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DARING TO DREAM

Enabling Aboriginal Women's Representation in Public and Political Life



Thesis submitted by Michelle Deshong BA (Hons1)

For the degree of Doctor of Philosophy

Indigenous Education and Research Centre

February 2025

JAMES COOK UNIVERSITY
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‘Women who behave seldom make history’.

Statement of Contribution of Others

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Statement of the Use of Generative AI

Generative AI technology was not used in the preparation of any part of this thesis.

Cultural Disclaimer

Aboriginal and Torres Strait Islander people are advised that the thesis may contain names and images of people who have passed away.

Abstract – Daring to Dream

The participation of Indigenous women in the formal political landscape of Australia has been fraught with political and institutional barriers and challenges over many decades. This research examines the political behaviours of Aboriginal women in Australia. It investigates a range of components related to the participation of Aboriginal women in public and political life and identifies enablers to increase this participation in the future within the Federal Parliament. Institutionalism is used as the framework through which Aboriginal women's interaction with the political system is examined. The thesis is presented as a chronological analysis, evaluating both before and after Aboriginal women's participation in the Federal Parliament. It explores facets of democracy and political mechanisms in Australia and internationally concerning United Nations instruments such as the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), the *Commission on the Status of Women* (CSW) and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and draws on ways that these instruments are relevant to the advancement of Indigenous women. Focus is placed on constitutional foundations, leadership, electoral systems, and party politics. Feminism and critical race theory inform how the advancement of rights and opportunities has differentiated for Aboriginal women due to intersectional discrimination and disadvantage.

The research is conducted by a Kuku Yalanji (Aboriginal) woman who provides a highly personal and unique focus on identity, political institutions, and structures. Original insight is provided into the complexity of balancing the expectations of community and self to begin to understand the challenges and enablers of future representation. The research draws on the experience of previous and current Indigenous politicians in both state and federal parliaments in shaping a political climate of renewed representation and reform. Critical themes emerged, including areas of black politics, leadership, public life, and party politics that are explored as possible enablers to increase representation. The thesis enhances knowledge of Aboriginal women's positions in contemporary Australia and informs public policy on political awareness, representation, and support for Aboriginal women in public and political life. Importantly, the research spans a time when the Federal Parliament was devoid of any Indigenous women before 2013 to a historical shift and increased representation in over two parliamentary terms up to 2017.

The qualitative enquiry draws on the perspectives of current or previous Indigenous politicians in both state and federal parliaments, shaping a conversation and model that can advance our current political climate of renewed representation and reform. The thesis provides a unique insight into Aboriginal women's positioning in contemporary Australia and informs political agency and representation for Aboriginal women in public and political life.

Table of Contents

Acknowledgements **1**

Statement of Contribution of Others **3**

Statement of the Use of Generative AI **4**

Cultural Disclaimer **4**

Aboriginal and Torres Strait Islander people are advised that the thesis may contain names and images of people who have passed away. **4**

Abstract – Daring to Dream **5**

Table of Contents **6**

List of Tables **10**

List of Figures **11**

Prologue – Sacred Ground **13**

Reflection in Time **18**

Black Politics 20

Public Life 20

Mentoring 20

Leadership 21

Political Parties 21

Summary 21

Introduction **22**

Significance of the Research 24

International Foundations 25

Situating the Research 30

How I Came to the Research 34

Research Questions 36

Research Aims 36

Timing of the Research 37

Terminology 37

How to Read This Thesis 38

Theoretical Framework and Methodology....43

Institutionalism....43

Feminist Theory....44

Critical Race Theory....45

Methodology....47

Participant Observation....38

Ethics Approval....50

Qualitative Research....40

Coding and Analysis....55

SECTION ONE – HISTORICAL FOUNDATIONS....57

ARTICLE 1 Our Seat at the Top: The Institutional Challenges to Inclusion for Aboriginal Women in the Federal Parliament....58

Positioning Commentary....58

Published Article....58

CHAPTER A The Gender Factor: Women's Participation in Australian Politics....63

The Federal System....64

Women's Suffrage Movement....65

Overview of the Parliament....68

First Female Prime Minister....71

Affirmative Action....75

Summary....80

CHAPTER B: Black Politics – White Democracy....81

History....81

Recognition in the Constitution....82

Indigenous Representation in the Federal Parliament....85

International Perspectives....87

Australia's Challenge....89

Minority Interests....90

Electoral System....91

Indigenous Rights....92

Summary....93

ARTICLE 2: Indigenous Political Aspirations and Tides of Change 95

Positioning Commentary 95

Published Article 95

SECTION TWO – PARTICIPATION IN ACTION 103

CHAPTER C: United Voices, United Sisters, United Nations 104

Understanding Human Rights 106

International Conventions 108

Declaration of the Rights of Indigenous People 109

CEDAW 113

Commission on the Status of Women 118

Global Connectedness of Indigenous Women 122

Summary 125

CHAPTER D: Time for Change 127

Institutional and Political Positioning 131

ATSIC in Practice 132

Aboriginal Women's Participation 135

Public Advocacy 136

Building the Bureaucracy 140

Social Investment 142

The Australian Indigenous Leadership Centre 144

The Australian Rural Leadership Foundation 145

Straight Talk – OXFAM 146

Societal Change 138

Summary 149

SECTION THREE – DARING TO DREAM 153

ARTICLE 3: Tipping the Balance: Enablers to Aboriginal Women's Political Participation 154

Positioning Commentary 154

Published Article 154

History 156

A New Era of Participation 157

Personal and Cultural 160

Structural Components....167
Mentoring....171
Financial Support....173
Cyclical Politics....174
ARTICLE 4: TEDx Talk – Black Women Tipping the Balance....177
Positioning Commentary....177
ARTICLE 5: Pathways to Political Leadership....183
Positioning Commentary....183
Published Article....183
Indigenous Political Representation in Australia....185
Four Cases of Australian Indigenous Women in Political Leadership....187
Political Pathways of Australian Indigenous Female Political Leaders....190
Party Membership....191
Being Recruited by a Political Party....192
Ready to Stand for Parliament....194
Captain's Pick....195
Indigenous Identity and Political Leadership....198
Concluding Thoughts....200
Conclusion: Walking our Own Path....201
References....214

List of Tables

Table 1 *Participant Responses* 52

Table 2 *Interviewees* 53

Table 3 *Interviews* 54

Table 4 *Gender Analysis of Parliamentary Representatives 2007–2018* 69

Table 5 *Female Premiers* 76

Table 6 *Female Chief Ministers* 77

Table 7 *Women Nominees for ATSIC Elected Office, 1990–2002* 133

Table 8 *Women Elected for ATSIC Regional Council Office, 1990–2002* 133

List of Figures

Figure 1 *Garma Festival*.....13

Figure 2 *Senator Malarndirri McCarthy, Honourable Ken Wyatt, Honourable Linda Burney, Senator Pat Dodson and Senator Jacqui Lambie* 18

Figure 3 *The 47th Parliament*.....19

GLOSSARY OF TERMS

Term	Meaning
AILC	Australian Indigenous Leadership Centre
ALP	Australian Labor Party
ARLF	Australian Rural Leadership Foundation
Balanda	Yolngu language to describe a non-Indigenous woman
CEDAW	United Nations Convention on the Elimination of Discrimination Against Women
CLP	Country Liberal Party
CSW	United Nations Commission on the Status of Women
GARMA	Garma is Australia's largest Indigenous gathering and is a celebration of Yolngu life and cultural. It is held annually in northeast Arnhem land and hosted by the Yothu Yindi Foundation
Greens	Australin Greens Political Party
LNP	Liberal National Party
RA	Reconciliation Australia
RECOGNISE CAMPAIGN	National movement to bring conversations about constitutional reform and recognition to the broader Australian community.
Straight Talk	A national program supported by OXFAM Australia. The program aimed to raise Indigenous women's awareness of the political system
TSRA	Torres Strait Regional Authority
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
YWCA	Young Women's Christian Association

Prologue – Sacred Ground

Figure 1

Garma Festival



Note: A man dances at the Garma Festival displaying a Sydney Swans stripe in support of Adam Goodes on July 31, 2015. Photography by J. Purtill for ABC News. (2015, August 1). Gallery: 2015 Garma Festival in north-east Arnhem Land. https://www.abc.net.au.

As I stand at Yirrakala, on the grounds of the Yolgnu people for the Garma Festival, I find myself transposed. As an Aboriginal person, I draw on the stories of the Yolgnu people to their land and country. I am waiting for the dance ceremony to begin on the Bunggul ground. The sacred ground, the place of culture and ceremony. I am still. Still in my physical presence, yet mentally enthralled by the idea that our culture, while diverse, still brings with it a great spiritual connection to people and country. I am proud of the idea that our cultures can be shared. Our culture has been preserved but importantly culture can also evolve. I hear this word, Ganma used often. It is the word that describes two waters meeting, creating something new. It is founded on the idea that culture is and continues to be the basis of our existence, and there is meaning and knowledge in all that we do.

For the Yolgnu people, this was the corroboree, the coming together of different clans on sacred ground. To respect and celebrate the creation stories, the stories that connect us to the rivers, mountains, and stars. These elements are in our stories that talk of great warriors, stories of love and sacrifice, stories that guide us through country. These are important stories that explain our existence and our relationship to land, sea, sky and people, stories that enable us to act as country. These stories and

ceremonies also honour the old people as the keepers of knowledge, as the leaders, and our guiding lights.

The women enter the Bunggul ground, yellow ochre lining their faces. Their thin frames are magnificently covered in flowing skirts filled with all the colours of the rainbow and a movement so graceful it has me mesmerised. The swinging of their hips, the slight movement of their feet is so graceful. I find myself slowly starting to move to the sounds of the songs and the clap sticks, a catching beat and I feel an urge to join the women. But this is not my dance, this is not my country, and so I watch as the men and women interweave across the red dirt, entwined through dance and movement, each person being aware of the other, each person intricate to the dance.

Then my attention is diverted as I see a small boy, maybe only three years old, dressed just as his father is in his bright yellow cloth. He watches and follows in his father's footsteps. He mimics his father's movements as they strike the warrior pose, face the elders as they sing, and kick up the red dust. He has the whole crowd entranced by this vision of someone so young, so proud of his culture. This is cultural teaching and the handing down of knowledge in action. One day he will lead the men out; one day it will be him on the Bunggul, a young warrior merging with the men. Hundreds of eyes are upon him as he finishes the dance with the men. He retreats to stand beside his mother, knowing it is a place of safety, protection and perhaps recovery… before the dance begins again.

The Bunggul ground has changed. It now has the footprints of its people. They have shuffled, stomped, and kicked up dust as one. They come together, men and women of many nations, respecting and sharing, honouring our ancient traditions in this sacred place.

As an Aboriginal woman, I draw my connection to the Kuku Yalanji nation, the saltwater to the rainforest and have lived on the lands of the Wulgurukaba and Bindal peoples for most of my life. Although this wasn't my land, it was an opportunity for reflection about the people, the places, and the stories that make me who I am. They are the grounding principles of identity, belonging, and place. I appreciate that some of the stories may be different to my country, but the symbolism and rich meaning is not lost on me.

I look around and see there is a gathering of Yolgnu, other Aboriginal peoples of many nations and Balanda. I watch as all these cultures and identities collide. They collide in a way that hopefully shows respect, acknowledges Indigenous peoples as the First Peoples, and takes us to a higher place. A place of mutual respect, a place where racism does not permeate through every element of our existence and a place of pride. A place where maybe politics can be set aside – just for a moment.

And then I am snapped back into reality as I see the landscape change and what was once the Bunggul ground of sacred stories and ceremonies is transformed through political infiltration. The place is inundated with dignitaries of political parties, formalities, and thus begins the transition. Messages of constitutional reform and the *Recognise* campaign, along with the signing of political pledges and agreements, change the landscape. I realise that whilst I may still have red dirt between my toes, and the songs of the Yolgnu in my head, the sacred ground had changed.

And it is at this moment that I contemplate and acknowledge that culture and politics cannot be separated. This was not the first time I have had this revelation, as I have seen it play out many times throughout my personal and professional life. My earliest memories are as a child: I attended political rallies and listened to the conversations of my parents and other elders – the activists and the leaders of their time – as they discussed the many issues in our community. In reflection, these are the places where my political seed was sown. In fact, how could I not be affected? My identity as an Aboriginal woman would inevitably shape my life, as it would expose me to societal conditioning of how I should be and who I was. The 1970s and 80s was an interesting time in the shaping of social justice and Indigenous rights. I learned very quickly about the scourge of racism and discrimination in North Queensland during this time; however, I also learned that there was no place for silence. There is no place for complacency. I would always know who I was, where I came from, and that my foundation was in knowing about and embracing my indigeneity.

My attention is pulled back to the Bunggul ground, where the dust is still settling, and I look around at the many faces that surround me. I wonder what these people are thinking. What will be their take-home story from this moment? I hope that it is something versed in pride, respect, recognition, and culture.

But I wonder if, through the public display of culture, they also begin to understand the place of Indigenous people in this country. Will they take the time to hear our stories, to deeply understand the meaning and purpose? Will they see beyond the rhetoric and comprehend that there is something much deeper here? In a sign of support, Yolgnu dancers entered the grounds with #37 painted on their backs. A purposeful action of solidarity for the debate around Australian Rules Football Player Adam Goodes, and the bigotry and racism that has engulfed the nation.[1] This is not about an individual, but our shared experience and identity as Aboriginal people that makes us one. But it also shows how importantly we view the personal impact as political actions. Will these people understand that something much deeper pervades us? Will they see that the signing of new agreements is often a compromise about land, language, and rights forced on Indigenous peoples in isolation of their needs? Will they see the way that our people struggle to be heard, recognised, and included? Will they see that for all the talk about going forward, we must appreciate how far our people have come? Will they understand the fight and struggles we have faced in the past? Do they recognise the impacts on the next generation? Will they see the enormity of the task that lies ahead?

While I ask these questions and a thousand more in my head, I know that some of our greatest successes have eventuated through our political participation. Yirrakala itself is a place of strong

[1] In May 2013 Adam Goodes was playing for the Sydney Swans in the AFL Indigenous round. During the game Goodes was subjected to racial abuse by a spectator. Goodes called the security to eject the girl from the game and what ensued was a public debate around racism and whether Goodes over-reacted. From that point Goodes was subjected to Booing at games and being subjected to constant attack. Indigenous people around the country stood in solidarity for his calling out Racism. Painting #37 on their backs at Garma was part of this movement.

political action, and perhaps that is why it somehow feels familiar to me. I have read many times about the importance of this place and the development of the Yirrakala Bark petition. The petition was submitted to the parliament in protest of mining on the lands of the Yolgnu people. Just as the Bunggul ground gave respect to the balance of both men and women, so too did that petition more than 50 years ago. It marked a bridge between two traditions of law. The petition panels represented the boundaries of two moieties, Dhuwa and Yirritija and the totems and landscapes that define their connection to the land. These original petitions still hang in the halls of the Parliament House as a reminder of this time in history. I have seen them often, I have taken others to see them and I have soaked up their significance. It serves as a timely representation of the relationship between culture and politics.

I watch in anticipation, waiting to see the roles of women celebrated throughout this festival. It starts strong with three Aboriginal women visibly leading the show. A Yolgnu woman takes the role of Emcee. While this is her first time with such great responsibility, her grandfather was a great leader, and she has strong family connections to this country. I know her personally and have shared in her journey to this point. I am proud to see her take the reins. Her nervousness quickly disappears, and she stands strong as she switches between English and the Gumatj language, transcending two worlds. It is her turn now; this is her time. I am proud to witness this moment and rejoice with her after the formal proceedings as she calms after such a high. Watching our Indigenous women stand in their power and realise their purpose is not lost on me. Alas, this euphoria does not last.

The second day begins, and I look forward to once again seeing women in many roles. Instead, I am overwhelmed with frustration. Yes, they are the emcees, and there is one woman on a panel here or there; however, aside from that, I see little representation. I am surrounded by strong Aboriginal women and yet I watch events unfold with empty seats where our women should be. I am aware of the complexity of issues, and how Indigenous women must battle not only the cultural space but also the political space every day. But this festival provides an important opportunity that sadly has not been embraced. I am frustrated that the presence of women's voices is missing from the fore. There is a screaming lack of space afforded to women's wisdom, knowledge, and expertise as a result. The important roles of women in community capacity building are overshadowed, and again our women's voices are disappearing. Our women were being mismatched on panels, their views ignored or brushed away in a space dominated by men. Misogyny is playing out in front of me, and I wonder if anyone else notices. My thoughts turn to action and the need to create future opportunities and focus on rectifying this omission to inevitably set the balance right.

In my own reflection, I have had a tremendous life. I have been privileged to have opportunities that, as a child, I could never have dreamed of. I have faced adversity, racism, and discrimination, and yet, through all of it, I have emerged stronger and more determined than ever. I know that this is just my story, but it is a story alike to that of many Indigenous sisters across the country and around the world. We are resistant, we are persistent, we are brilliant, and more importantly, we matter. Our voices matter.

I am reminded of our cultural foundations where women are respected for their knowledge and contributions. Matriarchal societies and women as knowledge holders have existed for generations, and women's roles are just as important in culture and through ceremony. Even though the roles of women may evolve differently over time, they are there as equals, providing balance and purpose. I wonder where or when did we forget that? Has our learnt political behaviour now overshadowed our fundamental understandings of each other? Have we somehow forgotten that women are at the forefront of our communities, the leaders, and the change-makers? For this and many other reasons, I am committed to helping women find their voice. Women need to be a part of the political landscape, not just through our cultural and community politics but in all political spaces.

So, as I stand on the Bunggul ground, I know that the ceremony would never be complete without women. Without women, there would be something missing, a break in the link between culture and respect. I celebrate our strength, our determination, and our resilience. But this is bigger than the Bunggul ground; it is about our society. If women are not included, there will be a void, an emptiness; something will always be missing. I am then taken by the vision of the bright red and yellow tones of the sunset as it distracts my view for a moment. They are the colours of fire; the fire that has been reignited in me. I may have travelled a great distance, but I stand on the edge of the Bunggul ground and realise I have a renewed perspective. I am exactly where I am meant to be, doing exactly what I am meant to do.

Reflection in Time

Figure 2

Senator Malarndirri McCarthy, Honourable Ken Wyatt, Honourable Linda Burney, Senator Pat Dodson and Senator Jacqui Lambie



Note: Photograph by Alex Ellinghausen for Hunter, F. (2016, 17 Septmenber). Indigenous MPs vow to work together. *St George and Sutherland Shire Leader*. https://www.theleader.com.au

As I look at this image (Figure 2), I get a sense of joy and pride. It is a powerful image of Aboriginal men and women who have become a strong voice for our people in parliament. It represents the many years of work invested individually and collectively in the rights of Indigenous peoples. It serves as a reminder that only a few years ago, this was unlikely, or even unimaginable.

The swearing-in of the 44th Parliament in October 2013 produced several notable results, including Nova Peris being elected as the first Aboriginal woman to the Federal Parliament and Ken Wyatt retaining his seat for Hasluck in the House of Representatives. The 45th Parliament in 2016 witnessed Linda Burney become the Member for Barton and the first Aboriginal woman in the House of Representatives.

The 46th Parliament (2019) represents an important milestone in political history as a culmination of progress witnessed over the past few election cycles. It had five Aboriginal representatives across the Senate and the House of Representatives. The Indigenous parliamentarians include Senator Pat Dodson, Senator Malarndirri McCarthy, Senator Jacqui Lambie, the Honourable Ken Wyatt MP, and the Honourable Linda Burney MP.

What makes the 46th Parliament particularly significant is the appointment of the Honourable Ken Wyatt to the Cabinet as the Minister for Indigenous Affairs, marking a remarkable moment in

Australian politics. However, while Wyatt's appointment is significant, the 46th Parliament was made even more important by the appointment of Linda Burney as the Shadow Minister for Indigenous Affairs. For the first time in history, two Indigenous leaders took positions bilaterally. The establishment of an Indigenous Caucus shortly after enabled bi-partisan dialogue and a strength-based process in the parliament.

As I reflect on this image, I cannot help but appreciate the enormity of the situation. How did we get here? What enabled these individuals to achieve this success? As these historical moments unfold, it is a pivotal opportunity to look back and reflect on how the Australian Parliament has progressed to this position in what appears to be a relatively short period of time.

By the 47th Parliament (2022), there had been a considerable shift, with eleven Indigenous parliamentarians included (see Figure 3). Not only did this break the record set by the previous parliament, but it also saw eight Indigenous women represented. There are three members in the House of Representatives and eight in the Senate. They also represent across parties, with affiliation to Labor, Liberals, Nationals, Greens and Jaquie Lambie Network, thus creating a more comprehensive coverage across the political spectrum. Under the new Labor Government, Linda Burney assumed the role of Indigenous Affairs Minister, again marking an important milestone for Indigenous women.

Figure 3

The 47th Parliament



Note: The Indigenous members of the 47th Parliament gathered on the mosaic on the forecourt of Parliament House. Our most diverse ever, with ten Indigenous members and eight female members. ** Lidia Thorpe (Greens Senator Victoria) is absent from the photo.

From left: Jacinta Price, Gordon Reid, Jana Stewart, Kerrynne Liddle, Malarndiri McCarthy, Linda Burney, Pat Dodson, Dorinda Cox and Jacqui Lambie. Photograph by Mike Bowers for Bowers, M., Collard, S. & Allam, L. (2022, July 26). The historic photo that celebrates a moment of unity and pride in Indigenous Australian representation. *The Guardian*. https://www.theguardian.com

The research undertaken as part of this thesis, between 2012 and 2017 drew upon the experiences of Indigenous men and women who had held formal political roles over the past 20 years. The research sought to identify enablers of political participation for Indigenous women. It recognised key factors and contributors that could potentially lead to successful increases in Indigenous representatives in public and political life. Through this lens, we can see the foundations being set to support and facilitate increased representation for Indigenous people in parliament.

I had the privilege of interviewing Linda Burney in the early stages of the research. Many of the conversations we had at the time have resonated strongly with the advancements made over the 2013 to 2019 election cycles. The narrative from each of the interviews produced a comprehensive approach to engagement and representation, taking into consideration a social theory of institutionalism and considering the effect of interactions between institutions (such as parliament) and Indigenous peoples. Key themes that emerged from the research include:

Black Politics

The analysis identified the virtual space of 'black politics' as the original training ground of many leaders, social movements, and political action. It bears the scars of political challenges, oppression, and discrimination throughout history. It is within black politics that Indigenous people are first introduced to roles of advocacy and engagement in creating critical spaces for Aboriginal leadership in Australia. Every Indigenous politician interviewed spoke about their experience in the black political space and how this was inevitably a catalyst to further political representation.

Public Life

Aboriginal people's shift into the public domain brings with it a significant responsibility to uphold community expectations and the need to balance competing demands. All Aboriginal people who have successfully been elected to Federal Parliament have come from a background in public life. They have held prominent roles in the community, been spokespeople on Indigenous issues, held senior roles in organisations and institutions, and been perceived as leaders in Indigenous affairs. This level of engagement in public life is considered a vital prerequisite to effectively managing the transition between public life and political representation.

Mentoring

Candidate success relies heavily on strong mentorship and guidance within the political party system. Mentorship is a fundamental relationship between a more experienced, knowledgeable individual and another to provide essential guidance and support. The respondents all noted that within

their respective political parties, there were procedures that assisted candidates in preparing for pre-selection and being assigned mentors to support their political journey.

Leadership

The politicians interviewed had substantial experience in leadership roles before transitioning into politics. They identified leadership as an important factor and skill to enable success. Their leadership capacity provides for personal growth and maturity in both personal and professional fields. Furthermore, active engagement and investment from within party structures, community stakeholders, and political representatives have advanced these individuals into quite prominent leadership roles.

Political Parties

Political parties are one of the most critical elements of formal political representation. For an Aboriginal candidate, it appears virtually impossible (in the first term) to be elected without the backing of a political party. The internal mechanisms of political parties also warrant attention, as they have significant practical implications relating to mentoring and financial support.

Summary

There are now new mechanisms in place to further exercise the right for Indigenous peoples to become representatives in parliament in ways that have not previously been applied. Within three federal election cycles (2013 to 2019), there was a resurgence of Aboriginal candidates for the Labor Party. This coincides with a strategic intention towards affirmative action for Indigenous peoples within the Labor Party. Indigenous candidates were not only elected but also assumed leadership roles within the party. Notably, the Liberal Party did not appear to enact affirmative action measures and failed to see any Indigenous women running during this timeframe.

Many of the strategies for enablement identified in the research have come to fruition in a relatively short period of time. This thesis provides a critical piece of analysis through a personal narrative and a valuable reflection on a pivotal moment in time for Indigenous peoples and the Australian political landscape. Valuable lessons and insights have been captured in the research; the work should create a reflective opportunity to see predicted enablers being implemented, supported, and nurtured during this period.

Introduction

In 2010, I had the opportunity to attend the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW) as part of Australia's Non-government Organisation (NGO) delegation. This opportunity arose due to my advocacy and empowerment work with Indigenous women across Australia. I have committed most of my professional career to creating opportunities for women to participate effectively in leadership, political engagement, and governance fields. At the time, I had been working with the Young Women's Christian Association (YWCA), a leading gender organisations in Australia involved in international collaboration and representation. Therefore, I jumped at the chance to further my professional development and be involved in this critical advocacy space.

The United Nations and international human rights platforms have always been something I was interested in, having been involved in Indigenous affairs since the mid-1980s. I had been a public servant for many years and understood the machinery of government, but saw this as a stepping-stone into a new spectrum of political influence. From the institution to the language, processes, and political actors, it was a steep learning curve. I was thrust into lobbying preparations before departure and spent many late nights working with NGOs to coordinate our efforts during the forum. It was a chance to have a direct influence on the outcomes of the CEDAW review of Australia and ultimately keep Australia accountable for gender equality, specifically regarding Indigenous women. What was particularly refreshing was the collaboration amongst other gender advocates through their progressive feminist leadership. I learnt a lot from them, as I worked with people who had been working in this international sphere for several years. They appreciated my perspectives and were willing to listen and implement my ideas without pushback or ignorance. It was also not lost on me that I was the only Aboriginal woman as part of this delegation and that my role here was to not only advocate from a gendered perspective but to ensure that the views and lived experiences of Aboriginal women were at the forefront of the advocacy work. This meant educating not only those around me but also standing in my own power as an Aboriginal woman, having a voice and purpose.

The timing was also critical as Australia had repeatedly been subject to international scrutiny for several human rights issues, including mandatory sentencing in the Northern Territory and the treatment of asylum seekers and refugees.[2] There was little doubt that Australia needed to do better regarding its international human rights obligations. Alongside these specific violations, Australia's progress on gender rights had also been notably lacking. As such, this presented an opportunity to push Australia to address the poor and inequitable representation of Indigenous women in leadership and

[2] Cunneen, C. (2002). Mandatory sentencing and human rights – Contemporary comments. *Current Issues in Criminal Justice, 13*(3), 322–327. http://www.austlii.edu.au/au/journals/CICrimJust/2002/5.pdf; Human Rights Watch. (2018). Australia Events of 2018. https://www.hrw.org/world-report/2019/country-chapters/australia#

decision-making roles. The advocacy work performed by the Australian NGO delegates brought these matters to the attention of the CEDAW committee. The committee agreed that there would be two main priorities of focus in the next review cycle, namely the elimination of violence against women and the increased participation of women in political and public life. Both priorities would contain a significant focus on Aboriginal and Torres Strait Islander women and culturally and linguistically diverse women.[3]

This thesis is my contribution to the empowerment of Aboriginal women by examining how Indigenous women are positioned within the formal Australian political system, such as representation in our state and federal parliaments. Equally, it considers how Aboriginal and Torres Strait Islander women contribute to the political discourse of the country through public life, such as through leadership, advocacy, and direct decision-making. The thesis is infused with my culture and identity as an Aboriginal woman who draws a connection to the Kuku Yalanji nation. My own personal and professional journey through Indigenous affairs and politics has spanned over thirty years and has involved working in several federal departments implementing policy and service delivery for Aboriginal and Torres Strait Islander peoples across social justice sectors.[4] In my early career, I spent five years working for the Aboriginal and Torres Strait Islander Commission (ATSIC).[5] ATSIC "was a statutory authority formed in 1990 as an expression of the federal government's self-determination policy for Aboriginal and Torres Strait Islander peoples in Australia."[6] The establishment of ATSIC was an attempt to change how the government conducted business with the Indigenous portfolio. This presented a momentous era in Indigenous affairs, and I bore witness to Indigenous leadership, robust debate, and political advocacy through my time at the commission. I observed the positive yet contested contributions being made by Aboriginal women within ATSIC and across the Indigenous affairs portfolio. ATSIC provided an important avenue for increased political participation and representation by and for Indigenous peoples, but it was not without its challenges, which are explored later in the thesis. I became an elected member of the Australian Capital Territory (ACT) Regional Council of ATSIC when I was just twenty-seven years old. This was one of my first elected roles and is important to me as it focused on the heart of the Indigenous affairs portfolio and signified my early transition into politics.

[3] United Nations. (2010). *Concluding Observations of the Committee on the Elimination of Discrimination against Women* (Forty-sixth session, CEDAW/C/AUS/CO/7). https://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-AUS-CO-7.pdf

[4] The thesis will use language interchangeably dependent on the audience and context of each section. The focus will be on *Aboriginal* women, noting that this is also the perspective of the author. However, terminology may also include Aboriginal and Torres Strait Islanders, Indigenous and First Nations people where appropriate. The latter terms are often used in relation to national or international political and policy reference.

[5] Summers, J., Woodward, D., & Parkin, A. (2002). *Government, politics and policy in Australia*. (7th ed.). Pearson Education, p. 510.

[6] Davis, M. (2008). Indigenous women's representation and the proposal for a new representative body. *Indigenous Law Bulletin, 7*(4), 6–9.

The position taken in this thesis is grounded in Institutionalism and focuses on people's/constituents interactions with political systems. How and why people engage with institutions considering the effectiveness (or lack there of) the limitations and the systemic opportunities. Therefore, a political system that works in true partnership and inclusion of Aboriginal people will dismantle the inherently patriarchal and racial political systems that globally have limited women's voices.[7] Indigenous peoples, and in particular Indigenous women, inherently occupy a unique political existence. The development of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a testament to this lived reality.

Davis points out, "The evidence from ATSIC's evaluation confirms what many women already know, which is that men can never adequately and effectively represent the unique and diverse interests and needs of women."[8] In a review of ATSIC, Hannaford, Collins and Huggins state:

> Indigenous women have an irreplaceable perspective to contribute and if that perspective is missing or seriously diminished in the leadership levels of ATSIC for whatever reason, then the cause of the advancement of Indigenous Australians through ATSIC is poorer as a consequence.[9]

Further to this observation, it is proposed that including Aboriginal women as political representatives and direct decision-makers will enable a more inclusive and progressive Indigenous affairs response, inevitably leading to better outcomes for Indigenous people, while also contributing to a more inclusive Australia.

Significance of the Research

This thesis analyses what political participation means for women, in particular Aboriginal women, and how they articulate their views through national and international political communities. More broadly, the institutionalist approach is concerned with the informal conventions of political life and the formal constitutions and organisational structures.[10] Here, political participation includes an analysis of values and power relationships, as well as what obstacles and opportunities might influence behaviour and outcomes within government and political spaces.[11] This analysis considers the

[7] A similar position is taken in Davis, M. (2008). Indigenous women's representation and the proposal for a new representative body. *Indigenous Law Bulleti*n, 7(4), 6–9.

[8] Ibid.

[9] Hannaford, J., Huggins, J., & Collins, B. (2003). In the hands of the regions – A new ATSIC report of the review of the Aboriginal and Torres Strait Islander Commission. *Australian Indigenous Law Reporter*, *8*(3), 105–112.

[10] Marsh, D., & Stoker, G. (2002). *Theory and methods in political science* (2nd ed.). Palgrave MacMillan. p. 91.

[11] Ibid. p. 9.

relationship between specific variables, such as gender and race, and participation in areas such as voting, party membership, and direct action.[12] This is achieved by hearing from the Aboriginal women who have held political office, as they share insights into their hurdles in the pursuit of holding office and reflect on some of the challenges of public life. Indigenous women can see themselves as holding an individual or collective representative role. Nevertheless, they have the authenticity to speak from a lived experience and identify impacts for Indigenous women. The research encapsulates difficulties faced by Aboriginal women within liberal democracies while also considering the empowerment of women from a rights-based approach. In effect, this approach challenges the underpinning disadvantage and contests the deficit positioning from political processes.[13] International mechanisms, such as United Nations (UN) treaties and instruments, recognise the longstanding exclusion of women (including women of diversity, such as Indigenous women) in political and public life and affirm measures to rectify this inequity. These mechanisms recommend the inclusion of women in formal and informal forums to bring together diverse views and engage women in decision-making that will result in more appropriate and sound policy formulation on both a domestic and international front.[14]

Over the past two decades, the political environment, government, and parliaments have proactively moved towards more gender-balanced representation. This change has eventuated from years of social movements, negotiation, and political advocacy, resulting in a slow but significant change to the political experiences of women, and in particular Aboriginal women, on a national scale. Aboriginal women have been elected to the state and territory parliaments in unprecedented numbers. The Federal Parliament has witnessed the first Aboriginal woman take office in the Senate and the House of Representatives. In 2017, we saw the appointment of an Aboriginal woman to the role of Social Justice Commissioner.[15] This thesis identifies the enablers contributing to this increased political activity in Australia to inform future representation and involvement.

International Foundations

The Australian political system has two distinct parts. First, there are two major tiers of government, each with legislative responsibilities established by the Constitution. Secondly, Australia has a Westminster-derived but now distinctly Australian parliamentary system.[16] The institutional framework is a mix of federalism adapted from North America and responsible government taken from

[12] Ibid. p. 23.

[13] Davis, M. (2007). How do Aboriginal women fare in liberal democracies? *Indigenous Law Bulletin, 6*(27), 9–11.

[14] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press. p. 171.

[15] Australian Human Rights Commission. (n.d.). *June Oscar AO – Aboriginal and Torres Strait Islander Social Justice Commissioner.* https://humanrights.gov.au/our-work/commission-general/june-oscar-ao-aboriginal-and-torres-strait-islander-social-justice

[16] Ward, I., & Stewart, R. (2010). *Politics one*. (4th ed.). Palgrave McMillan. p. 11.

the Westminster system.[17] Therefore, Australia's political system is a derivative hybrid of several international political systems. In this thesis, I demonstrate how international law and the experiences of Indigenous women's actions internationally create the political imperative for increased representation in Australia (the nation-state).

This thesis is framed through an international human rights lens by providing a contextual and historical perspective on four specific United Nations mechanisms and instruments: the *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW), the *Economic and Social Council of the United Nations* (ECOSOC), *Commission on the Status of Women* (CSW or the Commission),[18] and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). These overarching frameworks inform related declarations and treaties by which individuals, peoples, communities, and societies can enforce human rights. The mechanisms are known as conventions, covenants or protocols, which are binding agreements made by governments. They create legal obligations under international law.[19] However, it is worth noting that they are only binding if the party ratifies the treaty, and even then, as the ratification is consensual, the party may make reservations about certain clauses that they do not wish to be bound by.

These instruments have direct relevance in addressing disadvantage, marginalisation, and, at times, exclusion from many areas of democratic participation and representation. They enable an opportunity to inform domestic policy by identifying areas of inequality and highlighting opportunities to address these inequalities. Further, they enable processes such as the implementation of a quota system or amendments to the Sexual Discrimination Act 1984 (SDA).[20] Australia amended the SDA in 2013 to introduce new protections from discrimination on the grounds of sexual orientation, gender identity and intersex status in many areas of public life, aligning with a global human rights agenda.

Since the very first year of the working group on Indigenous populations in 1982, Indigenous women have been advocates and leaders, actively participating in the United Nations and utilising these forums to influence gender equality and justice.[21] Indigenous women who participate in international advocacy are actively engaging in political and social representation, and this goes some way to addressing the need for effective and long-term systemic change through both domestic and international pathways.

The CEDAW is an international treaty on women's rights adopted in 1979 by the UN General Assembly. Despite some initial hesitation, Australia signed the CEDAW at a special ceremony for the

[17] Ibid. p. 14.

[18] United Nations. (n.d.). *Economic and social council.* https://www.un.org/ecosoc/en/home

[19] Salam, R. (2010). *The community guide to the UN Declaration on the Rights of Indigenous Peoples*. Australian Human Rights Commission, p. 10.

[20] Australian Human Rights Commission. (n.d.). *About sex discrimination.* https://humanrights.gov.au/our-work/sex-discrimination/about-sex-discrimination

[21] United Nations. (2006). *Gender and Indigenous peoples' human rights* (Briefing note no. 6). https://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf

Decade of Women at the UN World Conference on 17th July 1980.[22] The CEDAW provides for the elimination of discrimination against women. Specifically, articles 7 and 8 have precise relevance to this thesis.

> Article 7
>
> States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
>
> (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
>
> (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
>
> (c) To participate in non-governmental organisations and associations concerned with the public and political life of the country.
>
> Article 8
>
> States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organisations.[23]

The articles support women's to participate on an equal basis with men in public and political life, such as voting, informing policy reform, NGO representation, business development, and public international work.

In 2010, the CEDAW committee reviewed Australia's performance about gender equality in policy implementation, funding, and development. While the committee acknowledged that there had been progress made in some areas, Indigenous women were disproportionately more likely to face very high levels of disadvantage compared to their non-Indigenous counterparts. The Committee, therefore, recommended the following:

> Paragraph 27: The Committee reiterates its recommendation in its previous concluding observations (CEDAW/C/AUL/CO5. para. 17)

[22] Australian Human Rights Commission. (n.d.). *The convention on the elimination of all forms of discrimination against women (CEDAW): Sex discrimination – International activities.* https://humanrights.gov.au/our-work/sex-discrimination/convention-elimination-all-forms-discrimination-against-women-cedaw-sex

[23] United Nations. (2001). Convention on the elimination of all forms of discrimination against women. Adopted by the General Assembly of the United Nations on 18 December 1979. In *Treaty Series 1939* (pp. 418–421). https://doi.org/10.18356/4314e0ea-en-fr

> that the State party fully utilise the Sex Discrimination Act and consider the adoption of temporary special measures, in accordance with article 4 paragraph 1, of the Convention and the Committee's general recommendation No.25, to increase further the number of women in political and public life and to ensure that the representation of women in political and public bodies reflect the full diversity of the population, including indigenous women and women from ethnic minorities.[24]

The inclusion of this recommendation meant that Australia would need to report on this at each review cycle. The specific references within the recommendation to marginalised women prompted me to ask two critical questions: (1) what does participation in political and public life look like in an Australian context; and (2) what needs to be done to achieve a substantive long-term increase in representation for Indigenous women in political spaces? The United Nations seeks to dismantle systemic issues inhibiting women's advancement and can provide an avenue for Indigenous women's advocacy and voice at the international level.

The Commission on the Status of Women (CSW) is the principal global policymaking body dedicated to gender equality and the advancement of women. The United Nations General Assembly established UN Women in 2010 as the United Nations entity for gender equality and empowerment of women. UN Women oversees the Commission and facilitates the inclusion of civil society representatives. Every year, representatives of forty-five member states form the CSW panel and gather at United Nations headquarters in New York to evaluate progress on gender equality, identify challenges, set global standards, and formulate policies to promote gender equality and women's empowerment worldwide. The CSW draws representation from governments, NGOs, and civil society organisations. The CSW is not enforced by a specific convention; however, it does provide a gendered lens to consider existing conventions and make recommendations for states to support and advance gender equality. Australia has attended the CSW since its inception in 1947.[25] The Commission utilises the Beijing Declaration and Platform for Action (1995) to set the agenda for women's empowerment and provide guiding principles to underpin work within the gender equality space. The main outcome

[24] United Nations. Convention on the Elimination of All Forms of Discrimination against Women. (2010). *Concluding observations of the committee on the elimination of discrimination against women* (Forty-sixth session, CEDAW/C/AUS/CO/7). https://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-AUS-CO-7.pdf

[25] Shaw, C., & Van Unen, J. (2012). *Australian NGO guide to the Commission on the Status of Women (CSW).* Jera International.

document of the CSW is Agreed Conclusions, which includes a comprehensive set of recommendations that can be implemented by various stakeholders at the regional, national, and international levels.[26]

Under ECOSOC, the United Nations also established the Permanent Forum on Indigenous Issues (UNPFII) in 2000 as a high-level advisory body. The forum promotes respect for and full application of the provisions of the *Declaration on the Rights of Indigenous People* (UNDRIP or "The Declaration").[27] The Declaration is utilised as the underpinning principle in representation and inclusivity for Indigenous people and makes specific references to the protection of women and children. The Declaration emphasises the rights of Indigenous peoples to live in dignity, to maintain and strengthen their institutions, cultures and traditions, and to pursue their self-determination development in keeping with their own needs and aspirations.[28] The Declaration provides a foundation for Indigenous peoples and their implicit rights whilst also being complementary to other human rights mechanisms. The Declaration was the result of a democratic process of negotiation in which both Indigenous peoples and UN member states were engaged in the drafting and adoption process, and it was the culmination of over two decades of development.[29] The Declaration is themed into seven areas across the human rights spectrum. In alignment with this, there is a relatability within the Declaration on articles 18–23, which focuses on participatory rights, development, economic, and social rights.

Collaboration and awareness of human rights mechanisms are critically important to ensure that individual and collective rights are not overlooked by states.[30] As a result, Indigenous women have organised at the local, national, and international levels to address specific issues, challenges, and discrimination they experience. It is important to make the link between domestic and international relationships as engagement in these various political spheres has been important for Indigenous women to leverage opportunities and collaborate with global allies in moving the agenda forward. Data from the 2021 Australian census indicates that women represent just under fifty per cent of the Aboriginal and Torres Strait Islander population. The sex ratio being 101 males to every 100 females. [31] Based on

[26] Agreed conclusions include a comprehensive set of recommendations that can be implemented by various stakeholders, at the international, nation and regional level. UN Women. (n.d.). *Elimination and prevention of all forms of violence against women and girls.* (CSW57). https://www.unwomen.org/en/csw/previous-sessions/csw57-2013

[27] United Nations. (n.d.). *United Nations permanent forum on indigenous issues (UNPFII).* Department of Economic and Social Affairs, Social Inclusion. https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2.html

[28] Healey, J. (2014). *Indigenous rights* (1st ed.). The Spinney Press, p. 5.

[29] Gertz, J. (2015). *Implementing the United Nations Declaration on the rights of Indigenous peoples at the local level: Gugu Badhun self-determination* [paper presentation]. The Australian Sociological Association (TASA) Conference, Cairns, Australia.

[30] Political science and international relations use the term State. A State is a political unit that has sovereignty over the territory and the people within it. Therefore, in this context 'State' refers to Australia.

[31] Australian Bureau of Statistics. (2023). *Estimates of Aboriginal and Torres Strait Islander Population Estimates, 2021*. https://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/3101.0Feature%20Article1Mar%202017?opendocument&tabname=Summary&prodno=3101.0&issue=Mar%202017&num=&view=

these statistics, Indigenous men and women should have at least a 50:50 ratio in politics to be accurately gender-reflective. Therefore, greater involvement of Indigenous women in decision-making and participation is important to ensure adequate representation.

The challenge for Australian women is to look beyond the domestic constraints of the political system and to utilise other mechanisms to influence and change the status quo. Active participation gives necessary insight and recognition to the unique position that Indigenous women occupy, with experiences of discriminatory practices, racial oppression, exclusion and being on the periphery of mainstream policy agendas.[32] As the Declaration has no legally binding principles, countries must adopt participatory approaches to Indigenous issues. This requires effective consultation and partnerships with Indigenous people. At both domestic and international levels, self-determination is considered as the self equalling the Aboriginal collective. This is because Aboriginal people pursue their human rights and freedoms collectively based on a fundamental cultural relation with the land. This legal understanding is recognised in both domestic and international law.[33] To that end, Aboriginal and Torres Strait Islander people are developing strategies for engagement to ensure the Declaration is at the forefront of an Indigenous affairs agenda and supports greater participation in political and public life.

Situating the Research

The principle of democracy suggests that everyone has the right to take part in the political system through elections, representation, and advocacy, whether the people exercise that power directly or indirectly.[34] Despite this, not all democracies enable subjects full and equal participation in the democratic process, with some even deliberately excluding certain factions of society. This is the lived experience and historical perspective of many Indigenous people around the world and is specifically evident in the Australian context.[35] Aboriginal Australians have been systemically denied the opportunity to exercise political power, which has led to a long legacy of disenfranchisement and disadvantage due to past policies and practices. The intergenerational effect of this disadvantage has led to a substantive deficit in Aboriginal representation and, in particular, Aboriginal women's representation in parliament.

Notably, as beneficiaries of colonisation, white feminists have challenged, gained concessions, and remade themselves as middle-class white women through the state and other institutions in

[32] Deshong, M. (2012). Our seat at the top: Institutional Challenges to Inclusion for Aboriginal Women in Federal Parliament. *Indigenous Law Bulletin, 8*(1), 3–6.

[33] Davis, M. (2011). A reflection on the limitations of the right to self-determination and Aboriginal women. *Indigenous Law Bulletin, 7*(23), 6–8.

[34] Miragliotta, N., Errington, W., & Barry, N. (2010). *The Australian political system in action*. Oxford University Press, p. 3.

[35] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples,* https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

Australia.[36] However, the advancement of gender rights for white women has often been to the exclusion of Aboriginal women. This has been exacerbated in specific areas, including social services, gender justice, and political mobilisation. Instead, Aboriginal women experience the adverse effect of white privilege and institutionalised and structural disadvantage in their everyday lives. Critical Race Theory (CRT) feminists have highlighted the concept of intersectionality as a central feature to capture the unique experience that emerges when race intersects with gender, class structures, sexuality, and citizenship status.[37] From a feministic perspective, intersectionality has become the predominant way of conceptualising systems of oppression, which construct our identities and social locations in hierarchies of power and privilege.[38] Therefore, intersectionality is a complex and critical issue faced overwhelmingly by Aboriginal women, as it identifies historical and ongoing forms of oppression, marginalisation, and discrimination. These complexities often create barriers to participation in democracy and make it difficult for Indigenous women to exercise their rights to equality, inclusion, and opportunity within the broader society.

CRT embraces principles of equality, freedom, and merit, challenging the viability of achieving genuine meritocracy in the absence of liberalism. The major critique of liberalism is that it imagines a society where individuals rise and fall based on their own merits.[39] While there may have been attempts to reduce the blatant institutional barriers prevalent in our political system, there remains a multitude of other social inequalities.[40] At face value, it may appear that Aboriginal people now have equal and fair access to participate in our electoral processes and democratic government; however, there is no recognition of the different position from which Aboriginal people have to navigate such circumstances. Aboriginal people do not enter these places on equal footing, and the playing field has many distinctive barriers to inclusion that must be traversed. Therefore, measures such as affirmative action strategies are necessary to combat systemic forms of racism that continue to produce disadvantages and inequities in our political system. By way of example, in South Australia, Anglo-Australian women were granted the right to vote in 1894, with other states following suit within a decade; however, the provision excluded Aboriginal people based on race.[41] The voting exclusion for Aboriginal people continued until the *Commonwealth Electoral Act* was amended in 1962 to afford Aboriginal people equal rights to

[36] Moreton-Robinson, A. (2000). *Talkin' up to the white woman: Aboriginal women and feminism*. University of Queensland Press, p. 151.

37 Zamudio, M., Russell, C., Rios, F., & Bridgeman, J. (2011). *Critical race theory matters: Education and ideology*. Routledge, p. 37.

38 Carastathis, A. (2014). The concept of intersectionality in feminist theory. *Philosophy Compass*, *9*(5), 304–314.

39 Zamudio, M., Russell, C., Rios, F., & Bridgeman, J. (2011). *Critical race theory matters: Education and ideology*. Routledge, p. 15.

40 Ibid. p. 16.

41 Burgmann, V. (2003). *Power, profit and protest: Australian social movements and globalisation*. Allen and Unwin, p. 102.

vote.[42] The primary oppression is founded on our Aboriginality and womanness, and these struggles are inextricable to Indigenous feminism. Cultural and racial components of white femininity throughout history must be considered and analysed from a relational perspective.[43] It is only then that we can appreciate the situational experience that shapes Aboriginal women's lives today.

This research addresses a significant gap in Australian knowledge and understanding of Aboriginal women's political participation and presence in public life. There is substantial literature on Indigenous affairs, including social justice issues, political and legal experiences, and collective histories. Further, the past twenty years have seen a significant focus on non-Indigenous Australian women and other women of diversity in politics. The political activism, record of advocating, and change engaged in and effected by Aboriginal women have not translated into formal political representation by any substantive means and have not been seen as a priority. These shortcomings are also evident in the lack of literature placing Aboriginal people and, in particular, women at the centre of the political system itself or addressing the complex layers of institutions, bureaucracy, and policy that affect Aboriginal women's equality of opportunity and accessibility to undertake representative roles.[44]

Indigenous people often only occupy the margins of political circumstances, and this is evidenced through historical periods of segregation and assimilation. Aboriginal people were subjected to racist policies and treated as more of a problem to be managed than as valued citizens. Segregation in Australia spanned a period of 1897 to 1965. Oversight through the *Aborigines Protection Act* enabled the government to control the lives of Aboriginal people on the following presumption:

> It is only by complete separation of the two races, that we can save him, (the Aborigine) from hopeless contamination and eventual extinction, as well as safeguard the purity of our own blood. (Chief Protector)[45]

Segregation approaches were overlapped by the assimilation period to enact these ideologies and, by 1911, all states and the Northern Territory (except Tasmania) had introduced a version of the *Aborigines Protection Act*[46]. The Australian Government's program of "assimilation" in the 1940s and 1960s forcibly removed anywhere from 10 per cent to 33 per cent of Aboriginal children from their families

42 Australian Electoral Commission. (n.d.). *Electoral milestones for Indigenous Australians*. http://www.aec.gov.au/indigenous/milestones.htm

43 Johnson, E. (1994). A question of difference. In J. Scutt (ed.), *Taking a stand: Women in politics and society* (pp. 250–258). Artemis Publishing.

44 Burgmann, V. (2003). *Power, profit and protest: Australian social movements and globalisation*. Allen and Unwin, p. 102.

45 Australian Human Rights Commission. (1997). *Bringing them home report, Report of the National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families*. https://humanrights.gov.au/our-work/projects/bringing-them-home-report-1997, p. 97.

46 AIATSIS. (n.d.). *To remove and protect*. https://aiatsis.gov.au/collection/featured-collections/remove-and-protect

and placed them with white families.[47] The underlying idea was that by removing "half-caste" children from their families and their culture, they could be assimilated into white society and learn to conduct themselves as white.[48] These acts gave a Board of Agency (the Government Protector) comprehensive powers to regulate every aspect of Aboriginal people's lives, including where they lived, their relationships, and contact with family and community.[49] As a consequence of these policies, there has been intergenerational trauma and lasting effects through subsequent decades. With such controls in place, it can then be appreciated that the journey towards political advocacy and action has been significantly hindered for Aboriginal people. It was not until 1971 that the first Aboriginal man entered parliament.[50]

By reflecting on historical eras, we can also pinpoint times of significant change, advancement, and a shift in the political narrative of a nation. The research was undertaken during arguably one of those significant moments in history, namely, pre and post the 2013 federal election. The research relies upon theories of change for Aboriginal women and demonstrates emergent contributors towards improved political repositioning and representation. It recognises that despite all these challenges, Aboriginal women have been able to make significant advancements both on an individual and collective level in political engagement and representation during this period, and in doing so, have carved fresh pathways for others to follow.

The unique and invaluable perspectives of Indigenous women in formal political spaces contribute to better governance, community engagement and decision-making. They have to navigate political and public spaces in very different ways to non-Indigenous women and bring a cultural nuance to the shaping of Australia's democracy and nation. The promotion of Indigenous parliamentarians in states and territories to senior portfolio responsibility-setting agendas is evidence of these principles in action. They are best placed to represent issues that disproportionately affect Indigenous peoples, becoming public spokespeople at the forefront of change.

The federal elections between 2010 and 2016 witnessed record numbers of Aboriginal candidates standing for election, indicating that there is a greater interest in formal representative roles and a mobilisation on the political front. These elections were the catalyst to change for the Federal Parliament in many ways, with Ken Wyatt in the House of Representatives in 2010, Nova Peris in the Senate in 2013 and Linda Burney in the House of Representatives in 2016. The research examined the political system and democratic processes that engage and enable Aboriginal people, particularly

[47] McGregor, R. (2011). *Indifferent inclusion. Assimilation and integration.* Aboriginal Studies Press, pp. 98–112.

[48] Cassidy, J. (2006). The stolen generations: Canada and Australia: the legacy of assimilation. *Deakin Law Review*, *11*(1), 131–177. https://doi.org/10.21153/dlr2006vol11no1art230

[49] Australian Human Rights Commission. (1997). *Bringing them home report, Report of the National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families*. https://humanrights.gov.au/our-work/projects/bringing-them-home-report-1997, pp. 2–25.

[50] Parliament of Australia. (2010). *The bibliographical dictionary of the senate* (Volume 3, 1962–1983). The University of New South Wales Press Ltd. Sydney, pp. 356–364.

women and sought to identify challenges and solutions to increased participation and political awareness. The research also acknowledges the relational impacts of past policies and social factors that contributed to Aboriginal women's political participation, or lack thereof. It also contributes substantially to the limited number of political studies that employ an Aboriginal feminist perspective.

Alongside formal political participation, there has been a national advancement with Aboriginal women occupying more leadership roles in public life. The National Congress of Australia's First Peoples (Congress) was developed as a representative voice for Aboriginal and Torres Strait Islander Peoples. Congress was established in 2010 and adopted a 50:50 gender model that embedded Aboriginal women's participation and voice into their representative structure.[51] For the first few years, the Congress contributed to National Policy discussions and played a strong advocacy role on matters that affected Indigenous people. However, Congress was not an independent body, and as such still relied on government funding to operate. Unfortunately, a change in government priorities saw Congress decommissioned in 2019, despondently sharing the same fate as ATSIC in 2004. Community advocacy and intentions for political engagement through these institutions have been sporadic and create an imbalance in the political agency of Indigenous people, who are still beholden to government agendas, making it even more important to pursue elected positions.

How I Came to the Research

As an Aboriginal woman who grew up in North Queensland, I have always been surrounded by political issues through family and community connections. Issues of race and identity have affected me throughout my entire life and impacted the way I saw and experienced different situations and circumstances. I begin by sharing a story of my journey and an awakening of a political consciousness. I was born in the early 1970s to a white mother of German descent and an Aboriginal father (Kuku Yalanji) in Townsville, North Queensland. This was only four years after the monumental 1967 Referendum and two years before the official 'abolition' of the assimilation era. Despite this progress, there was still a deeply embedded culture of racism and discrimination within society, and I experienced the consequences of this throughout most of my life. I found my voice in many ways through this experience, mostly because of both of my parents, who never once let me be silent in moments of adversity.

In other respects, during my childhood, I was surrounded by inspirational political leaders, activists, and elders who always fought the good fight, rose to the challenge, and dedicated their life work to the Aboriginal cause. My father was managing the Aboriginal Legal Service in the 1980s and I recall him having to travel to give evidence at the Royal Commission into Aboriginal Deaths in Custody. The Commission was set up to investigate the causes of numerous deaths of Aboriginal people

[51] Deshong, M. (2017). Tipping the balance: Enablers to Aboriginal women's political participation. *Journal of Australian Issues*, *20*(1), 57–105.

who were held in state and territory jails. The final report was handed down in 1991 citing 339 recommendations to enhance procedures for person in custody, liaison with Indigeous groups and police education.[52] At the same time Koiki Mabo was also working at the Aboriginal Legal Service as a field officer. He was pursuing a significant land rights case to recognise the land rights of the Meriam people, traditional owners of Murray Island. While he was only in the early stages of the case at the time, the Mabo case would go on to the high court and be successful in overturning the myth that at the time of colonisation Australia was *'terra nullius'* land belonging to no one. These were important and significant times of change that would have a profound impact on Indigenous peoples in the future. I also recall many female leaders that I connected with, such as Evelyn Scott,[53] Gracelyn Smallwood,[54] and Jackie Huggins.[55] They were the trailblazers of political change in Queensland and I had a front seat.

It is no surprise that my interest in politics grew rapidly through my youth and has remained a constant in my life. Throughout my education, I was always questioning the ongoing implications of colonial narratives to our curriculum and the invisibility of our voices. This purpose continued in later years, as I was one of the youngest elected representatives for the ATSIC Regional Council (1999), held senior executive positions in the Australian public service, occupied community leadership roles and continued to have national governance roles.[56] Through these experiences, I made my own observations about the role Aboriginal women were undertaking in the political system and how Aboriginal women are political actors, contributors, and influencers. From a collective standpoint, Aboriginal women have generally not fared so well with political roles at the federal level (before 2013) despite seeing more rapid progress at the state and territory levels before that time.

I learnt that I needed to speak from my place as a black woman and not allow others to silence me. In my TED talk (Black Women: Tipping the Balance, see Article 4 of this thesis), I attest that Aboriginal women should run the country. It is many of these women who had an influence on my life and our national outlook. As Laurel Thatcher Ulrich suggests, "Well-behaved Women Seldom Make History."[57] This statement continues to resonate with me on many levels. It gives me great satisfaction

[52] National Archives of Australia. (n.d.). *Royal commission into Aboriginal deaths in custody.* https://www.naa.gov.au/explore-collection/first-australians/royal-commission-aboriginal-deaths-custody

[53] Heffernan, E. (2019). *Evelyn Scott (1935–2017).* Royal Australian Historical Society. https://www.rahs.org.au/evelyn-scott-1935-2017/

[54] Kovacic, L., & Lemon, B. (2005). *Smallwood, Gracelyn* (1951). The Australian Women's Register. https://www.womenaustralia.info/biogs/AWE1193b.htm

[55] Australian Women's Archives Project 2014. (n.d.). *Huggins, Jacqueline (Jackie) Gail (1956–).* The Encyclopaedia of Women & Leadership in Twentieth Century Australia. http://www.womenaustralia.info/leaders/biogs/WLE0545b.htm

[56] ATSIC was a Commonwealth Statutory Authority established in 1990 and abolished in 2005 and was a peak national representative body. The structure of ATSIC combined elected Indigenous representatives with an administration of public servants. *Aboriginal and Torres Strait Islander Commission Act 1989 (CTH) S3.*

[57] Harvard University. (n.d.). *300th Anniversary University Professor, Emerita*. https://scholar.harvard.edu/laurelulrich/bio

to look back at the incredible women I have known throughout my life, in particular, my mother from those early days of raising children in a world where gendered stereotypes often diminished the worth of women, as well as those women contesting complex racial spaces, and who were in leadership and public life. The women I encountered, the ones I knew and those I watched from afar, showed me what it looks like to be brave, to challenge the status quo and to want more for us as women. They continue to inspire me, and I hope I am an inspiration to others.

I recognise that as black women, we are faced with the complexity of intersectionality. We are not only contesting the white patriarchy but the black patriarchy as well. For years, the embattled spaces in Indigenous affairs predominately witnessed men taking up seats in leadership and decision-making. However, the presence of strong and resilient women in my life and community from a very early age has shaped me into the woman that I am today and, in some ways, permitted me to ask: Who has the right to be a leader? Who is afforded voice and space? Who controls the decisions that impact our lives? Who are we accountable to?

Having now amassed decades of experience in seeking answers to these fundamental questions and taking an active role in gender equality and justice, I feel that the tide of male leadership and political domination is changing. The feminisation of our Indigenous leadership and governance spaces is evident and, more importantly, so too is our political representation and voice.

Research Questions

The research is framed around the following questions:

1. How have historical and social factors impacted Aboriginal women's political participation during the period from 2013 to 2016?
2. What are the enablers that support an increased representation of Aboriginal women in public and political life in Australia?

Research Aims

The research aims to:

- examine historical policies that contributed to, inhibited and shaped Aboriginal women's political participation
- consider the engagement of Aboriginal women in positions of advocacy and as change agents, to address the rights of women in public and political life
- represent the voices of Aboriginal women in public and political life
- identify the enablers to support Aboriginal women's participation in the political system, in particular the Federal Parliament.

Timing of the Research

The timing of this thesis was impacted by several personal and professional interventions. As a woman, a single mother, a community advocate, and an employee, I balanced the many life events that impeded my time. I managed separation, raising three young children, job changes and unexpected illness, all as realities of the complex situation of women in society. Undertaking a PhD had always been something I was intentionally pursuing; however, life got in the way. I did, however, remain productive in publishing articles and receiving academic awards, including Fulbright and Churchill fellowships and a National NAIDOC Award. I have remained committed to telling this story and, in reflection, this enhanced the importance of the time period explored in this thesis. I have, therefore, reshaped the thesis to provide a retrospective piece of work. The period of change is central to the research, and being able to interview Nova Peris in her early days in parliament will always be one of my fondest moments in the research.

The thesis examines the significant period of transition in politics between January 2012 and December 2016, encapsulating two federal election cycles. The main motivator for commencing this research was to address the absence of Aboriginal women in the Federal Parliament. While an increasing number of Aboriginal women held political office in state and territory parliaments during this time, there was a failure to translate this success into federal representation. For context, between 1990 and 2004, ATSIC had a statutory authority to act as a representative body for Indigenous people. ATSIC was disbanded in 2004, and Senator Aden Ridgeway completed his term in the Senate in 2005. The period between 1983 and 1999, and then again between 2005 and 2010, was devoid of formal Indigenous political representatives at the federal level.[58] The five-year hiatus presented several challenges, with a shift in government policy away from self-determination and undertaking more punitive and regulatory approaches to Indigenous affairs. Ken Wyatt's entry into parliament was a pivotal change and a catalyst to heightened political activity in the years to follow. This included increased attention on constitutional change through a referendum and major policy reforms across Indigenous affairs.

Terminology

The thesis uses language interchangeably depending on the audience and context of each section. The focus is on *Aboriginal* women, noting that this is also the perspective of the author. However, terminology may also include Aboriginal and Torres Strait Islanders, Indigenous and First Nations people where appropriate.

[58] This period was between Neville Bonner completing his term (1971 to 1975) in the Senate and post Aden Ridgeway term (1999 to 2005).

How to Read This Thesis

The structure of this thesis by publication is not intended to be read as a chronological account, but rather as a presentation of key points in time that reflect the development of the research. While the individual publications have been converted to plain text to ensure a more cohesive narrative, they are presented in their original published form, except for Article 3, Tipping the Balance which is provided in a revised form.

This thesis is about a point in time in the Australian political landscape, as interpreted through my personal and professional life experience. It analyses Indigenous political activity through two federal election cycles in 2013 and 2016. When I began writing, most of the public discourse on the role of women in politics took a mainstream approach, and there was minimal literature around the inclusion of minority representation or diversity, especially concerning Aboriginal women. The timing of this research witnessed progressive change in quick succession, including our first female prime minister, our first Aboriginal member in the House of Representatives, and our first Aboriginal woman in Federal Parliament. These achievements provide a backdrop to the research while also illustrating the importance and relevance of this research in contextualising this period (2013 to 2016) for the formation of the current Australian political landscape.

My position in the research is critical on two fronts. Firstly, it is informed by my career and contribution as an Aboriginal woman, embracing my cultural identity and position and honouring the values that have been instilled in me through family, country, and culture. The thesis' core focus is on Indigenous knowledges and ways of being and doing. I include my personal experiences in the research to share my insights and inform the narrative on leadership and political action. Secondly, this thesis contributes to my career advancement not only in academia but across Indigenous affairs more broadly. The research brings together the voices and experiences of Aboriginal women in a way that gives insight into Aboriginal women as political actors and contributors. It also addresses the gap in the literature on the engagement of women in the political system. It moves the discussion of Aboriginal women from one where they are recipients of a system to one that enables them to be equal participants, decision-makers, and political representatives.

The thesis is divided into three sections and is supported by published articles with linked expository discussions to assist the reader in engaging with the various components of the political system. Critical perspectives of the timely published articles contribute directly to and support the findings of the research. While ultimately retrospective, the thesis is presented chronologically to allow for each article to build on each other. Each article is presented in their published versions and, where necessary, has been bookended with commentary to contextualise the timing of the publication for incorporation into this thesis.[59]

[59] There may be some repetition within the published articles as a result.

Section One – Historical Foundations

ARTICLE 1 – Our Seat at The Top: The Institutional Challenges to Inclusion for Aboriginal Women in the Federal Parliament

Abstract: In Australia, everyone has the right to participate in the political system through elections, representation, and advocacy. However, for Aboriginal people, this has not always been the case, and there remains a strong legacy of disadvantage because of past policies and practices. Within the current levels of formal political representation, there remains a void of Aboriginal women's representation at the Federal Parliamentary level. This situation is despite our communities witnessing Aboriginal women exercising political participation. By examining some of the institutional constructs and providing a historical context, this paper identifies some of the enablers and challenges facing Aboriginal women and their aspiration to have a seat at the top.

First published as Deshong, M. (2012). Our seat at the top: The institutional challenges to inclusion for Aboriginal women in the Federal Parliament. *Indigenous Law Bulletin, 8*(1), 3–7.

CHAPTER A – The Gender Factor: Women in Politics

Using the gender lens, this chapter provides a historical account of women's participation in politics within Australia. The chapter addresses the foundations of the federation and constitutional development that excluded women and Aboriginal peoples. It further identifies significant points in history that have led to voter rights for women, as well as provides an overview of the women's suffrage movement and its early attempts to advocate and achieve equity for women. Gender equality and women's rights movements have led to greater representation of women in parliament. Yet diversification and appropriate representation of Aboriginal women is still lacking across the political spectrum. By examining these historical practices, along with discriminatory policies and oppression, we gain an understanding of the effects they had on generations of Aboriginal peoples. It is evidenced that Aboriginal women have been subjected to greater marginalisation due to the complexities of race and gender. This chapter looks at ways of improving representation for Aboriginal women in the Federal Parliament.

CHAPTER B – Black Politics – White Democracy

Parliamentary participation presents specific barriers for Indigenous people seeking to engage in fair and equitable processes of representation. The historical context of the Australian political system, institutions and structures provides a backdrop for identifying some of these key concerns. This chapter contextualises the adverse policies that affected the lives of Aboriginal people and have continued to contribute to the

exclusion and marginalisation of Indigenous voices across our political landscape. It also addresses several significant factors in the political system, including the Australian political framework and the many attempts to seek constitutional change for Indigenous peoples. Furthermore, it explores our electoral system, party affiliations, and voting trends in the Federal Parliament that connect with our current circumstances. A comparative analysis of New Zealand shows differing political strategies for Indigenous rights and how this may inform best practices and reciprocal implementation of rights to First Nations peoples.

ARTICLE 2 – Indigenous Political Aspirations and Tides of Change

Abstract: The political landscape in the lead-up to the 2013 federal election witnessed unpredictability and significant political change, offering many challenges for parliament and the political leadership. It was also a time when the topic of Indigenous participation in politics was part of a national debate. The selection of Nova Peris as the captain's pick announced by Prime Minister Julia Gillard, shone a spotlight on political processes and party politics and gathered public opinion. This paper provides an overview of the field of Indigenous candidates standing for election across the country. It also provides an analysis of pre-selection, marginal seats, voting trends and the likelihood of political swings. Alongside this analysis, the paper also draws on the recent sexism/misogynist debates and how this might impact Indigenous women's candidacy in political roles.

Originally published as Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin, 8*(7), 3–6.

Section Two – Participation in Action

CHAPTER C – United Voices, United Sisters, United Nations

This chapter critiques the inter-relatedness of these United Nations mechanisms, such as the *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW), the *Commission on the Status of Women* (CSW) and the *United Nations Permanent Forum on Indigenous Issues* (UNPFII). The chapter also examines how Indigenous women have engaged and participated in international forums over many decades to seek international agreements and consequently provide direction for domestic policy. I also share my own personal account of participation at the United Nations as an Australian NGO representative. This informs an Indigenous feminist approach to and for democratic participation, including the right to vote, stand for election and advocate for gendered positioning in policy and service delivery.

CHAPTER D – Time for Change

This chapter provides insight into the engagement of Indigenous women in Indigenous-specific political institutions. It follows the progression from the Aboriginal and Torres

Strait Islander Commission (ATSIC) to the establishment and purpose of the National Congress of Australia's First Peoples (National Congress). It demonstrates how structural change can contribute to the participation of Aboriginal women. National Congress is the only national institution mandated by gender equality measures in the organisational structure. As such, Congress has equal male and female representation throughout each tier of the organisation. As an advocacy body, this framework ensures that women are part of the decision-making process and have equal contributions to social policy development on Aboriginal and Torres Strait Islander issues. Another contextual factor for Indigenous women is their role in public life and how they have positioned themselves as agents of change. Many Indigenous women hold leadership roles across government and the national community-controlled organisation sectors and advocacy bodies. This chapter examines the flow-on effects of women occupying space across public and political spectrums.

Section Three – Daring to Dream

ARTICLE 3 – Tipping the Balance: Indigenous Political Aspirations and Tides of Change

Abstract: Building on a historical account of Aboriginal political representation in Australia and using a gendered lens, this article critically examines the role and importance of political parties in supporting Aboriginal people's participation in Australian politics. For First Nation peoples, the challenges of working within Westernised and cultural paradigms can be complex. Further, the responsibility of honouring identity, community and country permeates through all aspects of political representation. Through a series of qualitative interviews and a review of media and parliamentary records, the research gives greater insight into the enablers that make political participation a reality for Aboriginal people in Australia and allow Australian parliaments greater diversity. The paper asserts that structural transformation and collaboration by individuals and political parties are paramount for Australian democracy, and a willingness to implement strategies and procedures that foster greater engagement with Aboriginal women is an effective starting point.

Originally published as Deshong, M. (2017). Tipping the Balance: Enablers to Aboriginal Women's Political Participation. *Journal of Australian Issues, 20*(1), 57–105.

ARTICLE 4: TEDx Talk – Black Women: Tipping the Balance

Abstract: Black women have shaped history globally and courageous Indigenous women have helped shape Australia. Many Indigenous women possess the qualities that have made a huge impact on civil and Indigenous rights in Australia; these same qualities give Indigenous women a unique perspective that enables them to tip the balance and provide genuine political leadership. Michelle Deshong was named the

2015 National Aboriginal and Islander Day Observance Committee (NAIDOC) Scholar of the Year. Michelle is from Townsville and draws her connection to Kuku Yalanji nation. She has extensive experience in areas of leadership, governance and politics and completed a BA with First Class Honours in Political Science and Indigenous studies at James Cook University. She is completing her PhD in 'enabling the participation of Aboriginal women in public and political life in Australia.' In 2013, Michelle was named in the Australian Financial Review/Westpac 100 Women of Influence Awards. She was recently awarded a Fulbright Scholarship to work with First Nations women in America. This talk was given at a TEDx event using the TED conference format but independently organised by a local community. Presented October 2015.

Originally presented at TEDx, JCU Cairns. Deshong, M. (2015). *Black women: Tipping the balance*. TEDx Talk, http://ted.com/tedx.

ARTICLE 5: Australian Indigenous Women and Political Leadership

Abstract: In stark contrast to non-Indigenous political representation, Australian Indigenous women hold close to 50% of incumbent elected represented positions achieved by Australian Indigenous people in state, territory and federal parliaments. Many of the incumbent Australian Indigenous female politicians have found their way to political leadership through Indigenous advocacy and working inside Indigenous organisations. This political pathway, different to the socialisation path typical inside of parties, honours these individual leaders' Indigenous identity and connection to the community as well as an immersion into black politics and Indigenous affairs more broadly. The political shift for Indigenous women in Australia has occurred in just under two decades. This paper details the pathways of Australian Indigenous female politicians coming into political leadership and the resources these experiences provide for the individual as they adapt to the reality of elected representation. By exploring four individual women's stories, we problematise conventional political socialisation through detailing the structural, gender and racial challenges faced by these extraordinary women. We propose that identity is a key resource mobilised in the leadership work of Australian Indigenous women in political leadership.

Originally published as Deshong, M. & Evans, M. (2020). Australian Indigenous women and political leadership. In D. Rosser-Mims, J.R. McNellis, J. Johnson-Bailey & C. Egan (Eds.), *Pathways into the Political Arena – The Perspectives of Global Women Leaders* (1 ed., pp. 223–242). Information Age Publishing.

Theoretical Framework and Methodology

This chapter outlines the framing of the research and the methodology for the thesis. The methodology is grounded in the positioning of Indigenous ways of being, knowing and doing. At the heart of the story is the presence of Aboriginal women and their everyday lived experiences.

Theoretical Framework

Institutionalism

Institutionalism is one of the core components of the political science discipline as it examines. "Constitutions, legal systems and government structures and their comparison over time and across countries."[60] Of particular relevance to this study is the theoretical framework of "new institutionalism". New institutionalism gives particular attention to the impact of institutions upon individuals and the *interaction* between institutions and individuals.[61] From an institutionalist perspective, this research examines, how Aboriginal women interact with the political system and how they seek to be represented. Consideration is given to the political mechanisms utilised to engage with both formal and informal political processes. The thesis also identifies some systemic barriers and enablers that affect this situation. The institutional framework is adopted in Australia through its political and legal systems, including constitutional and human rights obligations as they pertain to Indigenous perspectives in the advancement of rights and opportunities. The institutional lens is contextualised by comparing the Australian system to the models of democracy adopted in similar jurisdictions. The research encompasses comparative analysis with other First Nations people's political actions and political behaviours to understand similarities and differences in political agency.[62]

As previously noted, Australia is a recognised member state of the United Nations. It has international human rights obligations and commitments that are incumbent on its membership and the additional obligations it accedes to by becoming a signatory. The thesis considers international conventions, treaties, and mechanisms to develop and implement a rights-based approach to political participation. Drawing on three international components, namely UNDRIP, CEDAW, and CSW, the thesis identifies their relevance to and for Aboriginal women.

Australia is a representative democracy – a system whereby citizens delegate power to specific individuals and institutions elected by the people.[63] The federal political system is the central political

[60] Marsh, D., & Stoker, G. (2002). *Theory and methods in political science* (2nd ed.). Palgrave MacMillan, p. 90.

[61] Ibid. p. 91.

[62] Hay, C., Lister, M., & Marsh, D. (2006). *The state: Theories and issues*. Palgrave MacMillan, p. 99.

[63] Miragliotta, N., Erringtons, W., & Barry, N. (2011). *The Australian political system in action.* Oxford University Press, p. 2.

institution, a labyrinth of political structures, engagement and participation that warrants further exploration as part of this research. As such, consideration is given to the power of the state and the recognition of the rights of individual citizens and the rule of law. The Australian political system is also an institutional structure that has historically lacked representation of Aboriginal people. Therefore, it stands to reason that by further understanding how our parliamentary system operates, Aboriginal people will be better placed to inform strategies for change and greater representation across all levels of government in the future.

Feminist Theory

One of the key themes in most interpretations of feminism is an interest in the equality and acceptance of women in positions of power and influence. As women, the pursuit of equality is innately political and identifies and problematises the fundamentally political relationship between gender and power,"[64] Furthermore, sexism is a system of domination that is institutionalised and can affect women across society disproportionately.[65] Feminist theory is used to gain a perspective on male-dominated structures and positions of privilege and power. Further, through the identification of certain power dynamics, the overall impact that such factors have on advancing gender equity and equality can be examined through the experiences and treatment of women within the political system. Before the commencement of this research, there were two notable gains for women in high political office, including Julia Gillard as prime minister from 2010 to 2013 and Dame Quentin Bryce as Governor-General from 2008 to 2014. Whilst these events are not the core focus of the research, they speak to a changing environment in politics and the heightened engagement in a feminised approach to political advancement. Female representation has inevitably benefited white women above diversity and, while the successes witnessed in the mainstream political sphere generated different attention, it continued to omit Aboriginal women.

Indigenous feminism takes this analysis one step further, bringing together two critiques, feminism and post-colonialism, to explore the ongoing effects of this intersectionality on Aboriginal women.[66] Aboriginal women are affected by both the intergenerational effects of colonialism and the institutionalisation of patriarchy and can, therefore, be faced with a highly complex and unique interaction of racism and sexism. This research frames feminism in the historical context of the Australian women's suffrage movement and its impact on Aboriginal women. As Moreton-Robinson argues, "Race and rights are the means by which patriarchal white sovereignty exercises its power to

[64] Hojer & Asse as cited in Marsh, D. and Stoker, G. (2002). *Theory and methods in political science* (2nd ed.). Palgrave MacMillan, p. 109.

[65] Hooks, B. (2000). *Black women shaping feminist theory*. Blackwell Publishers, p. 135.

[66] Green, J. (2007). *Making space for Indigenous feminism.* Zed Books, p. 1-25.

let live and make live."[67] In many ways, the mainstream feminist movement either attempted a tokenistic approach to inclusion or simply left Indigenous women behind. In the Australian circumstance, it is recognised that Anglo women perpetuated levels of oppression for Aboriginal women also, and the effect of this on Aboriginal representation is paramount. The White Australia policy, for example, made whiteness a definitive marker of citizenship, a form of social status that denied access to others, such as migrants of colour and Aboriginal people.[68] Through political, economic and cultural means, restrictions determined who could work, who could receive wages, where people could live, and ,importantly, who could vote.[69] These types of restrictions are a foundation for the inequality of the lived experience for many Aboriginal people today and remain a stark reminder of how much political progress is still required. Understanding these historical factors informs the debate around political participation and why Aboriginal women choose to exercise their political power in formal or informal ways.

Critical Race Theory

Through the historical perspective of global politics, questions of race require critical investigation and engagement. Critical Race Theory informs a race-conscious approach to understanding inequality within societal structures. CRT focuses on the social construction of race and discrimination evident in legal, political, and other sociocultural contexts.[70] Regardless of where people live in the world, race has shaped identity, representation, subjectivity, nationalism, and the law. As previously identified, the unique position occupied by Aboriginal women and the intersectionality of race and class are analysed throughout this research to complement an Indigenous feminist position. Aboriginal women's circumstances are interlinked to racial oppressions explored by CRT and provide recognition of the seen and unseen power dynamics existing across a spectrum of personal and public spaces. The exploration of discriminatory legislation and political practices throughout Australian history provides evidence of unjust and prejudicial deprivation of human rights based on race. Racial exclusion dominates Aboriginal political history and, for Aboriginal women, issues of gender and class also compound marginalisation. Critical race theorists believe that not only does racial inequality continue to be embedded in the legal, political, and judicial systems, but it also permeates every aspect of our social life.[71] Two examples include the *Child Endowment Act 1947* (Cth), which prohibited 'Aboriginal Natives of Australia' from receiving child endowment due to their nomadic lifestyle or

[67] Moreton-Robinson, A. (2009). Imagining the good citizen: Race war and the pathology of patriarchal white sovereignty. *Cultural Studies Review*, *15*(2), 77.

[68] Ibid. p. 79.

[69] Kidd, R. (1997). *The way we civilize: Aboriginal Affairs, the untold story*. University of Queensland Press.

[70] Essed, P., & Goldberg, D. T. (2002). *Race critical theories: Text and context*. Blackwell Publishers, p. 5.

[71] Ibid. p. 3.

dependence on the Commonwealth;[72] and Section 51(xxvi) of the Australian Constitution (the 'races power'), which permitted discriminatory practices. This power was later revoked following the 1967 Referendum. However, as an example section 25 still potentially allows states to ban people from voting based on their race.[73]

The Northern Territory intervention was described as 'punitive and racist' by the Australian Human Rights Commission and Indigenous leaders, as the implementation required the suspension of the *Racial Discrimination Act 1975*.[74] In the early 1900s, Aboriginal people were described in scientific discussions as a 'race' of people who were physically and intellectually inferior to other humans and were headed towards extinction.[75] This classification has historically led to discrimination and disadvantage as a result of the dominant races' power continuing to create a legacy of disadvantage. Critical race theory further illuminates how actual or abstract notions of race can have institutional and structural impacts. This includes subtle and hidden levels of racism and discrimination. As a race of people that have been systemically and arbitrarily denied rights, Aboriginal peoples have continued to be subjected to power relationships as a minority group, adversely affecting their political position and participation.

CRT links to the concept of identity politics and how racial groups seek racial equality to achieve political independence through self-determination. In Australia, the *Racial Discrimination Act 1975* and *Sex Discrimination Acts 1984* were enacted to protect minority groups against racial and gender discrimination.[76] By understanding the relationship between rights and power, and the link to improving the well-being of Indigenous people's lives, we can go some way towards understanding the need for greater representation and a voice in Federal Parliament. The public declaration of support of the *Declaration on the Rights of Indigenous People* (UNDRIP) by the Australian Government in 2008 also contributed to the political action of Indigenous peoples. The acts of implementation of UNDRIP enable Indigenous people across the globe to focus on their shared values of culture, identity, and connection to land. The declaration also refers to the importance of social, economic, and political rights. Applying a critical race lens enables us to understand the political participation of Indigenous peoples from a particular standpoint while also questioning the viability of genuine meritocracy. Its practical application can be in the way Indigenous peoples organise, implement governance structures, and pursue self-determination from an inequitable and exclusionary starting point. Equally, it provides

[72] Parliament of Australia. (n.d.). *Chapter 3 – Access to Commonwealth entitlements*. https://www.aph.gov.au/parliamentary_business/committees/senate/legal_and_constitutional_affairs/completed_inquiries/2004-07/stolen_wages/report/c03 accessed 20 June 2022.

[73] Davis, M. (2008). Indigenous rights and the Constitution: Making the case for constitutional reform. *Indigenous Law Bulletin*, *7*(6), 6–8.

[74] Australian Human Rights Commission. (n.d.) *Social Justice Report 2007 – Chapter 3: The Northern Territory 'Emergency Response' intervention*. https://www.humanrights.gov.au/publications/social-justice-report-2007-chapter-3-northern-territory-emergency-response-intervention

[75] Laycock, A. (2011). *Researching Indigenous health: A practical guide for researchers*. Lowitja Institute, p. 6.

[76] Australian Human Rights Commission. (n.d.). https://www.humanrights.gov.au/

insight into voting systems and jurisdictional discrepancies, as well as race-based provisions for elections and other political processes, thereby linking back to the theoretical perspective of institutionalism.

Methodology

Indigenous knowledges and ways of doing, being and knowing are paramount to my research. As an Aboriginal woman, I draw on my identity and my connection to Kuku Yalanji nation. The immersion into Aboriginal knowledge has manifested in various ways throughout the stages of my life. Indigenous knowledge systems are recognised as dynamic and changing. They are orally transmitted from generation to generation and produced in the context of Indigenous people's close and continuing relationship with their environment.[77] My innate responsibility to culture, cultural values, and cultural protocols determines the ways I interact with the world. I have a great pride and sense of belonging by honouring my Aboriginal heritage and continue to develop my cultural knowledge daily. This research expands on this important foundation. I have come to understand the broad complexity and importance of being an Aboriginal woman involved in research with and for Aboriginal women. Throughout the research, I had to contest the cultural interface between Western and Indigenous paradigms and the championing of Indigenous voices.[78] I have introduced some of my own perspectives, participation, and cultural values to inform an epistemological position for the research.

I have also been inspired by the many Aboriginal women who have been changemakers and leaders across our vast country, who have paved the way for the next generation. The many individuals who have shown leadership and mobilisation at the community and national level. It is the work of many of these women that has helped shaped the political environment that we have today. I recognise the contribution of women like Pearl Gibbs, who was known to be one of most prominent female activists of the Aboriginal movement. She was instrumental in the protest event of 1938 day of Mourning and an organiser for the Committee for Aboriginal Citizen Rights. She became a link between the white women's and Aboriginal movements in the 1930 and 40's.[79] Similarly Pat O'Shane was from North Queensland and was a trailblazer for her time. She was the first Aboriginal woman to earn a law degree and would later become the first barrister and magistrate in the NSW Court and someone who became a formidable force within Indigenous Affairs nationally.[80] These women and many others have

[77] Nakata, M., Byrne, A., Nakata,V., & Gardiner, G. (2005). Indigenous knowledge, the library and information services sector, and protocols. *Australian Indigenous Knowledge and Libraries/Australian Academic & Research Libraries*, *36*(2), 7–22.

[78] Nakata, M. (2007). The cultural interface. (Re)Contesting Indigenous knowledges & Indigenous studies. *Australian Journal of Indigenous Education*, *36*(1), 7–14.

[79] Gibbs, Pearl. *Australian Dictionary of Biography*. https://adb.anu.edu.au/biography/gibbs-pearl-mary-gambanyi-12533 accessed 3/4/2025

[80] O'Shane, Pat. *The Encyclopedia of Women and Leadership in the Twentieth Century*. https://www.womenaustralia.info/leaders/biogs/WLE0771b.htm accessed 3/4/2025

had a profound effect on the visibility and progress of Aboriginal women's rights in this country and are heralded as some of our most influential women of their time.

Underpinning the methodology implemented in this study are the three fundamental principles in Indigenous research, as identified by Lester-Irabinna Rigney, which include resistance as the emancipatory imperative, political integrity, and privileging Indigenous voices.[81] In line with these principles, this research recognises the diverse history of Aboriginal and Torres Strait Islander peoples' enduring struggle for recognition and rights. It is noted that there are specific and unique roles that are intrinsic to the nature of Indigenous researchers and a framework is needed that allows for a greater understanding of Indigenous epistemologies. Acknowledgement is also made that many Aboriginal researchers are working in physical, spiritual, and virtual 'spaces' that are not separate from their own lives and interconnection with the subject matter. An understanding of these spaces provides an important dimension to the research, as it follows cultural protocols, engages in culturally appropriate ways, and puts the voices of Aboriginal women at the forefront. This allows the discourse to be reframed through Indigenous perspectives and interactions in the political system.

Contemporary Indigenous scholars are forging a new research agenda through the emergence of Indigenous Standpoint Theory (IST).[82] It has been developed to guide and inform research work within Indigenous communities. Consideration has been given to this theory in establishing the methodology and focus for this research, as the overarching approach is for the benefit of the researcher's community and/or the wider Indigenous community.[83] The research is vital to future capacity building not only for Aboriginal communities but broader Australian society, with a narrative inclusive of Indigenous people's voices. Demonstrated political change can be seen through greater representation of Aboriginal women at all levels of government, increased levels of participation through voting and understanding voting rights, as well as social change in terms of support and recognition of the role individuals undertake in public and political life.

To complement IST, the methodology also followed a framework by which specifically gendered Indigenous research was undertaken and assessed. Feminist research uses an array of research techniques in attempting to give voice to women and correct or challenge the predominant male-orientated perspective.[84] As an Aboriginal woman, I hold a feminist self-identity and, therefore, consciously implemented a feminist perspective in the research. Feminist research focuses on interconnected human relationships, which is not dissimilar to Indigenous research foundations. Each

[81] Rigney, L. (1997). Internalization of an Indigenous anticolonial cultural critique of research methodologies: A guide to indigenist research methodology and its principles. *Emergent Ideas in Native American Studies, 14*(2), 109–121.

[82] Foley, D. (2008). *History, politics and knowledge: Essays in Australian Indigenous studies*. Australian Scholarly Publishing, pp. 129–135.

[83] Ibid. p. 131.

[84] Neuman, W. L. (2006). *Social research methods: Qualitative and quantitative approaches* (6th ed.). Pearson/Allyn and Bacon, p. 102.

relationship is linked to a complex social and biological construct known as kinship. It also defines moieties, relationships, and guidance in a social construct that is important to the lives of Aboriginal women. Indigenous feminism links to the relationships of the white patriarchy but also critiques cultural patriarchy and how this can further exacerbate marginalisation and sexism. As a fundamental foundation of this research, the relationships that I have, both as an Aboriginal woman and as a researcher, were central to the participatory nature of the research. These relationships led to the creation of a culturally safe environment from which a heightened sensitivity to gender and power issues enabled me to champion Aboriginal women's experiences.[85]

Method

A participatory observation research model was applied throughout the research.[86] This model enables the researcher to study behaviour in the real world whilst also being able to interact with participants.[87] By undertaking a participatory observation approach, I gained an enhanced capacity to engage broadly with the Indigenous community and increase my knowledge of key focus areas. One of the aims of the research is to bring about 'social change or to advance a political goal' and thus enhance the capacity of Aboriginal women to be informed and to understand the political system.[88] To enable this, as an Aboriginal woman, I engaged in several leadership and capacity-building forums, which allowed for observation and gathering of critical data. These forums were themed around understanding the political system, Indigenous leadership, and gender equality. They were also used as a mechanism for knowledge transfer with Aboriginal and Torres Strait Islander peoples and women specifically. The forums spanned regional, national, and international settings that drew on the knowledge and unique experience of Aboriginal and Torres Strait Islander women from across the country. They included:

- OXFAM Straight Talk summits[89]
- accredited leadership training in conjunction with the Australian Indigenous Leadership Centre[90]
- a tailored collaboration on Torres Strait Islander women's leadership program developed and delivered in partnership with the Australian Rural Leadership Foundation[91] and the Torres Strait Regional Authority[92]

[85]Ibid. p. 103.

[86] Ibid. p. 28.

[87] Mitchell, M., & Jolley, J. (2007). *Research design explained*. Thomson Wadsworth, p. 178.

[88] Ibid. p. 28.

[89] OXFAM Australia. (n.d.). *Straight Talk*. https://www.oxfam.org.au/what-we-do/indigenous-australia/straight-talk/

[90] Australian Indigenous Leadership Centre. (n.d.). http://ailc.org.au/

[91] Australian Rural Leadership Foundation. (n.d.). http://rural-leaders.com.au/

[92] Torres Strait Regional Authority. (n.d.). http://www.tsra.gov.au/

- other national and international forums (including United Nations and the National Congress of Australia's First Peoples).

Collectively, these programs and forums encourage Aboriginal and Torres Strait Islander women to partake in an interactive learning environment that focuses on leadership capacity building, governance, the Australian political system, skills for lobbying, advocacy, and electoral participation. I also played a role in educating women on the mechanisms of government and strategies of engagement between 2009 and 2015.[93] These aspects of skills development and knowledge transfer were identified as being critical to their successful participation in public and political life.

Ethics Approval

Ethics approval was granted by James Cook University in February 2012 [H4516]. As part of the ethics protocol, when conducting research with Aboriginal and Torres Strait Islander people, the James Cook HREC and AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research was followed. This is to ensure that the core values are adhered to, which include, but are not limited to; Indigenous self-determination, Indigenous Leadership, Impact and Accountability. As principal investigator and an Aboriginal woman, I have a good understanding of cultural protocols from both a lived experience and throughout my professional career. I note that my experience also allowed me to be both and insider and outsider on the research undertaken. I was guided by the advice and knowledge of my cultural mentor (Dr Felecia Watkin-Lui) where appropriate. All interview material was treated with respect and confidentiality. The transcripts and audio recordings of these interviews have been managed in accordance with the Indigenous Australian Studies Research Data Management Plan.

Preparation for Interviews

The criteria for inclusion in the study was:

a) Aboriginal women in state or territory representative roles (Past and present); and
b) Previous and current Aboriginal members of the federal Parliament (House of Representatives or the Senate).

Once the eligible participants were identified, contact was made via email and telephone communications, inviting them to take part in face-to-face or phone interviews. Once participants consented to be involved in the research, suitable times were identified for the data collection to commence.

[93] YWCA. (2012). *Aboriginal and Torres Strait Islander women's parallel NGO report 2012*. http://www.ywca.org.au/sites/ywca.org.au/files/images/Australian%20ATSI%20Women%27s%20NGO%20Report.pdf

The Principal researcher conducted semi-structured interviews and prior to commencement of interviews all interviewees were provided an Information sheet which outlined the Project Title and scope. Participants were also provided information on how their data would be managed in accordance with the University Data Management plan. All participants provided written, informed consent prior to participation in accordance with the local institutional Human Research Ethics Committee approval

The interview had several standard questions with prompts to gain further information through narrative inquiry and all interviews were conducted within one hour. Some examples of the questions included: What is your understanding of the current level of representation of Aboriginal women in Australia? And, Can you tell me a bit about your experience in preparing for this political role? Five interviews were conducted with four being undertaken face to face and one via the phone.

Initially it was considered that identities remain confidential, however given the small pool of eligible participants it was agreed with the interviewees that they would be easily identifiable anyway. All interviewees agreed to their names being published as they already had public profiles and believed that their contribution was important to the overall intention of the study. All participants were provided a copy of their transcript post interview for review and comment.

Data Analysis

This research relies on the knowledge and experiences of a specific target group: current and past Aboriginal elected representatives with a particular focus on Aboriginal women. Through this qualitative research, I have worked to understand the situated nature of participants' perspectives.[94] It was important as the researcher to ensure that I heard the voices of the participants and understood the context of their experience. The data was sourced over eighteen months (January 2013 to March 2014) to identify women's participation levels in the Federal Parliament, pre and post the federal election in 2013. The investigation, after the federal election in 2013, featured a comparative analysis with the previous federal election in 2010. Data analysis aimed to ascertain whether any trends developed in states or territories about the number of Indigenous candidates, specifically female candidates, standing in the federal election. The information is used to support and contextualise the qualitative data sourced from field interviews.

When dealing with Aboriginal cultural and historical perspectives, personal narratives and storytelling are central to learning, exploring, and handing down traditions and values to the next

[94] Ezzy, D. (2002). *Qualitative analysis: Practice and innovation.* Allen & Unwin, p. 80.

generation. This Aboriginal style of conversation can be referred to as 'yarning'.[95] I used this type of approach to create a culturally appropriate, comfortable space in which to conduct the interviews. Yarning builds on existing relationships while also working in a way conducive to the environment. It is this means of storytelling that provides the unique perspective and insight required for this type of research.

A purposive sampling approach was applied to the research as this was deemed the most suitable for mixed-method research. Purposive sampling was used to gain a deeper understanding of a highly specific and difficult-to-reach population with common characteristics.[96] In this case, the sampling targeted:

- Aboriginal women in state or territory representative roles (past and present)
- previous and current Aboriginal members of the Federal Parliament, House of Representatives, and the Senate.

This criterion determines that, at the time of sampling, the potential field from which to draw suitable candidates is small. Only nine individuals met the broader criteria, and as such, those who undertook interviews are identifiable. Notably at the time of interviews there had only been Indigenous men who had served in the Federal Parliament. Given that the focus of the research was to identify enablers to participation, it was appropriate to include them in the sampling, as they bought important insight to the research, having lived experience at the Federal level. A formal request was sent to eight of the nine suitable candidates. One individual had recently retired from their political position and could not be located. Three of the invited participants responded to the formal request (see Table 1).

Table 1

Participant Responses

Invited Participant	**Request Sent**	**Response Received**
Invited Participant 1	18/6/13 and again 27/3/14	26 August 2013 Was unable to assist as priority was given to electoral constituents. Focus was also on the federal election 2013. Second request post-federal election also received a response declining to participate.

[95] Bessarab, D. & Ng'andu, B. (2010). Yarning about yarning as a legitimate method in Indigenous research. *International Journal of Critical Indigenous Studies*, *3*, 37–50.

[96] Neuman, W.L. (2006). *Social research methods: qualitative and quantitative approaches*. Pearson, p. 222.

Invited Participant 2	6/8/13	8 August 2013 Unable to participate due to competing demands leading up to federal election 2013
Invited Participant 3	7/8/13	26 & 27 August 2013 Response received agreeing to participate in the interviews. However, due to conflicting schedules, the researcher and interviewee were not able to link up to conduct the interview.

Those participants who responded and agreed to participate (see Table 2) had an existing relationship either with the researcher or with a mutual network. I have occupied many roles at the national level concerning Indigenous affairs and am frequently working and corresponding with political representatives. These interactions enabled me to engage in informal discussions with some of the potential participants at face-to-face gatherings. These initial conversations provided a window of opportunity for communication and were consequently followed up with formal invitations. All correspondence was sent through formal channels (personal assistants, advisors, or electoral offices) to ensure the transparency of the request and that interviews were appropriately scheduled. Each participant was provided with an information sheet that outlined the purpose of the research. Interviewees were also notified about how their contribution may inform strategies for the future representation of Aboriginal and Torres Strait Islander peoples. As such, all interviewees signed a consent form and indicated their willingness to be recorded and identifiable in the research. Therefore, the research process complied with the ethics proposal, and the supervision team sighted all consent forms.

Table 2

Interviewees

Name	**Credentials**	**Dates**
Alison ANDERSON [97]	Member for Namatjira Leader of Palmer United Party in the Northern Territory Member of the Northern Territory Legislative Assembly for Namatjira	30 November 2014 to 2016 28 April 2014 to 29 November 2014 25 August 2012

[97] Anderson, A. (n.d.). Member for Namatjira. https://en.wikipedia.org/wiki/Alison_Anderson (original parliamentary link has been deleted).

	Member of the Northern Territory Legislative Assembly for MacDonnell ***Political affiliation:*** Labor Country Liberals Palmer United Party	18 June 2005 to 6 August 2012 (office abolished) 2005 to 2009 2011 to 2014 April 2014 to November 2014
Linda BURNEY [98]	Member for Barton, House of Representatives. Federal Parliament Member of the New South Wales Legislative Assembly Minister for Youth Minister for Community Services Deputy Leader of the Opposition, Shadow Minister for Education, Shadow Minister for Aboriginal Affairs ***Political affiliation:*** Australian Labor Party	2016 to current 2003 to 2016 2 April 2007 to 5 September 2008 8 September 2008 to 28 March 2011 8 April 2011 to current
Nova PERIS[99]	Senator for the Northern Territory ***Political affiliation:*** Australian Labor Party	23 September 2013 to 2016
Bess PRICE[100]	Member of the Northern Territory Legislative Assembly Member for Stuart Minister for Local Government and Community Services Minister for Housing Minister for Parks and Wildlife Minister for Men's Policy Minister for Women's Policy Minister for Statehood ***Political affiliation:*** Country Liberal Party	25 August 2012 to 2016
Aden RIDGEWAY[101]	Senator for New South Wales Deputy Leader of the Australian Democrats ***Political affiliation:*** Australian Democrats	1 July 1999 to 30 June 2005

Table 3

Interviews

Participant	**Interview Date**	**Method**

[98] Burney, L. (n.d.). Member for Canterbury. https://www.parliament.nsw.gov.au/members/Pages/profiles/burney-linda-lj.aspx

[99] Parliament of Australia. (n.d.). *Former Senator Nova Peris OAM*. http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=CDK

[100] Price, Bess. Member for Stuart. (n.d.). https://en.wikipedia.org/wiki/Bess_Price

[101] Parliament of Australia. (n.d.). *Former Senator Aden Ridgeway*. http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=8G6

Linda Burney	19th August 2013	Phone
Aden Ridgeway	19th August 2013	Phone
Alison Anderson	14th November 2013	Face-to-Face Electorate Office Alice Springs
Bess Price	14th November 2013	Face-to-Face Parliamentary Office Darwin
Nova Peris	24th February 2014	Face-to-Face Parliamentary Office Canberra

Interviews were conducted between August 2013 and February 2014 in accordance with the ethics approval for the research. They are listed in order of interview dates (see Table 3). The participants were asked a range of semi-structured questions that drew on their current understanding of representation levels (from both a race and gender-based perspective). Through semi-structured interviews, they were also asked to share their own experiences, challenges, and participation in any activities or programs that seek to advance Aboriginal women's involvement in public and political life.

The interviews also drew on current issues and proved to be time-critical regarding their political positioning and perspective. Following the conclusion of these interviews, the transcripts were provided to the individuals as a reciprocal commitment to their agreement to participate in the research. This was also an opportunity for the transcripts to be reviewed; however, no changes were requested by the interviewees.

Coding and Analysis

The quality of analysis is dependent on ensuring the procedures used for data collection effectively measure and reveal the structures of understanding of the participants.[102] As such, the data analysis required a coding system to be developed. In this case, a thematic analysis of the data was conducted.[103] This process involved reading the interview transcripts and creating an index to ascertain key themes, which were then used to inform the research.[104] Feminist theory argues that the oppression of women is partly the product of a culture that systemically presents stereotyped images of men and women.[105] In the case of this research, the feminist theory addressed the stereotypical images, as well as the stereotypical roles and marginalisation often experienced by women. It also considered critical race theory contextualising stereotypical analysis based on cultural or racial identification. The first part

[102] Ezzy, D. (2002). *Qualitative analysis: practice and innovation.* Routledge, p. 81.
[103] Searle, C. (2004). *Researching society and culture* (2nd ed.). Sage Publications, pp. 195–197.
[104] Ezzy, D. (2002). *Qualitative analysis: practice and innovation*. Routledge, p. 83.
[105] Ibid. p. 83.

of the process in the analysis was to develop an instrument that categorised the emerging concepts from the personal stories.[106]

Information provided through the interviews was thematically analysed to identify participants' motivations and experience in political life.[107] The analysis began by familiarising myself with the Data and reviewing the verbatim transcripts from each of the interviews. This involved reading and re-reading the information, noting initial ideas that started to emerge from the data. This process was conducted shortly after the completion of all the interviews, while some of the information was still fresh.

The data was then systemically reviewed again to find common words or phrases that were shared by each of the interviewees and relevant to the research questions. This process generated initial codes with several repeated concepts from each interview. These concepts were reviewed by the principal researcher and then discussed with the supervisory team.

A basic coding method was used to reflect the type of barrier and enablers to participation. For example, "I remember through my childhood being subjected to discrimination" and this was compared with similar wording on other transcripts and placed into a meaningful theme, such as disadvantage or adversity. This same process was repeated for each transcript with themes being further developed. Unique quotes from participants were also selected to provide evidence for each of the main themes.

The next phase required the review of the codes, identifying some significant patterns in the data, and hence the organising into overarching themes. The process helped to define the content and scope of the themes, weaving together an important narrative from the interviews. The final stage of analysis was to interpret and apply the results. This process affirmed some of the research project's existing assumptions but also identified a few further areas for consideration and inclusion in the research. Four key themes emerged from the data:

1. **Black Politics -** Indigenous Affairs – including Indigenous communities and politics, managing two worlds and barriers to participation.
2. **Leadership -** Individual/Personal motivations – drawing on individual experiences through their lifetime, critical points in history that have called for action, and individual values.
3. **Public life** – preparing and managing public scrutiny and seeing this as vital to successful political transition.
4. **Political parties** – focusing on the inner workings of political parties, financial support, leadership/mentoring and political campaigning.

These four key themes constitute the findings of the research and are presented in Article 3: Tipping the Balance.

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[106] Ibid. p. 83.

[107] Braun, V. & Clarke, V. (2006) Using thematic analysis in psychology, Qualitative Research in Psychology, 3:2, 77-101, DOI: 10.1191/1478088706qp063oa

SECTION ONE – HISTORICAL FOUNDATIONS

ARTICLE 1
Our Seat at the Top:
The Institutional Challenges to Inclusion for Aboriginal Women in the Federal Parliament

First published as Deshong, M. (2012). Our seat at the top: The institutional challenges to inclusion for Aboriginal women in the Federal Parliament. *Indigenous Law Bulletin*, *8*(1), 3–7.

Positioning Commentary

This article is where the PhD journey began. The political landscape had witnessed some significant losses in the lead-up to 2010, and this prompted a new direction for Indigenous Australians. I was acutely aware of the changing political agenda and the real concern that Aboriginal people were losing their political voice, and many Indigenous leaders were seeking to find solutions. Notably it was also evident that Aboriginal men were still disproportionately occupying leadership roles across the country, contributing to the ongoing marginalisation and exclusion of Aboriginal women. Accepting a white male dominant Institutional construct that was at odds with our cultural foundations of balance and shared decision making. This was affirmed by the strong recommendation that any new Institution must have a 50/50 gender representation at all levels to our cultural responsibilities. The period from 2007 to 2009 saw substantial consultation take place to establish a new representative body. Consequently, the National Congress of Australia's First Peoples was established in 2010. It was intended to have more political traction and built-in mechanisms for accountability in Indigenous affairs policy and service delivery approaches.

The article has been proofed and reformatted, but otherwise, it appears as per the published version. Please note that some of the references are now out of date but were accurate at the time of publication.

Published Article

In Australia, everyone has the right to participate in the political system through elections, representation and advocacy. However, for Aboriginal people, this has not always been the case and there remains a strong legacy of disadvantage because of past policies and practices. To date, there have only been three Indigenous males in the Federal Parliament with the most recent being the election of Ken Wyatt, as the Western Australian Member for Hasluck in the House of Representatives in 2010. Whilst these individual triumphs have been groundbreaking, there remains a pressing need to do more to increase Indigenous participation, challenging the *status quo* and identifying mechanisms to support Aboriginal women in the formal political process. Within the current levels of formal political representation, there remains a void of Aboriginal women's representation at the Federal Parliamentary level. This situation is despite our communities witnessing Aboriginal women exercising political

participation, advocating for change and taking on high-level responsibilities and leadership.[108] Aboriginal women have proven themselves to be capable and enduring in their fight for justice and equality and thus give us insight for the future and make it critically important to understand the placement of Aboriginal women in the Australian political landscape. Why has this level of participation and leadership activity not translated into formal representation in the Federal Parliament? By examining some of the institutional constructs, this paper identifies some of the enablers and challenges facing Aboriginal women and their aspiration to have a seat at the top.

A recurring theme from the national consultations addressing the issue of "Recognising Aboriginal and Torres Strait Islander people in the Australian Constitution"[109] was the provision of reserved Indigenous seats in the parliament. Contrasted with the experiences of other Indigenous nations, such as the Māori people, it can be cited that the ongoing exclusion of Aboriginal and Torres Strait Islander people has created substantial disadvantage for Australia's Indigenous populations. The Māori people of New Zealand give us substantial insight in terms of building political capability amongst First Nations peoples.[110] The Māori Representation Act 1867 (New Zealand) provided four designated Māori seats in parliament, and this has always been maintained and increased over time to seven in line with changing social and political attitudes and an acknowledgement of the increasing Māori population.[111] This provision is also supported by a Māori electoral roll and the adoption of a mixed-member proportional representation voting system that helped to support minority interests. This process has acted as an enabler to increase the political participation of the Māori people, and in the current Parliament of New Zealand, there are twenty-one Māori representatives not only fulfilling the designated seats, but as elected representatives of various parties in their own right.[112] In Australia, both our Federal Parliament and our electoral systems are different to that of New Zealand and it is therefore difficult to replicate the successful Māori model. However, there are specific lessons that can be learned from the political strategy adopted by the Māori peoples, particularly as they relate to political opportunity, influence and infiltration across the broader political landscape.

In comparison, Australia has witnessed a range of developments that have assisted in advancing Indigenous people's involvement in the political system. As a nation, we have shifted from a place where Indigenous people were specifically excluded to a place of inclusion and advancement. In particular, it is noted that there are defining moments in history relating to Aboriginal electoral issues.

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[108] Deshong, M. (2008). *The Political participation of Aboriginal women in Australia: An Indigenous feminist perspective* [Honors Thesis, James Cook University].

[109] Expert Panel on Constitutional Recognition of Indigenous Australians. (2012). *Recognising Aboriginal and Torres Strait Islander People in the Constitution: Report of the Expert Panel.* Blue Star Print, p. 177.

[110] Ibid. p. 177.

[111] Tangata Whenua. (n.d.). *Māori members of the Parliament.* https//:www.tangatawhenua.com/maorimps.htm, accessed 19 October 2010.

[112] Human Rights Commission. *Race Relations in 2011*. http://www.hrc.co.nz/wp-content/uploads/2012/03/1-Introduction.html, accessed 20 April 2012.

In 1962, the *Commonwealth Electoral Act* provided that Indigenous people should have the right to enrol and vote at federal elections, …but enrolment was not compulsory.'[113] Noting, despite this change in legislature, it was not until 1965 that Queensland Aborigines (including Aboriginal women) gained the right to vote in state elections. Secondly, the election of Aboriginal members into Federal Parliament (1971, 1998 and 2010)[114] changed history and allowed for national representation, and finally, the election of Aboriginal women into state parliaments from 2001 (to present) addressed the disparity of rights based on gender and race exclusions.

To further address the rights of women and Indigenous peoples, there are many international conventions that recognise the exclusion of women in political systems. Human rights treaties, such as the *Convention on the Elimination of Discrimination Against Women* (CEDAW), include a gendered perspective, requiring governments to ensure that women can participate on an equal basis with men in areas such as voting, forming and implementing government policy and non-government organisations. In 2010, the CEDAW committee, after reviewing Australia's performance in this regard, noted:

> The Committee recommends that the State party adopt targeted measures, including temporary special measures with clear time frames,… to ensure the equal participation and representation of women in public and political life, with a particular focus on Aboriginal and Torres Strait Islander women.[115]

It must also be acknowledged that "changes to legislation on its own can do little to improve the real situation of women. It may disguise or legitimise their oppression by combining it with a formal equality,"[116] but there is much left to accomplish. By using these international conventions, Indigenous women need to seize opportunities to use their legal rights to challenge the more intrinsic social, legal, political and equality issues that remain evident.

Marian Sawer, a leading academic who has examined not only women and political institutions but also the impact of a collective women's movement in Australia, notes that "the discipline of political science has remained male-dominated in most parts of the world. Women have organised within political science associations to raise the status of women in the profession and to try to transform the discipline."[117] For most of Australia's history, male-dominated politics has been considered the norm and the gendered relationship to power and equal bargaining remains a barrier for women pursuing

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[113] Australian Electoral Commission. *Electoral milestones/timetable for Aboriginal Australians* www.aec.gov.au/indigneous_vote/indigenous.htm, accessed 16 July 2008.

[114] *Electoral Milestones/timetable for Indigenous Australians.* (n.d.). http://www.aec.gov.au/Voting/indigenous_vote/indigenous.htm, accessed 25 April 2012.

[115] CEDAW. (2010). *Concluding observations of the Committee on the Elimination of Discrimination against Women* (CEDAW/C/UGA/CO/7). https://www.ohchr.org/en/documents/concluding-observations/cedawcugaco7-concluding-observations-committee-elimination

[116] Bryson, V. (1992). *Feminist political theory: An introduction.* Macmillan Press, p. 195.

[117] Sawer, M. (1991). The impact of feminist scholarship on Australian political science. *Australian Journal of Political Science, 39*(3), p. 553.

careers in political areas. This has further impacted Aboriginal women, not only through hierarchical structures but also by the discriminatory practices of the democratic system from a gendered perspective, and in the context of racial oppression and exclusion. Aboriginal women's issues have often remained at the periphery of mainstream Commonwealth and state policies.

Even within the representative structure of the Aboriginal and Torres Strait Islander Commission (ATSIC),[118] Aboriginal women did not fare well in terms of representation, particularly when the Minister ceased appointing board members.[119] In the lifespan of the Commission, the participation of women in elected positions substantially declined over time. Women constituted less than half of the nominees for the first elections in 1990 and around one-third of the nominees in all subsequent elections. In a submission to the ATSIC Review, it was noted "ATSIC is keen to see women play a greater role in Regional Councils and the Board but it does not support designated positions or mandated levels of representation for women".[120] This decision was made by the ATSIC Board of Commissioners, which consisted of predominately male representation, and it appears was in contradiction with ATSIC women's committee who postulated about the impact of the under-representation of Indigenous women.

Therefore, Indigenous women's participation in mainstream politics and in any future Indigenous representative structures remains crucial to the success and improvement in representation across the board. It is noted that a lack of input and participation correlates to a lack of policy on Aboriginal women's issues.[121] Equal representation of women or a proportionate model will not only help to address the marginalisation of women in Indigenous affairs or government more broadly but also promote their involvement in political positions of influence and power. As the first Aboriginal woman in the New South Wales Parliament, Linda Burney provides a good example of this in action. Ms Burney has undertaken substantial portfolio responsibilities including Minister for Community Services in 2008 and Minister for Fair Trading, Youth and Volunteering in 2007. She is currently the New South Wales (NSW) Labor Leader of the Opposition, along with high-profile portfolios, thus demonstrating her ability to move beyond the Aboriginal Affairs portfolio and contribute in her own right as a capable and influential politician.[122]

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[118] ATSIC was the peak national representative body for Indigenous people with both elected regional councillors and ATSIC Commissioners. ATSIC was abolished on 24 March 2005. *Aboriginal and Torres Strait Islander Commission Act 1989 (CTH) S3.*

[119] W. Sanders, J. Taylor & K.Ross. (2000). *Participation and representation in ATSIC elections: A ten year perspective*. CAEPR Discussion paper No 198/2000.

[120] Aboriginal and Torres Strait Islander Review Committee. (2003). *Submission to the Review of the Aboriginal and Torres Strait Islander Commission*. Aboriginal and Torres Strait Islander Commission, p. 15.

[121] Davis, M. (2008). Indigenous Rights and the Constitution: Making the case for Constitutional reform. *Indigenous Law Bulletin, 7*(6), p. 17.

[122] Linda Burney MP. (n.d.). http://www.nswalp.com/people/electorate-search/linda-burney-mp/, accessed 25 April 2012.

It is also encouraging to witness such advancement as *the National Congress of Australia's First Peoples*[123] and their adopted gender equality principles. Through the consultations and subsequent report, *Our Future in Our Hands: Creating a Sustainable National Representative Body for Aboriginal and Torres Strait Islander Peoples*, key recommendations are made for developing a new model for inclusion and representation for Indigenous peoples, ensuring equal participation of Indigenous women in governance and decision-making.[124] This gave a clear mandate to ensure that lesson from the ATSIC experience would not be replicated under the new model and takes the next step to place gender equality at the forefront of decision and structure. This now needs to be advanced into action for formulating policy positions, advocating for a gendered perspective and holding the government to account in implementing actions in line with gender equality and Indigenous participation.

The future for Indigenous women in Australian politics is at a crossroads. There is much more to be done to encourage and support Indigenous women to become a part of the formal political landscape and to place gender equality at the forefront of our development. Through collective positioning, political mobilisation and progress, representation can be achieved at a substantial level by and for Indigenous women. It will require a concerted effort, but one that will ultimately reward us with our seat at the top.

[123] The *National Congress of Australia's First Peoples* was established in 2010 as peak national representative body, following national consultations with Aboriginal and Torres Strait Islander individuals, communities, and organisations. The first elections for key office holders took place in 2011. National Congress of Australia's First Peoples (2011). *National Congress of Australia's First Peoples Fact Sheet.*

[124] Australian Human Rights Commission. (2009). *Our future in our hands: Creating a sustainable national representative body for Aboriginal and Torres Strait Islander Peoples*, p. 16.

CHAPTER A

The Gender Factor: Women's Participation in Australian Politics

The involvement of women in the Australian political system is at the crux of this research, with an important focus on Aboriginal women and their experience with the political landscape. However, to appreciate some of the barriers to participation, we must also understand the historical context of women in politics more broadly. Noting that even white women have had their own history of exclusion and struggles for equality. To some extent the emergence of feminist movements through the late 1800s started conversations, broke down walls and challenged the role of women in society. By the second wave of feminism, through the 1960s and 1970s, the rights-based agenda gained momentum, calling for the right to vote and to be equal participants in society and across institutions. This movement created critical inroads into the inclusion of women in the parliament (at both a state and federal level), but this has not resulted in long-term sustainable increases in female representation. Instead, the increase in representation was sporadic and vulnerable to changes in government. This raises the question of how we focus our attention on women's engagement to ensure an equitable and sustainable future of participation across all levels of the political system. Noting that the beneficiaries of these waves of feminism really centred around white women, and that much of the advancement did not permeate to the lives of Aboriginal women for many decades. Unfortunately, addressing the under-representation of Aboriginal women in the political system was neither a priority nor a consideration of the women's suffrage movement. This thesis attempts to contextualise these paradigms by addressing the question of women's rights-based progress by analysing women's parliamentary experiences and political pathways. Continuous review and reflection on the issues are required to ensure that the gains made continue to increase and be effective, not only for white women but for all women. Examining the political system through a range of historical and social lenses can identify the contributing factors to this under-representation.

The political system in Australia is a male-dominated structure that does little to advance the role of women in politics. For decades the inequality in gendered representation was profound and although small gains were made the ration of men to women has throughout history favoured men as political representatives. The slow progress and small gains towards equal gendered representation in the parliament has taken many years and continues to be a precarious position requiring ongoing attention. The appointment of Australia's first female Governor-General, Dame Quentin Bryce, in 2008 and Australia's first female prime minister, Julia Gillard, in 2010 underpinned an unprecedented focus on the role of women in parliament. However, despite these seemingly influential appointments, they have done little to make a long-term impact on the number of women in the political system. On the contrary, the levels of representation change significantly with each election cycle rather than being a part of the foundation of the political system itself. This

chapter considers the complex nature and history of women in Australian politics and the contemporary debates concerning women's engagement and representation. Significant focus is given to the period pre and post-federal election in 2013, as it was an important time for change in gender representation, including for Indigenous women.

The Federal System

On the 6th of July 1900, the Commonwealth of Australia Constitution was ratified, with an effective date of 1 January 1901.[125] Federalism meant bringing a range of self-governing colonies under a national constitutional framework but did not take away independent colonies' powers and left their jurisdictional powers intact.[126] Nonetheless, the proposal intended to unify the nation and create a more inclusive nation-state. However, the federation discussions omitted two specific groups: women and Aboriginal people. At the time of federation, the rights afforded to women varied greatly from state to state and between Aboriginal and non-Aboriginal women, proving to be distinctively discriminatory. In South Australia, non-Aboriginal women had been granted the right to vote in 1894, and that right was upheld at the time. However, other states took longer to extend that right, such as New South Wales in 1902, Tasmania in 1903, Queensland in 1905, and Victoria in 1908.[127] Despite the disparity among the states, women campaigned to ensure that their rights and needs were represented. Catherine Helen Spence, from South Australia, became the first woman to stand for a nationally elected position, namely a seat at the 1897 Constitutional Representative Convention.[128] She was unsuccessful in her bid, and the ensuing drafting of the Australian Constitution was undertaken by a 100 per cent male representative base. As a result of the male-dominated authorship, the Australian Constitution did not make any provision for women. This remains the case today, despite continual lobbying by women's groups and the feminist movement for further recognition of their political and legal position.

Australia was regarded by the international community as a progressive nation, one of the first countries to give most women the right to vote and to stand for parliament in 1902. However, it took four decades to see the right to vote progress into representation in the parliament for women.[129] While some changes ensued, the movement was not a collective reform for all women and the provision excluded Aboriginal women who (collectively) would not gain the right to vote

[125] Parliament of Australia. (n.d.). *History of the Australian Constitution*, http://www.aph.gov.au

[126] Woodward, D., Parkin, A., & Summers, J. (2002). *Government, politics and policy in Australia*. Pearson, p. 91.

[127] Burgmann, V. (2003). *Power, profit and protest: Australian social movements and globalisation.* Allen and Unwin, p. 102

[128] Eade, S. (2006). *Catherine Helen Spence (1825–1910).* https://adb.anu.edu.au/biography/spence-catherine-helen-4627, accessed June 2008

[129] Sawer, M., & Simms, M. (1993). *A woman's place: women and politics in Australia* (2nd ed.). Allen and Unwin.

until 1962. The *Commonwealth Electoral Act 1962* (*Cth*) provided that "Indigenous people should have the right to enrol and vote at federal elections, including Northern Territory elections, but enrolment was not compulsory, unlike other Australians. Once enrolled however voting was compulsory."[130] Shortly after the passing of the Act, Western Australia and Northern Territory granted Aboriginal people the right to vote. It was not until 1965 that Queensland Aboriginal and Torres Strait Islander people gained the right to vote in state elections as progress in this state remained slower than in other states and territories.[131] This exclusionary provision would profoundly affect the engagement and representation of Aboriginal women in the Australian political system – this is further analysed throughout this thesis. The first Aboriginal woman elected to any parliament in Australia was Carol Martin in the Western Australian Legislative Assembly in 2001; the first Torres Strait Islander woman, Cynthia Lui, was elected to the Queensland Parliament in 2017. [132]

Women's Suffrage Movement

The women's suffrage movement was critical in challenging the status quo in Australia. The movement drew on international campaigns and social mobilisation. Following Federation, a range of women's groups were established, including the 1929 United Association of Women. The movement was born out of the desire to create a platform for women, considering their exclusion from the process. The introduction of the women's suffrage movement called for the recognition of women and their role in society. Between 1901 and 1943, there were twenty-six female candidates for elected positions across different states. However, Western Australia did not give women the right to stand for parliament until 1920. The first woman, Edith Cowan, was elected the following year to the Western Australian Legislative Assembly. Cowan was the first woman in any Australian parliament.[133] This affirmative action approach continued to reap results, and in 1943, Dorothy Tangney and Enid Lyons became the first women elected to Federal Parliament. Dorothy Tangney represented Western Australia as a Labor Party Senator. Enid Lyons was a United Australia party member who represented the electorate of Darwin in north-western Tasmania.[134]

[130] Australian Electoral Commission. (n.d.). *Electoral milestones/timetable for Aboriginal Australians* https://www.aec.gov.au/indigenous/milestones.htm, accessed July 2012

[131] Ibid.

[132] Parliament of Western Australia. (n.d.). *Mrs Carol Anne Martin MLA BA.* https://www.parliament.wa.gov.au/parliament%5CMemblist.nsf/WAllMembersFlat/Martin,+Carol+Anne?opendocument; Queensland Parliament. (n.d.). *Member details: Ms Cynthia Lui*. https://www.parliament.qld.gov.au/Members/Current-Members/Member-List/Member-Details?id=2062696349

[133] Sawer, M, Simms, M. (1993). *A woman's place: Women and politics in Australia* (2nd ed.) Allen & Unwin, pp. 7–8.

[134] Parliamentary Education Office. (n.d.). *A short history of Parliament*. http://www.peo.gov.au/learning/closer-look/short-history/australian-parliamentary-timeline.html

This marked the start of a much bigger campaign for women's rights, including the 1940 Australian Women's Charter, the 1960 Labor Women's Conference, and the 1970's Women's Electoral Lobby.[135]

Notably, the under-representation of women was an issue not only in Australia but also on an international scale and was gaining widespread attention at the time. Further pressure was mounting on women's rights, and in 1983, the Australian Government ratified the CEDAW, creating a legally binding commitment to addressing gender discrimination.[136] The CEDAW considered the participation of women in public and political life and brought into context the question of the implementation of temporary special measures to address the under-representation of women in parliaments across the world. Despite this growing interest and focus, some argued that "changes to legislation on its own can do little to improve the real situation of women. It may disguise or legitimise their oppression by combining it with formal equality."[137] Through formal equality, diverse perspectives are represented in the law and policies of the country, providing equal protection for all, such as through the *Racial Discrimination Act* or affirmative action measures. The differential for substantive equality is focused on the outcomes of the law. Legislation in isolation cannot achieve social change. Therefore, a particular focus may be placed on individual and/or marginalised groups' needs and rights.[138] Equality frameworks are one way to change society's perceptions of women and their participation in political spaces.

Marian Sawer notes that,

> the discipline of political science has remained male-dominated in most parts of the world. Women have organised within political science associations to raise the status of women in the profession and to try to transform the discipline.[139]

For most of Australia's history, male-dominated politics is considered normal, and the gendered relationship to power and equal bargaining remains a barrier for women pursuing careers in political areas. Whilst there remains a place for feminist perspectives and interpretation in politics, this did not translate into real representation, nor did it have any significant impact on public administration. What was required to revolutionise this position was a collective movement, one that sought to not

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[135] Women's Electoral Lobby. (n.d.). *Strengthening women's representation and voting power*. https://www.wel.org.au/strengthening_women_s_representation, accessed July 2012

[136] Vromer, A., & Gelber, K. (2005). *Contemporary Australian political practice – Powerscape.* Allen & Unwin., p. 151.

[137] Bryson, V. (1992). *Feminist political theory: An introduction.* Macmillan Press, p. 195.

[138] Equal Rights Trust. (n.d.). *The ideas of equality and non-discrimination: Formal and substantive equality*. https://www.equalrightstrust.org/ertdocumentbank/The%20Ideas%20of%20Equality%20and%20Non-discrimination,%20Formal%20and%20Substantive%20Equality.pdf

[139] Sawer, M. (1991). The impact of feminist scholarship on Australian political science. *Australian Journal of Political Science, 39*(3), 553.

only challenge the male-dominated structure itself but also to provide pathways for women to infiltrate the system and ultimately break down the barriers to inclusion and representation.

Once the right for women to vote had been addressed, the subsequent challenge was an inevitable flow-on effect to enable women to be seen as part of the overall political system. For women to effect change, they must be in positions of power, or at least positions of influence and decision-making. However, most political structures are designed by men for men, and the Australian federal and state systems are no different. The political environment in Australia has been based on the presumption that:

> It is men who typically hold positions of power… indeed some men associate their masculinity with their domination over others. It is this connection, between authority and masculinity that represents the main axis of the power structure of gender.[140]

A male-dominated structure that equates men to power sees society accept that men comfortably fill powerful positions in the political system. Change in this area requires an adjustment to the overall political culture, and society needs to overcome preconceived ideas that exist around women and politics to change the status quo. The difficulty in overcoming these presumptions and stereotypes is reflected in the slow involvement of women in politics. For example, "The first women in federal cabinet was appointed in 1949 and eighty-eight years for the first two women to become state premiers, Rosemary Follett in the Australian Capital Territory in 1989 and Carmen Lawrence, Western Australia in 1990."[141] Notably, all of these women were of Anglo backgrounds, amplifying the exclusion of women of colour through this period of progress. It is little wonder that in the years following, there was still a huge disparity in the numbers of men and women in the political system. It is suggested that women are supposed to be "sensual, caring, and economically dependent. They are expected to do household labour, socialise children, and nurture dependants."[142] Therefore, one of the greatest barriers for women to obtain public roles is the presumption of and linkage to societal normalisation of the role of women before they can even begin to advance to positions of power. They must first overcome the layered conservative thinking of society that suggests that women should be mothers, not politicians.

Adding to the complexity outlined above, there is a view that the federal system divides the interests among many layers of government. The federal system provides opportunities for advancement and collaborative approaches, but it can also make it unclear which jurisdiction prevails. This lack of consensus and jurisdictional ambiguity create more obstacles to overcome, particularly when women's groups must fight the same policy battles many times due to divided

[140] Connell, R., & Irving, T. (1980). *Class struggle in Australian history*. Longman Cheshire, p. 109.
[141] Kirner. J., & Rayner, M. (1999). *The women's power handbook*. Viking Press, p. 235.
[142] Summers, W. P. (2002). Government, politics and policy in Australia (7th ed.), p. 383.

jurisdictions and legislation.[143] Having three tiers of government and inherent differences in political leadership can be a hindrance to progress in achieving universal reform. It complicates the processes of advancing rights and gives little recognition to the role of women in society more generally. Additionally, women's roles within the federal structure seemingly became limited in nature and power. Historically, women have been underrepresented in senior portfolio roles in many areas, such as military strategy, finance, and foreign trade within the political system.[144]

Because of gendered roles concerning power, women tend to suffer greater disadvantage, undertake lower-grade jobs and experience a gender pay gap. They are more acutely aware of the inequalities that exist within society. Women's interests typically become more focused on the humanness of the situation and the issues that affect people on a day-to-day basis. Some see women as more concerned with the provisions of education, employment, health, and child-rearing; they take a more localised approach to family and community interaction, as most of these areas remain under state jurisdiction. Women are also concerned with protecting the rights of minority groups and challenging the federal system's disregard and under-representation of women of all races, socio-economic statuses, and religious affiliations. The complexity of these special interest groups tends to be diverse in their circumstances, have small numbers, and generally do not register on the national agenda.[145] The resulting situation is that women have been inclined to focus on a localised (community collective) or regional scale. Therefore, it may be perceived that greater opportunities to more immediately and directly influence these areas exist at local or regional levels. Perhaps this is also one of the factors that has led to lower rates of women representing at the federal level.

Overview of the Parliament

The under-representation of women is also closely related to the role that women play in decision-making under a federal system. The success of women's movements and their advancement in the recognition of women's rights have not translated to an increase of women elected to roles of power or political representation. In 2000, a study of women in politics revealed that across state and territory governments, 24.5% of the seats were occupied by women, and at the Commonwealth level, 22.29% of the seats in the House of Representatives and 28.9% in the Senate.[146] In 2010, these figures reflected a slight increase in representation, with 26% in the House of Representatives and 33% in the Senate.[147] The overview demonstrates that, on average, the representation level of women at a state and territory level appears to have higher representation more consistently. Therefore, a more concerted

[143] Gray, G. (1991, June 14). New Federalism not likely to win the women's vote. *Canberra Times*, p. 13.

[144] Summers, J., Woodward, D., & Parkin, A. (2002). *Government, politics, power and policy in Australia* (7th ed). Pearson, p. 387.

[145] Gray, G. (1991, June 14). New Federalism not likely to win the women's vote. *Canberra Times*, p. 13.

[146] Kirner. J., & Rayner, M. (1999). *The women's power handbook*. Viking Press, p. 235.

[147] Parliament of Australia. (n.d.). *House of Representatives & the Senate members*. http://www.aph.gov.au

investment in creating pathways (such as quotas) for participation at the federal level is required to ensure representation is comparative to that of the population demographic.

Numerous factors have contributed to the under-representation of women in the political arena. Specifically, male-dominated structures, past policies, social exclusion, and limited impact from the women's movement, particularly in terms of minority interests, have all significantly hindered the current situation. It will take some time to address the issues of equal representation under the political system and even longer to address the lack of Aboriginal representation and equality against the backdrop of disadvantage, discrimination, and denial of rights. Changing social perceptions, increasing the skill base of women, and breaking down the processes and structures within our political system will form part of the radical change required for our society to view women as a necessary part of the political structure and future. An analysis of four federal election cycles (2007, 2010, 2013 and 2016) has been undertaken to identify emerging trends in relation to women's representation in the Australian Parliament.[148]

Table 4

Gender Analysis of Parliamentary Representatives 2007–2018

Parliament	House of Representatives (HOR)	Senate	Cabinet	Overall
42nd Parliament Kevin Rudd as PM (3/12/2007–24/6/2010) Later lost leadership to Julia Gillard (24/6/2010)	41 (27%)	27 (35%)	6 appointed by Rudd	68/226 (30%)
43rd Parliament Julia Gillard becomes first elected female prime minister 24/6/10–27/6/2013) Later lost leadership to Kevin Rudd (27/6/2013)	37 (25%)	29 (38%)	5 Later increased to six when Rudd regained leadership	66/226 Overall decline from previous parliament 68 to 66 (30% down to 29%) By the end of term there were 30 women in the Senate (slight increase)
44th Parliament Tony Abbott elected PM (8/9/2013–15/9/2015)	39 (26%)	29 (38%)	1 later increased to 4	68/226 Increase from previous term. 37 (25%) to 39 (26%) in HOR

[148] Lumb, M.(2010). *Composition of the 43rd Parliament.* Parliament of Australia. https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook43p/composition43rdparliament; Lumb, M. (2013). *Composition of the 44th Parliament.* Parliament of Australia. https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook44p/Composition44th; Gobbett, H. (2016). *Composition of the 45th Parliament: A quick guide.* Parliament of Australia. https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/45th_Parliament_Composition

Later lost leadership to Malcolm Turnbull (15/9/2015)				By end of term 40 women in HOR (27%) Decline in Senate from 30 (39%) to 29 (38%)
45th Parliament Malcolm Turnbull elected PM (15/9/15–24/8/2018) Later lost leadership to Scott Morrison (24/8/18 to current)	43 (29%)	30 (39%)	6 appointed by Turnbull 5 under Morrison	73/226 Increase 69–73 women in parliament.

First Female Prime Minister

A change of leadership in Australian politics is often accompanied by some level of controversy and public debate; however, from 2008 to 2010, this reached new heights. Following the election of Kevin Rudd as the Prime Minister of Australia in 2007, Julia Gillard was appointed as the Deputy Prime Minister, one of the highest positions in political office in Australia's history. Ms Gillard had a proven track record within politics and held several senior portfolios including previous Minister for Education, Minister for Employment and Workplace Relations, and Minister for Social Inclusion.[149] In 2008, following several controversial decisions relating to domestic and international policy, rumbling began to emerge in the Labor Party. The resulting leadership spill in 2010 saw Julia Gillard become the first female prime minister in Australia. The move brought into question a level of integrity and allegiance within the party and the political uncertainty of 'shafting' a sitting prime minister in the first term of office. Public opinion was tainted towards a narrative of poor leadership and political game-playing. Nonetheless, putting the process and circumstances aside, Australia had turned the historical page and now had a woman as the Prime Minister. The transition was a difficult one and drew much debate around gender and the ability of a woman to undertake the duties of prime minister.

There were three defining moments in Julia's term as leader that contributed to the debate. These moments highlight some key challenges faced by women in public and political life. First, the process by which Gillard came to the prime ministership was a point of contention, particularly with ousting a current sitting prime minister in their first term. Gillard's challenge for the leadership meant there were substantial levels of judgement about how this had played out and how the political system enabled this to occur (E.g. change a prime minister mid-term) and her political motivations to do so.

The Australian political system is set up on a bi-cameral basis, and the leader of the party that holds the majority in the House of Representatives is essentially appointed as the Prime Minister. The Australian public does not directly elect the Prime Minister; instead, they vote for the party/seats in parliament and that, in turn, results in the formation of the government. Before 2010, the ousting of a prime minister was unusual and had only happened a few times in political history. Generally, prime ministers resign from office after an election defeat rather than a leadership challenge.[150] In 2010, Gillard replaced Rudd as leader of the Labor Party, with many

[149] National Archives of Australia. (n.d.). *Julia Gillard: Australian Prime Ministers*. https://www.naa.gov.au/explore-collection/australias-prime-ministers/julia-gillard/during-office

[150] Parliament of Australia. (2022). *Party leadership changes and challenges: A quick guide.* https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/rp/rp2223/Quick_Guides/PartyChangesChallenges, accessed 17/11/22; Between 2007 and 2018, the change of leadership within the parties has happened more frequently and there were four leadership challenges against a sitting Prime Minister. Gillard–Rudd–Gillard. Abbot–Turnbull, Turnbull–Morrison.

Australians regarding her elevation to be 'undemocratic' – a case of party factional leaders determining who would be the country's leader.[151] This would later play out in 2013 when Rudd then replaced Gillard as party Leader.[152] There was widespread criticism based on the assumption that it was about political strategy and personal career aspirations rather than what was best for the country. A level of scepticism and mistrust in Gillard permeated through many media forums during her early days in office.

The second major issue was when Gillard ran for election (as leader of the Labor Party) in 2010, which resulted in a hung parliament. In Gillard's address at the National Press Club ten days after the election, she said, "For the first time in three generations, no Australian political party has gained the right to govern. Neither party convinced Australians that it alone should shape the nation's course over the next three years."[153] The Labor Party negotiated with independent members to maintain the balance of power within the House of Representatives. Some critics suggested that this was a message to Gillard that the Australian public did not hold faith in her capacity as a leader nor support her as the Prime Minister. Again, setting up the parliament involved some key strategic negotiation and, ultimately, some political deals to ensure that the government could be formed. In particular, an alliance with two regional independents in New South Wales (Rob Oakeshott and Tony Windsor), a Greens MP in Melbourne (Adam Bandt), and a Hobart-based independent (Andrew Wilkie) were critical to forming the government.[154] It was the first time Australia had witnessed independent candidates having such a strong influence on the business of the parliament and were able to negotiate substantial commitments for their constituents in the process.

The third matter that was constantly under scrutiny was the gender factor and marital status of Julia Gillard. Alan Jones, a prominent, conservative talkback radio host in Australia, caused outrage and controversy when he created a vengeful campaign against Gillard. While attending a Sydney University Liberal President's event, he remarked "that every person in the Labor Caucus knows Julia Gillard is a liar, everyone" and followed up with comments about Julia Gillard's recently deceased father, saying, "The old man died a few weeks ago of shame. To think he had a daughter that lied every time she stood up in the Parliament."[155] Jones had also previously made several public comments about misogyny and derogative statements about women, including Julia

[151] Holmes, B., & Fernandes, S. (2011–12). *Federal Election: A brief history*. Research Paper Series. Australian Parliamentary Library. No 8. https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;adv=yes;orderBy=customrank;page=0;query=federal%20election%3A%20a%20brief%20history;rec=1;resCount=Default

[152] Nelson, D. (2013). *First Australian Female Prime Minister ousted.* http://msmagazine.com/blog/2013/07/09/first-australian-woman-prime-minister-is-ousted/

[153] Kent, J. (2010). *The making of Julia Gillard* (Revised ed.). Penguin Books, p. 338.

[154] Liddy, M. (2010). *Labor's minority government explained.* http://www.abc.net.au/news/2010-09-08/labors-minority-government-explained/2253236

[155] Aston, H. (2012). *Gillard's father died of shame: Alan Jones*. http://www.smh.com.au/federal-politics/political-news/gillards-father-died-of-shame-alan-jones-20120929-26soa.html

Gillard as "destroying the joint", which was met with public outrage but ironically also was a catalyst for social media mobilisation against Jones and his sexist comments. Similarly, in a typically sexist style, the media made frequent references to Julia Gillard's physical attributes, including her hair, clothes, voice, and even her de facto relationship and child-free status.[156] All these issues led to extreme public opinion and media scrutiny, with many noting that such criticism was not experienced by past male prime ministers or candidates. In many ways, the continued media attention equated to an undermining of her capacity to lead or her worth as a capable and effective prime minister. For example, if she did not have children, could she have an informed opinion on childcare policy or family-related issues? Julia Gillard's tenure as the Prime Minister proved to be a tumultuous time, even though Gillard had served the parliament for twenty-three years, holding senior portfolio responsibilities. She was not new to politics and had the necessary skills, capability, and tenacity to take on the role.

Arguably, the culmination of the misogynistic and sexist approaches to the female Prime Minister came to a head on 10 October 2012 in what has become known as the 'misogyny speech'. A motion in the parliament had drawn great debate from the opposition, and comments were directed towards Julia Gillard from the then-opposition leader Tony Abbot. This resulted in a retaliation (response) by the Prime Minister, leading to a strong stance against sexist innuendo, misogyny, and public statements on the role of men having greater capacity and power. Prime Minister Julia Gillard noted:

> I was also very offended on behalf of the women of Australia when in the course of this carbon pricing campaign, the leader of the opposition said, "what the housewives of Australia need to understand as they do the ironing....". Thank you for that painting of women's roles in modern Australia". And then of course, I was offended too by the sexism, by the misogyny of the Leader of the Opposition catcalling across this table at me as I sit here as Prime Minister, "if the Prime Minister wants to, politically speaking, make an honest woman of herself...", something that would never have been said to any man sitting in this chair. I was offended when the Leader of the Opposition went outside in the front of Parliament and

[156] Power, E. (2010, June 29). Julia Gillard wins followers in the style stakes, *Herald Sun*, http://www.heraldsun.com.au/news/julia-gillard-wins-followers-in-the-style-stakes/story-e6frf7jo-1225885416332; Drape, J. (2010, August 6). Tony Abbott not a rabbit, says Julia Gillard after being picked up on her diction, *News.com.au*, http://www.news.com.au/breaking-news/tony-abbott-not-a-rabbit-says-julia-gillard-after-being-picked-up-on-her-diction/story-e6frfku0-1225901999355; Farnsworth, M. '(2010, July 27). Day 10: Rituals, women and a moment to behold,' *Blog*, 2011, http://blogs.abc.net.au/drumroll/2010/07/day-10-rituals-women-and-a-moment-to-behold.html; Freedman, M. (2010, August 2). Critiquing Julia's clothes is wearing thin, *Sydney Morning Herald*, 2010, http://www.smh.com.au/opinion/politics/critiquing-julias-clothes-is-wearing-thin-20100802-111pf.html

> stood next to a sign that said, "ditch the witch". I was offended when the Leader of the Opposition stood next to a sign that described me as a man's bitch. I was offended by those things. Misogyny, sexism, every day from this Leader of the Opposition. Every day in every way, across the time the Leader of the Opposition has sat in that chair, and I've sat in this chair, that is all we have heard from him."[157]

This had been a breaking point for the Prime Minister, also bringing into the public spotlight discussions about sexism and misogyny within politics. Gillard had come to the view that she was "getting all of the burden but none of the benefits of being Australia's first female Prime Minister" because she had chosen not to put gender rights in the foreground.[158] There was little doubt, as Gillard noted, that some of the comments and innuendo that she was subjected to would not have been directed towards her male colleagues. In the broader context, suggestions were made that the deployment of the so-called 'gender card' meant that the Prime Minister demanded special treatment because she was a woman.[159] What the debate had done was identify that sexism had marginalised the Prime Minister's participation and could do the same for any other women who dared to enter the political arena.

This is one of the most crucial issues for women when entering public and political life. The challenge of difference, the implications of gender stereotypes and limitations, as well as public opinion place a huge burden on individuals and their families. The flow-on effect also becomes critical when other women perceive the treatment women in politics receive, and it impedes their pursuit of political careers to avoid such negative engagement. The public furore exposed a range of behaviours and attitudes towards women that were both unwelcome and unsettling. It was observed that when faced with this public controversy, "other women watching will potentially stay out of the political game," prompting them to ask why they would want to be subjected to that level of scrutiny and criticism.[160] This has been corroborated by a study undertaken by Sydney University that investigated the effect of the treatment of our first female prime minister. The study of 167 university students found that "Julia Gillard's experience led them to be fearful of backlash from entering a political career."[161] However, for women who rated themselves as nonconformists to gender stereotypes and values, being reminded of Gillard's difficulties motivated them to go into

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[157]The Sydney Morning Herald. (2012). *Transcript of Julia Gillard's Speech.* https://www.smh.com.au/politics/federal/transcript-of-julia-gillards-speech-20121010-27c36.html

[158] Chan, G. (2013, September 30). Julia Gillard explains her misogyny speech. *The Guardian.* https://www.theguardian.com/world/2013/sep/30/julia-gillard-explains-misogyny-speech.

[159] Deshong, M. (2013). Indigenous political aspirations and tides of change. *Indigenous Law Bulletin,* 8(7).

[160] Goldworthy, A. (2013). *Unfinished business: Sex freedom and misogyny* (1st ed.). Black Inc., p. 2.

[161] Medhora, S. (2015, January 13). *Julia Gillard backlash puts women with tradition gender beliefs off politics –study*. The Guardian. http://www.theguardian.com/world/2015/jan/13/julia-gillard-backlash-puts-women-with-traditional-gender-beliefs-off-politics-study?CMP=soc_567

politics. The study did not indicate the levels of diversity amongst the participants, and without these identifiers, it is difficult to ascertain whether people of colour experienced heightened concerns informed by the many intersections of their experience. The intersectionality of diversity has been proven to mean the stakes are higher, and public criticism will ensue not only about gender but other aspects of their life, such as race and sexual orientation.[162]

The other contentious facet in this debate is the image that Australia presents to the rest of the world. The treatment of our female prime minister made worldwide news. As a progressive nation that supposedly prides itself on compliance with international obligations and forms strong partnerships with other nations, the treatment of Gillard was an international embarrassment. Hilary Clinton made strong observations about the kind of ridicule and disrespect that was received by our prime minister and what this meant in terms of our international image. Importantly, she noted that despite years of progress, it was still disappointing to see that sexism plays a role for women in politics. Clinton's comments resonated with the issues she had faced when she ran for selection as the United States presidential candidate and during her many years of experience working across high-level governments. She said,

> You can engage in debate with me, you can say you don't want to elect me, you can say I'm wrong on x, y or z. But don't inject some kind of personal insult or some rude remark about a characteristic related to my gender. Men come in all sizes and shapes, so do women, and its about time we saw it for what it really is, just human nature and reality.[163]

This further highlights the challenges that even highly successful and accomplished women endure in public and political life. A great deal of work is needed to challenge the gender stereotypical roles within society and change public opinion through informed education. Only then, can we challenge the negative connotations about women's capacity to effectively lead and be leaders on their own merit.

Affirmative Action

One of the contributing factors to the huge disparity in the numbers of women in the Federal Parliament is the ongoing commitment by political parties' willingness to engage in affirmative action strategies. Gender quotas are underpinned by international conventions that recognise the need to provide opportunities for women amidst male-dominated institutions and structures. The application of temporary measures or quotas has often been a controversial issue within the

[162] Deshong, M. (2013). Indigenous political aspirations and tides of change. *Indigenous Law Bulletin, 8*(7).

[163] ABC News. (2014, June 16). Hillary Clinton condemns 'outrageous sexism' against ex-prime minister Julia Gillard. *http://www.abc.net.au/news/2014-06-16/hillary-clinton-condemns-sexism/5527730*

Australian political context, with varying degrees of commitment linked to electoral campaigns and changes over time. In 1981, the Australian Labor Party (ALP) conference endorsed affirmation action principles, whereby women were to hold 25% of all internal party positions. Then, in 1994, the ALP adopted a mandatory 35% pre-selection quota for women in winnable seats at all elections by 2002.[164] This commitment to affirmative action can, in some way, also be recognised as a contributing factor to the success of the first female Premier of Victoria, Joan Kirner, being an ALP member and a direct recipient of this strategy. Kirner subsequently went on to establish 'Emily's List' to enable further support for women as candidates within the Labor Party. Furthermore, the Labor Women unanimously passed a motion to lift the party's affirmative policy target to 50% at the National Labor Women's Conference in July 2014.[165] The new motion called for women to make up 50% or over of the Labor members in both upper and lower houses of federal, and state and territory governments. This was to be counted separately and not averaged across both houses. The move pressured Labor to change the targets and make an ongoing commitment to increasing women's representation and success within the party. Labor's success in this area is demonstrated by the strong numbers of women who held positions within both the state and territory and federal parliaments in the following years (see Tables 5 and 6).

Table 5

Female Premiers

Name	**State**	**Party**	**Term**
Carmen Lawrence	Western Australia	Labor	12 February 1990 – 16 February 1993
Joan Kirner	Victoria	Labor	10 August 1990 – 6 October 1992
Anna Bligh	Queensland	Labor	13 September 2007 – 26 March 2012
Kristina Keneally	New South Wales	Labor	4 December 2009 – 28 March 2011
Lara Giddings	Tasmania	Labor	24 January 2011 – 31 March 2014
Annastacia Palaszczuk	Queensland	Labor	14 February 2015 – December 2023
Gladys Berekjiklian	New South Wales	Liberal	23 January 2017 – 5 October 2021

[164] Emily's List. (n.d.). *Herstory*. https://www.emilyslist.org.au/herstory

[165] Riordan, P. (2014, August 3). Labor women up ante on affirmative action target to 50 per cent. *The Sydney Morning Herald*. http://www.smh.com.au/federal-politics/political-news/labor-women-up-ante-on-affirmative-action-target-to-50-per-cent-20140803-zzzqa.html#ixzz39ZXP7AHV

Table 6

Female Chief Ministers

Name	**Territory**	**Party**	**Term**
Clare Martin	Northern Territory	Labor	18 August 2001–24 November 2007
Rosemary Follett	Australian Capital Territory	Labor	11 May 1989 – 5 December 1989 6 June 1991 – 2 March 1995
Kate Carnell	Australian Capital Territory	Liberal	2 March 1995 – 18 October 2000
Katy Gallagher	Australian Capital Territory	Labor	16 May 2011 – 11 December 2014

Note: Except for South Australia, every state of Australia has had a female premier. The majority have been Labor representatives. Kate Carnell is the only Female Chief Minister who has represented the Liberal Party.

In contrast, the coalition parties (Liberal and Nationals) have not adopted affirmative action measures for their respective parties' parliamentary wings on the basis that gender quotas contradict the principle of merit.[166] The Liberal Party does use other mechanisms and networks within the party to provide support and mentoring to encourage women who stand for pre-selection.[167] Whilst the use of these networks has seen results in women standing and being successful in elections, the position on quotas is still questioned. The reluctance to develop and invest in affirmative action quotas based on a merit-centric argument is an interesting perspective, given that little evidence suggests the introduction of quotas supersedes merit-based selections. In contrast, many international declarations, including the CEDAW, establish a foundation for quotas or temporary measures as a way of addressing the imbalance in women's representation.

The Labor Party has had a strong commitment to affirmative action and, in 1995, adopted a 35% preselection quota for women in winnable seats at all elections by 2002.[168] In the years between 1943 and 2014, Labor saw ninety-five women appointed, whereas the Liberal Party has only had sixty-two representatives over this same period. [169] Leading the way for minor parties is the Australian Greens, with ten female representatives. The track records can arguably be attributed

[166] Parliament of Australia. (2014). *Representation of women in the Australian Parliament*. Research Paper Series. July, p. 22.

[167] Ibid. p. 22.

[168] Hussein, H. (2011, March 8) Why changing the rules matters—lessons from the ALP's Affirmative Action quota, *ABC Drum Unleashed.*

[169] Parliament of Australia. (2014). *Representation of women in the Australian Parliament*. Research Paper Series. July, p. 23.

to affirmative action strategies being adopted by the Labor Party as a mechanism to enable greater participation.

Election cycles can have a compounding effect on the representation of women not only at a federal level but also across states and territories. Two case studies demonstrate this impact: the Queensland State Election in 2012 and the federal election in 2013.

The Queensland Parliament had been under the leadership of the Australian Labor Party for a substantial period. In 2007, Ms Anna Bligh was appointed the Premier of Queensland, becoming the first woman to hold this position. Under female leadership, the numbers in the parliament were promising, with a steady rise over multiple election cycles.

- The 52nd Parliament (September 2006 – September 2009) declared thirty women following the election, and then after a by-election (won by Grace Grace on 13 October 2007), the total was thirty-one, equating to 33.3% women.
- The 53rd Parliament (September 2009 – March 2012) saw a further increase, with thirty-two representing, making the percentage 34.0% in the Queensland Parliament.
- The 2012 election saw a change of government to Liberals, and the number of women elected declined substantially. The 54th Parliament (March 2012 – January 2015) resulted in eighteen immediately after the election. Following a by-election won by Yvette D'ath on 22 February 2014, the total increased to nineteen, resulting in the total number of women in the parliament being 20.4%.[170]

Notably, the transition in the parliament was two-fold, going from a female premier under Labor to a male premier for the Liberal Party. When the Labor Government came to office in September 2006, larger numbers of women were elected to the parliament, and gradual increases also led into the next election cycle. Under Labor, nine women held ministerial responsibilities. Under the Liberal Government in the 54th Parliament, there were only two women with ministerial responsibility. The stark difference between the 53rd and 54th Parliament could be attributed to a stronger affirmative action policy under the Labor Government. However, this analysis also presents a challenge to ensure that growth is maintained within the political systems and the mechanisms to support that growth require investment across all political parties.

Following the 2013 federal election, the Coalition Government was elected, and there was a downturn in the number of women in parliament. Under Labor, women fared well, with Gillard appointing five members to the Cabinet. On Rudd's return, he appointed a record six female members of the Cabinet. After the Coalition won the 2013 election, the overall number of women in parliament slightly increased. However, the number significantly decreased in Cabinet appointments. The new Foreign Minister, Julie Bishop, was one of six women in the 42-strong ministry but the only woman in

[170] Queensland Parliament. (2021). *Factsheet 7.3 – Women in the Queensland Parliament 1860 – present*. https://documents.parliament.qld.gov.au/explore/education/factsheets/Factsheet_7.3_Women.pdf

Cabinet. Abbott admits it was far from perfect, but he said that all MPs need to earn their right to promotion. Abbott said he was "disappointed" there were not at least two women in the Cabinet:

> Nevertheless, there are some very good and talented women knocking on the door of the Cabinet and there are lots of good and talented women knocking on the door of the ministry… So I think you can expect to see, as time goes by, more women in both the Cabinet and the ministry.[171]

This was the case later in his term as more women joined the Cabinet. However, the move to initially appoint only one woman to the Cabinet drew criticism within the ranks of the Liberal Party itself, with both past and outgoing female Liberal senators having protested loudly on their behalf. Senator Sue Boyce said,

> I think it's shocking and I think it's embarrassing, and it's not just embarrassing nationally but I think it's embarrassing internationally… I would hasten to add I do not see this as Prime Minister-elect Abbott's problem, I think it's a system issue for our party.[172]

This is a valid criticism of a political system, process, and social construct that suggests that women remain marginalised across broad spectrums of society despite being skilled and capable politicians. Interestingly, the criticism coming from within the party warrants the question about party culture and how the party could better enact affirmative action strategies. Similarly, who within the party should be the driving force behind these actions?

The appointment of Julia Bishop as the only woman in the Australian Parliament also drew strong criticism from the broader community. This can be seen in comments raised by Australian of the Year (2013) Ita Buttrose, who joined the chorus of criticism describing Bishop as the 'token woman' in the Cabinet.[173]

Ultimately, what this represents is that the numbers of female representation continue to be dependent on the parties themselves and their level of engagement and support of women in representative roles. Both Boyce and Buttrose noted that this is a systems issue and that little has been done to address the perceived 'glass ceiling' within the political system. The positive gains that are made in one government term can be quickly overturned following the next election cycle. Therefore, it is fundamental to question how political parties and the institutional structures and processes can be

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[171] Swan, J., & Ziaziaris, S. (2014, June 21). Liberal Senator Sue Boyce slams Abbot 'sexism'. *The Sydney Morning Herald.* http://www.smh.com.au/federal-politics/political-news/liberal-senator-sue-boyce-slams-abbott-sexism-20140621-3al85.html

[172] Ibid.

[173] The Guardian. (2013, September 17). Ita Buttrose: Julie Bishop is 'token woman' in Tony Abbott's cabinet. http://article.wn.com/view/2013/09/17/Ita_Buttrose_Julie_Bishop_is_token_woman_in_Tony_Abbott_s_ca/

altered to ensure that representation at all levels either remains static or increases and does not hinder progress. Two key challenges present themselves: the consistent implementation of affirmative action strategies across all parties and the broader conversation about temporary special measures or quotas to address the under-representation. This has been introduced in other parliaments across the world with great success, and perhaps it is time for the Australian Parliament to consider reforms that ensure a consistent and fair representation of women.

Summary

The principle of equality is a fundamental assumption of a democratic society. There is a spectrum of opinions about what equality is and what we should do to incorporate it.[174] The political system in Australia is not dissimilar to systems around the world, where parliaments are designed by men for men. On this basis, society has been slow to change its perceptions about the role of women and, more importantly, actively support women's participation in politics. Since the emergence of feminist movements, a greater focus on equality for women has ensued. However, legislation in isolation cannot achieve the desired outcomes. A critical focus of that movement has been to address the marginalisation and power imbalance experienced by women regarding political power. As a result, Australian parliaments have made some progress towards greater gender representation through dedicated actions and intentions. However, the rights and representation between Aboriginal and non-Aboriginal women prove to be distinctively discriminatory. Therefore, strategies that address this inequality are paramount to achieving parity in inclusivity and representation.

The analysis in this chapter provides substantial evidence of the need for both mentorship and affirmative action measures to be implemented by all parties. When applied with intent, we see a more diverse parliament representative of the constituents it serves. Similarly, the need to maintain progress and build on the successes is important, as each election cycle can reap different results if we are not consistently pre-selecting women in winnable seats. Finally, diversity within parliaments, and importantly the inclusion of Indigenous women in the democratic system, must be at the heart of progress. The marginalisation of Indigenous women has occurred over many decades, and these policies and practices have hindered Indigenous women's rights to full and equal political participation. However, the tide is turning, and with the appropriate changes to political processes (such as quotas) and mechanisms for support, Indigenous women will change the political landscape now and into the future.

[174] Equal Rights Trust. (2007). *The Ideas of Equality and non-discrimination: formal and substantive equality*. https://www.equalrightstrust.org/ertdocumentbank/The%20Ideas%20of%20Equality%20and%20Non-discrimination,%20Formal%20and%20Substantive%20Equality.pdf

CHAPTER B: Black Politics – White Democracy

History

Like the marginalisation of women across Australia's political landscape, Indigenous people were also excluded at the establishment of the federation and subsequently marginalised and excluded from political participation for decades based on race. Furthermore, the intersectionality experienced by Aboriginal women was compounded from a fundamental race-based and gender-based paradigm. The exclusion of Aboriginal women across political spaces and other parts of society is a clear result of racial and gendered discrimination existing simultaneously.[175] This chapter provides some historical context on the political journey of Aboriginal people, and Aboriginal women, highlighting some significant political movements that sought racial equality and inclusion.

Australia's federation adopted a formal constitution to bring together the states and provide a national legal and political framework. When the Constitution was drafted, it was on the presumption that Aboriginal people were a dying race. Therefore, it was deemed reasonable to exclude Aboriginal people from participating in the democratic process for many decades, including denying their right to vote or stand for election.[176] The denial of the existence of Indigenous people resulted in government policies and practices continuing to omit the needs and rights of an entire race of people. Colonies or states still maintained their independent right to govern under federation. Subsequently, the policies developed at the state level had the most impact and amplified the inconsistency of inclusion over many decades. For example, the *Aborigines Protection Act* (APA) varied from state to state, and the degree of regulation amplified. From the early 1930s, Indigenous peoples sought constitutional reform to deal with the mistreatment and unfinished business, while also giving acknowledgement and legal rights to the First Peoples. Unfortunately, the complexity of amending the Constitution (for example, relying on public support as a democratic society, a double majority vote) further aided the embedding of institutional discrimination. While the APA may no longer be in place, there are still punitive measures that control the livelihoods of Indigenous people.

Historical policies and practices have dictated the lack of political participation for Aboriginal and Torres Strait Islander people, and notable reform was required. Many factors have contributed to the specific exclusion of Aboriginal people from the Australian political landscape. However, small yet important progress over the past fifty years on the legal and political position of Aboriginal people has enabled greater political participation and change. In 1962, the *Commonwealth Electoral Act*[177]

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[175] Crenshaw, Kimberle. 1991. *Mapping the Margins: Intersectionality, Identity Politics and Violence against Women of Color*. Standford Law Review. Vol. 43.No.6. pp 1241-1299. Standford Law Review.

[176] Parliament of Australia. (n.d.). *History of the Australian Constitution*. https://peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution/australian-constitution accessed 15/7/2013

[177] Australian Electoral Commission. (n.d.). *Electoral milestones/timetable for Indigenous Australians.* http://www.aec.gov.au/indigenous/milestones.htm

enshrined the legal right to vote in law, thus paving the way for Indigenous peoples to partake in political progress. This was also followed by the 1967 Referendum, which sought to recognise Aboriginal people and to eliminate the discriminatory section 127 of the Australian Constitution. This amendment allowed Aboriginal people to be counted in the Commonwealth census, which had not occurred prior. Being included in the census meant that the government would consider the needs of Indigenous peoples and factor this into future decision-making. Section 51 of the Constitution was also amended to allow the Commonwealth to make special laws for Aboriginal people.[178] More than 90% of Australians registered a YES vote, marking one of the few times in Australian history that a referendum passed; it remains the first time that a referendum passed with such a resounding majority.[179] Reflecting on the historical battle for Indigenous recognition in the legal and political systems, we must look more closely and understand the lack of formal political participation of Aboriginal and Torres Strait Islander people in the political environment.

Recognition in the Constitution

Despite some of the political wins in the 1960s, there remained a substantial challenge for political equity. Notably, seeking further constitutional change was one of the avenues being pursued. However, history also tells us that constitutional change can be an extremely emotive time and often sees the nation divided by the pros and cons of any proposal. The ensuing movement towards recognising Aboriginal and Torres Strait Islander people, better known as constitutional recognition, is no different.

In November 1999, Australia held a referendum on the Republic. In the many months leading up to referendum day, there was heightened political attention on the two questions being proposed. The first question asked whether Australia should become a Republic with a president appointed by the parliament. The second question was to insert a preamble that would include an amendment:

> honouring Aborigines and Torres Strait Islanders, the nation's first people, for their deep kinship with their lands and for their ancient and continuing cultures which enrich the life of our country.[180]

The proposal created a contentious debate among Indigenous people, raising concerns about the validity or purpose of such an inclusion. The preamble to the Constitution had no legal force and, therefore, was merely aspirational and presented little progress for Aboriginal and Torres Strait Islander peoples. The referendum preamble question did not gain a majority YES vote in any state or territory and recorded

[178] Ibid.

[179] The 2023 Constitutional Referendum sought to enshrine an Indigenous Voice to the Parliament. The result overwhelming denied the request. The national majority for NO 60.06% and a YES vote of 39,94%. Australian Electoral Commission. (n.d.). *Referendum national results*. https://results.aec.gov.au/29581/Website/ReferendumNationalResults-29581.htm accessed 19/12/2023.

[180] Parliament of Australia. (n.d.). *History of the Australian Constitution*. https://peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution/australian-constitution accessed 15/7/2013

an alarming 60.66% NO vote.[181] The results were in complete contrast to the highly successful 1967 Referendum. The results also provided critical evidence for future referendum discussions, highlighting the need for future proposals to be legally sound and alterations made to the body of the Constitution.

In 2009, the Australian Government established the Council for Aboriginal Reconciliation (CAR), which was deemed to be a vessel that could help to improve race relations in the country. It suggested that reconciliation was an imperative step to move forward in the building of the nation. The council was established with a range of community representatives, with a significant proportion of representatives being Indigenous, and they were tasked with identifying key political areas for change and development. The CAR was the first group that raised the need to change the Australian Constitution (post the 1999 result) to formally recognise and acknowledge Indigenous peoples as the First Peoples of the land and to recognise their strong affiliation and connection with the land and culture. Through their Social Justice Report, the CAR made strong recommendations that any constitutional consultation process should explore the possibility of separate seats in parliament.[182]

Unfortunately, many parts of the report were blatantly overlooked by the government. Disappointingly, the issue of designated seats received little to no attention, along with a formal motion of support towards reconciliation. The Commonwealth Government was also called upon to enact legislation "that would unite all Australians by way of an agreement, or treaty through which the unresolved issues of reconciliation can be resolved."[183] Many of these matters were placed on the backburner of the Indigenous affairs agenda for almost twenty years; nevertheless, the need for further consideration and implementation had not waned.

In 2012, an expert panel on the constitutional recognition of Indigenous Australians ('Expert Panel') was convened to consult with the Australian community about proposed changes to the Constitution and make some fundamental recommendations for the Australian Government to consider. The original intent was to work towards taking a referendum on the Australian people by the end of 2017. The purpose of the referendum was to recognise Aboriginal and Torres Strait Islander people as Australia's Indigenous people and propose to acknowledge cultural rights. The three main areas of focus for constitutional recognition included:

1. The repealing of discriminatory sections of the Constitution, including section 25.
2. The insertion of a 'new section' that addresses, and recognition of Indigenous people as first occupants; acknowledges a continuing relationship with land and sea; respects culture, language, and heritage; and acknowledges the need to secure the advancement of Aboriginal and Torres Strait Islander people; and

[181] Australian Electoral Commission. (n.d.). *Statement of results.* http://www.aec.gov.au/elections/referendums/1999_Referendum_Reports_Statistics/Key_Results.htm#results

[182] Bennett, S. (1999). *White politics and Black Australians.* Allen and Unwin, p. 82.

[183] Council for Aboriginal Reconciliation. (2000). *Final report of the Council for Aboriginal Reconciliation.* https://www.austlii.edu.au/au/other/IndigLRes/car/2000/16/prelim04.htm.

3. Insert a new section that further enforces the prohibition of racial discrimination.[184]

The Expert Panel conducted substantial consultations around the country seeking to understand individual and collective views on constitutional reform and the inclusion of First Nation peoples in the body of the Constitution. The recommendations from the Expert Panel were submitted to the government for consideration and would have a major impact on the timing of constitutional change in a referendum to the Australian people.[185] The panel also received several submissions raising the topic of designated seats in the parliament. However, the report's findings did not present any strong recommendations for considering designated seats in the parliament, despite there being evidence internationally that this model has successfully worked in other parliaments.

The Expert Panel noted:

> The Panel welcomes the increasing participation of Aboriginal and Torres Strait Islander people in Australian parliaments and public life, as well as moves to autonomous Aboriginal and Torres Strait Islander representative structure and institutions.[186]

The National Congress Statement concluded that:

> The fact that these options garnered such high support from Delegates and Members indicates once again that there is a strong preference for substantive rights and protections rather than only recognition.[187]

The report went further to address concerns relating to whether the Australian public would support such a proposal and whether it would be legally and technically sound. Correspondingly, the small population base of Indigenous Australians (3% in 2014)[188] made it impossible to form political majorities and exacerbated difficulties in advancing Indigenous issues on the national agenda.

Megan Davis notes that this was taken one step further to present the positioning of Indigenous rights and the Constitution.[189] Indigenous people know that their rights are inherent, but that

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[184] Commonwealth of Australia. (2012). *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution. Report of the Expert Panel.*

[185] Commonwealth of Australia. (2015). *Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples. Final Report.*

[186] Commonwealth of Australia. (2012). *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution. Report of the Expert Panel.*

[187] Ibid. p, 129.

[188] Australian Bureau of Statistics. (2017). *National Aboriginal and Torres Strait Islander social survey*. https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4714.0~2014-15~Main%20Features~Summary%20results%20for%20States%20and%20Territories~10002#:~:text=Population-,In%202014%2C%20the%20total%20Aboriginal%20and%20Torres%20Strait%20Islander%20population,were%20living%20in%20remote%20areas, accessed 9/8/2018

[189] Davis, M. (2008). Indigenous rights and the Constitution: Making the case for Constitutional reform. *Indigenous Law Bulletin, 7*(6), 6–8.

constitutional recognition leads to better socio-economic outcomes; one way for this to be achieved is to consider Indigenous peoples as active decision-makers, not just recipients of such decisions.[190]

At the 2014 fundraising event for the Recognise campaign, the then Prime Minister, Tony Abbott, announced his support for a referendum in 2017 to coincide with the 50th anniversary of the 1967 Referendum, a symbolic time to complete our Constitution.[191] In 2014, Abbot introduced an Act of Recognition to Parliament, committing to a referendum within a two-year timeframe. Unfortunately, the 2017 timeline came and went, despite continued work in education and awareness campaigns around the country.

Notably, whilst out of this research's period being analysed, it would be remiss not to address the most recent referendum held in Australia (2023). The work of Indigenous activists, advocates and allies has continued to pursue constitutional change. The government established a joint Senate Committee on the Referendum, and the Referendum Council presented a report in 2017. In 2017, there was a public statement known as the *Uluru Statement from the Heart* that outlined an intentional process to move forward.[192] The statement called for three actions: the establishment of a First Nations Voice, enshrined in the Constitution; a Makarrata Commission to supervise the process of agreement-making between governments and First Nations; and finally, a Truth-Telling process about our history.[193] On 14th October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia, and to establish an Aboriginal and Torres Strait Islander Voice to the Parliament. Sadly, despite decades of work, the referendum returned a resounding NO vote of 60.06%.[194] The result has inevitably quashed any future aspirations of constitutional reform.

Indigenous Representation in the Federal Parliament

Despite the focus on constitutional amendments, historical barriers to Indigenous participation in politics has remained an important issue. While there has been some Indigenous representation in the Federal Parliament (albeit on a limited basis), there has not been any consistency. In a broader context of political participation, the issue of designated seats in the parliament could have been a fundamental solution to complex social and political challenges. The notion of pursuing designated seats has been raised in the CAR submission, Expert Panel's report. It receives limited attention which speaks to Australia's lack of political maturity or willingness to change.

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[190] Ibid.

[191] Borrello, E. (2014, December 11). Prime Minister wants vote on Indigenous constitutional recognition on 50th anniversary of 1967 referendum. *ABC Premium News*. Australian Broadcasting Corporation. http://www.abc.net.au/news/2014-12-11/indigenous-recognition-vote-could-be-delayed-pm-says/5962010

[192] The Uluru Statement. (n.d.). *The statement*. https://ulurustatement.org/the-statement/view-the-statement/

[193] Ibid.

[194] Australian Electoral Commission. (2023). *National results*. https://results.aec.gov.au/29581/Website/ReferendumNationalResults-29581.htm

Political representation up to 2013 saw only three Aboriginal men holding seats in the Federal Parliament at different points in history. First, Neville Bonner was appointed to parliament in 1971 as a member of the Australian Liberal Party. Initially, he was appointed to fill a casual vacancy but later won the seat from 1972 to 1983. As the first Aboriginal Australian in the Federal Parliament, he often acknowledged the complex nature of being a formal politician and Aboriginal, stating that;

> For the first time in the history of this country there was an Aboriginal voice in the parliament and that gave me an enormous feeling of overwhelming responsibility. I made people aware, the lawmakers in this country; I made them aware of Indigenous people. I think that was an achievement.[195]

Bonner's time in the parliament proved to be complex, as he balanced the expectations of community and party obligations while giving firsthand insight into the challenges of the current system. After Bonner's departure, there were sixteen years without Indigenous representation until Aden Ridgeway was elected in 1999 as a senator for the Australian Democrats.[196] Ridgeway's tenure was at a precarious time in Indigenous affairs, with heightened activity and focus occurring at the national level around the referendum and representation of Aboriginal and Torres Strait Islander people. Ridgeway completed his six-year tenure in the Senate before stepping away from politics.

In 2010, promising progress was made regarding Aboriginal representation. It was a time when record numbers of Aboriginal people were standing as candidates across the country, and the political environment, more broadly, was experiencing significant change. Our first female Prime Minister, Julia Gillard, contested an election as the presiding prime minister. The federal election resulted in the first Aboriginal member, Ken Wyatt, being elected to the House of Representatives. In addition, the election of Nova Peris assisted in broadening the discussion of gender equality and was a huge milestone for Indigenous women in the parliament. Although her appointment as the captain's pick was not without controversy, it highlighted the need to ensure Indigenous representation includes women to improve our overall political participation and advance progress.[197]

As demonstrated, there have been wins, and the Australian community has witnessed a good calibre of Indigenous individuals that have come through the existing election processes; however, there remains minimal representation within parliament, and more work is required to achieve parity. The inconsistency and often absence of the Indigenous voices within the parliament have, in many ways, hindered progress, limited responsibility, and invariably contributed to greater social and economic challenges.

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[195] Parliament of Australia. (2010). Neville Thomas Bonner. Senator for Queensland (1971–1983). *The Bibliographical Dictionary of the Senate* (Vol. 3, 1962–1983). The University of New South Wales Press, pp. 356–364.

[196] Bennett, S. (1999). *White politics and Black Australians.* Allen & Unwin, p. 180.

[197] Deshong, M. (2013). Indigenous political aspirations and tides of change. *Indigenous Law Bulletin, 8*(7), 3–6.

International Perspectives

Perhaps one of the most appropriate comparisons for political participation of Indigenous representation is New Zealand, which as a nation shares a similar history and political structure. Both Australia and New Zealand were colonised by the British in the late 1700s to early 1800s. As a result of European settlement, both countries were heavily influenced by the British Crown, including their legal and political systems, which were modelled on the Westminster system. Australia has a two-tiered (bi-cameral) system with a House of Representatives and the Senate, and New Zealand has a unicameral Parliament with a House of Representatives.[198] The discerning difference is that, within the New Zealand system, there are seven Māori electorates and sixty-four general electorates.[199] In these two nations, where the same influences and common structures have shaped the history and political systems, it is astonishing to see such a huge variation in political participation for Indigenous people. Fundamentally, the key contributors to these inconsistencies are directly related to legal, economic, social, and political factors and form a relevant basis for comparative consideration.

The involvement of Māori people in New Zealand's political system since 1867 is a remarkable achievement. The Treaty of Waitangi afforded a special constitutional status to Māori people in that the Crown formally recognised the existing rights of Māori and undertook an obligation to protect them.[200] The parliament agreed to set up electorates specifically for Māori people, and, as a temporary measure, four seats (determined on a geographical basis) were reserved for Māori elected members.[201] In 1868, the first Māori members of parliament were appointed, namely Frederick Nene Russell, Mete Kingi Te Rangi Paetahi, Tareha Te Moananui, and John Patterson.[202] At this time, the designated seats were defined to be male only. New Zealand introduced the right for women to vote in 1893; however, women could not be elected until 1919.[203] Māori women joined the suffrage movement and continued to have an important say in their communities. New Zealand's first Māori woman in the parliament, Iriaka Ratana won the Western Māori electorate for Labour in 1949.[204] The continued participation of Māori people has maintained a steady rise in representation within the Federal Parliament. In 1996, the number

[198] Summers, J., Woodward, D., & Parkin, A. (2002). *Government, politics, power and policy in Australia* (7th ed). Pearson, p. 9; Te Arra. (n.d.). *The history of the New Zealand Parliament.* https://teara.govt.nz/en/parliament#:~:text=History%20of%20Parliament&text=In%201852%20Britain%20granted%20New,Council%20was%20abolished%20in%201951.

[199] New Zealand Parliament. (n.d.). http://www.parliament.nz

[200] Parliamentary Library. (2009). *The origins of the Māori Seats (Parliamentary Library Research Paper).* http://www.parliament.nz/resource/en-nz/00PLLawRP03141/e27e432e971eb1f60ea75b00c987a39e4b2e62ce

[201] McGill, G. (1997). *Reserved seats in Parliament for indigenous peoples: The Maori example*. Department of the Parliamentary Library.

[202] Parliament of New Zealand. (n.d.). *Parliament's People – Māori MPs.* https://nzhistory.govt.nz/politics/parliaments-people/maori-mps

[203] Te Arra. (n.d.). *Voting Rights*. https://teara.govt.nz/en/voting-rights/page-4

[204] New Zealand History. (n.d.). *Iriaka Ratana – Biography*. https://nzhistory.govt.nz/people/iriaka-ratana

of Māori seats was increased from four to five to recognise the growing demographic of the Māori population. In 2002, this was advanced to seven designated seats out of the total 121 seats available in the parliament.[205] Māori regard the designated seats as an important concession to, and the principal expression of, their status as the Indigenous people of New Zealand.[206] This participation in democracy was afforded to Māori some hundred years before Indigenous Australia.

In conjunction with the seats in parliament, in 1975, a separate Māori electoral roll was established to form the basis of the Māori electorate. This allowed electors of Māori descent to choose whether they enrolled in general or Māori seats.[207] The electoral system in New Zealand also changed in 1993 from a First-Past-The-Post (voting for a single candidate) to a member-proportional system that allows for greater opportunity to increase the numbers of Māori representatives. In 2005, there were twenty-one Māori members of parliament, constituting 13% of parliament representatives, and in 2014, this increased to 22%, with 26 people identifying as having some Māori ancestral affiliation. Of this representation, nine Māori members were women, further demonstrating the flow-on effects of gendered representation.[208] The representation of Māori MPs covered all political parties, including Māori, Greens, National, New Zealand First, and New Zealand Labour. Still, the foundations of this political success can be linked to the implementation of reserved Māori seats.[209] This initial agreement to reserve a place for Māori has provided insurmountable advantages, including an ongoing contribution to national building and a presence within the social conscience and civil society of New Zealand.

The political positioning for Māori people has advanced beyond original expectations, and their collective political movement has continued to strive for the empowerment and recognition of Māori. The participation of Māori people has brought with it strong links to cultural values, improved economic sustainability and consciously placed Māori people in positions of influence across a broader political landscape.[210] This situates traditional values at the core of political representation and within the agenda for the New Zealand Government.

Iinstitutes also providing allocated seats helps ensure Indigenous representation exists in New Zealand. Such provision can impact participation levels. Whilst the provision for allocated seats is not the only factor that has led to the strong Māori representation levels, it is a cornerstone by which their

[205] NZ History. (n.d). *Māori and the vote: Page 3 – change in the 20th century*. http://www.nzhistory.net.nz/politics/maori-and-the-vote/twentieth-century

[206] Parliamentary Library. (2009). *The origins of the Māori Seats (Parliamentary Library Research Paper).* http://www.parliament.nz/resource/en-nz/00PLLawRP03141/e27e432e971eb1f60ea75b00c987a39e4b2e62ce

[207] New Zealand Electoral Commission – Te Kaitiaki Take Kowhiri. (n.d.). *Māori Electoral Options.* https://vote.nz/maori-electoral-option/about-the-option/about/

[208] New Zealand Parliament (Paremata Aotearoa).(n.d.). Parliament of New Zealand. *Parliament's People - Māori MPs.* https://nzhistory.govt.nz/politics/parliaments-people/maori-mps, accessed 8 January 2017

[209] Tangata Whenua. (n.d.). *Māori members of parliament*. www.tangatawhenua.com/maorimps.htm, accessed 9 October 2012

[210] Deshong, M. (2012). Our seat at the top: Institutional challenges to inclusion for Aboriginal women in the Federal Parliament. *Indigenous Law Bulletin, 8*(1), 3–6.

political influence has been able to gain leverage. The historical nature of such decisions means that since colonisation, Māori have, in some way, been at the table of government and have had their interests recognised during the early formation stages of their democracy. This is not the case in Australia, as Aboriginal and Torres Strait Islander people have been specifically excluded from such debate and representation through historical policies and practices. Yet, the concept of self-determination has remained at the forefront of Indigenous politics for some time, and it pertains specifically to the need for Indigenous independence and the ability of Indigenous people to make their own decisions. Part of achieving self-determination relies heavily on the level of power and rights an individual or group can achieve. Specifically, Indigenous representation in parliament remains paramount to the overall goal of achieving self-determination but also greater integration and inclusion in Australian society.

Australia's Challenge

In 2017, the Australian Federal Parliament remained non-representative of the community in which it served, and a reflection of the community diversity should be seen in our parliaments. This can only be done by having hard conversations that test the status quo, and there is little doubt that designated seats in the parliament are one of these matters. Limited power of Indigenous representation and a continued perspective of marginalisation and disempowerment look set to continue if change does not occur. If the nation is to truly mature and address entrenched inequality, the political representatives must work collaboratively with Indigenous peoples as a first and vital step. Markedly, this is not a new issue and has been on the Indigenous affairs agenda for decades, but it receives little attention or debate outside of sporadic and irregular intervals in the Australian media.

In Australia, three fundamental principles work against strong Indigenous representation, with the first being the small population base of Aboriginal and Torres Strait Islander people. The second is a broadly conservative society that often shows hesitation towards 'racial' conversations as divisive and contentious. The third is a voting system that does not adequately support minority groups. These factors alone should not be the barriers to change and provide clear insight into where change needs to start. Dedicated seats could play a vital role in developing formal relationships between Indigenous and non-Indigenous constituents, but also consequently lead to broader agreements and social equality. It would also provide a mandate within the parliament to address Indigenous affairs matters more directly. The prevailing waves of discussion on the issue of designated seats bring about strong contrasting views, but a broader community education campaign could provide comparative perspectives on what has worked globally. This would be an important way to create space for further discussion and enable debate with a more informed view.

Minority Interests

As noted, the population base of Aboriginal and Torres Strait Islander people currently constitutes about 3.8% of the overall Australian population, according to the 2021 Australian Census.[211] This small percentage presents two issues: one is that Aboriginal and Torres Strait Islander people are an extreme minority, and the other is that they do not live in concentrated areas that afford them a clear majority interest. As an extreme minority, there are different approaches to representation. As Pearson notes, "The numbers matter when they are this small, because it goes to whether the system of democracy enables an extreme minority to participate in a fair way" and that, in some ways, "this extreme minority status means we are effectively shut out of the Australian Democracy, because ultimately the core of our democratic system – elected representation in parliaments – depends on numbers."[212]

The Indigenous population is spread across the country and does not form any significant majority, except in regional/remote communities, and does not enable any real bearing on the impact of representation at the federal level. As an extreme minority, we currently have little to no real influence on the Australian political system and, therefore, marginalisation has continued. For this reason, consideration must be given to changing the political framework to provide a fairer and more diverse parliament that is reflective of the community it serves. Perhaps this also explains why Indigenous people have been more successful in state-based formal political roles, as the numbers can work more favourably at that level of government. The Northern Territory has witnessed consistently higher levels of Indigenous representation in their parliament (Legislative Assembly), as there is a greater concentration of Indigenous presence, and the Indigenous population per capita is higher, so they can have some bearing on the outcome of elections. In 2012, the Northern Territory elections recorded a high number of Indigenous candidates across all electorates and elected seven Indigenous members to the parliament, proving an exception rather than the rule.[213]

There is no one-size-fits-all approach, but it must be recognised that Aboriginal and Torres Strait Islander peoples deserve to be recognised for their unique place in the nation and, subsequently, the democratic system. They need to be provided genuine opportunities that give real meaning to their role as decision-makers and leaders on issues that impact their lives rather than maintaining the status quo that presents ad-hoc, tokenistic, and unbinding responsibilities, such as advisory committees or working groups that do not have decision-making authority. Therefore, the discussion about designated

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[211] Australian Bureau of Statistics. (2023). *Estimates of Aboriginal and Torres Strait Islander Population Estimates, 2021*. https://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/3101.0Feature%20Article1Mar%202017?opendocument&tabname=Summary&prodno=3101.0&issue=Mar%202017&num=&view=

[212] Pearson, N. (2014). *A rightful place: race, recognition, and a more complete Commonwealth* (Issue 55). Quarterly Essay. Morry Schwartz.

[213] Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin*, *8*(7), 3–6.

seats provides a fundamental opportunity to seek input and participation in political decision-making, while also addressing the vastly complex legal and social justice challenges for Australia's Indigenous peoples.

Electoral System

The federal electoral system is a major contributing hindrance to the levels of representation in all elections. Electorates are based on the number of voters and not on the geographical size, which means that more electorates are located in more populous states.[214] This is particularly important in relation to Indigenous population bases. With no clear concentration of Indigenous people, it is difficult to exercise political influence in significant numbers. Australia's electoral system also uses multiple methods to select representatives for both the House of Representatives and the Senate. However, it ultimately applies a process that is based on the principles of majoritarianism and proportionality, making it a system that is fraught with challenges for minority groups and their respective interests.[215] This often leads to decisions being made for and on behalf of minority groups in a moral and legislative vacuum.

Considering this, the introduction of designated seats would have to be complemented by altering the electoral system to allow for such change. Again, drawing attention to the New Zealand electoral system, a couple of key changes could be considered as examples. The establishment of a separate Māori electoral roll was introduced to allow Māori people to self-identify and provide a clear voter base for Māori seats. The benefit of this is that Māori people can vote specifically for Māori candidates, ultimately achieving high levels of participation and a clearer relationship between the political process and the enactment of self-determination.[216] Māori also have the option to enrol on the general electoral roll as they are permitted to vote in all elections and not be restricted to only the Māori vote should they choose to. The ability to self-identify would be an important component of any electoral roll in Australia and would negate some of the concerns about how you establish identity for the purpose of enrolment. Giving people the option to enrol on either roll may also alleviate some of the fears and concerns Indigenous people have about our current model of government.

The second notable factor is the move to Mixed-Member Proportional Voting (MMPV). In the New Zealand Royal Commission on the Election System in 1985, considerable thought was given to the future of Māori seats. It concluded that Māori people would achieve even greater representation through a proportional party-list system.[217] The system of MMPV allows for two votes to take place.

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[214] Vromen, A., & Gelber, K. (2005). *Powerscape: Contemporary Australian political practice*. Allen and Unwin, p. 189.

[215] Ibid.

[216] McGill, G. (1997). *Reserved seats in Parliament for indigenous peoples: the Maori example*. Department of the Parliamentary Library.

[217] Ibid.

The first is for the political party the voter chooses, known as the party vote. This vote largely decides the total number of seats each political party gets in parliament. The second vote is to choose the MP the voter wants to represent the electorate they live in. This is called the electorate vote.[218] This form of voting allows for minority interests to be considered and results in a high proportion of Māori candidates across general and Māori elections. MMPV resolves the contentious issue of voting for a particular candidate while preferring to see another party in government. It also encourages competition between the parties but also leads to a greater politically savvy community that understands and identifies the impact that their vote can have on governance and political leadership. This would be a welcome introduction to the Australian political system as community voting behaviour suggests that the Australian community is shifting from the traditional party loyalties that once existed and opting to vote on specific policy platforms and current affairs.

Indigenous Rights

Another important factor when considering designated seats is what this change might mean for Aboriginal and Torres Strait Islander people. The fact that we are discussing the concept of designated seats is only one part of a much broader and complex issue and does not limit the participation of Indigenous people within the broader political context. It will be equally important to continue to see individuals achieve political representation and further progress self-determination and acceptance within the broader social and political fabric of Australia. The participation of Indigenous peoples within Australian democracy warrants greater attention and focus. Indigenous people have a unique place within the history of the nation, and this should be reflected not only within the parliament but also through the governance structures of the Indigenous communities themselves. The Expert Panel's consultations raised other important correlations between international mechanisms, such as the *United Nations Declaration of the Rights of Indigenous Peoples* (UNDRIP) and the continued desire for Aboriginal and Torres Strait Islander people to determine their priorities and futures.

In particular, the UNDRIP has several articles that relate to the advancement of Indigenous peoples and their participation in nation-building. Submissions noted Article 3 in relation to self-determination and Article 4 in relation to autonomy.[219] Notably, Article 18 of the UNDRIP states:

> Indigenous peoples have the right to participate in decision-making in matters that affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to

[218] New Zealand Electoral Commission – Te Kaitiaki Take Kowhiri. (n.d.). *Māori electoral options*. https://vote.nz/maori-electoral-option/about-the-option/about/, accessed 20 October 2018.

[219] Commonwealth of Australia. (2012). *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution: Report of the Expert Panel.* Indigenous Justice Clearinghouse. https://www.indigenousjustice.gov.au/wp-content/uploads/mp/files/resources/files/12-01-16-indigenous-recognition-expert-panel-report.pdf

> maintain and develop their own Indigenous decision-making institutions.[220]

Article 18, therefore, has specific relevance to the case for designated seats, as it defines the need for Indigenous representation chosen by Indigenous people. It is a mechanism to ensure that decision-making and nation-building do not undermine the cultural rights or cultural basis for how groups might exist and respond to cultural rights issues. Additionally, it is a mechanism that can enable the development of political and leadership skills to take on greater leadership roles and to establish other governance structures for inclusion and advancement.

The proposal for designated seats is not the only way forward, however. It is one part of a complex political existence. The introduction of designated seats can be put in place as a special temporary measure to test out its effectiveness in promoting greater political participation. Aden Ridgeway has maintained strong support for the provision of designated seats as a way of increasing the overall saturation of Indigenous people putting their hand up and being elected in the parliament.[221] This would also counterbalance the apparent lack of measures being undertaken by parties to achieve substantial Indigenous representation and advance political awareness. Additionally, it would serve a two-fold benefit, as it would continue to meet our obligations in the international United Nations Human Rights Conventions and address the critical issue of Indigenous engagement. As a result, it may increase Indigenous women's parliamentary representation and would ultimately benefit the broader Australian community with a parliament reflective of its constituents.

Summary

Indigenous peoples are, by their very nature, complex peoples, often finding themselves navigating systems and structures that were not built with them in mind. The Australian historical perspective is an important foundation for understanding the lived experience of Indigenous peoples. Through the recognition of exclusion and marginalisation by consecutive governments, we may begin to appreciate the complexity of their status as citizens in Australia. However, we should also consider ways to change this engagement and review systems and structures to ensure they are more adaptable and palatable to achieving greater diversity in our parliaments. Further complexity is recognised when we consider the gendered lens by which many Indigenous women have been overlooked. The 1967 Referendum was a monumental time in history. It appeared to be an opportunity to include and value Indigenous peoples across the country. There have been some substantial gains since then, but, at the same time, there is much more to do. If our future is based on mutual respect, recognition, and seeking a rightful place for Australia's First Peoples, then we would do well to consider how other countries

[220] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*, https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

[221] Ridgeway, Aden. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

have successfully introduced processes to not only hear Indigenous voices but also see Indigenous representatives as a fundamental part of their democratic system.

ARTICLE 2: Indigenous Political Aspirations and Tides of Change

Originally published as Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin, 8*(7), 3–6.

Positioning Commentary

Between 2010 and 2013, there was increased activity amongst Aboriginal and Torres Strait Islander people on both a national and state level – the implementation of the new National Congress for First Australians was in progress, national discussions emerged around constitutional recognition, and a new approach to Indigenous affairs was being implemented by the government. This article was published in the lead-up to the 2013 federal election, when there was heightened activism around political representation. The article provided an overview of Indigenous candidates and predicted the results of the election.

Record numbers of Indigenous people were standing for election across the country, with many minority parties also seeking to field Indigenous candidates for the first time. Much of the media attention was focused on the early announcement of Nova Peris as the captain's pick for Labor in the Northern Territory. The article has been reformatted and proofed, but otherwise, it appears as per the published version.

Published Article

The past twelve months have emerged as a critical year for political engagement due in part to the complexity of a hung parliament, with both sides of politics seeking to present a firm stand on policy issues and claim legitimacy in their decision-making. It has been a year of unpredictability and significant political change, offering many challenges for parliament and the political leadership. Public debate on issues as diverse as the carbon tax, asylum seeker policy, Indigenous representation and gendered politics has been emotive and occasionally vituperative. This paper will examine the way gender and race debates may impact the formal participation of Aboriginal people and Aboriginal women, specifically within the current political landscape.

In October 2012, we witnessed the height of the gender debate with the then Prime Minister Julia Gillard confronting Opposition Leader Tony Abbott on his views about women in politics. Since her accession to office in 2010, Gillard had been subjected to a range of criticisms that in her opinion, continued to reflect stereotypical views of the role of women and drew particular attention to the treatment of women in public life. Whilst these undercurrents persisted, the Prime Minister responded strongly to what she (and many observers) regarded as the Opposition Leader's inappropriate attitudes and behaviour. "Misogyny, sexism, every day from this leader of the Opposition... that is all we have

heard from him."[222] It was a fight back, a calling if you will, of mistreatment and discriminatory rhetoric towards the Prime Minister and women generally.

The Australian public has also seen the government employ some political tactics that seemed out of step with tradition and generally accepted wisdom. In January 2013, Gillard announced that the general election would be held on 14 September – some eight months away. Some believed this to be a masterstroke, while others considered it a very risky move by the PM. For the most part, though, it was suggested Gillard was attempting to show confidence that she had the support of the Australian public and was willing to put that to the test, especially with continued speculation about Kevin Rudd plotting a comeback.

After the election announcement, and perhaps also drawing on the moment, Gillard made another calculated move. On 22 January 2013, the issue of Indigenous women in the parliament was placed high on the agenda, with Gillard announcing that Nova Peris would occupy Labor's number one spot on the party ticket for the Northern Territory Senate seat in the upcoming election, essentially making a 'captain's pick'.[223] There are two Senate seats for the Northern Territory and party politics are such that invariably one goes to Labor and one to the Liberals/Nationals. The candidate with the top spot on the ticket is almost certainly elected; hence, this is the first time an Indigenous candidate has been picked in what is to be considered a winnable seat. If successful, Peris would be the first Aboriginal woman in the Federal Parliament and the first Aboriginal Labor Senator. It was a clear signal the government recognised it needed to do more to engage with Indigenous women within the political process; however, the execution of the announcement drew considerable criticism across many sectors of the Australian community. The move overrode the ALP and Northern Territory branch processes, sidelining the current sitting Labor senator, Trish McCrossin, after fifteen years of service. It was particularly important given that Peris was outside the party at the time of the announcement.[224] Thus, the selection was enveloped in several critical factors, including Indigenous politics, party politics and process.

The selection of Peris as the key candidate was as peculiar in its timing as it was in its execution. Peris is a successful Indigenous sportswoman and, as such, has lived a large part of her life in the public eye. Nova Peris was the first Indigenous person (and Indigenous woman) to win an Olympic gold medal when she played for the Hockeyroos in 1996.[225] She was proclaimed Young Australian of the Year in 2007 and has since gone on to work in the youth and education sectors. Despite Peris' prominence, the 'captain's pick' drew criticism from the Indigenous and non-Indigenous community. The move not only affected Senator Trish Crossin but also seemingly

[222] Goldworthy, A. (2013). *Unfinished business: Sex, freedom and Misogyny*. Quarterly Essay Issue, p. 2.

[223] Cullen, S. (2013, January 22). Gillard picks Nova Peris to run for the Senate. *ABC News*. http://www.abc.net.au/news/2013-01-22/gillard-picks-nova-peris-to-run-for-senate/4478528

[224] Ireland, J. (2013, January 22). Axed ALP senator slams PM over Peris pick. *The Age*.

[225] Gare, S. (2000). *Legend: A celebration of Australian women in sport*. Vega Press, p. 107.

overlooked Marion Scrymgour, an Indigenous Labor member and former Northern Territory (NT) Education Minister who was intending to run against Crossin for pre-selection for the Senate ticket – further impacting the party process.[226] In July 2013, Kevin Rudd (since being reinstated as Prime Minister in July 2013) subsequently affirmed support for Nova after consultation with the Northern Territory Labor executive. [227]

The backlash from the Aboriginal community questioned Peris' commitment to the people of the Northern Territory, her community work, and her understanding of the diverse issues faced by Indigenous people. As Alison Anderson noted, "I don't think Territorians know her, especially Aboriginal people out in remote communities."[228] Prominent Aboriginal sovereignty campaigner Michael Anderson condemned the PM's choice of Peris saying, "I don't have the confidence in her ability to stand up for the hard fight that is coming our way... Ms Peris is only being used as a public relations exercise for Labor."[229] Yet other Indigenous leaders, such as former ALP national president Warren Mundine, lent his support to Peris saying, it had "corrected a wrong within the Labor Party."[230] This, in turn, meant that Peris found herself at the centre of media attention, having to defend her position but also face criticism about her gender and cultural identity. Within these events, it may be assumed that all Indigenous people relate as a homogenous group and must support each other all the time. The opposite is also true, and this was witnessed in extremes in this case. There is a high level of expectation and responsibility from the Indigenous community more broadly for any Indigenous person moving into high-profile roles, and the rhetoric about tokenism or cynical political gestures does not permeate the discourse in the same way for non-Indigenous representatives.[231] Given the complexity of this issue, consideration is given to what has transpired about Indigenous representation in recent times.

In 2010, Australia welcomed its first Aboriginal member of the House of Representatives when the Liberals' Ken Wyatt was elected for the Western Australian seat of Hasluck. Before 2010, Hasluck had been held by the ALP but witnessed a swing of 1.42% towards the Liberals.[232] As a marginal seat, the circumstance of having three Indigenous candidates (Dot Henry as an Independent and Glenice Smith for the Greens) out of seven increased the possibility of an Indigenous representative being elected. The appointment of Adam Giles as Chief Minister of the Northern Territory in March 2013

[226] ABC News. (2013, January 23). *Gillard faces criticism over Peris Senate pre-selection*. http://www.abc.net.au/2013-01-23/gillard-faces-criticism-over-senate-preselection

[227] Harrison, D. (2013, July 9). Kevin Rudd backs 'captains pick' candidate Nova Peris. *SMH.* www.smh.com.au/federal-politics/political-news/kevin-rudd-backs-captains-pick-candidate-nova-peris-20130709-2pnkj.html

[228] Jones, G. (2013, January 23). Nova peris will be 'just a maid to Labor: Minister. *The Herald Sun* www.heraldsun.com.au/news/labour-source-says-gillards-pris-move-is-revenge

[229] Ibid.

[230] Carroll, A. (2013, January 23). Mundine praises Gillard for Peris move. *The Chronicle.*

[231] Ricci, C. (2013, February 1). Who is Nova Peris? *SMH.* http://www.smh.com.au/national/education/who-is-nova-peris-20130201-2dpgi.html is-nova-peris

[232] Australian Electoral Commission. (n.d.). *WA Division of Hasluck*. http://results.aec.gov.au/15508/Website/HouseDivisionFirstPrefs-15508-305.htm

signalled another pivotal moment, with Giles becoming the first Indigenous head of government in Australian history.[233]

Perhaps arising from a consequence of this new spotlight on Indigenous politics, a record number of Indigenous people have been nominated as candidates for the 2013 federal election. This in itself may demonstrate the willingness and capacity of Indigenous peoples to be considered on merit as worthy contributors; it may also be recognition that some of the preconceived or assumed barriers to elections have been overcome. Indigenous candidates are also moving away from the more traditional affiliation with the Labor Party and are now starting to mobilise across many parties to seek change. As demonstrated through both Wyatt and Giles, non-Labor parties have had more success in electing Indigenous representatives. In the Northern Territory elections in 2012, there was a record number of Indigenous candidates across all electorates and in the bush seats. The analysis showed a significant voter shift away from Labor, with a 6.7% swing against the ALP in the context of a strong Indigenous voter turnout. As a result, the Northern Territory Parliament now has seven Indigenous members, a majority of whom are in the Country Liberal Party.

The Queensland seat of Leichhardt will be an interesting electorate to watch. It is one of the largest electorates in the country, stretching from Cairns to Cape York and the Torres Strait, thus containing a significant Indigenous population. Two local Indigenous men are vying for election against the Liberal incumbent MP Warren Entsch. Innisfail resident and previous Community Development Officer Billy Gordon will contest the seat for Labor, whilst Bruce Gibson from Hopevale is an executive director of Indigenous Employment Business Opportunities and will stand for the newly established Palmer United Party. Both Gordon and Gibson are first-time candidates.[234] The electorate of Leichardt is considered a marginal seat, but in 2010, it saw a 4.66% swing to the Liberal National Party (LNP) – national-level opinion polls suggest that Entsch will be returned.[235] Regardless of the outcome, results in specific Leichardt polling booths will merit close attention. The Palmer United Party has also made a concerted effort to engage and support Indigenous candidates with negotiations taking place around the country. Clive Palmer announced recently that his party would be fielding six Aboriginal candidates across Australia.[236]

Whilst many of these candidates are nominated in regional areas, Sean Armistead is contesting the seat of Melbourne for the Liberal Party. Sean is originally from Darwin and works as the manager of an Indigenous employment program in the corporate sector. Melbourne was traditionally a Labor seat until Adam Bandt stood in 2010, becoming the first Greens candidate elected to the House of

[233] Guilliatt, R. (2013, July 13). Adam Giles: Road to the Top. *The Weekend Australian Magazine*.

[234] Gordon, B. (n.d.). *About Billy Gordon*. http://www.billygordon.com.au/about_billy_gordon

[235] Australian Electoral Commission. (n.d.). *Electoral Results Division of Leichardt* http://results.aec.gov.au/15508/Website/HouseDivisionFirstPrefs-15508-168.htm

[236] Hurst, D. (2013, August 5). Vote for us if you want Malcolm Turnbull, says Palmer. *SMH*. http://www.smh.com.au/federal-politics/federal-election-2013/vote-for-us-if-you-want-malcolm-turnbull-says-palmer-20130805-2r8om.html

Representatives. Armistead is a first-time candidate and is contesting a large and diverse field in a significant urban electorate. It appears that Adam Bandt will have the numbers to retain the seat, with polls revealing a high satisfaction rate for the Greens deputy leader.[237]

Australia's First Nations Political Party was established before the Northern Territory elections and registered with the Australian Electoral Commission on 6 January 2011.[238] The Party encourages membership from all Australians but specifically supports Aboriginal and Torres Strait Islander people to stand as candidates in all state, territory and federal elections. As such, the party has announced the pre-selection of two Indigenous candidates for the 2013 federal election in the Northern Territory. Rosalie Kunoth-Monks OAM is a well-known leader and campaigner for the rights and recognition of Indigenous people and will stand for the Senate. Kenneth Lechleitner previously contested the seat of Lingiari in 2010 as an Independent and will this time stand for the First Nations Political Party. The incumbent Warren Snowdon has held the seat of Lingiari for Labor since 2001 but was only able to secure a small margin in 2010 after a 7.4% swing against the ALP.[239] Opinion polls suggest that if Snowdon is returned, it will again be by a very small margin; however, there is potential for a swing to the Country Liberal Party (CLP). It is unlikely that either of these Indigenous candidates will be successful in their campaign, but an analysis of the Indigenous vote will be particularly valuable, especially following the Territory election outcomes in 2012.

Senate seats will also be contested by other Indigenous candidates in South Australia and Western Australia. Ribgna Green is a Jaru man from Halls Creek in Western Australia with a long history of campaigning and leadership in Indigenous affairs. He will stand as an Independent for election in South Australia. Across the border in Western Australia, David Wirrapunda has also been nominated as a National Party representative on the Senate ticket. His nomination will see him vying for the sixth Western Australian Senate spot, pitting him against Greens Senator Scott Ludlam.[240] Wirrapanda, like Peris, has had a stellar career in sport and has utilised his profile to advance the David Wirrapunda Foundation, which provides mentoring programs for Aboriginal young people. Unlike Peris, Wirrapanda has not experienced any public criticism or backlash following his announcement to enter politics. Notably, the circumstances and the processes are different in terms of Senate seats, but it does further highlight a disparity in the way women are scrutinised in the public sphere.

This mobilisation demonstrates a willingness amongst Indigenous people to be proactive in political engagement. Some success can be measured by the increased number of Indigenous candidates

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[237] Johnson, C. (2013, August 3). Brandt has a strong chance of holding seat, poll shows. *The Age.* http://www.theage.com.au/victoria/bandt-has-strong-chance-of-holding-seat-poll-shows-20130803-2r6fn.html

[238] Australian First Nations Political Party. (n.d.). http://www.aec.gov.au/Parties_and_Representatives/Party_Registration/Registered_parties/first-nations.htm

[239] Australian Electoral Commission. (n.d.). *Electoral Results Divisions of Lingiari.* http://results.aec.gov.au/15508/Website/HouseDivisionFirstPrefs-15508-306.htm

[240] Stringer. (n.d.). *David Wirrapanda said that he will speak his mind if elected*. http://thestringer.com.au/david-wirrpanda-said-that-he-will-speak-his-mind-if-elected/#.Uf-1RpI9G8A

standing and further analysis of marginal seats and voting trends. However, broader questions still loom in terms of when Indigenous candidates will be pre-selected in winnable seats and how we can address the ongoing under-representation of Indigenous women. It is perhaps not by accident that both Indigenous women standing as candidates are in the Northern Territory. This may be due to the fact that the Northern Territory has had considerable representation of Indigenous women in parliament and that they have been an integral part of the political environment. If this is the case, how can this be replicated in other states and territories to invoke the same level of engagement and formal representation for Indigenous women across the country? The possibility of parties engaging in affirmative action strategies such as quotas and development/mentoring opportunities for Indigenous women will be one of the fundamental ways to address this void.

The other aspect to consider is what impact, if any, the sexism debate has had on Indigenous women in particular. The public furore exposed a range of behaviours and attitudes towards women that were both unwelcome and unsettling. In the broader context, suggestions were made that the deployment of the so-called 'gender card' meant that the PM demanded special treatment because she was a woman. Indigenous women are not isolated from this debate, as we have seen in the case of Peris where she had both gender and cultural issues to contend with. The impact of intersectional discrimination may be quite an important consideration for them, their families and their community when seeking positions of political office.

The Prime Minister claimed that sexism had marginalised her participation and could do the same for many women. It was observed that when faced with this public controversy, "other women watching will potentially stay out of the political game," prompting them to ask why they would want to be subjected to that level of scrutiny and criticism.[241] When this is considered, Indigenous women may be hesitant to take on roles in public life and subject themselves to denigration not only based on their gender but cultural identity and race as well. Julia Gillard (as former Prime Minister) noted in a press statement that "Australians would have been more outraged at her treatment as a woman if she were black," providing an analogy that "If I was the first Indigenous Prime Minster, and Tony Abbott had gone out and stood next to a sign that said ditch the black bastard, that would have been the end of a political career."[242] In this regard, the white-privileged feminist debate versus racism debate does not wash. As witnessed in the case of Peris, there is no evidence to suggest that race or ethnicity would not be a matter for public debate. This may remain one of the most difficult challenges to overcome.

The 2013 federal election will be a game-changer on so many levels. Apart from the debate around our two-party preferred system, policy positions and leadership of the parties, the impending

[241] Goldworthy, A. (2013). *Unfinished business: Sex freedom and misogyny*. The Quarterly Essay, Issue 50, p. 16.

[242] Hall, B. (2013, July 26). Julia Gillard surprised by impact of misogyny speech. *SMH*. http://www.smh.com.au/federal-politics/political-news/julia-gillard-surprised-by-impact-of-misogyny-speech-20130726-2qp4q.html 26/7/13

change in Indigenous representation may be a benchmark for the future. Sometimes, it takes one or two to pave the way for others, and the number of Indigenous candidates remains promising. The ensuing debate and analysis of the result will be critical for Indigenous Australia in the future.

Summary

Australia has a long and complex history when it comes to the treatment of Aboriginal and Torres Strait Islander people. From the early days of exclusion in the Constitution to a diverse and discriminatory control over Aboriginal and Torres Strait Islander people's lives on a state-by-state basis. The implementation of policies and legislation such as the Aboriginal Protection Act and the Assimilation policies further sought to marginalise and exclude Aboriginal and Torres Strait Islander people from many facets of civil society. The combination of many of these practices effectively diminished Aboriginal and Torres Strait Islander peoples voice and political advocacy excluding them from active participation in Australia's democratic system.

The implementation of the Commonwealth Electoral Act (1963) was the first time there was a national approach to allow all Aboriginal and Torres Strait Islander peoples the right to vote and more importantly removed barriers allowing them to exercise their right to vote. This marked an important turning point in history and in the ensuing years there was gradual increase in political representation at all levels of government. In 2013, just forty years after the Act was introduced, we witnessed a record number of Aboriginal and Torres Strait Islander candidates standing for election.

Collecting a nation view on how many Aboriginal and Torres Strait Islander candidates were standing for election, aligned with which political parties and an analysis on the likelihood of each of them successful. Notably, every Aboriginal and/or Torres Strait Islander person elected to any parliament in Australia prior to this point, were all aligned with a political party. The complex nature of political party pre-selections was a vital step in addressing the probability of winning. In 2013 the majority of candidates were pre-selected by political parties, but were either not prioritised that pre-selection, eg. David Wirrpanda being listed as the sixth candidate on a Senate seat, or were preselected in unwinnable seats. Notably, Ribgna Green was the only person to run as an independent candidate, which is made more difficult without the backing of the political party infrastructure. The only successful candidate out of the 2013 election was Nova Peris, who, due to her pre-selection by Labor for the Northern Territory was a predictable result.

2013 was also the first federal election where the Australian First Nations Political Party fielding candidates. With some success in the previous Northern Territory elections in 2011 it was a good opportunity to broaden the reach of the party. Unfortunately, despite the nomination of two high

profile Aboriginal candidates from the Northern Territory, it was always going to be difficult to win a seat in a federal election, with the two candidates returning only 1.44% of the Senate vote. While there have been several attempts to create Indigenous political parties across the years, it is often hindered by the dispersion of the Indigenous population nationally.

From a long period in Australia's history where Indigenous people were intentionally excluded from political participation, we can see that over a relatively short period of time, the tides of change are occurring. Aboriginal and Torres Strait Islander people have become more politically savvy, have been at the forefront of building community organisations, participating in policy change and leading Institutions in ways that have not been witnessed before. Inevitably this is leading to greater political aspiration at all levels of government, the dismantling of barriers that once closed people out, and a new way to include Aboriginal and Torres Strait Islander people in our democratic system.

SECTION TWO – PARTICIPATION IN ACTION

CHAPTER C: United Voices, United Sisters, United Nations

Indigenous women have assembled at the local, national, and international levels to address the specific issues and challenges that they face. A large focus of this research has been at the domestic level, analysing the importance of engagement in political spheres for Indigenous women. Since the very first year of the working group on Indigenous populations in 1982, Indigenous women have been advocates and leaders at the United Nations.[243]

International mechanisms to address human rights issues are becoming increasingly important in advancing the rights of Indigenous women across the world.[244] By using these mechanisms through UN forums such as the CEDAW and UNPFII, Indigenous women can voice their concerns, leverage their position both domestically and internationally, and influence their governments to comply with international standards of human rights, legal obligations under international law, and agreed obligations. As noted by Indigenous feminist scholar Megan Davis, the utilisation of these international mechanisms progresses the right to self-determination, enhances community control, and advances policy development.[245] These mechanisms provide a specific opportunity for Indigenous women to work collectively and negotiate with each other to improve aspects of their lives, addressing gendered discrimination, as well as recognising their culture, traditions, and aspirations for self-determination and inclusion.

In Australia, according to the 2021 Census, women make up approximately 51% of the overall population, and represent just under 50% of the Aboriginal and Torres Strait Islander population.[246] In a representative democracy, these statistics should translate to 50% of women engaging in decision-making roles. Proportional female representation would ensure women's needs and interests are appropriately represented. Arguably, the inclusion of women in formal and informal forums provides diverse views, and engaging women in decision-making should result in more appropriate and sound policy formulation on both a domestic and international front.[247] This chapter provides a contextual and historical perspective of three United Nations instruments and mechanisms: the *United Nations Declaration of the Rights of Indigenous Peoples* (UNDRIP), the *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW), and the *Commission on the Status of Women* (CSW). It further identifies their relevance in addressing disadvantage, marginalisation and, at times,

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[243] United Nations. (2006). *Gender and Indigenous peoples' human rights* (Briefing note no. 6). https://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf

[244] Throughout this paper Aboriginal and/or Torres Strait Islander is used for a specific Australian perspective and Indigenous as a collective for First Nations women across the world.

[245] Davis, M. (2013). Community Control and the work of the National Aboriginal Community Controlled Health Organisation: Putting meat on the bones of the UNDRIP. *Indigenous Law Bulletin*, *8*(7), 11.

[246] Australian Bureau of Statistics. (2022). *Population Census.* https://www.abs.gov.au/statistics/people/population/population-census/latest-release5

[247] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press, p. 171.

exclusion in many areas of democratic participation and representation. The chapter examines specific aspects of engagement for Indigenous women in international advocacy, including how engagement at these levels can promote political and social representation, and addresses the need for effective and long-term change.

This chapter also draws on my own experiences as an Aboriginal woman participating in United Nations forums. Placing myself in the context of this political process demonstrates how individuals can become political actors and contributors. Feminist theory assumes that the subjective experience of women differs from that of men and provides a useful lens to explore areas where this is manifested, such as power structures, opportunities, and equality.[248] Critical Race Theory also identifies how colonisation, disadvantage, and discrimination have an inter-generation impact on the lived experience of marginalised members of society. As an Aboriginal feminist, I value the opportunity to engage in gender-focused forums and contribute to gendered debates whilst also bringing an Aboriginal perspective to the discussion. I was a non-government organisations (NGO) representative at the CEDAW forum in 2010 and attended the Commission on the Status of Women in 2012, 2013, and 2015. Through participation in these international forums, I gained extensive knowledge and insight into the mechanism of international negotiations. I was an active contributor to the discussions and advocated for the inclusion of Indigenous women across the spectrums of social, political, cultural, and economic viability. This enabled me to take on a leadership and mentorship role pre-, during, and post-events. In 2013, I was an NGO member on the Australian Government CEDAW delegation, which introduced me to a vast range of negotiations between member state representatives. My accessibility to ministers, commissioners, and other high-level political representatives also exposed me to political engagement at a senior level. NGOs are usually excluded from access to the main negotiations, and as such, I saw this as a critical space to increase my knowledge of international politics. Further personal reflections throughout this chapter highlight my role and the relevance of this work in the Australian context.

Indigenous women are faced with multiple ways that structures of privilege and disadvantage intersect in their everyday lives. Critical Race Theory feminists have conceptualised the unique experience that emerges when race intersects with gender and class structures, as well as with sexuality and citizen status, as the phenomenon of 'intersectionality'.[249] It is a complex and critical issue for Indigenous women, as it identifies historical and current forms of oppression, marginalisation, and discrimination. These complexities often create barriers to participation and make it difficult for Indigenous women to exercise their rights to equality, inclusion, and opportunity within the broader society. For example, in South Australia, women had been granted the right to vote in 1894, and the voting franchise was subsequently expanded to other women in other states within a decade; however,

[248] Neuman, W. L. (2006). *Social research methods: Qualitative and quantitative approaches* (6th ed.). Pearson/Allyn and Bacon, p. 102.

[249] Zamudio, M., Russell, C., Rios, F., & Bridgeman, J. (2011). *Critical race theory matters: Education and Ideology*. Routledge. https://doi.org/10.4324/9780203842713, p. 37.

this provision excluded Aboriginal women based on race.[250] The voting exclusion for Aboriginal women continued until the *Commonwealth Electoral Act* was amended in 1962 to afford Aboriginal people equal rights to vote.[251]

This thesis addresses how political participation is a means for women to articulate and advocate for their issues through both national and international political spaces. This approach considers diverse aspects of political participation as defined by individual and collective representations, giving voice to issues affecting Indigenous women, informing women of their rights, and challenging negative representations of Indigenous women as victims or being marginalised from political processes.

Understanding Human Rights

When considering a human rights-based agenda, there are several complex issues to consider. A clear understanding of a rights-based framework is paramount to working in the international space. The human rights framework is set out in the *Universal Declaration of Human Rights*, which in its preamble acknowledges that "... recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."[252] The human rights principles assist individuals and societies to assert their position and rights within a globalised context and give rise to international legal obligations to hold states accountable. The Law Council of Australia suggests that whether they are expressed as civil and political rights or economic, cultural, and social rights, the fundamental notion underpinning human rights is that they are derived from the inherent dignity of every human person. The fulfilment of one right often depends, wholly or in part, upon the fulfilment of others.[253] For Indigenous peoples, human rights foundations also recognise that they often organise societies as a group (clan, nation, family, or community) and, therefore, individual rights are not always suitable.[254] This is evidenced by the United Nations facilitated drafting, dialogue, and adoption of the *United Nations Declaration of the Rights of Indigenous Peoples* (UNDRIP), which is covered in further detail later in the chapter. This process also assists in polarising the collective realities of Indigenous peoples as global citizenship with shared histories and experiences. This is best surmised by Mick Dodson's reflection:

[250] Burgman, V. (2003). *Power, profit and protest: Australian social movements and globalisation*. Allen & Unwin, p. 102.

[251] Australian Electoral Commission. (n.d.). *Electoral milestones for Indigenous Australians*. http://www.aec.gov.au/indigenous/milestones.htm

[252] Universal Declaration of Human Rights, (1948, December 10). http://www.un.org/en/documents/udhr/

[253] Healey, J. (2014). *Indigenous rights* (1st ed.). The Spinney Press, p. 11.

[254] Australian Human Rights Commission. (2010). *Community guide to the UN Declaration of the Rights of Indigenous people*. https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/community-guide-un, p. 20.

> I was sitting in a room, 12000 miles away from home but if I'd closed my eye I could just about have been in Maningrida or Doomadgee or Flinders Island. The people wore different clothes, spoke in different languages or with different accents, and their homes had different names. But the stories and the suffering were the same. We were all part of a world community of Indigenous peoples spanning the planet: experience the same problems and struggling against the same alienation, marginalisation, and sense of powerlessness. We had gathered there united by our shared frustration with the dominant systems in of own countries and their consistent failure to deliver justice. We were all looking for and demanding justice from a higher authority.[255]

This international mechanism enables Indigenous people to draw from each other about political engagement. Aboriginal and Torres Strait Islander people have used the international human rights system to challenge discrimination and abuses of their human rights both from an individual and collective standpoint, thus linking global and local applications.[256]

The paradigm of individual and collective rights permeates across the spectrum of human rights instruments, as do the delineations around public and private domains. This is amplified within the articles of the UNDRIP that specifically identify measures that address women and children. Traditional liberalism upholds the notion of the public-private distinction, where the activities of government are thought to be best limited to the public sphere, and this distinction has informed the conception of the proper sphere of rights.[257] The public sphere addresses the relationship between women and the relevant state, not only for the development of law and policies but also to engage in a meaningful way on matters that impact individuals and their families. This public domain pursues the development and implementation of targeted gender measures within the state, including but not limited to quotas, temporary special measures, or other targeted strategies to increase the level of engagement of women and minority groups. This could include the setting of specific gender targets within political parties for female candidates in pre-selection or specific initiatives to increase political representation, such as Emily's List.[258] Another example of affirmative action is a constituted institutional structure that has a

[255] Dodson, M. (1998). *Indigenous peoples, the United Nations, and Human Rights*. Federation Press, p. 19.

[256] Australian Human Rights Commission. (2010). *Community guide to the UN Declaration of the Rights of Indigenous people.* https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/community-guide-un. p. 10.

[257] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press, p. 156.

[258] Emily's List. (n.d.). https://www.emilyslist.org.au/, accessed 7 October 2014.

50:50 gender ratio in its operation and representation, as demonstrated by the *National Congress of Australia's First Peoples.*[259]

When applying a gendered lens to the complexity of human rights, the private sphere is also equally relevant and important in addressing women's vulnerability, discrimination, safety, and participation. The feminist slogan, 'The personal is the political', first draws on the ideological character of liberal claims about the public and private spheres and second, the liberal/patriarchal view, which tends to distinguish between 'public men' and 'private women'.[260] This element of 'private' not only has particular implications for the protection of women in the family sphere but also for human rights violations in the most private and personal of spaces: their bodies.[261] Attention is therefore given to areas of sexual and reproductive health rights. The right for women to have control over their own bodies, including the right to quality health services, access to contraception, maternal protection, and medical treatments, for example, is paramount to the physical and emotional well-being of women. Furthermore, violence in all forms remains a fundamental focus of human rights and warrants explicit attention within a gendered construction. Violence against women means any act of gender-based violence that results in or is likely to result in physical, sexual, and psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.[262] Considering the political agency of women, it must be recognised that the personal is the professional. This combination continues to create complex spaces to navigate. Therefore, using a human rights-based approach can create legitimacy across many spectrums.

International Conventions

Several international instruments support gender equality and recognise the exclusion of women in political systems. Human rights treaties, such as the *International Covenant on Civil and Political Rights* (ICCPR) and *International Covenant on Economic, Social and Cultural Rights* (ICESCR)[263] set out obligations that relate to participation in political and public life. These overarching frameworks inform related declarations and treaties by which individuals, peoples, communities, and

[259] Maddison, S., & Brigg, M. (n.d.). *National Congress of Australia's First Peoples.* http://www.workingwithindigenousaustralians.info/content/Resources_2_Readings_15.html#:~:text=It%20also%20seeks%20to%20engage,family%20or%20other%20discrete%20interests, accessed 3 May 2017.

[260] Pateman, C. (1989). *The disorder of women: democracy, feminism and political theory*. Polity Press.

[261] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press, p. 156.

[262] United Nations. (1993). *Declaration on the Elimination of Violence against Women, December 20, 1993*. https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf

[263] Koori Women Mean Business, Indigenous Law Centre and YWCA Australia. (2009). *Aboriginal and Torres Strait Islander Women's parallel NGO report 2009. The Implementation of the Convention on the Elimination of All Forms of Discrimination against Women.* https://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Australian_ATSI_Women.pdf

societies can address human rights. The distinction between the types of international instruments is as follows:

- ***Declarations*** are statements adopted by the world's governments. In most cases, they do not create legally binding obligations. However, declarations outline the principles that governments agree to work towards.
- ***Treaties,*** also known as conventions, covenants, or protocols, are binding agreements made by governments. They create legal obligations under international law.[264]

As a signatory to various human rights instruments, Australia has obligations under international law. The following sections examine whether Australia meets its obligations, with a focus on the engagement of Indigenous women within the United Nations system.

Declaration of the Rights of Indigenous People

Collaboration and awareness of all human rights instruments can be critically important in ensuring individual and collective rights are not overlooked by states. The *Declaration on the Rights of Indigenous People* (UNDRIP or "The Declaration") can be utilised as the underpinning principle in representation and inclusivity for Indigenous people. It also makes specific references to the extra attention and protection of women and children. The Declaration emphasises the rights of Indigenous peoples to live in dignity; maintain and strengthen their institutions, cultures and traditions; and pursue their self-determination development in keeping with their own needs and aspirations.[265] The Declaration provides a fundamental foundation for Indigenous peoples and their implicit rights while also being complementary to other human rights mechanisms. The Declaration was the result of a democratic process of negotiation in which both Indigenous peoples and UN member states were engaged in the drafting and adoption process within the United Nations system; it was the culmination of over two decades of development.[266] The monitoring of the Declaration is linked to the United Nations Permanent Forum on Indigenous Issues (UNPFII).[267] This forum is an advisory body to the UN Economic and Social Council. Importantly, the UNPFII provides an opportunity for diplomatic engagement for Indigenous people around the world.

The UNDRIP seeks to ensure the survival, dignity, participation, and well-being of Indigenous peoples. It was adopted in September 2007 by the General Assembly of the United Nations. However, Canada, Australia, New Zealand, and the United States (CANZUS) collectively dissented against the

[264] Australian Human Rights Commission. (2010). *The community guide to the UN declaration on the rights of Indigenous peoples*. Paragon Australasia Group, p. 10.

[265] Healey, J. (2014). *Indigenous rights* (1st ed.). The Spinney Press, p. 5.

[266] Gertz, J. (2015). *Implementing the United Nations Declaration on the rights of Indigenous peoples at the local level: Gugu Badhun self-determination* [paper presentation]. The Australian Sociological Association (TASA) Conference, Cairns, Australia.

[267] United Nations. (2000). *United Nations Permanent Forum on Indigenous Peoples, July 28, 2000,* http://undesadspd.org/indigenouspeoples.aspx

adoption of the Declaration in the first instance. According to Aileen Moreton-Robinson, these four states

> are racial states whereby patriarchal white sovereignty as a regime of power is the defining and redefining condition of their formation, and the Australian government was a persistent objector in relation to provisions for self-determination, lands, territory, and resources.[268]

Each of the CANZUS states has now endorsed the UNDRIP with varying degrees of commitment to the political and moral essence of the Declaration and its adoption into domestic contexts. Following a change of government in 2007, Australia adopted the Declaration in 2009. It was "in the spirit of re-setting the relationship between Indigenous and non-Indigenous Australians and building trust."[269] Alongside these challenges was the fact that the Declaration was merely an aspirational document and held no legal force. Minister Macklin noted, "while it is non-binding and does not affect existing Australian law, it sets important international principles for nations to aspire to."[270]

The UNDRIP is themed into seven areas across the human rights spectrum. This chapter focuses on articles 18–23, which are related to participatory rights, economic development and social rights. The following four articles have specific relevance:

> Article 18
>
> Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
>
> Article 19
>
> States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
>
> Article 21
>
> 1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including,

[268] Moreton-Robinson, A. (2011). The possessive logic of the patriarchal white sovereignty and the United Nations declaration on the rights of Indigenous Peoples. *Griffith Law Review*, *20*(3), p. 642.

[269] Macklin, J. (2009). *Statement on the United Nations Declaration on the Rights of Indigenous Peoples*. Parliament of Australia. https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2F418T6%22;src1=sm1

[270] Ibid.

> inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
> 2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.
> Article 22
> 1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.[271]
> 2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.[272]

The challenge for Australian women is to look beyond the domestic constraints of the political system and utilise other mechanisms to influence and change the status quo. The UNDRIP gives particular recognition and acknowledgement to the unique position Indigenous women occupy, with experiences of discriminatory practices, racial oppression, exclusion and being on the periphery of mainstream commonwealth and state policies.[273] As the Declaration has no legally binding principles, countries need to adopt elective and participatory approaches to Indigenous issues, which ultimately require effective consultation and partnerships with Indigenous people. Unfortunately, this is not always the case and there are tensions that exist amongst Nation states to honour this intention. Internationally and domestically, self-determination is read as: self = aboriginal collective. This is because Aboriginal people pursue their human rights and freedoms collectively in a way that is fundamentally underpinned by a cultural relation with the land, a legal understanding that the UNDRIP now animate in international and domestic law.[274] To that end, Aboriginal and Torres Strait Islander people are developing strategies for engagement to ensure that the Declaration is at the forefront of the Indigenous affairs agenda.

In 2010, the Australian Human Rights Commission (AHRC) developed the *Community Guide to the Declaration on the Rights of Indigenous Peoples* to assist individuals and communities to further

[271] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples, September 13, 2007*, https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

[272] Ibid.

[273] Deshong, M. (2012). Our Seat at the Top: Institutional challenges to Inclusion for Aboriginal women in Federal Parliament. *Indigenous Law Bulletin, 8*(1), p. 5.

[274] Davis, M. (2011). A reflection of the limitations of the right to self-determination and Aboriginal women. *Indigenous Law Bulletin, 7*(23), 6.

understand the Declaration and its application in the Australian context. The AHRC and the National Congress of Australia's First Peoples (National Congress) also conducted a series of workshops around the country for Aboriginal and Torres Strait Islander peoples to make realistic correlations between the articles of the Declaration and their application to community agendas. The National Congress is a direct example of the way the Declaration works in principle. The establishment and operation of the National Congress aligns with Article 18, and it oversees the accountability of the state on the Declaration itself. Similarly, the Registered Native Title Corporations (RNTC) and the Prescribed Body Corporates (PBC) enable the practical application of the Declaration as it is interrelated to land tenure, land management, and the preservation of cultural traditions related to land.[275] In this regard, tribal nations such as Gugu Badhn, Ngarrindjeri, Guditjmara and Wiradjuri[276] have made links to the Declaration in the adaptation of their strategic and operational plans to further identify the relevance and application of the Declaration in a local way.[277] We can, therefore, see that Aboriginal and Torres Strait Islander people are citing the Declaration and its components as a fundamental basis for equality, to advance rights, and to engage in political, legal, and economic negotiations. Slowly but surely, member states of the United Nations are revising their relationship with Indigenous peoples to respect these human rights.[278]

The Australian Human Rights Commission's Social Justice Commissioner reports each year on Australia's human rights agreements as they relate to Aboriginal and Torres Strait Islander peoples. *The Social Justice and Native Title Report* (2012) found that five years after the UNDRIP was adopted the Australian Government had done little to implement the Declaration in any substantial or effective way.[279] The Australian Government needs to do more work to link the articles to specific provisions enshrined in law at a domestic level to make real and longstanding change.[280] Greater momentum is required to move forward in Australia and broaden the relevance and capacity for inclusion. The challenges of implementation in real and meaningful ways further amplify the unique position of

[275] Native Title Tribunal. (n.d.). *What is a Prescribed Body Corporate.* http://www.nntt.gov.au/Information%20Publications/What%20is%20a%20PBC%20and%20what%20does%20it%20do%20Fact%20Sheet%20v2.pdf, accessed 2 March 2019.

[276] Australian Human Rights Commission. (n.d.). *5 nations – self-determination and a new era of Indigenous governance*. https://humanrights.gov.au/our-work/5-nations-self-determination-and-new-era-indigenous-governance

[277] Gertz, J. (2015). *Implementing the United Nations Declaration on the rights of Indigenous peoples at the local level: Gugu Badhun self-determination* [paper presentation]. The Australian Sociological Association (TASA) Conference, Cairns, Australia.

[278] Malezer, L. (2012). *The Fifth Anniversary of the UN Declaration on the Rights of Indigenous Peoples*. http://www.onlineopinion.com.au/view.asp?article=14124

[279] Human Rights Commission. (2011). *The Declaration on the Rights of Indigenous Peoples – Aboriginal and Torres Strait Islander Social Justice Commissioner's Submission to the Expert Mechanism on the Rights of Indigenous Peoples* (4th Session). https://humanrights.gov.au/sites/default/files/document/publication/Native%20Title%20Report%202011%20-%20Full%20Report.pdf accessed 22/5/2012

[280] Ibid.

Indigenous women. Intersectional discrimination is paramount to understanding and contextualising the need for increased participation by Indigenous women in international mechanisms, as it creates a more vigorous and practical opportunity to advance their rights.

CEDAW

The *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW or "The Convention") is an international treaty on women's rights adopted in 1979 by the UN General Assembly.[281] Australia has been a signatory to the CEDAW since August 1983 and also signed the Optional Protocol in 2008, allowing greater transparency and accountability in relation to gender equality.[282] The CEDAW is often referred to as a 'Bill of Rights' for women and consists of a preamble and thirty articles that define what constitutes discrimination against women and set up an agenda for national action to end such discrimination.[283] Articles 7 and 8 of the CEDAW relate to political and public life and are of relevance for Aboriginal and Torres Strait Islander women in Australia. The articles note:

> Article 7
> States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and shall ensure to women, on equal terms with men, the right:
> (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.
> (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; and
> (c) To participate in non-governmental organisations and associations concerned with the public and political life of the country.
> Article 8
> States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the

[281] Ibid. p. 13.

[282] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press, p. 164.

[283] Shaw, C. Van Unen, J. (2012) *Australian NGO Guide to the Commission on the Status of Women (CSW).* Jera International

> opportunity to represent their Governments at the international level and to participate in the work of international organizations.[284]

Many of the CEDAW committee's resolutions recognise *how* such provisions should be applied to minority groups or groups that have multiple layers of complexity and discrimination. This provides leverage and power for Indigenous women to make use of international forums to progress their rights (individually and collectively) and hold states accountable to their obligations under the Convention. Similarly, the international process and the signing of such conventions means that member states are held responsible by other member states in upholding the principles of the Convention.

United Nations procedures generally follow a 4 to 5-year review cycle, allowing the CEDAW committee to consider submissions from both government and non-government stakeholders on a state's performance regarding implementation and compliance with the respective convention. The meetings of the CEDAW committee take place at the United Nations headquarters in New York. Australia was reviewed by the CEDAW committee in 2010. In preparation for the review, extensive consultation took place within the NGO sector to produce two reports: an *NGO Report on the Implementation of the Convention on the Elimination of Discrimination Against Women in Australia*,[285] and an *Australian Aboriginal and Torres Strait Islander Women's Parallel NGO Report.*[286] Both reports provided an overview of the NGO sector's perspective against each of the CEDAW articles and made recommendations to the committee on where improvements should be made. These recommendations included increased access to culturally appropriate justice services, access to education, employment, housing, and other social justice sectors.[287]

The CEDAW review process ensures that the views and opinions of civil society are presented to the CEDAW committee regardless of whether individuals and agencies were present at the hearings. The production of a separate Aboriginal and Torres Strait Islander women's report ensured that these specific issues received the attention they required. For example, despite being only a small percentage of the Australian population, Indigenous women face extreme levels of overrepresentation across many social justice measures. Human rights mechanisms also work in collaboration with each other, and in 2004, the UNPFII noted that the CEDAW does not make specific reference to Indigenous women and

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[284] United Nations. (1979). *United Nations Convention on the Elimination of Discrimination Against Women, December 18, 1979*. https://humanrights.gov.au/our-work/commission-general/convention-elimination-all-forms-discrimination-against-women-human#:~:text=On%2018%20December%201979%2C%20the,twentieth%20country%20had%20ratified%20it

[285] Office of the High Commissioner for Human Rights. (2009). *NGO Report on the Implementation of the Convention on the Elimination of Discrimination Against Women in Australia.* http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/YWCA_Australia46.pdf accessed 21/2/15

[286] Koori Women Mean Business, Indigenous Law Centre and YWCA Australia. (2009). *Aboriginal and Torres Strait Islander Women's parallel NGO report 2009. The Implementation of the Convention on the Elimination of All Forms of Discrimination against Women.* https://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Australian_ATSI_Women.pdf

[287] Ibid.

recommended that "special attention should be paid to the issues related to maintain the integrity of Indigenous women and the gender dimension of racial discrimination against Indigenous peoples."[288]

As part of the Australian delegation, I lobbied the CEDAW panel members and the Special Rapporteur on issues and challenges raised in the report, drawing attention to Aboriginal and Torres Strait Islander issues. The importance of being present at these hearings and producing a specific Indigenous report was confirmed in many of the conversations undertaken within the lobbying and negotiation space. The 2010 CEDAW was my first opportunity to attend an international human rights meeting and my first visit to the United Nations. It was a forum in which I considered my own political participation and work in the advocacy/lobbying space. As I sat through many formal sessions, I had a moment of reflection and insight – a reflection of how far I had come in my political journey. I was humbled by the opportunity to make a direct contribution at an international level and realised that this is not an opportunity afforded to many women globally. In meeting with other women from around the globe, I became acutely aware of the incredible risk some women were taking just to be present. To speak out against their governments, especially those that were under military occupation or in a political state of unrest, they were essentially putting their own lives and safety on the line and therein projecting strong messages about the importance of advocacy and representation.

I appreciated that in an international context, the Australian Government was one that at least worked with the NGO sector and had supported many NGO representatives to be present. It had a responsibility to effectively contribute not only to the Australian delegation but to broader issues-based discussions as an advocate for (Indigenous) women globally. I presented an intervention to the committee on behalf of Australian NGOs that outlined key issues of concern and areas requiring further investigation or attention. This intervention sought to identify greater focus on and accountability for Aboriginal and Torres Strait Islander women's circumstances, including a call to action for increased participation in public and political life. Through the combination of specialised reports, interventions, and lobbying, the CEDAW committee identified two priority areas for the Australian Government:

1) The elimination of violence against women (including a significant focus on women of minority)
2) The increased participation of Aboriginal and Torres Strait Islander women in public and political life.

The main outcome of the CEDAW review is the *Concluding Observations,* which are a set of recommendations for the government to bring its policies into line with the convention.[289] The *Concluding Observations* from this session included two priority areas for Australia:

[288] United Nations. (2001). *NGO Forum, World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.* https://www.un.org/en/durbanreview2009/pdf/DDPA_full_text.pdf

[289] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press. p. 159.

> Paragraph 27: The Committee reiterates its recommendation in its previous concluding observations (CEDAW/C/AUL/CO5. para. 17) that the State party fully utilise the *Sex Discrimination Act* and consider the adoption of temporary special measures, in accordance with Article 4 paragraph 1, of the Convention and the Committee's general recommendation No.25, to increase further the number of women in political and public life and to ensure that the representation of women in political and public bodies reflect the full diversity of the population, including indigenous women and women from ethnic minorities.[290]

The Australian Government is obliged to report biennially on the progress made against each priority area. These reports place a spotlight on policy development and initiatives in fields such as education, health and social services, legal literacy, access to justice and the adoption of temporary special measures.[291] The committee's recommendations also reiterate the adoption of affirmative action strategies across government and other sectors to increase and advance skills and experience. The Australian Government has invested in Indigenous women's leadership through both departmental and community-led programs.[292] It is hoped that these advancements link to leadership development as a core foundation for greater engagement of Indigenous women. Leadership opportunities may then link to increased participation in decision-making and formal and informal political representation.

In line with its CEDAW obligations, the Australian Government also noted it needed to do more to increase the levels of women in governance roles. In 2011, the government committed to a minimum target of at least 40% women and 40% men on Australian Government boards by 2015.[293] On 30 June 2012, women held 38.4% of government board appointments, and by 30 June 2014, this had increased slightly to 39.7%. This initiative aims to ensure that the gender diversity targets become attainable and that greater consideration is given to broader inclusion strategies for women. The initiative identified that it would provide greater opportunities for women to exercise leadership,

[290] United Nations. (2010). *Concluding Observations of the Committee on the Elimination of Discrimination against Women* (Forty-sixth session, CEDAW/C/AUS/CO/7). https://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-AUS-CO-7.pdf

[291] Aboriginal and Torres Strait Islander Women's parallel NGO report 2009. The Implementation of the Convention on the Elimination of All Forms of Discrimination against Women. https://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Australian_ATSI_Women.pdf

[292] Australian Human Rights Commission. (2012) Independent Interim Report on CEDAW. https://humanrights.gov.au/sites/default/files/content/pdf/legal/submission/CEDAW%20Interim%20Report%20FINAL.pdf

[293] Department of Families and Housing, Community Services and Indigenous Affairs. Gender Balance on Australian Government Boards Report 2012-2013. https://webarchive.nla.gov.au/awa/20130904113045/http://www.fahcsia.gov.au/our-responsibilities/women/publications-articles/gender-balance-on-australian-government-boards-report-2012-2013-0

increase opportunities for economic participation, and provide cultural change within the professional community to promote gender equality in decision-making sectors of government.[294] The government is working towards long-term gender equality as an entrenched policy provision to ensure that women are not further marginalised from important decision-making bodies. However, a great deal of work remains for the inclusion of cultural diversity to correlate with gender diversity measures. Currently, there is limited to no data to ascertain the extent to which appointees are Aboriginal and/or Torres Strait Islander women. This is an issue where the CEDAW resolutions can assist governments to prioritise disaggregated data for monitoring and evaluation purposes. The inclusion of affirmative Indigenous action strategies across gender initiatives can assist in increasing greater diversity in participation.

Finally, and perhaps most importantly, the engagement of Indigenous women in international political spaces empowers Indigenous women to define and address priorities by setting an agenda that meets their needs. It also acts as a call to action for governments on greater levels of investment, influence, and engagement with Aboriginal and Torres Strait Islander women. One such example is OXFAM's *Straight Talk Program.*[295] The program encourages Aboriginal and Torres Strait Islander women to partake in an interactive learning environment that focuses on the Australian political system and skills for lobbying and advocacy. This program focuses on participation in public and political life and educates women on the operations of government and strategies of engagement.[296] I have facilitated the *Straight Talk* program for over 14 years and have extensive experience in this specific field of work. Such knowledge transfer amongst Indigenous women is directly linked to the CEDAW articles 7 and 8. The program provides a comprehensive focus on political institutions, the process of voting, standing as a candidate, and engaging in NGO sector advocacy, as well as the future potential for political representation.

Indigenous women have continued to hold the government to account through the collation and submission of Australian NGO follow-up reports to the United Nations Committee on the Elimination of Discrimination Against Women 2012 and 2014.[297] To further link my participation and the broader political environment, I was contracted to write these reports. This required collaboration among Aboriginal and Torres Strait Islander NGO sector representatives, links with stakeholders, official CEDAW procedures, and my firsthand experience as an Aboriginal woman, having participated at the CEDAW previously. This further supplemented the work of other United Nations forums.

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[294] Ibid.

[295] Aboriginal and Torres Strait Islander Women's parallel NGO report 2009. The Implementation of the Convention on the Elimination of All Forms of Discrimination against Women. https://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Australian_ATSI_Women.pdf

[296] Ibid.

[297] Australian Women Against Violence Alliance. (2012). *NGO follow-up report to the UN Committee on the Elimination of Discrimination Against Women*. https://awava.org.au/2012/10/23/research-and-reports/8203

Commission on the Status of Women

The Economic and Social Council (ECOSOC), one of the six main organs of the United Nations established by the UN Charter in 1946 is the principal body for economic, social, and environmental issues.[298] ECOSOC consults with non-government organisations and maintains a vital link between the UN and civil society. The *Commission on the Status of Women* (CSW or "The Commission"), a functional commission under ECOSOC is the principal global policymaking body dedicated to gender equality and the advancement of women. The United Nations General Assembly established *UN Women* in 2010 as the United Nations entity for gender equality and empowerment of women. *UN Women* oversees the CSW and facilitates the inclusion of civil society representatives. Every year, representatives of forty-five member states form the CSW panel and gather at the United Nations headquarters in New York to evaluate progress on gender equality, identify challenges, set global standards, and formulate policies to promote gender equality and women's empowerment worldwide. The CSW draws representation from governments, NGOs, international NGOs, United Nations agencies and civil society organisations. The CSW is not enforced by a specific convention (such as the CEDAW); however, it does create an opportunity to provide a gendered lens on existing conventions and makes recommendations for ways that states can support gender equality. Australia has attended the *Commission on the Status of Women* since its inception in 1947.[299] The Commission utilises the *Beijing Declaration and Platform for Action* (1995) to set the agenda for women's empowerment and to outline the guiding principles underpinning work within the gender equality space. The main outcome document of the UNCSW is *Agreed Conclusions,* which includes a comprehensive set of recommendations that can be implemented by various stakeholders at the regional, national, and international levels.[300]

As a participant in three CSWs, I have seen the various ways in which coordination, collaboration, and effective lobbying can have positive impacts on the outcomes of the meetings. I draw on the CSW 57th session in 2013 as a notable example of diverse and effective collaboration from both the view of political participation and policy focus. Each meeting of the CSW is centred on key themes, and every five years, the CSW conducts a review year for the *Beijing Declaration and Platform for Action* (1995).[301] In 2013, the priority theme was the elimination and prevention of all forms of violence

[298] United Nations. (n.d.). *Unied Nations – Economic and Social Council: At a Glance*. https://ecosoc.un.org/en/about-us, accessed 15 April 2017.

[299] Shaw, C., & Van Unen, J. (2012). *Australian NGO Guide to the Commission on the Status of Women (CSW).* Jera International.

[300] Agreed conclusions include a comprehensive set of recommendations that can be implemented by various stakeholders, at the international, nation and regional level. UN Women. (n.d.). *Elimination and prevention of all forms of violence against women and girls.* (CSW57). https://www.unwomen.org/en/csw/previous-sessions/csw57-2013

[301] The Commission utilises the *Beijing Declaration and Platform for Action* (1995) to set the agenda for women's empowerment and as guiding principles underpinning work within the gender equality space.

against women and girls.[302] Violence against women had received substantial attention at all previous CSWs, but in the lead-up to this event, several high-profile international incidents attracted greater attention. Michelle Bachelet (UN Under-Secretary-General & Executive Director of UN Women) noted,

> violence against women and girls remains a horrific reality. It takes place in every country and in all settings. It is a universal problem that requires a universal response. We are here in this Commission on the Status of Women because every person has the right to live free of violence and discrimination. The world can no longer afford the cost of violence against women and girls, the social and economic costs and the costs in deep human pain and suffering.[303]

UN Women had also launched a campaign for new concrete national actions to end violence against women and girls. Australia pledged its commitment to this campaign and implemented the *National Plan to Reduce Violence against Women and Girls.*[304] The official Australian delegation included the Minister responsible for the Status of Women, the Sex Discrimination Commissioner of the Australian Human Rights Commission and the Global Ambassador for Women and Girls. The Australian Government delegation included several NGO representatives, unlike many other states, which do not include NGO representatives in preparing for the CSW. The government selected four delegates with four fields of expertise, namely the community sector, women with disabilities, culturally and linguistically diverse communities, and Indigenous communities.[305] In bringing together such a diverse range of delegates and focusing on a specific policy area, the government acknowledged that violence against women is a universal issue. It affects women from all over the world, of all backgrounds, races, cultural and economic circumstances. Therefore, working collaboratively on this issue is more likely to identify ways to prevent, reduce and ultimately eradicate violence in families and communities.

NGO representation always forms a fundamental part of the Commission. While they are often on the periphery of the formal negotiations, they do bring civil society perspectives to the fore. Hence,

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[302] UN Women. (n.d.). *Elimination and prevention of all forms of violence against women and girls.* (CSW57). http://www.un.org/womenwatch/daw/csw/57sess.htm

[303] UN Women. (2013). *Opening statement of Michelle Bachelet at CSW57. "Time for action:prevent and end violence against women and girls".* http://www.unwomen.org/en/news/stories/2013/3/opening-statement-of-michelle-bachelet-at-csw57

[304] Department of Social Services.(n.d.). *The national plan to reduce violence against women and their children, 2010.* https://www.dss.gov.au/women/programs-services/reducing-violence/the-national-plan-to-reduce-violence-against-women-and-their-children-2010-2022#:~:text=As%20the%20final%20action%20plan,on%20the%20Fourth%20Action%20Plan, accessed 2 March 2017.

[305] Australian Government. (2013). *Ministerial Statement on the United Nations Commission of Status of Women.* https://formerministers.dss.gov.au/12722/ministerial-statement-on-the-united-nations-commission-on-the-status-of-women-canberra/

NGOs attend the CSW for many reasons, including focusing on key policy areas, influencing state delegates, advocating for representation, sharing good practices, and networking through parallel events.[306] Parallel events are coordinated by NGOs and are held outside UN headquarters; however, they still form part of the official program for the CSW. Such events align with the key priority themes and are a way for UN entities and NGOs to share best practice methods and highlight collaborative work amongst the states on key domestic policy areas whilst also providing new perspectives to global challenges. This is where the involvement of Indigenous women is best evidenced, with many hosting parallel events that align with their work on a domestic level. For example, three specific parallel events were hosted by Australian Indigenous women at CSW 2013, including Aboriginal and Torres Strait Islander community responses to stop violence, Mudgin-gal Aboriginal women 'Tackling Violence', and women leading change: strategies for improvement in the political and public representation of women.[307] I was a panellist with other Indigenous women from Canada, New Zealand, and the United States, enabling discussions about comparative histories, political systems, and strategies for change. It is these collective discussions that facilitate and enhance the potential of what is possible for women.

This further demonstrates the importance and practical linkage between domestic and international engagement for raising awareness and creating a space for dialogue for Indigenous women. Proactive, widespread advocacy and representation on these issues are therefore critical. Indigenous women comprise just over half the population within their communities. Women are the primary nurturers and caregivers, and they hold important cultural and leadership roles. However, for decades, they have borne the brunt of violence. The evidence-based crisis of endemic violence committed against Aboriginal women in urban, regional, and remote communities undermines the notion that women are valued members of Aboriginal society. We must move beyond the rhetoric of the 'separate but equal' idealism in traditional communities and focus on how communities that routinely commit and permit violence against women will work to respect them and their children.[308]

This points to the vital need for Indigenous women's issues to be addressed by and for Indigenous women, as political representatives and participants. Using the collective position of women from similar NGO agencies, we were able to work across states, providing a greater opportunity to explore/develop a unified resolution on fundamental concerns and issues facing Indigenous women. The truth is that the experience of violence against women remains one of the most common denominators across the world. Globally, 70% of women face physical and/or sexual violence in their

[306] Shaw, C. Van Unen, J. (2012). *Australian NGO Guide to the Commission on the Status of Women (CSW).* Jera International.

[307] Ibid.

[308] Davis, M. (2009). A woman's place. *Griffith Review*, *24*, 94–99.

lifetime.[309] The statistics as they relate to Aboriginal and Torres Strait Islander women in Australia are equally alarming, noting that "in 2006–07 Indigenous women and girls were 35 times more likely to be hospitalised due to family violence and assault assaults than non-Indigenous women and girls,"[310] and one in every two Aboriginal women are likely to experience violence or sexual assault in their lifetime, demonstrating an overrepresentation of Indigenous women compared to non-Indigenous counterparts.[311] By having higher numbers of Australian Indigenous women attend the CSW, the delegation drew on a number of diverse views and perspectives concerning this priority theme. The women represented a broad spectrum of the NGO sector and worked collaboratively with me as part of the Australian Government delegation. In the lead-up to the CSW, I worked with other Indigenous NGO representatives to collaborate, consult, and communicate with grassroots organisations across Australia to identify the key messages and issues that needed to be brought to the table. Therefore, this enabled extensive data collection, sourcing of relevant information before the CSW, and being prepared for the negotiation phase of the forum.

Australian delegates focus on global change and utilise the CSW forums to achieve a collective message of change for Indigenous women. The challenge post-CSW is how countries interpret the *Agreed Conclusions* and the *Commission's Resolutions* at the national level, taking into consideration all other national laws, policies, and procedures.[312] To achieve global advancement, NGO representatives continue to work on a domestic level to hold governments accountable for their international human rights obligations. A noteworthy example of this dynamic in the Australian context is the CSW 57, during which there was effective cooperation between civil society and the state. The CSW 57's strong demonstration of Indigenous representation cannot only be attributed to the priority theme but also the coordinated effort in encouraging participation through the NGO sector. It illustrates the need for consistent and adequate levels of representation to achieve success. The most effective way to increase momentum and ensure change was to build on the work of previous delegations. Universal Indigenous narratives have been crucial to political advocacy and strategy to make gains against hostile or resistant states.

Furthermore, the UNDRIP specifically mentions active NGO representation for Aboriginal women's voices and advocacy. In international forums, some women may feel less inclined to voice their opinions if not provided with adequate protection from future action. This is particularly evident

[309] UN Women. (2013). *Opening statement of Michelle Bachelet at CSW57: "Time for action: prevent and end violence against women and girls".* https://www.unwomen.org/en/news/stories/2013/3/opening-statement-of-michelle-bachelet-at-csw57

[310] Australian Government. (2010). *National plan to reduce violence against women and their children*. https://www.dss.gov.au/women/programs-services/reducing-violence/the-national-plan-to-reduce-violence-against-women-and-their-children-2010-2022#:~:text=As%20the%20final%20action%20plan,on%20the%20Fourth%20Action%20Plan.

[311] Ibid.

[312] Shaw, C. Van Unen, J. (2012). Australian NGO Guide to the Commission on the Status of Women (CSW). Jera International.

when there is a conflicting perspective from the State or a deviation from the agreed political message of organised representation. .I observed a stark contrast in the limited number of Australian Indigenous women attending the 59th CSW in 2015, consequently leading to the exclusion of Asia/Pacific perspectives in the broader debate. Limited participation may also be attributed to recent changes in the political landscape of Australia. Within the Indigenous affairs portfolio, tension has arisen due to conflicting priorities, changes in policy approaches, significant cuts to budgets, and the loss of essential services. These turbulent waters create a disconnect between the viewpoints, priorities, and goals of the state and Aboriginal and Torres Strait Islander peoples.[313] Whilst this is occurring, the barriers to participation for Indigenous women only continue to increase and become more difficult to overcome: "There can be no peace, no progress, no equality without women's full and equal rights and participation."[314] Therefore, a coordinated approach to the inclusion of Aboriginal and/or Torres Strait Islander women in official government capacities and NGO delegations to the CSW will ensure that Indigenous women's human rights are represented, respected, and protected. This approach must be consistent to increase and maintain momentum to enable substantial, permanent change.

Global Connectedness of Indigenous Women

Two key factors underpin the process of engagement and representation in an international context for Indigenous women, particularly as they relate to gender-based concepts of human rights. The first factor relates to the roles of women and the recognition that "there are socially constructed expectations and assumptions about men's and women's rightful place in politics, economies and society."[315] This often makes it difficult for women to exercise their rights to equality, inclusion, and opportunity within the broader society. This is further exacerbated for Indigenous women because of historic exclusionary practices. The second factor is specific to Indigenous women being able to occupy a space of intersectionality and managing competing, multi-faceted, or, at times, contradictory interests or discrimination. For Indigenous women, there are also the embedded cultural constructs of family and community. Cultural beliefs, values, and practices form the foundation of our lives. Gender roles can also have different meanings for Indigenous women in a cultural rather than a Westernised framework. Despite the specific challenges facing Indigenous women, there is often a reluctance to address the gender dimensions of Indigenous peoples' issues, as it can be seen as "interfering with culture" or "imposing Western values."[316] With this in mind, the representatives' responsibilities require greater

[313] National Congress of Australia's First Peoples. (n.d.) http://nationalcongress.com.au/membership/, accessed 3 April 2016 (archived).

[314] Bachelet, M. (2013, March 9). A promise is a promise; time to end violence against women. *AllAfrica.com*. SyndiGate Media Inc.

[315] Chappell, L. A., Chesterman, J., & Hill, L. (2009). *The politics of human rights in Australia*. Cambridge University Press, p. 158.

[316] United Nations. (2006). *Gender and Indigenous peoples' human rights* (Briefing note no. 6). https://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf

consideration of cultural and racial concepts while also addressing constraints that guide and influence individuals and their families. There remains a strong interconnectedness between cultural practice and beliefs, juxtaposed with human rights. In line with the intent of articles 18–22 of the UNDRIP and Article 8 of CEDAW, the Indigenous women's caucus, with delegates from across the world, was established as an effective tool for lobbying and influencing the CSW 57th session. The caucus created a space for women to explore the balance between culture and institutionalism.

I found great comfort and familiarity in being able to work with other Indigenous women from across the world. It reaffirmed my belief that self-awareness involves having a thorough knowledge of values, strengths, weaknesses, interpersonal skills, goals, and abilities. It was also predicated by the behaviour within this space being consistent with cultural teachings. The nuances of cultural 'being' and 'doing' were evident from the first meeting and continued through many phases of our collaboration. The caucus meetings began through an Indigenous practice of "getting to know you" – the protocol of introducing oneself to other Aboriginal and Torres Strait Islander people and other Indigenous peoples. It also involves providing information about one's cultural location so that connections can be made on political, cultural, and social grounds and relationships established.[317] This is a term that I refer to as *cultural positioning* and it has been a lifelong process of engagement with other Indigenous people both on a personal and professional level. As Indigenous people, we locate our connections in a cultural model that recognises genealogies and ancestral cultural connections but also one in which we define our family connections and context.[318] In an international setting, this helps to establish alliances and build on the relationships that may already exist between Native nations and the state.

The Indigenous caucus meetings were hosted by the *International Forum on Indigenous Women* (FIMI) and provided an opportunity for delegates to discuss the political position of Indigenous women from a global perspective. The Indigenous caucus followed cultural protocols by acknowledging the First Nations people of North America and acknowledged the area as Turtle Island. Connecting through our various tribal/cultural identities ensured a safe, culturally sensitive space for effective engagement. This caucus was an act of political mobilisation and ensured the voices of Indigenous women were heard as part of the formal negotiations. Even though many Indigenous representatives were there under the NGO standing, a small number were also participants in their official government delegations, providing greater access to senior officials and representation at the formal end of the meeting and negotiations. To raise the profile of the key theme and the impact on Indigenous women, the Indigenous caucus coordinated Indigenous political statements from member states to use these as lobbying tools. The caucus also released a collective Indigenous political statement

[317] Martin, K., & Mirraboopa, B. (2009). Ways of knowing, being and doing: A theoretical framework and methods for indigenous and indigenist re-search. *Journal of Australian Studies, 27*(76), 203–214. https://doi.org/10.1080/14443050309387838;

[318] Ibid.

to present a global front. This statement was produced on behalf of Indigenous women to highlight and campaign on specific concerns and issues faced by Indigenous women. The statement recalled the importance of both the UNDRIP and the CSW as having key responsibilities in the implementation, monitoring, and evaluation of progress for Indigenous women. Article 22, paragraph 2 declares that states shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.[319]

The Indigenous caucus also brought to the fore the unique and challenging issues faced by Indigenous women and their heightened vulnerability to violence, often caused by the foreign occupation of traditional lands, extractive industries, and continued marginalisation, oppression and intergenerational trauma. The Indigenous caucus developed an international media release and held a press conference to disseminate their information and position through the media and to grab the attention of member states. By distributing the position statement widely amongst the CSW delegates, engaging the media, and undertaking well-informed advocacy work, the Indigenous caucus developed a political strategy that achieved great results. As an ally state of Australia, Norway took a lead role in the negotiations and proposed a resolution for Indigenous women. Then, through a process of negotiation, the member states called upon the CSW to include precise wording on the specific and unique position of Indigenous women.

As a result of the collective advocacy amongst the Indigenous women, the *Agreed Conclusions* recognised the unique position of Indigenous women, stating:

> The Commission reaffirms that Indigenous women often suffer multiple forms of discrimination and poverty which increase their vulnerability to all forms of violence, and stressed the need to seriously address violence against indigenous women and girls.[320]

For people unfamiliar with international proceedings, the inclusion of this language may not seem like a substantial win. To give further context, the language often used through UN mechanisms tends to place minority groups together ‘in a list’. This consequently diminishes the impact of such statements. To be able to achieve the inclusion of a standalone statement for Indigenous women through extensive negotiation procedures was a monumental achievement. The last time this was achieved was at the 49th Session of the CSW in 2005.[321] The Indigenous caucus had undeniably advanced the position of Indigenous women and developed a benchmark for states to be held accountable to. This precedent prompts the development and implementation of measures to address the needs of Indigenous women.

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[319] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*, https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

[320] United Nations. (2010). *Concluding Observations of the Committee on the Elimination of Discrimination against Women* (Forty-sixth session, CEDAW/C/AUS/CO/7).

[321] United Nations. (2006). *Gender and Indigenous peoples' human rights* (Briefing note no. 6). https://www.un.org/esa/socdev/unpfii/documents/BriefingNote6_GREY.pdf.

As a political contributor, I have been part of an effective engagement process for Indigenous women from Australia and around the world. From a personal standpoint, I was profiled in the international media, undertook leadership roles in drafting international statements, and then advocated in the formal negotiations on the collective position of Indigenous women. From my own experience, I know that inclusive participatory action by Indigenous representatives has a direct impact on policy development and operational challenges at the domestic level. Indigenous women can use these international mechanisms as an opportunity to exercise their cultural and political rights and to mobilise their collective voices across a range of human rights and gender-specific areas.

Summary

Indigenous women have continued to be leaders and advocates across many sectors of social, economic, legal, and political spectrums and have engaged at domestic and international levels for decades. Representing at the global stage enables Indigenous women to mobilise and work collectively to improve recognition of their fundamental human rights. This is despite the commonality and lived experience of intersectionality, marginalisation, and oppression, The UNDRIP provides a strong foundation from which Indigenous participation is viable and legitimate. Engagement at the international level, through forums such as the CEDAW and the CSW further enables Indigenous women to make valuable contributions to advance gender equality across societies and communities. More importantly it provides a clear responsibility for the member states to respond to the recommendations and implement appropriate strategies for enhanced social and political outcomes. The vital contribution of NGO representatives also develops strategies for empowerment and social inclusion concerning cultural ways of being and doing. The principal right of women to be afforded space for participation and engagement in public and political life remains one of the key determinants in creating stronger democracies for all people.

This research has captured my own experiences and participation as an Aboriginal woman working within the human rights framework, as well as demonstrating examples of relevance and implementation of these gender equality provisions in a domestic setting. In the end, everyone has a place where they do their best work, where they can have the greatest influence and contribute to advocacy and negotiation for positive and meaningful results. International advocacy is one of those important activities that can address the rights of women, not only as individuals but also as a collective, to recognise our place as global citizens with shared histories. The relationship between national and international has never been more important as we consider our current political environment. In the future, a coordinated and collaborative approach to international engagement will influence domestic policy development. It will also support and encourage Indigenous women's leadership to filter across the political spectrum and result in positive effects for the representation and engagement of Australia's Aboriginal and Torres Strait Islander women.

CHAPTER D: Time for Change

The establishment of the *National Congress of Australia's First Peoples* (Congress) in 2010 marked a historical turning point not only for Australia but also for Aboriginal and Torres Strait Islander peoples and women. Congress's establishment addressed the void of Indigenous representation at a national level following the abolition of ATSIC in 2004. A critical role for the National Congress was to engage with Aboriginal and Torres Strait Islander peoples and communities on a range of important issues and to empower communities to advocate for policy change and reform. The Congress encapsulated gender provisions in its structural framework to ensure the full extent of engagement and inclusivity. This was one of the key recommendations from community consultation. Communities agreed that 50/50 gender representation should be a foundational principle of the new model. Three specific elements underpinned the establishment of Congress: self-determination, human rights, and gender equality. These were key priorities of the Expert Panel Report and were important to frame the process of engagement and empowerment for the National Congress's implementation.[322]

Self-determination was a pivotal foundation upon which the National Congress was established. In 1972, the Whitlam government adopted a policy of self-determination and proposed the "reversal of two hundred years of despoliation, injustice and discrimination."[323] The purpose and meaning of self-determination have been adapted and interpreted through many phases of development over the subsequent decades. Many government departments followed suit and adopted similar policies. For example, self-determination was implemented as one of the underpinning principles of ATSIC to ensure that Indigenous peoples could select their representative to advocate on issues that affect them. The structure of ATSIC had an elected arm, and it also had a legislative mandate that gave it an alternative voice on policy to government – one that better reflected the perspectives and interests of Aboriginal people.[324] The principle of elected members at both a regional (regional councilors) and a national (Commissioner) level was designed to ensure Indigenous people felt like they had a say on the decisions that impacted them. However, the practical implication of a self-determination-based agenda has proved complex, with major discrepancies between the expectations of some Aboriginal groups and the intentions and capacities of the government.[325] The path to self-determination took a significant step backwards with the abolition of ATSIC on 16 March 2005 following the handing down of an

[322] Australian Human Rights Commission. (2009). *Our future in our hands: creating a sustainable national representative body for Aboriginal and Torres Strait Islander Peoples.* https://humanrights.gov.au/our-work/projects/our-future-our-hands-2009#:~:text=A%20new%20National%20Representative%20Body%20will%20enable%20the%20goals%2C%20aspirations,first%20peoples%20to%20be%20recognised.

[323] Summers, J., Woodward, D., & Parkin, A. (2002). *Government, Politics and Policy in Australia.* (7th Ed.). Pearson Education. p. 510.

[324] Behrendt, L. (2005). The abolition of ATSIC - Implications for democracy. *Democratic audit of Australia.* https://library.bsl.org.au/jspui/bitstream/1/679/1/200511_behrendt_atsic.pdf.

[325] Ibid. p. 511.

independent review into ATSIC.[326] There was also continued contention over the language of self-determination through successive governments blurring the intent, with preference being given to self-management over self-determination. Despite this contentious issue, self-determination has remained a fundamental value and aspiration for Aboriginal people. It is once again on the Indigenous affairs agenda in a significantly different political environment and driven by Aboriginal peoples.[327] *The Declaration of Rights of Indigenous Peoples* (the Declaration) prescribes in Article 3 that all Indigenous peoples have the right to self-determination and to freely pursue their economic, social, and cultural development.[328] Hence, the road to self-determination begins with achieving equality and the recognition of fundamental human rights but has a much broader scope, including the right to self-govern and to define how, where, when, and by whom Aboriginal and Torres Strait Islander peoples' interests are represented.

The Declaration further affirms Indigenous people's right to participate in decision-making in matters that affect their rights through representatives that are *chosen by themselves* in accordance with *their own procedures*, as well as to maintain and develop *their own Indigenous decision-making institutions* [emphasis added].[329] In this sense, self-determination can enable and encourage the characteristics of self-governance that are predicated on Indigenous nations and peoples' collective rights. The independence of a body such as the National Congress allows for the institution to be embedded in cultural knowledge, values, and beliefs. Therefore, to further enable and progress the work of the National Congress, there had to be an intentional focus on the self-determination agenda.

Gender equality was the other principle recognised through the executive levels of the National Congress. The National Congress enabled women to participate equally in all aspects of representation and decision-making. The Steering Committee, tasked with establishing the new representative body, noted that throughout community consultations, there was strong support for equal representation of women in any new institution, irrespective of the form it takes. However, the quota system would not displace appointment processes based on merit.[330] Gender equality is often associated with politics of power. A feminist perspective generates reflection on the politics of sexuality, identity, cultural icons, and political representation. This is an important aspect of social and domestic policy generally as it

[326] Hannaford, J., Huggins, J., & Collins, B. (2003). In the hands of the regions – a new ATSIC report of the review of the Aboriginal and Torres Strait Islander Commission. *Australian Indigenous Law Reporter*, *8*(3), 105–112.

[327] Muir, S. (2010). The new representative body for Aboriginal and Torres Strait Islander people: Just one Step. *Australian Indigenous Law Review*, 14(1), 86–97.

[328] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples, September 13,* 2007, https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

[329] Ibid.

[330] Australian Human Rights Commission. (2009). *Our future in our hands: creating a sustainable national representative body for Aboriginal and Torres Strait Islander Peoples.* https://humanrights.gov.au/our-work/projects/our-future-our-hands-2009#:~:text=A%20new%20National%20Representative%20Body%20will%20enable%20the%20goals%2C%20aspirations,first%20peoples%20to%20be%20recognised. p. 16.

relates to Aboriginal and Torres Strait Islander peoples.[331] By understanding politics and representation as a process of power, it is generally considered that men have greater access to resources and can, therefore, constrain the engagement of women.[332] This is particularly complex within the cultural and societal constructs of Aboriginal and Torres Strait Islander communities. Matriarchal and patriarchal societies are an important cultural foundation; different moieties shape the Indigenous community's kinship relationships, obligations, and social responsibilities. The new approach to representation through the National Congress considered and addressed some of the systemic challenges faced by women during the ATSIC era. National Congress's mandated gender provision gives authority to cultural knowledge and practice while also ensuring a comprehensive and inclusive model of representation.

The principle of gender equality recognises the specific needs of women and acknowledges the institutionalised barriers faced by Aboriginal and Torres Strait Islander women. The mandated inclusion of women as a gender equality principle has led to important institutional and systemic changes while also ensuring a greater capacity to provide gendered perspectives on social justice policy development. Such measures provide for targeted action to improve outcomes for Aboriginal and Torres Strait Islander women. The provision of gender quotas and special temporary measures is further affirmed through international instruments such as the *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW), namely Article 4, which states:

> Adoption by State Parties of temporary special measure aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.[333]

Section 7D of the *Sex Discrimination Act* (Cth) 1984 also affirms the implementation of special measures to achieve equality.[334] Through these instruments, the state is legally obligated to take measures that strive for equality across all domestic policy and service provisions. Such measures can include but are not limited to the provision of quotas, targeted resources, programs, and support for

[331] Summers, J., Woodward, D., & Parkin, A. (2002). *Government, Politics and Policy in Australia.* (7th Ed.). Pearson Education, p. 382.

[332] Gatens, M. (1998). Institutions, embodiment, and sexual difference. In M. Gatens & A. Mackinnon (Eds.), *Gender & institutions welfare, work and citizenship*. Cambridge University Press.

[333] Australian Human Rights Commission. (n.d.). *United Nations Convention on the Elimination of all forms of Discrimination Against Women, December 18, 1979*. https://humanrights.gov.au/our-work/commission-general/convention-elimination-all-forms-discrimination-against-women-human#:~:text=The%20Convention%20gives%20positive%20affirmation,human%20rights%20and%20fundamental%20freedoms.

[334] *Sex Discrimination Act 1984* (Cth).

women and girls. For example, many boards across Australia have set targets for gender (and diversity) representation, and this is monitored and reported on regularly through the Australian Human Rights Commission.

Finally, the principle of public and political life refers to the opportunity to engage in elements of advocacy, representation, and leadership. The terminology 'public and political life' is often used interchangeably in international fora; however, for this thesis, political life refers to formal representation in government, while public life encompasses advocacy in public and private sectors, community leadership and social movement. Public life encompasses aspects of representation and advocacy in public and private sectors, community leadership and social movements. Public and political life often requires collaboration across various sectors and institutions to create pathways to ensure greater accessibility for full participation and inclusion of women. This can include but is not limited to standing for election, participating in decision-making, promotion to executive levels and leadership across the board.

Since colonisation, Aboriginal women have had to navigate through gender lines and cultural boundaries to negotiate rights for Aboriginal communities.[335] Politically active Indigenous women generally direct their political advocacy to broader change rather than feminist goals per se; however, by challenging white power structures, they also undermine male power structures bilaterally.[336] As a result, any efforts to break down the constructs of white and black institutionalised patriarchy are often at the core of social advocacy and provide a complex environment from which Aboriginal women seek change.

The National Congress proved to be a catalyst in supporting political and public participation in new ways. It maintained an important approach to the engagement and empowerment of Indigenous women. The role and visibility of the female co-chairs helped to define new leadership paradigms in Indigenous affairs. Since the inception of the National Congress, there have been three female co-chairs, namely Jody Broun (2010 to 2012), Kirstie Parker (2013 to 2015), and Jackie Huggins (2015 to 2019).[337] These women have been instrumental in leading change as they have participated in major issues affecting national inclusion and priority setting. This thesis examines some of the more recent advancements in Indigenous affairs and captures the political shift for Aboriginal and Torres Strait Islander women. The analysis contributes to forming a broader understanding of the purpose and breadth of Aboriginal women's political agency.[338]

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[335] Bainbridge, R. (2009). *Cast all Imaginations: Umbi speak*. PhD Thesis. James Cook University, p. 53.

[336] Bell, D. (1991). Aboriginal women, separate spaces, and feminism. In S. Gunew (Ed.), *A reader in feminist knowledge*. Routledge London; Huggins, J. (1991). Black women and women's liberation. In S. Gunew (Ed.), *A reader in feminist knowledge*. Routledge.

[337] National Congress of Australia's First Peoples. (n.d.). http://nationalcongress.com.au/membership/, accessed 3April 2016 (archived).

[338] Bainbridge, R. (2011). Becoming empowered: A grounded theory study of Aboriginal women's agency. *Australasian Psychiatry: Bulletin of the Royal Australian and New Zealand College of Psychiatrists*, *19*(1), S26–S29. https://doi.org/10.3109/10398562.2011.583040.

Institutional and Political Positioning

The National Congress was the most recent iteration of Indigenous elected representation and followed on from ATSIC. Despite the abolition of the National Congress in 2019, there were many accomplishments over its short lifespan. First and foremost, the success and sustainability of a national representative body is reliant on the leadership and engagement of its members. The National Congress membership base had grown rapidly, and by 2019, it had approximately ten thousand members, of which approximately 58% were women.[339] The membership was active and the hosting of annual conferences also provided forums for practical and direct engagement in the work of Congress. Additionally, the various chambers of Congress provided input and advocacy on policy reform and social justice matters. The National Congress was one element of a much larger sphere of influence and change but had a specific role as a national body established by and for Aboriginal and Torres Strait Islander peoples. The collaboration amongst other peak bodies, representative agencies and community organisations helped lead to some success under a self-determination agenda.

Around 2013, there was a sense that the energy in Aboriginal leadership and collective leadership had dissipated.[340] However, the National Congress was able to address this void and had a unique position as an independent voice to address self-determination through several strategic avenues. The creation of the National Congress as an independent institution, being steered by Aboriginal and Torres Strait Islander leaders, set a foundation for new mandates of engagement and purpose on issues affecting Aboriginal and Torres Strait Islander people and communities while also forging renewed relationships with government and other stakeholders.

I had taken an active role in supporting and participating in the National Congress and its positioning to Indigenous affairs. I was a member of the National Congress since its establishment and actively participated in the organisation's governance from 2014 to 2019. I was a delegate of Chamber Three (individuals), enabling me to gain a firsthand connection and collaboration with both internal and external stakeholders. During my membership, I also observed important structural and cultural changes within the organisation. Much of this change was predicated on the growth of the organisation, the growing membership, changes in leadership, and the political environment. My agency in the fields of human rights, political science, community governance, and leadership also facilitated collaboration with the National Congress and the leadership in various ways to seek and support change.[341] My passion for Indigenous affairs has spanned several decades, in which I have held elected roles in ATSIC as a Regional Councillor from 1999 to 2002 and again in Congress from 2014 to 2019. As an insider of

[339] National Congress of Australia's First Peoples. (n.d.) http://nationalcongress.com.au/membership/, accessed 3 April 2016 (archived).

[340] Arnold, A. (n.d.). *How loud will the Aboriginal voices be as activism looks to the future?* ABC. http://www.abc.net.au/radionational/programs/latenightlive/4809426.

[341] Deshong, M. (2015). *NAIDOC scholar of the year – The story of Michelle Deshong.* SBS. http://www.sbs.com.au/nitv/article/2015/07/08/naidoc-scholar-year-story-michelle-deshong.

both ATSIC and the National Congress, I have been able to make several observations of how Indigenous affairs and the representation of women have changed over time.

ATSIC in Practice

ATSIC was established in 1990 and was hailed as a revolution in Indigenous affairs.[342] As a statutory authority, ATSIC was tasked with a new direction in managing Indigenous affairs, both through an administrative and representative function. Throughout ATSIC's tenure, several concerns were raised about its overall function and effectiveness. Following a review, it ceased operation in 2004. After ATSIC's abolition, a Steering Committee (the Committee) was tasked with developing a new model to address the gap in representation at the national level. The committee was also astutely aware of the need to learn from the ATSIC experience. The principle of self-determination was initially going to be enunciated in a preamble to the ATSIC Act; however, the preferred language of self-management was adopted.[343] Despite this, the 'self-management' approach under the Howard Government received a great deal of scrutiny and created some conflict. Further contention was raised with the dual responsibility of representation and service delivery. The complex nature of being a statutory authority that was accountable to the Minister of Indigenous Affairs also added a further degree of complexity in being able to truly represent the views of Indigenous peoples without retribution or other consequences. The demise of ATSIC because of these complex issues served to inform a new era in Indigenous advocacy and self-determination. The committee noted that in the new representative structure, the National Congress would not be responsible for service delivery components and would be an autonomous independent organisation to avoid any similar concerns and make clear distinctions between roles and responsibilities.

The ATSIC structure allowed for direct elections, open only to Aboriginal and Torres Strait Islander people, to elect regional councillors to represent their interests. These regional councillors then elected regional council chairpersons. Chairpersons were grouped into zones, and they collectively elected the national ATSIC Board of Commissioners.[344] Throughout the lifespan of ATSIC, five rounds of elections were held. The participation and representation levels across the Commission were somewhat sporadic at times, and, particularly, the participation of women was heavily scrutinised.

[342] Pratt, A. Bennett, S. (2004). *The end of ATSIC and the future administration of Indigenous Affairs*. Commonwealth of Australia. Current Issue Brief. No.4. 2004–05

[343] Senator Tate (on behalf of Minister Hand), 'Foundations for the Future', Senate Hansard, 18 December 1987, 3433. Cited in Anthony, T. (2010). A New National Indigenous Representative Body…. Again. *Indigenous Law Bulletin*, *7*(8). 5–9.

[344] Sanders, W., Taylor, J., & Ross, K. (2000). Participation and Representation in ATSIC Elections: A 10 Year Perspective. *Australian Journal of Political Science*, *35*(3), 493–513. https://doi.org/10.1080/713649344. p. 32.

Women constituted less than half of the nominees for the first elections in 1990 and around one-third of the nominees in all subsequent elections (see Tables 7 and 8).

Table 7

Women Nominees for ATSIC Elected Office, 1990–2002

Year	**1990**	**1993**	**1996**	**1999**	**2002**
Women nominees	519	642	420	356	412
Total nominees	1161	2001	1269	1061	1208
Per cent	44.7	32.1	33.1	33.6	34

Table 8

Women Elected for ATSIC Regional Council Office, 1990–2002

Year	**1990**	**1993**	**1996**	**1999**	**2002**
Women elected	219	152	87	116	120
Total elected	788	573	375	387	404
Per cent	27.8	26.5	23.2	30	30

Table 8 shows that only around one-quarter of elected ATSIC regional councillors have been female, although there was a slight increase in both 1999 and 2002. This demonstrates a lower proportion of nominees being successful in their bid for an elected role. Additionally, of the thirty-five regional councils elected, with four councils in 1993, seven in 1996, and one in 1999, there were no successful female members.[345] Women's representation amongst the elected seventeen commissioners was minimal, with three elected in 1990, two in 1993 and 1996, four after 1999, and one in the final term of 2002.[346] It is interesting to note that the positions of regional council chairpersons and commissions were remunerated roles. This raises further disparity in the under-representation of Indigenous women among the available fifty-two salaried Indigenous politicians.[347] Therefore, the lack of gender representation had broader challenges and implications.

When ATSIC was established, the idea that women should have equal political representation was considered as part of the construction. Unfortunately, this was not mandated, and the representation of women was less than adequate during its lifespan. The ATSIC Review found that the gender balance in ATSIC was a significant issue and that

[345] Ibid.

[346] Ibid.

[347] Ibid.

> the failure to recognise the role played by Indigenous women is accompanied by inadequate leadership development and insufficient recognition of, and a reluctance to talk about issues related to families and women.[348]

The lack of consideration for gender equality in political representation ultimately had flow-on effects on policy development and decision-making. To truly consider the needs of Aboriginal women, an inclusive process had to be embedded into the foundation for the Commission's direction and framework.

Most importantly, there were opportunities to rectify the situation as part of the ATSIC Review. In submissions to the ATSIC Review, the ATSIC Board of Commissioners provided the following: "ATSIC is keen to see women play a greater role in Regional Councils and the Board, but it does not support designated positions or mandated levels of representation for women."[349] Notably, the timing of this statement coincided with a predominately male ATSIC Board of Commissioners, identifiably in contradiction with the ATSIC women's committee. The women's committee postulated about the impact of under-representation on Indigenous women. It submitted that the result of under-representation is:

> …that less attention has been given to the issues related to families and women, including the needs of youth, the homeless and itinerants, substance misuse and family violence. In our view, a key objective of any new arrangement should be equal representation of women in terms of membership of regional councils, the proportion of regional council chairs and in the proportion of commissioners on the ATSIC Board. That is 50 per cent of these officials should be women.[350]

The polarising difference in these positions suggests that there is not only race but gender politics at play. Ultimately, the ATSIC Review cited several issues that led to the ATSIC abolishment in 2005, and gender equality (or lack thereof) was a major contributing factor. As an important lesson from the ATSIC experience, the consultations on the National Congress ensured the implementation of gender equality provisions at all levels.[351]

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[348] Hannaford, J., Huggins, J., & Collins, B. (2003). In the hands of the regions – A new ATSIC report of the review of the Aboriginal and Torres Strait Islander Commission. *Australian Indigenous Law Reporter*, *8*(3), 105–112.

[349] Australian Human Rights Commission. (2003). *Submission to the Review of the Aboriginal and Torres Strait Islander Commission by the Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission*. https://humanrights.gov.au/our-work/legal/submission-review-atsic. p. 15.

[350] Ibid.

[351] Australian Human Rights Commission. (2009). *Our future in our hands: Creating a sustainable national representative body for Aboriginal and Torres Strait Islander Peoples.* https://humanrights.gov.au/our-

The decision to include gender as a structural mandate drew praise from various sectors of society. For example, the former Sex Discrimination Commissioner, Liz Broderick, noted:

> Indigenous women in this country are now leading the way when it comes to pushing radical solutions to guarantee they are equally represented in national Indigenous leadership…Tom Calma, the Aboriginal and Torres Strait Islander Social Justice Commissioner, announced the proposed model for a new national representative body for Aboriginal and Torres Strait Islanders in Australia. Given the exceedingly low representation of Indigenous people in Parliament, it is important to have a body to represent the voices of Indigenous people in decisions that affect their lives. While there are many notable elements of the proposal, one stands out: mandated gender equality. The new Representative Body will be led by two by full-time co-chairs – one man and one woman and at every level there will be an equal number of men and women. This body…will set a new benchmark for gender equality in national organisations, from which all Australians can learn.[352]

The establishment of the National Congress under these principles marked a historic leap for gender equality in Indigenous Australia. It also addressed some of the fundamental concerns raised as part of the ATSIC Review. National Congress had been seen as a beacon of light to other national organisations, addressing structural and institutional gender equality with many adopting the 50:50 ratio in representation. Unfortunately, the lifespan of Congress did not allow for the full benefit of gender parity to be realised or to create a longer-term system and institutional change.

Aboriginal Women's Participation

The lack of Indigenous women's participation in public and political life is central to this thesis. Aboriginal women can often face multiple barriers to participation in the broader society due to a range of mitigating factors. Despite historical challenges, Aboriginal women have adopted various approaches to engagement through community advocacy, working committees, formally elected roles, and high-profile leadership in the community and government. In particular, the contributions of Aboriginal women across many spectrums of contemporary society undeniably demonstrate a willingness and purpose beyond Indigenous affairs.

work/projects/our-future-our-hands-2009#:~:text=A%20new%20National%20Representative%20Body%20will%20enable%20the%20goals%2C%20aspirations,first%20peoples%20to%20be%20recognised.

[352] Australian Human Rights Commission. (2009). *Is there merit in quotas? The Australian context. Speech by Elizabeth Broderick, Sex discrimination commissioner and commissioner responsible for age discrimination.* https://www.humanrights.gov.au/news/speeches/there-merit-quotas-australian-context

Public Advocacy

Community advocacy is a major component of political life and is an area where we find some of the greatest contributions for and by Aboriginal women. In Aboriginal communities, women have been the backbone of the community, undertaking many volunteer roles, influencing leadership, lobbying for particular interests, and being change agents. Notably, the 1950s and 1960s marked a turning point in history, with significant Aboriginal social rights movements, such as OPAL and the Aboriginal Advancement League of Victoria, seeking legislative reform.[353] Indigenous political groups sought to shine the spotlight on the involvement of Aboriginal people and increased participation in civil society. In 1958, the Australian Aboriginal Fellowship (AAF) was founded by two women, Pearl Gibbs and Faith Bandler.[354] From these early days, Aboriginal women continue to be at the forefront of social, economic, legal, and political change. Women from earlier generations, such as Lowitja O'Donohue, Shirley Peisley, Pat O'Shane, Oodgeroo Noonuccal, Jackie Huggins and Rosalie Kunoth-Monks, come to mind.[355] Through the decades, Aboriginal women have been activists and advocates leading change in human rights, equality, Native Title, and cultural and social justice. Many of these women have been active participators for over forty years and continue to mentor and inspire similar aptitude, passion, and resilience to the next generation.

Perhaps the foundations lie in the kinship structures and social relationships that exist within communities, with the traditional gender roles transforming and adapting to today's society. While many of the struggles have evolved, there are still concerted efforts to address equity and equality for Aboriginal women, as well as individual successes. Aboriginal women around the country are involved on many social, economic, legal, and political fronts. The diversity of methods and techniques adopted by Aboriginal women is also equally important to recognise. Kirstie Parker, as editor of Koori Mail and the former co-chair of the National Congress, noted, "Now activism must have a fluid definition, you're active for a cause. How you do that is irrelevant. We need people in every realm."[356] Political and public life has led to an infiltration of Aboriginal women's perspectives spread across many fronts, including academia, the arts, literature, education, and law. Aboriginal women's agency contributes to a societal

[353] Broome, R. (2001). *Aboriginal Australians: Black Responses to White Dominance, 1788–2001*. Allen & Unwin, p. 178.

[354] Faith Bandler does not identify as Aboriginal but rather as a South Sea Islander. Nonetheless her strong links to the advancement of Aboriginal issues and the cultural connection between Aboriginal and South Sea Islanders warrants inclusion into this debate. As a woman of colour, she experienced racism and discrimination and as a result devoted her life to becoming an activist and leader of political campaigns for Aboriginal rights. Lake, M. (2002). *Faith: Faith Bandler, gentle activist*. Allen & Unwin.

[355] Deshong, M. (2015). *Black women tipping the Balance*. TEDx Talk. https://www.youtube.com/watch?v=jsFoVsgkIF8

[356] Arnold, A. (n.d.). *How loud will the Aboriginal voices be as activism looks to the future?* ABC. http://www.abc.net.au/radionational/programs/latenightlive/4809426.

shift, and specific examples of participation and advancement are reflected in the work of the following individuals.[357]

Aboriginal women have made extensive headway in academia with major contributions to the development of Indigenous philosophies, methodologies, and research development. The work of Aileen Moreton-Robinson affirms critical race challenges for Aboriginal women in a contemporary context. In *Talking Up to the White Woman*, Moreton-Robinson identifies how 'whiteness' persists as an unquestioned marker of privilege in Australian society.[358] Her analysis of patriarchy and power relationships is critical to understanding societal norms that seek to marginalise Aboriginal women. She makes a significant contribution to the Indigenous feminist discourse through the examination of sovereignty and post-colonialism. Moreton-Robinson's body of work is internationally renowned, and she was awarded the position of distinguished professor at Queensland University of Technology, making her the first Aboriginal woman to hold the highest accolade bestowed by a university.[359]

Megan Davis has similarly contributed to academic work focusing on the contentious and complex position of Aboriginal women and their relationship with liberal democracies, self-determination, and feminist ideology. As a lawyer and human rights advocate, Davis has carved out a prominent role as the first Indigenous Australian woman appointed as the Chair of the Permanent Forum on Indigenous Issues. Davis led work on the Expert Panel for constitutional recognition and managed national consultations on reform. Davis has written extensively on legal and political issues affecting Aboriginal and Torres Strait Islander people and has contributed to the development of social policy on a domestic and legal front.

Bronwyn Fredericks was appointed as the Vice Chancellor of Central Queensland University and later the University of Queensland and helped to shape research in socio-psychological aspects of health, Indigenous women's participation, feminism, and championing Indigenous knowledge.[360] Fredericks's work informs the advancement of Indigenous methodologies and perspectives on Indigenous feminism and community-controlled organisations. Her executive appointments across academia seek to address the under-representation of Aboriginal women in the higher education sector.[361]

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[357] Bainbridge, R. (2011). Becoming empowered: A grounded theory study of Aboriginal women's agency. *Australasian Psychiatry*, *19*(S1), S26-S29.

[358] Moreton-Robinson, A. (2000). *Talkin' up to the white woman: Aboriginal women and feminism*. University of Queensland Press.

[359] Queensland University of Technology. (2016). *QUT awards Aileen Moreton-Robinson title of Distinguished Professor*. QUT News. https://www.qut.edu.au/news/news?news-id=106519.

[360] University of Queensland. (n.d.). *Professor Bronwyn Fredericks, Deputy Vice-Chancellor (Indigenous Engagement)*. https://www.uq.edu.au/about/dvc-ie

[361] Fredericks, B., Mills, K., & White, N. (2014). I now know I can do this now: Indigenous women and writing in the Australian higher education sector. Tiddas Writing Up workshop. *Text Journal*, *18*(1). https://doi.org/10.52086/001c.27315

Larissa Behrendt is a barrister, Professor of Law at the University of Technology in Sydney, and a director of the Jumbunna Indigenous House of Learning.[362] Behrendt's book *Achieving Social Justice* shaped dialogue on contemporary Indigenous affairs agendas; it raised matters of Indigenous sovereignty, recognition, reconciliation, and constitutional change.[363] She also contributes to legal and political discourse. Notably, she produced the book *Indigenous Affairs for Dummies* to educate and inform the broader community about Indigenous peoples.[364] The book explores Indigenous life in Australia before 1770, the subsequent impact of white settlement and the ongoing struggle by Aboriginal and Torres Strait Islander people to secure their human rights and equal treatment under the law. It was developed as a guide to understanding some of the more complex issues faced by Indigenous peoples in Australia and, importantly, it also celebrates Indigenous contributions that have been made to the Australian society.

Advancement in literature beyond academia is evidenced by the emergence of Aboriginal and Torres Strait Islander writers across fiction and non-fiction. Anita Heiss is one of the country's most prominent Aboriginal female writers and has made outstanding contributions in all fields, including non-fiction, historical fiction, commercial women's fiction, poetry, social commentary, and travel articles.[365] Much of her work gives voice to the experiences of Aboriginal women through both a personal narrative and social commentary. In 2012, her identity memoir, *Am I Black Enough for You?* provided insight into her family history as well as shone a much-needed light on race relations and political histories. The memoir challenges the subjective and negative stereotypes of who we are as a people.[366] Heiss has received many accolades, including being awarded the 2008 Deadly Award for outstanding achievement in literature and being a finalist in the 2012 Human Rights Award and the 2013 Australian of the Year Awards.[367] Contributions in literature allow people to engage and confront dichotomies and raise awareness of the lived experience of Aboriginal women. Literature is an important tool for spreading awareness, education, and recording our truths as Aboriginal peoples.

Media, visual arts and film are also important vehicles for change, which help to create inroads into the collection of stories and Indigenous narratives. Through visual and contemporary arts, the social discourse on Aboriginal and Torres Strait Islander peoples is changing. The addition of a National Indigenous Television channel (NITV), available through free-to-air television, has made these narratives more accessible to the broader Australian community. Documentaries and contemporary television series are written and produced by Aboriginal people (many of whom are women) and

[362] Behrendt, L. (n.d.). https://www.larissabehrendt.com.au/about/

[363] Behrendt, L. (2003). *Achieving social justice: Indigenous rights and Australia's future*. Federation Press.

[364] Behrendt, L. (2010) *Indigenous Affairs for Dummies*. John Wiley and Sons.

[365] Heiss, A. (n.d.). *Discover my* story. Anita Heiss – Author, Poet, Satirist, Social Commentator. http://www.anitaheiss.com/.

[366] Heiss, A. (2016). Public presentation. National NAIDOC Forum, Darwin. 5th July 2016.

[367] Ibid.

contribute to the Indigenous genre through shows such as *First Australian, Redfern Now, Black Comedy,* and *Cleverman*.[368] Of notable mention, Rachel Perkins and Leah Purcell are two women who have been instrumental in this space.

Perkins is the daughter of the late human rights campaigner and activist Charlie Perkins and has been involved in Indigenous affairs her whole life. In 1992, she founded *Blackfella Films,* which creates innovative, high-quality productions in factual and drama formats.[369] One of the standout productions by the company was the seven-part documentary series *First Australians,* which was featured on SBS television to over 2.3 million viewers. The series was supported by an interactive website that proved to be an educational forum and an important learning platform. Perkins's work also includes documentaries on *Mabo (*a docudrama based on the story of Eddie Mabo and his pursuit in the High Court to overturn the concept of *terra nullius),* the *Tall Man (*a documentary on the death of Mulrunji Doomadgee on Palm Island) and *First Contact* (a reality documentary taking a firsthand look at Aboriginal and Torres Strait Islander race relations). These works are just the tip of the iceberg for Indigenous film and television development. They present a unique contribution to contemporary legal, political, and social issues facing Indigenous Australians and encourage interaction with the subject matter in a non-threatening, educational way.

Leah Purcell is a singer, songwriter, actor, playwright, author, and director, and has produced many projects for the stage and screen.[370] Purcell came to prominence with her critically acclaimed one-woman show *Box the Pony*, in which she shared the experiences of women in her family, including reflections on the Stolen Generations and how this has shaped her identity. Purcell then worked on a book and television documentary called *Black Chicks Talking,* which was a way of capturing the important stories and narratives of Aboriginal women across the nation.[371] Purcell's transition from acting to directing and producing shows such as *Redfern Now* and *Cleverman* has also continued to see her make remarkable inroads into the industry.[372]

Community advocacy remains at the core of political agency and is an important outlet for Aboriginal women to have influence and collaborate towards change. As we have seen, the involvement of Aboriginal women in political issues has also led to the establishment of key organisations and future planning considerations for Aboriginal rights. Epitomising the changing political ideology, Aboriginal women exemplify the results of strong engagement and impassioned contribution to a cause. Effective lobbying, representation, and participation, including pushing the boundaries of social expectations, is

[368] Creative Spirits. (n.d.). *Aboriginal films, movies, documentaries, and series*. http://www.creativespirits.info/resources/movies/#axzz4DPNFicfY.

[369] Blackfella Films. (n.d.). *Blackfella films – About*. http://blackfellafilms.com.au/about/.

[370] ABC. (2018). *Australian Story – The Queen Leah*. https://www.abc.net.au/news/2018-10-31/queen-leah-june-17,-2002/10447696 accessed 1/12/2018

[371] Purcell, L. (2002). *Black Chicks Talking*. Griffin Press.

[372] Tuahine, M. (2009). *Interview with Leah Purcell, Deadly Awards*. https://www.sl.nsw.gov.au/michael-tuahine-sbs-interview-leah-purcell-deadly-awards-sydney-opera-house

not necessarily gender specific. However, gender is an important component of social change. The work of Aboriginal women often benefits the broader community and affirms an intersectional experience. Aboriginal women are no longer passive recipients of change, but rather active negotiators of their personal and professional lives.[373] We have been witnessing a transformation in thinking and in action to collaboratively build a reconciled Australia, but also one that is enhanced by the contribution of Indigenous women more broadly.

Building the Bureaucracy

Advocacy and representation in public and political life is not just restricted to the community sector; there are several examples of Aboriginal women influencing change from inside government as well. Over the past few decades, the number of Aboriginal women in senior roles within Commonwealth and state departments has increased remarkably. Patricia Turner stands out as one of the trailblazers in this regard. She was appointed as the chief executive officer of ATSIC in 1990. Turner's tenure in ATSIC over four years saw her manage and steer major changes in government, social justice, and community capacity building. Turner and chairperson Lowitja O'Donoghue became two of the most senior Aboriginal women in government. As central figures, they shaped the agenda for Indigenous affairs and managed its prominence on the political landscape in Australia.[374] Turner was the only Aboriginal and only woman to have held the role of CEO during ATSIC's operation. She was awarded the Order of Australia in 1990 for her contribution to public service. Turner notes that her time at the helm of ATSIC was "exciting, challenging, and always demanding."[375] Turner later held the role of deputy chief executive officer in Centrelink, again placing her in the most senior ranks of the public service. In taking on this role, she was not only responsible for the Aboriginal portfolio but oversaw a range of business functions, including service delivery, organisational charter for efficient and streamlined business planning, and strategic development. Her role as deputy CEO not only proved her capabilities and experience as a public servant but also demonstrated that Aboriginal people do not have to be linked to Aboriginal issues to be successful.[376] Turner is highly regarded as one of the most senior Indigenous public servants and respected for her achievements in such a male-dominated arena.

Similarly, Kerrie Tim has continued to be a long-time public servant with a formidable history of senior management and executive leadership. Tim has focused her efforts towards strengthening leadership and supporting people from all backgrounds to build better lives for themselves. Her previous role within the Department of Families and Housing, Community Services, and Indigenous Affairs

[373] Bainbridge, R. (2011). Becoming empowered: A grounded theory study of Aboriginal women's agency. *Australasian Psychiatry: Bulletin of the Royal Australian and New Zealand College of Psychiatrists*, *19*(1), S26–S29. https://doi.org/10.3109/10398562.2011.583040.

[374] Trove. (n.d.). *Turner, Patricia Ann, (AM) (1952)*. http://trove.nla.gov.au/people/775089?c=people

[375] The Australian Women's Register. (n.d.). Turner, Patricia Ann. https://www.womenaustralia.info/entries/turner-patricia-ann/

[376] Ibid.

(FAHCSIA) oversaw the implementation of an Indigenous Leadership program that targets skills development and provides opportunities for Indigenous women to gain leadership experience.[377] The program ultimately supported over 500 Indigenous women. Tim followed up with a senior role in the Public Service Commission and led the agency through a period of transition and change, particularly in the recruitment and retention of Aboriginal and Torres Strait Islander staff across all government agencies. She was later promoted to First Assistant Secretary, Principal Advisor, Indigenous Affairs at the Department of Prime Minister, and Cabinet, increasing her reach and contribution to change. She was a trusted advisor to the government and was sought across the public service for her insight and for dealing with cultural issues. However, Tim's involvement in Aboriginal affairs was not restricted to her role in government. She was actively committed to social justice issues and, for over thirty years, focused her efforts on ending racism and led workshops in Israel, Canada, and South Africa.[378] Tim is a champion for Aboriginal women across the country. Her contribution through government is an example of one of the many ways that Aboriginal women can participate in social and political change. She is a leader who represents the interests of many disadvantaged groups and remains committed to real social justice outcomes.

Joy Savage was the chief executive officer of Aboriginal Hostels Limited, managing a network of accommodation facilities for Aboriginal and Torres Strait Islander peoples. Before this, Savage was the Assistant Secretary for Indigenous Policy and Citizenship in the Department of Prime Minister and Cabinet. Her tenure as a senior executive provides scope to lead policy and program implementation around specific government policies like the *Closing the Gap* campaign. She maintained a long career in the public service at both a federal and state level. Joy has also taken time to work in the community sector, leading an Aboriginal medical service supporting better health outcomes for Indigenous communities.

The collective work of these individuals across the bureaucracy is example of the dearth of Indigenous administrative leaders in government over previous decades. These women have gained public prominence and provided executive leadership and support across various agencies, portfolios, and the public sector more broadly. As public servants, Aboriginal women have been able to directly influence changes in policy and delivery of services to Aboriginal people. It is within this capacity that they are constantly challenging the virtual glass ceiling and have paved the way for many others to follow. However, as public servants, there is also the need to be apolitical – to undertake their role

[377] Department of Families and Housing, Community Service and Indigenous Affairs. (n.d.). *Indigenous leadership development opportunities*. http://www.fahcsia.gov.au/internet/facsinternet.nsf/indigenous/programs-indig_leadership.htm, accessed 11 November 2008.

[378] National Library of Australia. (2010). *Kerrie Tim interviewed by Jackie Huggins and Peter Read in 2010 for seven year on – continuing life histories of Aboriginal Leaders oral history project*. https://catalogue.nla.gov.au/catalog/4773775

neutrally and without bias.[379] For some, this can be seen as restrictive, given the politically charged nature of race relations and Indigenous affairs. Challenges can arise when the very nature of the policy being implemented contrasts with cultural values and community obligations. Similar issues are faced as Aboriginal women progress through political representation and are met with the expectation that they can transcend Aboriginality or somehow disconnect from their identity and cultural foundations.[380] At times, this has proved to be an added burden for Aboriginal women in their roles, as they have not only had to compete with the challenges of a workplace but are also subjected to social assumptions regarding their race. The interconnectedness they feel with community values and cultural obligations also presents further obstacles to working in bureaucratic environments.

Nonetheless, what is witnessed through the roles of Aboriginal women in the public service is public participation. The potential for change and the ability to influence at these levels have proved successful in advancing causes but have also allowed individuals to become specialists in particular fields of interest. When issues are driven from the ground up, by the people, there can be tremendous results. Critically, what this represents is the need to have Aboriginal people involved in decision-making across all sectors to eventuate real change. Aboriginal people are passionate about their livelihoods, and those who choose to become strong advocates and campaigners at the informal level tend to do so with a great amount of support from the community. Aboriginal women have overcome multiple barriers and seized opportunities to advance the rights of their people. As such, they have proven that there will always be a place for informal political participation, as it raises the social conscience and allows those who would otherwise be silent to have a voice.

Social Investment

Institutional and societal developments, through leadership and skill-based programs, lead to increased engagement and participation of Aboriginal and Torres Strait Islander women in public and political life. Indigenous women are more likely to experience impacts of discrimination and marginalisation, as their experiences sit at the intersection of gender and indigeneity. Therefore, the barriers for Indigenous women lie in the broader cultural norm of society and the structural barriers these norms create. This can profoundly affect the individual capacity to participate on equal footing in social, economic, and political spaces, thus requiring a targeted approach to achieve change. From a community-based leadership approach, Aboriginal women have created substantial inroads as advocates and change agents. Many of the individual success stories in this chapter can be attributed to leadership opportunities and investment in social change. Separately and collectively the programs

[379] Australian Public Service Commission. (n.d.) *APS Values and code of conduct* .https://www.apsc.gov.au/working-aps/integrity/integrity-resources/code-of-conduct

[380] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science*, *45*(4), 663–680. https://doi.org/10.1080/10361146.2010.517180

developed and delivered through these organisations has been a catalyst to transformational leadership, community mobilisation and future development opportunities.

The apparent change in participation and engagement of Aboriginal and Torres Strait Islander women in public and political spheres in Australia is supported by the investment in skills and knowledge-based programs. In recent times, there has been an emergence of targeted development, leadership, and capacity-building programs as a way of investing in the overall shift to self-determination and equal representation. These programs also aim to foster development amongst Aboriginal and Torres Strait Islander women. Under the Council of Australian Governments (COAG) *Close the Gap* strategic plan, the principles of governance and leadership were identified as imperative building blocks to meeting the Close the Gap targets.[381] This priority identification also informs and lobbies investment in these specific areas.

The philosophy behind this investment also links to international obligations and recommendations such as those seen in the *Declaration of Rights of Indigenous People* and the *Convention on the Elimination on all Forms of Discrimination against Women*:

> Paragraph 27 – the Committee reiterates its recommendation in its previous concluding observations (CEDAW/C/AUL/CO5. para. 17) that the State party fully utilise the Sex Discrimination Act and consider the adoption of temporary special measures, in accordance with article 4 paragraph 1, of the Convention and the Committee's general recommendation No.25, to increase further the number of women in political and public life and to ensure that the representation of women in political and public bodies reflect the full diversity of the population including indigenous women and women from ethnic minorities.

At a domestic level, skill-based development programs also address the disproportionate gap in the representation of Aboriginal and Torres Strait Islander women in leadership, governance, and political engagement.

Through processes of review and substantial government reports, investment in education is paramount to future development. The 2014 CEDAW follow-up report noted that education will remain the cornerstone to advancement and inclusion; therefore, there must be:

- further targeted funding and resources for Aboriginal and Torres Strait Islander women to access education at all levels including secondary, tertiary, and vocational. But also, community and individual education programs to empower and strengthen our women's self-esteem and motivation are equally important

[381] Closing the Gap. (n.d.). *National Agreement on Closing the Gap*. https://www.closingthegap.gov.au/national-agreement

- consideration must be given to providing alternative methods of education for rural and remote locations, and consideration of special entry provisions to provide greater access to education options
- appropriate infrastructure must be in place to support distance education opportunities and language diversity.

To advance these identified education outcomes, leadership and skill-based development programs are crucial to building social capital, strong leaders and change-makers. Three specific programs have identified models of success to support Aboriginal and Torres Strait Islander peoples in addressing specific leadership, governance, and political challenges: the Australian Indigenous Leadership Centre (AILC), the Australian Rural Leadership Foundation (ARLF), and OXFAM's *Straight Talk*.

The Australian Indigenous Leadership Centre

The Australian Indigenous Leadership Centre (AILC) was established in 2001 and delivers a range of accredited programs in leadership and governance for Aboriginal and Torres Strait Islander peoples. Whilst the courses have not been specifically targeted to women, the AILC has seen a high percentage of women participating (above 60%) which shows interest and accessibility of the program. The AILC is a not-for-profit organisation that relies on recurrent funding from the government and corporate sector so that it can offer the courses at no cost to the participants. The program's original conception was formulated by two Indigenous leaders, Joe Ross and Russell Taylor, who undertook a leadership program with the Australian Rural Leadership Foundation. They identified the need for specific investment in Aboriginal and Torres Strait Islander leadership to understand the complexities that Indigenous communities face. A concept study was undertaken that examined the need for Indigenous leadership development in Australia. The study identified the key issues and made the consequent recommendation to create a program addressing concepts of Indigenous leadership. Importantly, it considers the complexity of leadership across both Indigenous and non-Indigenous spaces, the challenge of being a leader in two worlds.

I was involved with the AILC for fourteen years as both a participant in the original program and then advanced to hold a directorship and acting chairperson responsibilities for some ten years. Through my tenure, I witnessed a huge investment in the development of Aboriginal and Torres Strait Islander leadership. The programs have been developed with accredited courses that offer various levels of education, from introductory to intermediary and advanced programs. There have been over 2,500 Aboriginal and Torres Strait Islander people completing various certificate courses, and the extent of that reach within Aboriginal and Torres Strait Islander communities cannot be underestimated. When you consider these numbers within the context of the Indigenous population and appreciate that participants have come from all regions of Australia, it cannot be denied that the program has had a vast impact on community-led change. Long-term investment, along with appropriate funding and support

will continue to increase education outcomes as well as provide practical tools to help foster leadership development amongst Aboriginal and Torres Strait Islander women.

The Australian Rural Leadership Foundation

Supporting investment in leadership education is the Australian Rural Leadership Foundation (ARLF). The ARLF was established in 1992 as a not-for-profit organisation to respond to emerging challenges in rural, regional, and remote Australia.[382] The Foundation was a catalyst for the development of the AILC through the participation of Indigenous leaders in the early programs. While the ARLF is not an Indigenous-specific program, it has had a significant role to play in supporting development across rural, regional, and remote Australia. Approximately 60% of Aboriginal and Torres Strait Islander peoples live outside of major cities.[383] The Foundation, over the past 15 years, has seen a rapid increase in Indigenous participation across all the programs. The ARLF program engages with emerging and experienced leaders in industry, sectors, communities, and regions.

In 2013, the ARLF partnered with the Torres Strait Regional Authority (TSRA) to design and deliver a Torres Strait Islander women's leadership program. The Torres Strait is a specifically complex region in terms of political engagement. While it has local, state, and federal electorates, it also has the Torres Strait Regional Authority. The TSRA is an autonomous body that exists under the ATSIC Act. When ATSIC was disbanded, the TSRA continued to function as a statutory authority and continues to oversee and disperse funding across the Torres Strait region. The TSRA is seen as an important political actor, and as such, the need for gender equality on the board of the TSRA is vital to instigating change in the region. The ARLF/TSRA program was developed to address the under-representation of Torres Strait Islander women in all levels of government across the Torres Strait region. The TSRA women's leadership program aims to provide an experiential learning experience in the geographical region of the Torres Strait. The program seeks to enable participants to develop their understanding and capacity for engagement in governance and politics by developing self-awareness and adaptability, as well as fostering positive relationships.[384]

Other programs exist across states and territories to further complement and support these leadership programs. However, there are far too many to name in this chapter. Nevertheless, it is important to highlight the AILC and ARLF as key, large-scale, successful programs with national reach and specifically working to address Aboriginal and Torres Strait Islander leadership deficits. Another

[382] Australian Rural Leadership Foundation. (n.d.). *Making change happen*. http://www.rural-leaders.com.au

[383] Australian Bureau of Statistics. (2010). *4704.0 - The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, Oct 2010: Demographics, Social and Economic Characteristics: Aboriginal and Torres Strait Islander peoples and where they live.* (No. 4704.0) http://www.abs.gov.au/AUSSTATS/abs@.nsf/lookup/4704.0Chapter210Oct+2010.

[384] Torres Strait Regional Authority. (n.d.). *Torres Strait Women's leadership scheme.* https://www.tsra.gov.au/the-tsra/programmes/governance-and-leadership, accessed 1 March 2017.

program that further enhances development and capacity building is OXFAM's *Straight Talk* program, which moves from leadership into a broader political engagement approach.

Straight Talk – OXFAM

Introduced in 2009, OXFAM's Straight Talk program (the Program) had a specific gender approach, targeting the development of Aboriginal and Torres Strait Islander women in areas of governance, politics, and social change. Many people in Australia lack a basic understanding of the intricacies of the political system and, more specifically, the electoral system. This issue is exacerbated in Aboriginal and Torres Strait communities, as they must grapple with understanding a system that has marginalised their participation. As a result, the original intent of the Program was to connect Aboriginal and Torres Strait Islander women with female politicians; however, over time, the focus has expanded to include a greater understanding of the political system. It has also helped to shape Australia by positioning Indigenous women as change agents in their communities. I have led the facilitation of the program since its inception and have made a major contribution to its design and implementation. The correlation between the program's values and my work as a political scientist and academic has proved integral to the scope and success of the program.

My involvement as the lead facilitator brings a different dimension to the learning environment. When participants see an Aboriginal woman who is a political scientist presenting, it changes the way that they approach the opportunity. I can provide a unique Indigenous perspective on mainstream political issues. In the past, many Indigenous learning spaces have relied on non-Indigenous instruction and the Straight Talk program has been a catalyst to change. Having Indigenous people leading the program and imparting knowledge from an Indigenous perspective reaffirms the need to put Aboriginal women in leadership spaces across various realms of society. Consequently, being a political specialist with an intricate knowledge of the political systems helps to reiterate the capacity and scope of Aboriginal and Torres Strait Islander women. From this approach, we witness the creation of culturally safe spaces where women are comfortable sharing examples from their community experiences and being able to identify their vulnerabilities.

The Straight Talk program is unique as it is targeted specifically at empowering women as change agents, and it is also one of the only programs that provide participants with a practical insight into the political system as the core focus. It is important that women can make the link between community issues (local and regional) through to the broader national political framework. The program seeks to help women understand the machinery of government and provide fundamental tools and skills for effective advocacy and lobbying. Women are then able to use what is learned in the forum and take it back to their families, communities, and workplaces.

Over 900 Aboriginal and Torres Strait Islander women have participated in Straight Talk since 2009 through both regional and national summits. These women are across the country in major cities, rural, regional and remote locations. Therefore, the reach and impact of this experience are evidenced

far and wide. The success of the program has been documented through an independent evaluation process. On completion of the program, women expressed an increased desire to contribute to change in their communities as well as connect others to new skills to effect change. Subsequent follow-up consultations identified that participants return to communities and workplaces with a renewed outlook and energy, best described as a fire in the belly. The effect of the program is as diverse as the women themselves, but overwhelmingly, participants acknowledge the program as being a positive experience.

Exposure to the political system and, in particular, female parliamentarians is also a unique part of the national summit. There can often be a sense of trepidation due to working with people in positions of authority. By facilitating time to meet and dialogue with female parliamentarians, the program breaks down these barriers. As a result, the participants gain a greater insight into what life is like for female politicians, as well as realise that they share some of the same concerns and struggles. The meetings are held with female parliamentarians to break down barriers and provide an opportunity for Aboriginal and Torres Strait Islander women to participate in public and political life. The two-way exchange ensures that relationships are created for the participants and politicians, which can be the start of a new dialogue to lead change. The female politicians also gain a great deal out of the experience. Over the years the program has been running, the engagement and willingness to participate have increased. Upon reflection, one of the politicians involved in the program said:

> They need to be in parliament. They need to feel as if they own the place. Like seeing the way that they can engage and gradually getting to see the power of what they can do in the place. And the power of what they can do when they get together. I find that empowering and meaningful. Big business walks the corridors of Parliament House as if they own the place – Aboriginal and Torres Strait Islander women don't do that. Make sure they feel like they own it too. Need to be opening up the parliamentary community.[385]

Many politicians mark Straight Talk as a priority for their calendars and make the appropriate arrangements within the chamber to ensure they can give their full attention to the program. This includes setting up 'a pair', which is a process for opposing politicians pairing up to step out of formal sessions, therefore evening up the voting dimensions in the chamber. Every year the program has had the engagement of the most senior female ministers from each party, including Jenny Macklin, Julie Bishop, Rachel Siewart, and Nova Peris as the first Indigenous female parliamentarian. In 2013, the Straight Talk program had the opportunity to meet with the then Prime Minister Julia Gillard, which was a particular highlight. Given the extensive portfolio responsibilities and roles within their parties,

[385] OXFAM Australia. (2015). *OXFAM Straight Talk Evaluation report.* https://www.oxfam.org.au/wp-content/uploads/2018/02/Oxfam-Australia-Strategic-Outcomes-Report-2015.pdf. p. 35.

the ongoing engagement in the Straight Talk program evidences the valuable nature of these interactions and meetings.

Following participation in the program, women reported an increased understanding and improved opinion of political processes and stated that they were more likely to engage in these processes and contact politicians as a result.[386] Almost all participants noted a shift in their leadership roles, career aspirations, and community involvement and have continued to work with parliamentarians to advocate for their communities and needs. Most notably, several women have joined political parties and stood as candidates in local, state, and federal elections. Two explicit examples are Nova Peris, who was elected as the first Aboriginal woman in the Federal Parliament and Vonda Malone, who became the first female mayor of the Torres Strait in 2016. Both Peris and Malone have had a connection with the Straight Talk program and identify it as one of the key enablers of their political success. Peris was part of the initial Straight Talk program in 2009 and believes the program was important to share ideas with like-minded Aboriginal and Torres Strait Islander women.[387] Once Peris was elected as a senator, she hosted the National Straight Talk Summit in Canberra and imparted her knowledge and experience to other Aboriginal and Torres Strait Islander women.

The success of Vonda Malone also warrants further analysis. Throughout Straight Talk, a concerted effort has been made to address the unique circumstances of Torres Strait Islander women. Of particular importance is the nature of Torres Strait Islander patriarchal culture, religious contexts, geographical remoteness, and multi-layered political systems. Each of these issues, both separately and collectively, contributes to unique challenges for Torres Strait Islander women. Malone remarked:

> that part of my success has been the ongoing support I have been afforded by other women in the region, and particularly from those that have participated in some of these development programs. There has been a shift in attitude amongst our women following on from Straight Talk and the Torres Strait Islander women's leadership program.[388]

The Straight Talk national summit has consistently had at least five women from the Torres Strait represented in each gathering, and this has been further complemented by also delivering two regional Straight Talk workshops in the Torres Strait on Thursday Island in 2012 and 2013. As the lead facilitator and undertaking participant observation, I noted some emerging trends. The national and regional summits have allowed women to explore different elements of the political system, such as representation and voting. An exploration of questions addressing issues of enrolling to vote and how an individual vote counts has created a different dialogue amongst women. Shifting from a position of

[386] OXFAM Australia. (2015). *OXFAM Straight Talk Evaluation report.* https://www.oxfam.org.au/wp-content/uploads/2018/02/Oxfam-Australia-Strategic-Outcomes-Report-2015.pdf. p. 31.

[387] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong 24 February 2014.

[388] Malone, V. (2016). National NAIDOC Forum Speech. Darwin, 5 July 2016.

being told how to vote by others to possessing the tools and understanding themselves to exercise an informed vote has led to a great deal of women's empowerment. Even being able to think strategically about questions to ask candidates and how to advocate for community issues through election campaigns have proven to be tools women have adopted through recent election cycles. We have seen these results in the Torres Strait, with more women standing for election and reaping the benefits of long-term investment in knowledge and political education for Torres Strait women. However, this is not limited to the Torres Strait, as similar acts of community advocacy, political change, and leadership transformation are happening across the country. Change may be as small as lobbying a council to get the Aboriginal flag flown or running a campaign for women to stand in a federal election. Undeniably, the scope and investment of the program can be seen at all levels of the community in capacity building, participation, and attitudes for many Aboriginal and Torres Strait Islander women.

Oxfam endeavours to track the status of participants through a longitudinal approach to gain further insight into the overall benefits of the program. It is recognised that the program itself might not be the only contributing factor leading to significant change; however, investment in women through leadership and development programs such as the ones above can lead to increased capacity at an individual and community level. Even in a short period of time, there have been several examples of how women have used new knowledge as a catalyst to transform political awareness in their communities.

Societal Change

Societal shifts in Aboriginal women's agency over the past few decades have been remarkable and led to substantial change in the public and political landscape of Australia. One of the most notable is the change in relations with Aboriginal and Torres Strait Islander peoples and the political system. The implementation of the *Commonwealth Electoral Act* in 1962 marked a new era for political participation. Specifically, the lifting of exclusions for Aboriginal and Torres Strait Islander people opened the possibility for political participation. The momentum gained from engagement, collaboration, and participation cannot be overlooked. Like any significant moment in history, there is always people who dare to dream big, push the boundaries of society, and challenge the status quo. Aboriginal women have been chipping away at societal norms and attitudes for decades and are starting to see the benefits of this work across a myriad of spectrums.

The work of Aboriginal women as trailblazers for change has created a different space for engagement about broader public and political participation. In 2016, there was a completely different political space, one almost unimaginable in 1962. Before the federal election in July 2016, there were Aboriginal representatives in both houses of the Federal Parliament and four Indigenous senators, three of whom were women. Leading up to the election, a distinctive change was evident in the dialogue and positioning of Aboriginal people. Increasing numbers of Aboriginal people were standing as candidates

in the federal election. In the 2013 federal election, there were eleven Aboriginal candidates across the country, of which only two were women.[389] The main challenge at the time was that very few Aboriginal candidates were being selected for winnable seats. The only likely successful candidate was Nova Peris as a senator for the Northern Territory.[390] These challenges needed to be addressed both within a party context by prioritising Aboriginal candidates in winnable seats, and in terms of society's willingness to regard Aboriginal people as suitable candidates. In the 2016 election, thirteen Aboriginal people stood as candidates, of which eight were women.[391] The candidates were spread across the two major parties and some minor parties. They were contesting across both houses, and the election resulted in three becoming members of the Senate and two members of the House of Representatives.

In the Northern Territory, Malarndirri McCarthy's nomination for the Senate was also a notable event. Following the announcement by Nova Peris that she would not be contesting the 2016 election, the opportunity for a new candidate opened. McCarthy has previously held a position in the Northern Territory legislature for the seat of Arnhem, which she lost in the 2012 Northern Territory election. While five people were vying for the Senate spot, two Aboriginal women were the likely candidates: Ursula Raymond, Peris' former chief of staff, and McCarthy. McCarthy received the strong support required from NT Labor to secure the nomination.[392] McCarthy's selection was not without controversy, drawing opinions from both sides of politics.[393] However, from an overarching position, it seemed that there was never any doubt that the replacement for Peris would be another Aboriginal woman, whether that be Raymond or McCarthy. This signifies greater acceptance in relation to political representation at a federal level. The results produced several firsts within two election cycles, demonstrating how significant shifts can occur in short time frames. Notably, a steady increase in Indigenous representation was apparent.

Alongside the formal political spaces, advancement is also being made through progressive action and investment. The ongoing participation and representation of Aboriginal women across various sectors is helping to create a different dialogue and level of engagement in Indigenous affairs. It is not surprising that Aboriginal women are at the forefront of change. The long legacy of political

[389] Jacqui Lambie was not included in this article as any reference to her Indigeneity did not surface until her maiden speech in the Parliament on 3 September 2013. Lanbie, J. (2014). *Maiden speech.* http://australianpolitics.com/2014/09/03/sen-jacqui-lambie-pup-tas-maiden-speech.html, accessed 1 April 2016.

[390] Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin*, 8(7), 3–6.

[391] Liddle, C. (2016, June 26). Federal election 2016: The Indigenous women giving me cause for hope. *Daily Life.* http://www.dailylife.com.au/news-and-views/federal-election-2016-the-indigenous-women-giving-me-cause-to-hope-20160626-gps9x2.html, accessed 1 July 2016

[392] Aikman, A. (2016). Federal election 2016: Labor picks Malarndirri McCarthy for the NT Senate. *The Australian.* http://www.theaustralian.com.au/federal-election-2016/federal-election-2016-labor-picks-malarndirri-mccarthy-for-nt-senate/news-story/2d95f82b2b518af352cd7681c7970c3d

[393] La Canna, X., & Oaten, J. (2016, May 30). *Malarndirri to replace Nova Peris as the ALP's candidate in the NT.* ABC News. http://www.abc.net.au/news/2016-05-30/malarndirri-to-replace-nova-peris-as-alps-candidate-in-nt/7460004

agency and pushing against social norms has reaped remarkable results. There is still a great deal of work to do, and further advancement in the social, legal, political, and economic rights of Indigenous peoples will continue to be at the forefront of the movement. This research has evidenced the various ways Aboriginal women are breaking down barriers and leading a level of social inclusion and acceptance that has not been witnessed in this country before.

Engagement and inclusion are critical to success, and the research has identified some of the nationally targeted programs that exist for Aboriginal and Torres Strait Islander women. Many more examples can also be cited through local, regional, and state initiatives. The underpinning purpose of these programs is to foster individual and collective capacity building; thus, the need for ongoing funding, support, and resources to support the long-term investment in Aboriginal and Torres Strait Islander women is paramount.

Summary

The future for Aboriginal women in Australian politics and public life is at a crossroads. While Feminist theory provided a perspective of male-dominated structures, privilege and power, we are beginning to witness a dismantling of these previous held ideologies. Through generational change, new approaches to social issues and increasing mobilisation, Aboriginal women have been advancing their position in Australian society. A re-affirmation of gender equity and equality has also seen pathways being defined for greater inclusion and participation. Alongside this runs a self-determination agenda within Indigenous affairs resulting in extensive gains for Aboriginal women and the feminisation of Indigenous leadership across the board. Notably, there continues to be a place for informal and formal political participation, and, in the end, opportunities are being created to assist in community sustainability and cultural survival.

Factors that will contribute to Aboriginal women's success include an evolving political system that represents the rights and interests of all groups in Australia, particularly the unique position of Aboriginal Australians. We are also learning more about the way that Aboriginal women interact with political systems, and how through this institutional perspective, we are witnessing some of the structural and systemic shifts taking place. In line with that, civil societies attitudes of exclusion rather than inclusion are paramount to breaking down some of the racial discrimination issues that have long stifled thinking and action. Finally, Aboriginal women have learned from those who have already paved the way. With every experience, there are lessons to be learnt and knowledge to be shared. The National Congress's mandate of setting gender representation further attests to fundamental principles of equality and inclusion. It affirms a willingness to be responsive to the needs of Aboriginal and Torres Strait Islander people but also recognises the important contributions of Indigenous women in creating

societal change. The National Congress had also set an important benchmark for other institutions to follow suit and promote a genuine commitment to gender equality across Australia.

Aboriginal women have proven themselves to be capable and enduring in their fight for justice and equity in social, political, legal, and economic sectors. Through the generations, we have seen Aboriginal women emerge as leaders through insurmountable odds. The oppressions of race, class, and gender have often impacted heavily on their lives, but ultimately, they continue to seek opportunities to influence and represent not only their interests but the collective interests of Aboriginal people. The lessons we can take from these experiences will help to provide insight for the future and encourage a new generation of change-makers and leaders. The collective experiences are an important starting point for change. Embedding practical solutions for inclusion will lead to increased levels of representation and engagement across all levels of society. Having a seat at the table as a representative, decision maker, and advocate enables voice and leads to notable impact. This will benefit not only Indigenous women and their communities but also the broader nation as well.

SECTION THREE – DARING TO DREAM

ARTICLE 3: Tipping the Balance: Enablers to Aboriginal Women's Political Participation

Originally published as Deshong, M. (2017). Tipping the Balance: Enablers to Aboriginal Women's Political Participation. *Journal of Australian Issues*, *20*(1), 57–105.

Positioning Commentary

The article is a revised version of the published article that was peer reviewed and published in 2017. The article outlines research findings drawn from the interviews of current and previous Indigenous parliamentary representatives. The paper delves into the main motivators for political life and identifies enablers to support ongoing and increased pathways to participation in politics. The article gives further highlights an important historical period of change and advancement in the representation of Indigenous women in Federal Parliament.

Published Article

When Nova Peris was elected as the first Aboriginal woman in the Federal Parliament in September 2013, it signalled a historic change. It was a watershed moment for the political participation of Aboriginal women. Prime Minister Julia Gillard announced it would be the first time that our political party has put forward an Indigenous Australian in a winnable position at a federal election."[394] Gillard went on to declare, "I believe that Nova's selection is a matter of national significance, as well as a matter of significance for the Northern Territory."[395] In making this statement, new attention was brought to the marginalisation of Aboriginal representation, with a focus on women's political participation throughout history by acknowledging this as an important historic event, the first Aboriginal woman elected to the Federal Parliament. The event simultaneously shines a spotlight on the importance of affirmative action measures and the responsibility of political parties in actively supporting Aboriginal people's representation in politics. Aboriginal women have been faced with a range of challenges in political for a for decades that require further understanding and analysis. This article examines the under-representation of Aboriginal women within our federal political system and draws on the experiences of Indigenous politicians to identify enablers to increase political engagement and representation. The paper identifies four main enablers of participation for past and present Aboriginal politicians. The enablers are defined in two tranches: personal/cultural and structural components, covering areas of black politics, leadership, life in the public domain and political parties. Listening to the voices and experiences of Aboriginal politicians informs a race-conscious approach to

[394] Cullen, S. (2013, January 22). Gillard picks Nova Peris to run for the Senate. *ABC News*. http://www.abc.net.au/news/2013-01-22/gillard-picks-nova-peris-to-run-for-senate/4478528

[395] Ibid.

enabling political engagement. It concludes that Aboriginal women have made significant progress in relation to parliamentary representation over the past sixty years. Building on their success, structural transformation, and collaboration by individuals and political parties is paramount for Australian democracy.

By understanding the challenges faced by Aboriginal and Torres Strait Islander peoples more broadly, can then focus on the systemic and structural impacts. The research sought to specifically turn challenges into action by identifying the enablers to increase Aboriginal women's participation in the political system, in particular the Federal Parliament; and consider the engagement of Aboriginal women with United Nations conventions to address the rights of women in public and political life.

The privileging of Aboriginal men by Australia's public institutions has given many men an elevated status and provided opportunities for leadership and experience in decision-making that Aboriginal women do not have.[396] Therefore the research places a specific gendered lens on Aboriginal women's participation in the parliament for two reasons: prior to 2012 (when the study commenced), there had never been an Aboriginal woman in the Federal Parliament, despite increases being witness at the State and Territory level. This raised the question of what was working in other places and what needed to be done to achieve a substantial increase in representation across all levels of government? Secondly, the research was conducted to address specific recommendations from the *United Nations Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW) committee review of Australia in 2010. The committee recommended the following:

> Paragraph 27: The Committee reiterates its recommendation in its previous concluding observations (CEDAW/C/AUL/CO5. para. 17) that the State party fully utilise the Sex Discrimination Act and consider the adoption of temporary special measures, in accordance with Article 4 paragraph 1, of the Convention and the Committee's general recommendation No.25, **to increase further the number of women in political and public life and to ensure that the representation of women in political and public bodies reflect the full diversity of the population, including indigenous women and women from ethnic minorities** (emphasis added).[397]

The recommendation prompted the question: what does participation in public and political life look like in an Australian context for Aboriginal women? Therefore, the lack of representation at the federal

[396] Davis, M. (2011). A reflection on limitations of the right to self-determination and Aboriginal women. *Indigenous Law Bulletin*, *7*(23), 7.

[397] Australian Human Rights Comission. (n.d.). *United Nations Convention on the Elimination of all forms of Discrimination Against Women, December 18, 1979*. https://humanrights.gov.au/our-work/commission-general/convention-elimination-all-forms-discrimination-against-women-human#:~:text=The%20Convention%20gives%20positive%20affirmation,human%20rights%20and%20fundamental%20freedoms.

level warranted further attention to identify specific strategies for inclusion and best practice approaches. This research makes an important contribution to identifying enablers and opportunities for increased Aboriginal women's representation in the future.

History

Australia's Federal Parliament was established in 1901 as a bi-cameral system with two chambers: the House of Representatives and the Senate.[398] At the time, the rights afforded to women varied greatly from state to state, and thus, Australia did not witness female representation in the Federal Parliament until 1943.[399] Similarly, voting rights varied on a state-by-state basis, but compulsory voting in federal elections was introduced in 1924.[400] The capacity for Aboriginal people to vote was also mixed with exclusionary provisions and complex political and legal challenges.[401] When enrolment and voting at federal elections was introduced for Australian Aborigines (reflective of historical language) in 1949, it was voluntary and continued to be so until 1984 when enrolment and voting became compulsory for all eligible electors.[402] Institutional challenges also impeded fair and equal participation of Aboriginal people in formal political systems. Important changes in legislation and the introduction of the *Commonwealth Electoral Act* in 1962 provided Indigenous people with the right to enrol and vote in federal elections, including Northern Territory elections. In the following years, the right to vote was granted to Indigenous peoples across all Australian states.[403] The complex nature of voting rights, political participation and adverse conditions provides an important landscape to understand the current political participation of Aboriginal people.

In 1971, the first Aboriginal parliamentarian, Neville Bonner was sworn in as a senator. At this critical time, the challenges of being an Aboriginal member of the parliament did not escape Bonner. His maiden speech on 8 September, declared that he would play "the role which my State of Queensland, my race, my background, my political beliefs, my knowledge of men and circumstances dictate."[404] His ability to balance loyalty to his state, the party and his undoubted commitment and love of his people presented many challenges during his tenure. Bonner's time in office was fraught with the

[398] The House of Representatives is made up of 150 electorates and the Senate has 12 members per state and 2 representatives for each territory. Masters, E. (2008). *Australia's Government explained.* Watermark Press. Australia. p. 44–51.

[399] Australian Government. (n.d.). *Women in politics.* http://www.australia.gov.au/about-australia/australian-story/austn-women-in-politics accessed 1/10/15

[400] Evans, T. (2006). Compulsory voting in Australia. *Australian Electoral Commission.* http://emailfooter.aec.gov.au/About_AEC/Publications/voting/files/compulsory-voting.pdf

[401] Deshong, M. (2012). Our seat at the top: Institutional challenges to the inclusion for Aboriginal women in the Federal Parliament'. *Indigenous Law Bulletin, 8*(1).

[402] Evans, T. (2006). *Compulsory voting in Australia.* Australian Electoral Commission. http://emailfooter.aec.gov.au/About_AEC/Publications/voting/files/compulsory-voting.pdf

[403] Australian Electoral Commission. (n.d.). *Electoral milestones for Indigenous Australians*. http://www.aec.gov.au/indigenous/milestones.htm

[404] Parliament of Australia. (n.d.). Bonner, Neville Thomas (1922–1999). *The Biographical Dictionary of the Australian Senate* (Online Edition). http://biography.senate.gov.au/index.php/bonner-neville-thomas/

complexity of party politics, community expectations and contention between the rights of his people and his opportunity to represent them. At times, Bonner was criticised for being too one-sided in his performance as a senator and of 'failing' to represent all Queenslanders.[405] Similarly the Aboriginal community were critical of Bonner over his lack of support for the Tent Embassy and the National Aboriginal Consultative Committee, suggesting he was too sympathetic to white views.[406] Bonner's tenure demonstrated challenges faced by Aboriginal people as political representatives and presented a compelling experience for those who follow. Bonner's tenure in the parliament ceased in 1983 when he unsuccessfully sought re-election as an Independent.[407] It would be another sixteen years before Australia witnessed the next Indigenous member of the Federal Parliament, Senator Aden Ridgeway and thirty years before the first Aboriginal woman, Senator Nova Peris, entered parliament.[408]

A New Era of Participation

To understand the complexity of life for Aboriginal politicians, the views and voices of these individuals are paramount in creating an improved model of representation and diversity. Individual perspectives, participation and cultural values inform an epistemological position on political behaviour. Privileging Indigenous voices, central to this research, assisted in understanding the cultural interface between Western and Indigenous cultural and political paradigms and how this can be applied in a political context.[409]

By taking a race-conscious approach to understanding inequality within our societies, we gain a more in-depth appreciation of the challenges of political participation. For Aboriginal people(s), the social construction of race and discrimination is evident in legal, political and other socio-cultural contexts.[410] Simultaneously, the unique position of Aboriginal women draws on intersectionality between concepts of race and gender being interlinked.[411] Liberal democracies have a tendency to marginalise Indigenous peoples' issues and Indigenous political participation within the state and further disenfranchise Indigenous women.[412] There are multifaceted issues at stake in the conflicts between Indigenous peoples and the institutions of colonial societies, prompting further analysis in

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[405] Bennet, S. (1999). *White politics and Black Australians.* Allen and Unwin. 80

[406] Parliament of Australia. (n.d.). Bonner, Neville Thomas (1922–1999). *The Biographical Dictionary of the Australian Senate* (Online Edition). http://biography.senate.gov.au/index.php/bonner-neville-thomas/

[407] Ibid.

[408] Australian Electoral Commission. (n.d.). *Electoral milestones for Indigenous Australians*. http://www.aec.gov.au/indigenous/milestones.htm

[409] Nakata, M. (2007). The Cultural Interface. (Re)Contesting Indigenous Knowledges & Indigenous Studies. *Australian Journal of Indigenous Education, 36*(1), 7–14.

[410] Essed, P., & Goldberg, D. Theo. (2002). *Race critical theories: Text and context*. Blackwell Publishers, p. 5.

[411] Hooks, B. (1981). *Ain't I a Woman.* South End Press; Zamudio, M., Russell, C., Rios, F., & Bridgement, J. (2011). Critical race theory matters: Education and ideology. *British Journal of Educational Studies, 59*(3), 348–350. https://doi.org/10.1080/00071005.2011.611282.

[412] Davis, M. (2007). How do Aboriginal women fare in Australian democracy? *Indigenous Law Bulletin*, 6(27), 9–11.

relation to race relations, identity politics and individual and collective positioning for minority groups.[413] For Aboriginal women, race trumps gender on most issues and can be complex when looking at the specific and unique challenges of Aboriginal women.[414] Identity politics and how minority groups seek social, legal and political equality is an important determinant of political behaviour.[415] By understanding the relationship between rights, power and the link to improving the well-being of Indigenous people's lives, we can further appreciate the need for greater representation and voice in Federal Parliament.

This research seeks to identify enablers of participation for Aboriginal women in public and political life. An investigation was conducted into individual and collective experiences of Aboriginal people (having publicly identified their Aboriginality) who are currently or have been politicians. The research used a politically neutral standpoint to ensure that all eligible politicians, regardless of political affiliation, were included in the sample. A purposive sampling approach was applied to the research. The criteria for inclusion in the study were:

a) Aboriginal women in state or territory representative roles (past and present)
b) Previous and current Aboriginal members of the Federal Parliament (House of Representatives or the Senate).[416]

At the time of sampling, the potential field from which to draw suitable candidates was small. Only ten individuals met the criteria and, as such, those who undertook interviews are identifiable with their permission.

A formal request was sent to eight of the ten suitable candidates, of which five responded. A suitable means of contact could not be established at the time of invitation for the ninth and tenth candidate (who had exited their political roles), and thus they were not included in the sample. Semi-structured interviews then captured a range of views and insight into their political journeys. The respondents drew on current issues and were time-critical, being prior and post the 2013 federal election. The interviews informed the research by identifying common elements of political participation and addressed the research question: What are the enablers that will support an increased representation of Aboriginal women in public and political life in Australia?

Thematic analysis of the data identified key themes that have supported the transition into political life. The politicians demonstrated that despite significant barriers and challenges, there are ways to overcome obstacles and change them into enablers for success. The interviewees included:

[413] Ivison, D., Patton, Paul., & Sanders, W. (2000). *Political theory and the rights of indigenous peoples.* Cambridge University Press, p. 11.

[414] Ibid.

[415] Bennet, S. (1999). *White politics and Black Australians.* Allen and Unwin. p. 2–11.

[416] The two men who had served in the Federal Parliament were included in the sample under this criteria.

- **Alison Anderson**, Originally Australian Labor Party (and subsequently an Independent, member of the Country Liberal Party and Palmer United Party, then an Independent again) and member of the Northern Territory Legislative Assembly from 2005 to September 2016.
- **Linda Burney**, Australian Labor Party and member of the New South Wales Legislative Assembly from 2003 to February 2016. Moved to Federal politics and elected as the Member for Barton in the House of Representatives in 2016.
- **Nova Peris**, Australian Labor Party and member of the Senate for the Northern Territory from 2013 to 2016. The first Aboriginal woman in the Federal Parliament.
- **Bess Price**, Country Liberal Party and member of the Northern Territory Legislative Assembly from 2012 to 2016.
- **Aden Ridgeway**, Democrat and member of the Senate, New South Wales from 1999 to 2005 and one of only a few Indigenous members of the Federal Parliament.

Identity politics continues to translate into formal political roles, and this cannot be left at the door when you enter parliament. Burney affirms that her Aboriginality was critical to the decision to enter politics: "Aboriginality doesn't restrict you, and I wanted to demonstrate that I was quite capable of being a Minister and my Aboriginality was a bonus."[417] Identity politics spans the experience of individuals as it confronts institutionalised racism in Australian society and its role in destroying, constructing and reconstructing Aboriginal identity. Even more so, indigeneity identifies a personal motivation and drive to confront the government's dismissal of identity as irrelevant to politics and public policy.[418] An Aboriginal person's identity and cultural affiliation, experiences, values and practices are evidenced through the discursive narrative to understand the dilemma faced by Indigenous parliamentarians. Aboriginal people are not a homogenous group whose interests can be simply represented, but rather a group with multiple identities and interests that form a complex political culture.[419] I assert throughout this article that racial identity, individual experiences and constructs of race are paramount.

An analysis of the data identified two specific tranches and four key themes. Personal and Cultural issues as defined through black politics, leadership, and life in the public domain; and Structural Components as defined by political parties.

[417] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[418] Ridgeway, A. (2004). *Race, identity and politics: The 2004 Frank Archibald Memorial Lecture* [Speech].. Delivered 16th September 2004, Armidale Town Hall, New South Wales. National Library of Australia.

[419] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science*, 45(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

Personal and Cultural

Black Politics.

As First Nation, sovereign peoples, the challenges of working within Westernised and cultural paradigms can be complex. Aboriginal people are often at the forefront of advocating for their rights and seeking to influence policymaking under an Indigenous affairs agenda.[420] Indigenous affairs can be a contentious and complex space in which to work, bringing together a unique set of bureaucratic, social, economic and legal paradigms: "Notably our position as extreme minorities is a defining feature of our condition and affects our ability to participate in Australian democracy and influence institutions."[421] The complex nature of Indigenous families and communities also leads many to be involved in black politics, as the critical space that encompasses formal and informal issues as they relate to Indigenous peoples and communities. The research identified this virtual space of black politics as the training ground of many leaders, social movements and political action, bearing the scars of political challenges, oppression and discrimination throughout history. The training ground of black politics encompasses advocacy, engagement and representation and forms a unique space for Aboriginal leadership in Australia. It is the space where individuals learn the roles of government, engage in negotiation and build stakeholder engagement with government and non-government sectors.

Black politics also lends itself to be a rite of passage for some, gaining skills and tools to further the Indigenous cause and develop attributes of leadership and recognition. Indigenous parliamentarians are keenly aware of assumptions and pressures about their representation status in being able to balance their neutrality and qualified by an emphasis on indigeneity.[422] The responsibility of being an Aboriginal person cannot be underestimated as part of a collective belonging to a bigger culture, identity and cause, while also needing to prove to the broader constituency "to win acceptance as an impartial representative for all Australians."[423] As a result, an Aboriginal person enters the political arena with a dual role.

The perception is that Aboriginal parliamentarians are unable to transcend their Aboriginality; in practice, working in Indigenous affairs provides opportunities to work within a cultural and Westernised context.[424] Individuals are compelled by expectations placed on them from families and

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[420] Davis, M. (2007). How do Aboriginal Women fare in Australian democracy? *Indigenous Law Bulletin, 6*(27), 9–11.

[421] Pearson, N. (2014). *A rightful place: Race, recognition and a more complete Commonwealth*. Morry Schwartz, p. 38.

[422] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science, 45*(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

[423] Parliament of Australia. (1998). Marian Sawer "Mirrors, Mouthpieces, Mandates and Men of Judgement: Concepts of Representation in the Australian Federal Parliament". *Papers on Parliament, 31*. https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/pops/pop31/c03

[424] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science, 45*(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

communities while also being driven to seek change for their people collectively. Price spoke of her role as being important in influencing health education, housing and government outcomes for communities: "I wanted to be in government and be the voice for our people."[425] Prompted by some high-profile Indigenous cases, Burney also reflects on her time as Minister (in NSW parliament) and the ability to implement full-scale change and structural reform in the child protection system as very important.[426] Those who are not involved in Indigenous affairs may not fully grasp the reality of what this looks like and the broad issues and challenges faced across many sectors.[427]

There are significant differences that emerge for Aboriginal and non-Aboriginal politicians. The intersections of history, culture, experience and identity have produced an extraordinarily intricate political culture that, in general, is very poorly understood by non-Indigenous people.[428] Aboriginal people often live and work within the same communities and thus have a strong connection to community and country, requiring many to straddle the professional and private spectrums of political advocacy. While Marion Scrymgour was not an interviewee for the research, she has publicly shared similar sentiments to others, noting "you don't walk out of parliament house, or anywhere else and go home and wash my skin and the Aboriginality disappears. That stays with me 24/7."[429] The study recognises an apparent responsibility to not only be successful as an individual but also to ensure that Aboriginal peoples are being treated fairly and equitably, a position re-affirmed across all maiden speeches given by Aboriginal parliamentarians. A situation like this can be a difficult challenge but also an equally strong motivator.

Individually and collectively, these Aboriginal politicians have experienced firsthand (and through generations within their families) discriminatory policies such as those that have led to the removal of children, state-imposed exemptions, unrecognised citizenship, or a denial of fundamental human rights. Ridgeway asserts, "Growing up on a reserve and then seeing different experiences in different parts of the county made me quickly realise that things weren't right" or "living out bush in isolation you sort of think a lot. You see the struggles and you wonder how people come to decisions."[430] In Wyatt's maiden speech to the parliament, he reflects on his mother's life as one of the Stolen Generations and how she spent much of her childhood years in Roelands Mission. Similarly, Peris speaks of her grandmother's stories and the days she spent on Moola Bulla Mission in the east

[425] Price, Bess. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

[426] Burney, Linda. Personal communication– Interview conducted with Michelle Deshong, 19 August 2013.

[427] Indigenous affairs pertain to areas of policy, funding and programme delivery for Aboriginal and Torres Strait Islander peoples. Indigenous affairs can include government, non-government and corporate sectors.

[428] Maddison, S. (2009). Voice and diversity in Indigenous politics. *Indigenous Law Bulletin, 7*(11), 19–22.

[429] Wilson, A. as cited in Maddison, S. (2010). White parliament, Black Politics: The Dilemmas of Indigenous Parliamentary representation. *Australian Journal of Political Science,* 45(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

[430] Ridgeway, Aden. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

Kimberley region.[431] Inter-generational experiences such as these can be a source of great angst but also a strong foundation and sense of belonging as a peoples with different political attitudes and different aspirations.[432] There are various reasons the interviewees entered the political arena in the first place; however, individually and collectively, they were all strongly motivated by their lifelong experiences as an Aboriginal person and the circumstances throughout their lives.

For more than a decade, the Aboriginal and Torres Strait Islander Commission (ATSIC – 1990 to 2004) formed a large part of the Indigenous affairs agenda and was charged with executive and representative responsibility. Through direct elections, Aboriginal and Torres Strait Islander peoples voted for representatives to form Regional Councils and a Board of Commissioners. This era featured prominently amongst several respondents as being integral to their transition into political representation and their involvement in Indigenous affairs.

Black politics lends itself to the idea of preparedness, advocacy and capacity building and has been particularly crucial in the years since ATSIC's demise. Indigenous affairs have continued to be a significant political issue and election agendas over many decades. Exposure and involvement in political negotiations and representation serve as a strong foundation for successful leadership and political life. Ridgeway and Burney both had prominent roles with peak Indigenous or government agencies (the New South Wales Aboriginal Land Council and Department of Aboriginal Affairs, respectively), with the responsibility of making significant contributions to Indigenous issues. Anderson was an ATSIC commissioner and probably best summarises the relevance of this political foreground when she says:

> I sometimes look at these whitefella politicians, compared to our guys that were in ATSIC they're amateurs, absolute amateurs. I've been trained by the best and you can't get better training then to sit at an ATSIC table with those blokes.[433]

For Aboriginal women, politics is even more complex as the work for change exists across two paradigms: the white patriarchy and the black patriarchy.[434] Aboriginal peoples are often seen as a homogenous group, and as such, institutions and broader society fail to recognise the gendered impact

[431] Parliament of Australia. (2010). *Governor-General's Speech – Address-in-Reply. Mr Ken Wyatt*. https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansardr%2F2010-09-29%2F0178%22; Parliament of Australia. (2013). *First Speech. Senator Nova Peris.* http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansards%2F0217fd09-dc06-4bd4-a21e-0cea40cf41ba%2F0142%22.

[432] Mansell, M. quoted in Brennan, F. (1995). *One Land, One Nation: Mabo – Towards 2001*, p. 73.

[433] Anderson, Alison. Personal communication – Interview with Michelle Deshong, 14 November 2013.

[434] Fredericks, B. (2010). Re-empowering ourselves: Australian Aboriginal women. *Journal of Women in Culture and Society*, 35(3); Moreton-Robinson, A. (2002). *Talkin' up to the White Women: Indigenous women and feminism.* University of Queensland Press; Huggins, J. (1998). *Sister girl: The writings of Aboriginal activist and historian Jackie Huggins.* University of Queensland Press.

of colonisation and liberal democracy states.[435] Aboriginal men are constructed as the purveyors of culture and are afforded opportunities for greater contribution and participation in decision-making and leadership.[436] Aboriginal women are often faced with the competing contexts of cultural traditions, gendered roles and a male-dominated leadership that silences women's voices. Providing further contrast to the critical position occupied by Aboriginal women is the constructs of Western democracies and institutions that are also male-dominated spaces. Aboriginal women are driven to employ different strategies to advance their interests in both realms.

Leadership. The politicians interviewed have substantial experience in leadership roles prior to transitioning into politics. They regarded leadership as an important factor for success. Their leadership capacity provides for personal growth and maturity in both personal and professional fields. Transformational leadership was one of the most prominent styles of leadership that emerged. Enacted in its authentic form, transformational leadership enhances the motivation, morale, and performance of followers through a variety of mechanisms.[437] Individually, there is a strong connection between a sense of identity, of self and of a collective as a driving instrument for change. In practice, each of these leaders has demonstrated the capacity to identify the need for change, create a vision and enact change through inspiration and motivation. Ridgeway reflected:

> As an Indigenous person, I wasn't there just because I was Indigenous. The way I viewed it is that even if all my relatives had voted for me, it still wouldn't be enough to get me across the line. You do it because of either the skills or the merits of the issue, or the knowledge around particular things and trying to influence and bring about change in attitude and make it progressive because of the work you do.[438]

Effecting change in individuals and social systems requires a level of strategic positioning and, hence, a transition into a political space where necessary. Bess Price was elected to the Northern Territory Legislative Assembly in 2013. She is from Yuendumu and her work in the remote community gave her insight into some of the biggest challenges. Price emphasised that she saw many people in her community, particularly women, without a voice.[439] She had been involved in committees and

[435] Davis, M. (2007). How do Aboriginal women fare in Australian democracy? *Indigenous Law Bulletin*, *6*(27), 9–11.

[436] Davis, M. (2011). A reflection on limitations of the right to self-determination and Aboriginal women. *Indigenous Law Bulletin*, *7*(23), 7.

[437] Langston University. (2020). Transformational Leadership. http://www.langston.edu/sites/default/files/basic-content-files/TransformationalLeadership.pdf

[438] Ridgeway, Aden. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[439] Price, Bess. Personal communnication – Interview conducted with Michelle Deshong, 14 November 2013.

undertook advisory roles and was frustrated as she "kept hearing the same old stuff, having to repeat myself every time I sat down with different bureaucrats."[440]

Alison Anderson spoke of similar circumstances as a prominent Aboriginal woman in the landscape of Indigenous politics spanning many decades. As one of the few female ATSIC commissioners, she was appointed in 1999 and was the last woman remaining on the Board of Commissioners at the demise of ATSIC in 2004. Her political motivators began much earlier in the remote community of Haasts Bluff in the Northern Territory.[441] Her political career has been one based on suspicion – "suspicion about who were these people making decisions about Aboriginal people's lives? These people don't understand our lives, the way we perform, our culture, our identity so how can they make decisions on our behalf?" Anderson said this element of suspicion led her to become proactive, to ask questions, and educate her community on political issues and to work in a leadership space to make change.[442]

Aboriginal politicians draw on their leadership skills and experiences to influence and motivate others. Good leadership encapsulates a willingness to lead and modify behaviours, language, and attitudes to any situation. As Huggins states,

> You cannot speak about the need for leadership within our communities without being prepared to take on responsibility yourself. It's not enough to point the finger at those who have let us down and to expect others to come forward and fix our problems.[443]

The inevitable search for social justice and equality prompts our own people to take on leadership responsibilities and is a common denominator amongst all the interviewees. Aside from the lived experience, many leadership programs run across states and territories, targeted at youth, women, men, community, corporate or executive audiences. Leadership programs vary in nature and purpose depending on the sector but are generally designed to encourage and foster leadership capacity for Indigenous peoples and communities. Investment in this area is necessary to foster new and innovative leadership across all sectors and regions of Australia.

Life in the Public Domain.

Making the decision to move into political office can be life-changing. Many factors need to be considered, not the least of which can be the impact such a decision might have on your own family

[440] Ibid.

[441] Anderson, A. (n.d.). *Alison Anderson: Member for Namatjira*. http://alisonanderson.com.au/about-alison/, accessed 1 October 2015.

[442] Ibid.

[443] Huggins, J. (2004). How Indigenous women can take a greater role in Leadership. *Online Opinion Australia's e-journal of social and political debate.* http://www.onlineopinion.com.au/view.asp?article=2222

and communities. Transitioning into political life comes at a sizeable cost, both financial and personal. While issues such as time spent away from families are not dissimilar to those of non-Indigenous politicians, there are unique circumstances that impact Aboriginal politicians. Community and cultural responsibilities place a greater demand on an individual's time and can cause conflict in trying to juggle both cultural life and a representative role.

Aboriginal people's shift into the public domain brings with it the greater responsibility of community expectations and the need to be able to balance these competing demands. As Burney states,

> The level of expectation from our own mob can be absolutely enormous, you're the girl that is in there for us so you can fix it up. Even though at times this type of expectation can be quite burdensome, it can also be very positive.[444]

Burney further affirms that "community support can be the one enriching factor that keeps you going."[445] Drawing back to the black politics training ground, there are positive opportunities to educate and engage Aboriginal people in understanding the political process whilst also balancing expectations. Life in the public domain means every aspect of your life can be scrutinised, publicised and potentially criticised. Over time, we have witnessed an increased level of scrutiny placed on politicians about their lifestyle choices, parenting responsibilities, hairstyles and clothing, social networks and community interactions. The level of scrutiny on female politicians has been disproportionately negative and often includes sexist overtones focusing more on their physical appearance and the way they talk rather than on their roles and performance as politicians. When women falter, make mistakes, or show emotion or weakness, it tends to be magnified in the media. This can lead to a rapid erosion of faith in women's legitimacy as politicians and minimising opportunities in the future.[446]

Looking back at the many headlines and the extent of media scrutiny placed on our former Prime Minister Julia Gillard, you get a sense of these critiques. The constant barrage of media scrutiny became a heavy cloud over her tenure as Prime Minister:

> Until you experience the complete loss of anonymity, that there is never a moment outside your most private of spaces that you're not observed or commented upon until you actually live through that, you can intellectually understand it but really in your guts you can't feel it.[447]

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[444] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[445] Ibid.

[446] Bongiorno, R. (2013, July 10). Female Politicians pay a higher price for their flaws. *The Sydney Morning Herald.* http://www.smh.com.au/comment/female-politicians-pay-a-higher-price-for-their-flaws-20130710-2ppv5.html

[447] Peatling, S. (2013, July 5). You've got to stand up to it. What Hilary Clinton told Gillard on public scrutiny. *The Sydney Morning Herald.* http://www.smh.com.au/federal-politics/youve-got-to-stand-up-to-it-what-hillary-clinton-told-gillard-on-public-scrutiny-20130705-2pguj.html#ixzz3yelQcrzr.

Many women in the public domain have cited sexism and misogyny as common and consistent experiences.[448] Female politicians tend to be evaluated on their imperfect behaviour in a negative way, whereas men tend to avoid the same level of scrutiny and are afforded the benefit of the doubt.[449] Such treatment of women in public domains is not limited to the Australian context, and related stories are compared at an international level. Similarities can be drawn between Gillard's pursuit of the Prime Ministership and Hillary Clinton's run as presidential candidate in the United States, with substantial focus placed on their gender and capability.[450] Such an experience can be very daunting for any woman considering a transition into political life.

Peris drew on a similar experience of life in the public eye as a successful international athlete. Competing around the world has prepared her for the good, the bad and the ugly in terms of public profiles and dealing with the media.[451] During her tenure, Peris was subjected to intense media scrutiny, including, in 2014, an alleged scandal involving international athletics and public monies years before she became a senator.[452] The Australian media pursued the issue with vigour, publishing extensive details of private emails despite all parties coming out to exonerate her. Peris' tenacity and ability to face the media on many occasions proved to be one of her greatest strengths as she used the media as a vehicle to tackle racism on a personal and, more broadly, across Australia. "I've lived a public life for 23 years and in that time, it hasn't been uncommon to receive such brutal racist hate mail," Peris said, while also demonstrating that this experience provided a level of preparedness in her political life.[453] Politicians' lives become a public commodity, and many personal matters are brought to the fore for public consumption. Burney supports this position, saying:

> that once you step into a parliamentary role, you lose any entitlement to privacy and so does your family and I think that is one of the things that people need to understand if they are contemplating a political life, is that everything is an open book whether it is right or wrong.[454]

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[448] Baird, J. (2004). *Media tarts: How the Australian press frames female politicians*. Scribe.

[449] Ibid.

[450] Groch-Begley, H. (2016, February 5). *A comprehensive guide to sexist attacks on Hillary Clinton from the 2008 Campaign.* Media Matters for America. http://mediamatters.org/research/2016/02/05/a-comprehensive-guide-to-sexist-attacks-on-hill/199700; Chozick, A., & Parker, A. (2016, April 29). Donald Trump's gender-based attacks on Hilary Clinton have calculated risk. *The New York Times.* http://www.nytimes.com/2016/04/29/us/politics/hillary-clinton-donald-trump-women.html?_r=0; Hancock, A. (2016). Questions about Hilary Clinton's health are soaked in gender bias. *The Hill.* http://thehill.com/blogs/pundits-blog/campaign/296362-questions-about-hillary-clintons-health-are-soaked-in-gender.

[451] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong, 24 February 2014.

[452] Davidson, Helen. *Nova Peris denies misusing public funds to conduct affair with Ato Boldon*. The Guardian. https://www.theguardian.com/australia-news/2014/oct/29/nova-peris-rejects-misusing-public-funds-affair-ato-boldon

[453] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong, 24 February 2014.

[454] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

Media and other parties delve into people's backgrounds, life choices and previous work histories, stretching back decades in some instances.[455] Therefore, the level of scrutiny placed on politicians can be paramount and often prompts people to make personal and politically strategic decisions long before they take office. Life in the public sphere and its harsh realities can either make or break a political career. The capacity to hold your own with the media, be on the front foot of any potential narrative, confront allegations with dignity, conduct yourself as a professional, and espouse a unique political ideology are invaluable skills for life in politics.

Structural Components

Political Parties.

Political parties are one of the most critical elements of formal political representation.[456] For Aboriginal people, they represent a contestable space between honouring Aboriginal social and political culture with party policies and platforms.[457] During his tenure, Bonner exercised his 'right of conscience' to vote against his party on thirty-four occasions.[458] The tenuous nature of contemporary politics, hung parliaments, and the crucial numbers game in the houses mean a party relies heavily on its members' support. Therefore, crossing the floor occurs less frequently and the requirement for individuals to vote along party lines is stronger than ever. The relatively small number of Indigenous Australians compared with the wider population (3.0%)[459] suggests that even on a proportional basis, Indigenous people would not be present in our parliaments in large numbers.[460] Hence, as an Aboriginal candidate, it appears virtually impossible to be elected without the backing of a political party, in their first term. Every Aboriginal politician of any state or territory parliament was affiliated with a political party at the time of their election.[461] Markedly, some individuals such as Anderson have become Independents after time in office but continue to transition between political parties. Political parties

[455] Thomas, Hedley. http://www.theaustralian.com.au/news/law-firm-slater-gordon-considered-axing-julia-gillard/story-e6frg6n6-1226454530444 accessed 2/3/16

[456] Miragliotta, N., Gauja, A., & Smith, R. (Eds.). (2015). *Contemporary Australian political party organisations*. Monash University Publishing.

[457] Maddison, S. (2009). Voice and diversity in indigenous politics. *Indigenous Law Bulletin*, *7*(11), 19–22.

[458] Rowse, T. (1997). "Out of hand" – the battles of Neville Bonner. *Journal of Australian Studies*, *21*(54–55), 96–107. https://doi.org/10.1080/14443059709387342

[459] Steering Committee for the Review of Government Service Provision. (2014). *Overcoming Indigenous Disadvantage Key Indicators 2014*. Australian Bureau of Statistics. http://www.pc.gov.au/research/ongoing/overcoming-indigenous-disadvantage/key-indicators-2014/key-indicators-2014-overviewbooklet.pdf

[460] Maddison, S. (2010). White Parliament, Black Politics: The Dilemmas of Indigenous Parliamentary representation. *Australian Journal of Political Science, 45*(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

[461] Australian Electoral Commission. (2013). *Electoral milestones for Indigenous peoples*. http://www.aec.gov.au/indigenous/milestones.htm.

have made greater attempts over the past decade to attract and support Aboriginal candidates.[462] This is evidenced by the high numbers of Aboriginal candidates emerging over the past three federal election cycles (2010, 2013 and 2016). However, simply attracting Aboriginal members to parties is not enough, and to further bolster the numbers of candidates and successful results, political parties must select Aboriginal candidates in winnable seats.[463]

Early political exposure and persuasions in Indigenous affairs have often led to a specific political affiliation. For generations, the Australian Labor Party was assumed to be the natural party of choice for Indigenous peoples.[464] The ALP was seen as the party that worked hard for Aboriginal people, delivering such important milestones as the Redfern Park speech by Prime Minister Paul Keating and the national apology by then Prime Minister Kevin Rudd, but in more recent times, there had been a shift away from Labor.[465] The Northern Territory elections in 2012 saw a significant swing against Labor and Aboriginal candidates and voters turned to the Country Liberal Party to win the bush seats.[466] This trend continued at the federal level with the appointment of Joanne Lindgren in the Senate to fill a casual vacancy in Queensland for the Liberal National Party on 21 May 2015.[467] In 2016, the previous swing towards the Liberal Party seemed to have dissipated, and there was a switch back towards Labor. Within two federal election cycles (2103 and 2016), there has now been a resurgence of Aboriginal candidates for Labor. In the 2016 federal election, three Aboriginal parliamentarians were successfully elected for Labor: Linda Burney in the House of Representatives, and Patrick Dodson and Malarndirri McCarthy in the Senate. Northern Territory elections had similar results: four Labor members were elected with a 50/50 representation of men and women. Labor had a clear majority and was successful in most of the city seats, seeing a swing against the Country Liberal Party. Notably, Labor also won five of the bush seats, claiming back almost all the ground lost in 2012.[468] The shift in political faithfulness, over a short period of time, signifies an increased awareness and engagement in

[462] Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin*, *8*(7), 3–6.

[463] Ibid.

[464] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science*, *45*(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

[465] Fredericks, B. (2010). Re-empowering ourselves: Australian Aboriginal women. *Journal of Women in Culture and Society*, *35*(3).

[466] Sanders, W. (2012). Winning Aboriginal votes: Reflections on the 2012 Northern Territory election. *Australian Journal of Political Science*, *47*(4), 691–701. https://doi.org/10.1080/10361146.2012.731492

[467] Parliament of Australia. (n.d.). *Former Senator Joanna Lindgren.* http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=258337; Parliament of Australia. (n.d.). *Hon Ken Wyatt AM*. http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=M3A

[468] Bardon, J. (2016, September 1). New NT Chief Minister Michael Gunner flies out bush to thank remote voters. *ABC News.* http://www.abc.net.au/news/2016-09-01/nt-chief-minister-michael-gunner-thanks-voters/7805266 accessed 20 September 2016; Northern Territory Electoral Commission. (2016). *2016 Election Results.* http://www.ntec.nt.gov.au/2016%20Territory%20Election/Results/Pages/default.aspx accessed 20 September 2016.

political action by Aboriginal people and demonstrates that previous party loyalty can no longer be assumed.

Political affiliation remains transferable and requires informed decisions and review in a contemporary political environment. Price says she was "motivated to join the CLP because she felt that they listened to her and gave her the opportunity to stand in the seat of Stuart."[469] Burney, on the other hand, had been a long-term member of the Australian Labor Party and had been involved in Aboriginal politics for 25–30 years, so it was a natural progression.[470] Burney's longevity within the Labor Party has proven to be a core component of her successful election at the state and federal levels. Similarly, Ridgeway joined the Democrats due to that party's three priority policies on education, environment, and Aboriginal rights. He saw the Democrats as a party that operated well and were progressive in their policies of the time.[471] Having Aboriginal membership across all political parties is a progressive strategic position. Aboriginal people are able to mobilise more broadly, influence institutions and heighten participation in democracy.[472]

Anderson was an early exception to this rule and warrants greater analysis as a political actor. Few political candidates have changed political affiliation and parties on such a diverse scale. Anderson joined the Northern Territory Legislative Assembly in July 2005 as a Labor Party member for MacDonnell and then held the seat of Namatjira (due to divisional name change). Over the years in office, Anderson's has been an outspoken and, at times, unpredictable politician. She left the Labor Party in 2009 after policy disputes, then sat as an Independent for two years, contributing at times to the turbulent nature of Northern Territory politics. She joined the Country Liberal Party in 2011 and continued until 2014, when relationships became untenable with other members of the party.[473] This was followed by Anderson (and MLA's Xavier and Lee) joining the Palmer United Party in April 2014, ending in November 2014.[474] She continued as an Independent until retiring prior to the 2016 election. Anderson reflects that "life as an Independent can be quite challenging and at times it's difficult to get political traction or support and this led to her aligning with other parties."[475] Amongst the political turmoil, Anderson asserts that her original motivation and stance for entering into politics has not

[469] Price, Bess. Personal communication – Interview conducted with Michelle Deshong ,14 November 2013.

[470] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[471] Ridgeway, Aden. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[472] Pearson, N. (2014). *A rightful place: Race, recognition and a more complete Commonwealth.* Morry Schwartz. p. 38.

[473] Anderson, A. (n.d.). *Alison Anderson: Member for Namatjira*. http://alisonanderson.com.au/about-alison/

[474] Anderson's move to the Palmer United Party occurred after the interview in 2013. Northern Territory News. (2015). Alison Anderson and Larisa Lee to quit Palmer United Party. http://www.ntnews.com.au/news/northern-territory/alison-anderson-and-larisa-lee-to-quit-palmer-united-party/story-fnk0b1zt-1227139112200, accessed 1 May 2015.

[475] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

waned. Anderson's loyalty lies with Aboriginal people and, regardless of her political party allegiance, constituents in the electorate of Namatjira continue to support her with re-election.

Nonetheless, membership of a party is a critical enabler to provide a support system, navigate procedures for elections and align with a broader power base than you would otherwise be afforded as an Independent. Burney notes "at the end of the day you are part of a big operation that has process for making decisions, and being a part of a party can provide the capacity to be part of those processes."[476] Political parties have adopted affirmative action strategies to improve diversity within their ranks. The Australian Labor Party set new targets for women and Indigenous people at the National Conference in 2015.[477] Such strategies become increasingly important in pre-selection processes, recruiting and developing Aboriginal membership, but are only effective when enacted correctly. It is noted that prior to pre-selection, a member is required to demonstrate discipline and loyalty to the party and have a period of continuous membership to qualify.[478] Despite meeting these requirements, Aboriginal people are often overlooked. Ten Aboriginal people contested the 2013 federal election with only one candidate being selected in a winnable seat (Peris, Northern Territory Senate candidate) through a 'captain's pick' by the then Prime Minister Gillard rather than through normal party processes.[479] Some Aboriginal politicians have demonstrated ways to manoeuvre through the pre-selection process with success but rely heavily on relationships within the party. Unfortunately, they represent a small constituency of their respective parliaments, and thus, greater action is required to bolster success. Affirmative action strategies need to be strengthened to provide opportunities for the recruitment and development of Aboriginal women for political representation. There are no guarantees of outcomes in elections, but the commitment to invest in a rigorous and diverse pre-selection process is a key determinant for success. Two such examples from the 2016 federal election are that of Patrick Dodson and Linda Burney. Both candidates had very different experiences in relation to their pre-selection process, but both approaches proved to be quite strategic in achieving the required outcome. Burney and Dodson are Labor members, and the analysis is because no new Indigenous Liberal Party members joined the 45th Parliament.

Burney has served for thirteen years in the NSW State Parliament and resigned from her seat of Bankstown on 1 March 2016. Burney also indicated her intent to run for federal election. Burney's move enforced some of Labor's recent announcements about increased representation in the party for

[476] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science*, 45(4), 663–680. https://doi.org/10.1080/10361146.2010.517180.

[477] Shorten, B. (2015). Bill Shorten: Without more Indigenous Labor MPs, we can't be true to our values. *The Guardian.* https://www.theguardian.com/commentisfree/2015/jul/23/bill-shorten-without-more-indigenous-labor-mps-we-cant-be-true-to-our-values

[478] Fredericks, B. (2010). We've had the Redfern Park Speech and the Apology: what's next? *Outskirts Online Journal,* 23.

[479] Deshong, M. (2013). Indigenous political aspirations and the tides of change. *Indigenous Law Bulletin*, *8*(7), 3–6.

women and Indigenous peoples.[480] Becoming the first Aboriginal woman in the federal House of Representatives would be "important for the Aboriginal community but it's also important for the broader Australian community," Burney said.[481]

The following day, Dodson was appointed by Opposition Leader Bill Shorten in May 2016 to fill a casual Senate vacancy for Western Australia. Shorten noted Dodson's long history in Indigenous affairs and referred to him as he is commonly regarded 'the father of reconciliation'. The Opposition Leader said:

> It shouldn't be strange or unusual for people of Pat's renown, experience, and wisdom to be given the chance to serve in our parliament, but at the moment it is.[482]

Shorten believed that Dodson would make a valuable contribution to the parliament. It was a strategic move by Shorten to include Dodson in the Senate on the likely probability of a double dissolution election and his successful appointment in the federal election.

Mentoring

Despite the controversial nature of party alignment, the party system is also the mechanism by which many individuals gain advice and support on aspects of political campaigning and representation. Candidate success relies heavily on the backing of the party, strong mentorship, and guidance within the political party system. Mentoring forms a relationship between a more experienced, knowledgeable individual to guide and support others. The respondents all noted that within their respective political parties, there were procedures that assisted candidates, assigned mentors, and worked through a range of party processes to prepare individuals for pre-selection.

In the early 1990s, women began to create structural change within the ALP and ensure greater opportunities for women to become candidates and MPs. At the time, trailblazers like Joan Kirner, first female Premier of Victoria, and others established Emily's List to nurture the capacity of women in the ALP. The ALP promulgated its first affirmative action rule in 1994, requiring women to be preselected in 35% of the winnable seats by 2002.[483] Importantly, Emily's List has also supported the successful pre-selection of Aboriginal women, and held a national gathering in Alice Springs in 2003. Carol

[480] Australian Labor Party. (n.d.). *Without more Indigenous Labor MPs, we can't be true to our values.* http://www.billshorten.com.au/without_more_indigenous_labor_mps_we_can_t_be_true_to_our_values, accessed 16 September 2016.

[481] Nicholls, S. (2016, February 28). Deputy leader Linda Burney set to make history in the federal parliament. *The Sydney Morning Herald.* http://www.smh.com.au/nsw/deputy-nsw-labor-leader-linda-burney-set-to-make-history-in-federal-parliament-20160228-gn60pj.html

[482] Koziol, M. (2016, March 1). Bill Shorten announces Indigenous leader Pat Dodson as his pick to replace outgoing WA Labor Senator Joe Bullock. *SMH.* http://www.smh.com.au/federal-politics/political-news/bill-shorten-announces-indigenous-leader-pat-dodson-as-his-pick-to-replace-outgoing-wa-labor-senator-joe-bullock-20160301-gn80vn.html accessed 16/9/16

[483] Emily's List. (n.d.). *Our History.* https://www.emilyslist.net.au/about/our-history/, accessed 1 August 2015.

Martin was the first Aboriginal woman elected to any parliament in the country, and Emily's List played a vital role in her campaign. As she mentioned in her inaugural speech:

> I am profoundly grateful to Emily's List – the organisation involving amazing women by whom I have been fortunate enough to have been embraced and supported during the process of becoming a member of parliament. The generous help given to me by those women was so important that its value is impossible to measure, but I thank them.[484]

Both Anderson and Burney speak fondly of the support received through Emily's List and the mentorship provided by Kirner in the early days of their campaigns and in preparing them for political careers.[485]

Other mentoring relationships also proved invaluable to Indigenous politicians. Peris cites Warren Snowdon as being enormously influential, having worked and travelled with him: "With a mentor like Warren Snowdon, I got to live day-to-day as a politician and get out there to the communities but then also worked with unions as well."[486] Snowdon was originally elected to the House of Representatives for the Northern Territory in 1987 and then, through electoral redistribution, held the seat of Lingiari since 2000.[487] He is a long-term politician and has held a range of ministerial portfolios including Shadow Parliamentary Secretary for Indigenous affairs and Northern Australia.[488] Snowdon's mentorship proved to be a significant factor in Peris' transition into political life.

Aboriginal women have had the greatest political success in the Northern Territory, significantly higher than any other state or territory. The high-level representation can be attributed to a number of factors, including high proportions of Aboriginal populations, a willingness for political parties to select candidates in winnable seats and the mentoring relationship amongst Aboriginal representatives. Price, in 2012 as the member for Stuart, said that "having worked in Aboriginal affairs, spent time with other Aboriginal members of parliament, Marion Scrymgour, Malarndirri McCarthy and Alison Anderson opened the way to get into politics."[489] Price sees her responsibility in passing on that knowledge to the future generation and hopes to have a similar influence on Aboriginal women to appreciate politics. Mentorship is vital to encouraging and fostering the political potential of the party's members and has proved instrumental in supporting political transition.

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[484] Martin, C. (2001). *Inaugural speech.* Parliament of Western Australia. Legislative Assembly.

[485] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

[486] Peris, Nova. Personal communication– Interview conducted with Michelle Deshong, 24 November 2014.

[487] Parliament of Australia. (n.d.). *Hon Warren Snowdon*. http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=IJ4

[488] Ibid.

[489] Price, Bess. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

Financial Support

Running a political campaign can be costly and a significant barrier to participation. Party systems become intricately important for Aboriginal women considering a shift into the political realm. As a group, Indigenous women's economic participation is significantly disadvantaged. Factors such as age, geography, community demographics, and access to labour markets significantly reduce the average income.[490] Workplaces also generally have policies that require individuals to stand down from employment whilst campaigning, potentially resulting in loss of income. For Aboriginal women, these factors weigh heavily on the decision and viability of running for office.

While there is no definitive cost attributed to political campaigns, it can be an extreme time and financial consideration. Campaign funding and budgets often cover costs such as marketing and promotions, support staff, technology and costs associated with campaign elections. The cost and logistics of campaigning have changed considerably over the past fifteen years, and the accessibility of the internet and social media has significantly changed the reach of political campaigning.[491] This is exacerbated if you are covering large geographical areas or for state and federal campaigns. As Burney states, "A conservative figure might be somewhere in the vicinity of fifty thousand dollars."[492] If used as a guide, many individuals would be eliminated on that basis alone, and even more so for those who have limited economic participation or surplus funds, as is the case for many Aboriginal women.

Political parties have become paramount and a necessity for financial support and political strategies. Political parties are well-versed in campaign fundraising and, depending on the party's membership and affiliation, can source funding through large unions or corporations. Strategies and funding for political candidacy can also vary depending on whether individuals seek election on local, state or federal platforms. Individuals raise money for the initial campaign, and then parties may provide further support. Anderson reflected on the difficulties of trying to reach constituents in the bush:

> You have to rely on donations, borrow vehicles and the goodwill of the people. Building networks of sponsors is critical, as is appreciating the small donations that come from the people that help to accumulate funds for campaigning.[493]

Burney suggests that if you are trying to contest an unwinnable seat, there can be minimal to no party funding, and it is up to individuals to raise the funds. Aboriginal women are less likely to have the same kind of 'mates' through social, political, economic and educational circles and, therefore, must

[490] National Aboriginal and Torres Strait Islander Women's Alliance. (2013). *Aboriginal and Torres Strait Islander women and superannuation*. http://www.natsiwa.org.au, accessed 1 October 2015.

[491] Ridgeway, Aden. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[492] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[493] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

work harder to make links within the party and source support more heavily internally to the party.[494] Financial backing is profoundly important in relation to the socio-economic status of Aboriginal women. Political parties must adopt strategies alongside affirmative action principles to provide appropriate funding and resources for Aboriginal candidates.

Cyclical Politics

One of the most prevalent observations from the interviews and life of Aboriginal politicians has been the underpinning cyclical nature of political life. I began this article by identifying that the road to political representation for Aboriginal people can often be different from what we might consider the mainstream. Aboriginal people do not come to political office as a result of political families, rites of passage, or business opportunities. For Aboriginal people, their foundations remain rooted in the training grounds of black politics and engaging in the lifelong work of leadership, social justice and equality. Through political systems, only a small number of Aboriginal women have been able to successfully navigate their way to formal political representation. Building on their experiences though, we can expect this to increase over the next few decades.

Through their political careers, they have continued to carry the responsibility of their people with them. As Aboriginal politicians, they are dealing with unparalleled obligations and expectations from their communities as well as their parties. Every Aboriginal politician has made public statements either in maiden speeches, in parliament or the media about their Aboriginality and the contested expectations and responsibilities of their role, including those most recently elected to the Federal Parliament – Burney, Dodson and McCarthy.[495] Once a political career is over, some politicians find themselves moving into business, highly remunerated roles or ambassadorial posts.[496] For Aboriginal people, post-political life almost always results in a return to their roots, back to the field of black politics, community work and leading change for their people. At this point in history, the sample is small, but of those who have held political office and now stepped down, there is evidence of specific trends emerging. Marion Scrymgour is now the CEO of an Aboriginal health service in the Northern

[494] Fredericks, B. (2010). We've had the Redfern Park Speech and the Apology: what's next? *Outskirts Online Journal, 23*(1).

[495] Parliament of Australia. (n.d.). *Hon Linda Burney First Speech.* http://www.aph.gov.au/Senators_and_Members/Members/FirstSpeeches/Linda_Burney accessed 16 September 2019; Parliament of Australia. (n.d.). *Senator Patrick Dodson First Speech* http://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=SR5, accessed 16 September 2019; Parliament of Australia. (n.d.). *Senator Malarndirri McCarthy*. http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansards%2F16daad94-5c74-4641-a730-7f6d74312148%2F0142%22, 16 September 2019.

[496] Henderson, A. (2015, December 8). Joe Hockey appointed US Ambassador. *ABC News.* http://www.abc.net.au/news/2015-12-08/joe-hockey-apppointed-us-ambassador/7009210 accessed 2 March 2016; Symons, E. (2015, December 8). Kevin Rudd's New York and life after politics. *GQ Australia.* http://www.gq.com.au/success/opinions/kevin+rudds+new+york+and+life+after+politics+,39507; The Age. (2007, April 26). *Vanstone appointed ambassador to Italy.* http://www.theage.com.au/news/national/vanstone-heads-for-rome/2007/04/26/1177459862476.html

Territory.[497] While Malarndirri McCarthy was a journalist and presenter for National Indigenous Television, she has recently returned to politics in the Federal Parliament.[498] Aden Ridgeway has partnered in a consultancy business that bridges the gap between the wider Australian community and Indigenous peoples in areas of communication, policy development and cultural competence.[499] After Nova's departure from politics she returned to the Nova Peris Foundation to continue community work focussed on health, education and capacity building.[500] The connection to culture, identity and community is something that sets Aboriginal people apart. There is a continuing commitment to families and communities and to do more for Aboriginal people. Life as a politician is one-way individuals have been able to position themselves to seek change, yet through it all, their loyalty is to Aboriginal peoples.

Since the passing of the Commonwealth Electoral Act in 1962, we have seen a great deal of change in the political participation of Aboriginal people and women. Despite historical and institutional challenges, the transition into political life is now more attainable, with the number of Aboriginal politicians slowly increasing. Our parliaments require greater diversity in representation, and Aboriginal people should be afforded opportunities to participate in the Australian democracy in a more equitable manner. By interviewing a number of Aboriginal politicians, the research gives greater insight into the enablers to make political participation a reality. Four key enablers were identified in this paper: black politics, leadership, life in the public domain, and party politics. Each of these factors, separately and collectively, has helped to shape the successful candidature of Aboriginal men and women across state, territory and federal parliaments. Black politics remains a fundamental training ground as individuals transition through a period of development, learning critical skills of negotiation, advocacy, and capacity building along the way. The foundations of Indigenous affairs cannot be underestimated as the responsibility of honouring identity, community, and country permeating through all aspects of political representation. It is also evidenced that black politics is the beginning and end point for Aboriginal people. Black politics shapes lives and careers and is a motivating force for change.

Furthermore, on a personal and cultural level, individuals take on leadership responsibility, developing public profiles within a broader domain. Undertaking proactive leadership further legitimises the need for inclusion of First Nation's people on issues that affect their lives. Beyond Indigenous parameters, Aboriginal politicians are equally effective and capable of holding and representing constituents through political office, offering up different perspectives and diversified experiences.

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[497] Wurli Wurlijan Health Service. (2014). *Wurli Wurlijan Health Service Annual report.* http://www.wurli.org.au/PDF/WurliAnnualReport%202014.pdf

[498] SBS News. (n.d.). *McCarthy, Malarndirri*. http://www.sbs.com.au/news/author/malarndirri-mccarthy

[499] Cox Inall Ridgeway. (n.d.). *Heal our way is a NSW Aboriginal and Torres Strait Islander suicide prevention campaign.* http://www.coxinallridgeway.com.au/

[500] Peris, Nova. The Nova Peris Foundation. https://novaperisfoundation.org.au/ accessed 2/3/2023

Political parties are the one crucial structural link to greater participation. The processes of pre-selection can be complex, but a willingness to implement strategies and procedures that foster greater engagement with Aboriginal women is an effective starting point. The road paved by Aboriginal politicians thus far has influenced the way political parties assume greater effectiveness in connecting theory with practice. In doing so, we will witness over the next decade many more Aboriginal women being pre-selected into winnable seats. Aboriginal politicians, particularly women, have proven that historical challenges to participation can be turned into enablers if individuals and political parties work collaboratively. In order to address the institutional challenges and barriers of race and gender, the continued support and development of Aboriginal women as political actors is paramount. There is still a great deal of work to do to reach a level of parity in representation across the country, but to take the lessons from those that have gone before us sets us on the right path to change.

ARTICLE 4: TEDx Talk – Black Women Tipping the Balance

Originally presented at TEDx, James Cook University, Cairns – 30 September 2015. Deshong, M. (2015). *Black women: Tipping the balance*. TEDx Talks, http://ted.com/tedx.

Positioning Commentary

The content of this TEDx Talk was reclaim a positive space for Indigenous women. It is centred around several political identities and events that had been taking place in the few year prior to delivery. Julia Gillard served as the first female Prime Minister from 2010 to 2013, before being toppled for the Leadership of the Labor Party by Kevin Rudd, only a few weeks out from a Federal Election. During her tenure the rhetoric was levelled at unprecedented focus on gender and leadership. Kevin Rudd lost the 2103 election to the Coalition Government with Tony Abbot becoming Prime Minister from September 2013 to February 2015.

During his tenure as Prime Minister, Abbot made some controversial decisions that had a direct impact on Indigenous peoples. On of his first actions was to retract $500 Million from Indigenous community programs and to establish an Indigenous Advisory Council that was appointed by him to provide advice, despite the fact that the National Congress for Indigenous Australians already existed as representative body for Indigenous Peoples. Alongside this the PM proposed to close 150 Western Australian remote Indigenous communities, saying that taxpayers should have to fund people's 'lifestyle choices'. A direct violation of the UNDRIP of Indigenous peoples right to Free, Prior and informed consent, ensuring that they can not be forcibly removed off their lands. Alongside this, Abbot made a comment at Garma, suggesting that Indigenous women were cowering in their houses or their huts (f fear of what some drunken relative might do. Unempowered and fearful, and unable to participate in the decision-making processes that affected themselves, their families and communities. A statement loaded with sexism, racism and paternalism. He also declared himself the Minister for Women and the Minister for Indigenous Affairs.

This TEDx Talk was about reclaiming the narrative of Indigenous women, drawing on their passion, commitment, strength and resilience in light of all of this social commentary. It was a way of proving what is possible and to encourage people to see Indigenous Women, Black Women as capable, forthright and strong. A way of saying Indigenous women's political voices are powerful and we can Dare to Dream.

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The following is the video of the presentation, followed by a transcript.[501]



Black women make the best leaders. In fact, black women should be running this country! All you need to do is look at the last fifty years to understand why. Have a look at what we have achieved as black women. I'm going to tell you a little bit about black women, but before I do, there's three things that you need to know about me. I am a black woman, an Aboriginal woman, a woman strong in my identity, my culture, my community and my kin. I acknowledge the traditional lands that we stand on today. I am also a political scientist; I love all things political. My family sometimes think I'm a little weird, but I think politics infiltrates everything we do in our lives, and for that, I find it fascinating. And thirdly, I love to travel, so when I travel, I get to experience new things and new cultures, new communities and, in particular, different political systems.

[501] Deshong, M. (2015). *Black women Tipping the Balance* [Youtube video]. TEDx Talks. https://www.youtube.com/watch?v=jsFoVsgkIF8

I also enjoy meeting other people, other black people around the world, so thankfully I get to combine those things when I do travel. So, it's probably no surprise to you then when I tell you I've recently returned from the United States of America where I travelled through the South and followed the civil-rights trail. The civil-rights trail, of course, is one of those places that we are familiar with: Louisiana, Alabama, Mississippi and Tennessee. These are the places of great historical moments, moments like the march from Selma to Montgomery led by Martin Luther King, moments like the Freedom Rides or the desegregation of schools, and we're all very familiar with these things because they have been immortalised in film and literature. And so, as I travelled through these wonderful institutions and museums, this was a common message that I saw:

PRESENTED SLIDE 1 –

"WOMEN WHO BEHAVE SELDOM MAKE HISTORY"

Attributed to Laurel Thatcher Ulrich, who was a historian and a woman who wrote extensively about women. Mostly, this was a tribute to the silent work of ordinary people, and this statement resonated with me so strongly because I was moved by the way in which they had captured the role of women in making great change. And, of course, many of these names were familiar to me, as I'm sure they are familiar to you. These are the women and the trailblazers who helped change history.

PRESENTED SLIDE 2 – CIVIL RIGHTS – PHOTOS OF CORETTA SCOTT KING, ROSA PARKS AND ANGELA DAVIS

Women like the wonderful Coretta Scott King, whom we know was partner to Martin Luther King but, in her own right, stood for an America that was free of bigotry and racism. Coretta Scott King was instrumental in getting the *Civil Rights Act* passed in 1964. She stood strongly as a woman with a voice. Secondly, Rosa Parks, often referred to as the First Lady of the Civil Rights Movement or the mother of the Freedom Movement. Of course, Rosa Parks refused to give up her seat on the bus to a white passenger. This spurred on the Montgomery bus boycott and eventually led to the issues of desegregation. This one act changed the course of history. Then, finally, we have Angela Davis, an activist, a scholar, and a writer. Angela Davis was radical. She joined the Communist Party, was imprisoned, later exonerated, but used the opportunities to write many times about prison reform, about gender equality, and about building alliances across colour lines.

PRESENTED SLIDE 3 – INDIGENOUS RIGHTS PHOTO OF LOWITJA O'DONOGHUE, SHIRLEY PEASLEY AND OODGEROO NOONUCCUL

So, it got me thinking about the Civil Rights Movement and, of course, its place in history. But the Civil Rights Movement was also equally important here in Australia and, in fact, we had some of our own misbehaved women. Unfortunately, their names might not be as familiar to you. They are women like Lowitja O'Donoghue. Lowitja O'Donoghue was born in 1932, was taken from her mother at the age of two, a mother that she would not see again for thirty-three years. In that time, she became a part of the system, and she used every opportunity she could to challenge the kind of segregation and assimilation policies that were existing here in Australia. She fought hard to be accepted into the training

hospital and became one of the first Aboriginal nurses in South Australia. She would later go on to receive an Order of Australia medal (OAM) and become a strong advocate for the Stolen Generation. Importantly, she also played a critical part in the 1967 Referendum, as too did the next person: Shirley Peasley.

Shirley Peasley is a wonderful Aboriginal woman who fought for justice and welfare and cultural rights back in the 1960s. In particular, Shirley became a strong advocate and joined the Federal Council of Aboriginal Affairs and Torres Strait Islander Affairs, and she, too, became the face of the 1967 Referendum. I rang Shirley just the other day to talk about this talk, and she reminded me of the time, and the inspiration, and the people that surrounded her in this movement and how she could never have appreciated then what she knows now to be a really significant act in history. One of the most successful referendums in our country, and we know they're difficult to get.

Finally, Oodgeroo Noonuccal, Oodgeroo Noonuccal like Davis (Angela), was a fantastic literary. She used her pen to write about the struggles of Aboriginal and Torres Strait Islander people, and, in 1974, she was given the Order of the British Empire, which she later returned in 1988 as a protest against the Bi-Centenary celebrations. All of these women have shown great leadership and have been committed to a cause for generations. So, when I think about these women, there are three things that stand out for me. They show three particular traits that I think are extremely important in leadership.

PRESENTED SLIDE 4 – PASSION

PASSION: We are a passionate people. We are passionate about our culture, about our communities, about our families, and we are passionate about passing on knowledge to the next generation, but importantly, we are also passionate about the fact that we cannot know where we are going if we do not know where we have been. History shapes us. History is what takes this country forward and it’s only through passion that we see great leadership and change. Aboriginal women have displayed great passion and commitment for generations, a commitment unrivalled in this country, and particularly, this passion has led to work not only individually but for the greater good. Actually, passion is one of the things I want to see in all my leaders. I want to believe that they believe in the cause.

PRESENTED SLIDE 5 – RESILIENCE

The second is RESILIENCE. The strongest people in the world are not the ones most protected. They are the ones that have had to face struggles, adversity, and obstacles. Surmount them and survive. Aboriginal women have displayed a perseverance and a resilience that has taken us three decades of change. We have achieved great things. We have the right to vote. We have the right to represent, and we have challenged discriminatory policies of our past, so this resilience takes us to a place that changes thinking in our society.

PRESENTED SLIDE 6 – COURAGE

And finally, COURAGE: The mental and moral strength to face difficulty, fear and adversity to become better for it. We have courage to dream an incredible dream. We have the courage to face adversity and challenges. We have the courage to never give up, but more importantly, we have the

courage to stand up and speak out when something is not right. It is for this that I take the courage of all of these wonderful Aboriginal women and think about the traits that they have left as a legacy for us as the next generation. But, more importantly, I was thinking about these particular leadership traits and wondering why we might not question whether our current political leadership have some of these leadership traits because, to me, these are the things that drive a better community.

PRESENTED SLIDE 7 – ABORIGINAL MOSAIC FROM FORECOURT OF PARLIAMENT HOUSE (CANBERRA)

So, if any of you have ever been to the Australian Parliament House, at the front you're greeted by this beautiful mosaic. It is done by the artist Michael Jagamara of the Papunya community in Northern Territory and reflects his painting of the possum and wallaby dreaming. It denotes the coming together of ancestors, the gathering of clan groups to undertake ceremonial obligation. It's not a mistake that this sits at the forecourt of our parliament, because, importantly, it recognises Aboriginal peoples connection to culture and land. But to me, it symbolises something else. It's a calling if you will, a calling from the ancestors that says we too have a place in this great house. We too contribute to this nation. So, with a little bit of courage, I decided to imagine a parliament that is actually reflective of the constituents it represents, and in that parliament, of course, there are many Aboriginal women.

PRESENTED SLIDE 8 – NEW CABINET, MINISTER FOR THE ENVIRONMENT, MINISTER FOR TOURISM & ARTS, ATTORNEY GENERAL

So come with me, if you will, to the new parliament and think about the kind of portfolio's our Aboriginal women would hold. This is your new Cabinet, and the Minister for the Environment, of course, is someone who understands the sacredness of our beautiful lands; our creation stories are built in the land and the sea and the stars. They tell us about our history, they tell us about the way we need to preserve and look after our lands. Importantly, we think about the age-old traditions of listening to the land, replenishing the land, and keeping it for new generations. The Minister for the Environment might introduce the age-old tradition of taking only what you need to make sure that there is enough there for everybody. Imagine a Minister for the Environment who negotiates deals based on these morals. It might actually change the world we live in!

So, secondly the Minister for Tourism and the Arts. Who better to tell our stories than those who understand them innately? Our stories that have preserved art and culture for thousands of years. Our stories that tell of this great land and about our evolution, but importantly the Minister of Tourism and the Arts gets to bring together the old and the new. Because, after all, isn't this what you want? To know when you travel to different countries to understand the essence of place and of being?

And finally, I thought about the Attorney General, who of course is the legal officer to the Crown. Now, we might have to do something about that once we're in this new parliament. But, I figured we knew a thing or two about justice, how to seek it, how to achieve it, but more importantly how to uphold fundamental human rights. After all, that's what our movement was all about. So I went, oh why stop there, Michelle?

PRESENTED SLIDE 9 – PRIME MINISTER FOR WOMEN AND PRIME MINISTER FOR INDIGENOUS AFFAIRS

Quite frankly, as I said, Aboriginal women should be running this country. So, if that's the case, I figured the Prime Minister for Women and the Prime Minister of Indigenous Affairs made perfect sense to me. It's a two-for-one deal almost, but the most important thing is that the Prime Minister for Women and the Prime Minister for Indigenous Affairs comes from a lived experience. We, as women, have had to challenge that intersectionality of race and gender for generations. We know about the struggles. We know about the women's suffrage movement. We have fought for gender equality and for fundamental rights, and we have achieved them! And, importantly, we have achieved them with other women. But also, the Prime Minister for Indigenous Affairs, when you think about it, Indigenous knowledge is ways of knowing, ways of being, a treasure trove of information, of struggles, of stories and of change – inspirational change that has led and shaped this country. So, for me, it makes perfect sense that these are the kinds of things we want to see from a Prime Minister leading a country through change.

PRESENTED SLIDE 10 – HONOURING DIVERSITY

So, as we think about our new parliament, I want you to appreciate and to challenge the perspectives that you have about what Aboriginal people are capable of. Honour the diversity that we can bring, honour the kind of skills and experience that we have. As I said to you, Aboriginal women have shown great leadership. We've been passionate. We have showed resilience, and we are courageous. We are courageous to dream a different dream, and so I say to you, Australia can actually learn a thing or two from black women. In fact, Aboriginal women have been leading change for over 40,000 years.

ARTICLE 5: Pathways to Political Leadership

Originally published as Deshong, M. & Evans, M. (2020). Australian Indigenous Women and Political Leadership. In D. Rosser-Mims, J. R. McNellis, J. Johnson-Bailey, & C. Egan, (Eds.), *Pathways into the political arena – The perspectives of global women leaders* (1st ed., pp. 223–242). Information Age Publishing.

Positioning Commentary

As two Aboriginal women conducting research focused on the political agency of Aboriginal women, we agreed that it was timely to collaborate on this article. We also welcomed the opportunity to publish Internationally, showcasing the unique position of Aboriginal and Torres Strait Islander women across the Australian Democratic landscape.

2013 marked a significant turning point for Aboriginal and Torres Strait Islander women's representation across all levels of government. Nova Peris's election to the Senate created history as the first Aboriginal woman in the Federal Parliament and the first Aboriginal woman in the Senate. However, the success at a national level, was really fostered by the progress being made in state and territory governments, where the representation of Aboriginal women had been increasing of the years. This progress was also possible, as the dismantling of previous barriers, seemed to make way for increase support, mentorship and affirmative action measures to increase Indigenous participation across the board. The opportunity to interview and discuss this critical change with Aboriginal women who had been a part of this change, was critical. Hearing their journey helped to resonate with their lived experience, and also identified enablers for other Aboriginal women to benefit from in the future.

This article has been reformatted with minor edits.

Published Article

Australian Indigenous people make up 3% of the Australian population and hold only 1.8% of all elected representative seats in Australian parliaments. In stark contrast to non-Indigenous political representation, Australian Indigenous women held close to 50% of elected positions achieved in state, territory, and federal parliaments in 2017. The political shift for Indigenous women in Australia from community-based politics into parliamentary politics has occurred in just under two decades at the state and federal levels. Many of the incumbent Australian Indigenous female politicians have found their way to political leadership via Indigenous advocacy and working inside of Indigenous organisations. This political pathway, different from the socialisation path typical inside political parties,[502] honours

[502] Hyman, H. (1959). *Political socialization*. Free Press.

these individual leaders' connection to their Indigenous communities and exemplifies the requirement for Indigenous women to seek alternative routes to public office.

Indigenous cultural identity plays a pivotal role in Australian Indigenous women's political selection and election, presenting both individual candidates and political parties with complex tensions to navigate. For Indigenous leaders, cultural identity is always at the forefront. Indigenous identity is underpinned by an Indigenous worldview and philosophy that are interconnected through genealogical and holistic relationships with the land, flora, fauna, and cycles of the seasons.[503] We place emphasis on the individual stories that are showcased in this chapter, for they "enact and embody ways of knowing and leading" from the generations before them.[504]

This chapter details the pathways of four Australian Indigenous female politicians and the resources that these experiences provided for the individual as they adapt to the reality of being elected representatives. Linda Burney, Alison Anderson, Bess Price, and Nova Peris are all trailblazers for their communities and electorates. These Indigenous politicians also represent four very different locations in Australia: Sydney, New South Wales (Burney), Yuendumu (Price), Alice Springs (Anderson), and Darwin (Peris) in the Northern Territory. By exploring four women's stories, the chapter problematises conventional political socialisation by detailing the structural, gender, and racial challenges faced by these extraordinary women. This chapter proposes that the role of Indigenous cultural identity is a political resource mobilised by individuals and political parties in efforts to win elections. However, beyond the transactional nature of politics, Indigenous cultural identity is a generative, embodied source of motivation and inspiration for individuals and their connected communities and is a significant personal resource individual politicians draw upon. This highlights the complexity in the leadership work of Australian Indigenous women in political leadership.

Starting with an overview of Indigenous political representation in Australia, the chapter makes the important argument that the Australian constitutional and policy implications place significant structural, gender, and racial challenges for Indigenous people wishing to participate in political representation. This is followed by an overview of the biographies of the four Australian Indigenous women politicians before exploring the common themes pertaining to their motivations for running for political office, including an examination of their family influence and mentors. This analysis is extended to a broader examination of the political pathways Australian Indigenous political leaders take. Finally, the chapter discusses the role of cultural identity in political leadership by focusing on the leadership impact of each political leader.

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[503] Kwaymullina, A. (2005). Seeing the light: Aboriginal law, learning and sustainable living in country. *Indigenous Law Bulletin, 6*(11), 12–15.

[504] Evans, M. M., & Sinclair, A. (2016). Navigating the Territories of Indigenous Leadership: Exploring the experiences and practices of Australian Indigenous arts leaders. *Leadership, 12*(4), p. 476.

Indigenous Political Representation in Australia

Australia has two Indigenous peoples: Aboriginal Australians and Torres Strait Islander Australians. Aboriginal Australia is made up of over 500 nations and is linguistically, culturally, and politically diverse. Torres Strait Islander Australia is also diverse, with over 274 islands commonly divided across five groups – north, east, west, south and central. Throughout the chapter, I have interchangeably used the terms Indigenous, Aboriginal, and Aboriginal and Torres Strait Islander to emphasise the diversity and complexity of Indigenous Australia.

In 1901, Australia became a federation and, as such, adopted a formal constitution that excluded Indigenous Australians from participation.[505] In establishing the Federation of Australia, no agreements or any formal treaties were negotiated with Aboriginal and Torres Strait Islander peoples. After Federation, a number of discriminatory policies and practices were imposed on Aboriginal and Torres Strait Islander people that sought to marginalise, segregate, and remove Indigenous people from their homelands and their practices of culture and tradition. These discriminatory practices relegated Aboriginal and Torres Strait Islander people to "protection" under state and territory governments without the right to vote, be counted on the census, or to be protected by employment and unemployment privileges. After the national referendum in 1967 granted both citizenship and the power to vote to Aboriginal and Torres Strait Islander people, it took five years for the first Aboriginal person to win a seat in the Federal Parliament (Senator Neville Bonner) and 47 years for the first Aboriginal woman elected to the Federal Parliament (Senator Nova Peris).

There have been many calls from Indigenous communities and individuals to reserve specific Indigenous-only seats in parliament; however, they are often dismissed on the basis that the Constitution does not allow it.[506] Despite slow progress internationally, many countries have now adopted some form of gender quota to increase women's representation in politics, and electoral quotas have been shown to be effective in fast-tracking women's political representation to produce equality of results, not just equality of opportunity.[507] In 1995, the Council for Aboriginal Reconciliation (CAR), through its social justice submission, made strong recommendations that any constitutional consultation process explore the possibility of separate Indigenous seats in parliament.[508] Without a framework or treaty to act as the starting point for such negotiation, the task of designating seats in parliament is more of a symbolic debate than a tangible reality. However, seats in the parliament (designated or otherwise) and

[505] McGregor, R. (1997). *Imagined destinies: Aboriginal Australians and the doomed race theory, 1880–1939*. Melbourne University Press.

[506] Bennett, S. (1999). White politics and Black Australians. Allen and Unwin, p. 82.

[507] McCann, J., & Wilson, J. (2014). Representation of women in Australian Parliaments 2014. Parliamentary Library Research Paper Series 2014-15. Parliament of Australia.

[508] Council for Aboriginal Reconciliation (CAR). (1995). Going forward: Social justice for first Australians. Council for Aboriginal Reconciliation, p. 42.

Indigenous Australian participation in a democratic system of government are important and recurring popular issues.

Despite these barriers, there has been Indigenous representation in the Federal Parliament, albeit on a limited basis. The first Indigenous Australian member of an Australian parliamentary system, Senator for Queensland Neville Bonner, was elected in 1971. Initially selected to fill a casual vacancy, Bonner later won the seat in his own right from 1972–1983:

> For the first time in the history of this country there was an Aboriginal voice in the parliament and that gave me an enormous feeling of overwhelming responsibility. I made people aware, the lawmakers in this country, I made them aware of Indigenous people. I think that was an achievement (Rowse, 2014).[509]

One of Bonner's significant contributions was his acknowledgement of the complexity of being both a politician and an Aboriginal. In his maiden speech to parliament on the 8 September 1971, he declared that he would play "the role which my State of Queensland, my race, my background, my political beliefs, my knowledge of men and circumstances dictate."[510] He was a trailblazer, and his legacy remains one of strong foundation for Indigenous political participation. Following Bonner's departure, there was no federal-level Indigenous representation until 1999, when Aden Ridgeway for the Australian Democrats entered the Senate and served one term, 1999–2005.[511]

In 2010, the status quo changed, and progress was made in relation to Indigenous representation in federal elections. Australia witnessed record numbers of Indigenous people standing as candidates across the country, and the political environment more broadly was experiencing significant change when Australia's first female prime minister, Julia Gillard, stood for re-election in her own right. The federal election resulted in the first Indigenous member elected to the federal House of Representatives, Ken Wyatt. His election broke the five-year hiatus of Indigenous representation. In 2013, this trend continued with the election of Nova Peris to the Senate. While no one factor can be pinpointed as the catalyst for this change, the absence of a national Indigenous voice following the disbanding of the Aboriginal and Torres Strait Islander Commission in 2005 may be one of the contributing factors. The Aboriginal and Torres Strait Islander Commission (ATSIC) was the peak national representative body for Indigenous people, with both elected regional councillors and ATSIC commissioners. ATSIC was abolished on March 24, 2005.

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[509] Rowse, T. (2014). Bonner, Neville Thomas (1922–1999): Senator for Queensland, 1971–83 (Liberal Party of Australia; Independent). *Biographical Dictionary of the Australian Senate, online ed.* Retrieved from http://biography.senate.gov.au/bonner-neville-thomas/

[510] Parliament of Australia. (n.d.) *Biography – Nova Peris.* http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;adv=yes;query=(Dataset%3Ahandbookparts,allmps,newhandbook)%20State_Phrase%3A%22nt%22;rec=4

[511] Bennett, S. (1999). White politics and Black Australians. Allen and Unwin, p. 180.

Aboriginal and Torres Strait Islander women of Australia have only recently begun featuring as both candidates and elected representatives in federal and state parliaments. From the early 2000s, female Aboriginal representation can be seen in territory and state parliaments, such as Marion Scrymgour (2001–2012) and Linda Burney (2003–2016), followed by many more women, especially in the Northern Territory. At the time of publishing this chapter, there are three Aboriginal women representatives in the Australian Federal Parliament and six in state and territory parliaments.

Four Cases of Australian Indigenous Women in Political Leadership

This research seeks to champion the voices of Australian Indigenous women in political leadership. By showcasing the voices of Linda Burney, Bess Price, Alison Anderson, and Nova Peris, this chapter aims to create space to explore pathways to political participation and models of Indigenous political representation. Each woman is profiled, and her perspectives and cultural values shine through direct quotations from research interviews conducted as part of this PhD research in 2013 and 2014. As such, these interview quotes are attributed to the interviewees.

Alison Anderson was born in the remote community of Haasts Bluff in the Northern Territory. She speaks six Indigenous languages (Anmatyerre, Luritja, Pitjantjatjara, Warlpiri, Western Arrernte and Yankunytjatjara) and has had an extensive history in both the arts and politics. Alison began her political career as an elected representative (commissioner) with the Aboriginal and Torres Strait Islander Commission (ATSIC) and was one of the few women elected commissioners, as well as being the only woman representative in the final term of the commission. Anderson has an extensive background in community development and has held many positions of influence, including roles with the local council, Aboriginal organisations, and nongovernment agencies. Anderson has projected a unique political identity in the Northern Territory's political sphere over many years. Few political candidates have changed political affiliation and parties on such a scale as Anderson, causing a range of criticism, support, and, at times, indifference towards her. She joined the Northern Territory Legislative Assembly in July 2005 as a Labor Party Member for MacDonnell and held the seat of Namatjira (due to a divisional name change) for eleven years. During her time in office, Anderson was an outspoken, and at times, unpredictable politician:

> Suspicion has led me to where I am because I really wanted to see how people make decisions on our behalf, how they implement it and these people have got no idea. It's based on data and information completely outside for our realm. They don't understand our lives, the way we perform, our culture, our identity.[512]

Anderson left the Labor Party in 2009 after policy disputes and remained an Independent for two years, contributing at times to the turbulent nature of Northern Territory politics. She joined the

[512] Anderson, Alison. Personal communication – Interview with Michelle Deshong, 14 November 2013.

Country Liberal Party (CLP) from 2011 until 2014, when relationships became untenable with other members of the party, leading Anderson and two other Aboriginal Members of the Legislative Assembly, Francis Xavier and Larissa Lee, to join the Palmer United Party (PUP) from April through November 2014. She continued as an Independent until retiring prior to the 2016 NT election.

Anderson's career reveals that life as an Independent can be quite challenging. At times, it is difficult to get political traction or support; this has led to her aligning with other parties.[513] Anderson reflected on some of her greatest achievements while in office, despite the challenges of Western Australian politics. In particular, she noted that it is the connection to people and country, being able to help Aboriginal people living in some of the remotest parts of Australia, as her driving force. A highlight for Anderson has been her ability to support community activities (such as sporting weekends and cultural activities), as well as supporting education among her people. Amid the political turmoil, Anderson maintains her original motivation and stance for entering into politics. Her robust nature as a political identity in this country is perhaps her strongest legacy.

Linda Burney is a Wiradjuri woman from NSW and has been in formal politics since 2003. Prior to her entry to the New South Wales Parliament, Burney had a long history of working in Indigenous affairs. She had worked with many Indigenous organisations and established herself as one of Australia's Aboriginal leaders. Burney's proactive and positive approach to solutions-based advocacy was evident in her roles with the Australian Education Consultative Group and the New South Wales Department of Aboriginal Affairs. Upon her election to the NSW parliament, Burney quickly set out to establish herself as a capable and committed representative but did not want to be portrayed as having a singular perspective:

> …joining a political party doesn't mean you can say whatever you like, whenever you like because you're Aboriginal … you're a member of a party with obligations to that party (*National Indigenous Times*, 2008, p. 18, cited in Maddison, 2010, p. 670).
>
> While staunchly proud of her Aboriginal heritage, Burney wanted to ensure that she was a capable and effective politician, more than just an Aboriginal politician, and was determined not be pigeonholed.[514]

Burney was renowned for her calm and metered approach to consultation and negotiation. She was a leader at the height of significant changes in Indigenous affairs and was one of the few women in those leadership spaces at the time. Burney reflected that, in many ways, politics has always been in her blood. In her interview, Burney mentioned on a number of occasions that the transition to formal political office was almost inevitable. Burney was a member of the ALP and a member of the New

[513] Ibid.

[514] Cited in Aikerman, Piers. (2009). *Forget Black and White, this is about Grey Matter*. http://www.eniar.org/news/burney.html

South Wales Legislative Assembly from 2003 to 2016.[515] She was only the fourth Aboriginal woman to be elected to any state parliament, the first Aboriginal woman elected to the New South Wales Parliament, and remains one of the longest-standing Indigenous representatives nationally. In 2016, Burney transitioned to the federal level when she was elected to the seat of Barton (NSW), making her the first Aboriginal woman in the federal House of Representatives.

Nova Peris is a descendant of Yawuru, Kiga and Murran/Iwatja tribal nations. For many years, Peris was perhaps better known for her leadership and achievements on the sporting field rather than politics. Peris was the first Aboriginal woman to win an Olympic gold medal when she competed in Atlanta in 1996 with the Australian women's hockey team. She later pursued other sporting passions, switching to track and field competition athletics and winning gold in the 200m and 4x100m at the Commonwealth Games in Malaysia in 1998.

Having gained such a high-profile through her sporting achievements, she had often considered the idea of entering politics but has said it was all about the timing. Her entry into the Australian political scene evoked significant criticism and controversy. On 22 January 2013, Prime Minister Gillard announced that Nova Peris would occupy Labor's number one spot on the party ticket for the Northern Territory Senate seat in the upcoming election, essentially making a 'captain's pick'.[516] Peris was elected in September 2013 as the first Aboriginal woman in the Federal Parliament (and the Senate). During her time in office, most notably, Peris was involved in the Joint Select Senate Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples.[517] The committee was set up to inquire into steps that could be taken towards a successful referendum on Indigenous Constitutional Recognition (*Joint select committee*, 2018). Additionally, as a high-profile individual, Peris found herself a target of substantial racial vilification and spoke openly about the attacks she endured while in office. She became a leading voice in the 'Racism Stops with Me' social media campaign, as well as calling out racial hatred through social media.[518] Peris' previous experience as a world-class athlete had prepared her for the challenges of public life. Her tenure in parliament lasted three years, as she did not contest the federal election in 2016. Peris has shared on many occasions her experience in politics and the pressures that such an opportunity placed on her family and community.

[515] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[516] Cullen, S. (2013, January 22). Gillard picks Nova Peris to run for the Senate. *ABC News.* http://www.abc.net.au/news/2013-01-22/gillard-picks-nova-peris-to-run-for-senate/4478528

[517] Parliament of Australia. (n.d). *Biography – Nova Peris.* http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;adv=yes;query=(Dataset%3Ahandbookparts,allmps,newhandbook)%20State_Phrase%3A%22nt%22;rec=4

[518] Johnston, K. (2016, May 29). 'Racism Stops with Me': Nova Peris take down of racist commentator. *Yahoo 7 News*. https://au.news.yahoo.com/a/31717606/racism-stops-with-me-nova-peris-epic-take-down-of-racist-commenter/

Bess Price was born in the remote desert community of Yuendemu and speaks four Indigenous languages: Warlpiri, Luritja, Western Arrernte, and Anmatyerre. She has always demonstrated a keen interest in politics and has been involved in many aspects of Indigenous affairs from a young age. In particular, the issue of living in remote communities has been at the forefront of her advocacy and representation. Price decided to formally pursue a political career after holding a number of advisory roles and being on committees that were trying to influence the government and other stakeholders. She was frustrated about going over what she described as the 'same old stuff' and lack of progress. Price also noted that time spent with other Aboriginal female politicians, such as Marion Scrymgour, Malarndirri McCarthy, and Alison Anderson, helped her make her own path in Northern Territory politics. Price, a Country Liberal Party member, was elected to the Northern Territory Legislative Assembly in 2012 for a four-year term. During her tenure, Price was appointed Minister for Local Government and Community Services and Minister for Women's Policy. Price has been an outspoken advocate for women, children, and families in Aboriginal communities across Australia, campaigning tirelessly for their protection from violence and sexual abuse.[519] She notes that one of the main areas she wanted to concentrate on was engaging more women in the political space, getting them into parliament, and creating space for them to have a voice.

Political Pathways of Australian Indigenous Female Political Leaders

All four Aboriginal female politicians showcased in this chapter had distinctive entry points into politics. Anderson was a former national-level Aboriginal and Torres Strait Islander commissioner who was an elected representative. Peris was an elite athlete, Price a business person, and Burney a former teacher and civil servant. Each brings her own lived experience, educational, and occupational attainments to the role of elected representative. The significance of their Indigenous identity is central to shaping their political engagement. Burney, for instance, affirmed that her cultural identity was critical to the decision to enter politics, which she viewed as both a platform and a stereotypical container she was determined to break apart: "Aboriginality doesn't restrict you, and I wanted to demonstrate that I was quite capable of being a minister and my Aboriginality was a bonus."[520] In fact, if we draw upon the wisdom from studies of African American and Latina American women in elected representation, a candidate's cultural background and the connection to collective political struggles and campaigning do go some of the way to explaining their success.[521] The next section explores these four different entry points into political life.

[519] Price, B. N. (2009). I have seen violence towards women every day of my life. *Australian Feminist Law Journal, 30*(1), 149–150.

[520] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[521] Darcy, R., & Hadley, C. (1988). Black women in politics: The puzzle of success. *Social Science Quarterly, 69*(3), 629–645; Hardy-Fanta, C., Pinderhughes, D., & Sierra, C. (2016). *Contested transformation: Race, gender, and political leadership in 21st century America.* Cambridge University Press.

Party Membership

It is well reported that political marginalisation remains entrenched for Aboriginal and Torres Strait Islander Australians.[522] However, to date, no study has been done to assess the party membership uptake or membership representation of Indigenous Australians in the major political parties. Two state parliaments in Australia have conducted inquiries into Indigenous political representation and participation, both calling on political parties to grow their Indigenous membership.[523] However, Indigenous political party membership is quite low, and, therefore, the conventional pathway to being considered for political office is not the usual experience for Indigenous political representatives.

Linda Burney described her entry to public office as a "natural progression;" she had been involved in Aboriginal politics for 25–30 years and was a long-term member of the Labor Party.[524] She was well prepared to be a candidate when the opportunity came up in the NSW parliament. Burney said the preselection was an open process within her party, where "anyone technically can put their hand up;" however, she added that her first preselection running against a sitting member was "really unusual" and "quite difficult" because of the factional politics:

> I actually insisted that if I was going to be a candidate I wanted a proper preselection contest and that's what happened. At the end of the day there were three candidates for the seat of Canterbury, myself and two others. Those two other candidates pulled out of the preselection, the day of and the day before, because they read the writing on the wall, I suppose, in terms of numbers, and realised that they weren't going to get up and withdrew. At the end of the day, this was a few hours before the actual vote, I was the only candidate standing; therefore, was automatically preselected.[525]

Burney was instantly elevated to star candidate status for two important and connected reasons. First, the historic possibility of becoming the first Aboriginal person to be elected to the NSW Parliament; and second, because of Burney's talent, experience, and public profile. Her party supported her candidacy because of Burney's public interest focus and personal ambition together with her track

[522] Langton, M. (2011). Anthropology, politics and the changing world of Aboriginal Australians. *Anthropological Forum, 21*(1), 1–22; Maddison, S. (2009). *Black politics: Inside the complexity of Aboriginal political culture.* Allen and Unwin.

[523] Legislative Council Standing Committee on Social Issues. (1998, November 23). *Enhancing Aboriginal Political Representation*. (Report Number 18). Parliament of New South Wales. https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/ReportAcrobat/5223/introd.pdf; Legislative Assembly of Queensland (Queensland), Legal, Constitutional and Administrative Review Council. (2003, September). *Hands on parliament: A parliamentary committee inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic process* (Report 42). http://www.parliament.qld.gov.au/documents/committees/LJSC/2002/hands-on-parliament/Report-42.pdf

[524] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[525] Ibid.

record as a public servant and political activist. Burney's pathway to political representation demonstrates a more traditional political party entry. Being a part of the 'pipeline' of talent resident in the party rank and file enabled Burney to develop political support and a party track record. The lack of Indigenous individuals interested in running for political office who have been suitably 'socialised' as members of a political party, developing ideological and worldview connections to political parties[526] is a historical, racial and structural barrier indeed. Seen within the "context of a society that is very discriminatory" to Indigenous Australians,[527] it is not hard to more fully understand the difficulty of access to parties and, therefore, the rare example that Burney provides.

Being Recruited by a Political Party

The road to elected political office is more often than not difficult to traverse, as women from culturally diverse backgrounds are "not likely to be groomed by parties or elites to seek or win public office."[528] Prior research, similar to the research offered in this chapter, tends to focus solely on the *supply* of culturally diverse candidates and representatives. For example, Sharon Navarro's 2008 study of Texas State Senator Leticia Van de Putte describes Latina politicians as "*accidental leaders* [emphasis in original]; they are community activists or untraditional politicians who do not follow the typical paths or motivations that lead white males to politics."[529]

Many political party scholars use supply-and-demand metaphors to highlight the critical tensions associated with recruiting underrepresented peoples into parliament. However, they often emphasised one side of the equation rather than the entire issue. Now, emerging research on political supply and demand clearly demonstrates that "underrepresentation in any political system can only be attributed to demand-side discrimination by gatekeepers and not undersupply."[530]

For politically engaged Aboriginal women like Alison Anderson, being recruited by a political party is often a more gradual process on both the supply and demand sides of the equation:

> I think you get graded by the party on the amount of hours that you do in the elections. Claire Martin first approached me in 2001. I couldn't do it back in 2001 because I had lots of other things and I wasn't sort of committed to that kind of politics back in 2001. I did

[526] Hyman, H. (1959). *Political socialization*. Free Press.

[527] Hardy-Fanta, C., Pinderhughes, D., & Sierra, C. (2016). Contested transformation: Race, gender, and political leadership in 21st century America. Cambridge University Press, p. 163.

[528] Ibid. p. 198.

[529] Navarro, S. A. (2008). Latina legislator: Leticia Van De Putte and the road to leadership. A&M University Press, p. 5.

[530] Ashe, J., and Stewart, K. (2012). Legislative recruitment: Using diagnostic testing to explain underrepresentation. *Party Politics, 18*(5), 687–707, p. 703.

> take up the offer again in 2005 and ran as a Labor candidate and had 37% swing and unseated my colleague.[531]

Anderson was also a star candidate for the ALP in the Northern Territory 2005 election because of her public profile as a member of the Aboriginal and Torres Strait Islander Commission for five years. Four other Aboriginal people were elected to the Northern Territory Legislative Assembly in 2005, a watershed year for Aboriginal political representation. Anderson joined Matthew Bonsen, Elliot McAdam, Marion Scrymgour, and Malarndirri McCarthy on the Assembly Labor Party benches, a unique opportunity for them to work collectively:

> what we never got to was using our Indigenous group as a block to do better for our Indigenous people in the Northern Territory. We have always been driven by the party, the loyalty to the party rather than loyalty to our people… It doesn't mean by having a block [to] threaten people, it means that you use your block to benefit your people. The people that are most in poverty. We have got to start doing that.[532]

Her strong political commitment to Indigenous affairs is the driving force of Anderson's political career. Yet, it also contextualises the loyalty tensions Anderson experienced throughout her political career. First and foremost, Anderson is a strong Aboriginal leader with a track record in community and organisational leadership and understands the tension between family and community obligations and organisational requirements. Anderson's experience and confidence led her to call for Indigenous representatives to leverage their power collectively to work across party boundaries towards a new imagining of collective Indigenous leadership. This nonpartisan collective gathering of Indigenous leaders at the parliamentary level was also highlighted in September 2016 after the Australian Federal Election. Indigenous representatives from the ALP (Linda Burney, Patrick Dodson, Malarndirri McCarthy), Liberal Party of Australia (Ken Wyatt) and an Independent member (Jacqui Lambie) of the Federal Parliament came together to discuss an agenda they could share to make a national difference for Indigenous people.[533] However, the structure and culture of parliamentary politics make it almost impossible to foster "collegial and consultative" practices both at the election cycle "churn" level as well as the "institutional memory" level.[534]

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[531] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

[532] Ibid.

[533] Hunter, F. (2016, September 15). In historic gathering, nation's Indigenous MPs reject hate and vow to work together. *The Sydney Morning Herald.* Retrieved from 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

[534] Tiernan, A. (2016). Beyond the Nadir of political leadership: Can partisans learn? *Griffith Review, 51*, 11.

Ready to Stand for Parliament

Indigenous women's political participation at the community level and through organisations provides an important platform for the development of Indigenous political leaders. For instance, the Sámi (Indigenous people formerly known as Laplanders) political movement in northern Europe,[535] the Latina and Native American women's environmental justice activism,[536] Australian Indigenous women's activism,[537] and the broader global Indigenous feminist movement[538] are a few examples of collectivist political activism that provides a platform for the development of individual political agency. Moving from collective and community-based activism to representational politics has important challenges for individuals who have developed their political experience through grass roots activism or special interest organising, the least of which is fitting into the conventional political domain.[539] The study of *descriptive* (embodied minority representation) and/or *substantive* (voting track record of group perspective and opinions) representation argues for the assumption that "individual members of marginalised groups can stand and/or speak for the group as a whole."[540] However, one person's speaking is inevitably problematic, as there is no machinery to enable and account for group perspectives inside the parliamentary systems.[541]

For Aboriginal politicians like Bess Price, who had been a political advocate for much of her life, with a specific focus on women and children, moving into political representation was a gradual process over two years:

> Forever I had always been on so many advisory roles, committees as such that I was forever repeating myself every time I sat and talked with people. I kept listening to the same old stuff that I kept repeating. So I decided, OK, if I haven't made an impact and these people haven't listened to me, I may as well go and join them because I had been so vocal about other stuff as well in my community.[542]

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[535] Kuokkanen, R. (2011). Self-determination and Indigenous Women—Whose voice is it we hear in the Sámi Parliament? *International Journal on Minority and Group Rights, 18*(1), 39–62.

[536] Prindeville, D.M., &, and Bretting, J.G. (1998). Indigenous women activists and political participation. *Women & Politics, 19*(1), 39–58.

[537] Huggins, J. (2004). Indigenous women and leadership. *Indigenous Law Bulletin, 6*(1), 5–7; Maddison, S. (2009). *Black politics: Inside the complexity of Aboriginal political culture*. Allen and Unwin; Moreton-Robinson, A. (2000). *Talkin' Up to the White Woman: Indigenous women and feminism*. University of Queensland Press.

[538] Green, J. (2007). *Making space for Indigenous feminism*. Zed Books.

[539] Dobrowolsky, A. (2009). Of 'Special Interest': Interest, identity and feminist constitutional activism in Canada. *Canadian Journal of Political Science, 31*(4), 707–742, p. 712.

[540] Weldon, S. L. (2002). Beyond bodies: Institutional sources of representation for women in democratic policymaking. *The Journal of Politics, 64*(4), 1153–1174. pp. 1154–1155

[541] Ibid.

[542] Price, Bess. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

Yet the compromises of party politics do inevitably place limitations on the 'voice' Indigenous parliamentarians have:

> There are constraints, I think, [on] myself and the other Aboriginal members and it's all challenging for us to get our heads around as to how party politics works.[543]

These constraints provide an interesting focus point. There is a tension between an individual representative's capacity to deliver results for Indigenous communities and the broader relational networks that support Indigenous parliamentarians. Perhaps this is especially so for individuals who have risen from community-based activism, as "the Parliament itself has sapped some of their previous autonomy."[544] Effective participation in parliamentary arenas is clearly more complex than simple representation. Symbolically, having Indigenous people in parliament (descriptive representation) is very important, because they individually embody and legitimate Indigenous perspectives. Symbolic benefits aside, ensuring that Indigenous decision-makers participate in broader decisions for government enhances satisfaction[545] and, more importantly, can encourage broader political engagement.[546]

Captain's Pick

A candidate's celebrity is often commodified by political parties during election campaigns. Star candidates might be high-profile business people, musicians, elite athletes, public intellectuals, and even actors.[547] In the 2013 Australian Federal Election, Prime Minister Julia Gillard declared she had made a "captain's pick," asking Indigenous former Olympic gold medal winner Nova Peris to join the (ALP) and run in the Northern Territory for a Senate seat. Part of the Australian vernacular now, a 'captain's pick' is:

> *Noun:* 1. The selection of a political candidate directly by a party leader. 2. a decision made by the leader of political party without consultation with their party.[548]

Although the Prime Minister's captain's pick was supported, the selection of Peris to a safe Senate seat was caught up in the Prime Minister's need to demonstrate authority and leadership for her own political

[543] Ibid.

[544] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science, 45*(4), 663–680, p. 668.

[545] Hayes, M., & Hibbing, M. (2017). The symbolic benefits of descriptive and substantive representation. *Political Behavior, 39*(1), 31–50.

[546] Barnes, T.D., & Burchard, S.M. (2013). Engendering' politics: The impact of descriptive representation on women's political engagement in sub-Saharan Africa. *Comparative Political Studies, 46*(7), 767–790.

[547] Boykoff, M.T., & Goodman, M.K. (2009). Conspicuous redemption? Reflections on the promises and perils of the 'celebritization' of climate change. *Geoforum, 40*(3), 395–406.

[548] Australian National Dictionary. (2016). Captains pick. In B. Moore, A. Laugesen, M. Gwynn, & J. Robinson (Eds). *Australian National Dictionary.* (2nd ed.): Oxford University Press.

future.[549] For Peris, that phone call out of the blue from the Prime Minister established a strong mutually endorsing relationship that joined their political futures:

> I probably wouldn't be here if not for that one phone call that I received from the national office, asking if I would consider running for politics. Ms. Gillard thought I would be a brilliant candidate. I still had to go through that process.[550]

The national ALP endorsed Peris 19–2 as the number one name on the Senate ticket in the Northern Territory, ensuring the election of Australia's first Indigenous female representative in the 2013 federal election (Kenny, 2013). However, Peris' nomination was shadowed by party politics because she was chosen instead of a sitting senator. The nine-month-long election campaign caused much stress for the new political candidate:

> I certainly didn't expect, you know, what sort of hit me during the time. There was certainly even months on in the campaigning I would have my head down the toilet bowl, so it was one of those things where, I thought, oh, no, I have to do this, no turning back. I am ever so grateful that what I went through has put me in good stead here in Parliament.[551]

Peris describes in graphic detail the physical reactions to the pressures and challenges of running for office. The political violence of the campaign trail and subsequent media-driven scandals foisted upon Peris clearly displayed the gendered "architecture of the oppression" that female politicians must contend with in the political space.[552] In fact, "drawing attention to gender is often perceived as a tactical and dishonourable manoeuvre that confers an unfair advantage."[553] Peris had more than gendered challenges to contend with, as her pathway provided its own political hurdles. Perhaps even further, the pressures of public office are hyper-realised by Indigenous or culturally diverse political leaders who face greater incidences of marginalisation and discrimination.[554]

Peris described politics as a game on many occasions during her interview – a physical game, the nature of the game, the game plan, and the game that is dealing with people's lives. This "game-

[549] Mackerras, M. (2014). Australia. *European Journal of Political Research Political Data Yearbook, 53*(1), 16–26.

[550] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong 24 February 2014.

[551] Ibid.

[552] Shaw, K. (2008). *Indigeneity and political theory: Sovereignty and the limits of the political.* Routledge.

[553] Sorrentino, J., & Augoustinos, M. (2016). 'I don't view myself as a woman politician, I view myself as a politician who's a woman': The discursive management of gender identity in political leadership. *British Journal of Social Psychology, 55*(3), 385–406, p, 19.

[554] Hardy-Fanta, C., Pinderhughes, D., & Sierra, C. (2016). *Contested transformation: Race, gender, and political leadership in 21st century America.* Cambridge University Press.

frame"[555] whereby politicians are pitted against one another, or where the politician is set up on a pedestal to be knocked down, is a game played out more often than not in the media:

> It is a nasty and vindictive world, and they will do all that they can to smash you. The media certainly play and contribute to that. I didn't like to attack people, but this is the game; you are dealing with people's lives. The way I deal with this is to constantly have this hat on: my job here is to make a difference. As long as that's my job and decisions are made, policy decisions are made, funding cuts are announced, they have a huge impact on people's life, I will come out and say that it is a lousy decision.[556]

The heuristic of the game is not lost on Peris, an Olympic gold medal-winning athlete:

> Certainly in sports you knew your opponents, and you could almost know what game plan they had. You could study them; you know what I mean. In politics, it is brutal game, but you have to stay true to yourself. I am here and trying to make a difference.[557]

Other interviewees referred to Peris and her pathway to politics, describing the boundaries of the game ahead for her. For example, Burney said that Peris had to overcome the challenge of winning the confidence of the Northern Territory branches of the ALP. On the other hand, Anderson views Peris as a living example of the realities Indigenous women face when entering representational politics:

> I think Nova's in her late 40s or something like that; she will get three terms. She will find it very, very hard. If you've got kids and grannies and stuff, flying backwards and forwards from Darwin to Canberra, as you know is hectic. It's hectic on your mind and hectic on your body, and it really has an impact on your family. What I think has happened with Nova being the new senator and Indigenous is that it's going to be an eye-opener now for kids in cities, how does she get there. It's going to be absolutely fantastic and it will be a soul-searching exercise for a lot of our kids.[558]

The consequences of the captain's pick reverberated throughout the remainder of the Prime Minister's and Peris' federal representative careers. The Prime Minister resigned after a leadership challenge before the September 2013 election. For Peris, who was elected in the 2013 federal Election,

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[555] Lawrence, R. G. (2000). Game-Framing the issues: Tracking the strategy frame in public policy news. *Political Communication, 17*(2), 93–114.

[556] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong 24 February 2014.

[557] Ibid.

[558] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

her federal representative career lasted one election cycle upon her decision not to recontest at the 2016 federal Election. This pathway into politics highlights two major issues for Indigenous politicians – the political contagion of a controversial method of preselection and the historical, sociocultural, and political implications of the nation's leader choosing an Indigenous person. The captain's pick, with its echoes of colonialism, is an issue of particular concern for Indigenous political leadership.[559] It seems to signal that the political representation of Indigenous people is still tied to those who have the privilege to choose.[560]

Indigenous Identity and Political Leadership

Representation of minority groups in parliamentary systems, though critical in the interests of democratic representation, creates tensions that are often left for individual political leaders to negotiate.[561] Individual experiences of Indigenous identity become powerful narratives that connect to shared experiences and aspirations of communities, such as has been explored in this chapter. However, the tensions that individuals are left to negotiate, that arise from their lived experiences as Indigenous people, may be less representative of the diversity of their electorate.[562] Tensions arise from both silent and vocal challenges to individual political leaders when their representation does not echo constituents' lived experiences. This leaves individual political leaders grappling with these pivotal electoral matters.

> As an Indigenous person, I am indebted to my elders and other relatives who have seen within me a calling to lead. Through their support, and words of wisdom, I have been gifted the freedom to make mistakes and self-correct, and the grace to forgive myself when I fail to get leadership right the first, second, or even third time.[563]

What role do Indigenous ways of leading, underpinned by Indigenous philosophies, play in Australian Indigenous political leadership? I ask this question to signal what is clearly missing from explorations of Australian Indigenous women's political representation: the complexities inherent in notions of Indigenous leadership, so beautifully summarised by Susan Faircloth above.[564] Maynard argued that the inevitable didactic and vicious dynamics of the Australian history wars continue to silence the Indigenous political voice.[565] However, when we consider the impact Indigenous female

[559] Foley, D. (2007). Leadership: The quandary of Aboriginal societies in crises, 1788 to 1830, and 1966. In M. Hanna & I. Macfarlane (Eds), *Transgressions: Critical Australian Indigenous histories*, (pp. 177–192). Australian National University.

[560] Sen, A. (2009). *The idea of justice.* Harvard University Press.

[561] Weldon, S. L. (2002). Beyond bodies: Institutional sources of representation for women in democratic policymaking. *The Journal of Politics, 64*(4), 1153–1174.

[562] Ibid.

[563] Faircloth, S. C. (2017). Reflections on the concept of authentic leadership: From an Indigenous scholar/leader perspective. *Advances in Developing Human Resources, 19*(4), 407–419, p. 417.

[564] Ibid.

[565] Maynard, J. (2003). Australian History—Lifting haze or descending fog? *Aboriginal History, 27*, 139–145.

politicians are having both at the historical and national levels, we are compelled to fall into line with heteronormative cultural discourses that not only deter but also penalise relational ways of being and leading.

All four women described how achieving a win for their constituents, however small, replenished their energy for political work. Anderson spoke about community donations for sports events; Peris described speaking with school kids on the phone; Burney detailed how she worked with a constituent who had been homeless for two years to "win a battle over a big government agency."[566] These small wins demonstrate the power of delivering on promises that signify the central drive of political representation at the constituent level. Bess Price described a potent moment in her political career:

> [The] highlight that I would like to talk about for me and has given me the strength to keep going is this little community who have been waiting to get water since 2007. Finally, by December, they can turn a tap on in their little community and they can have water running so they can wash themselves, have gardens, do whatever they want to do. That is going to be so exciting for me because finally these old people, this old fulla (older person), I want to see his face light up when he turns his tap on and has water for his little outstation. That is going to be one thing that I will remember. I want to help the little people and this is one of the things that I've done while I've been in government.[567]

Price powerfully demonstrated how human interaction is central when a representative takes time to do the "small things" for people. And perhaps the interviewees are mistaken when they talk of small things. In the example above, ensuring water supply is no mean feat in the remote desert location of an outstation many hundred kilometres from the nearest large town. These actions are big deals and have long-lasting ripple effects for the communities they aid and for the political representative who is able to make these changes possible.

One common factor across the four women's transition to political life is that of the intersection between their cultural identity and politics. Burney affirmed that her Aboriginality was critical to the decision to enter politics: "Aboriginality doesn't restrict you, and I wanted to demonstrate that I was quite capable of being a Minister and my Aboriginality was a bonus."[568] Indigenousness identifies a personal motivation and drive to confront the government's dismissal of identity as irrelevant to politics

[566] Anderson, Alison, Personal communication, 2013; Peris, Nova. Personal communication, 2014; Burney, Linda. Personal communication, 2013.

[567] Price, Bess. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

[568] Ibid.

and public policy.[569] In order to understand the dilemmas faced by Indigenous parliamentarians, we need to keep the narrative of the political leaders' identity and cultural affiliation, experiences, and values. Aboriginal people are not a homogenous group whose interests can be simply represented, but rather a group with multiple identities and interests that form a complex political culture.[570]

Concluding Thoughts

The complexity at the heart of Indigenous political leadership can be richly understood by focusing on the interplay between cultural identity, individual experiences of political participation and how these relate to ideas and practices of Indigenous leadership. The meeting points between individuals create opportunities for collective leadership action, aligning the role of politicians more closely with ideas of Indigenous leadership.[571] This chapter is about listening to four stories of individuals and their pathways into political party politics and public representational roles. However, what we have found is that larger structural challenges disrupt passionate individual motivations and cause stress and pressure, disrupting best intentions. Indigenous identity is always grounded in place, history of place, and the genealogical ties that bind individuals together to create a collective relationality. For an Indigenous political leader, their embodied cultural identity is not only a source of pride but also sometimes a reason to develop self-discipline. Working out how to make a difference from inside the game of politics—to be the "rod and strength" for their people (Anderson),[572] to "advocate and push" (Burney),[573] to be outspoken (Peris),[574] and ultimately "to remind people that we are here to stay and this is our country" (Price)[575] – seems to be the quest at the heart of Australian Indigenous political leadership.

[569] Ridgeway, A. (2004). Race, identity and politics; The 2004 Frank Archibald Memorial Lecture. 16 September, Armidale Town Hall, New South Wales.

[570] Maddison, S. (2010). White parliament, Black politics: The dilemmas of Indigenous parliamentary representation. *Australian Journal of Political Science, 45*(4), 663– 680.

[571] Gambrell, K. M., & Fritz, S.M. (2012). Healers and helpers, unifying the people: A qualitative study of Lakota leadership. *Journal of Leadership & Organizational Studies, 19*(3), 315–325; Julien, M., Wright, B., and Zinni, D.M. (2005). *Songs from the Circle: Leadership lessons from Aboriginal leaders.* Brock University. http://www.bus.brocku.ca/oldcontent/documents/AboriginalLeadership.pdf

[572] Anderson, Alison. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

[573] Burney, Linda. Personal communication – Interview conducted with Michelle Deshong, 19 August 2013.

[574] Peris, Nova. Personal communication – Interview conducted with Michelle Deshong 24 February 2014.

[575] Price, Bess. Personal communication – Interview conducted with Michelle Deshong, 14 November 2013.

Conclusion: Walking our Own Path

Across the globe, Indigenous peoples share many attributes, from our connection to country to our pride in culture, to the belief systems handed down from our ancestors. We speak of balance, respect and reciprocity as some of the most fundamental principles for a harmonious life. All these things are as important today as they were seven generations ago, and for the seven generations to come. This is the way we keep our history alive, through telling our stories and sharing our experiences so that each generation may build on the one before. As Indigenous peoples we have and will always be great storytellers, and here on these lands, Aboriginal and Torres Strait Islander peoples continue to recognise the strength in keeping our stories alive. As an Aboriginal woman, I see my responsibility to lay the foundation and to support the next generation to embrace their political will and exercise that right free from discrimination and barriers that have impeded those who have come before then. This thesis has been presented as a story of our past, our present, and our hopes for the future.

The reflection presented at the beginning of this thesis, from Garma, centres around gender, the matriarchal and patriarchal kinship systems that define our communities and our cultural systems. It is an observation of harmony and connectedness, but also how the responsibility to share this knowledge and transfer culture from generation to generation. This story centres on the lived experience of Aboriginal and Torres Strait Islander women and how their positioning in this country (now known as Australia) has been shaped and influenced, not only through our own belief systems and cultural perspectives but also by our strength in our identity. This forms the heart of this thesis.

This thesis tracks a political journey from a time when Aboriginal and Torres Strait Islander peoples governed their own lives and were the decision-makers in their own tribal nations, to living under the control of an imposed political system that took many of those rights away. However, as the research delves into understanding these challenges and changing times, it also recognises Aboriginal and Torres Strait Islander peoples' continued determination, passion and focus when it comes to changing their lived experience. This story reminds us of the strength and resilience of Aboriginal and Torres Strait Islander women through their own voices. It shapes a narrative of how, through sheer determination and perseverance, they have been able to dismantle systemic barriers that once shut them out of political spaces.

Within this context, the research was conducted over a period that inevitably proved to be a momentous marker of change – a historical period that has witnessed substantial advancement for both our democratic system and the breaking down of political barriers. The theoretical framework of institutionalism was used to give particular attention to not only the impact of institutions upon

individuals but also focus on the interaction between institutions and individuals.[576] Through this lens, the research has captured how Indigenous people have been both insiders and outsiders of political structures and systems, constantly having to navigate new ways to engage and dismantle perceived obstacles along the way. The period in question, 2013 to 2016, encompassed an important turning point for the country, as well as for Indigenous people. It was imperative to understand what had led to this critical turning point and to identify what enablers had been successful in achieving this change.

Research Questions

The research is framed around the following questions:

1. How have historical and social factors impacted Aboriginal women's political participation during the period from 2013 to 2016?
2. What are the enablers that support an increased representation of Aboriginal women in public and political life in Australia?

To address Research Question 1, the thesis takes a comprehensive look at our historical timeline and the Indigenous individuals that helped to lead that change. When the Australian Constitution was developed and Australia federated in 1901, there was no recognition or inclusion of two groups: women and Aboriginal people. Essentially, the belief at the time was that Aboriginal people were a dying race and that the processes of assimilation would eventually eradicate the Aboriginal problem.[577] This meant that, at a federal level, there was no value nor responsibility for the lives of Aboriginal people. In the absence of a federally mandated intention, the lives of Aboriginal people remained under the control of the states (or Colonies), leading to significant discrepancies in terms of rights or opportunities afforded to Aboriginal people across the country. In many states, there was quite an oppressive approach through policies like the *Aborigines Protection Act* that prevented freedom of movement, freedom of choice, and freedom of rights.

The exclusion of women also presented discrepancies across states and territories, varying significantly but certainly not to the degree witnessed by Aboriginal people. For example, in South Australia, women had the right to vote in 1894, while in other states, it would take several decades for this to apply nationally.[578] Nonetheless, the foundation of Australia's democracy deliberately excluded two groups of people, creating circumstances of marginalisation, oppression and exemption. While there were some progress across various states, there remained a disproportionate impact on Indigenous

[576] Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) (n.d.). *Day of Mourning.* https://aiatsis.gov.au/explore/day-of-mourning

[577] Parliament of Australia. *History of the Australian Constitution*. https://peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution/australian-constitution accessed 15 July 2013

[578] Burgmann, Verity. (2003). *Power, profit and protest: Australian social movements and globalisation.* Allen and Unwin. p. 102.

women. Conversely, when considering the intersections for Aboriginal women of both race and gender, we can appreciate the different pathways that needed to be taken to achieve some level of equity in political participation. By contextualising these historical barriers, this research set out to understand what some of the enablers of participation could be to achieve political change.

Through many campaigns, protests and activism, Aboriginal people have agitated for transformation on many levels. As early as 1938, the Day of Mourning was a protest calling for a new policy that would "raise Aboriginal people to full citizen status and equality within the community."[579] It was not until six decades after Federation that the matter of Aboriginal and Torres Strait Islander peoples' inclusion in the Australian democratic system would begin to be addressed. The introduction of the *Commonwealth Electoral Act* in 1963 finally allowed for equal opportunity to participate in exercising a right to vote, setting a national standard. Soon after, the 1967 Referendum would remove the discriminatory clauses from the Constitution, allowing for the federal government to take a greater role in addressing Aboriginal and Torres Strait Islander affairs.[580] Notably, these significant achievements also aligned with the timing of the Civil Rights Movement within the United States of America and the growing conscience around racism, discrimination and inequality. These two historical turning points can be seen as the pivotal moment that things changed for Indigenous peoples, even though it took some time to fully embrace this new era of participation and equality in democracy it was crucial on many levels. I believe that without this change it would have taken much longer to see the change that we witnessed.

Similarly, women's rights were gaining momentum, with the emergence of strong gender advocates and women's suffrage movements becoming more active within Australia. The feminist movement was instrumental in helping to empower and progress women's rights and gain advancements in political participation, much earlier than Aboriginal peoples or Aboriginal women. Nonetheless, exercising a rights-based agenda was also supported by International Human Rights mechanisms, ensuring that the contribution of women and Indigenous peoples in our political systems builds on a more inclusive and diverse nation. At times, progress was slow, nonetheless we did begin to see Indigenous women being more visible and coordinating at a local and regional level. The establishment of Indigenous community organisations in the late 1980's such as Aboriginal Medical Services, Aboriginal Housing Offices and Aboriginal Legal Services provided platforms for women's leadership and action. Many of the Indigenous women that were involved in the establishment and running of these organisations, worked across multiple organisations and sustained a lifetime commitment to advocacy in Indigenous affairs. Some of these women are highlighted throughout this thesis.

[579] AIATSIS. (n.d.). *Day of Mourning.* https://aiatsis.gov.au/explore/day-of-mourning

[580] Parliament of Australia. (n.d.). *History of the Australian Constitution*. https://peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution/australian-constitution accessed 15 July 2013.

Through the 1990's and early 2000's we also witnessed a changing narrative that moved from a passive relationship with government to a more robust approach embracing the concept of self-determination and representation. The introduction of national political institutions, such as the Aboriginal and Torres Strait Islander Commission (ATSIC) and the National Congress of Australia's first peoples, further devised pathways for greater representation and input. In the ATSIC model, the introduction of Regional Councils became mechanisms for the local/regional people to be nominated to represent their communities on Council. This gave a direct pathway to decision-making and political influence, carried also by the National Commissioners who had a direct relationship with the Government of the Day and the Minister for Indigenous Affairs. Across the lifetime of ATSIC the representation of Indigenous women averaged 28-30 per cent of overall Regional Councillors, heralding a new level of participation. The experiences of ATSIC then had a direct impact on the design and purpose of the National Congress of Australia's First Peoples established in 2009. This new representative body introduced a 50/50 gender ratio at all levels of governance and leadership to build on the cultural principles of balance. The embedding of this quota ensured there were pathways for Indigenous women to equally hold political representative roles. This is not dissimilar to what we witnessed across mainstream political parties, developing quotas and affirmative action measures to support greater diversity in representation for both women and Indigenous peoples. The changing environment across the county meant that women could have a greater say in civil society at all levels and be active participants in a way that had not existed previously. The introduction of ATSIC and the National Congress were two political institutions, designed by Indigenous people, led by Indigenous people and were part of the growing enabling environment that created the momentum for change and an important platform for Indigenous women. The seismic shift has continued as Indigenous women are now traversing not only Indigenous specific spaces but also across a broader spectrum of Institutions, Organisations, Business and Government.

To address Research Question 2, I reflected on my initial motivation to pursue this topic. Prior to commencing this research, I had been observing the growing level of political representation of Aboriginal and Torres Strait Islander women across states and territories; however, it did not seem to be replicated at the federal level. Hence, this research sought to understand the barriers to this representation and what enablers needed to be in place to break the status quo. It was also important to shape the thesis in a proactive/positive frame rather than deficit position. One of the critical ways to achieve this was to seek the views and voices of Aboriginal peoples who had been or were currently pursuing elected political representation. While many of these individuals had been involved in the Indigenous Affairs sector previously, their transition to formal political representation at either the State/Territory or Federal level was central to not only understand what their transition into formal political spaces had been like, but also the reality of their lived experience while holding office. By taking a race-conscious approach, it helped to understand the inequality within societies while also

gaining a greater appreciation of the challenges they individually and collectively experienced. The perspectives, participation and cultural values formed the epistemological position on political behaviour from and Indigenous standpoint.

Before undertaking the interviews, a purposing sampling approach was applied to the research identifying suitable candidates for interview based on the specified criteria. As a result, I was able to conduct interviews with five candidates, Allison Anderson, Linda Burney, Aden Ridgeway, Nova Peris and Bess Price. The analysis of the data identified two specific tranches, being the Personal and Cultural. One notable observation from the interviews was that identity politics spanned the experience of all the individuals, and they were confronted on many occasions by institutionalised racism. One quote form Linda Burney speaks to this as she says, 'Aboriginality doesn't restrict you, and I wanted to demonstrate that I was quite capable of being a Minister and my Aboriginality was just a bonus". Inevitably this was an attempt to flip the perspective from Indigeneity being a hinderance to a rich perspective for the betterment of political participation. The depth and breadth of the interviews provided a richness to a broader story about the individuals but also the collective change that had been occurring for Indigenous peoples over the past few decades. The key insights from the interview identified the following enablers for ongoing political success and representation.

Black Politics

The analysis identified the virtual space of 'black politics' as the original training ground of many leaders, social movements, and political action. It bears the scars of political challenges, oppression, and discrimination throughout history. It is within black politics that Indigenous people are first introduced to roles of advocacy and engagement in creating critical spaces for Aboriginal leadership in Australia. Every Indigenous politician interviewed spoke about their experience in the black political space and how this was inevitably a catalyst to further political representation. Notably even post political office, Indigenous politicians remained connected to the Black Politics space and inevitably end up picking up roles back in community organisations and remaining strongly connected to the issues. Black Politics resonates strongly with me, as this is notably a critical difference for the political lives of Indigenous peoples, while being a fundamental pathway to political success, it also speaks to reciprocity of service and obligations.

Public Life

Aboriginal people's shift into the public domain brings with it a significant responsibility to uphold community expectations and the need to balance competing demands. All Aboriginal people who have successfully been elected to Federal Parliament have come from a background in public life. They have held prominent roles in the community, been spokespeople on Indigenous issues, held senior

roles in organisations and institutions, and been perceived as leaders in Indigenous affairs. Indigenous women have proven to be instrumental in leading historical and political change. Indigenous women have been at the forefront of referendum campaigns, political protests, closing the gap reforms and gender equality work. This level of engagement in public life is considered a vital prerequisite to effectively managing the transition between public life and political representation.

Mentoring

Candidate success relies heavily on strong mentorship and guidance within the political party system. Mentorship is a fundamental relationship between a more experienced, knowledgeable individual and another to provide essential guidance and support. The respondents all noted that within their respective political parties, there were procedures that assisted candidates in preparing for pre-selection and being assigned mentors to support their education through political factions and their political journey.

Leadership

Closely aligned with public life, The politicians interviewed had substantial experience in leadership roles before transitioning into politics. They identified transformational leadership as an important factor and skill to enable success. Their leadership capability was paramount to success and provides for personal growth and maturity in both personal and professional fields. Leadership experience also means people have been able to work in a range of ways that involve change management, advocacy and strategic decision making. Furthermore, active engagement and investment from within party structures, community stakeholders, and political representatives have advanced these individuals into quite prominent leadership roles.

Political Parties

Political success is very reliant on the role of political parties and their commitment to supporting diversity amongst their candidates. Every Indigenous woman to date who has been elected into office did so as a member of a political party, proving that this support is vital to success in the first term. This has been achieved through various mechanisms, such as the introduction of quotas and affirmative action within political parties. While some parties do this better than others, there is undoubtedly a concerted effort to ensure greater diversity within parties to achieve great diversity within our parliaments at all levels.

When reflecting on the key enablers it became evident, that with the right motivation, support and mentorship, there can be substantial change. Having access to these mechanisms had not been something easily attainable in the past. Notably in the period between 2013 and 2016, Aboriginal women were elected to the Federal Parliament across both houses in quick succession. Consequently,

this changed the way that Aboriginal women found their political voice in different parliaments and across political parties. When we look back not so long ago, Carol Martin was elected as the first Aboriginal woman in any parliament in this country (Western Australian Legislative Assembly) in 2001, and while there had been other successes at State/Territory level, it was not until 2013 that Nova Peris became the first Aboriginal woman elected to the Federal Parliament and the first Aboriginal woman elected to the Senate. Linda Burney also transitioned from NSW state politics to federal, becoming the first Aboriginal woman in the House of Representatives in 2016, showing that advancement was indeed taking place. While falling just outside of this specific period it is worth noting that we also recognise that in 2017 Cynthia Lui was elected to the Queensland Parliament, making history as the first Torres Strait Islander woman elected to any parliament in Australia. Sixteen years after Carol Martin paved the way and continued to solidify the progress being made at the state and territory levels as well as federally. It seems we were finally able to see that when enables are activated, we get to witness transitional change, and subsequently creating more pathways for Indigenous women more than ever before.

Research Aims

The research aims to:

- examine historical policies that contributed to, inhibited and shaped Aboriginal women's political participation
- consider the engagement of Aboriginal women in positions of advocacy and as change agents, to address the rights of women in public and political life
- represent the voices of Aboriginal women in public and political life
- identify the enablers to support Aboriginal women's participation in the political system, in particular the Federal Parliament.

As a collective review, the research aimed to change the tide of political aspirations and create a more inclusive democratic system. It explored how Aboriginal and Torres Strait Islander women have now become an integral part of the Australian political landscape and continue to shine in both public and political life. This has been achieved by centring the voices of Aboriginal and Torres Strait Islander women at the heart of this work, and more importantly connecting the historical perspectives, to interweave through a vibrant and ever changing social and political landscape.

Despite the notable success, there remains a glaring disparity in relation to political influence, as the Aboriginal and Torres Strait Islander population is only 3.5% of the overall Australian population. Due to this, Indigenous people are positioned as a minority, seen as geographically dispersed and, therefore have very little influence or control on broader political outcomes by sheer numbers alone.

That is why, alongside the broader political landscape, Indigenous people must continue to pursue their own path for political gain. Some of this means looking both domestically and internationally for leverage and collaboration. Noting that this had been a strategy deployed in the 1960's, coinciding with the Civil Rights movements in the USA, having a profound impact on our own political aspirations in Australia, citing protests and activism of the 1965 Freedom Rides and the 1967 Referendum.

Therefore, adopting the principles within the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) were an important catalyst for continually engaging in parallel political aspirations. On the one hand, it ensures inclusion in the current political systems of the state. On the other, it acknowledges our existing political and cultural foundations. UNDRIP Article 18 specifically notes that Indigenous peoples have the right to participate in decision-making in matters that affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.[581] Through this important affirmation of self-determination on our own terms, we have seen the formation of institutions designed by us and for us.

Furthermore, The CEDAW provides for the elimination of discrimination against women. Specifically, articles 7 and 8 have precise relevance to this thesis.

> Article 7 - States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
>
> (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
>
> (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
>
> (c) To participate in non-governmental organisations and associations concerned with the public and political life of the country.
>
> Article 8 - State Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organisations.[582]

[581] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*, https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

[582] United Nations. (2001). Convention on the elimination of all forms of discrimination against women. Adopted by the General Assembly of the United Nations on 18 December 1979. In *Treaty Series 1939* (pp. 418–421). https://doi.org/10.18356/4314e0ea-en-fr

The articles support women's ability to participate on an equal basis with men in public and political life, such as voting, informing policy reform, NGO representation, business development, and public international work. For the purposes of this thesis CEDAW Articles have also enables a marginalised group to pursue political representation on their own terms. In formal political representation we have seen our female politicians across the country, not only be elected, but many have held senior portfolios elevated to roles such as the Federal Minister for Indigenous Affairs. Even across party lines the formation of an Indigenous Caucus has continued to see a majority of Indigenous women participate in this group, and have been at the forefront of critical policy and legislative reform. One such example is the lead up to and the advocacy for the Uluru Statement of the Heart and the National Referendum on a Voice to Parliament in 2023. What was once a place of limited visibility, has now become a place of constantly shifting the status quo. The pendulum has certainly started to swing in favour of equal representation, access and equity, with more to do.

Markedly there has also been a feminisation of Indigenous leadership more broadly over the past 10-15 years. While much of the focus has been on formal political engagement the thesis also addressed the role of Public Life, and the where and how our women have been influential in these spaces. This is probably where we see the greatest reach, with Indigenous women taking on leadership roles across workplaces, communities, organisations and boards. Many continuing to lead the way in gender reforms as well as shining a light on the importance of intersectionality and inclusivity. Again, just outside the focus period, the appointment of June Oscar as the Social Justice Commissioner in 2017 was another historical turning point. Oscar was the first woman to hold the role and under her tenure, led the development of the *Wiyi Yani U Thangani* report. The report was the result of national consultation with Aboriginal and Torres Strait Islander women capturing their perspectives on strength, sovereignty, resilience and power. Creating foundation for the repositioning of Indigenous women's voices, not as an addition to someone else's agenda but to place the spotlight on Indigenous women's lived experiences and aspirations. The report provided five key priorities that should be embedded in consultation and the development of policies and services, one of which is to empower women's leadership and increase representation of First Nations women across workplaces and in decision-making roles. This is just one example of how Indigenous women excel in these spaces because they lead with passion and a drive for equality and fairness.

The other area of significant change is the Indigenous leading the way in media, communications and content creation. From writing books to producing informative documentaries, historical series, making films and movies they are placing our women at the forefront. Celebrating Indigenous women's strength while also creating a new visibility on the lives of our women

Limitations of the Research

At the time of conducting the research, there was only a small pool of Indigenous women in formal political roles and little progress made at the federal level. While this made it easy to identify appropriate candidates for interview, it also polarised the early stages of political advancement. In the years that have ensued there are many more women who have taken political office across parties at all levels. I believe that there is an opportunity to undertake further research to explore different experiences of current members of parliament to gain a greater understanding of the diversity of experiences and party participation.

Outside of the scope of this research is a more in-depth examination of political parties and public profiling. Political parties play such an integral role in the success and longevity of political life. While some parties embrace an approach of inclusivity and prioritise the adoption of quota systems to support diversity, while others do not. What is the commitment to ensure this measure continues to be applied? Political parties are critical to understanding political strategy, how to preselect candidates and inevitably provide substantial financial support to candidates. This is an area that could benefit from further research, what has been learnt along the way and what needs to be done to maintain a high level of Indigenous women's representation.

Secondly, public profiling of political candidates and the media needs further focus. The thesis touched on some of the bias in reporting that has been present around women more generally e.g. former Prime Minister Julia Gillard but did not delve more deeply into this perspective. Media has and can play a vital role in the narrative and image created for female politicians that is inequitable to male candidates. Similarly, I believe that when we considered the intersection of race and gender, we would inevitably identify significant disparities that require further investigation.

Key Take away

This thesis has highlighted three unique and important insights; I was raised in the space of Black Politics. I didn't know it right away, but I would eventually come to understand the importance of this training ground. The opportunity to undertake this research has enabled me to hear from prominent Indigenous people who have been influential throughout my life, some from a distance and others within close proximity. In the many conversations that we had it became increasingly evident that this Black Politics space was really our central grounding. Individually or collectively the experiences that we've had in our families, communities and workplaces shaped a narrative for us around injustice, marginalisation, but also importantly a collaboration, a shared future and inevitably call for change. It was up to us to create our own black political spaces built on our terms, that also gave us the tools for the broader issues that would impact our lives. I recall the message from Alison Anderson who said "I sometimes look at these whitefella politicians, compared to our guys that were

in ATSIC they're amateurs, absolute amateurs. I've been trained by the best and you can't get better training then to sit at an ATSIC table with those blokes.[583]

While this statement focuses on the ATSIC space specifically it is true of all those Black political spaces we are exposed to from a very early age. It is the training ground, but it is also such an important experience to have. It grounds you in the purpose, it grounds you in the why, and it encourages you to always stay focussed on the collective of our people rather than the individual that so many other political spaces encourage. The testament to this space is also evidence by the necessity for Indigenous politicians to engage in these spaces as a 'checks and balance' ensuring the importance of Indigenous peoples right to have input on matters that affect them. The other factor is life post-politics, and the evidence that shows even after our Indigenous brothers and sisters have completed their terms in the parliament, inevitably they all return back to the Black political spaces. Taking on roles in community organisations, establishing business that support development and continuing a life of advocacy for a cause. This is starkly different to where we might see non-Indigenous politicians move to such as ambassadorial roles, or work for public companies and global corporations. Black Politics is the cyclical process that we are introduced to early in life and will be the place we will continue to be until our death.

The second take away is the unrealised importance of the period that this research was undertaken. While there had been decades of work being undertaken to create pathways for change, this was the period that we inevitably witnessed a culmination of all of the groundwork finally come to fruition. To have Nova Peris finally break through the gates that had hindered Indigenous women's participation at the federal level was profoundly important. She was not only the first Indigenous woman in the federal parliament but also the first Indigenous woman in the Senate. Within three years we also got to see Linda Burney become the first Indigenous woman in the House of Representatives. Each uniquely important in their own way, but a testament to the long service each of these women have had in public life preceding this momentous change. It was the beginning of a new era in political engagement and representation for Indigenous women and one which also sent a clear message to other Indigenous women that what was once out of reach was not more possible than ever.

The final take away is the celebration of the passion, courage and resilience of Aboriginal and Torres Strait Islander women. Despite the many historical factors that prohibited their rights as mothers, sisters, aunties and citizens, they survived. Through sheer determination and personal courage, they have had to overcome decades of disadvantage and inequality. However, they've never lost sight of what was important. Through collective change Indigenous women have shown resilience beyond measure. When we look back just over 55 years ago we were not regarded as citizens, let alone allowed to participate in Australia's democracy. We have moved through a period where there was generally only one Indigenous person within the Parliament or the Legislative Assembly to having multiple sitting

[583] Anderson, Alison. Personal communication – Interview with Michelle Deshong, 14 November 2013.

members at the same time. The 47th Parliament celebrated nine members, seven of whom were women. When Indigenous people occupy these spaces in significant numbers, it allows for collaboration and caucuses to build on an Indigenous political agenda.

My personal reflection

Weaved through all of this has been my story as an Aboriginal woman with an appetite and an enthusiasm for political action and navigating spaces of black politics, where I learnt so much about who I was and about the country I lived in. I experienced firsthand the racism and discrimination so prevalent in a society that did not value me. I saw the many elders and leaders around me constantly fight for change. I know there was a point to those early years – that they would guide my journey, bound by the incredible responsibility of always knowing who I was, where I came from and what the future looked like for me and my people. It was the guidance and wisdom of the words in those childhood years that would plant the political seed that has continued to foster and grow throughout my life. As an Aboriginal woman, I have been acutely aware of the spaces I have been able to occupy, and the ones that were not afforded to me nor designed with me in mind. I also know the places I was not allowed to have a voice, or the places I had to speak anyway, noting my own presence as both an insider and an outsider at the same time.

This thesis has been a rewarding and enriching journey as I have been able to share the lives and voices of Aboriginal and Torres Strait Islander women – to learn from those who came before me and to pave a future for those yet to come. I am a firm believer that the knowledge I have gained through my life is only important if I am willing to share that knowledge with others. In the past twenty years, I have facilitated Straight Talk programs, leadership and political workshops with hundreds of Aboriginal and Torres Strait Islander women across the country. I have seen them motivated to run for office, to campaign for a cause and to challenge the status quo in so many ways. It has been rewarding to have played a part in that journey of political change and to see the ripple effects continue in so many ways.

I have also pursued my own career pathway in both public and political life, being able to lead community organisations, reclaim cultural governance practice and develop my own leadership pathway with all the highs and lows that presents. Along the way I have been influenced and mentored by some incredible Aboriginal and Torres Strait Islander women who have helped to shape my journey. I am eternally grateful to have captured an important turning point for Aboriginal and Torres Strait Islander women in public and political life, to share the stories of the trailblazers who have created political change in this country. This thesis is my contribution to the voices of and for Aboriginal and Torres Strait Islander women. It creates an opportunity for the future of our people. This thesis is titled *Daring to Dream*, and that is exactly what we have done and will continue to do. We are great storytellers, and OUR story is still unfinished.

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Appendix 1

INFORMATION SHEET

PROJECT TITLE: Indigenous women's representation in public and political life in Australia; enablers and challenges

You are invited to take part in a research project about the levels of participation for Aboriginal and Torres Strait Islander women in the Australian political system. The research will identify ways that Indigenous people have their issues represented, how they are able to influence policy development, the Democratic system of government that they work within and how to increase political participation overall. It will examine the type of political structures and frameworks, or enablers that allow for representation and voice. The research will also identify other public leadership roles that assist in advancing Indigenous rights and where Indigenous women are represented.

The study is being conducted by Michelle Deshong and will contribute to my PhD at James Cook University. If you agree to be involved in the study, you will be invited to be interviewed. The interview, with your consent, will be audio-taped, and should only take approximately 1 hour of your time. The interview will be conducted at a venue of your choice. You may also be asked to participate in a focus group activity where appropriate.

Taking part in this study is completely voluntary and you can stop taking part in the study at any time without explanation or prejudice. You may also withdraw any unprocessed data from the study.

If you know of others that might be interested in this study, can you please pass on this information sheet to them so they may contact me to volunteer for the study.

That any information I give will be used strictly for the purpose of the research. Names of participants may be used, unless a participant specifically requested for their name to be withheld.

If you have any questions about the study, please contact **–** Michelle Deshong, Principal Investigator or Felecia Watkin, Principal Supervisor

Principal Investigator:
Name: Michelle Deshong
School of Social Sciences
James Cook University
Phone: 4781 4114 (SIAS)
Mobile:
Email: michelle.deshong@my.jcu.edu.au

Supervisor:
Name: Felecia Watkin
School: Indigenous Studies
James Cook University
Phone: 07 4042 1011
Mobile:
Email: Felecia.watkin@jcu.edu.au

Appendix 2

INFORMED CONSENT FORM

This administrative form has been removed