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Public opinion and policy responsiveness: the case of same-sex marriage in Australia

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ABSTRACT
This article examines congruence between public opinion and politicians’ positions on same-sex marriage in the Australian House of Representatives from 2012 to 2016. In contrast to median voter theorem and other office-motivated frameworks, Australian federal politicians have largely ignored majority opinion, which has been supportive of same-sex marriage for a decade. Using a unique dataset (n = 601,550) of voter preferences collected during the 2013 federal election, and collated Hansard and media data, we compare public opinion on same-sex marriage with politicians’ public positions. We find a status quo bias, suggesting the influence of special interest groups in this policy area. Yet, we also find parliamentarians are responsive to public opinion once it reaches a critical level, and that very low opposition to same-sex marriage in an electorate predicts policy support from its MP, which varies by party and over time.

Introduction
Democratic theory posits that the representative role of elected officials is important (Key 1961). We care about public opinion and policy congruence for normative and practical reasons. Representativeness is a necessary component of a system of government that calls itself a democracy, that which Dahl (1971, 1) argues requires: ‘the continuing responsiveness of the government to the preferences of its citizens, considered as political equals’. This link between voters’ preferences and policy is also a practical consideration, with elected officials induced to respond to voters’ preferences if they wish to be (re)elected (Downs 1957; Mayhew 1974; Enns 2015). Herein lies an inherent tension. If there is too little policy responsiveness, democratic representation is called into question. Conversely, full policy adherence to popular views can be a failure to protect the rights of minorities (Mill [1861] 1991).

This paper aims to contribute to the scholarship that investigates the congruence between public opinion and policy responsiveness using the example of Australia’s same-sex marriage debate. Since 2007, Australian public opinion polls indicated most Australian citizens support same-sex marriage (Coorey 2015). Yet by mid-2017, the
federal Marriage Act had not been amended to recognise this change in social norms, and the federal parliament remained divided on this issue. The centre-left Australian Labor Party (Labor) allowed a conscience vote, but determined at its 2015 national conference that if same-sex marriage were not legislated by 2020, Labor’s federal MPs would be bound to support it. The centre-right Liberal National Party (Coalition) opposed same-sex marriage and bound its members to vote against it. However, it did commit to a national plebiscite on the issue after the 2016 federal election, which a Labor/Greens alliance twice defeated in the Senate. The consequence of this defeat was a government-initiated Australian Marriage Law Postal Survey to be conducted by the Australian Bureau of Statistics, pending High Court challenges. Results are expected to be published in November 2017 and the federal government stated that a majority ‘yes’ vote would pave the way for a free vote on a private member’s bill to change marriage laws (Turnbull 2017). In any case, further debate in the parliament is likely to expose existing division between MPs on the issue of same-sex marriage.

Our empirical study uses mixed methods, including a unique large-scale dataset (n of 601,550) to map constituents’ attitudes to same-sex marriage in all 150 federal lower house electorates. Using these data we examine federal politicians’ responsiveness to the popular debate by tracing MPs (shifting) positions on same-sex marriage through Hansard and media data between 2012 and 2016. Given Coalition members were instructed to vote as a bloc, party ideology plays an obvious mediating effect that limits policy responsiveness. Of interest to us are other factors that might condition parliamentarians’ support, or not, for same-sex marriage.

This is an instructive period to examine the same-sex marriage debate as it captures the results of the 2012 private members bill when, for the first time, lower house members revealed their public positions. Given the Coalition were compelled to vote against the Bill, it was defeated 98–42 (Sydney Morning Herald 2012). This also highlighted ongoing tensions about same-sex marriage within Labor (Johnson 2013). Unlike the Coalition, its members were provided a conscience vote and, while Labor members supported the Bill 38–27 overall, opinion differences remain within the party over same-sex marriage.

Since 2012, some House of Representatives’ members have been replaced in office and, of those that remain, some have shifted their views on same-sex marriage. We track these shifts over four years (see online supporting material). In the next sections, we provide an overview of leading scholarship relating to public opinion and policy responsiveness to formulate our hypotheses. We then outline the methods, data, our results and implications of our findings.

**Theory and hypotheses**

**Public opinion, policy responsiveness and same-sex rights**

Same-sex marriage is a useful case-study for examining the responsiveness of legislators to public opinion for several reasons. It is a topic easy to follow in public debate, and one on which most citizens have an opinion (Lax and Phillips 2009, 370; Haider-Markel and Kaufman 2006, 166). Such easy-to-understand issues are regarded as especially useful for testing the relationship between public opinion and specific policy responsiveness
(Meier 1999). It is also one of few issues for which the positions of most individual parliamentarians have been made public, thus providing us with an opportunity to test the congruence between their public positions and that of public opinion in their electorates.

More recent academic works have established a strong interplay, in both directions, between policy and opinion, at national and sub-national levels (Soroka 2002; Soroka and Wlezien 2010). Earlier scholarship contended that public opinion had little sway on public policy outcomes. Reasons identified included: low voter turnout (Burnham 1982); entrenched incumbency (Mayhew 1974), and a lack of citizen engagement in politics (Dye 1987). But as Haider-Markel and Kaufman (2006, 165) argue, these reasons are not of themselves a refutation of the linkage between policy and public opinion, but rather a sign opinion influences policy under some circumstances more, or less, than others. Understanding these nuances can be difficult and there are several avenues for doing so (see Soroka and Wlezien 2010, 10–13). We focus on how public opinion influences the policy positions of legislators (Ezrow et al. 2010), and how this responsiveness might be shaped by other interests represented by parties (Schumacher, de Vries, and Vis 2013).

Ezrow et al.’s (2010) study of 15 countries over 29 years found parties considered ‘mainstream’ will respond to shifts in the mean voter position of the general electorate (2010, 288). The major two parties in Australia fit their characterisation of mainstream parties (i.e. belonging to the Social Democratic, Conservative, Christian Democratic and Liberal party traditions). As such, and in line with democratic theory outlined above, we would reasonably expect that both the Labor Party and Coalition would be somewhat responsive to the median voter position in the general electorate on the policy-specific issue of same-sex marriage.

We build on the work of Ezrow et al. (2010) to develop our first hypothesis, with some important considerations specific to our study. First, because the Vote Compass survey question we rely on to gauge public opinion is worded in the negative, we are interested in the estimated opposition in public opinion to same-sex marriage in an electorate. This is our independent variable. Our dependent variable is the probability of an MP opposing same-sex marriage. Second, we are measuring public opinion in every lower house electorate in 2013, during an election campaign. We provide evidence from independent surveys to argue that public opinion has remained stable on same-sex marriage from 2007 to 2016. Therefore, our hypotheses refer to public opinion as it was measured in 2013. Taking these considerations into account, along with the literature cited above, our first hypothesis is:

\[ H_1: \text{Mean voter hypothesis. Parliamentarians in Australia perform a representational role, and there will be a positive association between voter opposition to same-sex marriage and the position taken by parliamentarians.} \]

Put another way, we would expect the lower public opposition to same-sex marriage is in a given electorate, the greater the chances that its MP would support same-sex marriage, and vice versa if public opposition was high in an electorate.

**Majority public opinion and (a lack of) policy congruence**

While weight is given here to the *mean voter hypothesis*, on its own for the past decade in Australia it fails to account for the incongruence of public opinion and party policy on same-sex marriage. Since 2007, surveys have consistently shown that same-sex marriage
has majority support in the Australian electorate, and is generally supported by the leadership of the major political parties (Coorey 2015). Despite this, it had still not been legalised a decade later.\(^5\)

Further complicating matters, most Australian states have demonstrated mean voter policy responsiveness to same-sex rights, passing laws to enable same-sex couples to register their relationships – in Tasmania, Queensland, Victoria, the ACT and New South Wales. However, because the Marriage Act 1961 is federal law, these recognitions – while legally significant and of normative value – are not marriage substitutes (Gaspard and Müller 2013, 77). In the USA, a lack of policy responsiveness, or status quo bias, has been demonstrated at the federal level (contrary to greater congruence at the state-level) for same-sex marriage (Lax and Phillips 2009, 367). This scholarship finds, as is evident with the same-sex marriage situation in Australia, that when policy does not align with public opinion, the non-congruent policy tends to be more conservative than the median voter. This leads us to develop our second hypothesis based on a status quo bias model.

This model originates from the notion that different groups in society (lobby, interest and party factions) use their political influence to veto change in political parties’ policy formation (Gilens 2012). These political actors may have preferred policy positions that do not match majority public opinion. From this view, parties are seen as interest aggregators. Parties are made up of an electoral alliance of activists and interest groups with strong issue preferences that use the party as a vehicle to enact their preferred policies (Gilens 2012; Ratcliff 2017).

Rothenberg (1965), Wittman (1973) and Bental and Zion (1975) developed theoretical frameworks in which parties (and candidates) view electoral success as a means to further policy outcomes, rather than an end in itself. Jones and Baumgartner (2005, 211) also find that ‘specialized publics’ and ‘interest groups’ are critical in government agenda setting. With consideration to these frameworks and observing the related Australian findings of Ratcliff (2017), we characterise the major Australian parties as policy-motivated interest aggregators, rather than simply office-seekers who always reflexively adopt the majority position to maximise electability.

Similarly, in the European context, Schumacher, de Vries, and Vis (2013) studied 55 parties across 10 European democracies to understand parties’ policy responsiveness to ‘environmental incentives’, such as mean voter change. They found leaders in activist-dominated parties had to overcome powerful internal veto players (the activists) in order to change the party’s policy position. Schumacher, de Vries, and Vis (2013, 466) argue that activists represent the interests of party voters and thus, activist-dominated parties respond to the party supporter position over the median voter, which they label the ‘partisan constituency model’. We build on this idea and, in the context of Ratcliff’s (2017) work on Australian political parties’ policies, argue both Labor and the Coalition share activist-dominated party traits; although the activists within Australia’s major parties may vary and have very different policy agendas. For example, religious activists are present in both major Australian parties, but this is arguably more so the case in the Coalition than Labor in the modern era (Warhurst 2007).

Warhurst (2007) finds that the role of religion became more public in national politics during the conservative Howard-era (1996–2007). Work in this field, particularly on ‘moral issues’ like same-sex marriage, identifies that cross-denominational churches have
generally ‘supported government attempts to maintain the status quo’ (Warhurst 2007, 26). Further, since the 2004 election, the Coalition has received greater levels of support from regular churchgoers (those who attend services at least once a month) by 22 points (55% to 33%). Maddox (2005) argues the Coalition has looked to the campaign strategies of the American religious-Right with what have been described as family-friendly policies (and a narrow sense of family), and supported by home-grown conservative religious activists and think tanks, to attract a wider non-religious public. Additionally, the Labor Party has traditionally attracted the support of Catholic voters (Bean 1999), which may drive a residue of (now declining) opposition to same-sex marriage within Labor.

Whilst this article is not a study of the role of religious groups on party politics, previous Australian research (Bean 1999; Bean and McAllister 2002; Maddox 2005) informs our view that religious organisations, as interest groups, may assert influence on the major parties – and the Coalition in particular – to oppose same-sex marriage.

More broadly speaking, Hypothesis 2 addresses our expectation that interest aggregator (or activist-dominated) parties will respond to the preferences of interest groups that make up important parts of their electoral alliances, over the preferences of the median voter, if possible. For the Labor party, which has an LGBTI and pro-same-sex marriage alliance within the party (Rainbow Labor) as well as historical links to the Catholic Church, we may expect mixed support. However, as the element within the party supportive of same-sex marriage is aligned with majority public opinion, this faction is likely to win out over time, and we would expect Labor MPs would become increasingly supportive of a change to the Marriage Act.

As Halpin (2015, 108) identifies in his discussion of interest groups on political parties: ‘it is only logical that groups would seek to influence the [party] platform’. On the issue of same-sex marriage, it appears the Rainbow Labor alliance have had some success. Labor’s national conference shifted its position on same-sex marriage in 2015 and endorsed a bloc vote of parliamentary members in support of same-sex marriage by 2020 if not legislated before then. The Coalition, however, retains its bloc vote against same-sex marriage. This suggests that activists operating within the centre-right parties do not have preferences congruent with the mean voter on this issue, if recurrent opinion polls are correct. Given this discordance, and following the example of the US literature, we expect the non-congruent policy, in this case mostly applying to the Coalition, would be more conservative than the position of the median Australian voter on the issue of same-sex marriage.

We theorise both the Coalition and Labor Party are policy-seeking interest aggregators, and the interest groups that support them will attempt to influence their policy positions. We expect that religious groups within the parties, particularly the Coalition, will use their partisan links to maintain the status quo. Thus, our second hypothesis is:

\[ H_2: \text{Status quo bias hypothesis. Parliamentary representatives, Coalition members in particular, will be less likely to support the mean voter position on same-sex marriage, unless (in accordance with } H_1, \text{ public opposition to same-sex marriage is very low (well below 50\%) in their electorate.} \]

Together, our hypotheses give recognition to key scholarship on how public opinion shapes party positions, and that it influences party policy under some circumstances more than others. We now follow the lead of international scholars who compare the
policy positions of individual political representatives with aggregate constituency opinion (Shapiro et al. 1990; Bartels 1991; Lax and Phillips 2009; Leemann and Wasserfallen 2016). Building on previous research, our study employs innovative methodologies to advance the use of cost effective large-scale non-representative data for meaningful outcomes, which can be checked against the results of commercial polls (see methodology). We highlight that this is the first empirical study of Australian legislators’ responsiveness to public opinion. We also contribute a unique dataset of Australian politicians’ public position on same-sex marriage between 2012 and 2016 for future researchers.

Methodology

**Estimating public opinion**

Our study examines the policy responsiveness of legislators to public opinion using unique large-scale public opinion data and other data sources, including commercial polling, ABS census data, and election outcomes data from the Australian Electoral Commission (AEC). We undertake a systematic media analysis (using newspaper databases, MPs’ and activists’ websites and Hansard) to verify and construct a database of MPs’ positions on same-sex marriage (see online supplementary material). For our analysis of public opinion, we draw on the Vox Pop Labs (2016) data collected online through the Vote Compass voter advice application (VAA). This was undertaken during the five weeks of the official election campaign (see https://votecompass.abc.net.au/methodology; Carson, Dufresne, and Martin 2016). Respondents volunteered demographic information including: gender, age, education, religion, marital status, and location, and 30 preferences on various policies, including same-sex marriage. This provided 601,550 usable observations (once missing information and duplication were removed).

Collecting data with a VAA provides several advantages over conventional surveys (Garzia and Marschall 2016). This includes data collection from every lower house electorate in very large numbers, compared with smaller sized random samples collected by conventional public opinion research and academic surveys. A large random sample can provide highly valuable insights, but these have generally not been collected (in Australia) due to prohibitive costs. While not a random sample, the very large number of observations offers unique opportunities to run analyses at the electorate level, and on specific demographic subgroups of voters. As random samples become increasingly difficult, and non-representative online polls more common, academic effort is put into developing weighting techniques to correct for bias. This analysis utilises one such attempt: multilevel regression with post-stratification (Park, Gelman, and Bafumi 2004; Leemann and Wasserfallen 2016). This MRP technique has been found to be accurate compared to randomised sampling for providing high-quality estimates with large non-representative samples (Wang et al. 2015).

From these data we used responses to the statement ‘Marriage should only be between a man and a woman’ as the dependent variable in the first part of our analysis. This survey item was a five category Likert scale, coded from ‘Strongly disagree’ to ‘Strongly agree’. To fit an MRP model to these data, we have used a logistic regression, which necessitated collapsing these five categories into a binary proposition.\(^6\) This allows us to estimate the probability that a voter would oppose same-sex marriage. We have chosen to fit a single model
to predict the percentage of voters opposed to same-sex marriage, rather than five separate models to these data (one for each outcome in the Likert scale). To do otherwise would have provided five separate probability distributions for this variable, rather than a single score of opposition, making the next step in our study – the examination of congruence – more difficult to achieve and interpret.

We treat the probability of opposing same-sex marriage for any type of individual respondent a function of the demographic and geographic characteristics that define them. For example, each of the demographic characteristics of respondents included in the model is allocated its own cell $c$ for age category (18–29, 30–44, 45–64, and 65 years and older), education (some school, high school, a trade qualification or diploma, or a bachelor degree or higher), birthplace and gender (a combination of born in Australia or overseas, and male or female), religion (Protestant, Catholic, other and no religion) and electoral division. Each cell is indexed $j,k,l,m,n$ for age, education, birthplace x gender, religion and division respectively. This model can be written as:

$$\Pr(y_i = 1) = \text{logit}^{-1}(\beta_0 + \alpha_{\text{age}[i]} + \alpha_{\text{edu}[i]} + \alpha_{\text{bplace.gender}[i]} + \alpha_{\text{religion}[i]} + \alpha_{\text{division}[i]}$$

where $y$ is the probability respondent $i$ will oppose same-sex marriage. The terms after the intercept $\beta_0$ are modelled effects for each of the categorical demographic characteristics of the respondents and the division in which they live. Linear predictors for age and education are included to account for the ordinal nature of the categories. This allows for a nonlinear fit partially pooling toward linearity, providing both the flexibility of a categorical fit and the statistical efficiency of a linear term for an approximately linear variable (see Gelman and Hill 2007, section 12.6). We include further information to form substantive division-level predictors for the median age and income of each division, the percentage of each electorate’s population born overseas, proportion in a same-sex relationship, and an electorate’s population density (sourced from the 2011 Australian census), and the average Coalition two-party vote share of each electorate over the 2010 and 2013 federal elections from the AEC. This allows for a more accurate estimate of public opinion, reducing unexplained variance in the model at the division level.

We then post-stratify the probabilities estimated by this model. Each geographic category defined by the varying intercepts outlined above defines a cell for the post-stratification. The estimate for each cell is weighted by the number of Australian citizens found matching those demographic characteristics in the actual population. The breakdown of each division’s population is obtained from the latest 2011 Australian Census, data using ABS’ Table Builder.

### Estimating the congruence between public opinion and legislators’ policy positions

To understand the congruence between public opinion and the positions taken by lower house parliamentarians, we model representatives’ opposition to same-sex marriage as a function of these estimates of public opinion in the divisions they represent. We start this analysis using the recorded positions taken by parliamentarians in their vote for the Marriage Amendments Bill 2012 (Sydney Morning Herald 2012). Given Coalition members were instructed to vote in opposition as a bloc, there are limits to what we can learn from these data. We update this with a second analysis of stated opposition
and support by early 2016,\textsuperscript{8} obtained from legislators’ statements in media between 2012 and 2016, which we used to build a database on their positions (see online supporting material). This involved systematically collecting data from major newspaper stories for every lower house MP (serving from 2012 to 2016) using library databases \textit{Lexis Nexis} and \textit{Factiva}, MP websites, Hansard and the marriage equality website, ‘Where your MP stands on Marriage Equality,’ which also contains MPs’ public statements (Australian Marriage Equality 2016). We finish by examining whether representative behaviour explains MPs shifts in support between these two periods.

We estimate congruence by fitting a logistic regression to parliamentarians’ votes, with opposition to same-sex marriage coded 1, and support 0. These were coded in the negative to retain consistency with \textit{Vote Compass}, which asked whether marriage should only be between a man and a woman. Thus, our language in the findings of this paper refers more to opposition than to support for same-sex marriage. To account for the possible effects of party ideology, we model the position of Labor and Coalition parliamentarians separately. This model can be written with the notion:

\[
Pr(y_i^{\text{Labor}} = 1) = \logit^{-1}(X_i\beta)
\]

\[
Pr(y_i^{\text{Coalition}} = 1) = \logit^{-1}(X_i\beta)
\]

with \(y\) the probability parliamentarian \(i\) would oppose same-sex marriage, conditional on the estimated opposition in their electorate \(X_i\beta\), which has a mean of zero and standard deviation of one. Other possible MP-level characteristics could be included in this model. Considering the small sample size of divisions and MPs though (\(n = 63\) for the model fit to Labor parliamentarians positions in 2012), the returns from additional information on parliamentarians would be small. To a degree, fitting the model separately by party controls for any correlation there might be between public opinion on same-sex marriage and overall division-level ideology; with more conservative divisions expected to generally elect Coalition MPs. Furthermore, as Australian parliamentarians are selected by parties through internal processes, and not open primaries (with few exceptions), we are not overly concerned about wider support (or opposition) to same-sex marriage being key to a particular candidate being pre-selected.

Of course, there is the possibility that legislators representing more marginal divisions and thus more at risk of losing their place in parliament, may be more responsive to public opinion in order to retain their seat. We test this by fitting a second specification where \(X_i\beta\) is the margin of each MPs vote at the 2013 election.\textsuperscript{9} We fit a third specification, where both estimated public opinion and margin are included, and are allowed to interact. We repeatedly fit these models to our data on parliamentary behaviour in 2012 and MPs public positions by 2016, to gauge change in MPs same-sex marriage positions between these two points.

\section*{Results}

\subsection*{Public opinion on same-sex marriage}

The overall estimated proportion of the electorate that agreed marriage should only be between a man and a woman (opposing same-sex marriage) was 33%. This is consistent with commercial surveys conducted at the time using traditional methods with much
smaller, representative samples. Essential Media Communications’ (2016) polling in 2013 indicated between 31% and 36% of Australian voters opposed same-sex marriage.\textsuperscript{10}

The primary and important difference between our findings and commercial polls is that we were able to obtain estimates for the opposition to same-sex marriage for all 150 divisions at minimal cost. Using 2013 Australian federal election Vote Compass data and MRP, we estimated the probabilities for opposition amongst demographic subgroups in each electorate. We found (as expected) attitudes towards same-sex marriage were not equal across all groups of voters: men, older voters, those affiliated with protestant religious denominations, and voters who did not complete high school, were all more likely to agree marriage should be restricted to relationships between men and women. Women, younger voters, those with no religion and the university-educated were more likely to support same-sex marriage.

These relationships between voters’ demographics and their attitudes towards same-sex marriage result also in regional variation of public opinion. The AEC draws electoral division boundaries, with the representation communities of interests among criteria used to define them. These interests include economic, social and regional (AEC 2015). The consequence of this policy is that the characteristics of these divisions vary widely, as do the political preferences of their constituents. Our model estimated that, when holding the other parameters in the model at their average values, opposition to same-sex marriage was highest in 2013 in divisions with fewer same-sex couples; a higher average Coalition two-party vote across the 2010 and 2013 elections; lower median ages (suggesting a higher number of families with children); lower household incomes; lower population densities, and a greater proportion of overseas-born residents. We plot the post-stratified probabilities from our model for each division, highlighting the electorate-level variations in attitudes towards same-sex marriage (see the online supplementary materials).

Electorates with high levels of opposition to same-sex marriage tend to provide the Coalition with the majority of their two-party vote. Those with lower levels of opposition were more likely to vote Labor. This pattern was not universal. Several Labor-majority electorates showing higher than average public opposition to same-sex marriage (mostly working-class suburban areas, including Blaxland, Fowler, Chifley), and some Coalition divisions with lower than average opposition (higher income, inner-suburban divisions, such as Wentworth, Higgins, Brisbane) defy this general observation. We find a pattern of support for same-sex marriage in urban and coastal areas, particularly in the south-east, and higher opposition in rural and inland divisions. We find much lower levels of opposition to same sex marriage in Australia’s major metropolitan inner-city areas. This suggests that, to a certain extent, support and opposition to same-sex marriage cuts across the economic left-right cleavages that traditionally define the parties. If legislators feel less bound by established ideology to take a particular position on this issue, this presents an opportunity for us to study how parliamentarians represent the preferences of their constituents.

\textbf{Congruence in 2012}

Table 1 shows the results from the models fit to the positions taken by Labor MPs. As might be expected by an advocate of the normative value of representation in a democracy (Hypothesis 1), the probability a Labor parliamentarian would oppose a change in legislation concerning same-sex marriage increased as the estimated opposition in their
electorate did (or conversely, an MP representing a more supportive electorate was more likely to vote for the legalisation of same-sex marriage in parliament). Specifications 2 and 3 indicate the security of an MP did not significantly influence the level of representative behaviour observed, with Labor MPs at risk of losing their seats only slightly more responsive than those who were not. We did not fit this model to Coalition parliamentarians due to their binding party vote (with all their MPs voting against the bill).

These models can be most easily interpreted through the predicted probabilities calculated from their parameters, and the associated uncertainty in these estimates (using specification 3 outlined above). We obtain these by simulating 1000 draws of the probability of legislators opposing the legislation for same-sex marriage, conditional on public opinion in their electorates at each possible percentile of voter opposition, from 1% to 100%, using the models fit to the positions of Labor parliamentarians. These simulated probabilities are represented by the curves plotted in Figure 1 that show how the probability of a parliamentarian’s opposition to amending the Marriage Act changes as opposition in their electorate increases (the Labor curve and confidence intervals contain noise due to simulation variability). We include the actual positions taken by legislators compared to estimated public opinion in their electorate, represented by a separate point for each MP. We also show the distribution of public opinion in the divisions represented by Coalition parliamentarians.

These results provide strong support for our theoretical frameworks. Labor MPs show evidence of supporting changes to the Marriage Act when there are higher rates of support to same-sex marriage in their electorates, even after we control for their margin (hypothesis 1). However, there is also evidence of status quo bias (hypothesis 2). Opposition below 40% was required in a Labor electorate before chances were greater than even that its representative would support this legislation. As one might reasonably expect, the probability Labor MPs would oppose the legalisation of same-sex marriage continued to decline as opposition in their electorate did, down to less than 25% as estimated divisional opposition declined below 30%. It is impossible to draw strong conclusions from the behaviour of Coalition MPs, because of the enforced bloc vote. However, we do learn two things from the unified opposition of the centre-right parties. First, a majority of Coalition parliamentarians were willing to bind themselves and their colleagues on this issue (it is the party room that decides the party’s position). Second, no backbenchers crossed the floor and voted for the legislation (which is allowed by the Coalition parties and is not formally punished).

We test hypothesis 2 further by predicting the effects of the interaction between MPs margins in 2013, and their interactions with estimated public opinion. We show the

| Table 1. Logistic coefficients from the model fit to the position of Labor parliamentarians on the Marriage Amendments Bill 2012, allowing same sex marriage. |
|-------------------------------------|---------------------|---------------------|
| Specification 1                     | Specification 2     | Specification 3     |
| Intercept                           | −.32 (.27)          | −.53 (.29)          | −.37 (.31)          |
| Opposition                          | .90 (.37)           | .89 (.37)           | .89 (.37)           |
| Margin                              | −.29 (.30)          | −.10 (.33)          | −.09 (.34)          |
| Opposition × Margin                  | 63                  | 63                  | 63                  |
results of this in Figure 2, which shows only small differences in responsiveness to public opinion between Labor MPs irrespective of whether they represent safe or marginal electorates.

**Beyond the 2012 parliamentary vote**

We build on this analysis. Since the 2012 parliamentary vote on the Marriage Act, almost all Members of the federal parliament have publicly restated their position on same-sex marriage, with a number shifting to support it (in the Coalition’s case, this is in the context of a hypothetical free vote). We fit a second model estimating how the House of Representatives would vote if given the chance in 2016. We refit our logistic regression models to estimate the probability an MP would oppose the legalisation of same-sex marriage conditional on public opinion in their electorates. The results from these model, shown in Table 2, indicate there was representational behaviour from MPs of both parties, but that each displayed different patterns, supporting the idea that each represents different interests with varying preferences concerning same-sex marriage. As expected, Labor parliamentarians were less likely to oppose same-sex marriage than their Coalition
counterparts even when they both represent electorates with the same estimated public opinion on the issue. Coalition MPs leaned towards opposition in all but the most supportive electorates. Labor parliamentarians also continued to exhibit greater congruence with the preferences of their constituents (although because so few Labor MPs opposed same-sex marriage by 2016, there is a higher degree of uncertainty here).

We again use simulated draws of the probabilities that MPs would oppose same-sex marriage, conditional on public opinion in the electorates they represent (using specification 3). These are plotted in Figure 3. They indicate parliamentarians continued to show evidence for status quo bias on this issue. If half the voting public in one electorate supported same-sex marriage, it was almost certain their MP (from either major party) would not. Labor MPs representing an electorate with approximately 50% opposition (or, 50% ...
supporting or indifferent) would have had an 80% probability of opposing same-sex marriage. Coalition MPs representing constituents with these high levels of estimated opposition had greater than 95% probabilities of opposing changes to the marriage laws. However, time matters. Overall MP preferences for the status quo had weakened by 2016 compared with 2012.

Certainly, while Labor parliamentarians had a high probability of opposing same-sex marriage when public opinion in their electorate was strongly against changing marriage laws, in practice this was rare (with few Labor-held divisions in which opposition was above 40%). Moreover, Labor MPs’ positions against same-sex marriage were predicted to shift as public opposition declined. Thus, the vast majority of Labor MPs were on the record supporting same-sex marriage by early 2016, with none representing a division with estimated public opposition significantly below 40% opposed.

In contrast, most Coalition parliamentarians continued to show a strong ideological preference towards opposing same-sex marriage (even in a hypothetical free vote context). Those representing divisions where estimated opposition was 40% (60% public support or no position) were predicted to have approximately a 95% chance of opposing amendments to marriage legislation. It was only once same-sex marriage

![Figure 3](image-url)

**Figure 3.** Policy congruence on same-sex marriage in the House of Representatives between 2012 and 2016. Note: Each curve represents the probability a member of the House of Representatives would oppose same-sex marriage, based on the public position they had taken between 2012 and 2016, conditional on the estimated opposition to same-sex marriage in each legislator’s electorate. Points represent the actual position of each legislator compared to estimated public opinion.
opposition declined below an estimated 30% (70% public support or indifferent) did the probability of a Coalition MP opposing changes to marriage laws drop below 50% (and then only by a small margin).

When we examined how the safety of an MPs seat in parliament influenced their position on same-sex marriage by 2016 (shown in Figure 4) we find a similar pattern for both parties regardless of marginality: greater electorate opposition results in greater MP opposition. While we should not over-interpret these findings (with uncertainty at the extremes of marginality and public opinion), it appears that overall Labor parliamentarians on average were more responsive in marginal electorates; whereas Coalition MPs on average became more representative to voters’ preferences in safer divisions.

On considering the question of direction of influence we ask whether public opinion might be influenced by party cues rather than vice versa, as found by Carsey and Layman (2006). We expect this to be unlikely in this instance because, as identified earlier, Coalition-held divisions with large winning electoral margins such as Warringah in Sydney, and Goldstein in Melbourne, had lower than average opposition to same-sex marriage. This suggests Coalition voters were not responding to party cues in these

**Figure 4.** Marginality and policy congruence on same-sex marriage in the House of Representatives between 2012 and 2016. Note: Each curve represents the probability a member of the Australian House of Representatives would oppose same-sex marriage, based on the public position they had taken between 2012 and 2016, conditional on the estimated opposition to same-sex marriage in each legislator’s electorate, and their margin at the 2013 election. Solid lines represent legislators in divisions with margins of zero (marginal seats), dashed lines with margins of 10%, and dotted lines 20% (safe seats).
We further assess directionality by examining shifts in legislators’ positions after 2012 in relation to the preferences of their constituents.

**MP position change between 2012 and 2016**

By 2016, 58% of Labor MPs that had opposed same-sex marriage in 2012, and remained in Parliament after the 2013 federal election, had shifted to publicly support changing the Marriage Act. A smaller proportion of Coalition MPs, 21%, did so. If shifts were random and unrelated to public opinion, we would expect very little difference in the preferences of the voters in the electorates of those MPs who shifted, to those who supported same-sex marriage originally, and to those who continued to oppose it.

We tested direction of influence by plotting the mean level of opposition in divisions represented by Coalition and Labor parliamentarians who always opposed same-sex marriage, compared to those who shifted their position from oppose to support (no MPs publicly moved in the opposite direction – as the online supplementary material shows) and those who always supported changing the Marriage Act. This is shown in Figure 5. This indicates a clear pattern: legislators who always opposed same-sex marriage, on average, represented divisions with higher rates of opposition to same-sex marriage than those who shifted to support changes to the Marriage Act, and also to those who always offered support. This pattern holds for both Coalition and Labor parliamentarians.

We further investigate this by fitting a logistic regression predicting the likelihood a parliamentarian would have changed their position from opposition to support for same-sex marriage, conditional on the estimated public opinion of their constituents and the margin of their electorate. This is fit separately to Labor and Coalition MPs who had opposed the amendment to the Marriage Act in 2012. The results are shown in Table 3 (although the small sample size for Labor in particular prevents us from inferring too much). They suggest legislators opposed to same-sex marriage in 2012 were sensitive to public opinion in their electorates, with the probability of a politician maintaining an oppositional stance falling as their constituents’ opposition fell. As we have come to expect from the other findings, Labor MPs who had voted against the amendments to the Marriage Act in 2012 were more likely than Coalition MPs to have changed their position to support same-sex marriage by early 2016, with Coalition parliamentarians mostly remaining opposed to a change.

**Discussion and conclusion**

This paper’s focus is the congruence between public opinion and Australian federal MPs’ policy positions, using the case of same-sex marriage. We have outlined how democratic theory underscores the importance of the representative function of elected officials (Key 1961; Downs 1957), and how electoral pressures may move politicians towards enacting policy aligned with the majority will of the public (Ezrow et al. 2010). However, we also document theoretical reasons why legislators might be slower to respond to public opinion, which includes a policy bias towards the status quo (Gilens 2012). This may reflect path dependency, providing some groups (near) veto-like powers over policy change within a party. In the Australian context, we consider that the major political parties are better characterised as policy maximising interest aggregators, rather than
pure office-seekers (Ratcliff 2017). According to these frameworks, under certain circumstances parties ignore public opinion on matters that are important to party goals.

Public opinion and policy responsiveness is under-researched in Australia. In part, this is because studying the match between MPs’ public positions and their constituents’ opinions is difficult and expensive in a geographically vast country with a dispersed and relatively small population. These obstacles were dealt with by using the unique large-scale 2013 Vote Compass dataset combined with MRP to gauge opinion in Australia’s 150 electorates. Additionally, we built a repository from multiple data media sources to position federal MPs’ views over time on same-sex marriage (see online supporting material).

Table 3. Logistic coefficients from models fit to the shift in the public position of Labor and Coalition parliamentarians on same-sex marriage between 2012 and 2016.

<table>
<thead>
<tr>
<th>Specifications</th>
<th>Labor MPs</th>
<th></th>
<th></th>
<th>Coalition MPs</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Intercept</td>
<td>Opposition</td>
<td>Margin</td>
<td>Opposition × Margin</td>
<td>Intercept</td>
<td>Opposition</td>
</tr>
<tr>
<td>Specification 1</td>
<td>−1.92 (.54)</td>
<td>2.78 (2.36)</td>
<td>1.62 (1.08)</td>
<td>−3.45 (3.96)</td>
<td>1.44 (.36)</td>
<td>1.12 (.39)</td>
</tr>
<tr>
<td>Specification 2</td>
<td>−0.25 (.68)</td>
<td>2.39 (2.97)</td>
<td>4.07 (3.64)</td>
<td></td>
<td>0.87 (.37)</td>
<td>0.98 (.54)</td>
</tr>
<tr>
<td>Specification 3</td>
<td>−1.47 (1.94)</td>
<td></td>
<td>4.07 (3.64)</td>
<td>−3.45 (3.96)</td>
<td>1.00 (.41)</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>61</td>
<td>61</td>
<td>61</td>
</tr>
</tbody>
</table>

Note: This model was fit only to the positions taken by those MPs who had opposed same-sex marriage in 2012.
We find Australian MPs, notwithstanding strong party discipline, seek to respond to constituent preferences when able to, thus lending support to our first hypothesis focused on the mean voter and democratic representation. However this phenomenon was observed to varying degrees between the parties and is not an explanation for the existing policy incongruence between the mean voter’s support for marriage equality and its legislative status.

Our findings offer some support to democratic theory of representation, and reveal two conditional factors that influenced legislator support for same-sex marriage. The first is that the degree of responsiveness for an MP to shift their public position on same-sex marriage varied depending on their party. Labor parliamentarians did not require the same low levels of public opposition (or high public support) in their electorates as Coalition members did, before shifting their public position. The second is temporality. The linkage between public opinion and legislator responsiveness, whilst at different levels for the two major parties, became stronger for both over time indicating their awareness of majority public support for same-sex marriage.

However, we also find evidence of a status quo policy bias. This is consistent with our second hypothesis, relating to the behaviour of Coalition parliamentary representatives in particular. We predicted that they would be unlikely to support the mean voter position on same-sex marriage, unless (in accordance with H1) public opposition to same-sex marriage was very low (well below 50%) in their electorate.

We found that in both the 2012 parliamentary vote on same-sex marriage, and in the data on MPs’ positions collected after this point, voter opposition well below 50% was required for parliamentarians (of either major party) to have a 50% or greater probability of supporting same-sex marriage. As expected, we found that Coalition MPs generally required much weaker public opposition in their electorates to shift their public position on same-sex marriage. In the wider debate, this is consistent with the Coalition acting as a policy maximising interest aggregator, rather than simply appeasing the median voter.

While more research is required, this appears consistent with the work of Australian scholars (Warhurst 2007, 27; Maddox 2005) who find that cross-denominational churches favour the status quo on marriage policy and regular churchgoers tend in the modern era to vote for the Coalition over Labor. Further research is needed to better understand the influence of interest activists (including religious groups) within Australia’s parties.

Overall we find parliamentarians in Australia represent the preferences of their constituents; albeit imperfectly, and with caveats. Congruence has gradually increased between the estimated preferences of an electorate and its representative’s public position since 2012. This suggests the enduring, stable majority public support for same-sex marriage over the past decade in Australia is slowly overwhelming the status quo bias and other policy interests that oppose it.

Notes
1. Since 2010, successive opinion polls find Australians’ support for marriage equality has steadily increased from 57% to 68% (Coorey 2015). Some opinion polls, but not all, indicate that public support for same-sex marriage has sat above 50% in Australia since 2007 (Phillips 2010).
2. The four lower house cross benchers all supported the Bill.

3. With the exception of NSW, WA and the ACT where it ends in mid-2015, when electoral boundaries were redrawn, potentially disrupting the comparability of earlier and later data, with some MPs expecting to represent a different electorate after boundaries were redrawn, potentially changing their public position on same-sex marriage.

4. They also found that niche parties – such as Communist, Green and extreme Nationalists – party policy change was more likely driven by the mean position of their supporters, not the general electorate.

5. Labor leader Bill Shorten, Liberal leader Malcolm Turnbull and Greens Leader Richard Di Natalie have made public personal statements supporting Same-sex marriage. The leader of the Liberal’s Coalition Partner, The National’s Barnaby Joyce, is opposed to same-sex marriage.

6. To provide consistent and easy to interpret results, we have coded responses equating to opposition to same-sex marriage 1, and those who supported same-sex marriage, were neutral or did not take a position 0. These data allow themselves to this kind of transformation, with 84% of respondents either agreeing or disagreeing, and a majority taking a strong position on either side of the issue.

7. Available from http://www.abs.gov.au/websitedbs/censushome.nsf/home/tablebuilder. It should be noted error has been introduced into cells with a small N by the ABS to make identification of census respondents difficult. The impact of this on the post-stratification of our results should be minimal, as many cells have several thousand observations and small cells will generally have little impact on total weighted results.

8. With the exception of NSW, WA and the ACT where it ends in mid-2015, when electoral boundaries were redrawn, potentially disrupting the comparability of earlier and later data, with some MPs expecting to represent a different electorate after boundaries were redrawn, potentially changing their public position on same-sex marriage.

9. The difference in two-party vote between the parliamentarian who won and their main opponent.

10. The question asked was, ‘Do you think people of the same sex should or should not be allowed to marry?’ The possible responses were ‘Should be allowed to marry’, or ‘Should not be allowed to marry’, ‘Don’t know’.

11. Legislators were coded 1 if they had taken an oppositional position on same-sex marriage between 2012 and 2016, and 0 if they had supported changing marriage legislation, conditional on opposition to same-sex marriage in the division they represent.

12. The outcome is coded 1 if a legislator continued to oppose same-sex marriage in the period following the 2012 parliamentary vote, and 0 if they publicly shifted to a supportive position.

Disclosure statement

No potential conflict of interest was reported by the authors.

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