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# Merit or Misogyny: Women in Australian Politics

This essay analyses the masculine nature of Australian politics, in particular looking at the under representation of women within the Liberal and Labor parties. The debate between the establishment of quotas for female candidates or the selection of candidates on the basis of merit and what exactly defines merit will be examined. The essay will investigate how merit is in fact a gendered term by looking at the leadership spill within the Liberal Party in August 2018 which saw Scott Morrison emerge as leader triumphing over Peter Dutton and Julie Bishop. The gendered nature of merit will be explored by looking at the leadership ballot and why Julie Bishop received just 11 votes despite outperforming her opponents in recent polling and having a superior resume, allegations of bullying by a number of female Liberal Members of Parliament will also be examined. The works of a number of feminist theorists will be drawn upon throughout the analysis, in particular the work of Catharine MacKinnon in Towards a Feminist Theory of the State.

Keywords: merit, quota, Liberal Party, Labor Party, Australian politics, Julia Gillard, gendered terminology

#### Introduction

In recent years, the gendered nature of Australian politics has become a major talking point, and in 2018 several prominent gendered harassment cases highlighted the seriousness of these issues. In the wake of allegations against the NSW Government's Opposition leader Luke Foley of sexual assault against Australian Broadcasting Corporation (ABC) journalist Ashleigh Raper, and allegations of sexual assault against Federal Member of Parliament Barnaby Joyce concerning Catherine Marriott, consider the fact in both the case of ABC reporter Asheligh Raper and rural advocate Catherine Marriott, their anonymous reports were leaked to the media, and, in the case of Raper, mentioned in New South Wales parliament without her consent.

This article will predominantly look at gender harassment in Australian Parliament in particular within the Liberal party. It will look at the debate within the Liberal party for the adoption of gender quotas in the wake of the leadership spill in august 2018, plus reasons for Julie Bishop being passed over for the Prime Ministership. However at the time of writing, several cases of sexual harassment by politicians were aired in Australian media, and this paper has to also give due

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respect to the interconnected but wider context of gendered harassment in Australian politics.

Political theorist Catharine MacKinnon in her 1989 book *Towards a Feminist Theory of the State* (MacKinnon, 1989) examined how male power is institutionalised within the state, though derived from outside the state, and explores how the state has been crafted to view the world through a male lens. More recently, MacKinnon in the wake of the 2016 United States presidential election returned and expanded upon the ideas explored in her original work. Here MacKinnon explored the impacts gender had on the election, along with examining the impact class has on gender consciousness in the context of President Trump's rise to power. Heading to an important federal election in Australia in 2019 and against the backdrop of significant national debates about gender in our parliament, MacKinnon's analysis of the last U.S. election and her original treaty is worth some serious consideration in our context. In particular, the lack of female representation particularly within our federal parliament and especially within the Australian Liberal party shows how MacKinnon's thesis on the masculine nature of the state still rings true some 30 years later.

In the last ten years Australia has dropped from 30<sup>th</sup> to 50<sup>th</sup> in the world rankings for the amount of female members of parliament (ABC News 27 February 2018). The debate around quotas to increase female representation has placed a major emphasis on the idea of merit and what constitutes merit, raising the question of whether merit itself is a gendered term used to maintain the masculinity of the parliament. It was in the 1990s that Labor first incorporated a quota system into the party pre selection process, cementing the discourse of the ideas of merit that now is also being debated currently within the Liberal party (Sawer and Gauja, 2016, pp.32-33).

The nature of the gendered parliamentary politics is not restricted to either major party of course, and exists in many manifestations inside Labor, Liberal, minor parties and the institutional structure itself. Take for example even the gendered nature of parliament as a workplace is evident in the symbols and services available for employees of the state, such as the fact the parliament offers no child care services (Crawford and Pini, 2011, p.93). This is problematic for politicians who are parents and creates another barrier of entry for women considering entering politics who often incur the baulk of parenting responsibilities and have to balance this with the long sitting and working hours of parliament (Crawford and Pini, 2011, pp.93-95). This was recently evident when Labor MP Kate Ellis who had previously served as a minister in the Rudd and Gillard governments announced in 2017 that she would not re-contest the next federal election in order to spend more time with her son (ABC News 9 March 2017).

The role of the media in Australia also demonstrates the masculine nature of institutionalised male authority in Australian politics. Consider the particular ways the media represents female politicians, most evident during Labor's Julia Gillard's Prime Ministership, in which her looks were often critiqued and she was often the subject of slurs about her private life particularly the fact she had not

had children (Summers, 2012, pp.212-214). Donaghue (2015, pp.161) also canvassed how the media unfairly and unusually targeted gendered topics and issues in reporting on the prime minister at the time. The double standard and irrelevant canvassing of Gillard's private life has been studied since, and the coverage has been found by a number of scholars as hostile and gendered. Coupled with MacKinnon's arguments against the masculine nature of the state itself, and what this means for women politicians, this article will consider the Australian context and treatment of Australian women politicians.

## **Feminist Theory**

In her seminal text Catherine MacKinnon (1989) uses Toward a Feminist Theory of the State to explore how the state is used to maintain male power, but she also puts forward ways in which feminists movements can work with the state to achieve their aims and objectives. MacKinnon argues for example the importance of feminist critiques of public policy and ways for feminist projects to embrace and understand the changes that can come from the women's point of view on otherwise male dominated ideas. More recently, and in the Australian context. Mclean and Maalsen (2017) explore how feminist movements can work with and challenge the state, in particular highlighting the Destroy the Joint movement and the online campaigns it has run to raise awareness of domestic violence. For example they cite the success it has had with the New South Wales state government establishing a portfolio for Prevention of Domestic Violence and Sexual Assault in 2015 (Mclean and Maalsen, 2017, p.28).

However, MacKinnon argues the state does not simply just view the world from a male lens it engages in a male form of governance. MacKinnon outlines this view when evaluating laws developed by liberal states stating 'such law not only reflects a society in which men rule women, it rules in a male way' (Heath, 1997, pp.51-52). MacKinnon takes a very pessimistic view on whether the state can be used to achieve feminist ends and strongly argues that the state is irredeemably masculinist for numerous reasons, but the focal point of MacKinnon's argument is the state will always view women from a perspective of male power and MacKinnon states the state is incapable of seeing 'women the ways we see ourselves rather than from the perspective of male power' (Heath, 1997, p.56).

MacKinnon in developing a feminist theory of the state firstly looks at power in particular male power and where it is derived from. MacKinnon outlines that male power is derived from the expropriation of female sexuality and that via this portrayal of female sexuality male dominance emerges (Heath, 1997, p.48). MacKinnon outlines the importance of the origins of male power via the expropriation of female sexuality and emerging outside of the state playing a significant role in constructing a masculine state stating that the state views women the same way men do rather than in a neutral sense (Heath, 1997, p.48). MacKinnon claims that the state institutionalizes male power via its laws and adopted policies as well as establishing a social order that promotes the interest of men above women (Heath, 1997, p.48).

This institutionalized male power is evident within parliament itself as an institute most recently when NSW Corrections Minister David Elliott used parliamentary privilege to bring public attention to an incident of sexual harassment of ABC journalist Ashleigh Raper by the then Leader of the opposition Luke Foley. In this instance, despite Raper wishing for the incident not to become public knowledge due to fearing retaliation, it was used by Elliott to attack Foley (The Sydney Morning Herald 8 November 2018). The parliament is not the only political institution with institutionalised male power, it is also present within major political parties as was demonstrated when a confidential sexual harassment complaint against Barnaby Joyce by Catherine Marriott which was made to the National party was leaked to the media against the wishes of Marriott from within the National party during a leadership crisis after Joyce's affair with a former staffer was exposed (The Guardian 18 September 2018). In both these cases institutions that should have protected both Raper and Marriott were weaponised to attack political opponents by making public both incidents against the wishes of both women and with no concern for what impact it would have upon them. In the case of Raper she also faces the threat of a defamation case being brought against her by Foley who issued this threat during his resignation speech (The Sydney Morning Herald 8 November 2018). Considering both MacKinnon's critique, there are two points to consider, here, firstly that the women's position (and consent) was relegated to second best in the case for supposed public interest, and secondly, that there are questions here about two powerful public institutions still demonstrating a paternalistic endeavor through a masculinist approach.

#### **U.S. Election + MacKinnon**

MacKinnon (2017) revisited Toward a Feminist Theory of the State in a number of symposiums in the wake of the 2016 United States Presidential election in which Donald Trump who had been plagued by numerous accusations of sexual misconduct. The issues MacKinnon identified are not exclusive to politics in the United States and are also faced to varying degrees by female politicians in Australia. Two of the pertinent issues MacKinnon identified were the differing standards men and women are held too in politics, and secondly the way women who call out male power are treated. Firstly referring the accusations of sexual misconduct leveled at Trump, MacKinnon states that male power has normalized sexual misconduct for men who occupy positions of power within society and even when highlighted the seriousness of the allegations can be sidelined by a 'boys-will-be-boys' attitude or as Trump invoked the idea of locker room talk (MacKinnon, 2017, p.255). Secondly, MacKinnon highlighted the treatment of Hillary Clinton that meant, despite being one of the most qualified candidates to ever contest a presidential election, many of her policy ideas fell on deaf ears. MacKinnon in particular referred to a comment made by Trump in which he labeled Hillary Clinton a nasty woman highlighting the way women who call out and challenge male power are portrayed and vilified (MacKinnon, 2017, p.255)

MacKinnon also by evaluating voting trends in the 2016 Presidential election outlined how class impacts gender consciousness, pointing to the high number of African American women and white college educated women who

voted for Clinton and contrasting it with the amount of white middle class women who voted for Trump. MacKinnon argues the African American women are more conscious of their gender as are white college educated women, but that white working class women rather than identifying with their gender identify with their class and the men within it (MacKinnon, 2017, p.257-258).

## **The Australian Setting**

The Australian parliament, and in particular the under-representation of women within the parliament, is an example of the masculinist nature of the state, but also demonstrates via the introduction of quotas within the Australian Labor Party the ability of the state to be used to achieve feminist policy outcomes (Sawer and Gauja, 2016, pp.32-33). Rao and Cagna (2018) in *Feminist Mobilization, Claims Making and Policy Change* have emphasized the need for feminist activists to incorporate the state in pushing for policy change in these ways. In order to achieve policy change feminist activists and larger movements need to work alongside political elites in particular political elites striving to establish a more modern role for the state, other social movements and transnational corporations and non-government organizations (Rao and Cagna, 2018, pp.709-710).

Crawford and Pini (2011) explore the gendered nature of parliament and by extension the state in their study of Australian politics, via interviews with a number of female and male members of parliament. Crawford and Pini (2011) apply Acker's theory of gender and organizations, which is comprised of four major components: The first component of Acker's theory of gender and organizations is that organizations are hierarchical, and also as a result lead to segregation of some members of that organization, this segregation is often found along the lines of gender with men empowered and women disempowered (Crawford and Pini, 2011, pp.85-86). The second component is the use of symbols and ideology to reinforce this segregation (Crawford and Pini, 2011, pp.85-86), this includes the symbols that are present such as the portraits of former Prime Ministers that decorate the halls of parliament that are all male with the exception of Julia Gillard. Symbols not present are just as important such as the fact Australian Parliament has no child care services (Crawford and Pini, 2011, p.93).

The third component is the role gender plays in workplace interactions within the organization not just between male and female employees but also between female and female employees and male and male employees (Crawford and Pini, 2011, pp.85-86). This treatment of female MPs within the Australian parliament has been brought to the attention of the public in the wake of the latest leadership spill within the Liberal Party after allegations of bullying of female MPs were brought forth by a number of female MPs. This included former Liberal MP Julia Banks who announced she would not re-contest the next election due to the bullying behavior within the Liberal Party, and also due to bullying she had suffered at the hands of the Labor Party (The Conversation 29 August 2018). Liberal Senator Linda Reynolds also denounced bullying tactics employed against female MPs during the leadership spill in a speech to the senate stating 'The scourge of cultural and gender bias, bullying and intimidation continues against women in politics, the media, and across business', in response Liberal MP Craig

Kelly told Banks in politics 'you've got to roll with the punches' (The Conversation 29 August 2018).

The fourth component of Acker's theory of gender and organizations relates the process in determining who is capable of becoming a member of the organization and the role they are capable of fulfilling within the organization, and how gender influences this (Crawford and Pini, 2011, pp.85-86). This brings us back to the question of quotas, and is evident in the Australian parliament in the current debate around quotas versus being appointed on merit and what exactly merit entails, it is also evident in which ministerial portfolios female MPs often get appointed too. Female MPs most often find themselves appointed to Ministerial portfolios in the outer cabinet rather than the inner cabinet were the bulk of influence on the governments policy agenda lies (Crawford and Pini, 2011, pp. 90-91). Female MPs often find themselves appointed to more feminine portfolios such as health, education and welfare (Crawford and Pini, 2011, pp.90-91). Ministerial Portfolios such as defense, veteran's affairs and foreign affairs have been seen as a male domain with only one women having occupied the defense portfolio and two women the foreign affairs portfolio, this highlights the masculine nature of the Australian parliament and how it impacts the promotion and participation of women within the parliament and by extension the state (Crawford and Pini, 2011, pp.90-91).

### **Gender Quotas and Merit**

The Australian Labor party adopted a quota system referred to as affirmative action at the 1994 National Conference. The quota set out that by 2002 35% of Labor MPs should be female, and outlined that women should be preselected in seats deemed as winnable rather than marginal seats to ensure female representation could increase (McCulloch, 2009, p.124). As a result of the promotion of more women candidates by the Labor party, female representation in the Australian parliament increased by 11% between 1998 and 2008, maintaining Australia's rank of 30th in the world for female representation in parliament (Mcculloch, 2009, p.122). The Liberal party has remained firmly opposed to quotas instead championing the concept that individuals are preselected on the basis of merit. However the concept of merit has been very loosely defined and a number of highly qualified female candidates and politicians have been passed over for higher office due to a perceived lack of merit. This raises the question is merit a gendered term, and used to maintain the masculine nature of the party and the parliament?

The gendered nature of merit in politics is explored by Davey (2008) by exploring how its masculine features define merit and how this definition is maintained. Davey (2008, p.652) firstly outlines the naturalization of gender binaries and the ways in which these constructions are not simply maintained but rendered invisible and simply taken for granted by those within the organization. Davey (2008, p.653) details how organizations such as political parties have embraced masculine rationality and any challenge to highlight masculine emotionality would expose the gendered nature of the organizations meritocracy. Davey (2008, p.653) examines the political process behind the gendering of merit,

examining four key aspects of the process. Firstly formal practices and policies are designed along gender lines with men occupying the most powerful positions, language and culture also reinforce these divisions (Davey, 2008, p.653). Social interactions such as conversations reinforce gender roles with men being portrayed as the main actors and women being assigned support roles, this leads to gender identities and roles being internalized through organizational roles, dress and manner (Davey, 2008, p.653). The process of gendering merit relies in maintaining its gendered merit via informal influences that are mostly acknowledged and relies on its ambiguity to succeed (Davey, 2008, p.653).

The test of merit for a potential candidate or leader has recently entered Australian political discourse, and is most frequently referred to in regards to female candidates particularly when a female candidate is passed over (Whip, 2001, pp.41-44). The term merit is problematic for a number of reasons, and as Clare Burton in "Merit" and the Political Representation of Women (Whip, 2001, p.43) argues merit is very loosely defined if it is even defined at all by those who employ it as a metric for the viability of a candidate, and more often the defining characteristics of merit as a metric for evaluating candidates is the argument that appointments should not be made on race, gender, martial status or other characteristics not related to job performance (Whip, 2001, p.43).

The Liberal and National parties have been strongly opposed to affirmative action and quotas since they were established by the Labor party in 1994 rather implementing targets that they believed would be met via societal change as the result of the introduction of community education and better mentoring pathways for women to enter politics (Whip, 2001, p.41). In 1990 during the debate around whether the Labor party would establish quotas, then Liberal Senator Amanda Vanstone argued that the implementation of quotas would actually be a disservice to women and delegitimize female politicians because they would be perceived to have achieved their position due to their gender rather than their merit (Whip, 2001, p.42). This is a commonly espoused rebuttal to debates on quotas, but does not do due service to addressing the gendered nature of the concept of merit.

Take how in the ten years since 2008 Australia has fallen from 30<sup>th</sup> to 50<sup>th</sup> in the world rankings for female representation in federal parliament. With just 22% of federal Liberal MPs women while 45% of federal Labor MPs being women, the Liberal party currently has the lowest amount of female MPs and Senators since 1993 with just 17 female representatives (ABC News 27 February 2018). The failure of targets to promote the growth of female MPs are evident and instead reinforce the masculine nature of the parliament. This is evident when examining those pre-selected to replace retiring MPs in safe Liberal seats since 2015, where 13 Liberal MPs in safe seats have retired and only two women have been pre-selected, and that the bulk of women pre-selected by the Liberal party are pre-selected in marginal or unwinnable seats (ABC News 27 February 2018). The phenomena of women being preselected in unwinnable seats is referred to as the glass cliff and entails the promotion of female leaders or candidates in times of crisis and placed into high-risk scenarios such as being pre-selected to contest marginal seats (Ryan et al., 2010, pp.56-57).

Consider, too, the 2018 leadership spill within the Liberal party, in which Scott Morrison defeated Peter Dutton and Julie Bishop to win the Liberal leadership and the Prime Ministership. In the wake of the leadership spill numerous female Liberal MPs have come forward to speak about a culture of bullying within the party and the parliament and the spill brought the gendered nature of both the Liberal Party and the Australian Parliament into public focus. Liberal Senator Linda Reynolds and former Liberal MP, now Independent MP Julia Banks both spoke of their experiences of gendered disadvantage in politics, and Banks in a speech to the House of Representatives called out a culture of bullying and harassment including sexual harassment and claimed women had been subject to widespread undermining within their own party (ABC News 13 September 2018). Banks publically called for quotas for women to be pre-selected in winnable seats in order to level the playing field within the Liberal party (ABC News 15 September 2018). Banks argues that quotas already exist within the Liberal party when it comes to ensuring all states are equally represented in cabinet but quotas are only resisted when it comes to gender (ABC News 13 September 2018). Banks also highlighted the double standard when it comes to quotas for cabinet positions with the Liberal party and wider Coalition being acceptable but not quotas for the promotion of women bringing into focus how merit in politics has become a gendered term and a metric by which only female candidates are measured by, this was evident within the leadership spill itself (ABC News 13 September 2018).

While there were many factors at play in the leadership spill including the conflict between the conservatives and the moderates within the Liberal party, then Deputy Prime Minister Julie Bishop's gender also played a role in her unsuccessful tilt for the leadership. Bishop's run for leader exposed the gendered nature of the merit argument by only receiving 11 votes in the leadership ballot despite having served 11 years as deputy leader, serving 5 years as minister for foreign affairs, serving as a minister in the Howard government and consistently having outpolled her two male opponents as preferred leader and Prime Minister, and being second longest serving Liberal MP at the time (PerthNow 4 September 2018). Bishop also had a very successful legal career prior to entering politics as a managing partner at a national law firm (PerthNow 4 September 2018), yet she was eliminated in the first round of the leadership ballot by two male colleagues with less parliamentary experience and who struggled to poll in the double digits. It is hard not to conclude that one aspect of the metric of merit is gender itself when the most qualified candidate secures just 11 of 84 votes (PerthNow 4 September 2018).

Similarly Prime Minister Julia Gillard during her leadership brought into focus the gendered nature of Australian politics. Gillard was subject to critiques of her personal life both by her political opponents and the media that no male Prime Minister had been subject too, this included critiques of her appearance such as the clothes she wore, her body and how she wore her hair (Sue, 2015, pp.254-255). Gillard's decision to successfully pursue a powerful career, and not having had a family with children was a talking point for many of her opponents within the parliament, and the media who often accused her of lacking empathy and being unable to understand the needs of the average Australian family (Sue, 2015,

pp.254-255). Gillard in 2013 had her genitals mocked at a Liberal party fundraiser that served as a meal option 'Julia Gillard Kentucky Fried Quail-Small Breasts, Huge Thighs and a Big Red Box' (Sue, 2015, p.255). Gillard was not treated with the dignity and respect usually bestowed upon those who occupy the office of Prime Minister.

Gillard who took the leadership of the Labor party and the Prime Ministership in a leadership spill, struggled to overcome the stigma attached to this despite not being the first politician to secure the Prime Ministership in a leadership spill. However, Gillard was often portrayed in the media as having engaged in treachery against former Prime Minister Kevin Rudd (Sue, 2015, p.253). When Rudd mounted his campaign to reclaim the leadership it was notable the journalists to which he leaked too were primarily male journalists demonstrating the gendered nature of politics and the way in which male power and influence was being used to tear down a female Prime Minister (Sue, 2015, p.259). Then finally, Gillard responded to her critics and called out the gendered nature of Australian politics in her Misogyny speech to the House of Representatives. The speech, in response to a motion put forward by Opposition leader Tony Abbott, was accused by a number of media commentators of playing the gender card as a way of dismissing her claims and challenge to the masculine nature of the state and Australian politics (Sue, 2015, p.253). The treatment of Gillard during her leadership demonstrates how life in Australian politics for women is complicated at every turn such as if a female politician chooses to start a family and spends some time away from politics this effects their potential for future promotions yet if a female politician such as Gillard chooses not to have children they are derided and treated with suspicion. Gillard was forced to not just combat her opponents across the chamber but also opponents within her own party and the media who used her gender against her.

Just as Mackinnon demonstrated in Towards a Feminist Theory of the State, government and parliamentary politics are indeed masculine, and are extremely resistant to change particularly to outside actors or movements. However, as Mclean and Maalsen (2017) show change can happen. Both arguments have been seen in the Australian parliament with the debate over merit versus quotas, and the resistance to affirmative action. However, where in ministerial portfolios female MPs have been appointed significant policy changes can be seen, and as demonstrated by the Labor party adopting a platform of affirmative action, there has been a major increase in female MPs elected to parliament, the state can be reformed to some degree. However, it is hard to argue that the masculine state can be fully redeemed until we see Female MPs treated as equals with their male colleagues and not subjected to derogatory behavior. Moreover, although we have seen women recently appointed to previously masculine portfolios such as defense and foreign affairs, we are yet to see a female federal treasurer and have only had one female Prime Minister. Thus so far it cannot be argued the Australian Parliament has ceased being a gendered organization yet and until there is gender equality MacKinnon's more radical critique of the state is, sadly, more fitting an analyses of the state of Australian politics.

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