animal Experiments,” accessed August 21, 2016, <http://www.humaneresearch.org.au/interview/australians-say-no-to-animal-experiments?A=SearchResult&SearchID=31296192&ObjectID=72973&ObjectType=7>, accessed 21 August 2016.

<sup>95</sup> Clare O’Neil, “National Consultation on Cosmetics and Animal Testing: Report on the Public Consultation Process,” September 17, 2014, [https://d3n8a8pro7vhm.cloudfront.net/australianlaborparty/pages/2389/attachments/original/1410916714/Cosmetics\\_\\_Animal\\_Testing\\_Public\\_Report\\_final.pdf?1410916714](https://d3n8a8pro7vhm.cloudfront.net/australianlaborparty/pages/2389/attachments/original/1410916714/Cosmetics__Animal_Testing_Public_Report_final.pdf?1410916714), accessed 21 August 2016.

<sup>96</sup> Senator Lee Rhiannon, *End Cruel Cosmetics Bill (Cth)*, 2014.

<sup>97</sup> Senator Lee Rhiannon, *Cth, Parliamentary Debates, Senate*, 1353, March 18, 2014.

<sup>98</sup> Senator Anne Ruston et al., *Cth, Parliamentary Debates, Senate*, 9506, November 27, 2014.

<sup>99</sup> Jason Wood, *Cth, Parliamentary Debates, House of Representatives*, 10089, September 14, 2015.

<sup>100</sup> Steve Irons, *Cth, Parliamentary Debates, House of Representatives*, 10092, September 14, 2015.

is important to point out in debates like this that so do the vast majority of Australians.<sup>101</sup>

O'Neil indicated that, alongside her personal cosmopolitan acknowledgement of the unnecessary cruelty in testing cosmetics on animals, community opinion was a factor in her support. Further support came from Andrew Giles (ALP),<sup>102</sup> Kelvin Thomson (ALP), Parke, and Bandt.<sup>103</sup> Community organisations, including Animals Australia and the Animal Justice Party<sup>104</sup> and a campaign entitled 'Be Cruelty Free' jointly run by HRA and Humane Society International, advocated the issue and supported the motion.<sup>105</sup> The 'Be Cruelty Free' campaign had considerable backing from across the community, as well as politicians across different parties.<sup>106</sup>

Politicians were willing to collaborate on this issue because of widespread community support and a lack of partisanship. Both a Liberal and Labor Party speaker on the private member's motion proposed by Wood acknowledged this and cited the consultation and report completed by O'Neil. Giles noted that '[i]t is not a particularly partisan document'; it expresses 'the depth of interest right across the Australian community in these concerns—[the consultation included] six well-attended forums and 14,000 submissions received.'<sup>107</sup> Irons stated that O'Neil's consultation was above party politics: 'it would be fantastic so that we could use [O'Neil's report] in a bipartisan approach to move this issue forward.'<sup>108</sup> The issue was not contentious and

---

<sup>101</sup> Clare O'Neil, *Cth, Parliamentary Debates, House of Representatives*, 2361, February 29, 2016.

<sup>102</sup> Andrew Giles, *Cth, Parliamentary Debates, House of Representatives*, 10093, September 14, 2015.

<sup>103</sup> Hannah Stuart, "Media Release: Australian House of Representatives Motion Against Cosmetics Animal Testing Welcomed by #BeCrueltyFree Campaigners" (Be Cruelty-Free Australia, September 21, 2015), <http://www.humanereseach.org.au/interview/house-of-representatives-motion-against-cosmetics-animal-testing-welcomed-by-becrueltyfree-australia>, accessed 2 December 2016; Megan Bailey, "End Animal Testing for Cosmetics: La Trobe MP Jason Wood," *Herald Sun Online*, September 23, 2015, <http://www.heraldsun.com.au/leader/south-east/end-animal-testing-for-cosmetics-la-trobe-mp-jason-wood/news-story/08fc5f2e131b608be9d602fd6972d509?nk=4fa2b150f2cab32804b6001a5ccee4a1-1469345101>, accessed 2 December 2016.

<sup>104</sup> Bailey, "End Animal Testing for Cosmetics: La Trobe MP Jason Wood."

<sup>105</sup> Humane Research Australia, "Be Cruelty-Free Australia," July 31, 2016, <http://www.humanereseach.org.au/campaigns/choosingcrueltyfree>, accessed 31 July 2016.

<sup>106</sup> Humane Research Australia, "Politicians Pledge to Be Cruelty-Free," n.d., <http://www.humanereseach.org.au/bcf/politician-pledges-bcf>, accessed 2 December 2016.

<sup>107</sup> Giles, *Cth, Parliamentary Debates, House of Representatives*, 10093.

<sup>108</sup> Irons, *Cth, Parliamentary Debates, House of Representatives*, 10092.

the CPC motions from 2014 and 2015 gave the issue political salience, assisting the leadership of both major parties to recognise the worth in adopting it as policy.

Both parties adopted the policy in their 2016 election campaigns. O'Neil's consultation culminated in her introduction of the *Ethical Cosmetics Bill 2016*.<sup>109</sup> Introduced shortly before the 2016 election, but never progressing past the second reading stage, the bill introduced new offences relating to the importation and manufacture of cosmetics and the testing of cosmetics on animals, a policy Labor maintained during the 2016 election campaign.<sup>110</sup> A similar election policy was adopted by the Coalition, who proposed to prohibit products containing ingredients tested on animals.<sup>111</sup> The Liberal Party promised to ban the sale of cosmetic products tested on animals if they were elected to government. The specific policy was to

ban the testing of finished cosmetic products on animals in Australia, the testing of cosmetic ingredients on animals in Australia and the sale of cosmetic products and ingredients that have been tested on animals outside of Australia.<sup>112</sup>

This was set to take effect on 1 July 2017:<sup>113</sup> a set of bills was introduced to parliament on 1 June 2017.<sup>114</sup> They have been passed by the House of Representatives and at the time of writing are before the Senate.<sup>115</sup>

Senator Rhiannon first introduced the issue of banning testing of cosmetics on animals, but major party backbenchers soon adopted the initiative. This proved to be

---

<sup>109</sup> Clare O'Neil, "Cth, *Parliamentary Debates, House of Representatives*, 2361," February 29, 2016.

<sup>110</sup> Ross Caldwell, "Labor to Act on Cosmetics Testing on Animals," *Labor Herald*, February 21, 2016, <https://www.laborherald.com.au/people-families/labor-to-act-on-cosmetics-testing-on-animals/>, accessed 19 October 2016.

<sup>111</sup> PETA Australia, "VICTORY: Australia Set to Ban Cosmetic Testing on Animals!," June 3, 2016, <http://www.peta.org.au/news/victory-australia-ban-cosmetic-testing-animals/>, accessed 21 August 2016.

<sup>112</sup> The Liberal Party of Australia, "The Coalition Will Ban Cosmetic Testing on Animals, Media Release," June 3, 2016, <https://www.liberal.org.au/latest-news/2016/06/03/coalition-will-ban-cosmetic-testing-animals-0>, accessed 21 August 2016.

<sup>113</sup> *Ibid.*, accessed 21 August 2016.

<sup>114</sup> The Department of Health, *Australian Industrial Chemicals Reform*, 2017, <http://www.health.gov.au/internet/ministers/publishing.nsf/Content/health-mediarel-yr2017-gillespie031.htm?OpenDocument&yr=2017&mth=06>, accessed 10 August 2017; David Gillespie, Cth. *Parliamentary Debates, House of Representatives*, 6014, June 1, 2017.

<sup>115</sup> David Gillespie, *Industrial Chemicals Bill*, 2017.



an effective means to give the issue prominence. Success was not achieved through legislative change in the way of the RU486 Bill but through both major parties adopting a policy to ban cosmetic testing on animals. Given the widespread support, the policy provided a straightforward way to secure votes in the federal election. However, a more cynical view is that the policy provided a means to placate potentially rebellious backbenchers and voters alike.

**Table 2: Politicians who have pledged to #BeCrueltyFree**

<i>Australian Greens</i>	<i>Labor Party</i>	<i>Liberal/National Party</i>
Adam Bandt MP Senator Christine Milne Senator Janet Rice Senator Lee Rhiannon Senator Penny Wright Senator Peter Whish-Wilson Senator Rachel Siewert Senator Richard Di Natale Senator Scott Ludlam	Andrew Leigh MP Anna Burke MP Graham Perrett MP Jill Hall MP Julie Collins MP Kelvin Thomson MP Mark Dreyfus QC, MP Matt Thistlethwaite MP Melissa Parke MP Michelle Rowland MP Stephen Jones MP Tanya Plibersek MP Senator Catryna Bilyk Senator Claire Moore Senator Glenn Sterle Senator Lisa Singh Senator Sam Dastyari	Jason Wood MP Senator Anne Ruston Senator Barry O'Sullivan Senator Joanna Lindgren
Names appear on: <a href="http://www.humanereseach.org.au/campaigns/choosingcrueltyfree">http://www.humanereseach.org.au/campaigns/choosingcrueltyfree</a> , accessed 3 April 2017.		

The community support revealed by O'Neil's consultation and the HRA research created space for individual politicians to pursue the issue. Thirty politicians from across party lines signed the pledge to #BeCrueltyFree (see Table 2 above).<sup>116</sup> Collaborating on this issue was not difficult and was a safe issue for politicians: interviewees did not disclose any disciplinary warnings against their involvement.

<sup>116</sup> Humane Research Australia, "Politicians Pledge to Be Cruelty-Free," March 13, 2014, <http://www.humanereseach.org.au/bcf/politician-pledges-bcf>, accessed 2 December 2016.

Indeed, the Labor Party Deputy Leader Plibersek was involved in O’Neil’s consultation and bill.<sup>117</sup>

If an issue that attracts CPC is perceived to be relatively risk-free, and to have widespread support without strong opposition, major parties will be more likely to adopt it to their platform. This is for two key reasons. First, parties can placate potentially rebellious backbenchers, and maintain unity. Second, they can attract votes (and keep votes from bleeding to other parties) on a relatively simple issue with a simple solution. Whilst issues such as asylum seekers and same-sex marriage can be polarising, a safe issue such as banning the testing of cosmetics on animals has a clear solution and is straightforward, making it easier to adopt to the party platform.

## 6.5 Gene Patents

Gene patenting is an issue that has not resonated widely with the Australian public but has attracted CPC. Patenting genes has attracted limited debate in Australian politics and here I outline how and why CPC was used to attempt to bring the issue into the political spotlight. The debate that has ensued involved politicians from across party lines, pursuing legislative change to prohibit the patenting of naturally occurring genes in the human body. As neither major party has adopted this issue to their platform, backbenchers turned to collaboration to attempt to generate momentum for legislative change.

### *Minor Parties and a History of Collaboration*

In 1996 and 2001 the Democrats proposed reforms to the *Patents Act 1990* which aimed to exclude genetic materials and technologies from patentability.<sup>118</sup> In 2010 Senator Bill Heffernan (LP) revived these arguments and co-sponsored the *Patent Amendment (Human Genes and Biological Materials) Bill 2010* (Patent Amendment Bill) with Senators Helen Coonan (LP), Nick Xenophon (IND), and Rachel

---

<sup>117</sup> Bianca Hall, “Labor to Move against Testing Cosmetics on Animals,” *Sydney Morning Herald Online*, February 21, 2016, <http://www.smh.com.au/federal-politics/political-news/labor-to-move-against-testing-cosmetics-on-animals-20160218-gmxovm.html>, accessed 15 April 2017.

<sup>118</sup> Australian Law Reform Commission, “Genes and Ingenuity: Gene Patenting and Human Health (ALRC Report 99), 7. Exclusions from Patentability,” Australian Government, n.d., <http://www.alrc.gov.au/publications/7-exclusions-patentability/exclusion-genetic-materials-and-technologies>, accessed 1 May 2017.

Siewert (GRN).<sup>119</sup> Senator Heffernan argued that the bill aligned Australian principles with UK and US legislation.<sup>120</sup> The bill was also jointly introduced into the House of Representatives by Peter Dutton (LP), Turnbull, John Forrest (NAT), and Oakeshott<sup>121</sup> but was considered too broad and unclear in scope and never came to a vote.<sup>122</sup>

In 2012 Senator Heffernan found support for his views from Government backbencher Parke. Together they appeared in the media advocating for changes to the *Intellectual Property Laws Amendment (Raising the Bar) Bill 2011 [2012]* (Raising the Bar), a bill to amend the *Patents Act 1990*. Senator Heffernan and Parke lamented that Raising the Bar failed to address gene patents.<sup>123</sup> They opposed the biotechnology industry practice of patenting naturally occurring genes and proteins.<sup>124</sup> Parke intended to introduce Labor Government supported legislation addressing these concerns while Senator Heffernan would advocate for the bill within the Coalition. The pair made an appearance on the Australian Broadcasting Corporation's *Lateline* program in a display of collaboration and spoke in parliament about further action that should be taken. However, no such bill eventuated, though the Labor Government's *Intellectual Property Laws Amendment Bill 2013* was introduced by Greg Combet and Yvette D'Ath,<sup>125</sup> which addressed additional biotechnology concerns raised by Parke and Senator Heffernan.

While on *Lateline*, Senator Heffernan explained that he was interested in gene patenting because 'the long-term well-being of health for the human race should be put above politics and certainly in this debate ... the least consideration would be the

---

<sup>119</sup> Senator Bill Heffernan et al., *Patent Amendment (Human Genes and Biological Materials) Bill [No. 2] (Cth)*, 2010.

<sup>120</sup> Senator Bill Heffernan, *Cth, Parliamentary Debates, Senate*, 2100, November 24, 2010.

<sup>121</sup> Peter Dutton et al., *Patent Amendment (Human Genes and Biological Materials) Bill (Cth)*, 2011.

<sup>122</sup> Vines and Faunce, "Cancer Voices Australia v Myriad Genetics Inc [2013] FCA 65: Should Gene Patent Monopolies Trump Public Health?," 754; Scott Barnes, "Why Are Gene Patents so Controversial?," *Crikey*, May 16, 2012, <https://www.crikey.com.au/2012/05/16/crikey-clarifier-why-are-gene-patents-so-controversial/>, accessed 1 May 2017.

<sup>123</sup> Emma Alberici, "Gene Research Should Be an Open Playing Field," *ABC Lateline*, May 14, 2012, <http://www.abc.net.au/lateline/content/2012/s3502733.htm>, accessed 1 May 2017.

<sup>124</sup> Leigh Dayton, "Senate Patently at Odds over Genes," *The Australian Online*, October 1, 2011, <http://www.theaustralian.com.au/news/health-science/patently-at-odds-over-genes/news-story/9258378d00956f63adb20f69b985b471?nk=fcadfa1f0684de12782ddfcd3c0597-1483576240>, accessed 1 May 2017.

<sup>125</sup> Greg Combet and Yvette D'Ath, *Intellectual Property Laws Amendment Bill (Cth)*, 2013.

political consideration.<sup>126</sup> In a parliamentary statement, Parke identified support across parties for a change in gene patenting laws:

I know that there are many parliamentarians inside the Labor caucus and across the political spectrum who would like to see reform in this area [of gene patenting], and I will be continuing to work within the government, the caucus and the parliament to see this wrong righted.<sup>127</sup>

Both Parke and Senator Heffernan's arguments concerned human rights; they believed the issue was 'above politics' and advocated for the protection of naturally occurring genes which they claimed could not be classified as inventions. Their concern was expressed in cosmopolitan terms: they were putting pressure on their respective party leadership teams to protect what they viewed as a universal right to complete research that would benefit the community. This view reflects Pogge's statement of the importance of *universality*, the belief that every human being should be a unit of concern.<sup>128</sup> In 2010 Parke moved a motion in parliament making it clear that she sought to ensure humanity in the broadest sense could benefit from scientific research on human genes:

How are scientists supposed to make new discoveries and inventions to cure cancer if they have to seek permission and pay thousands if not millions of dollars to companies like Myriad who own patents over human genes?<sup>129</sup>

Parke and Senator Heffernan's arguments rallied against 'profiteering' biotechnology companies, and they painted supporters of gene patenting as having no regard for the importance of shared knowledge that assists medical discoveries.

The failure to gather momentum and see successful CPC on changing gene patenting laws can be partly attributed to intense lobbying from the biotechnology sector combined with 'risk-averse government policy-makers.'<sup>130</sup> The widespread societal acceptance of the *status quo* on gene patents resulted in general apathy from

---

<sup>126</sup> Alberici, "Gene Research Should Be an Open Playing Field."

<sup>127</sup> Melissa Parke, *Cth, Parliamentary Debates, House of Representatives*, 4977, May 12, 2012.

<sup>128</sup> Pogge, "Cosmopolitanism and Sovereignty," 114.

<sup>129</sup> Melissa Parke, *Cth, Parliamentary Debates, House of Representatives*, 524, October 18, 2010.

<sup>130</sup> Vines and Faunce, "Cancer Voices Australia v Myriad Genetics Inc [2013] FCA 65: Should Gene Patent Monopolies Trump Public Health?," 747.

other members of parliament. Excluding dedicated advocacy groups, broader Australian society was not overly concerned with patent issues, deterring other potential collaborators from participating in CPC on this issue, meaning it had a low chance of succeeding. I explore the factors necessary for success in Chapter 7 of this thesis.

Additional CPC was evident at a parliamentary breakfast attended by Turnbull, Dutton, and Oakeshott, and Senators Heffernan and Xenophon where media personality Sarah Murdoch spoke,<sup>131</sup> but this was an exceptional one-off event. Unlike other CPC issues that have a direct consequence for voters, gene patenting does not have an easily discernible effect on a sizeable percentage of Australians, nor is it high in the wider electorate's priorities. It is difficult for politicians to see the benefit in risking political capital by collaborating on this issue. This issue is of chief concern to research institutes, relevant advocacy groups, the judiciary, and academics. Without more shared collaborative will, gene patenting will remain a judicial and academic, rather than a legislative, issue. In this case, two motivated politicians did not have the political momentum to carry the issue forward.

Evidently, CPC has been used on issues where major parties do not have a position or where individuals disagree with major party policy. Politicians use CPC to provide representation on these issues. The following sections outline political will in relation to the case studies presented in this chapter.

## **6.6 Political Will**

### *Political Will: Individual*

In interviews, politicians who used CPC between 2006 and 2016 revealed their awareness of the public's desire for legislative change on an issue, but overall the motivation to act was driven by individual desire, or individual political will. An individual holding personal values in this sense believes an issue needs prioritisation

---

<sup>131</sup> AAP, "Sarah Murdoch Urges Gene Control," *The Australian Online*, November 17, 2010, <http://www.theaustralian.com.au/national-affairs/sarah-murdoch-urges-gene-control/news-story/1293bc4dd74a72d153e252a7c0486eb9?nk=fcadfaff1f0684de12782ddfd3c0597-1486699580>, accessed 10 February 2017.

and when those priorities are not shared by their party, but can be identified across party lines, an individual can be motivated to collaborate. Hence, Edmund Burke's trustee model of representation is evident across the cases presented in this chapter, as CPC involves an individual deciding what is best for the future of Australia on behalf of the electorate. This was evident in Corvus' statement:

I actually think there's for the long-term future of the community and country for me to say even though the majority of people might not agree with my position I do think it's in our long-term view to do X Y or Z. And that's probably the ... contract model, the Edmund Burke model, I owe my electorate my conscience and nothing else, that sort of approach.

This finding highlights a slight departure from CPC in 2005 and 2006, where the delegate model of representation and consideration of community opinion existed alongside individual motivation to act, explored in detail in Chapter 5.

Evidence from the interviews demonstrated political *want* as a driving force for an individual seeking collaboration. The interviewee Indus, who had not participated in any instances of CPC, saw it thus:

You work with another member on the other side that also sees this as a priority, so I think the challenge is – and where you would use it, in my view – is where there's an issue that you believe should be a priority and is not being taken as a priority by your party, and you want to escalate that as a priority.<sup>132</sup>

Aquila went further stating that: '[i]n terms of cross-party things, the things that I want to do, I just go ahead and sort them out.'<sup>133</sup> Aquila had little regard for repercussions and when asked if there were consequences for collaborating from his/her party, Aquila firmly responded: 'No, never happened.' For Aquila risk was not a consideration in pursuing CPC, and s/he expressed no concern with operating against party norms and rules. Collaboration provides a means of achieving individual priorities and Aquila stated that s/he would have been involved in the 2015 co-sponsored same-sex marriage bill without being approached by party leaders as s/he believed the issue

---

<sup>132</sup> Interview with Indus, conducted by Adele Lausberg, October 7, 2016.

<sup>133</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

required addressing from all parties.<sup>134</sup> Aquila strongly supported a cross-party approach, seeing the issue as external to party lines and was prepared to work outside party channels to bring legislative change as this was a personally held value and priority:

For me it was more that it was an issue that I was really passionate about and it just needed to be done and was the right thing to do and I suspected that the community sentiment would line up, particularly in my electorate.<sup>135</sup>

The above conceptualisation of the representative role reflects Burke's trustee model: s/he 'suspected' community opinion would 'line up' with her/his actions. The electorate's opinion was not the driver for action on same-sex marriage, Aquila's individually held values were.

From 2007 to 2011 the platforms of the major parties did not support same-sex marriage<sup>136</sup> and no major party leader from 2007 to 2013 actively supported same-sex marriage (see Table 3, next page). This lack of support from leaders created space for individuals to co-sponsor bills on this issue. There were three iterations of CPC from 2007 to 2013: one bill, one pledge, and one cross-party working group (the last two occurred shortly after Bill Shorten – who did support same-sex marriage as leader – assumed Labor leadership in 2013). Despite the leaders of both major parties supporting same-sex marriage in 2016, there were complications on whether to hold a vote in parliament or a public vote. Two interviewees, Volans and 'Fornax' – a minor party member – reported the formation of a nascent cross-party grouping in parliament between LGBTQI-identifying politicians to fill the policy void in the area of LGBTQI rights, but even after pressing interviewees I gathered little information on the group's activities.<sup>137</sup> It remains to be seen if this group will advocate for further reforms in a cross-party manner following the legalisation of same-sex marriage.

---

<sup>134</sup> Ibid.

<sup>135</sup> Ibid.

<sup>136</sup> Liberal Party of Australia, "Federal Platform," December 2015, [https://cdn.liberal.org.au/pdf/FederalPlatform\\_TN.PDF](https://cdn.liberal.org.au/pdf/FederalPlatform_TN.PDF), accessed 18 October 2016; Australian Labor Party, "National Platform: 47th National Conference", accessed 7 February 2017.

<sup>137</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016; Interview with Fornax, conducted by Adele Lausberg, December 7, 2016.

<b>Table 3: Leaders positions and votes on same-sex marriage</b>					
		<b>Pro/Anti during leadership</b>	<b>Marriage Amendment Bill 2012 (Introduced by Stephen Jones, ALP)</b>	<b>Plebiscite to resolve the issue</b>	<b>Parliament vote to resolve the issue</b>
<b>ALP</b>	<b>Rudd (2006-10, 2013)</b>	Anti, Pro from 2013	Against	NA	NA
	<b>Gillard (2010-13)</b>	Anti	Against	NA	NA
	<b>Shorten (2013-)</b>	Pro	For	Yes, up to 2013, No from 2016	Yes, from 2016
<b>LP</b>	<b>Nelson (2007-8)</b>	Anti	NA	NA	NA
	<b>Abbott (2009-15)</b>	Anti	Against	Yes	No
	<b>Turnbull (2008-9, 2015-)</b>	Pro	Against	Yes	No

The cross-party group that formed on asylum seekers was unable to achieve longevity or policy change. One participant of the group was determined to ensure the group's survival, to the point that s/he made sure to update their party leaders. Vela outlined how s/he kept the leaders in the loop and would not be swayed from acting on this issue:

I would ring the office every day and speak to [the] senior adviser every day, let [him/her] know this is what we're doing ... [S/he said] ok, but a couple of times I had discussions with certain people, [and they said] "what do you think you'll achieve out of this?"<sup>138</sup>

Vela stated that s/he had approached members of other parties to reinvigorate the CPC group after it disbanded but had been unsuccessful in this endeavour. Personal values drove Vela's determination to seek CPC on this issue, including communicating to the party leaders on the cross-party group's activities.

Similarly, to Vela, Parke also attempted to sway her party leadership on the issue of gene patenting. While the Raising the Bar Bill made changes to laws that Parke

<sup>138</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.



supported, she indicated that these laws had not gone far enough to include changes to the patenting of genes:

While the Raising the Bar bill has some very good elements to it that I support, I believe that in a number of ways, some of which I have tried just now to describe, there is further work to do.<sup>139</sup>

Parke continued to advocate for change after the collaborative attempt with Senator Heffernan in 2012 and in 2014 outlined her long-term commitment to the issue:

As I have done consistently, I will continue to argue for the Australian parliament and government to resolve this issue in favour of our common ownership and access to what at the end of the day should be the private property of no-one and everyone.<sup>140</sup>

Senator Heffernan has a long history of attempting to change the law and in 2008 made a statement in parliament on gene patenting, outlining how he believed there needed to be focus on the topic in parliament: 'I rise ... to promote public debate and thought on this issue.'<sup>141</sup> Both Parke and Senator Heffernan had histories of advocating for change, and both moved motions before their joint efforts in 2012 to change the law on gene patents. It was their personally held views that motivated them to act on the issue of gene patents in a collaborative manner.

Backbenchers were driven by individual political will to ban cosmetic testing on animals – as evident in Wood and O'Neil's actions – but there was significant party involvement either alongside or shortly afterwards. Both major parties adopted it to their 2016 election platforms. The work of individuals in pushing this issue within parliament again demonstrates the significance of individual political will as a driving force to progress an issue through CPC. For CPC to occur there must be individual political will, but media attention and public support can make collaboration a more attractive venture for co-sponsors or supporters.

---

<sup>139</sup> Melissa Parke, *Cth, Parliamentary Debates, House of Representatives*, 3422, March 19, 2012.

<sup>140</sup> Melissa Parke, *Cth, Parliamentary Debates, House of Representatives*, 11196, October 2, 2014.

<sup>141</sup> Senator Bill Heffernan, *Cth, Parliamentary Debates, Senate*, 6702, November 12, 2008.

### *Political Will: Community Support*

Societal political will is formed through public support (political *want*), an enabling legal framework (political *can*), and public pressure through an informed and engaged citizenry and/or media (political *must*).<sup>142</sup> The lack of momentum to change gene patenting laws was due to the combination of an apathetic public – aside from academics, advocacy groups and the judiciary – and industry pushing to maintain the *status quo* on gene patenting. Parke noted that there were several advocacy groups active on the issue:

When you have the Cancer Council of Australia, the National Breast Cancer Foundation, the Royal Australian College of Pathologists, the Royal Australasian College of Surgeons, the Clinical Oncological Society and the Human Genetic Society [sic], among many others, all saying there is something seriously wrong here, we should listen to that. We as lawmakers have a duty to listen to that and to do something.<sup>143</sup>

However, biotechnology sector lobbyists working against Senator Heffernan and Parke and general apathy from the wider public reduced the number of interested collaborators on this issue. The rational actor model held sway in this instance: the potential risks of collaboration were seen to be outweighed by a lack of potential benefits.

A cohesive and identifiable level of support for an issue in the polls can reassure critical actors instigating CPC. This was evident in CPC on the banning of cosmetic testing on animals. This issue was not controversial for either major party or in Australian society, as reflected in broad public support to change the law. A policy vacuum existed and after the Greens introduced the issue backbenchers co-sponsored motions and bills on it. This led the major parties to adopt it, thereby pacifying the need for further collaboration. This case demonstrates CPC's effectiveness as a political strategy to translate a fringe or minor party issue to the mainstream. A legislative

---

<sup>142</sup> Malena, "Building Political Will for Participatory Governance: An Introduction," 2009, 8.

<sup>143</sup> Parke, *Cth, Parliamentary Debates, House of Representatives*, 4977.

solution was conceived and not contested in principle by any party:<sup>144</sup> banning the testing of cosmetics on animals does not directly impact an individual's rights, nor does it attract division in society.

In contrast to banning cosmetic testing on animals, same-sex marriage has a contested history within parties and wider society. However, research has demonstrated an increase in public support for legalising same-sex marriage: the Australian Parliamentary Library blog *FlagPost* tracked opinion polls from 2004 to 2010 and found an upwards trend in favour of same-sex marriage.<sup>145</sup> The *House of Representatives Standing Committee on Social Policy and Legal Affairs* held an inquiry into the Bandt and Wilkie Bill and the *Marriage Amendment Bill 2012* (a Private Member's Bill introduced by Stephen Jones (ALP)). The inquiry's online survey found that of the 276,437 responses, the majority supported both bills: 64% supported the Bandt and Wilkie Bill, while 60% supported the Jones Bill.<sup>146</sup> At the time of the report, the online survey received the highest number of responses in the history of federal parliamentary committees.<sup>147</sup> A Fairfax Nielsen Poll in 2013 found 65% of respondents supported legalising marriage between same-sex couples<sup>148</sup> and a Newspoll in 2015 indicated 58% support.<sup>149</sup> Both the inquiry and polls demonstrated that a majority of Australians supported same-sex marriage, which was reflected in the 2017 postal survey with 61.6% support.<sup>150</sup> Co-sponsors of bills on same-sex marriage paid attention to public support. Wilkie used an opinion poll to justify his bill co-

---

<sup>144</sup> Some doubt was cast on Senator Rhiannon's original bill regarding practical implementation, however recent bills and policies presented by the Liberal and Labor parties have generally been uncontested.

<sup>145</sup> Janet Phillips, "Attitudes to Same-Sex Marriage," *FlagPost* (blog), November 17, 2010, [http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1040109/upload\\_binary/1040109.pdf;fileType=application%2Fpdf#search=%22library/prspub/1040109%22](http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1040109/upload_binary/1040109.pdf;fileType=application%2Fpdf#search=%22library/prspub/1040109%22), accessed 2 December 2016.

<sup>146</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs, "Advisory Report: Marriage Equality Amendment Bill 2012 and Marriage Amendment Bill 2012" (The Parliament of the Commonwealth of Australia, June 2012), 43.

<sup>147</sup> *Ibid.*, 44. It was acknowledged that respondents self-selected to complete this survey.

<sup>148</sup> Chris Johnson, "Gay Marriage Support up but It Won't Change Poll," *The Sydney Morning Herald Online*, August 24, 2013, <http://www.smh.com.au/federal-politics/federal-election-2013/gay-marriage-support-up-but-it-wont-change-poll-20130824-2si1q.html#ixzz2dnyLEVOY>, accessed 2 December 2016.

<sup>149</sup> "More Australians Back Change to Allow Same-Sex Marriage," *The Australian Online*, June 17, 2015, <http://www.theaustralian.com.au/national-affairs/newspoll/more-australians-back-change-to-allow-samesex-marriage/news-story/1f645f84cb458c9648d9e80f0d564592>, accessed 2 December 2016.

<sup>150</sup> Australian Bureau of Statistics, "Survey Results."

sponsorship<sup>151</sup> and Entsch referenced community views: 'It is certainly an issue that ... is very, very important to many people in our society, both within the gay community and amongst their families and friends.'<sup>152</sup> Public support for same-sex marriage meant politicians could feel confident in collaborating and presenting legislation. There was a clear legislative solution that politicians could present to comply with the public's demand. While CPC helped keep same-sex marriage on the political agenda, it did not directly lead to policy change in the same way the RU486 Bill did. I explore the concept of success in detail in Chapter 7.

Unlike same-sex marriage, there is no clear policy answer in the immigration debate. There is a divide in society over asylum seekers, and without a clear sense of public opinion, politicians struggled to propose a solution through CPC. The cross-party group could not agree on a legislative decision. Distinct differences between political parties only served to complicate the situation. When asked about this in an interview, Cygnus indicated that 'all the parties were involved in [the failure].'<sup>153</sup> Members of each party sought to take the lead on asylum seekers and this overruled their desire to seek a collaborative solution. The fact that there is no public consensus creates an opportunity to present innovative policy that would allow a party to take credit and win votes (if the public accepted the policy). The allure of such a benefit undermined the ability of the cross-party group to create policy. The above examples identified individual political will as a necessary first step towards CPC. They also show that, while societal political will had stronger influence on women in 2005 and 2006 (see Chapter 5), generally societal political will is a motivator and justification once the CPC is already underway.

Before exploring the enabling factors that assist with the facilitation of CPC, I analyse institutional constraints that work against the practice. It is important to clearly state these factors to demonstrate how exceptional the occurrence of CPC is.

---

<sup>151</sup> Andrew Wilkie, *Cth, Parliamentary Debates, House of Representatives*, 10902, October 12, 2015.

<sup>152</sup> Warren Entsch, *Cth. Parliamentary Debates, House of Representatives*, 8409, August 17, 2015.

<sup>153</sup> Interview with Cygnus, conducted by Adele Lausberg, March 20, 2017.

## 6.7 Institutional Constraints

From 2006 to 2016 the institutional constraints that reduced the likelihood of CPC occurring include: strict party discipline and party leadership style. Aspects of parliament outlined in Chapter 4 including norms, practices, and the structure of parliament continued to restrict the possibility of collaboration in this period, but here I detail the influence of party discipline and leadership as they constituted further constraints that work against collaboration, as demonstrated in empirical data.

## 6.8 Party System

### *Major Party Discipline*

S.H. Beer offered a neat encapsulation of party discipline in the Australian Parliament, summarising it thusly:

In the House of Representatives were two bodies of freedom loving Australians, chosen in 148 [sic] constituencies and subject to influences that run back to an electorate that is numbered in millions and divided by the complex interests and aspirations of an advanced modern society. Yet day after day, with a Prussian discipline, they trooped from one side of the House to the other at the signals of their whips, and in the service of the authoritarian decisions of their parliamentary parties.<sup>154</sup>

Although most backbenchers respect party discipline, the opportunities for possible dissension through collaboration have increased with the entrance of political actors from non-major parties. Not all members of parliament pursue CPC as it involves potential risks. Seeking out collaborative partners defies party hierarchies and the norm of policy formation: the party leadership wield power, and policy debates occur internally. CPC circumvents this process and is an act of rebellion if a party has existing policy on the issue. In contrast, minor party members such as interviewee, 'Taurus', are more at liberty to pursue political passions: '[I am] very much able to explore, and that's one of the things that attracted me to the Greens.'<sup>155</sup> Independents and minor

---

<sup>154</sup> Beer, S.H (1965), *Modern British Politics*, Faber, London, 350-51 quoted in Jaensch, *Parliament, Parties & People: Australian Politics Today*, 220.

<sup>155</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.

party members have considerable freedom in pursuing collaboration. Party discipline in minor parties does not act as a restriction on politicians in the way that it does in the major parties, which generally have longer histories and hence have deeply ingrained norms and informal rules governing the members within them. Minor parties have more freedom to pursue CPC, yet as major party members are not always freely able to pursue collaborative action the overall occurrence of CPC is reduced. However, as the proportion of minor parties' presence in parliament increases this is changing.

The diversity of issues represented in parliament has broadened with the increase in the number of parties and independents, particularly since 2010 (see Table 1, this chapter, p. 181). Governing parties face a delicate balancing act in managing electoral expectations whilst simultaneously attempting to control rebellious members. As the diversity of representatives grows, so too do possibilities for major party dissenters to work outside party processes. Exposure to fringe issues championed by minor parties and independents highlights policy vacuums for major parties, as Volans, a Labor Party Senator, explained in interview:

[The Coalition is] anti-Union ... [that's] the core difference that defines the left and the right between the two parties in Australia and in that sense that does actually leave a lot of room for that cross-party discussion on issues that aren't at the pointy end of the political debate.<sup>156</sup>

Issues that are dismissed in the party room or 'aren't at the pointy end of the political debate' are now more likely to have external advocates due to an increase in non-major parties, opening space for backbenchers to explore opportunities outside party channels with these 'other' actors.

Although CPC is an obvious strategy for non-major parties, the strength of party discipline makes collaboration less probable for backbenchers. When parties are rigid on policy, strict party discipline engenders loyalty and most backbenchers fall in line. Though they have less ability to influence policy direction than ministry or shadow ministry members, representatives with limited power can impact policy direction through CPC. While CPC may be a regular part of parliamentary life for some, as major

---

<sup>156</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016.

party member Aquila stated, not everyone pursues it: ‘would every member go out and talk about a cross-party private member’s bill ... probably not, but there’s no reason not to see if something’s got broad support.’<sup>157</sup> A prominent example of strict party discipline was provided by Hydrus, who pointed to the example of Coalition members being deterred from participating in the cross-party working group on asylum seekers:

somebody told me that a certain Senator sat outside the room when we were having ... the first meeting and told [Coalition] members not to go into the meeting and the implied threat to that.<sup>158</sup>

Facing constraints such as this, it is little wonder that the majority of individuals within major parties usually follow the norm of advocating to change party policy via internal means. However, this process can be arduous and slow as was evident from the years of lobbying before the Labor Party supported same-sex marriage in policy.

It is important here to acknowledge that party discipline is important in Australia’s Westminster system. It means parliament is not chaotic, containing free agents with conflicting agendas who constantly clash, never passing legislation. However, the constraint that party discipline imposes on members can be problematic when issues are not represented within the major parties, as it means there are voices potentially being silenced by the party machine. It is important that there is an avenue – such as CPC – that these individuals can pursue to have their voices heard. The existence of CPC also points to the opportunity for major parties to reconsider internal processes for the development of policy, exploring better ways to incorporate a wider array of views, in turn enhancing democracy.

Despite the temptation to participate in CPC for some backbenchers, collaboration with adversaries can have consequences. Corvus acknowledged that it was harder for major party backbenchers to join the cross-party group on asylum seekers: ‘To do it publicly I think it was more of a risk’ and went on to state that:

---

<sup>157</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

<sup>158</sup> Interview with Hydrus, conducted by Adele Lausberg, April 28, 2017.

if you're a member of a political party you've got to be much more careful with your words in the public domain because you are speaking for a side of politics that if they move *en masse* they can change things.<sup>159</sup>

It can be 'risky' regarding promotion as it indicates a propensity to rebel – Moylan's loss of a ministry serves as an example here.<sup>160</sup> At the extreme end of repercussions is party expulsion; however, this option is less likely with hung parliaments<sup>161</sup> and diverse Senate crossbenches, where governments must be mindful of numbers required to pass legislation. Increasingly, governments face tight numbers and are therefore less likely to expel rebellious members. If an individual is determined to co-sponsor a bill and defy the party on one or two issues, it is safer to keep him or her in the fold than cast him or her out. There is greater freedom for backbenchers to defy the constraints of party discipline because of recent electoral shifts. This enabling factor will be explored in detail further below.

### *Leadership*

Like party discipline, leadership style can constrain a politician's actions in seeking collaborative partners. Prominent examples of constraining leaders can be found in the Prime Ministerships of Tony Abbott (2013-15) and Kevin Rudd (2007-10, 2013). Both leaders had a 'dictatorial' style of governance, which involved limiting communication channels with backbenchers.<sup>162</sup> This contributed to resentment, and to the occurrence of CPC.

---

<sup>159</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

<sup>160</sup> Johnson, "John Howard's 'Values' and Australian Identity," 202.

<sup>161</sup> Akash Paun, "After the Age of Majority? Multi-Party Governance and the Westminster Model," *Commonwealth & Comparative Politics* 49, no. 4 (November 1, 2011): 451.

<sup>162</sup> Prosser and Dennis, *Minority Policy: Rethinking Governance When Parliament Matters*, 78.



Under Abbott, there were four instances of broader CPC, mainly centred on same-sex marriage (see Table 4, below), which Abbott personally opposed. According to interviewee, ‘Crater’, a Liberal Party co-sponsor of the 2015 bill, one of Abbott’s self-proclaimed ‘captain’s calls’<sup>163</sup> on the 2015 same-sex marriage bill contributed to his loss of the leadership.<sup>164</sup> Abbott utilised his power as leader of the party to prevent members of his frontbench voting for the 2015 bill. A clear message was sent to government members: same-sex marriage was not a decision for parliament but for the people, in the form of a plebiscite. Despite this message, Entsch and Gambaro persevered with the co-sponsored bill. Abbott’s decision to prevent cabinet members from voting in favour was a captain’s call and a surprise to Entsch, Gambaro, and cabinet. Crater recounted the situation in an interview:

<b>Table 4: Cross-Party Collaboration (all thesis case studies) under Prime Ministers 1996-2015*</b>	
<b>John Howard (11 March 1996 – 3 December 2007)</b>	
RU486 Amendment Bill 2005 [2006]	08-Dec-05
Pregnancy Counselling (Truth in Advertising) Bill 2006	07-Dec-06
<b>Julia Gillard (24 June 2010 – 27 June 2013)</b>	
Patent Amendment (Human Genes and Biological Materials) Bill 2010 and appearance at a media press event regarding gene control	Nov-10
Marriage Equality Amendment Bill 2012	13-Feb-12
Proposed changes to Raising the Bar Bill 2012	01-May-12
Lateline appearance regarding gene patenting	14-May-12
Cross-Party Asylum Seeker Working Group	01-Jul-12
<b>Tony Abbott (18 September 2013 – 15 September 2015)</b>	
Same-Sex Marriage Pledge	01-Dec-13
Same-Sex Marriage Working Group	01-Dec-13
Animal Welfare Joint Motion	27-Nov-14
Marriage Legislation Amendment Bill 2015	17-Aug-15
*During Kevin Rudd’s Prime Ministerships (3 December 2007 – 24 June 2010, 27 June 2013 – 18 September 2013) there were no cases of CPC as I define it in this thesis.	

<sup>163</sup> Primrose Riordan, “Newspapers Nationwide Condemn Tony Abbott’s Captain’s Call,” *Sydney Morning Herald Online*, January 27, 2015, <http://www.smh.com.au/federal-politics/political-news/newspapers-nationwide-condemn-tony-abbotts-captains-call-20150126-12yrzy.html>, accessed 4 February 2017.

<sup>164</sup> Interview with Crater, conducted by Adele Lausberg, March 20, 2017; See also Niki Savva, *The Road to Ruin: How Tony Abbott and Peta Credlin Destroyed Their Own Government* (Brunswick, Victoria: Scribe Publications, 2016), 193–208.

What happened was he said I'll get back to you. I'll talk to my colleagues and get back to you Monday. But he didn't come back to me on Monday [and it was going to happen] in the party room on Tuesday ... that was the main thing that cost him his prime ministership because they [Cabinet] were furious that he had lied to them and he lied to me.<sup>165</sup>

Crater went on to outline how Abbott's failure to consult widely backfired and caused a loss of faith in his ability to lead the party. Abbott's inability to consult with his party or cabinet aggravated rebellious backbenchers, led to CPC, and contributed to him losing the Prime Ministership.

Rudd led the Labor Government between 2007 and 2010 with a similar dictatorial style to Abbott. In contrast to Abbott's Prime Ministership, I identified no instances of CPC under Rudd as I define it in this thesis for my case studies. Despite Abbott's similar leadership style, the Liberal Party's less intense discipline is partly responsible for this discrepancy. Under Howard there were two instances of CPC, lending further support for the theory that the Labor Party pledge combined with a dictatorial leadership will reduce CPC, whereas the lack of a party pledge in the Coalition allows space for collaborative activities even with a controlling leader. Although the Labor Party's pledge combined with a controlling leadership can account for why CPC did not occur under Rudd it did occur under Labor Prime Minister Gillard, though there was a differing crucial factor of a more diverse parliament. Further, Gillard had a more conciliatory leadership style. This assists with understanding why CPC occurred during her government.

Under Gillard numerous cases of CPC occurred. Her more consensual leadership style – combined with electoral shifts which are explored directly below – enabled CPC. Gillard did not have a controlling leadership style, and during her Prime Ministership the number of parties in both houses of parliament in 2010 was more than double during Rudd's Prime Ministership (see Table 1, this chapter, p. 181). The number of parties present in parliament was also high under Abbott. Therefore, the composition of parliament appears to be a more powerful enabling factor than the constraint of

---

<sup>165</sup> Interview with Crater, conducted by Adele Lausberg, March 20, 2017.

party leadership. Yet it is important not to dismiss party leadership entirely, as a domineering leader acts as another deterrent from individuals seeking collaboration across party lines. Gillard's Prime Ministership on the other hand displayed a leader who exalted the value of collaboration. It would be remiss to not mention that gender may have also played a significant role. Though this thesis does not focus on how gender influenced Gillard's Prime Ministership, her more collaborative leadership style lends additional weight to the view presented in this thesis that women in politics utilise collaboration more than their male counterparts.

Despite the existence of the constraints identified above, CPC has occurred in Australia. There are enabling factors which work to encourage individuals to utilise CPC which need to be critically analysed and understood.

## **6.9 Enabling Factors**

Enabling factors that contributed to CPC between 2006 and 2016 include: electoral shifts, namely an increase in parties and the number of women in parliament; a shared cosmopolitan outlook across party lines that compelled actors to disregard localised party politics to pursue universal laws; and desire for community leadership.

## **6.10 Electoral Shifts**

### *Increase in Support for 'Other' Parties*

Since 2007 there has been a modest but sustained increase of votes going to parties other than the major ones.<sup>166</sup> Ian McAllister identified dissatisfaction with the major parties' catch-all stances in 2001 and an 'incremental weakening in the strength of partisanship' since the 1980s.<sup>167</sup> Despite some limited recovery, evidence points to a gradual long-term erosion of voters' major party identification: a rise in the vote for parties other than the major ones was recorded in the 2010, 2013, and 2016 elections.<sup>168</sup> In 2016, first preferences for 'other' parties in the House of

---

<sup>166</sup> Green, "Record Vote for Minor Parties at 2013 Federal Election," November 19, 2013, accessed 29 October 2016; Brenton, "Policy Traps for Third Parties in Two-Party Systems: The Australian Case," 287.

<sup>167</sup> Ian McAllister, *The Australian Voter: 50 Years of Change* (University of New South Wales: University of New South Wales Press, 2011), 41–43.

<sup>168</sup> Green, "Record Vote for Minor Parties at 2013 Federal Election," November 19, 2013, accessed 5 May, 2018; Green, "Preference Flows at the 2016 Federal Election", accessed 5 May, 2018.

Representatives reached 23.2%, eclipsing the 1998 post-war record of 20.4%, and in the Senate the record reached 34.7%, up from 26.2% in the 2010 election.<sup>169</sup> McAllister revealed a waning interest in politics from voters, with 43% of respondents to a 2014 poll believing it does not matter which major party holds power.<sup>170</sup> Ultimately, the public has voted in a wider spectrum of parties and independents to parliament.

Independents and minor parties with an interest in issues backbenchers want to legislate on can weaken major party discipline. Corvus, an independent MP, reflected that one member of the Liberal Party wanted to use CPC to strengthen his bill and outlined how s/he was approached to co-sponsor on a bill because ‘I think [the co-sponsor] was just looking for some names to make it collaborative.’<sup>171</sup> Presenting a unified front sends a powerful symbolic message to parliament and the wider community. It displays unity across party lines, which these politicians deemed important. It also demonstrates that there is an appetite across party lines (and perhaps also in the community) for change on the issue. Though parties can use CPC in their favour – as was evident in the Labor Party advocating for a member to seek collaboration on same-sex marriage – cases of CPC are usually individual rather than party driven. The rise in ‘other’ parties has served to increase the likelihood of backbenchers seeking cross-party collaborators: there are more options and opportunities for collaboration.

The increase in parties identified above contributed to a rise in CPC. Brenton Prosser and Richard Denniss detailed how crossbenchers and backbenchers wield power and exert influence over government policy.<sup>172</sup> They outlined the tactics that ‘marginal members’ have employed across a range of areas including traditional and social media, parliamentary committees, and party cohesion to block, amend, or stall legislation.<sup>173</sup> By necessity, non-major parties participate in policy creation in

---

<sup>169</sup> These records are for after 1949. Green, “Preference Flows at the 2016 Federal Election.”

<sup>170</sup> Ian McAllister, “ANU-SRC Poll: Changing Views of Governance: Results from the ANUpoll, 2008 and 2014” (ANU College of Arts and Social Sciences, August 2014), 8, [http://politicsir.cass.anu.edu.au/sites/polsir-dev.anu.edu.au/files/ANU\\_SRC\\_Poll\\_Governance\\_1.pdf](http://politicsir.cass.anu.edu.au/sites/polsir-dev.anu.edu.au/files/ANU_SRC_Poll_Governance_1.pdf), accessed 11 April 2016.

<sup>171</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

<sup>172</sup> Prosser and Denniss, *Minority Policy: Rethinking Governance When Parliament Matters*, 5.

<sup>173</sup> *Ibid.*, Chapter 5.

conjunction with the government, the opposition, and other members of parliament. While Prosser and Denniss' research analysed the work marginal members do *with* government, the present study builds on this research to focus on the work completed by crossbenchers and backbenchers *without* government.<sup>174</sup> In recent years – following electoral shifts – backbenchers have been compelled to collaborate with independents and minor party members when there is shared political will on an issue, enabling them to partake in policy creation outside party channels.

Backbenchers have emulated non-major parties' policy influence by defying their own party's policy or creating new policy. CPC has created space for backbenchers to produce policy outside party channels, away from faction, pre-selection, and promotion considerations. Backbenchers are aware that minor parties attract voters through strong stances on issues (e.g. One Nation and the Greens on immigration)<sup>175</sup> and the temptation to lead debate can outweigh their concern over possible risks and repercussions from collaborating. CPC provides a means to bypass party room debates and catapult an issue (and the politician) into the spotlight.

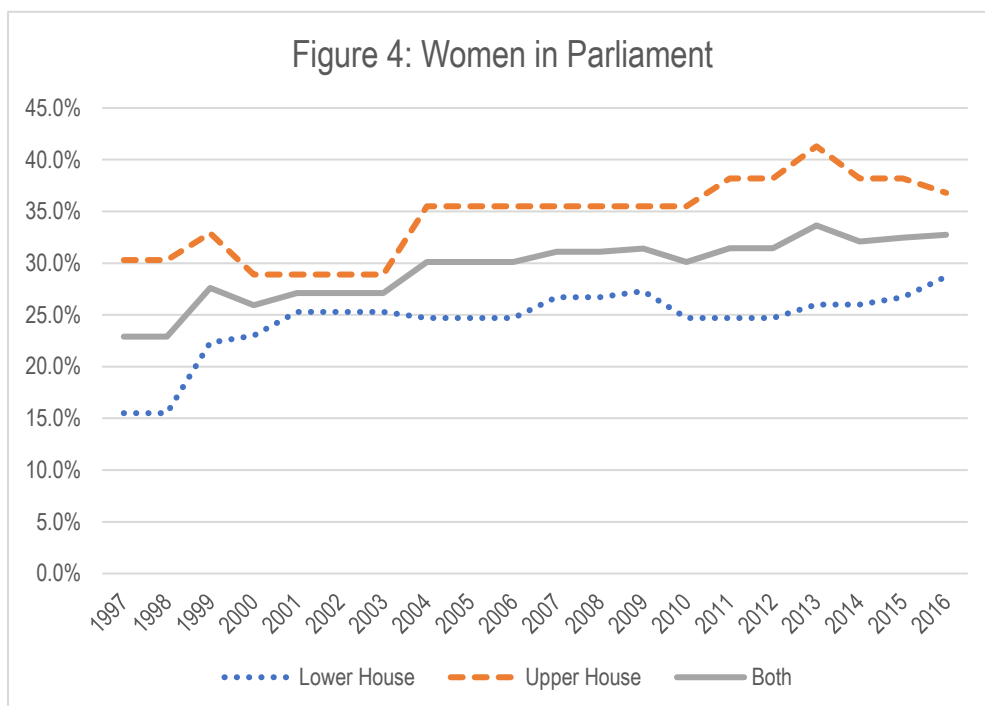
---

<sup>174</sup> Ibid., 107–30.

<sup>175</sup> Gibson, McAllister, and Swenson, "The Politics of Race and Immigration in Australia: One Nation Voting in the 1998 Election"; ABC, "Federal Election Results: Senate Results," Australia Votes, 2016, <http://www.abc.net.au/news/federal-election-2016/results/senate/>, accessed 23 January 2017.

## Increase of Women

There is a higher proportion of women in the Senate than in the House of Representatives, as can be seen in Figure 4. The higher number of women in the Senate has seen women more likely to seek alliances as per critical mass theory.<sup>176</sup> This thesis lends weight to a variation of Rosabeth Moss Kanter's first claim that more women can lead to more coalitions – but not just between women.<sup>177</sup> As she suggests, women are assisting with a change in culture, one that may become a norm in parliament, especially if the increase of parties and women continues.



This finding supports Marian Sawer's identification of the critical mass of 35.5% women in the Senate as a factor in enabling CPC on the RU486 Bill.<sup>178</sup> Their higher number in the Senate provided increased opportunities for alliances and saw women use CPC intensively in 2005 and 2006 on reproductive rights with two co-sponsored bills (see Chapter 5). There has been more CPC in the Senate and CPC is more likely to

<sup>176</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women," 965–67; Dahlerup, "From a Small to a Large Minority: Women in Scandinavian Politics," 275–76.

<sup>177</sup> Kanter, "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women."

<sup>178</sup> Sawer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 322.

be used by women overall, as outlined in Chapter 7. If women breach 30% in the House of Representatives, CPC may become more common in that house.

### 6.11 Cosmopolitanism and Cross-Party Collaboration

CPC predominantly concerns issues for which major parties either lack policy or have a policy that divides the party, based on the contentious position it has in broader society. Cosmopolitanism, encompassing respect for the dignity and sanctity of human and animal rights (discussed in detail in Chapter 2) is common to the cases of CPC presented here.<sup>179</sup> The dignity of human beings is at the core of collaborators' arguments regarding same-sex marriage, asylum seekers, and gene patents, and the same sentiment extends to banning the testing of cosmetics on animals. These values are seen to transcend, and in a sense trump, domestic ideology and policies intended to satisfy public opinion.

From my interviews I identified shared cosmopolitan values that united collaborators, who expressed concern for the dignity and sanctity of other living creatures. Co-sponsors frequently cited concerns about justice and Australia's role in the international community. Instigators of CPC were aware of Australia's international treaty obligations and felt compelled to safeguard Australia's reputation as a good global citizen. These cosmopolites recognised the dignity of strangers and the moral duty owed to all people. At times they valued this higher than following the whims of parties and their more domestic attentions,<sup>180</sup> often determined by popular opinion. Politicians defying their party's policy by participating in CPC commonly believe in a higher moral authority than party decisions.

Based on the cases presented here, I propose that if a party's position is perceived as breaching a cosmopolitan value, CPC may occur. Following Malena's components for political will, politicians cited their knowledge of Australia's role as a global citizen (political *can*), as well as a sense of duty to uphold international treaties

---

<sup>179</sup> Appiah, *Cosmopolitanism: Ethics in a World of Strangers*, xv; Maan Barua, "Circulating Elephants: Unpacking the Geographies of a Cosmopolitan Animal," *Transactions of the Institute of British Geographers* 39, no. 4 (October 2014): 559–73.

<sup>180</sup> Hill, "Classical Stoicism and the Birth of a Global Ethics: Cosmopolitan Duties in a World of Local Loyalties," 16–17.

(political *must*) in their justification for participating in CPC after 2006. Their statements in interviews demonstrate respect for human dignity and equality for all people, regardless of nationality, religion, culture or gender. They displayed the cosmopolitan sentiment of leaders having a responsibility to make decisions in line with moral concerns.<sup>181</sup>

Regarding gene patenting, both Parke and Senator Heffernan expressed cosmopolitan sentiments in decrying the practice of patenting naturally occurring genes. In a joint media interview with Senator Heffernan, Parke stated that: ‘genes ... contain fundamental information about the human body that should be freely available to people everywhere.’<sup>182</sup> Following on from this sentiment, Senator Heffernan outlined a broad humanitarian argument: ‘Well I would have thought the long-term well-being of health for the human race should be put above politics.’<sup>183</sup> The cosmopolitan outlook expressed in these statements echoes the *Universal Declaration on the Human Genome and Human Rights*; it calls the human genome the ‘heritage of humanity’ which should ‘not give rise to financial gains.’<sup>184</sup> The argument is also couched in the *International Covenant on Economic, Social and Cultural Rights*, of which Australia is a signatory. The Covenant decrees that: ‘The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.’<sup>185</sup> Parke argued a similar line to the Covenant by proposing that researchers must have access to genes to maximise the opportunity for medical breakthroughs. She specifically stated:

[G]enetic information belongs to all of us and should not be the subject of private property. ... it's wrong as a matter of public policy to allow the exclusion of health researchers and clinicians from having access to genes that they need

---

<sup>181</sup> van Hoof, *Cosmopolitanism: A Philosophy for Global Ethics*, 7–8.

<sup>182</sup> Alberici, “Gene Research Should Be an Open Playing Field.”

<sup>183</sup> Ibid.

<sup>184</sup> United Nations Educational, Scientific and Cultural Organization, *Universal Declaration on the Human Genome and Human Rights, Resolution 29C/16*, 1997, Article 5, [http://portal.unesco.org/en/ev.php-URL\\_ID=13177&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13177&URL_DO=DO_TOPIC&URL_SECTION=201.html), accessed 24 April 2017.

<sup>185</sup> UN General Assembly, “International Covenant on Economic, Social and Cultural Rights” (1966), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> Article 15, accessed 3 April 2017.



to be able to diagnose disease and to be able to develop new treatments, medicines and vaccines.<sup>186</sup>

Parke and Senator Heffernan both addressed a higher moral call than that of their parties in their justification to ensure naturally occurring genes could not be patented. They believed medical research should not be restricted and argued for open access to genes.

Similarly, a cosmopolitan outlook which placed allegiance to higher, universal laws than party-political policies was evident in politicians' concerns about the dignity of asylum seekers. When government policy from both parties emphasised border protection to the detriment of supranational treaties, CPC occurred based on a common fear that international obligations were being shirked. In a radio interview at the time, Windsor made it clear that while lives continued to be lost, the parliament had failed: 'People are dying, we have no idea how many ... Let's be part of putting something together ... The objective here is to stop people drowning, that's got to be the focal point. Not the politics in Canberra.'<sup>187</sup> Concern about lives being lost at sea is part of the cosmopolitan commitment of caring for strangers and the recognition that Australia has a role to play in the worldwide refugee crisis. Another member of the cross-party group, 'Hydrus', emphasised the importance of compassion for strangers in the following terms:

human lives and human dignity had to be the government's first consideration when it was drawing up policies. ... for me it's just a human problem, that you don't allow people to unnecessarily suffer. It doesn't matter what your nationality or occupation, it's just not something governments should engage in.<sup>188</sup>

---

<sup>186</sup> Alberici, "Gene Research Should Be an Open Playing Field."

<sup>187</sup> Kelly, RN Breakfast, ABC, Re-thinking asylum seeker policy: Tony Windsor, 26 June 2012, <http://www.abc.net.au/radionational/programs/breakfast/tony-windsor-a-new-approach-to-asylum-seeker-policy/4092242>, accessed 20 March 2017.

<sup>188</sup> Interview with Hydrus, conducted by Adele Lausberg, April 28, 2017.

This sentiment, as well as Oakeshott's idea of 'bringing some humanity back'<sup>189</sup> and Moylan's wish to adopt a 'humanitarian perspective',<sup>190</sup> express a cosmopolitan approach to the issue of asylum seekers.

A shared view, that as a country Australia could do more to assist asylum seekers, was evident across the statements given by members involved in the cross-party working group. Corvus outlined the following reasons the CPC group formed:

there was a sense at that time on that topic of trying to put in place policies that worked in trying to minimize loss of lives at sea, upheld our obligation to refugee convention, and even captured some of that Liberal and National party rhetoric about protecting our borders.<sup>191</sup>

When asked directly about Australia's role in the world refugee crisis s/he said this was 'very much' part of her/his personal concern. In parliament, Oakeshott went so far as to question the language used to speak about asylum seekers:

It is incredibly disappointing to listen to the debate and hear the way we make many parts of this very complex issue faceless in the way the law is written and language is used ... This word [processing], in my view, dehumanises these people. ... I ask the House and the Australian community to think about replacing the word 'processing' with the word 'assessing' ... I know it is a small step but it is an important one, in my view, in bringing some humanity back to this difficult issue.<sup>192</sup>

Oakeshott expressed his belief in humanitarianism urging:

rather than questioning bilateralism within a humanitarian framework, we should be actively encouraging it ... So long as there is a humanitarian backbone in any arrangement ... we should be encouraging rather than discouraging such regional work.<sup>193</sup>

---

<sup>189</sup> Rob Oakeshott, *Cth, Parliamentary Debates, House of Representatives*, 11250, September 22, 2011.

<sup>190</sup> Judi Moylan, *Cth, Parliamentary Debates, House of Representatives*, 8683, August 15, 2012.

<sup>191</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

<sup>192</sup> Oakeshott, *Cth, Parliamentary Debates, House of Representatives*, 11250.

<sup>193</sup> *Ibid.*

These politicians indicated that they were answering to a moral authority higher than domestic party politics.

On the issue of marriage equality, cosmopolitan values were also evident, though not as explicitly as on asylum seekers. 'Fornax', a co-sponsor on two different instances of same-sex marriage CPC, described it as a human rights issue: 'For us ... having always been on the side of marriage equality and the human rights issue when the majority supported traditional [marriage], we were still supporting it.'<sup>194</sup> Similarly, 'Crater' saw the issue as intrinsically about dignity and rights: 'I keep reminding people that it's about people's lives and we need to do it with dignity and with respect.'<sup>195</sup> These sentiments demonstrate a belief in obeying higher, transcendent laws that respect the dignity of fellow human beings over domestic policy that treats others in a less than humane way.

Moral considerations were also outlined on the issue of banning the testing of cosmetics on animals. Wood, in presenting his private member's motion, stated that: 'Cosmetic testing on animals is wrong, it is barbaric, it is cruel and it is no longer necessary. As Abraham Lincoln once said: I am in favour of animal rights as well as human rights. That is the way of a whole human being.'<sup>196</sup> O'Neil expressed similar cosmopolitan sentiments in her supporting speech: 'the notion that we would put our quest for beauty as humans ahead of the rights of animals to live without pain is fundamentally incorrect.'<sup>197</sup> Irons viewed animal testing as something that should be internationally banned: 'There is much debate surrounding a need for legislative change to this [issue], which is fantastic, but we think cosmetic products that have been tested on animals should not be sold anywhere in the world at all.'<sup>198</sup> Respect for human and animal dignity as part of the laws of the cosmos compelled individuals to seek out collaborators in order to pursue legislative change. This cosmopolitan sentiment was evident across CPC cases between 2006 and 2016.

---

<sup>194</sup> Interview with Fornax, conducted by Adele Lausberg, December 7, 2016.

<sup>195</sup> Interview with Crater, conducted by Adele Lausberg, March 20, 2017.

<sup>196</sup> Wood, *Cth, Parliamentary Debates, House of Representatives*, 10089.

<sup>197</sup> Clare O'Neil, *Cth, Parliamentary Debates, House of Representatives*, 10091, September 14, 2015.

<sup>198</sup> Irons, *Cth, Parliamentary Debates, House of Representatives*, 10092.

## 6.12 Community Leadership

Interviews conducted for this study revealed that politicians believe collaboration offers a means to demonstrate leadership to the community on an issue where major parties falter. This personal desire to seek change on an issue demonstrates political want. Interviewee Corvus saw her/his involvement in the cross-party group on asylum seekers as problem-solution based: 'There was a problem and in the national interest we needed some answers.' S/he went on to justify this belief in terms of making a political judgement for when to lead on an issue:

There's that ... factor that you know sometimes you lead in the community and sometimes you follow. It's really a bit of a judgement call on the issues you choose to take a stand on and say no I don't think it's in the community's best interest to just take the populist position on that.<sup>199</sup>

Corvus' comment demonstrates a desire to be a leader in policy making. As an independent, the ability to lead is limited, but using CPC provides an opportunity to direct the debate.

Volans linked collaboration directly to the community's perception of it, stating: 'I think it's great to see politicians working together across party lines. I think it's a very positive thing for the community to see. I get encouraged by it to be honest and working in parliament really helped that.'<sup>200</sup> Here Volans reflects that collaboration can be a positive element in politics, in that it defies the declining satisfaction with Australian politics in the community.<sup>201</sup> Interviewee 'Draco' echoed a similar sentiment, stating that: 'a lot of the stuff you go on is bipartisan about raising awareness, bringing things to the community like bringing things to the ministers – that goes on all the time.'<sup>202</sup> These statements reflect the belief that CPC is a way to demonstrate leadership to the community, and to secure 'hearts and minds' on an

---

<sup>199</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

<sup>200</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016.

<sup>201</sup> Mark Evans, Max Halupka, and Gerry Stoker, "Who Do You Trust to Run the Country? Democracy, Trust and Politics in Australia" (Canberra, Australia: University of Canberra and the Museum of Australian Democracy, 2016), [http://www.governanceinstitute.edu.au/magma/media/upload/publication/406\\_Who-do-you-trust.pdf](http://www.governanceinstitute.edu.au/magma/media/upload/publication/406_Who-do-you-trust.pdf), accessed 27 May 2017.

<sup>202</sup> Interview with Draco, conducted by Adele Lausberg, August 27, 2014.

issue. Though inspiration to act often comes from personal desire, the wish to lead the community and incorporate their views is also something politicians consider.

Interviewee Aquila, one of the newest Labor Party members in parliament, indicated s/he actively pursued CPC,<sup>203</sup> suggesting that collaboration had become more common for backbenchers. Likewise, Volans, another relatively new entrant, saw CPC as a model aspect of parliamentary life and stressed that collaboration ‘really helped open my eyes seeing the everyday workings going on.’<sup>204</sup> These newer entrants did not view CPC as an anomaly, as it had been in 2005 and 2006. The work of independents, minor parties, and backbenchers in continuing to utilise collaborative work is affecting CPC’s normalisation.

The act of collaborating creates a point of interest attractive to the media. Politicians from across party lines utilised the media to bring attention to gene patenting laws. Parke and Senator Heffernan used the media to explain and promote their collaborative work. Additionally, a significant cross-section of party members attended a breakfast with a media personality to bring attention to the issue. Despite these efforts, gene patenting was neither adopted by the major parties, nor popularised in the wider community. Chapter 7 will analyse why this case – and others – were not successful.

The use of the media was evident in the number of stories on same-sex marriage bills, and the continued interest in the concept of a cross-party working group on asylum seekers.<sup>205</sup> As Vela stated in interview about the cross-party working group on asylum seekers: ‘We left this room united. That was the presser. It was a really powerful message. It had people from every political party, independents.’<sup>206</sup> This allows backbenchers a way of engaging the media outside of party-controlled media units to take leadership on an issue.

---

<sup>203</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

<sup>204</sup> Interview with Volans, conducted by Adele Lausberg, October 24, 2016.

<sup>205</sup> Murphy, “Labor MP to Renew Cross-Party Push for a More Humane Asylum Seeker Policy”; Michael Sweet, “Georganas Renews Cross-Party Push on Refugees,” *Neos Kosmos*, August 29, 2016, <http://neoskosmos.com/news/en/Georganas-renews-cross-party-push-on-refugees>, accessed 27 January 2017.

<sup>206</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.

## Conclusion

In the quest to provide the best reflection of the people's will, representative democracy is 'condemned to constant adjustment.'<sup>207</sup> CPC signifies such an adjustment in Australian politics. CPC on the socio-moral issues of same-sex marriage, asylum seekers, gene patents, and banning cosmetic testing on animals demonstrates that the practice offers an alternative means of representing a socio-moral issue. My interviewee Scorpius recognised the importance and necessity of collaboration, stating that '[in] federal politics generally, nothing happens if there are barriers to it ... and if there are not allies there who'll say what you're saying as well.'<sup>208</sup> Actions and statements from politicians involved in CPC demonstrate a broad agreement with this concept: for socio-moral issues, the best opportunity for creating momentum and legislative change can be through collaboration across party lines.

As demonstrated in this chapter, there are constraints that deter politicians from using CPC. Alongside the structure, norms, and practices of parliament outlined in Chapter 4, strict party discipline and controlling party leaders deter individuals from seeking collaborative partners in other parties. However, CPC has still been able to occur. I demonstrated that enabling factors of electoral shifts, a cosmopolitan outlook which gives allegiance to universal laws over positive laws, and desire for community leadership have contributed to an increase in CPC after 2006.

Though individual political will ultimately drives CPC, societal political will, on the other hand, is an addendum that justifies collaboration and is not a necessary factor for its occurrence, but has an influence on success, which is explored in Chapter 7. In the cases studied in this thesis, personally held beliefs motivated politicians to act. Backbenchers of major parties are driven to act either to address a lack of party policy, or to defy existing policy. CPC is an obvious parliamentary strategy for non-government parties. For major party backbenchers though, it is less common. CPC can be undertaken by backbenchers as an act of rebellion, enabled by independents and minor party members. Across traditional party lines, politicians have been united by a

---

<sup>207</sup> Yves Mény and Yves Surel, "The Constitutive Ambiguity of Populism," in *Democracies and the Populist Challenge*, ed. Yves Mény and Yves Surel (New York: Palgrave, 2002), 14.

<sup>208</sup> Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.

common cosmopolitan sentiment and the opportunities for seeking out these alliances has increased as the number of parties and women elected to parliament has grown.

This chapter investigated the conditions and context required for CPC from 2006 to 2016. A discussion of CPC participants' commonalities will be developed in the following chapter through a comparison of politicians across all case studies under consideration in this thesis. It also identifies patterns across the cases of CPC to determine the factors that led to successful outcomes.

## Chapter 7: Discussion

### Introduction

The increase of CPC cases since 2006 suggests that CPC is on the rise. More politicians are engaging in the practice, despite limited legislative success. As reported in interviews, CPC is becoming a normal activity for some politicians; this begs the question of how major parties will respond. This chapter analyses the six cases of CPC presented in Chapters 5 and 6 to identify CPC participation patterns and how success is defined and achieved.

This chapter considers the research question: *Who participates in CPC and what motivates them to do so?* It focuses on the 'who' to identify characteristics shared by individuals utilising CPC. The variables considered are: power, house, gender, and party. The factors for a successful instance of CPC are also delineated. This facilitates my investigation of whether *CPC is a successful strategy for politicians to represent an issue*. Legislative change is the clearest indicator of success, yet only one case resulted in changed legislation. I explore why this is so and consider other possible measures of success. Success may involve: raising an issue to the political agenda; bringing it to the public and media's attention; or one or both major parties adopting a policy position promoted via CPC. I include the last measure alongside legislative change as the definition of a successful case of CPC.

While it is still an emergent political strategy, CPC has become increasingly normalised for some politicians seeking to promote an issue in parliament outside the constraints of the major parties. The recurrence of CPC could persist and become a normal practice in Australian politics. For my research question: *does CPC reflect broader changes in the way Australian politics is practiced?* this contributes a cautiously affirmative answer.

### 7.1 Who participates in CPC?

Between 2005 and 2016, 42 individuals participated in the cases of CPC presented in this thesis. In what follows I categorise common traits of these



participants under four headings: power, house, gender, and party. Across the cases of CPC there is a trend that those with less power and responsibility in their party and parliament are more likely to participate in CPC. Another finding is that more women have utilised the practice than men. Earlier instances of CPC occurred in the Senate, and while most instances still occur in that house, in recent years CPC has also occurred in the House of Representatives. Backbenchers utilise the practice, and Coalition members more so than Labor Party members. Finally, proportional to their number in parliament, a greater number of independents and minor party members have used CPC. I explore these and additional findings under the headings below.

### *Power*

Two co-sponsors of CPC bills have gone on to become party leaders or deputy leaders: Malcolm Turnbull (LP) and Senator Fiona Nash (NP). Malcolm Turnbull co-sponsored the Patent Amendment Bill in the House of Representatives and later achieved the office of Prime Minister, while Senator Nash, a co-sponsor of the RU486 Bill, served as the Deputy Leader of the National Party. Further, two individuals who have used CPC made it to cabinet, Senator Helen Coonan (LP) and Peter Dutton (LP). Turnbull, Dutton, and Senator Coonan were all involved in bill co-sponsorship on gene patents. Across the cases of CPC, this issue attracted the least momentum. It did not involve an overly controversial party-splitting issue: indeed, the major parties were generally apathetic. Senator Nash's involvement in the RU486 Bill was reported by Sawyer<sup>1</sup> and my interviewee Pegasus<sup>2</sup> to have led to censure from her party and Senator Nash did not participate in any other cases of CPC. Only a small number of future leaders have utilised CPC, indicating that politicians see some risk associated with CPC and career advancement. However, I speculate that because CPC has become more of a likely occurrence than 10 years ago, participation in CPC may not be as risky as it once was. Only time will tell if ministerial positions are part of the career trajectories of more recent partakers of the practice. Indeed, given the reports that the Labor Party tapped a backbencher on the shoulder to encourage their participation in same-sex

---

<sup>1</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 326.

<sup>2</sup> Interview with Pegasus, conducted by Adele Lausberg, May 28, 2014.

marriage CPC, it may one day be encouraged by parties as part of their broad strategy to achieve policy goals.

The individuals who used CPC and went on to serve as cabinet members only used CPC when they were junior shadow ministry members. There have not yet been cases of either a Coalition senior minister or cabinet member (shadow or government) utilising CPC. As Deputy Leader of the Labor Party, Tanya Plibersek offered Turnbull (then Minister for Communications) the opportunity to co-sponsor a bill on same-sex marriage; however, as I noted in Chapter 6, this could be construed as a wedge tactic to promote the Labor Party's position on same-sex marriage and attract socially progressive Coalition voters. Other than the Plibersek example, government and shadow senior ministers and Labor Party cabinet members have not used CPC and it remains to be seen if it will be utilised again in this manner. The Coalition cabinet members and leaders identified above were few in number and once-off participants in CPC. It is interesting that the Labor Party pledge appears to hold influence for those with ministerial aspirations against breaking party line to use CPC, lending weight to my theory that risk can deter politicians from the practice. It also demonstrates the strength of a formal institutional rule.

My analysis of the split between safe and marginal seats for Lower House members participating in CPC revealed that it was relatively even. This suggests that principles overrode re-election concerns. As explained in a previous chapter, for these actors a cosmopolitan conscience can override the willingness to comply with policy that is perceived to ignore human dignity and responsibility owed to strangers. These politicians placed their commitment to a cosmopolitan ethic above their own career. CPC allows a member the opportunity to be seen as an individual with personally held principles, and not a blind follower of party line, something I explore further below.

The potential to risk the safety of a House of Representatives seat or position on a Senate ballot paper at the election did not deter individuals with less power (and hence, less to lose) from more frequently participating in CPC. Having less power from being historically locked out of the development of parliamentary norms and practices,

and restrictions from major party discipline or the control of a dictatorial party leader can be considered *factors that constrain CPC*.

### *House*

An equal number of Senators and House of Representatives members used CPC between 2005 and 2016. This means that over this period 14% of members in the House of Representatives participated in CPC, compared to 27.6% of Senators. The higher figure in the Senate can be attributed to two prominent differences in the houses. First, there are substantially more parties in the Senate than in the House of Representatives (see Table 1, Chapter 6, p. 181), creating more opportunities for backbenchers to work with Senators from other parties. As this thesis shows, the increased number of minor parties and independents correlates with an increase in CPC.

Second, Senators serve longer terms than House of Representatives members and electoral duties are shared across the state or territory which reduces pressure and accountability. This gives Senators more freedom in their actions. A significant concern for Senators is maintaining a high place on their party's ticket to ensure re-election, and this entails maintaining party favour. Despite this possible risk, Senators pursued CPC at a relatively high rate. This may be the result not only of the presence of independents and non-major parties but also the frequent use of committees in the Upper House.

Committees allow politicians the opportunity to work closely with independents and members of other parties. Although committees can be riven by partisan divides, the nature of their operation also provides opportunities for consensus and collaboration, particularly in minority reports. Interviews conducted for this study revealed a shared view across party lines that committees encouraged a conciliatory and collaborative environment. My interviewee Orion believed the high use of committees in the Senate assisted Senators in becoming more collaborative:

in terms of how we operate – particularly in the Senate – I think it's a particular element of the Senate. We need to cooperate and to work together

and I think the structure of the Senate which focuses on committee work makes that happen.<sup>3</sup>

Interviewee Draco expressed a similar sentiment:

A lot of the work that actually goes on here is actually bipartisan. So, you are often looking at – through committee processes, through like-minded interests, through friendship groups – to find people of similar vein to progress and champion ideas.<sup>4</sup>

Fornax reiterated these statements, indicating that: ‘In some experiences in the committee system so far we’ve seen a bit more – people haven’t had such fixed views at the beginning and have been more willing to listen to evidence.’<sup>5</sup> Learned norms and behaviours in committees make the step of working with a political adversary outside a committee more palatable and as such, it contributes to a higher rate of CPC in the Senate.

### *Gender*

In total, 21 women and 21 men participated in the cases of CPC between 2005 and 2016 (see Table 1, below). In 2013, women totaled 39 of the Lower House representatives to 111 men<sup>6</sup> and in that house, 6 women and 15 men participated in CPC. Represented as a percentage, that equates to 15.4% of women and 13.5% of men using CPC. The Senate, however, is a different story. A greater number of women Senators utilised CPC than men Senators. There were 29 women Senators out of the 76 elected in 2013, and 15 women Senators, 51.7%, utilised CPC. For men, the percentage using CPC was similar to the House of Representatives. Men Senators totaled 47 out of 76 Senators but only 6 used CPC, or 12.8%. Noting that the two bills in 2005 and 2006 were co-sponsored by only women, I also calculated the participation rate of women without these two bills. Using these new parameters, women totalled 27.6% of participants in CPC, which was still significantly higher than men Senators. Looking at

---

<sup>3</sup> Interview with Orion, conducted by Adele Lausberg, August 25, 2014.

<sup>4</sup> Interview with Draco, conducted by Adele Lausberg, August 27, 2014.

<sup>5</sup> Interview with Fornax, conducted by Adele Lausberg, December 7, 2016.

<sup>6</sup> I utilise 2013 figures for men and women in parliament. As the difference between the 2010 and 2016 elections was slight, the 2013 data provided a suitable compromise number for commentary on gender balance.

the figures on women’s participation in CPC, I find that overall women are more likely to seek out CPC than men, but only slightly more in the House of Representatives. This finding lends further weight to my theory that the critical mass of women in the Senate has contributed to an increase of CPC in that house. It is easier for women to implement a different representative strategy from the norm when they breach 30% representation.

<b>House of Representatives, 150 members</b>	Number in house		CPC participants	
Women	39	26.0%	6	15.4%
Men	111	74.0%	15	13.5%
<b>Senate, 76 Senators</b>	Number in house		CPC participants	
Women	29	38.2%	15	51.7%
Men	47	61.8%	6	12.8%
<b>Combined</b>	Number altogether		CPC participants	
Women	68	30.1%	21	30.9%
Men	158	69.9%	21	13.3%

2013 numbers are used in this table.<sup>7</sup>

In addition, when looking at co-sponsored motions from 2000 to 2016 in the Senate, of the 415 cross-party co-sponsored motions I identified in this period 79 involved only women whereas 53 involved only men. Of those 79 CPC motions involving only women, 32 concerned issues specific to women such as the gender pay gap, women’s sport, and women’s health. Based on this and earlier evidence presented in this thesis, women are more likely to collaborate, particularly on an issue concerning women.

One interviewee stated of the RU486 and Pregnancy Counselling Bills, ‘the cross-party women’s work sort of in that 2006 period ... was an anomaly. It was so unusual to have that kind of – camaraderie.’<sup>8</sup> The same interviewee saw alliances more generally as an important aspect of work within parliament for women. She explained: ‘certainly I had alliances, I had friendships, I always understood that for me, women working together was critical.’<sup>9</sup> This interviewee believed that women needed to work

<sup>7</sup> Parliamentary Library, Composition of the 44th Parliament, accessed 11 May 2018.

<sup>8</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.

<sup>9</sup> Ibid.

together to advance women's issues. She recognised that although CPC is not a common political strategy, it is a useful tool to achieve legislative success.

Major party constraints including masculine histories and a norm of leadership driven policy decisions have led women in these parties to seek alternative means to represent reproductive rights. This helps to explain why women used CPC in 2005 and 2006. A woman's right to bodily integrity includes power over reproductive decisions. This includes a right to abortion as enshrined in the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), which aims to give women the right to 'decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights.'<sup>10</sup> While Australia is a signatory to this treaty,<sup>11</sup> neither major political party has firm views on this issue, leaving women to resort to introducing bills with members of other political parties.

The women who co-sponsored the RU486 and Pregnancy Counselling Bills can be considered critical actors,<sup>12</sup> individuals who possessed the requisite individual political will to act on these issues. My argument in this thesis concerns critical actors who are pursuing the substantive representation of women which follows Sarah Childs and Mona Lena Krook's work in this area.<sup>13</sup> Childs and Krook proposed that it is not enough to focus on the number of women in parliament, as a critical mass of women does not guarantee coalitions between women. Childs and Krook outlined the importance of asking how the substantive representation of women occurs and who are the individuals that instigate critical acts which lead to the substantive

---

<sup>10</sup> United Nations, "Convention on the Elimination of All Forms of Discrimination against Women" (United Nations Women Watch, December 18, 1979), <http://www.un.org/womenwatch/>, accessed 12 February 2016.

<sup>11</sup> United Nations, "States Parties to the Convention on the Elimination of All Forms of Discrimination against Women" (United Nations Treaty Collection, April 21, 2014), [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en#3](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en#3), accessed 21 April 2014.

<sup>12</sup> Sawyer, "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia," 325–27.

<sup>13</sup> See Sarah Childs and Mona Lena Krook, "Critical Mass Theory and Women's Political Representation," *Political Studies* 56 (2008): 725–36; Sarah Childs and Mona Lena Krook, "Gender and Politics: The State of the Art," *Politics* 26, no. 1 (2006): 18–28; Sarah Childs and Mona Lena Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," *Government and Opposition* 44, no. 2 (2009): 125–45.

representation of women.<sup>14</sup> The women I interviewed who were involved in co-sponsoring these two bills self-identified as feminists. They were determined to enact policies favourable to women.<sup>15</sup> The major parties did not have clear positions on the issues involved and hence critical actors utilised CPC to give them representation.

For the 2005 and 2006 cases, interviewees stated that part of the motivation for co-sponsoring these bills was to represent concerns raised by community organisations, as outlined in Chapter 5. They considered the needs of women and community support for these issues, reflecting their adherence to the delegate representative model. Their speeches in parliament and original interview data sourced for this thesis demonstrate that they considered community views on the RU486 and Pregnancy Counselling Bills. Women did not pursue CPC in this way after 2006. Instead, they utilised CPC based more on individual political will, and in this regard, there was no discernible difference from men's use after 2006.

There is still a difference between the genders in the frequency of use of CPC, which, as indicated earlier, was higher for women. This inclination for a different type of politics was also suggested in former Prime Minister Gillard's consensual leadership style. These findings tentatively show that women are more open to collaborative legislative behaviour. The higher number of women in the Senate – their critical mass – allows women more freedom in pursuing collaborative activities. Their historical exclusion from politics places limits on their actions in representing women's issues through party channels, forcing them to seek alternative means of representation. An increase of women in the House of Representatives would likely equate with a rise in CPC in that house – indeed, the higher number of women in the Senate has seen them much more likely to participate in CPC (see Table 1, this chapter, p. 238).

### *Party - Types*

The size of a party, and the level of discipline within it, impact the likelihood of politicians pursuing collaborative action. From the party membership of users of CPC, I

---

<sup>14</sup> Childs and Krook, "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors," 126.

<sup>15</sup> *Ibid.*, 26–27.

find evidence for the theory that the smaller the party, the easier it is to do CPC, with independents having the most freedom to pursue collaboration. Of the 42 participants, 15 were not from either of the major parties. The proportion of independents and minor party members in both houses of parliament is significantly lower than the major parties' share. For instance, in the 44<sup>th</sup> Parliament (2013–16) House of Representatives, independents and non-major party members made up 3.3% of representatives while in the Senate they composed 23.6%.<sup>16</sup> The proportion of these 'other' members (minor parties and independents) who participated in CPC across both houses was higher than their share of seats: in the House of Representatives, 23% of participants were 'other' party members, while the figure was 47% in the Senate.

There is a greater proportion of minor parties in the Senate and members of these parties tend to have considerable freedom in their political actions. For example, conscience votes were allowed for Democrats parliamentarians if their personal or electorate's view conflicted with party policy.<sup>17</sup> A minor party member, Scorpius, confirmed the propensity of minor party members to develop relationships with members of other parties. In response to the question: 'was there anyone from other parties that you had connections with?' she replied 'all of them.'<sup>18</sup> The interviewee Lynx, another minor party member, affirmed that s/he 'absolutely' had more freedom to collaborate as a minor party member.<sup>19</sup> The interviewee Taurus, also a minor party member, observed that: 'you tend to see more alliances in non-government parties but not necessarily any particular party.'<sup>20</sup> This statement suggests that rather than being confined to their party to pursue policy goals, collaboration is a regular part – a norm even – of parliamentary life for small parties.

One minor party interviewee, Draco, considered asylum seekers an issue requiring cross-bench action. S/he stated: 'the problem of asylum seekers – because

---

<sup>16</sup> Parliamentary Library, 44th Parliament in review, November 24, 2016, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/44th\\_Parliament\\_in\\_Review#\\_Toc467769688](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/44th_Parliament_in_Review#_Toc467769688), accessed 21 May 2018.

<sup>17</sup> Gauja, "Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats," 495.

<sup>18</sup> Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.

<sup>19</sup> Interview with Lynx, conducted by Adele Lausberg, September 29, 2016.

<sup>20</sup> Interview with Taurus, conducted by Adele Lausberg, August 7, 2014.



it's a contentious issue in both parties – you often look for friends across the board to coalesce because you know, you're sort of in the minority on those issues.'<sup>21</sup> As an independent Cygnus saw CPC as important on asylum seekers for both symbolic and practical reasons:

there was the crossbench symbol of trying to bring everybody together on an issue that none of us could solve on our own ... a lot of people on all sides of parliament were becoming very frustrated with the inability of the parliament to solve the problem ... The concept was let's try bringing forward a group of people together and see whether we can come up with something.<sup>22</sup>

Collaboration is a matter of course for minor parties, a normalised aspect of their political life, and CPC activities are usually instigated or encouraged by these 'other' party members.

For independents, collaboration forms part of their regular parliamentary life. A major party representative, Aquila, reflected that independents in the House of Representatives have orchestrated a loose caucus amongst themselves: 'By necessity they look after each other more, because they don't have colleagues in the house. ... [if] one can't be there the other one will move their motion on their behalf.'<sup>23</sup> The support between independents and minor party representatives reflects openness and preparedness to share responsibility for procedural acts. Without party whips or rules restricting their actions, it is easier for independents to seek out collaborative partners. Indeed, it is a necessary aspect of political life for these actors. When asked about involvement on a specific co-sponsored bill one independent interviewee, Corvus, revealed that s/he had trouble recalling the exact details, stating that s/he frequently participated in bill co-sponsorship.<sup>24</sup>

### *Party - Discipline*

Collaboration allows for different perspectives from the major party lines to be included in parliament, providing opportunities for like-minded backbenchers to rebel

---

<sup>21</sup> Interview with Draco, conducted by Adele Lausberg, August 27, 2014.

<sup>22</sup> Interview with Cygnus, conducted by Adele Lausberg, March 20, 2017.

<sup>23</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

<sup>24</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

and defy their leaders. CPC allows individuals to signal that they are not party automatons. Membership of a major party can result in reduced individuality, as one major political party member interviewed for this study stated: 'the role of the individual is less pronounced in major parties: you know you're clearly identified as part of a collective pursuit.' By pursuing an issue without party approval, politicians signal to the electorate their willingness to work outside party confines to achieve results.

Coalition members are more likely than Labor Party members to participate in CPC, which I propose is due to weaker party discipline in the Coalition, something explored in Chapter 6 in relation to party leadership. Across the CPC cases there were 16 Coalition participants compared to 11 Labor Party participants. The number of collaborators from the Coalition is similar to the number of non-major party members participating in CPC (which was 15). The difference in the two major parties' rates of participation warrants investigation.

As previously stated, the Labor Party requires sitting members and Senators to take a pledge of allegiance. Although the Liberal and National Parties do not have such a pledge, they have party whips. The case studies in this thesis involve members of both major parties, yet there have been other incidences of CPC involving only Coalition and 'other' party members, and ones involving only 'other' party members. For example, Tony Abbott Government backbenchers were motivated to act on the issue of freedom of speech when the Coalition dropped their policy of changing section 18C of the *Racial Discrimination Act 1975*. Under Abbott, the Coalition Opposition promised to repeal section 18C in the lead up to the 2013 election, but they reneged on this promise when they won government.<sup>25</sup> The *Racial Discrimination Amendment Bill 2014* was a collaborative response to the change in policy and was co-sponsored by Senators Bob Day (FF), Cory Bernardi (LP), Dean Smith (LP), and David Leyonhjelm (LDP).<sup>26</sup> These Senators sought to amend section 18C which refers to a public act likely to 'offend, insult, humiliate or intimidate another person or a group of people' based on

---

<sup>25</sup> ABC Fact Check, "Promise Tracker: The Coalition Government's 2013 Election Commitments," ABC News, May 8, 2016, <http://www.abc.net.au/news/2014-04-22/racial-discrimination-act-promise-check/5364682>, accessed 9 February 2017.

<sup>26</sup> Senator Bob Day et al., *Racial Discrimination Amendment Bill (Cth)*, 2014.

'race, colour or national or ethnic origin of the other person or of some or all of the people in the group.'<sup>27</sup>

This issue was raised again in 2016, when Senator Bernardi moved a Notice of Motion to dilute the *Racial Discrimination Act*.<sup>28</sup> Every backbencher Coalition Senator signed the motion — except Senator Jane Hume — as well as seven crossbenchers, including the bloc of One Nation Senators and crossbench Senators Derryn Hinch (DHJP), Bob Day, and David Leyonhjelm. No front bench Coalition members were involved as they did not want to defy government policy, and Labor Party Senators did not support it as it went against party policy.<sup>29</sup> Although Abbott was no longer leader, the example of same-sex marriage in 2015 had demonstrated the importance of cabinet solidarity in the Coalition. However, backbenchers in the Coalition have proven they will participate in CPC despite the call for unity. The emphasis on individuality at the ideological core of the Liberal Party creates space for members to pursue CPC. Although Coalition members utilised CPC – often to achieve legislative change – they were not overly successful in doing so. I consider why success in CPC has been elusive below.

## 7.2 Success

The following sections explore CPC success. I assess the factors that contribute to success by comparing the six case studies, particularly looking at why I define the RU486 Bill and banning cosmetic testing on animals as successful cases. I also analyse how interview participants defined success. It is important to note that political climate and context weigh heavily on the prospect of success and are almost impossible to predict, with issues being prominent and hotly debated one day, forgotten the next. Hence, while the factors I examine below do influence the prospect

---

<sup>27</sup> Commonwealth Government of Australia, *Racial Discrimination Act*, 1975, Section 18C.

<sup>28</sup> "White Men (and Women) Petition to Water down Racial Hatred Laws," *Crikey*, August 31, 2016, <https://www.crikey.com.au/2016/08/31/white-people-problems-and-priorities/>, accessed 10 February 2016.

<sup>29</sup> Labor's Platform specifically stated: 'Australia's anti-vilification laws strike an appropriate balance between the right to free speech and protection from the harm of hate speech. Labor stands with the community to oppose any attack on the Racial Discrimination Act.' Australian Labor Party, "National Platform: 47th National Conference," 165.

of success, some allowance must be given to the fact that future cases of CPC may fail if the political context is not favourable, even with these factors present.

### *Defining Success*

Across the cases of CPC, only the RU486 Bill resulted in direct legislative change. The remaining issues – pregnancy counselling, gene patents, asylum seekers, banning the testing of cosmetics on animals, and same-sex marriage – did not directly effect a change of legislation. However, legislative change is not the only way that CPC can succeed. Although ultimately the proponents of a co-sponsored bill aim for legislative change, the adoption of a policy by a major party is another type of success.

<b>Table 2: Factors that lead to a successful instance of cross-party collaboration</b>					
	Three or more politicians from different parties/independents (both major ones involved)	An identifiable level of public support	Clear legislative/policy solution	No binding party line restricting votes	Minor Party/Independent Champion
RU486 Bill	X	X	X	X	X
Pregnancy Counselling Bill	X		X	X	X
Same-Sex Marriage Bill	X	X	X		X
Asylum seekers	X	X			X
Banning cosmetic testing on animals	X	X	X	X	X
Gene Patenting (*in 2010)	X*		X	X	X*

From the cases studied here, I have identified the following common factors that led to success: three or more politicians, all from different parties but including both major ones, involved in the case of CPC; an identifiable level of public support; a

clear legislative/policy solution; no binding party line restricting votes; and a minor party/independent champion. In the below sections each factor is investigated. The identified factors are cross-referenced with each case in Table 2 (see previous page). Based on this definition, the RU486 Bill and banning cosmetic testing on animals are considered as successful cases of CPC.

As RU486 is the only case of CPC that resulted in changed or new legislation, it is necessary at this point to assess why. The use of CPC was novel in 2005 and 2006: it was not a popular strategy. Although CPC had been used in the 1970s on a same-sex marriage motion (see Chapter 1 for details), it was not used as frequently as it has been since 2006. The four co-sponsors of the RU486 Bill were from different political parties and their action was historically significant. Indeed, the interviewees questioned for this thesis expressed respect for the actions the four female co-sponsors took to achieve legislative change on RU486. Without prompting, Dorado, who was not in parliament when the RU486 Bill was introduced, observed that:

the actions of those women ... has nonetheless, has kind of cast a shadow – it's kind of the wrong word because it's a negative connotation, they cast a long shadow on the actions of others and I think there's a kind of – having that quite concrete demonstration of cross-party women's activity, it's something that I think most – many female parliamentarians are aware of as a pathway that's always open, or possible.<sup>30</sup>

Similarly, Aquila spoke about collaboration being necessary to advancing legislative change on RU486:

So I think people who were determined to see that fixed [RU486], strategised specifically around that issue rather than around would it be good to collaborate – I think collaboration came as a form of necessity because it was the only way to make it happen.<sup>31</sup>

This case prominently demonstrated to politicians that CPC can lead to legislative results.

---

<sup>30</sup> Interview with Dorado, conducted by Adele Lausberg, October 26, 2016.

<sup>31</sup> Interview with Aquila, conducted by Adele Lausberg, November 10, 2016.

The case of banning cosmetic testing on animals was successful not in direct legislative change but in adoption by both major parties. It began as a minor party issue, was adopted by backbenchers, and then both major parties incorporated it in their 2016 election platforms. The executive of the cross-party working group on asylum seekers aimed for a similar outcome, hoping to inspire the major parties to take a more humanitarian approach to the arrival of asylum seekers. Although they did not achieve this, some members of the group believed their work was successful in keeping political attention on the issue.

There was no direct legislative success from the activities of the cross-party working group on asylum seekers. Vela, a founding member of that group, considered the role that group played in keeping the issue of immigration prominent in parliament and relayed the following in an interview conducted for this study: 'people are dying at sea, people are incarcerated, and we're not even discussing it in this place and it's still the same now.'<sup>32</sup> Although the group did not bring about legislative change, Vela considered keeping public and political attention on the issue as evidence of success: Vela's concern for the humanitarian angle was shared by members of the group and drew them together so that they could promote a cross-party view. Vela explains it here:

[W]e got the issues out there, stories of people who had been incarcerated, long long time, stories about people drowning and basically trying to get a humane side to it, because outside of politics we all agreed in this room that this is what we think should be done.<sup>33</sup>

Corvus displayed belief in the success of the working group: 'I won't say it didn't work, but in one sense it worked in that it got people talking to each other and it had in place a bit of a rough plan.'<sup>34</sup> Another group member, Hydrus, refuted any idea of success by pointing to the problematic scarcity of Coalition members in the group.<sup>35</sup> In this study I do not define the asylum seeker working group as a successful case of CPC

---

<sup>32</sup> Interview with Vela, conducted by Adele Lausberg, March 20, 2017.

<sup>33</sup> Ibid.

<sup>34</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

<sup>35</sup> Interview with Hydrus, conducted by Adele Lausberg, April 28, 2017.

because there was no consensus from the interviewees, and the collaboration did not result in any direct change to party policy or legislation.

While same-sex marriage has been passed into law by parliament, a co-sponsored bill was not directly related to this. Instances of CPC on same-sex marriage – as I have documented in this thesis – have been successful in keeping the issue on the political agenda, however it was not CPC that directly led to the successful vote in parliament. Though members from across parties were involved in campaigning for a yes vote to same-sex marriage in the postal survey, a lot of this activity is attributable to community groups rather than internal parliamentary activities, hence it falls outside the scope of this thesis.

The factors necessary for success that were outlined in Table 2 (this chapter, p. 245) are considered in detail in the sections directly below.

### *Three or More Politicians from Different Parties/Independents (both major ones involved)*

The only CPC case that did not consistently include politicians from at least three parties was gene patenting, with only Labor and Liberal Party representatives involved in the 2012 CPC. However, earlier related CPC activities on the topic had been initiated and supported by minor parties and independents. A member from each of the major parties is necessary: it symbolises that party discipline is being shirked, and that the issue is significant for members from across the political spectrum. However, the participation of an independent or minor party member is important in determining success. A higher number of parties participating in CPC elevates the significance of the collaboration, in contrast to the findings of US researchers looking at media collaboration who found that more Senators does not bring additional benefits (see Chapter 1).<sup>36</sup> A spread of different parties increases the chances of individuals speaking with, and influencing, fellow party members to promote or vote for the CPC.

---

<sup>36</sup> Desmaris et al., "Measuring Legislative Collaboration: The Senate Press Events Network," 52.

## *An Identifiable Level of Public Support*

As detailed in Chapter 5, community support assisted in motivating the co-sponsors of the RU486 Bill to act to change legislation. Community groups campaigned on the issue, and widespread support for abortion from the public reiterated to the co-sponsors the importance of collaborative action. Similarly, same-sex marriage and banning cosmetic testing on animals all had support from either the majority of the community, or large vocal segments. The case of asylum seekers is complex as support ran in both directions, however I still define this as having an identifiable level of public support – where it became particularly fraught regarding CPC success (and more generally) was in finding a solution, explored in the next section. The niche and seemingly complicated issues of pregnancy counselling and gene patenting laws did not attract the level of public attention necessary for success.

Gene patents and banning cosmetic testing on animals had similar trajectories, but different endings. Both began as CPC motions supported by a wide array of backbenchers, independents, and minor party members, and then were taken up by dedicated backbenchers of the major parties. Where the story differs is the adoption of banning cosmetic testing on animals to the major party platforms. By contrast, gene patenting was not included in either major party platform. This can largely be attributed to the controversial status of gene patenting combined with the powerful lobbying of biotechnology companies feeding into a lack of community will. Unlike banning cosmetic testing on animals, gene patenting does not yet offer an appealing vote-winning issue.

There was a similar lack of public understanding on the issue of pregnancy counselling, and hence, insufficient public support for legislative change. As my interviewee Scorpius identified:

it's hard to get that groundswell for complicated not-quite-clear issues. Every woman knows the importance of access to abortion. ... It's absolutely fundamental but pregnancy counselling, you know – *[imitating voters]* isn't that a good thing? Do you mean someone's doing another thing *[to counselling]*?<sup>37</sup>

---

<sup>37</sup>Interview with Scorpius, conducted by Adele Lausberg, 30 June, 2014.



Scorpius attributed the failure of the bill to change pregnancy counselling laws to the lack of public support, which saw a lack of political will in parliament to campaign on or vote for the bill.

### *Clear Legislative Solution*

Across most of the cases collaborators presented a clear legislative solution. On the issue of asylum seekers, however, there was no unified and easily discernible option favoured by all members of the cross-party group. One interviewee, Corvus, pointed to significant support for the Bali Bill, yet the group was not united in presenting the bill to parliament. Some believed it was too 'blunt.'<sup>38</sup> There was no consensus on the legislative solution, which ultimately made success difficult.

### *No Binding Party Line*

The issues involved in the instances of CPC analysed here did not always attract a clear binding party line. This created opportunities for individuals to bring these issues to the attention of parliament by alternative means. CPC can be utilised by major party backbenchers to give an issue political salience outside party channels, or to pressure the party to support a position, as was evident in banning cosmetic testing on animals. On the other hand, parties can use CPC to act by proxy: for example, encouraging a backbencher to pursue collaboration with independents and minor party members (as interviewees reported for the Labor Party on the same-sex marriage bill in 2015, see Chapter 6) means the party does not have to raise the issue through official channels, thereby avoiding potentially divisive debates and media reports of internal division.

### *Minor Party/Independent Champion*

Advocacy from an independent or minor party member can attract interest in an issue. In the case of the RU486 Bill, one interviewee detailed how a minor party member's passion accelerated collaborative action:

the actual thing that stimulated 'now is the time' was [be]cause Lyn [Allison] had actually threatened as minor parties can do – and continue to do – ... that she

---

<sup>38</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

was going to bring forward a bill and of course both the government and the opposition were trying to make that not happen.<sup>39</sup>

The pursuit of an issue by a non-major party member can spur co-sponsors to take collaborative action. In a similar set of circumstances to the RU486 Bill, the Pregnancy Counselling Bill was prominently advocated for by Democrats member, Senator Natasha Stott Despoja. The issue of banning cosmetic testing on animals found its champion in Greens Member, Senator Lee Rhiannon.

The passion and advocacy of Tony Windsor and Rob Oakeshott in finding a more humane immigration solution than that proposed by the two major parties drew the attention of other like-minded backbenchers, assisting with the creation of the cross-party working group on asylum seekers. The Greens have also actively promoted a humanitarian approach to asylum seekers. Both same-sex marriage and banning cosmetic testing on animals are issues that members of the Greens have championed and advocated in parliament. The Democrats and independent members have also advocated for same-sex marriage.

Although there had been minor party champions of the issue earlier when the Democrats were active in parliament, no minor party championed the issue of gene patenting at the time of CPC in 2012 when members of both major parties were involved. Neither the Coalition nor the Labor Party leadership were overly concerned that the issue could gain traction. The issue did not attract significant media attention and there was a lack of public opinion propelling the issue forward. One of the co-sponsors of the 2010 bill stated that gene patents was 'one of those issues that media doesn't pick up on much, I think, partly just because of the powerful lobbying groups.'<sup>40</sup> In addition, the broad cross-section of individuals co-sponsoring the Patent Amendment Bill 2010 was not replicated when Senator Bill Heffernan and Melissa Parke pursued CPC in 2012. On the 2010 bill there was no Labor Party co-sponsor but there were Greens and Independents in support; by 2012 a Labor Party member

---

<sup>39</sup> Interview with Orion, conducted by Adele Lausberg.

<sup>40</sup> Interview with Corvus, conducted by Adele Lausberg, February 1, 2017.

supported the initiative, but minor party champions were no longer involved. Both attempts to change the law on gene patents were missing a key element for success.

## **Conclusion**

In discussion of the main findings of the thesis, this chapter showed that politicians with less traditional power are prepared to engage in an alternative way of representing an issue by using CPC. These politicians do not typically wield power in parties or parliament. While women, Senators, and members of non-major parties were identified as the actors most likely to collaborate, the practice is increasing in the House of Representatives and in use by major party members of both genders.

Although CPC has increased since 2006, there have been minimal instances of successful CPC. While the RU486 Bill resulted in legislative change, this is the only case of CPC that has done so in a direct manner. Success in the form of the major parties adopting policy resulting from CPC was achieved for banning cosmetic testing on animals with both major parties adopting the collaborators' stance. It is clear that a delicate balance of factors is required to achieve CPC success in any form.

## Conclusion

By exploring how CPC has been used to represent an issue, this thesis has shed light on an alternative way to achieve legislative success in the Australian Parliament. CPC allows politicians to act outside parliamentary restrictions to represent an issue with other like-minded actors. CPC is an unusual tactic for a Westminster system, particularly in Australia with its strong party discipline, yet it has been used across a range of topics and has resulted in legislative change, albeit rarely. This thesis showed why politicians use CPC, what issues they use it on, and who typically uses it. It provided a definition of CPC, outlined factors that aid its occurrence and its success, identified constraints that prevent it from occurring regularly, and looked at broader implications of the practice for Australian politics.

Although CPC had been used on occasion before 2005, women using CPC to pass the RU486 Bill in 2006 marked the beginning of its increased use in parliament. Women used CPC on this issue to bypass structural gender problems inherent to the Australian political system. Through CPC, women circumvented the legislative norms of parliament which typically saw women's issues restricted to the private realm. CPC provides an avenue for actors who lack parliamentary power by which to achieve representation and potentially change or introduce legislation. Actors with less power in setting the policy agenda – backbenchers, minor party members, and independents – have utilised CPC more frequently since women achieved legislative success in 2006. This increase was made possible by the following enabling factors: the rise in other parties and women in parliament; a shared cosmopolitan preference across party lines for universal laws over domestic party policies; and the desire to lead the community on an issue.

The following concluding sections will summarise the answers to the research questions posed in the Introduction, demonstrating the contribution this thesis makes to Australian political science, the women in politics literature, and the growing international collaboration scholarship. I also offer ideas for future research to broaden the understanding of CPC in Australia and other legislatures.

## Cross-Party Collaboration: Insights

When considering if there *is a pattern to the types of issues for which CPC is utilised*, I determined that CPC has been utilised for socio-moral issues that cut across left-right party-political cleavages. These issues often attract a conscience vote or simply do not garner major party attention. Before 2005, CPC was used on same-sex rights in the 1970s. In 2005 and 2006 it was used on reproductive rights issues by women, a topic which parties have generally not taken a strong stance on due to the potential for division within their ranks. After 2006, CPC continued to recur on divisive issues though the scope of topics expanded. I include six cases of CPC on socio-moral issues in this thesis: RU486; pregnancy counselling; same-sex marriage; asylum seekers; banning cosmetic testing on animals; and gene patenting.

For the cases of CPC presented in this thesis to transpire, several steps were required. I developed a guiding framework to explain when CPC occurs:

- a) there is individual political will on an issue;
- b) this political will is shared by individuals across party lines;
- c) the individuals are willing to participate in collaboration; and
- d) the individuals perceive the risks of collaboration to be less significant than the value of pursuing the issue through collaboration.

For CPC to occur individual political will is required from the outset, and the subsequent steps are influenced by enabling factors including: electoral shifts, a cosmopolitan outlook that compelled actors to disregard localised party values for universal laws, and the desire to take community leadership on an issue. For women using CPC to represent women, the enabling factors varied slightly and include: critical actors and a critical mass of women; minor parties; and parliamentary groupings. This provides an answer to my question: *what factors enable CPC to occur?*

Politicians are also affected by institutional constraints which can be found in the limitations of the norms, practices, and structure of parliament. The factors *that constrain CPC* can be summarised as follows: the set-up and ergonomics of parliament, which are visibly adversarial; the two-party system, in which relations are largely

dyadic and do not promote collaboration across political parties; strict party discipline that prevents certain interests from gaining political traction and make it difficult for members to seek external collaborative partners; and a controlling leadership style. As the Australian parliament historically developed a masculine, combative style, these constraints have been particularly limiting for women. However, I find that as their proportion has increased, they have been the actors most likely to use CPC.

In answering the question *who participates in CPC and what motivates them to do so?* I conclude that it is actors in parliament with less power who pursue collaborative activities. CPC was used by women to change the law on RU486, prominently signalling to other actors in parliament that this strategy could achieve legislative change. Consequently, it has increasingly been taken up by backbenchers, minor party members, and independents who seek representation of an issue. I reiterate why CPC was utilised by these actors in the sections below (empirical evidence for these conclusions can be found in Chapters 5 and 6).

### **Women Using Cross-Party Collaboration: 2005 and 2006**

Contemporary society acknowledges the independence of women to vote and run for office, indicating a clear distance from James Mills' concept that fathers and husbands were responsible for the representation of a woman's political interest.<sup>1</sup> Women and men experience life differently in Australian society, and this is reflected in parliament. Many issues traditionally considered private affect women and these issues are now attracting legislative attention, due in large part to the women's movement highlighting that the 'personal is political.'<sup>2</sup> If a woman politician cannot raise an issue to her party's agenda, what options does she have? She can drop the issue, but that means members of the community affected by said issue are not given representation. This leaves her with the option of reaching across party lines. This thesis demonstrates that women in Australian politics were prepared to engage in CPC on reproductive rights. CPC offered a viable – and at times necessary – option to have

---

<sup>1</sup> Mill, J.S., "Representative Government" reprinted in J.S. Mill, *Three Essays*, (Oxford, 1975) in Pitkin, *The Concept of Representation*, 66.

<sup>2</sup> Carol Hanisch, "The Personal Is Political: The Women's Liberation Movement Classic with a New Explanatory Introduction," December 13, 2015, <http://carolhanisch.org/CHwritings/PIP.html>, accessed 13 December 2016.

their voices heard. These women listened to community concerns and brought women's private concerns to parliament. In doing so, they were substantively representing women.

Although it does not automatically follow that women politicians will act for women, men have not been particularly forthcoming in this endeavour. Women face difficulties in completing this task, particularly due to existing institutional constraints. The theories utilised in this thesis – critical constructivism and New Institutionalism (NI) – provided a framework to interrogate the validity of current norms and practices. Within parliament, the factors that constrain women's use of CPC include the earlier listed elements (the structure and ergonomics of parliament, two-party system, strict party discipline, and a controlling leader) and additionally: a history of, and preference for, masculine modes of speech and action; and the small number of women in parliament compared to their percentage of the population. Nadezhda Shvedova argues that the obstacles which women face in attempting to engage in parliamentary decisions are premised on a competitive format more suited to masculine qualities.<sup>3</sup> This has restrained collaborative or consensus-building activities, especially within the adversarial political systems typical of Western democracies like Australia.

Some socio-moral issues that concern women, such as reproductive rights, were traditionally excluded from the political arena, but this has changed with the entrance of women into politics. This thesis argued that because women faced difficulties in promoting women's interests within their parties, they turned to the relatively under-utilised strategy of CPC to better represent socio-moral issues. This answers my research question: *Why did women utilise CPC in 2005 and 2006 to represent women's reproductive rights?* The neglect of this socio-moral issue is gendered and related to the public/private split. CPC is symptomatic of the gendering of Australian political culture and its failure to fully engage with controversial issues that concern women. This implicit gendering underlies the way major parties largely ignore reproductive issues.

---

<sup>3</sup> Nadezhda Shvedova, "Obstacles to Women's Participation in Parliament," in *Women in Parliament: Beyond Numbers*, ed. Azza Karam and Joni Lovenduski (Stockholm: International IDEA, 2005), 35–36.

With the introduction of more women greater attention has been paid to these issues, and through CPC, women achieved legislative success on RU486.

This thesis also contributes to an understanding of the substantive representation of women, adding to the already significant body of academic work which includes insights from Australia. Constraints exhibit greater strength over women's actions when women's proportion in a chamber is less than 30%. This was evident in the fact that women co-sponsored bills in the Senate (where they constituted a critical mass of more than 30%), but not the House of Representatives. This lends weight to the literature on critical mass that finds when women breach 30% they can contribute to a shift in culture.

Women's intensive use of CPC in 2005 and 2006 helped reveal structural gender problems in the Australian political system. Although it is a somewhat enterprising strategy to work together across party lines, this collaboration was partly born out of necessity, providing an alternative way to change and introduce legislation. The norms and practices in parliament favour men and make it harder for women to present women's issues: this was evident with RU486 as neither major party gives clear support for abortion, forcing women to work across party lines. Women politicians' use of CPC as a political strategy helped others recognise its efficacy in changing legislation and providing representation to an issue.

### **Cross-Party Collaboration: 2006 – 2016**

Collaboration has been increasingly adopted by other actors with less structural power in parliament following the intensive use of CPC by women in 2005 and 2006. This thesis has revealed that female and male backbenchers of major parties, members of minor parties, and independents were increasingly likely to adopt CPC post-2006. Similarly, to women, politicians in the 2006 – 2016 timeframe were deterred from using CPC due to institutional constraints which include limitations in the norms, rules, and structure of parliament, as well as party discipline and party leadership. However, despite these constraints there have been opportunities for collaboration across party lines.



Alongside women's legislative success with RU486, the increased use after 2006 can be attributed to several enabling factors. Electoral shifts of an increased number of parties and women, combined with actors sharing a cosmopolitan respect and preference for universal laws, and a desire to lead the community precipitated an increase in CPC. These factors contribute to answering my research question: *Why did politicians increasingly utilise CPC between 2006 and 2016?* Actors with less ability to bring an issue attention through regular party channels or in parliament can turn to CPC as a representational tool. Australian politics has seen an increase in issues-based parties and independents, thereby increasing opportunities for CPC. The major parties' overall share of the vote has dropped and there are issues prominent in the political realm that cut across traditional political divides, issues that often attract a cosmopolitan outlook. When parties do not adopt these issues to their agenda, backbenchers can pursue their desire to take a lead on an issue by seeking representation outside party processes.

More politicians utilising CPC demonstrates a *broader change in how Australian politics is practiced*, providing an answer to my question gauging the wider implications of the phenomenon. This question allowed me to consider the broader impact of CPC on Australian politics. As was seen in interviews, for some newer entrants to parliament, collaboration across party lines was considered a normal aspect of parliamentary life. While this view was not widespread, it is an indication that CPC is not the anomaly it was in 2005. In 2017 another case of CPC occurred, with members of the crossbench in both the Senate and the House of Representatives banding together to seek an inquiry into Melbourne's Crown Casino.<sup>4</sup> Although neither major party had a member involved in this CPC, the issue was able to garner media and community attention, while also demonstrating across-house collaboration between independents and minor party members. This across-house collaboration points to another area of potential growth in collaborative activities. Another developing issue which is attracting CPC at the time of writing is the proposed ban on live animal

---

<sup>4</sup> Caityln Gribbin and Karen Percy, "Crown Casino: Greens, Xenophon, Lambie Back Wilkie's Call for Pokie-Rigging Inquiry," *ABC News Website*, October 19, 2017, <http://www.abc.net.au/news/2017-10-19/greens-xenophon-lambie-want-crown-casino-senate-inquiry/9065654>, accessed 11 December 2017.

exports.<sup>5</sup> In NI terms, CPC could eventually become an accepted feature of the institution of parliament. If parties other than the major two continue to be elected at their given – or an increased – rate, this becomes an even likelier scenario.

Evidence that the previously rare practice of CPC is recognised as an operable strategy by the leaders of a party was derived from interviews with Labor Party politicians conducted for this study. Interviewees from the Labor Party reported that their leadership team indirectly used collaboration (alongside other strategies) on same-sex marriage. While CPC is not predominantly utilised by actors in leadership roles, this report of its indirect use by a major party's leadership team reflects a shift in thinking that may become more commonplace in time. Therefore, the future of CPC is also a consideration of this thesis and is explored in the next section.

### **Cross-Party Collaboration into the Future**

Although it would be useful for those considering utilising CPC in the future, this study found no simple answer to my research question: *What factors are required for successful CPC outcomes?* A delicate combination of factors is required, making legislative change a relatively difficult outcome. This is without considering the unique political context surrounding the timing of an instance of CPC. CPC therefore is *potentially* a useful parliamentary strategy for politicians wanting to represent specific or marginalised interests. As this study shows, the success rate of CPC in case studies investigated in this thesis was low: of the co-sponsored bills, the RU486 Bill was the only one to pass into law. A different type of success was achieved on the issue of banning cosmetic testing on animals in that the two major parties adopted the policy to their platforms. Although some members of the cross-party working group on asylum seekers self-reported success in their ability to keep the issue of immigration and asylum seekers politically salient, based on the factors outlined in Chapter 7, I do not class this as a successful case of CPC (see Table 1, Chapter 7, p. 238). The empirical evidence indicates that CPC is not a very successful strategy to achieve legislative

---

<sup>5</sup> Paul Karp, "Coalition MPs Introduce Bill for Ban on Live Exports, Saying Industry Is Not Viable," *The Guardian Online*, May 21, 2018, <https://www.theguardian.com/australia-news/2018/may/21/coalition-mps-introduce-bill-for-ban-on-live-exports-saying-industry-is-not-viable>.

change, but it can be a useful means of raising awareness and keeping an issue prominent on the political agenda and in the media.

This thesis has demonstrated that *CPC reflects broader changes in Australian political practice*. CPC opens the possibility for backbenchers, independents, and members of minor parties to take policy leadership on an issue and challenge existing modes of representation. Governments can signal that they are addressing community concerns by establishing ministerial portfolios,<sup>6</sup> although these actions have not always been enough to placate backbencher or minor parties' concerns, and this has led to the occurrence of CPC. There are reports that trust in politics has been on the decline in recent years in Australia.<sup>7</sup> Pippa Norris identifies this as part of a global trend of political disaffection.<sup>8</sup> Survey research by Mark Evans, Gerry Stoker, and Jamal Nasir revealed that the Australian public has concerns about their politicians' ability to govern, with over 3 in 10 of those surveyed believing independent experts were better equipped to complete the task.<sup>9</sup> CPC offers the opportunity to counter public negativity by displaying unity between politicians on issues that divide communities and parties.

Studying CPC involves critically analysing whether Australia's national parliament is serving citizens in the best capacity. Given that politicians are taking this unconventional route to introduce and agitate on issues, there is scope to consider how we could modify parliament, its practices, and political parties to give these issues deeper consideration. While changes to seating arrangements would be difficult to implement, regional seating is an arrangement that could encourage collaboration in the two houses of parliament. A research project involving interviews and careful, detailed comparison of Australia with a markedly different legislative set-up – such as in Norway or Sweden – would be useful in furthering our understanding of the ways

---

<sup>6</sup> Elizabeth Fells, "The Proliferation of Identity Politics in Australia: An Analysis of Ministerial Portfolios, 1970-2000," *Australian Journal of Political Science* 38, no. 1 (March 1, 2003): 103.

<sup>7</sup> Matthew V. Flinders, "The Demonisation of Politicians: Moral Panics, Folk Devils and MPs' Expenses," *Contemporary Politics* 18, no. 1 (2012): 1-17; Evans, Halupka, and Stoker, "Who Do You Trust to Run the Country? Democracy, Trust and Politics in Australia", accessed 27 May 2017.

<sup>8</sup> Pippa Norris, *Democratic Deficit: Critical Citizens Revisited* (Cambridge, New York: Cambridge University Press, 2011).

<sup>9</sup> Mark Evans, Gerry Stoker, and Jamal Nasir, "How Do Australians Imagine Their Democracy? Australian Survey of Political Engagement Findings 2013" (Canberra: ANZSOG Institute for Governance, 2013), 11, <http://www.governanceinstitute.edu.au/magma/media/upload/ckeditor/files/DEMOCRACY%20REPORT-%20UPDATED%20VERSION-27-6-13.pdf>, accessed 7 March 2017.

that institutional ergonomics and a more equitable gender balance might impact on the occurrence of CPC.

After a history of being a rare practice, women's use of CPC on the RU486 Bill prominently demonstrated the potential of CPC for legislative change. While legislative success has been elusive in most cases of CPC since then, it has not deterred politicians from utilising the practice. CPC has increased due to the combination of the presence of electoral shifts, a shared cosmopolitan compulsion to disregard localised party policies in favour of a higher universal law, and a desire to lead the community. Without a change to the *status quo*, CPC will likely persist as a viable strategy for backbenchers, minor party members, and independents to adopt to achieve representational goals. This is important for the representation of groups with marginalised interests, as it allows politicians who consider issues not (or poorly) being represented by the major party leadership teams to introduce them to parliament.

Collaboration between political adversaries is a significant event and is undertaken when a politician has sufficient political will to act, there is shared willingness to create policy across party lines, and members of other parties are willing to collaborate on that policy. As demonstrated in this thesis, CPC is gaining in recognition amongst politicians as a legitimate strategy for the representation of socio-moral issues. CPC permits the representation of views outside major party platforms and draws a greater spread of issues and minorities into the political sphere. This increasingly normalised part of politics is contributing to the robustness of modern Australian democracy.

## Appendix

### Interview Questions

- Do you/did you have more or less freedom in your voting and representation (from party line) than you expected before you became a member of parliament?
- Would you consider yourself friends with anyone from other political parties?
- Individuals working across party lines is not a common activity in Australian federal politics. What are your thoughts on collaborating with an individual from a different political party?
- Have you participated in cross-party collaboration?
- Was there any pressure from your party not to participate in this instance of cross-party collaboration?

OR Have you ever considered participating in cross-party collaboration?

- Is this issue important to you personally? Would you be willing to act on it in the future (if still in parliament)?

OR Is there an issue you might consider collaborating on?

- Did you/would you try and get the party to support you on the issue first?
- Did/do you think there would be repercussions from your party for participating in CPC?
- What other issues would inspire you to initiate/participate in cross-party collaboration in the future (if still in parliament)?
- Have you been involved in Parliamentary Friendship Groups? Do these groups provide avenues for collaborative activities?
- Do you consider your role as a politician as gender-neutral or do you believe you are a representative of women's/men's interests?

If yes, are there any particular issues for women/men that you aim to represent?

- Do you identify as a feminist?
- Do you think there is more willingness to participate in collaboration from women than from men?

- Are there any issues you would like to see raised in your party (i.e. abortion, parental leave) that tend to get ignored?
- Do you think it is easier for minor parties and independents to participate in collaborative activities?

## Bibliography

- AAP. "Bishop Labels Gillard Speech 'Pathetic.'" *The Sydney Morning Herald*. October 11, 2012.
- . "Entsch Introduces Same-Sex Marriage Bill into Parliament." *SBS News Online*, August 17, 2015. <http://www.sbs.com.au/news/article/2015/08/17/entsch-introduces-same-sex-marriage-bill-parliament>.
- . "Entsch to Hand PM Gay Rights Petition." *The Age Online*, August 8, 2007. <http://www.theage.com.au/news/National/Entsch-to-hand-PM-gay-rights-petition/2007/08/08/1186530437155.html>.
- . "Greens Want the Lord's Prayer Dumped from Federal Parliament Sittings." *The Australian*. January 14, 2014.
- . "Sarah Murdoch Urges Gene Control." *The Australian Online*, November 17, 2010. <http://www.theaustralian.com.au/national-affairs/sarah-murdoch-urges-gene-control/news-story/1293bc4dd74a72d153e252a7c0486eb9?nk=fcadfaff1f0684de12782ddfcd3c0597-1486699580>.
- . "The Rise of the Coalition Coif." *The Sydney Morning Herald*, September 18, 2013.
- ABC. "As It Happened: Another Sinking Brings Asylum Debate to a Head." *ABC News Website*, June 27, 2012. <http://www.abc.net.au/news/2012-06-27/asylum-seeker-boat-in-distress-off-christmas-island/4095566>.
- . "Federal Election Results: Senate Results." Australia Votes, 2016. <http://www.abc.net.au/news/federal-election-2016/results/senate/>.
- ABC Fact Check. "Promise Tracker: The Coalition Government's 2013 Election Commitments." *ABC News*, May 8, 2016. <http://www.abc.net.au/news/2014-04-22/racial-discrimination-act-promise-check/5364682>.
- ABC News. "As It Happened: Another Sinking Brings Asylum Debate to a Head." *ABC News Website*, June 27, 2016. <http://www.abc.net.au/news/2012-06-27/asylum-seeker-boat-in-distress-off-christmas-island/4095566>.
- Acker, Elizabeth van. *Different Voices: Gender and Politics in Australia*. South Yarra: MacMillan Education Australia, 1999.
- . "Media Representations of Women Politicians in Australia and New Zealand: High Expectations, Hostility or Stardom." *Policy, Organisation & Society* 22, no. 1 (2003): 116–36.
- Acker, Joan. "Hierarchies, Jobs, Bodies: A Theory of Gendered Organizations." *Gender and Society* 4, no. 2 (1990): 139–58.
- Ackerly, Brooke, and Jacqui True. "Reflexivity in Practice: Power and Ethics in Feminist Research on International Relations." *International Studies Review* 10, no. 4 (2008): 693–707.
- Adler, Emanuel. "Seizing the Middle Ground: Constructivism in World Politics." *European Journal of International Relations* 3, no. 3 (1997): 319–63.
- Akersten, Matt. "Wong 'Hypocrite' on Gay Marriage." *Samesame.com.au*, July 26, 2010. <http://www.samesame.com.au/news/5671/Wong-hypocrite-on-gay-marriage>.
- Albanese, Anthony. Cth, Parliamentary Debates, House of Representatives, 2600, February 11, 1999.
- . "Parliamentary Zone - Construction of a Childcare Facility within Parliament House - Approval of Proposal." House of Representatives, June 24, 2008.
- Alberici, Emma. "Gene Research Should Be an Open Playing Field." *ABC Lateline*, May 14, 2012. <http://www.abc.net.au/lateline/content/2012/s3502733.htm>.
- Allison, Senator Lyn. Cth, Parliamentary Debates, Senate, 93, February 8, 2006.
- Anderson, Lainie. "Cry Me a River, Pollies, Then Show Me a Solution." *The Punch*. June 1, 2012.
- Andeweg, Rudy B. "Executive-Legislative Relations in the Netherlands: Consecutive and Coexisting Patterns." *Legislative Studies Quarterly* 17, no. 2 (1992): 161–82.

- Andeweg, Rudy B., and Lia Nijzink. "Beyond the Two-Body Image: Relations Between Ministers and MPs." In *Parliaments and Majority Rule in Western Europe*, edited by Herbert Döring. University of Mannheim: Mannheim Centre for European Social Research, 1995.  
<http://allman.rhon.itam.mx/~emagar/ep3/rules/doring.ed.parliamentsAndMajRule1995.pdf#page=152>.
- Andris, Clio, David Lee, Marcus J. Hamilton, Mauro Martino, Christian E. Gunning, and John Armistead Selden. "The Rise of Partisanship and Super-Cooperators in the U.S. House of Representatives." *PLOS ONE* 10, no. 4 (April 21, 2015): e0123507.
- Anon. "Labor Votes in Favour of Gay Marriage." *The Age Online*, December 3, 2011.  
<http://www.theage.com.au/national/labor-votes-in-favour-of-gay-marriage-20111203-1oc4a.html#ixzz1fQyaMTO2>.
- Appiah, Kwame Anthony. *Cosmopolitanism: Ethics in a World of Strangers*. London: Allen Lane, 2006.
- "Asylum Seeker Legislation Has Been Voted down in the Senate." *News.com.au*, June 28, 2012.  
<http://www.news.com.au/national/tragedy-another-asylum-seeker-boat-capsizes/story-e6frfw9-1226410005101>.
- Australian Bureau of Statistics. "Aboriginal and Torres Strait Islander Population 2016 Census Data Summary." 2071.0 - Census of Population and Housing: Reflecting Australia - Stories from the Census, 2016, June 28, 2017.  
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/2071.0~2016~Main%20Features~Aboriginal%20and%20Torres%20Strait%20Islander%20Population%20Data%20Summary~10>.
- . "Survey Results." Australian Bureau of Statistics, November 15, 2017.  
<https://marriagesurvey.abs.gov.au/results/>.
- Australian Bureau of Statistics. "Population by Age and Sex, Regions of Australia, 2015." Canberra: Australian Government, August 18, 2016.  
<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3235.0Main%20Features102015?opendocument&tabname=Summary&prodno=3235.0&issue=2015&num=&view=>
- . "Reflecting a Nation: Stories from the 2011 Census, 2012–2013." Canberra: Australian Government, June 21, 2012.  
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2071.0main+features902012-2013>.
- Australian Electoral Commission. "Nominations by Gender: 2004 Federal Election." Senate Downloads, January 28, 2014.
- Australian Greens Website. "MPs," April 10, 2013.
- Australian Labor Party. "It's Time. Marriage Equality.," August 2017.  
<http://www.itstimeformarriageequality.org.au/>.
- . "National Platform: 47th National Conference," December 2015.  
[https://cdn.australianlabor.com.au/documents/ALP\\_National\\_Platform.pdf](https://cdn.australianlabor.com.au/documents/ALP_National_Platform.pdf).
- Australian Law Reform Commission. "Genes and Ingenuity: Gene Patenting and Human Health (ALRC Report 99), 7. Exclusions from Patentability." Australian Government, n.d.  
<http://www.alrc.gov.au/publications/7-exclusions-patentability/exclusion-genetic-materials-and-technologies>.
- Australian Parliamentary Group on Population and Development. "About." Australian Parliamentary Group on Population and Development, 2017.  
<https://www.pgpd.asn.au/about>.
- Australian Social Trends. "Losing My Religion?" Australian Bureau of Statistics:  
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4102.0Main+Features30Nov+2013#lookingahead>, November 2013.



- Avner, Greif, and David D. Laitin. "A Theory of Endogenous Institutional Change." *American Political Science Review* 98, no. 4 (November 2004): 633–52.
- Babb, James, Jarol B. Manheim, Richard C. Rich, Lars Willnat, and Craig Leonard Brians. *Empirical Political Analysis: An Introduction to Research Methods*. Harlow, Great Britain: Pearson Education Limited, 2012.
- Bailey, Megan. "End Animal Testing for Cosmetics: La Trobe MP Jason Wood." *Herald Sun Online*, September 23, 2015. <http://www.heraldsun.com.au/leader/south-east/end-animal-testing-for-cosmetics-la-trobe-mp-jason-wood/news-story/08fc5f2e131b608be9d602fd6972d509?nk=4fa2b150f2cab32804b6001a5ccee4a1-1469345101>.
- Baird, Bruce. Cth, Parliamentary Debates, House of Representatives, 45, February 16, 2006.
- Barnes, Harry E. "The Struggle of Races and Social Groups as a Factor in the Development of Political and Social Institutions: An Exposition and Critique of the Sociological System of Ludwig Gumplowicz." *The Journal of Race Development* 9, no. 4 (1919): 394–419.
- Barnes, Scott. "Why Are Gene Patents so Controversial?" *Crikey*, May 16, 2012. <https://www.crikey.com.au/2012/05/16/crikey-clarifier-why-are-gene-patents-so-controversial/>.
- Barnes, Tiffany D. "Gender and Legislative Preferences: Evidence from the Argentine Provinces." *Politics & Gender* 8, no. 4 (2012): 483–507.
- . *Gendering Legislative Behaviour: Institutional Constraints and Collaboration*. United Kingdom: Cambridge University Press, 2016.
- Bartlett, Senator Andrew. Cth, Parliamentary Debates, Senate, 7106, December 4, 2002.
- Barua, Maan. "Circulating Elephants: Unpacking the Geographies of a Cosmopolitan Animal." *Transactions of the Institute of British Geographers* 39, no. 4 (October 2014): 559–73.
- Beamer, Glenn. "Elite Interviews and State Politics Research." *State Politics & Policy Quarterly* 2, no. 1 (March 1, 2002): 86–96.
- Bearder, Catherine, Julie Girling, Baroness Deech, Baroness Blackstone, Alan Brown, Leonie Cooper, Lord Foulkes of Cumnock, et al. "Greener Transport; Letters to the Editor." *The Telegraph*, July 23, 2017, sec. Opinion. <http://subscriber.telegraph.co.uk/opinion/2017/07/22/lettersgovernment-can-win-public-trust-open-approach-brexit/>.
- Beauvoir, Simone de. *The Second Sex*. Translated by Constance Borde and Sheila Malovany-Chevallier. New York: Alfred A. Knopf, 2010.
- Beck, Ulrich. *The Cosmopolitan Vision*. Cambridge: Polity Press, 2006.
- Bell, Stephen. "Do We Really Need a New 'Constructivist Institutionalism' to Explain Institutional Change?" *British Journal of Political Science* 41, no. 4 (2011): 883–906.
- Berger, Peter L., and Thomas Luckmann. *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*. London: The Penguin Press, 1971.
- Betts, Katharine. "Attitudes to Abortion: Australian and Queensland in the Twenty-First Century." *People and Place* 17, no. 3 (2009): 25–39.
- . "Attitudes to Abortion in Australia: 1972 - 2003." *People and Place* 12, no. 4 (2004): 22–27.
- . "Boat People and Public Opinion in Australia." *People and Place* 9, no. 4 (2001): 34–48.
- Bodey, Michael, and Ben Packham. "Howard Sattler Sacked for Julia Gillard 'Gay' Interview." *The Australian*, June 14, 2013.
- Boswell, Senator Ron. Cth, Parliamentary Debates, Senate, 156, June 14, 2007.
- Bourque, Susan C., and Jean Grossholtz. "Politics an Unnatural Practice: Political Science Looks at Female Participation." *Politics Society* 4, no. 2 (1974): 225–65.
- Bowen, Chris. Cth, Parliamentary Debates, House of Representatives, 110, February 15, 2006.
- Bowen, Glenn A. "Document Analysis as a Qualitative Research Method." *Qualitative Research Journal* 9, no. 2 (2009): 27–40.
- Boyce, Senator Sue. Cth, Matters of Public Interest, Senate, 177, November 13, 2013.

- . Cth, Parliamentary Debates, Senate, 3507, June 20, 2013.
- . Cth, Parliamentary Debates, Senate, 7440, September 20, 2012.
- Brand South Africa. "South Africa's Women in Politics." Brand South Africa, August 25, 2016. <https://www.brandsouthafrica.com/governance/developmentnews/south-africa-s-women-in-politics>.
- Brandis, Senator George. Cth, Parliamentary Debates, Senate, 21, February 9, 2006.
- Brankovich, Jasmina. "Constructing a Feminist Morality in the Western Australian Abortion Debate, 1998." *Fresh Cuts: New Talents* 86 (2001).
- Brennan, Deborah. "The Difficult Birth of Paid Maternity Leave in Australia." In *The Politics of Parental Leave*, edited by S Kamerman and P Moss, 15–31. Bristol: Policy Press, 2009.
- Brenton, Scott. "Policy Traps for Third Parties in Two-Party Systems: The Australian Case." *Commonwealth & Comparative Politics* 51, no. 3 (July 1, 2013): 283–305.
- Brians, Craig Leonard. "Women for Women?: Gender and Party Bias in Voting for Female Candidates." *American Politics Research* 33, no. 3 (May 2005): 357–75.
- Brinkerhoff, Derick W. "Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework." *Public Administration and Development* 20, no. 3 (2000): 239–52.
- Britton, Hannah E. "Coalition Building, Election Rules, and Party Politics: South African Women's Path to Parliament." *Africa Today* 49, no. 4 (2002): 33–67.
- . *Women in the South African Parliament: From Resistance to Governance*. Urbana and Chicago: University of Illinois Press, 2005.
- Broadbent, Russell. Cth, Parliamentary Debates, House of Representatives, 49, August 9, 2006.
- Broughton, Sharon, and Sonia Palmieri. "Gendered Contributions to Parliamentary Debates: The Case of Euthanasia." *Australian Journal of Political Science* 34, no. 1 (1999): 29–45.
- Brown, Garrett Wallace, and David Held. "Editor's Introduction." In *The Cosmopolitanism Reader*, edited by Garrett Wallace Brown and David Held. Cambridge: Polity Press, 2010.
- Brown, Senator Carol. Cth, Parliamentary Debates, Senate, 141, June 14, 2007.
- Bryman, Alan. *Social Research Methods*. 2nd ed. Oxford: Oxford University Press, 2004.
- Burke, Edmund. "To The Electors of Bristol, 3 November 1774." In *The Works of the Right Hon. Edmund Burke, with a Biographical and Critical Introduction by Henry Rogers*, Vol. 1. London: S. Holdsworth, 1842.
- Busby, Cec. "Federal Cross Party Working Groups for Marriage Equality Announced." *Gay News Network*. November 12, 2013. <http://gaynewsnetwork.com.au/news/federal-cross-party-working-group-for-marriage-equality-announced-12557.html>.
- Butler, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. London: Routledge, 1990.
- . "Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory." *Theatre Journal* 40, no. 4 (1988): 519–31.
- Caldwell, Alison. "Australian Motoring Enthusiast Party Closes Victorian Branch over 'Blatant Disregard' for National Executive." *ABC News Website*, October 7, 2013.
- Caldwell, Ross. "Labor to Act on Cosmetics Testing on Animals." *Labor Herald*, February 21, 2016. <https://www.laborherald.com.au/people-families/labor-to-act-on-cosmetics-testing-on-animals/>.
- Callaghan, Greg. "Counter-Terrorism Expert Anne Aly: 'I Dream of a Future in Which I'm No Longer Needed'." *The Age Online*, November 18, 2016. <http://www.theage.com.au/good-weekend/counterterrorism-expert-anne-aly-is-australias-first-federal-female-muslim-mp-20161117-gsreyp.html>.
- Campbell, Rosie, and Sarah Childs. "Women in Parliament: In the Press Flurry That Accompanied Tony Blair's Departure from Downing Street, Many Newspaper Columnists Analysed the Impact of New Labour's Women MPs. But Does It Really Matter How Many Female MPs There Are? And, If So, Why?" *Sociology Review*, November 2007.

- Campbell, Rosie, Sarah Childs, and Joni Lovenduski. "Do Women Need Women Representatives?" *British Journal of Political Science* 40, no. 1 (2010): 171–94.
- Campbell, Rosie, and Philip Cowley. "Rebellion Versus Loyalty, Shirking Versus Working: A Note on Framing Parliamentary Behaviour." *Representation* 50, no. 4 (2014): 421–27.
- Carlton, Mike. "The Heat's Turned up but Tony Abbott Has Shivers up His Spine." *The Sydney Morning Herald*, June 26, 2010.
- Cassidy, Barrie. "Government Dodging Asylum Protections: Hanson-Young." *Insiders*, August 19, 2012. <http://www.abc.net.au/insiders/content/2012/s3570972.htm>.
- Celis, Karen. "On Substantive Representation, Diversity, and Responsiveness." *Politics & Gender* 8, no. 4 (2012).
- . "Studying Women's Substantive Representation in Legislatures: When Representative Acts, Contexts and Women's Interests Become Important." *Representation* 44, no. 2 (2008): 111–23.
- . "Substantive Representation of Women: The Representation of Women's Interests and the Impact of Descriptive Representation in the Belgian Parliament (1900-1979)." *Journal of Women, Politics & Policy* 28, no. 2 (2006): 85–144.
- Chalmers, Rob. *Inside the Canberra Press Gallery: Life in the Wedding Cake of Old Parliament House*. Acton: ANU E Press, 2011.
- Chang, Mahalia. "Senator Larissa Waters Casually Moves A Senate Motion While Breastfeeding Her Daughter." *Elle Australia*, June 23, 2017. <https://www.elle.com.au/news/larissa-waters-breastfeeds-in-parliament-13023>.
- Chappell, Louise. "Comparative Gender and Institutions: Directions for Research." *Symposium* 8, no. 1 (2010): 183–89.
- . "Comparing Political Institutions: Revealing the Gendered 'Logic of Appropriateness.'" *Politics & Gender* 2, no. 2 (2006): 223–35.
- . "Governing International Law through the International Criminal: A New Site for Gender Justice?" In *Global Governance: Feminist Perspectives*, edited by Shirin M. Rai and Georgina Waylen. London: Palgrave Macmillan, 2008.
- Charnock, David. "Can the Australian Greens Replace the Australian Democrats as a 'Third Party' in the Senate?" *Australian Journal of Political Science* 44, no. 2 (2009): 245–58.
- Checkel, Jeffrey T. "The Constructivist Turn in International Relations Theory." *World Politics* 50, no. 2 (January 1998): 324–48.
- Children by Choice. "Changing the Law: Transparency in Advertising for Pregnancy Counselling." Children by Choice Website, March 12, 2012. <http://www.childrenbychoice.org.au/>.
- Childs, Sarah. "A Feminised Style of Politics? Women MPs in the House of Commons." *British Journal of Politics and International Relations* 6, no. 1 (2004): 3–19.
- . "Concepts of Representation and the Passage of the Sex Discrimination (Election Candidates) Bill." *The Journal of Legislative Studies* 8, no. 3 (Autumn 2002): 90–108.
- . "Negotiating Gendered Institutions: Women's Parliamentary Friendships." *Politics & Gender* 9, no. 2 (2013): 127–51.
- . "The Sex Discrimination (Election Candidates) Act 2002 and Its Implications." *Representation* 39, no. 2 (2003): 83–92.
- Childs, Sarah, and Mona Lena Krook. "Analysing Women's Substantive Representation: From Critical Mass to Critical Actors." *Government and Opposition* 44, no. 2 (2009): 125–45.
- . "Critical Mass Theory and Women's Political Representation." *Political Studies* 56 (2008): 725–36.
- Clemens, Elisabeth, and James Cook. "Politics and Institutionalism: Explaining Durability and Change." *Annual Review of Sociology* 25 (1999): 441–66.
- "Coalition, Labor Pass Same-Sex Marriage Ban." *ABC News Website*, August 13, 2004. <http://www.abc.net.au/news/2004-08-13/coalition-labor-pass-same-sex-marriage-ban/2025130>.

- Coghill, Ken, and Despina Babbage. "Seating in Legislatures." *Legislative Studies* 5, no. 2 (Summer 1991): 15–22.
- Colebatch, Tim. "More Women Labor MPs than in Coalition." *The Sydney Morning Herald*, September 23, 2013. <http://www.smh.com.au/federal-politics/political-news/more-women-labor-mps-than-in-coalition-20130922-2u81p.html>.
- Coleman, Karen. "The Politics of Abortion in Australia: Freedom, Church and State." *Feminist Review* 29, no. 75–97 (1988).
- Combet, Greg, and Yvette D'Ath. *Intellectual Property Laws Amendment Bill (Cth)*, 2013.
- Commonwealth. "The Commonwealth of Australia Constitution Act." Commonwealth, July 9, 1900.
- Commonwealth Government of Australia. *Racial Discrimination Act*, 1975.
- Considine, Mark, and Iva Ellen Deutchman. "Instituting Gender: State Legislators in Australia and the United States." *Women & Politics* 16, no. 4 (1996): 1–19.
- Constitution of the Republic of South Africa (1996).
- Contractor, Aban. "Female Senators Reflect Euthanasia Polls." *Canberra Times*, March 20, 1997.
- Coonan, Senator Helen. Cth, Parliamentary Debates, Senate, 46, February 9, 2006.
- Coorey, Phillip. "PM Dumps New Asylum Law." *The Sydney Morning Herald Online*, August 14, 2006. <http://www.smh.com.au/news/national/pm-dumps-new-asylum-law/2006/08/14/1155407710164.html>.
- . "The Push for Malcolm Turnbull to Hold a Parliamentary Vote on Same-Sex Marriage Could Boil over next Week." *Business Insider Australia*, August 1, 2017. <https://www.businessinsider.com.au/marriage-equality-vote-malcolm-turnbull-pressure-2017-8>.
- Cowley, Philip, and Sarah Childs. "Too Spineless to Rebel? New Labour's Women MPs." *British Journal of Political Science* 33, no. 3 (2003): 345–65.
- Cox, Robert W. *Approaches to World Order*. Cambridge: Cambridge University Press, 1996.
- Crawford, Mary. "Gender and the Australian Parliament." Queensland University of Technology, 2008.
- Crawford, Mary, and Barbara Pini. "The Australian Parliament: A Gendered Organisation." *Parliamentary Affairs* 64, no. 1 (2011): 82–105.
- Crewe, Emma. *The House of Commons: An Anthropology of MPs at Work*. London: Bloomsbury, 2015.
- Crossin, Senator Trish, and Senator Carol Brown. *Marriage Amendment Bill (No. 2) (Cth)*, 2012.
- Cth, Parliamentary Debates, House of Representatives, Division. *Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill*, 2006.
- Curthoys, Ann, and Carol Johnson. "Articulating the Future and the Past: Gender, Race, and Globalisation in One Nation Discourse." *Hecate* 24, no. 2 (1998).
- Curtin, Jennifer. "Women, Political Leadership and Substantive Representation: The Case of New Zealand." *Parliamentary Affairs* 61, no. 3 (2008): 490–504.
- Dahlerup, Drude. "From a Small to a Large Minority: Women in Scandinavian Politics." *Scandinavian Political Studies* 11, no. 4 (1988): 275–98.
- Day, Senator Bob, Senator Cory Bernardi, Senator David Leyonhjelm, and Senator Dean Smith. *Racial Discrimination Amendment Bill (Cth)*, 2014.
- Dayton, Leigh. "Senate Patently at Odds over Genes." *The Australian Online*, October 1, 2011. <http://www.theaustralian.com.au/news/health-science/patently-at-odds-over-genes/news-story/9258378d00956f63adb20f69b985b471?nk=fcadfa1f0684de12782ddfcd3c0597-1483576240>.
- Denzin, Norman K. *Sociological Methods: A Sourcebook*. Chicago: Aldine Pub. Co., 1970.
- . *The Research Act: A Theoretical Introduction to Sociological Methods*. Englewood Cliffs, New Jersey: Prentice-Hall, 1989.

- Department of the House of Representatives. House of Representatives Standing Orders, November 14, 2013.  
[https://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/House\\_of\\_Representatives\\_Standing\\_Orders](https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/House_of_Representatives_Standing_Orders).
- Department of the Senate. Senate Standing Orders, October 8, 2013.  
[http://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/~/~link.aspx?id=5459B12AA11444589A4A26D50E4AA869&z=z](http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/~/~link.aspx?id=5459B12AA11444589A4A26D50E4AA869&z=z), accessed 8/10/13.
- Desmaris, Bruce A., Vincent G. Moscardelli, Brian F. Schaffner, and Michael S. Kowal. "Measuring Legislative Collaboration: The Senate Press Events Network." *Social Networks* 40 (2015): 43–54.
- Deutchman, Iva, and Anne Ellison. "When Feminists Don't Fit: The Case of Pauline Hanson." *International Feminist Journal of Politics* 6, no. 1 (2004): 29–52.
- Devere, Heather, and Graham M. Smith. "Friendship and Politics." *Political Studies Review* 8, no. 3 (2010): 341–56.
- Dick, Tim. "Married to the Mob." *Sydney Morning Herald Online*, July 26, 2010.  
<http://m.smh.com.au/federal-election/married-to-the-mob-20100726-10r77.html?skin=dumb-phone>.
- Dodd, Geoff. "Senate More Representative than the Lower House." *The Australian*, April 4, 1997.
- Dolan, Chris. "Alphabetical Listing of Constellations." The Constellations and their Stars. Accessed October 7, 2017.  
<http://www.astro.wisc.edu/~dolan/constellations/constellations.html>.
- Dovi, Suzanne. "Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?" *American Political Science Review* 96, no. 4 (2002).
- . "Theorizing Women's Representation in the United States." *Politics & Gender* 3 (2007): 297–319.
- Dutton, Peter, Rob Oakeshott, John Forrest, and Malcolm Turnbull. *Patent Amendment (Human Genes and Biological Materials) Bill (Cth)*, 2011.
- Elias, Norbert, and Eric Dunning. *Quest for Excitement: Sport and Leisure in the Civilizing Process*. New York: Basil Blackwell, 1986.
- "EMILY's List, About Us, Our History." EMILY's List, n.d.  
<https://www.emilyslist.org.au/about/our-history/>.
- Entsch, Warren. Cth. Parliamentary Debates, House of Representatives, 8409, August 17, 2015.
- Entsch, Warren, Teresa Gambaro, Terri Butler, Laurie Ferguson, Adam Bandt, Cathy McGowan, and Andrew Wilkie. *Marriage Legislation Amendment Bill (Cth)*, 2015.
- Evans, Mark, Max Halupka, and Gerry Stoker. "Who Do You Trust to Run the Country? Democracy, Trust and Politics in Australia." Canberra, Australia: University of Canberra and the Museum of Australian Democracy, 2016.  
[http://www.governanceinstitute.edu.au/magma/media/upload/publication/406\\_Who-do-you-trust.pdf](http://www.governanceinstitute.edu.au/magma/media/upload/publication/406_Who-do-you-trust.pdf).
- Evans, Mark, Gerry Stoker, and Jamal Nasir. "How Do Australians Imagine Their Democracy? Australian Survey of Political Engagement Findings 2013." Canberra: ANZSOG Institute for Governance, 2013.  
<http://www.governanceinstitute.edu.au/magma/media/upload/ckeditor/files/DEMOCRACY%20REPORT-%20UPDATED%20VERSION-27-6-13.pdf>.
- Ewart, Heather. "Sue Boyce and Judith Troeth Express Dismay over Tony Abbott's Male-Dominated Cabinet." *ABC News Website*. September 17, 2013.  
<http://www.abc.net.au/news/2013-09-16/senior-female-coalition-figures-slam-male-dominated-cabinet/4961344>.
- Farr, Malcolm. "Gay Marriage Bill to Be Introduced in August." *News.com.au*, July 2, 2015.  
<http://www.news.com.au/lifestyle/relationships/marriage/gay-marriage-bill-to-be-introduced-in-august/news-story/71bd5d388765ba785b1130243c064156>.

- Farrell, David M., and Ian McAllister. "Australia: The Alternative Vote in a Compliant Political Culture." In *The Politics of Electoral Systems*, edited by Michael Gallagher and Paul Mitchell, 79–98. Oxford: Oxford University Press, 2005.
- Faulkner, Senator John. Cth, Parliamentary Debates, Senate, 123, February 8, 2006.
- Fells, Elizabeth. "The Proliferation of Identity Politics in Australia: An Analysis of Ministerial Portfolios, 1970-2000." *Australian Journal of Political Science* 38, no. 1 (March 1, 2003): 101–17.
- Ferguson, Martin. Cth, Parliamentary Debates, House of Representatives, 74, February 14, 2006.
- Ferguson, Michael. Cth, Parliamentary Debates, House of Representatives, 149, February 15, 2006.
- Field, Bonnie N. "De-Thawing Democracy: The Decline of Political Party Collaboration in Spain (1977 to 2004)." *Comparative Political Studies* 38, no. 9 (2005): 1079–1103.
- Fielding, Senator Steve. Cth, Parliamentary Debates, Senate, 157, June 14, 2007.
- Finnemore, Martha, and Kathryn Sikkink. "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics." *Annual Review of Political Science* 4 (2001): 391–416.
- Fitzherbert, Margaret. "Liberal Women - From 1901 to 1949 [Address to the Sydney Institute on 16 June (2004)]." *Sydney Papers* 16, no. 3 (2004): 34–42.
- Flinders, Matthew V. "The Demonisation of Politicians: Moral Panics, Folk Devils and MPs' Expenses." *Contemporary Politics* 18, no. 1 (2012): 1–17.
- Fowler, James H. "Connecting the Congress: A Study of Cosponsorship Networks." *Political Analysis* 14, no. 4 (2006): 456–87.
- Franklin, Matthew. "ALP Brawls over Gay Marriage and Greens' Influence." *The Australian*, November 30, 2010.  
<http://proxy.library.adelaide.edu.au/loginhttps://explore.proquest.com/document/814492077?accountid=8203>.
- Franklin, Matthew, and Suzanna Clarke. "Not so Hard to Swallow." *The Courier Mail*, February 18, 2006.
- Fraser, Malcolm. "Malcolm Fraser: 2012 Gough Whitlam Oration." *The Conversation*, June 6, 2012. <https://theconversation.com/malcolm-fraser-2012-gough-whitlam-oration-7524>.
- Fraser, Malcolm, and Margaret Simons. *Malcolm Fraser: The Political Memoirs*. Carlton, Victoria: The Miegunyah Press, 2010.
- Gauja, Anika. "Evaluating the Success and Contribution of a Minor Party: The Case of the Australian Democrats." *Parliamentary Affairs* 63, no. 3 (2010): 486–503.
- Geisler, Gisela. "'Parliament Is Another Terrain of Struggle': Women, Men and Politics in South Africa." *The Journal of Modern African Studies* 38, no. 4 (2001): 605–30.
- George, Alexander L., and Andrew Bennett. *Case Studies and Theory Development in the Social Sciences*. Cambridge, Massachusetts: The MIT Press, 2005.
- Georgiou, Petro. Cth, Parliamentary Debates, House of Representatives, 40, August 9, 2006.
- Gerring, John. "What Is a Case Study and What Is It Good For?" *American Political Science Review* 98, no. 2 (2004): 341–54.
- Ghazarian, Zareh. "The Changing Type of Minor Party Elected to Parliament: The Case of the Australian Senate from 1949 to 2010." *Australian Journal of Political Science* 47, no. 3 (September 1, 2012): 441–54.
- Gibbons, Steve. Cth, Parliamentary Debates, House of Representatives, 152, February 15, 2006.
- Gibson, Rachel, Ian McAllister, and Tami Swenson. "The Politics of Race and Immigration in Australia: One Nation Voting in the 1998 Election." *Ethnic and Racial Studies* 25, no. 5 (January 1, 2002): 823–44.
- Gieryn, Thomas F. "A Space for Place in Sociology." *Annual Review of Sociology* 26 (2000): 463–96.

- Giles, Andrew. Cth, Parliamentary Debates, House of Representatives, 10093, September 14, 2015.
- "Gillard's Anti-Sexism Hypocrisy." *Solidarity.net.au*. October 12, 2012.
- Gillespie, David. Cth. Parliamentary Debates, House of Representatives, 6014, June 1, 2017. ———. *Industrial Chemicals Bill*, 2017.
- Gleeson, Kate. "Tony Abbott and Abortion: Miscalculating the Strength of the Religious Right." *Australasian Journal of Political Science* 36, no. 3 (2011): 473–88.
- Goetz, Anne Marie. "Women in Politics & Gender Equity in Policy: South Africa and Uganda." *Review of African Political Economy* 25, no. 76 (1998): 241–62.
- Goetz, Anne Marie, and Shireen Hassim. "In and Against the Party: Women's Representation and Constituency-Building in Uganda and South Africa." In *Gender Justice, Development, and Rights*, edited by Maxine Molyneux and Shahra Razavi, 306–46. Oxford: Oxford University Press, 2002.
- Grattan, Michelle. "Gillard Does U-Turn on Same Sex Marriage." *The Conversation*, August 26, 2015. <https://theconversation.com/gillard-does-u-turn-on-same-sex-marriage-46696>.
- . "Is Politics Still a Vocation?" The Kenneth Myer Lecture. National Library of Australia, September 8, 2007. <http://www.nla.gov.au/kenneth-myer-lecture/2007>.
- Green, Antony. "Preference Flows at the 2016 Federal Election." *Antony Green's Election Blog* (blog), March 20, 2018. <http://www.abc.net.au/news/2016-09-15/preference-flows-at-the-2016-federal-election/9388826>.
- . "Record Vote for Minor Parties at 2013 Federal Election." *Antony Green's Election Blog* (blog), November 19, 2013. <http://blogs.abc.net.au/antonygreen/2013/11/record-vote-for-minor-parties-at-2013-federal-election.html>.
- . "Record Vote for Minor Parties at 2013 Federal Election." *Antony Green's Election Blog* (blog), November 19, 2013. <http://blogs.abc.net.au/antonygreen/2013/11/record-vote-for-minor-parties-at-2013-federal-election.html>.
- Gresov, Christopher, and Robert Drazin. "Equifinality: Functional Equivalence in Organization Design." *The Academy of Management Review* 22, no. 2 (April 1997): 403–28.
- Gribbin, Caityln. "Breastfeeding in Parliament 'over the Top', MPs Trying to Make a 'Statement', Says Liberal Backbencher." *ABC News Website*, September 21, 2017. <http://www.abc.net.au/news/2017-09-21/women-who-breastfeed-in-parliament-over-the-top-making-statement/8968904>.
- Gribbin, Caityln, and Karen Percy. "Crown Casino: Greens, Xenophon, Lambie Back Wilkie's Call for Pokie-Rigging Inquiry." *ABC News Website*, October 19, 2017. <http://www.abc.net.au/news/2017-10-19/greens-xenophon,-lambie-want-crown-casino-senate-inquiry/9065654>.
- Grierson, Sharon. Cth, Parliamentary Debates, House of Representatives, 141, February 15, 2006.
- Guinier, Lani. "The Triumph of Tokenism: The Voting Rights Act and the Theory of Black Electoral Success." *Michigan Law Review* 89, no. 5 (March 1, 1991): 1077–1154.
- Gumpowicz, Ludwig. *The Outlines of Sociology*. Translated by Frederick W. Moore. Kitchener, Ontario: Batoche Books Ltd, 1999.
- Guzzini, Stefano. "A Reconstruction of Constructivism in International Relations." *European Journal of International Relations* 6, no. 2 (2000): 147–82.
- Hacking, Ian. *The Social Construction of What?* Cambridge, Massachusetts: Harvard University Press, 1999.
- Hall, Bianca. "Labor to Move against Testing Cosmetics on Animals." *Sydney Morning Herald Online*, February 21, 2016. <http://www.smh.com.au/federal-politics/political-news/labor-to-move-against-testing-cosmetics-on-animals-20160218-gmxovm.html>.
- Hall, Peter A., and Rosemary C.R. Taylor. "Political Science and the Three New Institutionalisms." *Political Studies* 44, no. 5 (1996): 936–57.

- . “Political Science and the Three New Institutionalisms.” *Political Studies* 44, no. 5 (1996): 936–57.
- Halperin, Sandra, and Olivia Heath. *Political Research: Methods and Practical Skills*. Oxford: Oxford University Press, 2012.
- Hammergren, Linn. *Political Will, Constituency Building, and Public Support in Rule of Law Programs*. Washington, D.C.: U.S. Agency for International Development, 1998.
- Hanisch, Carol. “The Personal Is Political: The Women’s Liberation Movement Classic with a New Explanatory Introduction,” December 13, 2015. <http://carolhanisch.org/CHwritings/PIP.html>.
- Hanson-Young, Senator Sarah. *Marriage Act Amendment (Recognition of Foreign Marriages for Same-Sex Couples) Bill (Cth)*, 2013.
- . *Marriage Equality Amendment Bill (Cth)*, 2009.
- Hartcher, Peter. “We Expected More of Gillard.” *The Sydney Morning Herald*. October 10, 2012.
- Hay, Colin. “Constructivist Institutionalism.” edited by Rod A.W. Rhodes, Sarah Binder, and Bert Rockman, 56–74. Oxford: Oxford University Press, 2007.
- Hayward, Andrea. “Brown ‘horrified’ at Wong’s Anti-Gay Marriage Stance.” *Sydney Morning Herald Online*, July 26, 2010. <http://m.smh.com.au/federal-election/brown-horrified-at-wongs-antigay-marriage-stance-20100726-10rwj.html>.
- Heffernan, Senator Bill. Cth, Parliamentary Debates, Senate, 2100, November 24, 2010.
- . Cth, Parliamentary Debates, Senate, 6702, November 12, 2008.
- Heffernan, Senator Bill, Senator Helen Coonan, Senator Nick Xenophon, and Senator Rachel Siewert. *Patent Amendment (Human Genes and Biological Materials) Bill [No. 2] (Cth)*, 2010.
- Heidar, Knut, and Karina Pedersen. “Party Feminism: Gender Gaps within Nordic Political Parties.” *Scandinavian Political Studies* 29, no. 3 (2006): 192–218.
- Held, David. “Principles of Cosmopolitan Order.” In *The Cosmopolitan Reader*, edited by Garrett Wallace Brown and David Held. Cambridge: Polity Press, 2010.
- Hill, Lisa. “Classical Stoicism and the Birth of a Global Ethics: Cosmopolitan Duties in a World of Local Loyalties.” *Social Alternatives* 34, no. 1 (2015): 14–18.
- . “Voting Turnout, Equality, Liberty and Representation: Epistemic versus Procedural Democracy.” *Critical Review of International Social and Political Philosophy*, 2016, 1–18.
- Holli, Anna Maria, and Johanna Kantola. “A Politics for Presence: State Feminism, Women’s Movements and Political Representation in Finland.” In *State Feminism and Political Representation*, edited by Joni Lovenduski, Claudie Baudino, Marila Guadagnini, Petra Meier, and Diane Sainsbury. Cambridge: Cambridge University Press, 2005.
- Holman, Mirya R., and Anna Mahoney. “Stop, Collaborate, and Listen: Women’s Collaboration in US State Legislatures.” *Legislative Studies Quarterly*, January 24, 2018.
- Hooft, Stan van. *Cosmopolitanism: A Philosophy for Global Ethics*. Montreal and Kingston: McGill-Queen’s University Press, 2009.
- Hough, Anna. “The Gender Composition of the 45th Parliament.” *FlagPost* (blog), August 25, 2016. [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2016/August/The\\_gender\\_composition\\_of\\_the\\_45th\\_parliament](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2016/August/The_gender_composition_of_the_45th_parliament).
- House of Representatives. *Migration Amendment (Designated Unauthorised Arrivals) Bill, Third Reading Division, 45 (Cth)*, 2006.
- . “The Clerk and Other Officials.” House of Representatives Infosheets, November 2016. [http://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/00\\_-\\_Infosheets](http://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/00_-_Infosheets).
- House of Representatives Standing Committee on Social Policy and Legal Affairs. “Advisory Report: Marriage Equality Amendment Bill 2012 and Marriage Amendment Bill 2012.” The Parliament of the Commonwealth of Australia, June 2012.



- Htun, Mala N. "Puzzles of Women's Rights in Brazil." *Social Research* 69, no. 3 (Fall 2002): 733–51.
- Humane Research Australia. "Australians Say No to Animal Experiments." Accessed August 21, 2016. <http://www.humaneresearch.org.au/interview/australians-say-no-to-animal-experiments?A=SearchResult&SearchID=31296192&ObjectID=72973&ObjectType=7>.
- . "Be Cruelty-Free Australia," July 31, 2016. <http://www.humaneresearch.org.au/campaigns/choosingcrueltyfree>.
- . "Politicians Pledge to Be Cruelty-Free," March 13, 2014. <http://www.humaneresearch.org.au/bcf/politician-pledges-bcf>.
- . "Politicians Pledge to Be Cruelty-Free," n.d. <http://www.humaneresearch.org.au/bcf/politician-pledges-bcf>.
- Hunter, Fergus. "In Historic Gathering, Nation's Indigenous MPs Reject Hate and Vow to Work Together." *Sydney Morning Herald Online*, September 16, 2016. <http://www.smh.com.au/federal-politics/political-news/in-historic-gathering-nations-indigenous-mps-reject-hate-and-vow-to-work-together-20160915-grhjde.html>.
- Hurst, Daniel. "Cross-Party Same-Sex Marriage Bill to Be Introduced in August." *The Guardian*, July 1, 2015. <http://www.theguardian.com/australia-news/2015/jul/01/same-sex-marriage-opponents-gear-up-for-clash-over-free-vote-for-liberals>.
- Hurst, Daniel, and Shalailah Medhora. "Same-Sex Marriage: Warren Entsch Urges Tony Abbott to Allow Public Vote on Election Day." *The Guardian Online*, August 12, 2016. <https://www.theguardian.com/australia-news/2015/aug/12/same-sex-marriage-warren-entsch-urges-tony-abbott-to-allow-public-vote-on-election-day>.
- Inglehart, Ronald. "Postmaterialism." In *The Blackwell Encyclopaedia of Political Institutions*, edited by Vernon Bogdanor, 488–90. Oxford: Basil Blackwell, 1987.
- Inter-Parliamentary Union. "Women in Parliaments: World Classification," January 1, 1997. <http://www.ipu.org/wmn-e/arc/classif010197.htm>.
- . "Women in Parliaments: World Classification," December 1, 2013. <http://archive.ipu.org/wmn-e/arc/classif011213.htm>.
- . "Women in Parliaments: World Classification," September 1, 2015. <http://www.ipu.org/wmn-e/classif.htm>.
- . "Women in Parliaments: World Classification," December 1, 2016. <http://www.ipu.org/wmn-e/classif.htm>.
- . "Women in Parliaments: World Classification," September 1, 2017. <http://archive.ipu.org/wmn-e/classif.htm>.
- Interview with Aquila. conducted by Adele Lausberg, November 10, 2016.
- Interview with Corvus. conducted by Adele Lausberg, February 1, 2017.
- Interview with Crater. conducted by Adele Lausberg, March 20, 2017.
- Interview with Cygnus. conducted by Adele Lausberg, October 12, 2016.
- Interview with Dorado. conducted by Adele Lausberg, October 26, 2016.
- Interview with Draco. conducted by Adele Lausberg, August 27, 2014.
- Interview with Fornax. conducted by Adele Lausberg, December 7, 2016.
- Interview with Hydrus. conducted by Adele Lausberg, April 28, 2017.
- Interview with Indus. conducted by Adele Lausberg, October 7, 2016.
- Interview with Lynx. conducted by Adele Lausberg, September 29, 2016.
- Interview with Orion. conducted by Adele Lausberg, August 25, 2014.
- Interview with Pegasus. conducted by Adele Lausberg, May 28, 2014.
- Interview with Scorpius. conducted by Adele Lausberg, June 30, 2014.
- Interview with Taurus. conducted by Adele Lausberg, August 7, 2014.
- Interview with Vela. conducted by Adele Lausberg, March 20, 2017.
- Interview with Volans. conducted by Adele Lausberg, October 24, 2016.

- Ireland, Judith. "Tony Abbott Flags Plebiscite on Same-Sex Marriage in Bid to Defuse Anger." *Sydney Morning Herald Online*, August 12, 2015. <http://www.smh.com.au/federal-politics/political-news/tony-abbott-flags-plebiscite-on-samesex-marriage-in-bid-to-defuse-anger-20150811-giwyg1.html>.
- Irons, Steve. Cth, Parliamentary Debates, House of Representatives, 10092, September 14, 2015.
- Irwin, Julia. Cth, Parliamentary Debates, House of Representatives, 58, February 14, 2006.
- Jaensch, Dean. *Parliament, Parties & People: Australian Politics Today*. Melbourne: Longman Chesire Pty Limited, 1991.
- Jarman, A.M.G., and A. Kouzmin. "Public Sector Think Tanks in Inter-Agency Policy Making: Designing Enhanced Governance Capacity." *Canadian Public Administration* 36, no. 4 (1993): 499–531.
- Jean, Peter. "Labor Party Conference: Decisions Made on Gay Marriage, Boat Turn-Backs." *The Advertiser Online*, July 26, 2015. <http://www.adelaidenow.com.au/news/south-australia/labor-party-conference-decisions-made-on-gay-marriage-boat-turnbacks/news-story/d6fb20897509201299fe8f3d3debb8e6?nk=fcadfa1f0684de12782ddfd3c0597-1503190796>.
- Jenkins, Cathy. "Research Paper No. 25, 2008-09: Australian Democrats: The Passing of an Era." Department of Parliamentary Services, March 27, 2009. [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp0809/09rp25](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp0809/09rp25).
- . "Women in Australia Politics: Mothers Only Need Apply." *Pacific Journalism Review* 12, no. 1 (2006): 54–63.
- Johnson, Carol. "Fixing the Meaning of Marriage: Political Symbolism and Citizen Identity in the Same-Sex Marriage Debate." *Journal of Media & Cultural Studies* 27, no. 2 (2013): 242–53.
- . "From Morality to Equality: Labor's Sexuality Conundrum." University of Adelaide: Social Science Research Network, 2014.
- . "Heteronormative Citizenship: The Howard Government's Views on Gay and Lesbian Issues." *Australian Journal of Political Science* 38, no. 1 (2003): 45–62.
- . "John Howard's 'Values' and Australian Identity." *Australian Journal of Political Science* 42, no. 2 (June 1, 2007): 195–209.
- Johnson, Carol, and Manon Tremblay. "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will." *Government and Opposition* 53, no. 1 (November 2016): 131–58.
- . "Comparing Same-Sex Marriage in Australia and Canada: Institutions and Political Will." *Government and Opposition*, November 2016, 131–58.
- Johnson, Chris. "Gay Marriage Support up but It Won't Change Poll." *The Sydney Morning Herald Online*, August 24, 2013. <http://www.smh.com.au/federal-politics/federal-election-2013/gay-marriage-support-up-but-it-wont-change-poll-20130824-2si1q.html#ixzz2dnyLEVOY>.
- Kam, Christopher J. *Party Discipline and Parliamentary Politics*. Cambridge: Cambridge University Press, 2009.
- Kanter, Rosabeth Moss. "Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women." *The American Journal of Sociology* 82, no. 5 (1977): 965–90.
- Karam, Azza, and Joni Lovenduski. "Women in Parliament: Making a Difference." In *Women in Parliament: Beyond Numbers*, edited by Julie Ballington and Azza Karam, 187–212. Stockholm: International IDEA, 2005.
- Karp, Paul. "Coalition MPs Introduce Bill for Ban on Live Exports, Saying Industry Is Not Viable." *The Guardian Online*, May 21, 2018. <https://www.theguardian.com/australia>

- news/2018/may/21/coalition-mps-introduce-bill-for-ban-on-live-exports-saying-industry-is-not-viable.
- Karvelas, Patricia. "Plibersek Tells Libs to Act on Gay Marriage." *The Australian Online*, March 3, 2014. <http://www.theaustralian.com.au/national-affairs/plibersek-tells-libs-to-act-on-gay-marriage/story-fn59niix-1226843145128?nk=4fa2b150f2cab32804b6001a5ccee4a1-1475982659>.
- Kelly, Fran. RN Breakfast, ABC, Re-thinking asylum seeker policy: Tony Windsor, June 26, 2012. <http://www.abc.net.au/radionational/programs/breakfast/tony-windsor-a-new-approach-to-asylum-seeker-policy/4092242>.
- Kelso, Alexandra. *Parliamentary Reform at Westminster*. Manchester: Manchester University Press, 2009.
- Kenney, Sally J. "New Research on Gendered Political Institutions." *Political Research Quarterly* 49, no. 2 (June 1996): 445–66.
- Kenny, Mark, and Judith Ireland. "Tony Abbott Brings on Same-Sex Marriage Debate, Coalition MPs Reject Free Vote on Issue." *The Sydney Morning Herald Online*, August 12, 2015. <http://www.smh.com.au/federal-politics/political-news/tony-abbott-brings-on-samesex-marriage-debate-coalition-mps-reject-free-vote-on-issue-20150811-giwwl5.html>.
- Kenny, Meryl. "Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland." Doctor of Philosophy, The University of Edinburgh, 2009.
- . "Gendering Institutions: The Political Recruitment of Women in Post-Devolution Scotland." Doctor of Philosophy, The University of Edinburgh, 2009.
- Keohane, Robert O. *Neorealism and Its Critics*. New York: Columbia University Press, 1986.
- Kernot, Cheryl. "Cheryl Kernot on Politics, the Media and Female Leadership." *The Conversation*, February 10, 2012.
- King, Anthony. "Modes of Executive-Legislative Relations: Great Britain, France, and West Germany." *Legislative Studies Quarterly* 1, no. 1 (1976): 11–36.
- King, Gary, Robert O. Keohane, and Sidney Verba. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, New Jersey: Princeton University Press, 1994.
- Kirk, Alexandra. "A Great Outcome for Asylum Seekers: Judi Moylan," June 17, 2005. <http://www.abc.net.au/pm/content/2005/s1394947.htm>.
- Klatch, Rebecca. *Women of the New Right*. Philadelphia: Temple University Press, 1987.
- Kleingeld, Pauline, and Eric Brown. "Cosmopolitanism." The Stanford Encyclopedia of Philosophy, Fall 2014. <https://plato.stanford.edu/entries/cosmopolitanism/>.
- Klotz, Audie, and Cecelia Lynch. *Strategies for Research in Constructivist International Relations*. Armonk, New York: M. E. Sharpe Inc., 2007.
- Knott, Matthew. "Tony Abbott Warns Colleagues Not to Vote for Same-Sex Marriage." *The Sydney Morning Herald Online*, August 12, 2015. <http://www.smh.com.au/federal-politics/political-news/tony-abbott-warns-colleagues-not-to-vote-for-samesex-marriage-20150811-gix1h2.html>.
- Koziol, Michael. "Malcolm Turnbull Introduces Same-Sex Marriage Plebiscite Legislation to Parliament." *The Sydney Morning Herald Online*, September 14, 2016. <http://www.smh.com.au/federal-politics/political-news/malcolm-turnbull-introduces-samesex-marriage-plebiscite-legislation-to-parliament-20160914-grfyjg.html>.
- "Labor for Refugees," n.d. <http://labor4refugees.nationbuilder.com/about>.
- Lausberg, A.K. "Women and Representation: Cross-Party Collaboration in the Australian Federal Parliament." *Parliamentary Affairs* 69, no. 2 (2016): 249–68.
- Leaver, Kate. "Why Julia Gillard's Smackdown Speech Was Brilliant." *Mamma Mia*. October 10, 2012.

- Lee, Frances E. "Geographic Politics in the U.S. House of Representatives: Coalition Building and Distribution of Benefits." *American Journal of Political Science* 47, no. 4 (2003): 714–28.
- Lester, Amelia. "Ladylike: Julia Gillard's Misogyny Speech." *The New Yorker*. October 9, 2012.
- Liberal Party of Australia. "Federal Platform," December 2015.  
[https://cdn.liberal.org.au/pdf/FederalPlatform\\_TN.PDF](https://cdn.liberal.org.au/pdf/FederalPlatform_TN.PDF).
- . "Our History." Liberal Party Official Website, <http://www.liberal.org.au/our-history>, n.d.
- Lilleker, Darren G. "Interviewing the Political Elite: Navigating a Potential Minefield." *Politics* 23, no. 3 (2001): 207–14.
- Locher, Birgit, and Elisabeth Prügl. "Feminism and Constructivism: Worlds Apart or Sharing the Middle Ground?" *International Studies Quarterly* 45, no. 1 (2001): 111–29.
- . "Feminism: Constructivism's Other Pedigree." In *Constructing International Relations: The next Generation*, 76–92. New York: M.E. Sharpe, Inc., 2001.
- Lovenduski, Joni, and Pippa Norris. "Westminster Women: The Politics of Presence." *Political Studies* 51 (2003): 84–102.
- Lumb, Martin. "The 43rd Parliament: Traits and Trends." Canberra: Parliamentary Library, October 2, 2013.  
[http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1314/43rdParl](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/43rdParl).
- Lundy, Senator Kate. Cth, Parliamentary Debates, Senate, 41, February 9, 2006.
- Lyons, John. "Bill and Lachlan Join Forces." *The Bulletin*, May 5, 2007.
- Macaulay, Fiona J. "Cross-Party Alliances around Gender Agendas: Critical Mass, Critical Actors, Critical Structures, or Critical Junctures?" In *Equal Participation of Women and Men in Decision-Making Processes, with Particular Emphasis on Political Participation and Leadership*. Addis Ababa, Ethiopia, 2005.
- Mackay, Fiona. "Nested Newness, Institutional Innovation, and the Gendered Limits of Change." *Politics & Gender* 10, no. 4 (December 2014): 549–71.
- Mackay, Fiona, Meryl Kenny, and Louise Chappell. "New Institutionalism Through a Gender Lens: Towards a Feminist Institutionalism?" *International Political Science Review* 31, no. 5 (2010): 573–88.
- Mackay, Fiona, and Petra Meier. "Institutions, Change and Gender Relations: Towards a Feminist New Institutionalism?" Edinburgh, 28 March - 2 April.
- Mackay, Fiona, Surya Monro, and Georgina Waylen. "The Feminist Potential of Sociological Institutionalism." *Politics & Gender* 5, no. 2 (2009): 253–62.
- Maddox, Marion. "For God and Country: Religious Dynamics in Australian Federal Politics." Canberra: Commonwealth of Australia, 2001.
- . *God Under Howard: The Rise of the Religious Right in Australian Politics*. Sydney: Allen & Unwin, 2005.
- Madeline, Rachel. "Misogyny, Julia Gillard and 'That' Speech." *The Feminist Agenda*. October 10, 2012.
- Maiden, Samantha. "Shadow Treasurer Joe Hockey and Wife Melissa Babbage Are a True Power Couple." *The Sunday Telegraph*, May 19, 2013,  
<http://www.dailytelegraph.com.au/news/shadow-treasurer-joe-hockey-and-wife-melissa-babbage-are-a-true-power-couple/story-fni0cx4q-1226646152478>, accessed 24/01/2014.
- Malena, Carmen. "Building Political Will for Participatory Governance: An Introduction." In *From Political Won't to Political Will: Building Support for Participatory Governance*. Johannesburg: CIVICUS, 2009.
- . "Building Political Will for Participatory Governance: An Introduction." In *From Political Won't to Political Will: Building Support for Participatory Governance*. Johannesburg: CIVICUS, 2009.

- Maley, Jacqueline. "Tanya Plibersek Seeks Malcolm Turnbull's Help on Gay Marriage Bid." *The Sydney Morning Herald*, December 15, 2013. <http://www.smh.com.au/federal-politics/political-news/tanya-plibersek-seeks-malcolm-turnbulls-help-on-gay-marriage-bid-20131214-2ze8w.html>.
- Manin, Bernard. *The Principles of Representative Government*. Cambridge: Cambridge University Press, 1997.
- Mansbridge, Jane. "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes.'" *The Journal of Politics* 61, no. 3 (1999): 628–57.
- March, James, and Johan Olsen. "The New Institutionalism: Organizational Factors in Political Life." *The American Political Science Review* 78, no. 3 (1984): 734–49.
- Markham, Susan. "Strengthening Women's Roles in Parliament." *Parliamentary Affairs* 65, no. 3 (2012): 688–98.
- Martin, Greg. "Stop the Boats! Moral Panic in Australia over Asylum Seekers." *Continuum* 29, no. 3 (May 4, 2015): 304–22.
- Massola, James. "'I Hold You Responsible for Every Hurtful Bit of Filth This Debate Will Unleash': Bill Shorten Puts Malcolm Turnbull on Notice." *Sydney Morning Herald Online*, August 10, 2017. <http://www.smh.com.au/federal-politics/political-news/labor-and-bill-shorten-to-pull-out-all-the-stops-and-campaign-for-a-yes-vote-on-samesex-marriage-20170810-gxt54g.html>.
- Massola, James, and Stephanie Peatling. "Multi-Party Same-Sex Marriage Bill to Be Introduced in August." *The Sydney Morning Herald Online*, July 1, 2015. <http://www.smh.com.au/federal-politics/political-news/multiparty-samesex-marriage-bill-to-be-introduced-in-august-20150701-gi2j5a.html>.
- Matland, Richard E., and Donley T. Studlar. "The Contagion of Women Candidates in Single-Member District and Proportional Representation Electoral Systems: Canada and Norway." *The Journal of Politics* 58, no. 3 (August 1996): 707–33.
- McAllister, Ian. "ANU-SRC Poll: Changing Views of Governance: Results from the ANUpoll, 2008 and 2014." ANU College of Arts and Social Sciences, August 2014. [http://politicsir.cass.anu.edu.au/sites/polsir-dev.anu.edu.au/files/ANU\\_SRC\\_Poll\\_Governance\\_1.pdf](http://politicsir.cass.anu.edu.au/sites/polsir-dev.anu.edu.au/files/ANU_SRC_Poll_Governance_1.pdf).
- . "Border Protection, the 2001 Australian Election and the Coalition Victory." *Australian Journal of Political Science* 38, no. 3 (2003): 445–63.
- . *The Australian Voter: 50 Years of Change*. University of New South Wales: University of New South Wales Press, 2011.
- McAllister, Ian, and Clive Bean. "Long-Term Electoral Trends and the 1996 Election." In *The Politics of Retribution: The 1996 Federal Election*, edited by Clive Bean, Marian Simms, Scott Bennett, and John Warhurst, 173–89. St Leonards, NSW: Allen & Unwin, 1997.
- McAllister, Ian, and Sarah M. Cameron. "Trends in Australian Political Opinion: Results from the Australian Election Study 1987-2013." Canberra: Australian National University, February 2014.
- McAllister, Ian, and Donley T. Studlar. "Gender and Representation among Legislative Candidates in Australia." *Comparative Political Studies* 25, no. 3 (October 1992): 388–411.
- McAllister, Laura. "The Welsh Devolution Referendum: Definitely, Maybe?" *Parliamentary Affairs* 51, no. 2 (April 1998): 149–65.
- McClelland, Robert. *Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill (Cth)*, 2008.
- McKenzie, Jaffa, and Reza Hasmath. "Deterring the 'boat People': Explaining the Australian Government's People Swap Response to Asylum Seekers." *Australian Journal of Political Science* 48, no. 4 (December 1, 2013): 417–30.

- McKeown, Deirdre. "Chronology of Same-Sex Marriage Bills Introduced into the Federal Parliament: A Quick Guide." Parliament of Australia: Department of Parliamentary Services, August 24, 2015. Research Paper Series, 2015-16.
- McKeown, Deirdre, and Rob Lundie. "Conscience Votes during the Howard Government 1996-2007." Canberra: Parliamentary Library, 2009.
- . "Crossing the Floor in the Federal Parliament 1950 - August 2004." Parliamentary Library, Department of Parliamentary Services, 2005.
- McLucas, Senator Jan. Cth. Parliamentary Debates, Senate, 152, February 8, 2006.
- McMullan, Bob. Cth, Parliamentary Debates, House of Representatives, 68, February 14, 2006.
- McNevin, Anne. "The Liberal Paradox and the Politics of Asylum in Australia." *Australian Journal of Political Science* 42, no. 4 (December 1, 2007): 611-30.
- Meintjes, S. "Gender, Nationalism and Transformation: Difference and Commonality in South Africa's Past and Present." In *Women, Ethnicity and Nationalism: The Politics of Transition*, edited by Robert L. Miller and Rick Wilford, 62-86. London: Routledge, 1998.
- . "South Africa: Beyond Numbers." In *Women in Parliament: Beyond Numbers*, Revised. Stockholm: International IDEA, 2005.
- Mény, Yves, and Yves Surel. "The Constitutive Ambiguity of Populism." In *Democracies and the Populist Challenge*, edited by Yves Mény and Yves Surel. New York: Palgrave, 2002.
- Mintzberg, Henry. *Power in and around Organizations*. Englewood Cliffs, New Jersey: Prentice-Hall, 1983.
- Miragliotta, Narelle. "Election 2013 Brings a Mixed Result for the Greens." *The Conversation*. September 9, 2013.
- . "One Party, Two Traditions: Radicalism and Pragmatism in the Australian Greens." *Australian Journal of Political Science* 41, no. 4 (December 1, 2006): 585-96.
- . "The Australian Greens: Carving out Space in a Two-Party System." *Environmental Politics* 22, no. 5 (September 1, 2013): 706-27.
- Moore, Senator Claire. Cth, Parliamentary Debates, Senate, 120, February 9, 2006.
- Moore, Senator Claire, Senator Lyn Allison, and Senator Jeannie Ferris. Cth, Parliamentary Debates, Senate, 82, May 10, 2006.
- "More Australians Back Change to Allow Same-Sex Marriage." *The Australian Online*, June 17, 2015. <http://www.theaustralian.com.au/national-affairs/newspoll/more-australians-back-change-to-allow-samesex-marriage/news-story/1f645f84cb458c9648d9e80f0d564592>.
- Morrissey, Tracie Egan. "Best Thing You'll See All Day: Australia's Female Prime Minister Rips Misogynist a New One in Epic Speech on Sexism." *Jezebel*. October 10, 2012.
- Moylan, Judi. Cth, Parliamentary Debates, House of Representatives, 57, August 9, 2006.
- . Cth, Parliamentary Debates, House of Representatives, 82, February 14, 2006.
- . Cth, Parliamentary Debates, House of Representatives, 8683, August 15, 2012.
- . Cth, Valedictory Speech, House of Representatives, 5769, June 17, 2013.
- Muller, Damon. "The Passage of Private Members' and Senators' Bills through the Parliament." *FlagPost* (blog), December 6, 2017. [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2017/December/Private\\_Members\\_and\\_Senators\\_Bills](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2017/December/Private_Members_and_Senators_Bills).
- Murphy, Katharine. "Labor MP to Renew Cross-Party Push for a More Humane Asylum Seeker Policy." *The Guardian Online*, August 22, 2016. <https://www.theguardian.com/australia-news/2016/aug/22/labor-mp-to-renew-cross-party-push-for-a-more-humane-asylum-seeker-policy>.
- Narushima, Yuko. "Liberal Senator Crosses the Floor on Refugee Bill." *The Sydney Morning Herald Online*, September 9, 2009. <http://www.smh.com.au/national/liberal-senator-crosses-the-floor-on-refugee-bill-20090908-fg3d.html>.
- Nettle, Senator Kerry. Cth, Parliamentary Debates, Senate, 103, February 8, 2006.

- . Cth, Parliamentary Debates, Senate, 147, June 14, 2007.
- Newspoll Market Research. "Newspoll on Euthanasia." Poll. Federal: The Australian, 1995.
- Nolan-Haley, Jacqueline, and Bronagh Hinds. "Problem-Solving Negotiation: Northern Ireland's Experience with the Women's Coalition." *Journal of Dispute Resolution* 387 (2003): 387–402.
- Norris, Pippa. *Democratic Deficit: Critical Citizens Revisited*. Cambridge, New York: Cambridge University Press, 2011.
- . "Women Politicians: Transforming Westminster?" *Parliamentary Affairs* 49, no. 1 (1996): 89–102.
- Oakes, Laurie. "An Enraged Sisterhood Will Protect Julia Gillard." *The Punch*. October 13, 2012.
- Oakeshott, Rob. Cth, Parliamentary Debates, House of Representatives, 11250, September 22, 2011.
- . *Migration Legislation Amendment (The Bali Process) Bill (Cth)*, 2012.
- Ogden, Russel. "Anonymity." In *The SAGE Encyclopedia of Qualitative Research Methods*, edited by Lisa M. Given, 17. Thousand Oaks: Sage Publications, 2008.  
<http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?term=triangulation>.
- O'Neil, Clare. Cth, Parliamentary Debates, House of Representatives, 2361, February 29, 2016.
- . "Cth, Parliamentary Debates, House of Representatives, 2361," February 29, 2016.
- . Cth, Parliamentary Debates, House of Representatives, 10091, September 14, 2015.
- . "National Consultation on Cosmetics and Animal Testing: Report on the Public Consultation Process," September 17, 2014.  
[https://d3n8a8pro7vhmx.cloudfront.net/australianlaborparty/pages/2389/attachments/original/1410916714/Cosmetics\\_\\_Animal\\_Testing\\_Public\\_Report\\_final.pdf?1410916714](https://d3n8a8pro7vhmx.cloudfront.net/australianlaborparty/pages/2389/attachments/original/1410916714/Cosmetics__Animal_Testing_Public_Report_final.pdf?1410916714).
- Onuf, Nicholas Greenwood. *World of Our Making: Rules and Rule in Social Theory in International Relations*. Columbia, South Carolina: University of South Carolina, 1989.
- Owens, Jared. "UN Human Rights Review Slams Australia's Asylum Seeker Policies." *The Australian Online*, November 12, 2015, sec. Immigration.  
<http://www.theaustralian.com.au/national-affairs/immigration/un-human-rights-review-slams-australias-asylum-seeker-policies/news-story/29a4c5e8b0ecf94a327f7fe822dfec07?nk=fcadfaaff1f0684de12782ddfcd3c0597-1485728824>.
- Palmieri, Sonia. "Gender Sensitive Parliament: A Global Review of Good Practice." Inter-Parliamentary Union, 2011. <http://archive.ipu.org/pdf/publications/gsp11-e.pdf>.
- Parke, Melissa. Cth, Parliamentary Debates, House of Representatives, 524, October 18, 2010.
- . Cth, Parliamentary Debates, House of Representatives, 2577, February 20, 2016.
- . Cth, Parliamentary Debates, House of Representatives, 3422, March 19, 2012.
- . Cth, Parliamentary Debates, House of Representatives, 4977, May 12, 2012.
- . Cth, Parliamentary Debates, House of Representatives, 11196, October 2, 2014.
- Parliament, The Senate. "Senate Brief No. 3 - Women in the Senate," August 2017.  
[http://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/Senate\\_Briefs/Brief03](http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Senate_Briefs/Brief03).
- . "Senate Brief No. 16 - Usher of the Black Rod," November 2017.  
[https://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/Senate\\_Briefs/Brief16](https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Senate_Briefs/Brief16).
- Parliament of Australia. "Opening of the 44th Parliament," November 12, 2013.  
[http://www.aph.gov.au/Parliamentary\\_Business/Opening](http://www.aph.gov.au/Parliamentary_Business/Opening).
- Parliament of Australia Website. "Parliamentary Friendship Groups for the 44th Parliament Register," n.d. [http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Friendship](http://www.aph.gov.au/About_Parliament/Parliamentary_Friendship).

- Parliamentary Library. 44th Parliament in review, November 24, 2016.  
[https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/44th\\_Parliament\\_in\\_Review#\\_Toc467769688](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/44th_Parliament_in_Review#_Toc467769688).
- . Composition of the 44th Parliament, December 2013.  
[https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BriefingBook44p/Composition44th](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook44p/Composition44th).
- Pateman, Carole. "Feminist Critiques of the Public/Private Dichotomy." In *Public and Private in Social Life*, edited by S.I. Benn and G.F. Gaus, 281–300. London and Canberra and New York: Croom Helm and St Martin's Press, 1983.
- . *The Sexual Contract*. Cambridge, UK: Polity Press, 1988.
- Patton, Michael Quinn. *Qualitative Research & Evaluation Methods*. 3rd ed. Thousand Oaks: Sage Publications, 2002.
- Paun, Akash. "After the Age of Majority? Multi-Party Governance and the Westminster Model." *Commonwealth & Comparative Politics* 49, no. 4 (November 1, 2011): 440–56.
- Peake, Ross. "One in Four Might Prefer Abortion Pill; Women's Groups Hail Drug Vote." *The Canberra Times*, February 18, 2006.
- Pedersen, Anne, Shannon Clarke, Pat Dudgeon, and Brian Griffiths. "Attitudes toward Indigenous Australians and Asylum Seekers: The Role of False Beliefs and Other Social-Psychological Variables." *Australian Psychologist* 40, no. 3 (November 2005): 170–78.
- PETA Australia. "VICTORY: Australia Set to Ban Cosmetic Testing on Animals!," June 3, 2016.  
<http://www.peta.org.au/news/victory-australia-ban-cosmetic-testing-animals/>.
- Peters, B. Guy. *Institutional Theory in Political Science: The "New" Institutionalism*. New York: Continuum, 2012.
- Peterson, V. Spike. "Transgressing Boundaries: Theories of Knowledge, Gender and International Relations." *Millennium* 21, no. 2 (1992): 183–206.
- Phillips, Anne. "Dealing with Difference: A Politics of Ideas or a Politics of Presence?" *Constellations* 1, no. 2 (1994): 74–91.
- . *The Politics of Presence*. Oxford: Clarendon Press, 1995.
- Phillips, Janet. "Attitudes to Same-Sex Marriage." *FlagPost* (blog), November 17, 2010.  
[http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1040109/upload\\_binary/1040109.pdf;fileType=application%2Fpdf#search=%22library/prspub/1040109%22](http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1040109/upload_binary/1040109.pdf;fileType=application%2Fpdf#search=%22library/prspub/1040109%22).
- Pickering, Heath, and Scott Brenton. "The Rise of LGBTIQ Politicians: Is the Parliament More Diverse and Does It Matter?" Election Watch - Australia 2016, n.d.  
<https://electionwatch.unimelb.edu.au/australia-2016/articles/the-rise-of-lgbtq-politicians>.
- Pierson, Paul, and Theda Skocpol. "Historical Institutionalism in Contemporary Political Science." In *Political Science: State of the Discipline*, edited by Ira Katznelson and Helen V. Milner. New York: W.W. Norton, 2002.
- Pitkin, Hanna. *The Concept of Representation*. Berkeley and Los Angeles: University of California Press, 1967.
- Pogge, Thomas. "Cosmopolitanism and Sovereignty." In *The Cosmopolitan Reader*, edited by Garrett Wallace Brown and David Held. Cambridge: Polity Press, 2010.
- Powley, Elizabeth. "Rwanda: Women Hold Up Half the Parliament." In *Women in Parliament: Beyond Numbers*, edited by Julie Ballington and Azza Karam, Revised Edition. Stockholm: IDEA, 2005.
- Presser, Lois. "Negotiating Power and Narrative in Research: Implications for Feminist Methodology." *Signs: Journal of Women in Culture and Society* 30, no. 4 (2005): 2067–90.
- Price, Jenna. "Liberal Senator Attacks Party's Promotion of Women." *The Sydney Morning Herald*, September 16, 2013.



- Price, Richard, and Christian Reus-Smit. "Dangerous Liaisons?: Critical International Theory and Constructivism." *European Journal of International Relations* 4, no. 3 (1998): 259–94.
- Pringle, Helen. "Abortion in Australian Elections: A Vote Loser for Women?" *Australian Feminist Studies* 27, no. 74 (2012): 389–404.
- . "The Greatest Heights of Parliament? Conscience Votes and the Quality of Parliamentary Debate." *Australasian Parliamentary Review* 23, no. 1 (2008): 195–202.
- . "Urban Mythology: The Question of Abortion in Parliament." *Australasian Parliamentary Review* 22, no. 2 (2007): 5–22.
- Prosser, Brenton, and Richard Dennis. *Minority Policy: Rethinking Governance When Parliament Matters*. Carlton, Victoria: Melbourne University Press, 2015.
- Prosser, Brenton, and Richard Dennis. *Minority Policy: Rethinking Governance When Parliament Matters*. Carlton, Victoria: Melbourne University Press, 2015.
- Puwar, Nirmal. *Space Invaders: Race, Gender and Bodies Out of Place*. Oxford: Berg, 2004.
- Quigley, Anita. "'I'm Not Here for a Haircut.'" *The Daily Telegraph*, December 7, 2006.
- Quota Project. "South Africa." Quota Project: Global Database of Quotas for Women, July 4, 2014.
- Rathbun, Brian C. "Interviewing and Qualitative Field Methods: Pragmatism and Practicalities." In *The Oxford Handbook of Political Methodology*, edited by Janet M. Box-Steffensmeier, Henry E. Brady, and David Collier. Oxford: Oxford University Press, 2008.
- Remeikis, Amy. "Bill Shorten the 'Most Dangerous Left Wing Leader in Generations', Says Malcolm Turnbull." *Sydney Morning Herald Online*, August 12, 2017. <http://www.smh.com.au/federal-politics/political-news/bill-shorten-the-most-dangerous-left-wing-leader-in-generations-says-malcolm-turnbull-20170812-gxuug0.html>.
- Reproductive Choice Australia. "Submission to Review of Australia's Consumer Policy Framework." <http://www.reproductivechoiceaustralia.org.au/resources>, 2005.
- Rhiannon, Senator Lee. Cth, Parliamentary Debates, Senate, 1353, March 18, 2014.
- . *End Cruel Cosmetics Bill (Cth)*, 2014.
- Richters, Julie, Dennis Altman, Paul B. Badcock, Anthony M. A. Smith, Richard O. de Visser, Andrew E. Grulich, Chris Rissef, and Judy M. Simpson. "Sexual Identity, Sexual Attraction and Sexual Experience: The Second Australian Study of Health and Relationships." *Sexual Health* 11, no. 5 (2014): 452–60.
- Riordan, Primrose. "Newspapers Nationwide Condemn Tony Abbott's Captain's Call." *Sydney Morning Herald Online*, January 27, 2015. <http://www.smh.com.au/federal-politics/political-news/newspapers-nationwide-condemn-tony-abbotts-captains-call-20150126-12yrzy.html>.
- Riordan, Primrose, and Noel Towell. "Parliamentary Babies May Be out in the Cold as Childcare Centre Set to Close." *The Canberra Times Online*, July 23, 2014. <http://www.canberratimes.com.au/act-news/parliamentary-babies-may-be-out-in-the-cold-as-childcare-centre-set-to-close-20140723-zvxyd.html>.
- Risman, Barbara J. "Gender as a Social Structure: Theory Wrestling with Activism." *Gender and Society* 18, no. 4 (2004): 429–50.
- Robinson, Amber. "Bob Hawke Says Tanya Plibersek Shouldn't Lead Labor 'as She Has a Three-Year Old.'" *Essential Baby*, September 9, 2013.
- Rosenthal, Cindy Simon. "Gender Styles in State Legislative Committees." *Women & Politics* 21, no. 2 (2000): 21–45.
- Ross, Kerry, Susan M. Dodds, and Rachel A. Ankeny. "A Matter of Conscience? The Democratic Significance of 'Conscience Votes' in Legislating Bioethics in Australia." *Australian Journal of Social Issues* 44, no. 2 (2009): 121–44.
- Rothbauer, Paulette M. "Triangulation." In *The SAGE Encyclopedia of Qualitative Research Methods*, edited by Lisa M. Given, 893–94. Thousand Oaks: Sage Publications, 2008.

- <http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?term=triangulation>.
- Roxon, Nicola. Cth, Parliamentary Debates, House of Representatives, 84, February 14, 2006.
- Rubin, Herbert J, and Irene S. Rubin. *Qualitative Interviewing: The Art of Hearing Data*. 2nd ed. Thousand Oaks, California: Sage Publications, 2005.
- Rush, Michael. *Parliament Today*. Manchester and New York: Manchester University Press, 2005.
- Ruston, Senator Anne, Senator Lee Rhiannon, Senator Lisa Singh, Senator Glenn Lazarus, Senator Dio Wang, Senator Nick Xenophon, Senator Barry O'Sullivan, and Senator Ricky Muir. Cth, Parliamentary Debates, Senate, 9506, November 27, 2014.
- Sacchet, Teresa. "Beyond Numbers: The Impact of Gender Quotas in Latin America." *International Feminist Journal of Politics* 10, no. 3 (September 2008): 369–86.
- Saint-Germain, Michelle. "Does Their Difference Make a Difference? The Impact of Women on Public Policy in the Arizona Legislature." *Social Science Quarterly* 70, no. 4 (1989): 956–68.
- Sapiro, Virginia. "Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women." *The American Political Science Review* 75, no. 3 (1981): 701–16.
- Savva, Niki. *The Road to Ruin: How Tony Abbott and Peta Credlin Destroyed Their Own Government*. Brunswick, Victoria: Scribe Publications, 2016.
- Sawer, Marian. "A Matter of Simple Justice? Women and Parliamentary Representation." In *Speaking for the People: Representation in Australian Politics*, edited by Marian Sawer and Gianni Zappala. Carlton South: Melbourne University Press, 2001.
- . "Beyond Numbers: The Role of Specialised Parliamentary Bodies in Promoting Gender Equality." In *Gender Representation in Parliament*. Sydney, 2014.  
<https://www.aspg.org.au/wp-content/uploads/2017/08/Session-8-Prof.-Marian-Sawer-Gender-representation-in-parliament.pdf>.
- . "EMILY's List and Angry White Men: Gender Wars in the Nineties." *Journal of Australian Studies* 23, no. 62 (1999): 1–9.
- . "From Motherhood to Sisterhood: Attitudes of Australian Women MPs to Their Roles." *Women's Studies International Forum* 9, no. 5 (1986).
- . "Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability." *International Political Science Review* 21, no. 4 (2000): 361–80.
- . "Waltzing Matilda: Gender and Australian Political Institutions." In *Australia Reshaped: 200 Years of Institutional Transformation*, edited by Geoffrey Brennan and Francis G. Castles. Cambridge: Cambridge University Press, 2002.
- . "What Makes the Substantive Representation of Women Possible in a Westminster Parliament? The Story of RU486 in Australia." *International Political Science Review* 33, no. 3 (2012): 320–35.
- . "'When Women Support Women...' EMILY's List and the Substantive Representation of Women in Australia," 2004.
- Sawer, Marian, Lenita Freidenvall, and Sonia Palmieri. "Playing Their Part? Parliamentary Institutions and Gender Mainstreaming." Universitat Pompeu Fabra, Barcelona, 2013.
- Sawer, Marian, and Marian Simms. *A Woman's Place: Women and Politics in Australia*. St Leonards, NSW: Allen & Unwin, 1993.
- Sawer, Marian, and Gianni Zappala. *Speaking for the People: Representation in Australian Politics*. Melbourne: Melbourne University Press, 2001.
- Scarr, Lanai. "Liberal MP Warren Entsch to Lead Way with Cross-Party Bill on Same-Sex Marriage." *News.com.au*, August 12, 2015.  
<http://www.news.com.au/lifestyle/relationships/liberal-mp-warren-entsch-to-lead-way-with-crossparty-bill-on-samesex-marriage/news-story/613e73ebc15c17519f6cef533602e>.

- Scharpf, Fritz W. *Games Real Actors Play: Actor-Centred Institutionalism in Policy Research*. Colorado: Westview Press, 1997.
- Schatz, Edward. "Introduction: Ethnographic Immersion and the Study of Politics." In *Political Ethnography: What Immersion Contributes to the Study of Power*, edited by Edward Schatz. Chicago: The University of Chicago Press, 2009.
- Schmidt, Vivien. "Discursive Institutionalism: The Explanatory Power of Ideas and Discourse." *Annual Review of Political Science* 11 (2008): 303–26.
- . "Institutional Theory." Edited by Bertrand Badie, Dirk Berg-Schlosser, and Leonardo Morlino. *International Encyclopedia of Political Science*, 2011, 1188–1200.
- . "Taking Ideas and Discourse Seriously: Explaining Change through Discursive Institutionalism as the Fourth 'New Institutionalism.'" *European Political Science Review* 2, no. 1 (2010): 1–25.
- Shubert, Misha. "Democrat Pleads for Rethink on Gay Marriage Ban." *The Age Online*, August 14, 2004. <http://www.theage.com.au/articles/2004/08/13/1092340471989.html>.
- Searle, John R. *The Construction of Social Reality*. New York: The Free Press, 1995.
- Sharman, Campbell. "Discipline and Disharmony: Party and the Operation of the Australian Federal System." In *Parties and Federalism in Australia and Canada*, edited by Campbell Sharman, 23–44. The Australian National University, Canberra: Federalism Research Centre, 1994.
- Sherry, Senator Nick. Cth, Parliamentary Debates, Senate, 136, February 8, 2006.
- Shvedova, Nadezhda. "Obstacles to Women's Participation in Parliament." In *Women in Parliament: Beyond Numbers*, edited by Azza Karam and Joni Lovenduski, 33–50. Stockholm: International IDEA, 2005.
- Siewert, Senator Rachel. Cth, Parliamentary Debates, Senate, 163, February 8, 2006.
- Simms, Marian. "Conservative Feminism in Australia: A Case Study of Feminist Ideology." *Women's Studies International Quarterly* 2 (1978): 305–18.
- Skjeie, Hege. "Credo on Difference - Women in Parliament in Norway." In *Women in Parliament: Beyond Numbers*, edited by Julie Ballington and Azza Karam. Stockholm: International IDEA, 2002.
- . "The Rhetoric of Difference: On Women's Inclusion into Political Elites." *Politics & Society* 19, no. 2 (1991): 233–63.
- Smith, Senator Dean. *Marriage Amendment (Definition and Religious Freedoms) Bill (Cth)*, 2017.
- Smith, Stephen. Cth, Parliamentary Debates, House of Representatives, 46, February 15, 2006.
- Stake, Robert E. "Qualitative Case Studies." In *The Sage Handbook of Qualitative Research*, edited by Norman K. Denzin and Yvonna S. Lincoln, Third., 443–66. Thousand Oaks: Sage Publications, 2005.
- Steele, Jackie, and Nancy Peckford. "Effects of National Roundtable on Women and Politics," 2003.
- Stephens, Senator Ursula. Cth, Parliamentary Debates, Senate, 151, June 14, 2007.
- Stone, Sharman. Cth, Parliamentary Debates, House of Representatives, 65, February 14, 2006.
- Stopler, Gila. "The Liberal Bind: The Conflict between Women's Rights and Patriarchal Religion in the Liberal State." *Social Theory and Practice* 31, no. 2 (2005): 191–231.
- Stott Despoja, Senator Natasha. Cth, Parliamentary Debates, Senate, 50, February 9, 2006.
- . Cth, Parliamentary Debates, Senate, 135, June 14, 2007.
- Stott Despoja, Senator Natasha, Senator Judith Troeth, Senator Kerry Nettle, and Senator Carol Brown. *Pregnancy Counselling (Truth in Advertising) Bill 2006 [2008] (Cth)*, 2006.
- Stuart, Hannah. "Media Release: Australian House of Representatives Motion Against Cosmetics Animal Testing Welcomed by #BeCrueltyFree Campaigners." Be Cruelty-Free Australia, September 21, 2015. <http://www.humaneresearch.org.au/interview/house-of-representatives-motion-against-cosmetics-animal-testing-welcomed-by-becrueltyfree-australia>.

- Summers, Anne. "Her Rights at Work (R-Rated Version): The Political Persecution of Australia's First Female Prime Minister." 2012 Human Rights and Social Justice Lecture, <http://annesummers.com.au/speeches/her-rights-at-work-r-rated/>, accessed 23/10/2013, August 31, 2012.
- . "You Go, Girls." *The Sydney Morning Herald Online*, February 18, 2006. <https://www.smh.com.au/news/national/you-go-girls/2006/02/17/1140151818792.html>.
- Swan, Jonathan, and Judith Ireland. "Tanya Plibersek Looks for Coalition MP to Co-Sponsor Same-Sex Marriage Bill." *Sydney Morning Herald Online*, February 25, 2014. <http://www.smh.com.au/federal-politics/political-news/tanya-plibersek-looks-for-coalition-mp-to-cosponsor-samesex-marriage-bill-20140225-33ea3.html>.
- Sweet, Michael. "Georganas Renews Cross-Party Push on Refugees." *Neos Kosmos*, August 29, 2016. <http://neoskosmos.com/news/en/Georganas-renews-cross-party-push-on-refugees>.
- Taflaga, Marija. "Politics, Policy Development and Political Communication during Opposition: The Federal Liberal Party of Australia 1983-1996 and 2007-2013." Australian National University, 2016. [https://openresearch-repository.anu.edu.au/bitstream/1885/112342/1/Taflaga\\_Thesis\\_2017.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/112342/1/Taflaga_Thesis_2017.pdf).
- Tamerius, Karin L. "Sex, Gender, and Leadership in the Representation of Women." In *Gender Power, Leadership, and Governance*, edited by Georgia Duerst-Lahti and Rita Mae Kelly, 93–112. The University of Michigan: The University of Michigan Press, 1995.
- Taylor, Lenore. "Confusing Outcome Shows Coalition's Same-Sex Marriage Troubles Are Not over." *The Guardian Online*, August 11, 2015. <https://www.theguardian.com/australia-news/2015/aug/11/confusing-outcome-shows-coalitions-same-sex-marriage-troubles-are-not-over>.
- Taylor, Savitri. "What Has the Bali Process Got to Do with It?" *Inside Story*, July 2, 2012. <http://insidestory.org.au/what-has-the-bali-process-got-to-do-with-it>.
- The Department of Health. *Australian Industrial Chemicals Reform*, 2017. <http://www.health.gov.au/internet/ministers/publishing.nsf/Content/health-mediarel-yr2017-gillespie031.htm?OpenDocument&yr=2017&mth=06>.
- The Greens. "Policies: Immigration and Refugees." The Greens, n.d. <http://greens.org.au/policies/immigration-refugees>.
- The Liberal Party of Australia. "The Coalition Will Ban Cosmetic Testing on Animals, Media Release," June 3, 2016. <https://www.liberal.org.au/latest-news/2016/06/03/coalition-will-ban-cosmetic-testing-animals-0>.
- Thelen, Kathleen. "Historical Institutionalism in Comparative Politics." *Annual Review of Political Science* 2 (1999): 369–404.
- . "How Institutions Evolve: Insights from Comparative Historical Analysis." In *Comparative Historical Analysis in the Social Sciences*, 208–41. Cambridge: Cambridge University Press, 2003.
- . *How Institutions Evolve: The Political Economy of Skills in Germany, Britain, the United States, and Japan*. New York: Cambridge University Press, 2004.
- Thelen, Kathleen, and Sven Steinmo. "Historical Institutionalism in Comparative Politics." In *Structuring Politics: Historical Institutionalism in Comparative Analysis*, edited by Sven Steinmo, Kathleen Thelen, and Frank Longstreth. Cambridge: Cambridge University Press, 1992.
- Thompson, Elaine. "The 'Washminster' Mutation." *Politics* 15, no. 2 (1980): 32–40.
- Tilly, Charles. "Parliamentarization of Popular Contention in Great Britain, 1758-1834." *Theory and Society* 26, no. 2/3 (1997): 245–73.
- Treadway, Darren C., Wayne A. Hochwarter, Charles J. Kacmar, and Gerald R. Ferris. "Political Will, Political Skill, and Political Behavior." *Journal of Organizational Behavior* 26, no. 3 (2005): 229–45.

- Tremblay, Manon. "Women's Representational Role in Australia and Canada: The Impact of Political Context." *Australasian Journal of Political Science* 38, no. 2 (July 2003): 215–38.
- Troeth, Senator Judith. Cth, Parliamentary Debates, Senate, 5886, September 8, 2009.
- UN General Assembly. International Covenant on Economic, Social and Cultural Rights (1966). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.
- United Nations. "Convention on the Elimination of All Forms of Discrimination against Women." United Nations Women Watch, December 18, 1979. <http://www.un.org/womenwatch/>.
- . "States Parties to the Convention on the Elimination of All Forms of Discrimination against Women." United Nations Treaty Collection, April 21, 2014. [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsq\\_no=IV-8&chapter=4&lang=en#3](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsq_no=IV-8&chapter=4&lang=en#3).
- United Nations Educational, Scientific and Cultural Organization. *Universal Declaration on the Human Genome and Human Rights, Resolution 29C/16*, 1997. [http://portal.unesco.org/en/ev.php-URL\\_ID=13177&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13177&URL_DO=DO_TOPIC&URL_SECTION=201.html).
- United States House of Representatives. "Rankin, Jeannette." In *History, Art & Archives*. United States House of Representatives, n.d. [http://history.house.gov/People/Listing/R/RANKIN,-Jeannette-\(R000055\)/](http://history.house.gov/People/Listing/R/RANKIN,-Jeannette-(R000055)/).
- . "Revels, Hiram Rhodes." In *History, Art & Archives*. United States House of Representatives, n.d. [http://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-\(R000166\)/](http://history.house.gov/People/Listing/R/REVELS,-Hiram-Rhodes-(R000166)/).
- Vallentyne, Peter, and Bas van der Vossen. "Libertarianism." The Stanford Encyclopedia of Philosophy, July 1, 2014. <https://plato.stanford.edu/entries/libertarianism/>.
- Vannini, Phillip. "Situatedness." In *The SAGE Encyclopedia of Qualitative Research Methods*, edited by Lisa M. Given, 815–16. Thousand Oaks: Sage Publications, 2008. <http://sk.sagepub.com.proxy.library.adelaide.edu.au/reference/research/n468.xml?te rm=triangulation>.
- Vanstone, Senator Amanda. Cth, Parliamentary Debates, Senate, 32, February 9, 2006.
- Vines, Timothy, and Thomas Faunce. "Cancer Voices Australia v Myriad Genetics Inc [2013] FCA 65: Should Gene Patent Monopolies Trump Public Health?" *Journal of Law and Medicine* 20 (2013): 747–58.
- Vromen, Ariadne, Katharine Gelber, and Anika Gauja. *Powerscape: Contemporary Australian Politics*. 2nd ed. NSW: Allen & Unwin, 2009.
- Wägerund, Lena. "Testing the Politics of Presence: Women's Representation in the Swedish Riksdag." *Scandinavian Political Studies* 23, no. 1 (2000): 67–91.
- Warhurst, John. "Conscience Voting in the Australian Federal Parliament." *Australian Journal of Politics and History* 54, no. 4 (2008): 579–96.
- . "Religion in 21st Century Australian National Politics." *Papers on Parliament, Images, Colours and Reflections, Department of the Senate* 46 (December 2006). [http://www.aph.gov.au/sitecore/content/Home/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/pops/pop46/religionin21stcentury](http://www.aph.gov.au/sitecore/content/Home/About_Parliament/Senate/Powers_practice_n_procedures/pops/pop46/religionin21stcentury).
- . "The Perils of Holding the Balance of Power." *Eureka Street* 20, no. 17 (2010): 46–47.
- Waylen, Georgina. "Engendering the 'Crisis of Democracy': Institutions, Representation and Participation." *Government and Opposition* 50, no. 3 (2015): 495–520.
- . "Enhancing the Substantive Representation of Women: Lessons from Transitions to Democracy." *Parliamentary Affairs* 61, no. 3 (2008): 518–34.
- . "Transforming Global Governance: Challenges and Opportunities." In *Global Governance: Feminist Perspectives*, edited by Shirin M. Rai and Georgina Waylen. London: Palgrave Macmillan, 2008.
- . "Women's Mobilization and Gender Outcomes in Transitions to Democracy: The Case of South Africa." *Comparative Political Studies* 40, no. 5 (May 2007): 521–46.

- Webb, Paul. "Attitudinal Clustering within British Parliamentary Elites: Patterns of Intra-Party and Cross-Party Alignment." *West European Politics* 20, no. 4 (1997): 89–110.
- Webber, Senator Ruth. Cth, Parliamentary Debates, Senate, 138, February 8, 2006.
- . Cth, Parliamentary Debates, Senate, 159, June 14, 2007.
- Weldes, Jutta, Mark Laffey, Hugh Gusterson, and Raymond Duvall. "Introduction: Constructing Insecurity." In *Cultures of Insecurity: States, Communities, and the Production of Danger*, 14:1–35. Minneapolis: University of Minnesota Press, 1999.
- Wellhofer, E. Spencer. "Men Make Their Own History, But...': The 'New Institutionalism' and the Fate of Liberal Democracy in Inter-War Europe." *Democratization* 1, no. 3 (1994): 323–42.
- West, Candace, and Don H. Zimmerman. "Doing Gender." *Gender & Society* 1, no. 2 (June 1987): 125–51.
- Whip, Rosemary. "Representing Women: Australian Female Parliamentarians on the Horns of a Dilemma." *Women & Politics* 11, no. 3 (1991): 1–22.
- "White Men (and Women) Petition to Water down Racial Hatred Laws." *Crikey*, August 31, 2016. <https://www.crikey.com.au/2016/08/31/white-people-problems-and-priorities/>.
- Wicks, Ann, and Raylene Lang-Dion. "Women in Politics: Still Searching for an Equal Voice." *Canadian Parliamentary Review* 31, no. 1 (2008).
- Wilkie, Andrew. Cth, Parliamentary Debates, House of Representatives, 10902, October 12, 2015.
- Willett, Graham. "Howard and the Homos." *Social Movement Studies* 9, no. 2 (2010): 187–99.
- Wilson, Lauren. "Labor MP Melissa Parke Troubled by Asylum-Seeker Detention Plan." *The Australian Online*, August 15, 2012. <http://www.theaustralian.com.au/national-affairs/immigration/labor-mp-melissa-parke-troubled-by-asylum-seeker-detention-plan/news-story/3502cc61d323a9c717d94db7058abe40?nk=fcadfaff1f0684de12782ddfcd3c0597-1481773695>.
- Windsor, Tony. "Asylum-Seeker Policy a Dark Spot in Australia's History." *The Saturday Paper*, June 27, 2015. <https://www.thesaturdaypaper.com.au/opinion/topic/2015/06/27/asylum-seeker-policy-dark-spot-australia-history/14353272002050#.VZHUHvmqpBc>.
- . Cth, Parliamentary Debates, House of Representatives, 8261, June 27, 2012.
- Wittmer, Dana E., and Vanessa Bouché. "The Limits of Gendered Leadership: Policy Implications of Female Leadership on 'Women's Issues.'" *Politics & Gender* 9, no. 3 (2013): 245–75.
- Wong, Senator Penny. Cth. Parliamentary Debates, Senate, 147, February 8, 2006.
- . "In the Name of Equality, Labor Must Adopt Gay Marriage, Speech to SA Labor State Convention." *Crikey*, November 27, 2010. <https://www.crikey.com.au/2010/11/29/wong-in-the-name-of-equality-labor-must-adopt-gay-marriage/>.
- Woocher, Lawrence. "Deconstructing Political Will: Explaining the Failure to Prevent Deadly Conflict and Mass Atrocities." *Princeton Journal of Public and International Affairs* 12, no. 10 (2001): 179–205.
- Wood, Jason. Cth, Parliamentary Debates, House of Representatives, 10, February 15, 2006.
- . Cth, Parliamentary Debates, House of Representatives, 10089, September 14, 2015.
- World Economic Forum. "The Global Gender Gap Report 2013." Switzerland, 2013.
- . "The Global Gender Gap Report 2016," 2016. <http://reports.weforum.org/global-gender-gap-report-2016/>.
- Wright, B.C., and P.E. Fowler, eds. "Chapter 6: The Speaker, Deputy Speakers and Officers." In *House of Representatives Practice*, 6th edition. Canberra, Australia: Department of the House of Representatives, 2012.

[https://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/Practice6](https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/Practice6).

Yin, Robert K. *Case Study Research: Design and Methods*. 3rd ed. Vol. 5. Applied Social Research Methods Series. Thousand Oaks: Sage Publications, 2003.

Zhang, Yan, A.J. Friend, Amanda L. Traud, Mason A. Porter, James H. Fowler, and Peter J. Mucha. "Community Structure in Congressional Cosponsorship Networks." *Physica A: Statistical Mechanics and Its Applications* 387, no. 7 (March 1, 2008): 1705–12.