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## Missing Trans Bodies in The Canadian House Of Commons: Paths To Power For Gender-Diverse Canadians

Christopher Anthony

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MISSING TRANS BODIES IN THE CANADIAN HOUSE OF  
COMMONS: PATHS TO POWER FOR GENDER DIVERSE  
CANADIANS

Christopher Anthony

Western University

December 10, 2018

## ABSTRACT

Despite substantial public acceptance for Canadian sexual and gender minorities, LGBT people remain on the margins of obtaining equitable federal political representation. In the 2015 election, twenty-one openly LGBT candidates ran for office with just six winning a seat in the House of Commons (HoC). Of these candidates, one identified as openly-transgender. According to John Adams, legislatures should be “[miniature portraits] of the people at large, and ... should feel, reason and act like them.” If so, Canada’s parliament lags in achieving LGBT equitable representation, given that LGBT people make up as much as ten percent of the Canadian population yet only hold 1.7 percent of Parliamentary seats. Although LGB people lack suitable federal representation, transgender, transsexual, intersex and gender nonconforming individuals (TTIGs) are entirely disregarded. No TTIG-candidate has ever won federal office.

What explains this lack of representation? What are the socio-political barriers barring TTIGs from running (and winning) and what must be done to ensure greater HoC representation? Utilizing media sources and candidate-perspectives, this paper will argue that lacking TTIG representation is due to the multiplicity of supply-side problems combined with lacking demand-side solutions for TTIG candidates. Too few run for political office because of societal barriers impeding their candidacies - lacking social acceptance, hate crimes, violence, and isolation, alongside politico-institutional barriers - the electoral system, political parties, and Canadian voters themselves. This paper will examine these barriers and potential interventions (ex. institutional reform) to improve TTIG federal representation.

TTIG MPs are needed not only for representation-sake. Breaking the glass ceiling serves as a consciousness-raising function, challenging false social perceptions that justify excluding minority political participation. This paradox of social acceptance yet political exclusion must be rectified through changes to Canadian society that begin in the classroom. These false social perceptions must be rectified through positive, anti-discriminative gender identity and expression curriculum. Without a more accepting and tolerant Canada, it will be challenging to ensure the legislature personifies a miniature portrait of the electorate.

Despite substantial public acceptance for Canadian sexual and gender minorities, where 2/3 of Canadians believe LGBT people deserve equal legal protections<sup>1</sup> and 80% believe society should accept the LGBT community,<sup>2</sup> sexual and gender minorities remain on the margins of obtaining equitable federal political representation.<sup>3</sup> In the 2015 federal election, twenty-one openly LGBT candidates ran for office<sup>4</sup> with only six winning a seat in the House of Commons (HoC) - 1.7 percent of Parliament overall.<sup>5</sup> Despite this, surveys estimate LGBT people make up as much as ten percent of the Canadian population.<sup>6</sup>

According to John Adams, legislatures should be “[miniature portraits] of the people at large, and ... should feel, reason and act like them.”<sup>7</sup> If so, Canada’s parliament lags in achieving LGBT equitable representation. Of the twenty-one candidates who sought election in 2015, only one identified as openly-transgender.<sup>8</sup> Although LGB people lack suitable federal representation, transgender, transsexual, intersex and gender nonconforming individuals (TTIGs) are entirely disregarded.

What explains this lack of representation? What are the socio-political barriers barring TTIGs from running (and winning) and what must be done to ensure greater HoC representation? Lacking TTIG representation is due to the multiplicity of supply-side problems combined with lacking demand-side solutions for TTIG candidates. Too few run for political office because of societal barriers impeding their candidacies - lacking social acceptance, hate crimes, violence, and isolation, alongside politico-institutional barriers - the electoral system, political parties, and Canadian voters themselves. This paper will examine these barriers and potential interventions to improve TTIG federal representation.

## SOCIETAL BARRIERS

Electing TTIGs is crucial for their continued protection, advancement and integration into Canadian society.<sup>9</sup> TTIG MPs would nurture acceptance from straight colleagues who lack knowledge of their lived experiences.<sup>10</sup> They would become symbols of social progress and utilize their lived experiences to advocate, set agenda and build alliances to table equality bills and enact change in Canadian society.<sup>11</sup>

However, TTIG candidate/MP visibility is a double-edged sword.<sup>12</sup> While empowering for TTIG youth to have role models reach the echelons of Canadian federal politics, empowerment comes with costs. TTIGs have been unable to reach the HoC due to vast societal barriers (as argued below) impeding their candidacies and electoral chances. When they run, TTIGs are marginalized, pigeonholed and face detrimental risks to their livelihoods.

### **Confronting The Norms Of The “Ideal Politician”**

Firstly, TTIG candidates must be cognizant of socially entrenched imagery of the “ideal politician” – the baby kissing, pro-family, heterosexual, cisgender, white, upper-class male.<sup>13</sup> When seeking election, their bodies will be subjected to the public’s external gaze and their institutions, constantly compared to entrenched ideas of hegemonic masculinity, heteronormativity and cisnormativity.<sup>14</sup> As political leaders are representatives of their parties and nations, exemplifying national dreams and values, TTIGs will experience disadvantages when failing to fit the stereotypical “politician” mold.<sup>15</sup> This is not to argue that politicians outside the mold have not previously broken through the glass ceiling; but the difference for TTIGs however, is that while women, people of colour, and gay men have reached political office, they did so while remaining within gender and/or sexual binaries. These binaries reinforce

hierarchies with those who are masculine, cisgender and heterosexual ranked superior, and those feminine, gender nonconforming, and non-heterosexual inferior.<sup>16</sup>

TTIGs attempt to live these binaries/norms differently or reject them entirely.<sup>17</sup> TTIGs may choose to identify in a multitude of ways - female-to-male (FTM), male-to-female (MTF), genderqueer, intersex, two-spirit, bi-gender, transsexual, drag king, drag queen, or gender variant, all categories existing outside of the gender binary.<sup>18</sup> Living outside the binary also confuses and disturbs social understandings of sexuality. Canadian voters may find it challenging to accept TTIGs “choice” to live outside of entrenched gender and sexuality norms, and, in turn, find it difficult to vote for them.

### **Socio-Cultural And Psychological Barriers**

TTIGs are less likely to seek office than their LGB counterparts due to socio-cultural and psychological barriers - language, high rates of violence, “passing” and the closet.

#### *Language*

Our world relies on language to acquire culture and identity.<sup>19</sup> “Language is viewed as enabling a speaker to present their concept of their identity ... a lack of available language is disabling [and] prohibits people from truly identifying and expressing their identities.”<sup>20</sup> When discovering nonconforming identities, TTIGs exist in a nameless state. The words of reference they have to self-identify are cisnormative.<sup>21</sup> Identifying outside of these ideals impact TTIG chances of electoral success. Cisnormative society faces no barriers in labeling trans people, pathologizing them as “mentally deficient” or “freaks.”<sup>22</sup> Language impedes the supply of TTIGs for office because the words society uses to refer to these individuals are cisnormative. TTIGs are burdened with reclaiming these words and their identities prior to, and while running for, political office.

## *Violence*

TTIGs encounter incessant marginalization and violence within cisnormative society; yet, obtaining statistics and data on the rates of violence against TTIGs is difficult. Recent *Statistics Canada* reports on violent victimization exclude TTIGs because of lacking standardization in defining gender identity and gender expression.<sup>23</sup> This exclusion amounts to “erasure.”<sup>24</sup> For Osmel Guerra (*Qmunity* Director), this lack of data says, “we tolerate you, but we don’t really accept you. Trans people continue living in the dangerous interaction of phobia, racism, and sexism.”<sup>25</sup>

Data available on TTIG discrimination comes primarily from provincial reports. According to the Ontario Trans PULSE Project, twenty percent of all TTIG Ontarians are “physically or sexually assaulted for being TTIG, and another thirty-four percent verbally threatened or harassed.”<sup>26</sup> Further, lacking “TTIG-inclusive policies within workplaces present access barriers to employment and creates unhealthy ... work environments. Of [TTIG] Ontarians, [eighteen percent are] turned down for a job because they [identify as TTIG.] [Thirteen percent are] fired for being [TTIG].”<sup>27</sup> TTIGs individuals are nearly two times as likely to report experiencing domestic partner violence than their cisgender counterparts.<sup>28</sup> Finally, ¼ TTIG youth report being physically forced to have sex, with seventy percent reporting sexual harassment and forty-four percent cyberbullying.<sup>29</sup>

TTIG violence has lasting side effects. The violence permeating their lives reminds TTIGs of their liminal status. Violence is so common that TTIGs see it as normal.<sup>30</sup> “I’m aware of what’s going on around me but I don’t focus on it because if I did, I’d probably be hanging from a rope... [That] constant oppression, discrimination, harassment. I can’t have that.”<sup>31</sup> Violence infiltrates public, private and personal arenas, leaving no safe space.<sup>32</sup> They fear

violence from neighbors and family members, the first to “gender police” their identities, leaving them hyper-vigilant for their protection.<sup>33</sup> TTIG hyper-vigilance is a consequence of the rippling effect of hate crimes.<sup>34</sup> TTIGs do not even have to be victims themselves, “it only has to happen once or twice and ... it [affects] the whole community.”<sup>35</sup> Minimal support alongside violence lead to isolation, self-hatred and sometimes, suicidal ideation.<sup>36</sup> For this TTIG,

The number one killer of [TTIGs] are [TTIGs]. We take our own lives because we can't endure living in ... such profound isolation ... These kinds of actions are finishing off the job that somebody else has done ... Suicide is ... an expression of ... accumulated hate crimes over years and years ... Suicide [is] a wound of death at the hands of others, and then we ... finish it off ourselves.<sup>37</sup>

### *“Passing” And The Closet*

Social persecution, stigma and stereotype leave mentally detrimental impacts. TTIGs are made to feel inhuman, invisible and assailable and the violence experienced by one ripples to others.<sup>38</sup> Attempted assimilation leaves TTIGs trying to “pass.” “Passing” is when “a person from group A self-identifies as belonging to group B, is accepted as a member of group B and can remain a member of that group without being detected.”<sup>39</sup> Unlike racial minorities, TTIGs can often be invisible/unnoticeable to the general public. Some believe being able to “pass” protects them from the discrimination experienced by racial minorities.<sup>40</sup> However, as aforementioned, this is not the case. TTIGs attempt passing to self-actualize their identities to feel as if their sex matches their gender.<sup>41</sup> However, to society, “passing” is deceiving. Those who successfully pass perpetrate a “charade,” while those who cannot pass are unsuccessful deceivers.<sup>42</sup> Attempting to pass or not pass is a double-edged sword.<sup>43</sup>

Society brands TTIGs as deceivers to protect the sexuality of men who engage in sexual encounters with TTIGs to maintain their straightness. If a man sleeps with a TTIG woman, he is straight because he was deceived by her successful passage as a ‘natural woman’ and, because he



was deceived, he is not a ‘homosexual’ and his heterosexuality remains secure.<sup>44</sup> When TTIGs are outed, they are held responsible for their inability to “do” the appropriate gender appropriately.<sup>45</sup> Violence for this ‘deception’ shows the entrenchment of the gender binary in society, where TTIGs are punished for committing the “double sin of both abandoning masculinity and choosing femininity.”<sup>46</sup>

Unsuccessful passage attempts and the consequences facing TTIGs when caught are indicative of societal transphobia and explain why they remain out of the public eye. Unlike the vast majority of LGB MPs who come out voluntarily because they feel relief not having to live a secret life, because they believe voters appreciate their honesty and because parties are beginning to desire diverse candidates, TTIGs lack this luxury, facing a vast array of (potential) discrimination impacting their ability to run, that may be too insurmountable and not worth the risk.<sup>47</sup> Although Canadian society has become more welcoming for LGB people, social attitudes towards TTIGs must evolve. Given the tribulations TTIGs face, it is unsurprising that there is lacking supply of TTIG candidates.

### **Consequences Of Running**

Even if they run, the repercussions TTIGs face may be enough to dissuade future TTIGs from running. Like cisgender female candidates, TTIGs are unwilling to run due to gender roles.<sup>48</sup> Scarlett Tays, New Brunswick’s first openly trans provincial candidate, spoke of her marginalization and stigmatization. For her, it would be ideal to live in a world where she can run for office as a woman, not a *trans* woman.<sup>49</sup> MP-candidate Jennifer McCreath believes as a transwoman, you are “pigeon-holed [and] run the risk of being stuck with that label. People tend to forget that there are other hats ... I wear.”<sup>50</sup> For McCreath, the association of being the first openly-trans candidate in federal politics comes with that being the focal point of her media

representation, not her platform. For her, being trans is only one aspect of her identity and she wants to be taken seriously as a political candidate, which means not being boxed-in by her gender identity. Further, openly-trans candidates risk potential for hate speech and public discrimination. When Morgane Oger ran in the provincial B.C. election, hateful religiously-provoked flyers were hung in her riding, urging constituents to reject her.<sup>51</sup> They stated, “the truth is there are only two genders, male and female, and they are God-given and unchangeable.”<sup>52</sup> Running as openly-trans makes candidates’ lives transparent. All candidates subject themselves to this transparency, however, it is unlikely heterosexual cisgender candidates worry about violence inflicted upon them because of their gender or sexual orientation. TTIGs, rather, must be cognizant of the impact their visibility will have on themselves, their families and their community.

From the cisnormative hegemony of language to both verbal and physical violence and their impacts on TTIG safety, livelihoods and mental health, to social norms that TTIGs are required to try and pass, Canadian TTIGs face various issues preventing them from seeking office. When they do attempt a run, they face backlash beyond the typical political smear.

To preserve the inroads made by the LGB community and TTIG individuals specifically, Rayside believes it essential for LGBT activists to become involved in mainstream politics at all governmental levels.<sup>53</sup> Yet, no openly-TTIG candidate has won a federal seat. Until that first trailblazer wins a seat and indicates what is possible, there will be a lack of federal TTIG representation making it challenging for their issues to be properly advocated for.

## POLITICAL/INSTITUTIONAL BARRIERS

Even if openly-TTIG candidates overcame the aforementioned tribulations, demand-side solutions - changes to or proactive approaches by political institutions - to encourage participation, are lacking.

### **The Electoral System**

Instead of a miniature portrait of the electorate, Canada's Parliament is "[a] warehouse of traditional masculinity [and its] political parties are its main distributors."<sup>54</sup> Canada's exclusive parliament is symptomatic of the more significant issue preventing TTIG representation, the electoral system. Canada utilizes a first-past-the-post (FPTP) system where parties are incentivized to run lowest-common-denominator candidates they know the electorate will support, knowing their candidate needs only a plurality of votes to win.<sup>55</sup> Parties often nominate stereotypical candidates because they believe they are the most electable, disadvantaging women and minority candidates. Alternatively, many believe list-style proportional representation (PR) systems are more welcoming. PR allows parties a means of bypassing electoral prejudice by placing minority candidates on a list.<sup>56</sup> Once the party receives a majority of votes, candidates will be selected from said list.

TTIG candidates have the highest electability under mixed-member proportional (MMP) systems, utilized by Germany and New Zealand.<sup>57</sup> MMP systems double the seats in each riding and allow the electorate to vote for a candidate and a party.<sup>58</sup> The first seat will go to whichever candidate has the plurality of votes (FPTP). However, the second vote will begin to fill in extra seats via the most under-represented parties with candidates on party lists (List PR).<sup>59</sup> MMP systems ensure parliament represents the preferences of the electorate as much as possible, allowing for greater political diversity and preventing minority rule.<sup>60</sup> This method lets

candidates be strategic on their first vote while indicating ideological preference on the second vote. Placing diverse candidates on top of lists will bring greater representation. In New Zealand, MMP successfully increased LGBT representation, with six-percent of their parliament made up of LGBT people.<sup>61</sup> Adopting MMP would crack open the door for TTIGs to reach the Canadian HoC.

### **Political Parties**

However adopting MMP alone is insufficient in guaranteeing TTIG representation. Political parties are responsible for selecting candidates to run based on their perceived abilities, qualifications and experience – their merit.<sup>62</sup> However, FPTP parties nominate those they believe have the greatest chance of being elected, not necessarily those most representative. Robert Garrison, an openly gay NDP MP for Esquimalt-Saanich-Sooke, argues the lack of LGBT candidates is due to political parties.<sup>63</sup> There is a “fear in the parties that [having LGBT candidates] might be [disadvantageous] ... but voters don’t actually behave that way in Canada.”<sup>64</sup> 2/3 of Canadians believe LGBT people should run for public office.<sup>65</sup>

Only the NDP has made an institutionalized effort to find diverse candidates. In 2006, the NDP adopted the Montreal Declaration on LGBT Human Rights as part of their mandate, enshrining equality for LGBT members in its constitution and establishing committees tasked to recruit LGBT candidates.<sup>66</sup> The NDP has the greatest track record amongst the parties of getting openly LGBT people elected (with a caveat). In the 2011 federal election, 5/6 openly-LGBT MPs were NDP, and in 2015, the NDP represented 2/6 LGBT MPs.<sup>67</sup> Their commitment to diverse candidates comes from affirmative action policies wherein nomination meetings only take place after candidates from marginalized groups have been sought out.<sup>68</sup> The NDP believes sixty-percent of winnable ridings should have women running as candidates and fifteen-percent

of ridings should be contested by candidates reflecting Canadian diversity.<sup>69</sup> However, although the NDP in acquiring candidates, they may not necessarily be the best vehicle for candidates to win. There have been so few candidates who have won office; it is premature to name the NDP the best party for diverse representation, especially given the party's weaker political status overall in many areas of the country.<sup>70</sup>

Neither the Liberals nor Progressive Conservatives have made such attempts to find diverse candidates, nor can the latter be seen as welcoming to the LGBT community and TTIGs in particular. In 2017, Conservative Senators attempted to delay Bill C-16, the bill protecting Canadians from discrimination based on gender identity and gender expression.<sup>71</sup> Although the bill passed 67-11, this vote decisively asserted that the Conservatives are not as welcoming to protecting TTIGs. For Sarnia-Lambton Conservative MP Marilyn Gladu, "there are many people in this country who do not believe that a transgendered lifestyle is God's plan or that it is medically beneficial."<sup>72</sup> Even though LGBT people typically run for left-leaning parties anyway,<sup>73</sup> the PC's stance on contemporary TTIG issues does not give TTIGs much rationale to attempt to represent them.

Political parties are gatekeepers, having the final say in determining their representatives.<sup>74</sup> If they do not believe there is a demand for TTIG representation or do not believe they are electable, TTIGs will not be endorsed. Only the NDP actively attempts to seek out diverse Canadians to run for office and uncertainty remains if they are the most successful in getting their candidates elected.

### **The Canadian Electorate**

The Canadian electorate is the final demand-side factor impeding TTIG representation. Despite Canada's evolving diversity and welcoming environment, stereotypes and stigmas

against the community remain. Some Canadians, especially elderly, new and evangelical Christians hold stereotypical perceptions, impacting TTIG electability.<sup>75</sup> Those that might support TTIG candidates typically support gay and lesbian candidates – educated, left-leaning, liberal, affluent, less religious, and female voters.<sup>76</sup> Despite the participation of these voters in elections, no TTIG person has ever been elected to the HoC.

LGB and TTIG candidates have a greater chance of electoral success provincially because of greater proportions of provincial candidates, smaller and more homogeneous ridings, and ridings that have great communal acceptance. Larger provinces such as British Columbia, Ontario, and Quebec and urban areas like Toronto, Vancouver and Montreal are more likely to have LGBT candidates run and win.<sup>77</sup> The past several years have seen increases in the number of provincial candidates (ex. Christin Milloy, Lyra Evans, Scarlett Tays and Olivier Hebert, Morgane Oger, Stacey Piercey, Veronica Greer and Nicola Spurling) in Ontario, New Brunswick and British Columbia.<sup>78</sup> Yet, in spite of this increased visibility, only one TTIG person has ever been elected to a provincial assembly - Estefania Cortes-Vargas, who identified as female and lesbian during the 2015 Alberta provincial campaign and came out as non-binary in the Legislative Assembly.<sup>79</sup> Although there may be greater opportunity to run provincially, there has not been great success. This lack of success can be attributed in part to the stereotypes held by some Canadians, as well as the supply factors discussed previously.

Canadian TTIGs face a lack of demand-side solutions. The FPTP system does not allow them much chance to win due to existing zero-sum games in this electoral system. Adopting MMP would give TTIG candidates greater odds of obtaining a seat. Voters could vote strategically for a candidate on the first ballot and then vote ideology on the second, which would allow the party then to bring diverse, qualified Canadians to Ottawa. Additionally,

political parties have not made strong efforts at locating and nominating TTIG candidates because most do not think they can win. However, many TTIGs have never been given a chance to run before to test out this theory. Finally, despite believing that LGBT Canadians should run for office, the Canadian electorate does not elect TTIG individuals. Until there is institutional reform or strong party motivation to make diversity part of their frameworks, TTIGs will face an uphill battle to winning office.

### **Why Do We Need TTIG MPs?**

Given the impediments either preventing TTIGs from putting their names into the political ring or harming their electability entirely, one may question whether it is necessary for there to be TTIG politicians. Is it not enough to have allies that can represent their interests? No. TTIGs have distinct interests and lived experiences that cannot be adequately represented by straight allies, or even other LGB candidates.<sup>80</sup> Instead of asking why it is necessary to have TTIG candidates, it is more intriguing to consider why society entrenches the stereotype of white, male lawyer politicians.<sup>81</sup> TTIGs should not be prevented from reaching office because some argue others could represent their interests. For Phillips, “people are not good at imagining themselves in other people’s shoes. We may get better at such acts of imaginative transcendence when our prejudices have been more forcefully exposed, but this only happens when the ‘other’ has been well represented.”<sup>82</sup>

When TTIGs break the glass ceiling, their win serves as a consciousness-raising function. TTIG MPs will challenge false consciousness excluding minority political participation and the system itself.<sup>83</sup> They will impact their colleagues who promote and draft laws.<sup>84</sup> Familiarity will bring tolerance. Once TTIGs become “real” people in the eyes of privileged colleagues, it will be challenging for the legislature to discriminate against them.<sup>85</sup> TTIGs do not need a “critical

mass” in politics to make a difference, like some argue is required for women.<sup>86</sup> The mere presence of a TTIG MP in Parliament is significant and a sign of change. They will encourage the adoption of queer-friendly bills.<sup>87</sup> They will be trailblazers, giving hope to sexual and gender minority youth and lessen any shocks of difference remaining amongst their colleagues.<sup>88</sup>

### **CONCLUSION**

This paper examined the lack of TTIG representation in the Canadian HoC and arguments for why their representation is necessary. There are a wide array of supply problems and lacking demand solutions impeding them from winning elections. Discriminatory social norms and pervasive violence leave TTIGs hyper-vigilant for their safety, turning to substance abuse, depression and suicidal ideation. To encourage communal acceptance and eventual TTIG representation in politics, more research and data is needed. Further, institutional reform will aid persuade candidates to run, whether by adopting MMP system, or encouraging parties to embrace individuals representative of Canada’s minorities. To begin changing social attitudes, provincial parliaments must revamp the education system, ensuring they have positive, anti-discriminative gender identity and expression curriculum.<sup>89</sup> Evolving society begins in the classroom. Without making Canada more accepting and tolerant, it will be challenging to ensure the legislature personifies a miniature portrait of the electorate.



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- <sup>14</sup> Linda Trimble *et al.* "Politicizing Bodies: Hegemonic Masculinity, Heteronormativity, And Racism In News Representations Of Canadian Political Party Leadership Candidates." *Women's Studies in Communication* 38, no. 3 (2015): 315-316 doi: 10.1080/07491409.2015.1062836.
- <sup>15</sup> Ibid, 315.
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- <sup>32</sup> Ibid.
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- <sup>34</sup> Ibid, 58.
- <sup>35</sup> Ibid.
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- <sup>37</sup> Ibid, 60.
- <sup>38</sup> Ibid, 54.
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<sup>41</sup> Billard, "Passing' And The Politics Of Deception," 467-468

<sup>42</sup> Ibid, 468

<sup>43</sup> Ibid, 468-469

<sup>44</sup> Ibid, 470

<sup>45</sup> Perry and Dick. "I Don't Know Where It Is Safe," 55.

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<sup>48</sup> Lisa Young. "Slow To Change: Women In The House Of Commons." In *Stalled*, edited by Linda Trimble, Jane Arscott, and Manon Tremblay, 267. Vancouver: UBC Press, 2013.

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