The Mixed Member Proportional Representation System and Minority Representation:

A Case Study of Women and Māori in New Zealand (1996-2011)

by

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ABSTRACT

This dissertation examines the relationship between women and Māori descriptive and substantive representation in New Zealand's House of Representatives as a result of the Mixed Member Proportional electoral system. The Mixed Member Proportional electoral system was adopted in New Zealand in 1996 to change the homogenous nature of the New Zealand legislative assembly. As a proportional representation system, MMP ensures that voters' preferences are proportionally reflected in the party composition of Parliament. Since 1996, women and Māori (and other minority and underrepresented groups) have been experiencing significant increases in their numbers in parliament. Despite these increases, there remains the question of whether or not representatives who 'stand for' these two groups due to shared characteristics will subsequently 'act for' them through their political behaviour and attitudes. With more studies emerging on the effects of electoral reform on minority representation, this study is timely in examining the effects of the Mixed Member Proportional system on the representation of women and Māori in New Zealand. Descriptive representation is defined and analysed in the study as the number of women and Māori who occupies seats in New Zealand's Parliament and Cabinet. Substantive representation on the other hand is more difficult to analyse and quantify, and so a multi-pronged approach was adopted to better assess the extent to which female and Māori MPs "act" on behalf of women and Māori once elected to parliament. These include discourse analysis on parliamentary speeches in areas that can be considered women's issues or Māori issues, content analysis of Members' Bills introduced by women and Māori MPs and interview research.

The findings from the study suggest that female and Māori MPs do enter parliament with good intentions and some do "act" and "stand for" women and Māori. A deeper examination of parliamentary activities and Members' Bills introduced by female and Māori MPs in New Zealand however, indicates that the link between their descriptive and substantive representation is not primarily because of the electoral system, but is due instead to the political climate within which they work. MPs not only have to work within the confines of their respective political parties, but their actions are also constrained by party rules and regulations.

DEDICATION

I dedicate this dissertation to my adopted mother Dorene Morris. Her continuous support, guidance and love have sustained me throughout the years. Today I am a better person because she opened up her heart and doors and welcomed me into her home.

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TABLE OF CONTENTS

Chapter 4: Women and Māori in New Zealand: Descriptive Representation

Chapter 5: Political Parties: Nomination, Selection and Party ranking of candidates

Chapter 6: Women's Substantive Representation (New Zealand)

Chapter 7: Māori Substantive Representation (New Zealand)

LIST OF TABLES

LIST OF FIGURES

Chapter 1: Introduction and Significance of the Study

A basic requirement of democracy is that individuals subjected to policies of the state should have some level of input in their formation. Modern democratic societies practice representative democracy, and most representatives are elected through free and fair elections. There continues to be, however, an underrepresentation of different minority groups in virtually all legislative assemblies around the world both in terms of their presence and consequently in terms of their effects on policy outcome (substantive representation). This signals a breakdown in areas of legitimacy, responsiveness, justice, and effectiveness in democracy (Phillips, 1995). Inclusivity and representativeness are key criteria of democracy, and so it is imperative that minorities have a voice in the policy-making process, whether they are defined by gender, ethnicity, region, socioeconomic status, age, or education (Norris, 2006). According to Ghai (2003):

> Minorities [and underrepresented groups] have the right to influence the formation and implementation of public policy, and to be represented by people belonging to the same social, cultural and economic context as themselves. For a political system to be truly democratic, it has to allow minorities [and underrepresented groups] a voice of their own, to articulate their distinct concerns and seek redress, and lay the basis for a deliberative democracy. (p. 5)

This is not to imply that minorities should have absolute power. Neither is it implying that they are the only ones capable of acting in their own interests. Instead it is acknowledging that minorities are very much capable of participating in the political sphere and the relevant areas of the decision making process and moreover should be active participants in this process. This participation could serve to improve the state's responsiveness to their concerns. Without proper representation, minorities and underrepresented groups' interests and beliefs will be left out of the political sphere, and as a

result they might feel alienated from different aspects of the polity that they are supposed to be a part of. It is therefore imperative that they "…enjoy full access to participate in the political sphere, public life and the relevant aspects of decision-making" (Reynolds, 2006, p. 3).

When looking at minority representation, it is necessary that we examine the extent to which it is important to have democratic legislatures that are reflective of the wider society. Increased representation for women and other underrepresented groups not only adds diversity to a legislative assembly, but certain issues will receive more attention when there is diversity in the legislature. Women for example tend to raise questions their male counterparts often disregard. What is more important, once granted the opportunity, women can take traditional conversations in new, unexplored directions that can lead to different outcomes (Bratton, 2005). Similar results have been found for minority groups. In a 2005 study on the *Effects of Legislative Diversity on Agenda Setting*, Bratton found that Black legislators in six US state legislatures were more likely to sponsor and support Black interest measures as their numbers in parliament grew. It was also found that white legislators would sponsor fewer Black interest measures as the legislature became more diverse.

If we accept that a representative and inclusive legislature is important, which this thesis does, we must then ask how will minority and underrepresented groups gain access to the political arena and the legislative assembly? The nature of political representation depends to a large extent on the type of political structure in place, and the mechanisms that have been put in place to enhance these structures. There is a general consensus that one of the most important political institutions to affect the nature of political representation and democratic governance is the electoral system (Reynolds, Reilly & Ellis, 2005). It has long

been noted that the design of electoral systems determines the political representation of certain groups, including minorities and excluded groups (Reynolds *et al*., 2005). It is understandable, therefore, why countries seeking to enhance or improve representation for their minority and underrepresented groups often turn to electoral reform. The hope is that such reforms "[will] create tighter links between the wishes of voters and the governments elected to office" (Scheiner, 2008, p. 162).

More specifically, studies on the relationship between electoral systems and minority representation consistently maintain that countries with any type of proportional representation (PR) system tend to have a substantially larger proportion of women and minorities in their national assembly, as compared to countries with a single-member district system (Reynolds, 2006, Lijphart, 1994, Rule, 1987, Lijphart & Grofman, 1984). In their study of stable democracies, Darcy, Welch and Clark (1994) for example, found that "on average twice a proportion of women (20.2 percent) are currently elected to list PR systems as compared to single member districts (SMD) (10.2 percent)" (p. 142).

To understand the impact that a proportional electoral system can have on women and minority representation, this research will conduct a case study analysis of the Mixed Member Proportional (MMP) system in New Zealand. An assessment of the MMP system in New Zealand lends itself to a case study analysis because of the depth of information that can be gathered. The New Zealand case study will compare that country's representational experiences during two different periods: the period in which it used a First-Past-the-Post (FPTP) system (1865-1993) and the period in which it has used an MMP system (1996-present). New Zealand changed its electoral system in 1996 from the First-Past-the-Post electoral system to the Mixed Member Proportional system, and has since held five elections

under MMP, the most recent in 2011.[1] This research will look both at the changes in the numbers of women and Māori (the indigenous minority population in New Zealand) who are elected to Parliament, as well as the role that these individuals play in representing issues of particular concern to women and Māori voters.

Theoretical Framework

Anne Phillips's "politics of presence" forms the theoretical base of this dissertation. The politics of presence theory postulates that the presence of minority and underrepresented groups in the legislative assembly is necessary for their political interests to be taken into account. Phillips (1995) argues in her *Politics of Presence* text that the representative matters just as much as the represented, and as such, members from marginalized and universally defined minorities should be physically present in legislatures in numbers proportional to their share of the general population. This is because representatives from underrepresented groups are viewed as being more aware, sensitive and better suited to represent the needs of their groups/constituents than those outside the group. Māori MPs for example share similar experiences, even though as a group they do not have the same opinion on each issue and there is no certainty that a Māori representative will act on behalf of all Māori. It is however more likely that he or she will act for Māori interests better than a non-Māori representative would due to his/her shared experiences with Māori as a group.

[1] MMP in New Zealand gives voters two votes during a general election: an *electorate vote* which determines the local representative for that electorate, and a *party vote* which determines the number of seats each party is entitled to. "Electorate" is the New Zealand terminology for candidates in a single-member district. In other countries, the word "electorate" is used to mean the group of people that are entitled to vote in an election. The system is designed so that each party's share of MPs is proportional to its share of the party votes cast for all parties winning seats.

Phillips does not argue that female or minority representation is a guarantee of change, but rather that it increases the likelihood that representatives of these two groups will represent the interests of women and minorities. Groups such as women, ethnic and racial minorities need to be present in parliament, not only because they can represent the interests of members of their groups, but because they are more likely to follow legislative and policy agendas that are more responsive to their needs. She also argues that there is a demand by modern democratic societies for equal representation between women and men; a demand for a more even-handed balance between the different ethnic groups that make up each society and finally, a demand for the political inclusion of groups that have come to see themselves as marginalized, silenced or excluded (p. 5).

Phillips (1995) further argues that there are certain experiences, interests, identities and perspectives that affect and differentiate certain groups, and as such, these groups need to be represented. Female legislators, for example, are best suited to represent the interests of women, because they have a distinctive group identity based upon shared common interests on issues such as abortion, childcare or equal opportunities in education and the labour force. Even though Phillips preferred the politics of presence to the politics of ideas (outcome), she ultimately endorsed a combination of both models. She argues that problems arise when the two models (politics of ideas and politics of presence) are set up as "exclusionary opposites: when ideas are treated as totally separate from the people who carry them; or when the people dominate attention, with no thought given to their policies and ideas" (p. 25). It is "in the relationship between ideas and presence that we can best hope to find a fairer system of representation, not in a false opposition between one or the other" (Phillips, 1995, p. 25).

Hannah Pitkin in her seminal work *The Conception of Representation* also provides two strands of representation that have been used in extant literature when examining representation of women and minority groups: descriptive and substantive representation. Descriptive representation occurs when elected representatives mirror the larger class of people that they represent. Similarities between the representative and the represented generally include sex, age, ethnicity and gender. The representative does not act for others, but instead he/she "stands for" them, by virtue of a correspondence or connection between them, a resemblance or reflection (Pitkin, 1967, p. 61). In essence, descriptive representation is less concerned with what the legislature does and more with how it is composed.

Also called "mirror representation," descriptive representation is based on the notion that it is necessary that representatives share the experiences, needs and interests of their constituency, as the minority cannot be adequately represented by the majority. The idea behind descriptive representation is that those elected to the Legislative Assembly should mirror the wider society as a whole, reflecting divergent groups, opinions, interests and traits. As Mansbridge (1999) explains, descriptive representation means that "representatives are … in some sense typical of the larger class of persons whom they represent" (p. 629; see also Pitkin, 1967).

In contrast, policy responsiveness is a measure of *substantive representation*: whether elected officials *act* in accord with the wishes of the citizens they represent. Substantive representation is generally preferred over descriptive representation by groups and entities looking to increase representation for minority groups, but proponents of descriptive representation would argue that the first cannot occur without

the latter. While descriptive representation is concerned with the number of women and minorities elected to the legislative assembly, substantive representation is more concerned with policy responsiveness. Substantive representation is therefore, often favoured as the standard for minority representation. This means that a legislator represents the interests of his or her constituents. Unlike the notion of descriptive representation, the importance is not on what the legislative assembly looks like but instead on what it does. Tremblay (2007) describes it best when she noted that "while descriptive representation functions somewhat by default…substantive representation requires consciousness and deliberate actions: a woman MP must speak and act in favour of the expectations, needs and interests of women" (p. 283).

The political presence of minorities and underrepresented groups in the legislative assembly is necessary for modern democratic societies to develop and grow. It also gives legitimacy to government policy and outcome. Arguments for the increased political representation of minority groups are often based on the assumption that achieving a 'politics of presence' is essential for democracies, because minority groups need people from within the group to speak on their behalf. Thus only people with a shared history or shared experiences can adequately represent the needs of a minority group.

Minority descriptive representation in parliament is important, but it becomes purely symbolic if it does not bring about policy outcomes that reflect the interests of conventionally underrepresented groups. Thus efforts to attain a more proportional representation of women and minorities should ensure both quantity and quality-a linking of numerical representation to actions and outcomes. The numeric representation

of minorities is very important and as noted earlier electoral reforms that have led to more proportional electoral results such as pure PR systems or Mixed Member Electoral system do seem to boost these numbers in societies where they are in use. Perhaps more important, though, is the question of where women and minorities are found in these decision making bodies and what influence they might have on policy outcomes. For example, are they in cabinet, engaged in policymaking or just not being seen at all? And are they allowed to represent the diverse interests of the groups who elected them to parliament? These are some of the general issues that will be explored as the research delves deeper into the possibilities that the Mixed Member Electoral system offers for minority and underrepresented groups.

The New Zealand Case Study

New Zealand was chosen as a case study to explore these questions because it provides the perfect example of a momentous change from a "pure" Single Member Plurality electoral system to a more proportional system. The MMP system in New Zealand also makes for an interesting case study because it offers the possibility of conducting time-series analysis on electoral reform (before and after MMP). Most studies on electoral reform today are based on cross-sectional analysis of multiple countries and this sometimes makes it difficult to ascertain the effects that a particular electoral system might have on minority representation. Electoral reform in New Zealand also serves as a good example for countries interested in providing greater representation for its minority groups through electoral reform. Attempts at electoral reforms should not be undertaken lightly, and the move to proportional representation in New Zealand entailed much deliberation, public consultation, debate and research.

The Mixed Member Proportional electoral system was adopted in New Zealand to change the homogenous nature of the New Zealand legislative assembly. Increased representativeness and the need for greater proportionality of party preference was a driving force behind the Royal Commission on Electoral System that convened in 1986 to examine the existing First-Past-the-Post electoral system. As a proportional representation system, MMP ensures that voters' preferences are proportionally reflected in the party composition of Parliament. In addition, the microcosmic or descriptive representation of women, Māori and other interested groups was very high up on their list of criteria for selecting the "best" voting system; the Commission envisioned a voting system that would ensure candidates and MPs are reflective of and responsive to the groups and interests that they should be representing (Catt, 1997).

Since 1996, the first election after the electoral reforms of 1993, New Zealand's minority and underrepresented groups have been experiencing significant increases in their numbers in parliament. As of the 2011 general election, female MPs make up 39% of the total number of MPs in parliament. Compared to the periods under the First-Past-the-Post system when they comprised only between 8% and 21% of the total MPs in parliament, women under MMP have been making substantial progress. However, they still have a long way to go before their numbers in Parliament will reflect their number in society as a whole. Ethnic minorities have also seen an increase in their numbers in Parliament since the advent of the MMP system. Māori MPs currently comprise 17% of the total MPs in parliament---this contrasts with being 15 % of the total population and 12% of the adult (18+) population (Parliamentary Library, 2012). In 2011 (latest election period in New Zealand), Pacific Islanders comprised 7% of the total number of MPs in

parliament---the highest number since the first Pacific Islander was elected into parliament in 1993.

Despite these increases, there remains the question of whether or not representatives who 'stand for' these two groups due to shared characteristics will subsequently 'act for' them through their political behaviour and attitudes (Pitkin 1967, pp. 113-114). With more studies emerging on the effects of electoral reform on minority representation, this study is timely in examining the effects of the Mixed Member Proportional system on the representation of women and Māori in New Zealand. Women and Māori were chosen as units of analysis for this study because they generally form two of the most historically underrepresented groups in New Zealand. The study moves beyond an analysis of their descriptive representation in parliament, and instead examines the relationship between their descriptive and substantive representation.

There is a wide range of literature on women's descriptive and substantive representation, yet few studies have focused extensively on the relationship between women's representation and the MMP system. More importantly, while there is extant literature on Māori MPs in parliament, there has been no known in-depth study on the correlation between Māori substantive representation and the MMP electoral system. There is also far less research providing insights into the role of Māori electorate and list MPs in the MMP environment, especially from the viewpoint of the Māori MPs themselves. Furthermore, extensive literatures on Māori representation such as those by Fleras (1985), Sorrenson (1986), Durie (2001), O'Connor (1991), Parliamentary Library (2008a) and Joseph (2008) primarily examine Māori representation in parliament within the context of the reserved Māori seats. To fill these gaps in the literature, the study will

analyze policy outcomes in areas that are of primary interest to women and Māori to ascertain whether increased minority representation has produced important changes in the state's public policies.

The key question of the study is whether an increase in descriptive representation for women and Māori in New Zealand's House of Representatives has translated to policy outcomes that are beneficial to them. It also examines the extent to which electoral systems influence policy outcomes. Secondly, the study will examine the extent to which women and Māori MPs meet the expectation that they will act for members of their groups, thus pushing minority and gender friendly legislation and policies into the political arena once elected to parliament. In answering the question of whether or not female and Māori MPs substantive representation are interrelated, the study will first analyze female and Māori MPs legislative behaviour in parliament to determine the extent to which they speak about representing women and Māori interests. Secondly, it will assess the ability of both female and Māori MPs to influence policy outcomes once elected to parliament.

The study will further make an original contribution to the arguments on MMP electoral systems and women's and Māori's substantive representation by measuring and comparing the rate and content of Members' Bills introduced in the New Zealand House of Parliament between 1985-1993 and 1996-2008. Members' Bills are usually introduced by legislators who are not Government Ministers. These bills are also not part of the Government's programme. To date, there has been very little substantial research on the effects of the MMP electoral system on the introduction of Members' Bills. Spindler (2009) briefly examined the success of Members' Bills before and after

MMP in her study on *Members' Bills in the New Zealand Parliament*, but other than that, there is no substantial research examining the relationship between the MMP electoral system and the introduction of Members' Bills. Furthermore, studies on the substantive representation of women often focus on their legislative activities, and more specifically, on how they speak about representing women's interests.

To a larger extent, the study will examine the role political parties have played in the gains made by female and Māori MPs in New Zealand's parliament and Cabinet. Whether Parliament reflects the general composition of the New Zealand population is strongly determined by the political parties who often recruit, select and rank candidates. The MMP system not only increased representation for underrepresented and minority groups, but it has also increased the representativeness of Parliament by broadening the number and type of political parties that achieve representation. In turn these newer political parties help to achieve and improve representation by choosing candidates who appeal to the electorate on a variety of demographic characteristics such as gender, ethnicity, and age. The findings from this study will not only contribute to an improved understanding of the effects of the Mixed Member Proportional electoral system on women and ethnic minority representation, but it will also have implications for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform.

Methodology

As noted earlier this thesis employs a case study approach to measure the degree to which the electoral reform that resulted in New Zealand changing from a Single Member Plurality electoral system to a Mixed Member Proportional system had an

impact on the representation of women and Māori. For the purpose of this study, representation is understood in terms of both descriptive representation and substantive representation. Descriptive representation in its simplest form means that representatives in some sense mirror the larger group of people whom they represent (Pitkin, 1967). The legislature should be an exact portrait of the people that it is representing. For the purpose of this research, it will be used interchangeably with the term "numerical representation"; it will be measured by the number of women and Māori in New Zealand's House of Representatives. The descriptive representation of women and Māori is generally easy to define and measure, as we are looking for the number of women and Māori occupying seats in the New Zealand House of Representatives.

Unlike descriptive representation, it is much more challenging to measure substantive representation which has generally been defined as the ability of MPs to "act" for those they seek to represent. This research will argue that substantive representation is not just about MPs legislative behaviour. Substantive representation is also about how MPs aim to influence policy outcome once elected to parliament. For the purpose of this study, substantive representation will be examined both as *process* and *outcome*. It will further be operationalized to mean: *the ability of female and Māori MPs to influence the decision-making process and policy outcomes once elected to parliament.* Policy outcome will be operationalized in the study as *the introduction of Members' Bills that seek to promote or enhance women and Māori interests*. On a more general level, substantive representation also refers to the ability of female and Māori legislators to promote, advocate for and support women and Māori interests both inside and outside parliament. Substantive representation also takes place outside parliament

such as in civil society (lobbying, petitions), but for the purpose of this study only legislative activities within parliament will be assessed. Substantive representation will be measured in two distinct ways:

1. Narrative or attitudinal support for women and Māori issues during parliamentary debates (how representatives talk about issues affecting women and Māori).
2. Parliamentary activities (debates, Members' Bills and the introduction of women and Māori-friendly legislation to the House of Representatives).

Once it has been established that substantive representation is attainable, one has to then determine whether women and Māori are "acting" or "speaking" on behalf of women and Māori interests in a way that is effective or can be deemed favourable to them. How does one define or determine what constitutes "effective" representation or "favourable" outcomes? More importantly, how does one empirically determine whether an action or outcome is effective and favourable or not? An outcome in the context of this study will be deemed "favourable" if it advances the interests and well-beings of women and Māori, both in parliament and the general populace. The constructiveness of such outcomes will be measured by the level of responsiveness by female and Māori MPs in parliament to issues affecting their respective groups. The study will consider such factors as: How well the representatives are able to mobilize other women and Māori in parliament; whether they are able to establish a connection with female and Māori representatives from all areas of the political spectrum; and whether they are able to introduce and or support bills that address women and Māori issues. Finally, it will be

determined by the extent to which both sets of representatives (women and Māori) are able to influence the decision-making process so that the government and or other legislative bodies are forced to address issues affecting women and Māori instead of sweeping them under the proverbial rug.

Three different methodological approaches will be used to further assess substantive representation. These include discourse analysis, content analysis and interview research. Discourse analysis focuses on parliamentary speeches in areas that can be considered "women's issues" (domestic violence and paid parental leave) or Māori issues (Foreshore and Seabed, Waitangi Tribunal, customary land rights). Discourse analysis was employed in this study because it helps to identify the gendered and racialized nature of the language used on issues of substantive representation coming out of the New Zealand House of Representatives, and the implications they have for women and Māori.

This discourse analysis was accompanied by a content analysis of Members' Bills that could be considered "women friendly" or "pro Māori", and the frequency by which they were introduced by female or Māori MPs. Finally, to complement and strengthen the findings from the discourse and content analyses semi-structured in-depth telephone interviews were also conducted with seven (7) female MPs and three (3) Māori MPs who sat in New Zealand's House of Representatives between 1996 and 2008. The information gathered from the interviews allows for a comparison between the theoretical knowledge of the representation role of Members of Parliament with how the MPs themselves perceive what they do. The information gathered from the

interviews will also assist in analyzing and understanding the responsibilities and role of both list and electorate female and Māori MPs in parliament. More importantly, it will help to identify and juxtapose the relationship between the visible actions of female and Māori MPs in parliament and their work behind the scenes.

Discourse Analysis

Discourse analysis is a qualitative methodology that focuses on the use of language. It has been used to understand a wide range of texts including natural speech, professional documentation, political rhetoric, interview or focus group material, internet communication, journals and broadcast media (Johnstone, 2002). The main purpose of discourse analysis is to unveil how the author of a text uses language to convey certain ideologies and or persuade his or her audience. To explore this in terms of the implications for the substantive representation of women or Māori this study focuses on parliamentary debates. These debates are an ideal source of data for this research for at least three reasons. First, they are obviously useful because of the availability of verbatim transcripts and the public face that it offers political decision making. Secondly, parliamentary debates are where Members of Parliaments are able to voice their opinions and grievances on issues affecting them and the people they are supposed to be representing. Finally, parliamentary debates are the most public form of an MP's parliamentary activities. Members of Parliament act as a conduit between their constituencies and parliament, and so it is through parliamentary debates that MPs have the greatest opportunity to express the needs and concerns of their constituents in Parliament.

In order to conduct this analysis debates surrounding six different bills were examined; four on what can be defined as women's issues and two on Māori issues. The four bills on women's issues revolved around the areas of domestic violence and parental leave. The four bills spanned two phases (before and after MMP) and included the *1994 Domestic Violence Bill* and the *Parental Leave and Employment Protection (Paid Parental Leave) Bill (2001).* Both bills will then be compared to the *Domestic Violence (Safety Enhancing) Bill of 2008* and the *Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill* of 2005. These bills were coded for certain themes or references: *violence against women, domestic violence, sexual violence, sexual assault, maternity leave, child welfare, social assistance, parental leave and employment equity*. The two Māori related bills included the *Foreshore and Seabed Act* of 2004 and the *Marine and Coastal Area Act* of 2011.They were also coded for certain themes and references such as: *land rights, customary rights, Waitangi Tribunal, culture and way of life and racial tension.*

Secondly, the participation rate (the number of female and male MPs/Māori and non-Māori MPs who made presentations) around each debate was recorded. There were MPs who presented more than once on both issues, but they were coded only once. For example, Jill Pettis (Labour Party) spoke more than once on the Domestic Violence Bill (2001), but in coding MPs participation rate, her second and third presentations were treated as a continuation or reinforcement of the first. While the number of male versus female MPs or Māori versus non-Māori who presented on the bills is very important to the overall argument of this study, more important is the substance of the debates that were made. After coding for participation rates, the study then coded for the substance

of each speaker's contribution to determine the extent to which MPs expressed the need to represent women's or Māori's interests. Questions on notice, interruptions and interjections were not coded as they generally did not add as much substance as the regular debates did. The analysis seeks to answer the following questions:

How do female/Māori MPs present themselves in Parliament?

Do female/Māori MPs represent women/Māori in Parliament?

Measuring the substantive representation of women

A total of 113 speeches were analyzed pertaining to the four identified bills chosen as examples of what can be considered "women's issues". It is imperative to note at this point that while this study will try to form a definition of what constitutes "women's issues" and "Maori issues", it is not to suggest that women's and Maori issues are not everyone's issues. Men are affected by some of the same problems facing women, and the same goes for Maori and non-Maori groups. What the study will highlight is that there are certain issues such as abortion, domestic violence, parental leave, the confiscation of land and racism that affect women and Maori respectively in a unique manner. As such, when this study speaks of "women's issues" and "Maori issues", it is referring to those idiomatic issues that have a direct and explicit impact on these two groups---issues that are more likely to be raised and addressed by women and Maori. The study is also highly aware that while there are some issues that can be identified specifically with women and Maori, there is no guarantee that every member of these two groups will support or promote the same issues or interests. A female Member of Parliament for example, might vote against a bill in parliament not because

she is anti-women, but because she views that bill as undermining the needs or interests of a certain group of women.

Women's issues are defined according to Swers (2002) in the context of the 103rd and 104th U.S. Congress as "bills that are particularly salient to women because they seek to achieve equality for women; they address women's special needs, such as women's health concerns or child-care issues; or they confront issues with which women have traditionally been concerned in their role as caregivers such as education or the protection of children" (pp. 34-35). Bratton (2002) defined women's interest legislation as "those bills that may decrease gender discrimination or alleviate the effects of such discrimination and those that are intended to improve the socioeconomic status of women" (p. 123). Examples of such legislation include: equal pay act, a bill that regulates or provides day care services, and a bill that requires insurance coverage of mammographies (Bratton, 2002). The definition of "women's issues" for this study will encompass some of the core ideas reflected in the definitions by Swers and Bratton. Women's issues thus include: *policies, legislation, ideas and situations that can increase or hinder the autonomy, empowerment and well-being of women*. Some specific examples include: the prevention of sexual and physical violence against women, reproduction and childbirth bills, social assistance, pay equity and parental leave.

Domestic violence and parental leave were chosen for this study because they provide clear examples of what can be considered "women's issues". They are also mostly non-contentious areas and few women would argue that they do not constitute a problem or concern for their gender. Women's issues are however not limited to the private sphere, but instead also relate to their position in the public domain. Other areas

of women's interests will therefore include autonomy, representation and recognition in society and the political sphere. A comparative analysis of the Domestic Violence Bills and the Parental Leave and Employment Bills further provides a clearer indication of the extent to which the legislative behaviour of female MPs has changed over time. It also help to answer the question of whether more female MPs in parliament as a result of the MMP electoral system has resulted in increased representation for women in general.

Measuring the Substantive Representation of Māori

As was the case with women, an assessment of the substantive representation of Māori interests begins with a discourse analysis of parliamentary speeches on two particular areas that can be considered Māori issues: the *Foreshore and Seabed Bill* of 2004 and the *Marine and Coastal Area Bill* of 2011. A total of 40 speeches were analyzed. The way Māori representatives speak of their ethnicity and how they represent Māori during parliamentary debates on the *Foreshore and Seabed Bill* and the *Marine and Coastal Area Bill* can offer important insights into the nature of substantive representation. The *Foreshore and Seabed Bill* of 2004 and the *Marine Coastal Area Bill* of 2011 were chosen for this study because they are arguably the most important pieces of legislation that have affected Māori in New Zealand in recent years. Furthermore, they present clear examples of areas that can be considered "Māori issues". Māori issues for the purpose of this study will be defined as *issues that can improve, interfere with or undermine Māori's relationship with the land or that threatens or enhances their customary rights as laid out in the Treaty of Waitangi*. Finally, they allow for a comparative study to be done on the legislative behaviour of Māori MPs between 2004 and 2011.

In order to understand the importance of the *Foreshore and Seabed Bill* and the *Marine and Costal Area Bill* to the Māori people, and why they are considered clear examples of Māori issues, one needs to first understand the relationship that the Māori people has with the land. The Māori of New Zealand adopt a holistic approach to the environment, with the land (*whenau*) being a very central part of their identity. It is their strong belief that all living things are descended from the gods---the land is their *Papatuanuku*, their Earth Mother (Ruru, 2004). Māori's relationship with the land is therefore more than one of ownership; it has a spiritual element too. According to Māori MP Pita Sharples:

> It is a relationship which transcends arguments of ownership in a commodity sense; a relationship which reinforces a sense of belonging shared between those who have passed on, the living and those yet to be born….Māori land represents tūrangawaewae. It is proof of [their] link with the ancestors of [their] past, and with generations to come (Sharples, 2010).

This relationship to the land is further defined by *whakapapa*[2], and from it comes the requirement for *kaitiakitanga*[3], where people must guard and protect natural resources for the future.

Maiden Speeches

To further assess the extent to which Māori MPs "stand for" Māori, maiden speeches given by Māori MPs upon their induction into parliament were assessed. While parliamentary debates have been utilized by scholars and researchers when looking at political representation, Maiden speeches for the most part have been ignored or underutilized. Horn, Leniston and Lewis (1983) likened a maiden speech to "a ship's

[2] Whakapapa or genealogy is a fundamental principle that strongly defines the Maori culture
[3] Traditionally, Māori believe there is a deep kinship between humans and the natural world. This connection is expressed through kaitiakitanga---a way of managing the environment.

first voyage…a traditional launching provided but once for each MP" (p. 232). Within the context of this research Maiden Speeches not only help to indicate how Māori MPs self-identify, but they also illustrate their perceived representational roles. In essence, the maiden speech given by Māori MPs upon their induction into parliament identifies the extent to which they are in parliament to represent the interests of their constituents or their political parties. Ten Māori MPs (five female MPs and five male MPs) were used as the sample for the study. The study identified thirty two Māori MPs that served in parliament between 1996 and 2008 and then carried out an internet search on maiden speech for each of those MPs. The search yielded only 10 results which constitute a very small dataset, but the information gathered was sufficient to draw some general conclusions about the role that Māori MPs expected to play once elected to parliament.

Content Analysis

The second section of the research assesses the ability of female and Māori MPs to influence policy outcomes once elected to parliament through the use of content analysis of Members' Bills. Member's Bills are important features of New Zealand's parliament in that they provide the mechanism through which Members of Parliament can influence government policies. More importantly, they can be used to raise awareness about issues affecting those they seek to represent. They further provide a means by which women can introduce "women friendly" legislation to the House. With the exception of Ministers, any member may propose a Members' Bill---they need not be in the government or the opposition to introduce a member's bill. Every second Wednesday of the House's sitting programme is set aside for members' business so that

Members' bills can be debated and passed into law if they have the support of the House.

Due to the large number of bills introduced and the inability of the New Zealand parliament to consider them all, there is a ballot system which is used to select which bills will be introduced before parliament. A member can have only one bill in the ballot during any given period of time. The ballot system allows fairness and equality between members by giving each an equal chance of having their bill selected. No more than six bills can be before the House for first reading at any one time. Bills get debated three times in Parliament. On the third sitting day after introduction, a Members' Bill is put down for first reading debate. After the first debate, Parliament votes on whether the Bill should be examined further or be dropped. If the Bill gets the vote to go ahead, it is usually sent to a select committee who examine it in more detail. This is also where the people of New Zealand get the chance to have their say. After it has examined the Bill and heard any submissions, the select committee creates a report of its recommendations on the Bill for the House. The Bill then goes to its second reading in the House where it is debated and MPs may suggest changes to it. If the vote is lost, that is the end of the bill. Otherwise the bill is ready for debate by a committee of the whole House. Once the final form of a bill is agreed, it is ready for the 'third reading'. This is the final stage before the Bill becomes law and MPs vote on it for the last time. If more MPs vote for the Bill than against it, the Bill is 'passed'. The Governor-General signs it and the Bill becomes an 'Act' of Parliament and a law which governs New Zealand. In New Zealand's House of Representatives, very few Members' bills go through to receive Royal Assent (Office of the Clerk of the House of Representatives, 2010).

Using content analysis, the study assessed 264 Members' Bills introduced and passed in New Zealand's parliament between 1996 and 2008. Content analysis is a systematic, replicable technique for compressing many words of text into fewer content categories based on explicit rules of coding (Berelson, 1952; Krippendorff, 1980). It allows inferences to be made which can then be corroborated using other methods of data collection (Krippendorff, 1980). Content analysis will be used to identify and quantify the types and nature of Members' Bills that were introduced in New Zealand between 1996 and 2008, and the implications they have for the substantive representation of women and Māori.

Prior to conducting statistical analysis, a spreadsheet of all Members' Bills introduced in New Zealand's House of Representatives according to each parliament period (45^{th}-49^{th} parliament) was created, and then further coded as follows: (1) by gender and party affiliation; (2) by ethnicity (Māori and non- Māori) (2) policy area, (3) whether or not the bill proposed addresses gender or Māori issues and/or treats women or Māori as beneficiaries. The Members' Bills used in the study were collected from New Zealand's Parliamentary Bulletins, Reports from the Office of the House of Representatives, Journal of the House of Representatives and Parliamentary Library New Zealand.

In-depth Interviews

The final research method used included in-depth interviews of a selection of female and Māori MPs and former MPs. A letter of request along with a consent form was sent via email to randomly selected MPs requesting a phone/Skype interview. Follow-up emails were sent two weeks after the initial contact to MPs who did not

respond to the first request. Interview requests were sent to 15 sitting or former female MPs and 16 sitting or former Māori MPs. Of the interview requests sent to female MPs, five were sent to current and former MPs from the National Party and five to former and present members of the Labour Party. Three requests were sent to former female MPs from the Green Party and one each from the ACT party and United Future parties. Of the 15 MPs that were contacted, seven responded favourably, while three declined and six did not respond. Of the seven (7) MPs who agreed to be interviewed four were from the Labour Party while two were from the Green Party and one from the National Party. Of the 16 interview requests sent to Māori MPs, three were sent to current and former MPs from the National, Māori and Green Party, while four were sent to the Labour and New Zealand First Party. Of the 16 MPs contacted, three responded favourably, while two declined and eleven did not respond. Of the three (3) MPs who agreed to be interviewed two were from the New Zealand First Party while one was from the Labour Party.

A lack of response from current MPs especially those from the National Party could be due in part to the fact that at the time of contact, parliament was in sitting (the National Party forms the government) and Members of Parliament might have had less time available to respond to questions from interviewers/researchers. With the National Party at the helm, MPs from that party could also be unwilling to participate in research that they think might potentially affect their career. There were also difficulties faced in contacting former MPs, primarily because they no longer use their parliamentary email addresses. They therefore had to be contacted through personal email addresses, and there is no guarantee that those emails were received. It must also be noted that of the seven female MPs who participated in the research six were former MPs while only one

is a current MP. Of the three Māori MPs who participated in the research two were former MPs while one is a current MP. Former MPs not only often have a story to tell, but unlike current MPs, they are less likely to suffer repercussions from openly voicing their views and opinions to a researcher or the media.

Several specific difficulties were faced in contacting Māori MPs to participate in the study. Even though Māori MPs have been enjoying descriptive representation in proportion to their numbers in the general population, they are numerically fewer in numbers than female and non-Māori MPs, and so the sample pool had fewer people to choose from. It was also difficult to get in contact with Māori MPs who are no longer in parliament. A lack of response from a majority of the MPs contacted could also be due in part to the fact that 11 of them are currently sitting in parliament, and so might have less time available to respond to questions from interviewers/researchers.

The interviewees were asked 10 questions which cover areas such as: the effects of the MMP electoral system on the representation of women (or Māori) in New Zealand, the role of female (or Māori) MPs in parliament, how frequently female (or Māori) MPs spoke or acted for women, whether female (or Māori) MPs represent women's interest because of their gender (or ethnicity), differences in role between list and electorate MPs, contribution of female (or Māori) MPs to the increased political representation of 'women's (or Māori) interests" in New Zealand and finally, obstacles that might have prevented female (or Māori) MPs from effectively representing women's interests or Maori interests.

In-depth interviews are ideal for this study because they allow for the elicitation of primary information from the subjects under study. They also help to achieve a

comprehensive understanding of the interviewee's situation or point of view. Within the context of this research, in-depth interviews were chosen because female and Māori Members of Parliament do have very useful and important knowledge that will be highly valuable to this study. Furthermore, in-depth interviews are more appropriate than surveys or questionnaires when a researcher aspires to ask open-ended questions that elicit in-depth information from a relatively small group of people (Guion, Deihl & McDonald, 2011). It should be noted however that while women and Māori MPs are distinct and unique groups, it should not be assumed that female and Māori MPs will form an alliance or vote in accordance with each other, or that they will automatically unite in finding a solution to problems they might be facing. The information gathered through the interviews helps to provide a greater insight into the individual roles of both sets of MPs in parliament, and how they perceive their "allegiance" to women or the Māori people based on gender and ethnicity.

After each interview, the recordings were transcribed, and a copy of the transcript was sent to the interviewee within one week of the interview. Only two of the participants requested minor changes to their transcripts. Partial confidentiality was offered to each participant with the hope that they would feel more comfortable responding to the questions. As was promised in the consent letter sent out to interviewees their names will not be included in the study, even though the names of all participants will be included in the appendix section of the dissertation. To further protect the identities of the participants, throughout the study the female MPs will be identified as Interviewee A, B, C, D, E, F and G and Māori MPs will be identified as Interviewee 1, 2, and 3.

Structure of the study

The dissertation will include seven chapters beyond this introductory chapter. Chapter two expands on the definitions, theories and arguments on minority representation introduced in this chapter, elaborating in more detail on Hanna Pitkin's 1967 seminal work on representation and Anne Phillip's politics of presence. It develops the concepts of representation, in both its descriptive and substantive forms and reviews the literature that suggests that the design of electoral systems can affect women's or minorities' representation. Throughout, the chapter will raise and answer several important questions about how representation is evaluated and the effects of electoral systems on women and minority representation.

Chapter three provides a specific assessment of the Mixed Member Proportional system and the possibilities that it provides for women and minority representation. It begins with a definition and overview of the Mixed Member Proportional system, and then provides a critical and in-depth case study on electoral reform and electoral systems using the New Zealand experience as a case study. Using a cross-time approach, the study will examine the transition from the FPTP system (1856-1993) to the MMP system (1996-2008) in New Zealand. It will also examine the reasons for New Zealand's abandonment of the FPTP electoral system, and the contributions made by the Royal Commission on the Electoral Reform in changing the political landscape in New Zealand. Finally, it provides an in-depth analysis of how the MMP system works, and the representational benefits that have been derived by women, ethnic minorities and small parties.

Chapter four is divided into two sections. The first will look at the history and struggles of New Zealand women in their fight for greater representation. It then goes on to examine the representational gains that have been made by women as a result of the MMP system, and more specifically, as a result of the party list. The second section will explore the history, struggles and rise of the Māori people in their quest for greater political representation in New Zealand's Parliament. It also explores the importance of the Māori seats to Māori representation in parliament both before and after MMP. Finally, it examines the level of descriptive representation enjoyed by the Māori people as a result of the MMP system.

Chapter five of the study will assess the numerical effects (descriptive representation) of the MMP system on women and Māori. It will do so through an examination of the number of women and Māori MPs elected to the New Zealand House of Representatives and Cabinet between 1996 and 2008. More importantly, it will highlight the importance of political parties in nominating, selecting and ranking candidates in winnable positions on the party list so as to best maximise their chance of being elected.

Set within a politics of presence framework, chapter six is the first of two empirical chapters. It seeks to determine the level of substantive representation that women enjoy when there are more female MPs elected to parliament. It will do so by tracing the impact of female MPs in two areas of the legislative process: agenda setting and policy outcomes. The chapter will be divided into two sections. The first section will analyze female MPs legislative behaviour in parliament to determine the extent to which they speak about representing women's interests. This will be done through a discourse

analysis of parliamentary speeches on two particular areas that can be considered "women's issues": domestic violence and paid parental leave. The second section of the research will assess the ability of female MPs to influence policy outcome once elected to parliament. Policy outcome is operationalized to mean *the introduction of Private Members' Bills*.

Chapter seven is the second empirical chapter, and it addresses the extent to which increased presence of Māori representatives in parliament is likely to facilitate and improve the level of representation of Māori interests and concerns. It also examines the extent to which "being Māori" influences the representational role of Māori MPs. The chapter is divided into two sections and the first will analyze Māori MPs legislative behaviour in parliament to determine the extent to which they speak about representing Māori and Māori interests. This will be done through a discourse analysis of parliamentary speeches on two particular areas that can be considered Māori issues: the Foreshore and Seabed Bill and the Marine and Coastal Area Bill. Finally, the second section of the chapter will examine the extent to which Māori representatives influence the level of policy outcome once elected to parliament. This will be done through an assessment of Members' Bills introduced in parliament by Māori MPs. Similar to chapter six, policy outcome will be defined as the introduction of Members' Bills.

Chapter eight is the discussion chapter. It clarifies the relationship between women and Māori descriptive and substantive representation by interpreting the main findings of the study and offering possible explanations for particular occurrences. It also identifies some of the central themes and ideas stemming from the two empirical chapters.

Chapter Two: Political Representation and Electoral Systems

Introduction

The aim of this chapter is to examine more fully the relationship between political representation, electoral systems and policy outcomes (substantive representation). It will do so through a focus on the representation of women and ethnic minorities.[4] It begins by focusing on the nature of political representation, both as it relates to what representatives are expected to do when they are in Parliament, and also the people that they represent---the groups on whose behalf they speak or act. Building on Hannah Pitkin's *The Concept of Representation* and Anne Phillips' *Politics of Presence* it will examine the relationship between the descriptive (numerical) representation of women and traditionally underrepresented minority groups, and the substantive representation of their interests. Secondly, it will examine the effects of electoral systems on women and minority representation. Those elements of the electoral system that mostly influence women's and ethnic minorities' access to parliament will be identified. Theorists on representation often fail to consider political structures and how they affect minority representation, but these structures do play an important role in affecting the ways in which political representation takes place. On a more general level, the chapter will argue that minority representation is important in order to ensure that all groups in society have their interests represented and advocated for by their political representative.

[4] A definition of ethnic minorities will be adopted from Bulmer who defines an "ethnic group" as "a collectivity within a larger society, having real or putative common ancestry, memories of a shared past, and a cultural focus on one or more symbolic elements which define the group's identity, such as kinship, religion, language, shared territory, nationality or physical appearance. Members of an ethnic group are conscious of belonging to the group"

What is Political Representation?

The term "representation", like most political concepts, is difficult to define, and is at best a contested concept. Loewenberg (1972) sums up the debate around representation by arguing that:

> Representation…is an ill-defined concept that has acquired conflicting meanings through long use. It may be employed to denote any relationship between rulers and ruled or it may connote responsiveness, authorization, legitimation, or accountability. It may be used so broadly that any political institution performs representative functions or so narrowly that only an elected legislature can do so. (p. 12)

Hannah Pitkin (1967), reinforces Loewenberg's argument by noting that:

> In modern times almost everyone wants to be governed by representative (although not necessarily by a conventional representative government); every political group or cause wants representation; every government claims to represent. At the same time we are troubled by the difference between sham and real representative institutions, and by the many competing ways in which representation can be institutionalized (p.2).

From a minimalist perspective, representation can be defined as "standing for or symbolizing something." Fairlie (1940) defines representative democracy as "a form of government where the powers of the sovereignty are delegated to a body of men, elected from time to time who exercise them for the benefit of the whole nation" (p. 456). Viewed from this perspective, political representation can be defined as the mechanism or process by which democratic government becomes possible.[5]

For Pitkin (1967), political representation is a "public, institutionalized arrangement" where representation emerges not from "any single action by any one participant, but [from] the overall structure and functioning of the system" (pp. 221-

[5] On the concept of representation, see also A. H. Birch, *Representation* (London, Macmillan, 1978) and Heinz Euleau and John C. Wahlke, *The Politics of Representation* (London, Sage Publications, 1978).

222). That system exists "not merely [to] promote the public interest" but to be "responsive to popular wishes when there are some" (p. 233). Based on this definition, political representation occurs when political actors advocate and act on the behalf of those they are supposed to be representing in a responsive and timely manner. It is the act of making citizens' voices, opinions, and perspectives present in the public policy making processes. Any form of political representation will, therefore, exhibit the following four components: the represented; representatives; opinions or interests being represented; and a political context within which these interests or opinions are being represented (Birch, 1972).[6]

Political scientists such as Birch (1971), Pitkin (1967), Pennock and Chapman (1968) and J.S. Mill (1861) have developed various arguments aimed at pinpointing exactly what they conceiverepresentation to be. The differences in their conceptualizations are centered around identifying the way representative institutions are to be composed; the relationship between the representative and his/her constituent; understanding the role/function of a representative, and finally, identifying who can be considered a representative. While these theorists differ to one extent or the other in their conceptualizations, they all agree on one thing: that representation, and more so, political representation is a hallmark of democracy and is therefore, crucial to the effective operation of modern democratic societies. Mill (2008), for example, points out that:

> The only government which can fully satisfy all the exigencies of the social state is one in which the whole people participate, that any participation, even in the smallest public function, is useful; that the participation should everywhere be as

[6] For more contemporary approaches to the issues of representation, see Williams (1998), Urbinati (2000) and Young (2000)

> great as the general degree of improvement of the community will allow, and that nothing less can be ultimately desirable than the admission of all to share in the sovereign power of the state. (p. 217)

Types of Representation: Descriptive and Substantive

One of the most insightful analyses of the concept of representation is that by Hannah Pitkin (1967) who distinguished four major ways of understanding representation as it relates to issues of democracy and minority representation---formalistic, symbolic, descriptive and substantive. However, of the four types of representation that she identified, she was quick to point out that the formalistic, symbolic and descriptive are all limited in their views of representation. Formalistic representation according to Pitkin is concerned with the institutional arrangements that govern and or initiate representation. It is the act of bestowing authority onto an individual to act for others. She criticizes this form of representation for being too authoritative. Representatives can be held accountable for their actions, but all their actions will be counted as "representation" whether they are acting poorly or not. She further argues that it is also much more difficult under this system of representation to determine how democratic rulers should act once elected, or what their roles, duties and obligations should be as a representative (Pitkin, 1967). Also referred to as "flag representation", symbolic representation on the other hand refers to the extent to which a representative "stands" for the represented. He or she does not necessarily have to share many common characteristics with those being representing. Similar to formalistic representation, symbolic representation provides no criteria for judging representatives, nor does it offers advice or guidelines on how representatives should act once elected.

This study is primarily concerned with substantive representation as it is the one type that generally determines the level of representation that minority groups are able to enjoy in the legislative assembly. Even though Pitkin dismisses "descriptive" representation as being too limited in its views of representation and representatives, studies on political representation have shown that substantive representation is hardly achievable without some form of numerical representation, and so this study will examine both substantive and descriptive representation in an effort to better understand how minority and underrepresented groups are able to achieve "effective" representation.

Descriptive Representation

Descriptive or "standing for" representation is occupied with who governs. It depends on the characteristics of the representative, rather than what he or she does. As argued by Pitkin (1967), "the representative does not act for others; he "stands for" them, by virtue of a correspondence or connection between them, a resemblance or reflection. In political terms, what seems important is less what the legislature does than how it is composed" (p. 61). Also called "mirror" or "numerical" representation," descriptive representation is based on the notion that it is necessary that representatives share the experiences, needs and interests of their constituency, as the minority cannot be adequately represented by the majority. The Legislative Assembly should therefore mirror the wider society as a whole, reflecting divergent groups, opinions, interests and traits (Pitkin, 1967; Mansbridge, 1999).

Numerical or descriptive representation is also seen as essential for the protection of minority and underrepresented groups. The United Nation's Declaration on the Rights of

Persons Belonging to National or Ethnic, Religious and Linguistic Minorities states in Article 2 (2) and (3) that:

1. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life;
2. Secondly, persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation (United Nations, 1992)

The *1995 UN Beijing Platform for Action* also reinforces the United Nation's Declaration through their commitment to the empowerment of women based on the notion that "women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace" (United Nations: The Beijing Declaration, 1995).

Minority groups benefit from being represented by members of their own group in three separate instances: firstly "where the dominant group has learned not to listen and the subordinate group has learned not to trust" (Mansbridge, 2000, p. 99). In this case, minority groups may find themselves better represented by members of their own group "with whom they can communicate easily and by whom they can reasonably expect to be better understood" (p. 100). Secondly, descriptive representation may be effective when there is a need to put new issues on the political agenda, which requires someone who has had personal experience or who is personally in touch with the needs of their constituents to be a representative for the community (p. 99-100). Finally,

representation of minority groups not only legitimises the groups' right to have a place and a voice in the legislature, but it can also "change the social meaning of membership in that group through their actions and presence in the body authorized to make laws for the polity as a whole" (p. 100). People might also be more satisfied about politics, or feel closer to their MP or representative if they share the same gender and/or ethnic characteristics (Vowles & Aimer, 2004).

According to Norris (2004a), recent decades have seen an increase in the demand for greater representation, inclusion and empowerment of women and minorities. Feminist theorists, she argued, advocated for the presence of more women in parliament because they believed that a substantive number of women in the legislative assembly will facilitate the articulation of different perspectives on political issues. Advocates for the increase in descriptive representation for women believe that a numerical presence in the legislature led to substantial gains in policy outcomes or substantive representation (Celis 2009; Wängnerud 2009). Women and minority groups are much more likely to promote their group's interests and concerns than the majority can, even if there is no guarantee that they will do so.

The need for increased presence of women and minorities in the legislature is also based on the idea that these groups possess distinct interests in common which only they are capable of effectively representing or emphasizing (Celis 2009; Norris, 2004b; Bird, 2003). These distinct interests include issues relating to child-bearing and health, exposure to sexual harassment and violence, unequal division of paid and unpaid labor, and exclusion from most arenas of economic and political power (Phillips 1995; Wängnerud 2009). Finally, it has been argued that, not only may policy outcomes

be influenced by descriptive representation, but the actual behaviour and attitudes of minority populations may be positively influenced by being descriptively represented (Bobo and Gilliam 1990).

Kanter (1977) hypothesized that "relative numbers of socially and culturally different people in a group are seen as critical in shaping the interaction dynamics in that group" (Kanter 1977; p.965). She also argues that when minority group participation is less than 15 percent of the total population, they are considered "token participants" and likely to encounter serious challenges in their quest to fully and effectively participate as a group. Therefore until minority group representation increases to at least 30 percent of legislative assemblies, they are not likely to feel free to fully participate to engender significant impacts on their groups' decision-making processes (Kanter 1977; Mansbridge 2005).

Dahlerup (1988), in her examination of the "critical mass" theory, further argues that the numerical representation of minorities should automatically influence policy outcomes as only if minorities reach a "critical mass" within parliaments will they be able to make a difference. The "critical mass" theory argues that, in order to have any substantial effect on the legislative outcomes, women and minorities need to move from a mere token in the legislative assembly to a considerable minority of all legislators instead. The number of women and minorities in the legislature needs to increase before they will be able to work more effectively together to promote women and minority-friendly policy change, or influence the majority to accept and approve legislation promoting women and minority concerns.

The "critical mass" concept has not gone unchallenged. Critics have attacked

the theory on the ground that it is limited in its analysis of the relationship between the number of women elected to legislative bodies and the enactment of bills that directly benefit or affect women. Crowley (2004) for example, argues that small or "token" groups can make a difference without reaching a critical mass. She posited that any group can achieve a legislative goal even if they are fewer in numbers. The small nature of a group she noted often prompts them to rally together and push forward legislation and policies that are of importance to them (Crowley, 2004). Furthermore, if token groups of people want to further maximise their strength or influence, they can form active coalitions with other groups in order to achieve specific legislative objectives. The essence of Crowley's argument is that even at low levels of representation, small numbers of any group can make a policy difference.

Grey (2002) highlighted the fact that despite gaining numerical representation in parliament, a backlash by male colleagues may actually increase the difficulty of advancing a "women's agenda." She noted that women MPs in New Zealand experienced higher rates of "gender labeling" and harassing remarks during parliamentary debate, even after their numbers grew from four percent to 29 percent of the parliament over the course of 25 years (Grey, 2002). Another argument raised against the "critical mass" theory is that even when significant numbers of women are elected to a legislature, political inexperience, membership in a political party (Childs, 2004), legislative inexperience (Cowley and Childs, 2003), and external political environment, including the electoral system and continuing social stereotypes, can constrain their effectiveness (Sawer, 2004; Tremblay, 2003).

Women and ethnic minorities in the legislative body will raise distinctive

concerns and priorities that might have been otherwise left unheard. It therefore stands that an under-representation of these groups may have serious implications for the public policy agenda and for the articulation of women and minority interests, and ultimately, on democratic legitimacy (Norris, 2004b). A society where absolute power rests in the hands of the majority indicates a system of illegitimacy and exclusion. Lijphart (1984) argues that "majority rule is not only undemocratic but also dangerous, because minorities that are continually denied access to power will feel excluded and discriminated against and will lose their allegiance to the regime" (pp. 22-23). Democratic societies therefore "need to provide mechanisms for the effective recognition and representation of the distinct voices and perspectives of those of its constituent groups that are oppressed and disadvantaged" (Young, 1990, p. 184). A failure to do so will result in policy outcomes that reflect only the ideas and preconception of the dominant groups within the particular society.

Substantive Representation

Descriptive representation is "the glue that binds the several dimensions of representation together into something resembling a coherent whole" (Schwindt-Bayer & Mishler, 2005, p. 423). A focus on the descriptive representation of minorities in parliament is necessary to reveal the extent to which power is shared between minorities and non-minorities, underrepresented groups and the majority. Mere numbers, however, may not be the true test of whether these groups have much influence on the decision making process and policy outcomes, or that representatives in the legislative assembly will truly represent those to whom they "owe their allegiance". Women's and ethnic minorities' presence in the legislative body is a necessary, but not a sufficient condition

for their substantive representation. Ultimately, "descriptive" representation is needed to generate "substantive" representation in issues and policy areas that are important to their advancement (and society at large) because of the equality implications it generates. An increased presence in the legislative assembly, however, becomes purely symbolic if it does not bring about policy outcomes that reflect the interests of conventionally underrepresented groups. Swain (1993) reiterates this point by contending that the level of descriptive representation that groups enjoy within a governing body should always be measured alongside who the representatives are acting for. She noted for example that "whenever we consider the descriptive representation of blacks in Congress, we must always ask whether substantive representation is also present" (Swain, 1993, p. 7).

According to Pitkin (1967), only substantive representation "supplies us with standards for judging the representative's action, for deciding whether he has represented well or ill" (p. 142). Pitkin also defines substantive representation as "acting in the interest of the represented, in a manner responsive to them" (p. 209). She also notes that "there need not be a constant activity of responding, but there must be a constant condition of responsiveness, of potential readiness to respond" (p, 33). This definition implies three criteria of substantive representation. First, it is about how representatives act, as opposed to who they are. Secondly, the result of the representative actions should be in the interest of the represented. Finally, representatives should be responsive to the needs and interests of those they seek to represent. For the purpose of this research, substantive representation will be further operationalized to mean: *the*

ability of women and ethnic minorities to influence policy outcomes and the decision-making process, once elected to the Legislative Assembly.

Substantive representation requires that representatives be responsive to those they seek to represent and not the other way around (Pitkin 1967, p. 140). This then raises the question of *how should elected officials act once elected to parliament?* Should they be free to act in a manner that is beneficial to the interests of the nation itself, or should they be an agent for their constituents and act and vote according to their constituents' interests? There are two main theories of political representation that offer opposing views on how legislators should behave when elected to parliament: the *trustee* school and the *delegate* school of thought. Representatives in the trustee school of thought are allowed to act on behalf of the represented, while those in the delegate school of thought are given stipulations on what they should do. The representative is regarded as a delegate with no independence.

A representative within the trustee school of thought is defined as "one who within the limits of his constitutional power, has been chosen to act freely and independently in the name of the people. He must have full independence of judgment, and action in order to fulfill his mission" (Eismen as cited in Fairlie, 1940, p. 461). The main argument of the trustee school of thought is that citizens after voting for their representative should leave all decision making to them. Representatives are considered superior to their "subjects" and are therefore free to act in accordance with what they deemed best for their constituents or for the rest of society.

J.S. Mill, one of the leading theorists on representative democracy, argues that, if a representative is more knowledgeable than his constituents, he has the right and the

responsibility to use his own judgment and opinions when representing the voters. He provides very compelling arguments for the trustee school of thought by noting that:

> [It] is not that the people themselves exercise political judgment, either directly or through the agency of instructed delegates, but that they assign this responsibility to the wisest and most virtuous among themselves, who will then serve as independent trustees of the public interest. The many must exercise their judgment 'rather upon the characters and talents of the persons whom they appoint to decide questions for them than upon the questions themselves' (cited in Krouse 1982, p. 524).

While Mill acknowledges that a trustee might be better informed than his constituents, he failed to note that he or she might be willing to ignore peoples' opinions in order to do what they think is best for their constituency and consequently, the country at large. Advocates of the trustee school also fail to persuade voters that a legislative assembly made up of representatives, endowed with the power to do whatever they want, will take their interests to heart. The question of who can better represent women and ethnic minorities thus comes into play. Males can represent female interests, and Caucasians can represent Blacks or Chinese; in an ideal world, this might not be a problem. The reality however, is that a male representative might have very different views about "feminine" issues such as childcare, abortion, and maternity leaves than females would. Likewise, Caucasians can represent Blacks, but they might not understand their experiences or share the same beliefs, values, and expectations. It therefore follows that if minorities and underrepresented groups entrust their representatives to make decisions for them, and they act as a trustee and make their own decisions, they (minorities and underrepresented groups) might end up feeling very alienated and disempowered.

Even if a representative makes a decision for the benefit of the country or the electoral district as a whole, women and minority groups (and majorities) will still be

frustrated that the representative they voted for did not adhere to their wishes. They will also be less likely to vote for him or her in the next election; this can further lead to feelings of alienation or low voter participation. Furthermore, it would be unjust to expect individuals to set aside their personal beliefs in support of the "greater good". People have pre-formed preferences, interests and goals which form an essential part of what motivates them to enter political arenas in the first place (Rawls, 1996, p. 82). By requiring that citizens put aside their interests, it may seem that the trustee school of thought is unfair, and thus illegitimate.

The delegate school of thought on the other hand, suggests that the legislator should follow the expressed instructions or preferences of his or her constituents. Representatives are not autonomous from their constituents, and are there to act as the voice of those who cannot literally be present in parliament or at the decision making table. The representative's success will therefore be judged by how well he or she succeeds in achieving the expectations and needs of their constituents. There are two conditions that must be met simultaneously before delegated representation can take place. These include a belief by the representative that he or she is obliged to behave in accordance with constituency preferences (the representative must consider him or herself as a delegate); and secondly, the constituency must organize and express its preferences in a way that allows the representative to develop a reasonably accurate perception of constituency opinion (McCrone and Kuklinski, 1979).

Proponents of the delegate school of thought argue that a delegate is better able to accurately represent his constituency, and convey their wishes to the legislative body. They however, face the problem of explaining how effective or responsive

representatives will or can be in politically and culturally diverse societies. They have also been criticized on the ground that Parliament and its representatives are not there to merely tend to local opinions, but are instead there to ensure that the interests of the wider society are met. Edmund Burke (1955) who developed both the "trustee" and "delegate" schools of thought argues for example that:

> Parliament is not a *congress* of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the whole; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of *parliament* (p.115).

Acting as a delegate greatly limits the role of the representative. Pennock (1979) describes them as "functionless", while Pitkin (1967) compares them to "a mere agent, a servant, a delegate, a subordinate, substitute for those who sent him" (p. 146). She went on to argue that the representative:

> …is "sent as a servant", not "chosen with dictatorial powers", and so the purpose which sent him must have been the constituents' purpose and not his own. They sent him to do something for them which they might have chosen to do for themselves, which they are perfectly capable of doing and understanding. Hence the representative was sent to pursue his constituents' will and not his own. (Pitkin, 1967, p. 146)

Policy responsiveness is a measure of *substantive representation*: whether elected officials *act* in accord with the wishes of the citizens they represent (Schwindt-Bayer & Mishler, 2005). Based on the trustee-delegate models, when a representative is considered to be superior or more knowledgeable on particular areas of interest, he/she should act as a trustee and work towards ensuring that the interests and needs of the represented are met. Alternatively, if both the representative and the represented are

considered to be of equal capacities, or where personal interests and preferences come into play, then the representative should act as a delegate.

In practice, it is rare to find any representative acting purely as a trustee or delegate within modern democratic societies. Legislators nowadays tend to act more like a *politico.* A politico does whatever he or she needs to do to get re-elected. They are usually careful not to go against the wishes of their constituents, in fear of being punished at the next election. Proponents of the politico theory argue that within this system, representatives weigh input from a variety of competing interests, including special interest groups, party leaders, and political relationships, in addition to constituent opinions and personal judgment (Galloway, 2008). Representatives ideally measure the degree of public opinion on particular issues and then decide whether to act in accordance with their constituents or act in line as a trustee. Under the politico system, the role of a representative is therefore, twofold. According to Galloway, it is in the nature of the representative's job to ask him or herself:

> Am I merely a delegate from my district or state, restricted to act and vote as the majority which elected me desire, bound by the instructions of my constituents and subservient to their will? Or am I, once elected, a representative of the people…free to act as I think best for the country generally? (Galloway, 2008, p. 163).

The role of a representative as illustrated by Galloway, is to follow public opinion insofar as it expresses the desires, wants, needs, aspirations and ideals of the people, measure it in terms of the practicability of turning it into public policy, and consider it in the light of his own knowledge, conscience, and conviction. Legislators do have more knowledge and resources at hand than the average person in their constituencies, and so they can draw from that knowledge and resources to better fulfil the needs of the people.

To sum it up, "a true representative of the people, would follow the people's desires and at the same time lead the people in formulating ways of accomplishing those desires" (Galloway, p. 165).

Policy responsiveness, however, is not the only outcome of substantive representation as argued by Fenno (1978). According to Fenno, policy preferences form a crucial basis for the representational relationship between the policy preferences of voters and the policy decisions of the elected representatives. We however, "should not start our studies of representation by assuming they are the only basis for a representational relationship. They are not" (Fenno 1978, p. 241). In their study on *Women and Electoral Politics in Canada*, Tremblay and Trimble (2003) point to other ways that female representatives, for example, can make a difference in parliament. They can bring women's experiences to the political arena; be in contact with the feminist movement and put its demands in the political arena; consider the criterion of gender when speaking on legislation; make policies intended to change or improve the living conditions of the female population; and finally, promote a different parliamentary style (p. 18). It is expected that the same can be said of other underrepresented groups in parliament or governing bodies.

Substantive representation is often favoured as the standard for minority representation. This means that a legislator represents the interests of his or her constituents. Unlike the notion of descriptive representation, the importance is not on what the legislative assembly looks like but instead on what it does. The concept of substantive representation also assumes that any one person can represent a particular group, provided that they support the group's wishes, needs and interests by their

opinions and actions. Pitkin (1976) argues that a representative's identity is only relevant as it relates to his or her actions and that a representative "must first of all be capable of effective action" (p. 65), otherwise, he is not a representative at all. In other words, representatives best serve their constituents by pursuing the interests of the members of their constituents, rather than simply "mirroring" them.

There are various ways identified in the theoretical literature that a representative may act on behalf of the represented.[7] The most common interpretation however, is that they should enact laws and implement policies that are responsive to the needs or demands of citizens. One argument in favour of substantive representation for women and minorities is the notion that:

> While descriptive representation functions somewhat by default (because there are women [and minorities] in parliament, they are therefore said to be represented), substantive representation requires consciousness and deliberate actions: a woman [or minority] MP must speak and act in favour of the expectations, needs and interests of women [and minorities]. (Tremblay 2007, p. 283)

In the literature on political representation, there are theorists and studies that have been skeptical of the merits of descriptive representation relative to substantive representation (Pitkin, 1967; Birch 1971; Grofman 1982; Thernstrom 1987; Swain 1993). These scholars share Pitkin's perception that "an over-emphasis on who is present in the legislative assemblies diverts attention from more urgent questions of what the representatives actually do" (quoted in Phillips, 1995, p. 3). Normative

[7] See for example: Eulau and Karps (1977). Eulau and Karps (1977) who identify three other ways in which representatives can respond to constituents: *service responsiveness*, which refers to the provision of particularized benefits to individuals or groups; *allocation responsiveness*, which refers to the generation of pork barrel benefits for the constituency; and *symbolic responsiveness*, which refers to intangible gestures made in response to constituent interests.

theorists argue against the very essence of descriptive representation. Even among supporters of group representation, descriptive representation has found very little support. Kymlicka (1995), contends that "the general idea of mirror [descriptive] representation is untenable" (p. 139). He further went on to ask the question:

> If men cannot represent women, can white women represent women of colour? Within the category of women of colour, can Asian women represent African-Caribbean women? Can middle-class heterosexual able-bodied Asian women represent poor, disabled or lesbian Asian women? Taken to its conclusion, the principle of mirror representation seems to undermine the very possibility of representation itself. (p. 140)

Swain (1993), in an in-depth investigation of the actions of Black members of Congress in the United States of America concluded that "[m]ore black faces in political office will not necessarily lead to more representation of the tangible interests of blacks" (p. 5). She also went on to note that "a shared racial or ethnic heritage is not necessary for substantive representation and says little about a politician's actual performance" (Swain, 1993, p. 5). Young (1997) concurs with Swain by arguing that "having such a relation of identity or similarity with constituents says nothing about what the representative does" (p. 354).

Electoral System and Minority Representation

It is evident from the literature on descriptive and substantive representation that the numerical representation of women and minorities is important, but that representation becomes purely symbolic if it does not bring about positive and substantial outcomes. If one should agree that descriptive representation is necessary for minority and underrepresented groups to gain representation, the question then arises as how best we can achieve same. There are a wide variety of socio-economic, cultural and

political factors that can hamper or facilitate women's and minorities' access to the legislative assembly. Early research on the underrepresentation of women and minorities in elected legislatures often emphasizes the effects of social and cultural barriers. More recently, this attention has turned to political factors, such as party ideology, electoral system and candidate selection rules. The electoral system, as noted earlier, will be identified in this study as one of those political structures that greatly affect the level of representation that women and minorities are able to enjoy. According to Norris (2004a), "electoral systems represent, perhaps, the most powerful instrument available for institutional engineering, with far reaching-consequences for party systems, the composition of legislatures, and the durability of democratic arrangements" (p. 209).

There is a strong relationship between electoral systems and the number of women and ethnic minorities in the legislative assembly. Electoral systems over the years have proven to be one of the most stable and important political institutions. By translating the votes cast in a general election into seats won by parties and candidates, electoral systems can shape the nature of representation in any system of government; structure the arena of political competition by determining who gains access to power; and finally, determine how power will be shared (Reynolds, 2006). They also act as the conduit through which the people can hold their elected representatives accountable.

Different electoral systems produce different outcomes; the type of electoral system in place can greatly affect which groups are represented, and which voices are left unheard. Studies have shown that list proportional representation systems such as parallel and mixed member proportional (MMP) systems provide the best political opportunity for women, ethnic, religious and linguistic minorities to get elected to

parliament (Matland, 2005; Reynolds, Reilly and Ellis, 2005; Lovenduski and Norris 1993).[8] Electoral systems that rely on single member districts (such as the First Past the Post System or the Alternative Vote System) often fail to guarantee proportional representation or minimal percentage of seats for minorities (unless there are special provisions in place or additional seats are elected by party lists) (Lijphart, 1994; Shugart, 1994; Rule, 1994). Vowles and Aimer (2004) argue that single member constituency electoral systems are effectively barriers to the representation of minority groups:

> …simply because in choosing candidates party selectors will tend to pick 'safe' or 'middle of the road' candidates when the vote is for a single member as in an electorate. Where the vote is for a list or a larger number of candidates, party selectors are more likely to go for a balance of different sorts of candidates, some of which can be chosen in order to represent minorities or other more marginal groups. (p. 168)

Lijphart (1984) reinforces Vowles' and Aimer's argument by noting that majoritarian systems often exclude ethnic minorities, thus reducing their faith in the fairness of the electoral outcome and the democratic society in general. According to Lijphart (1984):

> Especially in plural societies---societies that are sharply divided along religious, ideological, linguistic, cultural, ethnic, or racial lines into virtually separate sub--societies with their own political parties, interest groups, and media or communication-the flexibility necessary for majoritarian democracy is absent. Under these conditions, majority rule is not only undemocratic but also dangerous, because minorities that are continually denied access to power will feel excluded and discriminated against and will lose their allegiance to the regimes. (pp. 22-23)

In a proportional representation system the aim is to consciously translate a party's share of the national or regional votes into a corresponding share of seats in the legislative assembly (Reynolds, *et al*., 2005). The basic idea behind the PR electoral

[8] PR systems alone cannot ensure effective representation for women and minorities, but they have shown to be more effective when compared with majoritarian systems.

system is that it will better reflect opinion and interests of the electorate, and thus makes for fairer and broader representation, which will then result in responsiveness, legitimacy and order. One argument often put forward by advocates of PR systems is that "a democratic legislature should be representative of the interests and viewpoints of the electorate, and hence…the only proper form of representation is proportional representation" (Lijphart & Grofman, 1984, pp. 5-6). Lijphart (2004) further argues that "the beauty of PR is that in addition to producing proportionality and minority representation, it treats all groups---ethnic, racial, religious, or even non-communal groups--in a completely equal and evenhanded fashion. Why deviate from full PR at all?" (pp. 99-100).

In a comparative study carried out on 13 democracies with parliamentary systems over a 30-year time span (1960 to the late 1980s), Lijphart (1994) found that proportional representation (PR) systems were superior to plurality/majority systems based on certain "quality factors." These include greater representation of minority interests, much higher representation of women in legislatures, a much higher voter turnout and greater income equality. During the period under study, four democracies used single-member district elections (Britain, Canada, Australia and New Zealand) while nine used PR (Germany, Italy, Austria, the Netherlands, Belgium, Finland and three Scandinavian countries) (Lijphart, 1994). There is also evidence to support the fact that minorities in countries with reserved seats or quota systems are more likely to be represented in the legislative assembly than those without.

While PR electoral systems are considered superior for women and minorities, not all PR systems are equally preferred or will work to bring about representation for

women and ethnic minority groups.[9] There are certain features of some PR systems that make them more representative of women and minorities than others. The ability of a PR electoral system to effectively and fairly translate the votes cast in an election into seats in the legislative assembly depends to a large extent on whether there is a large district and party magnitude; whether it uses List PR (closed or open list) system; how candidates are nominated and selected; or whether it facilitates strategies aimed at including more women and minorities in the legislative assembly.

Most proportional representation systems have consistently higher district magnitudes, which lead to higher party magnitudes.[10] PR systems with high district magnitudes are important because they affect party strategy when choosing candidates. There is a general agreement in the literature on PR systems and district magnitudes that when a party pulls candidates from deeper in their lists, women and ethnic minorities have a greater likelihood of winning a seat (Norris, 2006; Matland & Brown, 1992 and Rule, 1987). While these two groups are often placed lower on a party list, there is still a greater chance for them to be elected as the party goes further down the party list in an attempt to fill all its seats. In a study on 23 parliamentary democracies using proportional representation, Rule (1987) found that list PR systems, in particular those with large district magnitudes, were very important in women gaining greater representation. The Nordic countries, which were the most successful at electing women, had a wide range of district magnitudes. For instance, Finland had an average of 13 candidates per district; Sweden an average of 12; Denmark an average of 10; and

[9] PR also does not work the same way for ethnic and visible minorities as it does for women

[10] District magnitude is the number of seats per district; party magnitude is the number of seats a party wins in a district.

Norway had district magnitude ranges from two to 16 seats, giving an average of seven (p. 491). Lijphart (1999) in a study of thirty-six democracies from 1945-1996 also found that the average electoral disproportionality[11] under PR systems ranged from 1.30-8.15, while in majoritarian systems, it ranged from 9.26 to 21.08.

While district magnitudes are considered crucial for the election and selection of women and minorities, party magnitudes are also of great importance. If women and minorities are to win seats in parliament, parties have to win several seats, and it is only as the number of seats per district increases that parties will go further down their lists to help fill those seats. Because higher district magnitude allows for a longer party candidate list, it also makes it easier for political parties to consider all social groups when constructing the party list (Norris, 2006). The visibility of the list of candidates under a PR system provides greater incentive for parties to present a list representing the social, demographic and economic makeup of the electorate (Bird, 2003).

Parties in PR elections have greater incentives to balance their nominations with a larger proportion of women and minorities because the system requires that they present to the public a full slate of candidates to potentially fill all available seats within a district. Single member electoral districts on the other hand, make it more difficult for parties to include all social groups (Matland and Brown, 1992). In single-member districts, the selection process is often in the hands of the local constituency party, and each party can only nominate one person per district. Furthermore, only the candidate with the plurality or majority of the votes will be elected. As a result of this, "there is little or no incentive for each constituency to pick candidates that will produce a

[11] Electoral disproportionality is the difference between the percentage of votes received and the percentage of seats a party gets in the resulting legislature

balanced ticket at the [regional or] national level" (Bird, 2003, p. 13). Bogdanor (1984) argues for instance that:

> For whereas under a single-member constituency system it is the presence of a candidate who deviates from the identikit norm (whether female or minority) that is noticed, in a party list system it is the absence of a woman or a minority candidate, the failure to present a balanced ticket, that will be commented upon and resented. (p. 115)

Nomination under single-member (plurality/majority) districts is a "zero-sum" game where one person's gain is another person's loss. If a male and a female candidate compete for a party's nomination, a victory for the woman means a loss for the man (and vice versa). When nominating candidates for an election in single-member districts, a party can exclude women and minorities then justify it by arguing that they chose the best person for the job (oftentimes, this candidate is a male or someone from the dominant group in society).

The opposite applies under PR nominations which can be considered a "positive sum game," where one candidate's gain is everyone's gain (Matland, 1991). It is often in the interest of the party under PR list systems to ensure that instead of looking for the "best" candidate who can appeal to a broad range of voters, they can instead appeal to different candidates who can then appeal to a specific subsector of voters. A female candidate for example, can be seen as beneficial to the party by attracting voters without a male candidate having to step aside, as would happen in single-member districts. A failure to nominate women can also have an adverse effect for political parties as it could drive voters away (Matland, 2005). Nominations are usually centralized on a party list and an obvious lack of female and ethnic candidates is easily apparent, and can be perceived as discriminatory; this may be an electoral liability for that party. There is also

greater transparency under list PR systems than plurality/majority stems. The absence and position of women and minorities on the party list is more evident under a list PR system than it is if they were to be nominated under plurality/majority systems.

PR electoral systems tend to lower the barriers to smaller parties, and this has benefit for ethno-political parties, women and other underrepresented group attempting to enter the legislative assembly. Parties determine who will be elected since they choose the candidates, and may place them in a safe and prominent position on the party lists. There are generally more women and minorities in small parties; women are especially more likely to hold positions in these parties and as mentioned earlier, large parties see smaller parties putting forward women and minorities and attracting votes, and they follow suit (Matland and Studlar, 1996).[12] The latter is what Matland and Studlar (1996) refer to as the macro-contagion effect.[13] The reasoning behind the macro-contagion effect is that smaller parties try to differentiate themselves by actively promoting women and minorities in their parties. Larger parties then feel compelled to do more to actively promote women and minorities.[14] It must also be noted that women tend to achieve increased representation through gender balancing within party lists of major parties while ethnic minorities rely more on mobilization through (often small) ethnic parties outside the mainstream party structure.

In summary, PR systems are more representative of women and minorities. This is primarily because parties can be encouraged to craft a balanced party list, reflecting

[12] Minor parties are often considered a "safe haven" for women and minorities.

[13] Macrocontagion is a process where a party responds to general political pressure from competing parties on the issue of representation by increasing its promotion of women across constituencies

[14] Contagion is a process by which parties adopt policies initiated by other political parties.

the wide range of interests, social and demographical make-up of the wider society. A balanced list of candidates can also appeal to a wider spectrum of voters' interests (Reynolds and Reilly, 2005). As noted earlier, in single-member districts, parties usually put up the "most broadly acceptable" candidate and that candidate is usually never a woman or visible minority. Unless women or a particular ethnic or visible minority group forms a majority in a district, it is not likely that a big party would nominate a minority representative to run for the seat. Under List PR systems parties must indicate to the entire electorate that their party lists are representative and inclusive, both ideologically and demographically.

Another feature of PR electoral systems that helps to determine the level of representation and inclusion that minorities and women are able to enjoy is whether or not a closed or open list system is used in the selection process. An open list will allow voters more leeway in determining not just which parties win seats but how a party's parliamentary caucus looks (which can lead either to a progressive or conservative outcome).[15] Electors can vote for individuals and are able to change the position of candidates on lists. Closed systems on the other hand mean that voters are restricted to voting for the whole list of candidates who have already been ranked in order, and whose names may, or may not, appear on the ballot paper. Voters in closed systems are not able to change the order in which the candidates have been ranked (Reynolds et al, 2005).

Open lists are often considered superior to closed lists because they offer voters

[15] On closed party lists, the party determines the rank order of candidates. On open party lists, the voters are able to influence which of the party's candidate are elected via personal voting.

more choice and control over who is elected. There is, however, no guarantee that open list systems will result in the election of more women and minorities. Voters are able to alter the composition of the ballot and so might vote in favour of a well-known male or popular candidate, thus electing fewer women or minority groups. It can also prove very difficult to convince voters to vote for women and minorities once they are on the list. The prevailing view in the literature on PR systems is that women and minorities are more likely to be elected on closed lists than open lists (Farrell, 2001; Norris, 2004a).[16] In an open list system, voters are given more input over whom they vote for, and consequently, what happen to their votes. There is however, no certainty that they will vote for women or minorities during an election. In a closed list system however, parties are usually forced to take steps to elect more women and other traditionally under-represented constituencies. Placing women and minorities in a prominent position on the party list is not only fair and representative, but also very strategic. Schmidt (2003) also argues that in research on the relationship between district magnitude, party magnitude and women's electoral success, the empirical evidence comes "overwhelmingly, if not exclusively, from closed list systems" (p. 4). One concern that is often raised about closed lists is that party elites usually try to balance their list by choosing candidates to represent all major geographical areas, social and political groups. However, in the process of doing so, many good candidates may be dropped from consideration because they do not meet the various balancing criteria (Norderval, 1985; Skard and Haavio-Mannila, 1985).

[16] In rare cases, open lists have increased representation for women. A good example of this is the case of women in Peru. See: Schmidt, 2008.

The List PR system used in South Africa serves as a good example of how a closed party-list can enhance representation for women (and minorities). Once plagued by apartheid and years of racial tensions, South Africa is today a country trying to make its way back on to the world scene as a "democratic" society. Within a First-Past-the-Post system in apartheid South Africa there was a vivid underrepresentation of small political parties, women (white women included), Indians and coloured (Britton, 2008). Not only were these groups prevented from voting or getting elected to the legislative assembly, they were also discriminated against and segregated based on racial grounds.

Today the National Assembly in South Africa is selected through multi-member district closed List PR system. There are 400 members of the NA and 200 of them are drawn from regional lists and 200 from national lists. In an election voters are presented a list of parties and individual candidates who were predetermined by the parties themselves before the election. This means that parties can include women and minorities who might have been otherwise excluded (Britton, 2008; Reynolds, 2005). Women have especially benefitted from the closed List PR system in South Africa. After apartheid came to a close in the 1990, women held only 3 per cent of the seats in the lower house of parliament. After the first national election under PR in 1994, women gained over 26 percent of the seats in the National Assembly. This number continued to increase, reaching 29 percent in 1999 and 32.8 percent in 2004 (Britton, 2008, p. 116). After the 2004 election, women in South Africa held 133 seats or 33 percent of the 400 seats in the National Assembly, a marginal increase from the 28–29 percent in the 1999 election. It is also worth noting that eight of 27 cabinet ministers were women (29.6 percent), and eight of 13 deputy ministers were women (61.5 percent) (Meintjes, 2011;

Britton, 2008).

The number of women in the National Assembly increased because their numbers also increased at the party level. When Nelson Mandela was elected president of the African National Congress in 1994, 32 percent of the candidates on the national party lists were women. In the 1999 national elections, women comprised 30 percent of the winners. In 2004, national party lists with women candidates won 32 percent of the races (Britton, 2008). Statistics show that provincial contests during the same periods showed similar results. Similar numbers were evident in the African Christian Democratic Party which saw an increase from 13 percent at the national level in 1994, 29 percent in 1999 and 32 percent in 2008 (Britton, 2008).

The use of closed lists in the proportional representation (PR) electoral system can be credited for increasing the number of women in the South Africa National Assembly. Women's presence at the national regional and cabinet level also suggests that their status has increased more significantly under democracy than it had under apartheid, when less than 3 percent of representatives had been women (Meintjes, 2005). Percentages and numbers in parliament, however, do not tell the entire story, and South Africa as a country still has a lot of work to do before there is true gender equality. It however points to the fact that through a closed List PR system, women have been able to make gains in areas that were once off bounds for them.

PR systems also pose fewer barriers to the implementation of representative strategies aimed at increasing the number of women and minorities in parliament. These measures include, but are not limited to, reserved seats, re-districting and quotas. Special selection strategies can and have been used under plurality/majority electoral systems,

but they can be harder to implement (Norris, 2004b). In New Zealand, special seats were reserved for Māori representatives in the House of Representatives. Electoral seats have also been reserved for indigenous groups in Lebanon, Fiji, Zimbabwe and India. These reserved seats allowed for representatives of indigenous groups to have an assured place in the legislative assembly, and a forum through which issues crucial to them can be addressed. Reserved seats are also used in countries such as Uganda, Pakistan, India, Rwanda and Bangladesh, to ensure that more women are elected to parliament.

Quotas are especially used by countries to increase the number of women (and minorities) in legislative assemblies. There are several quota methods used by countries trying to improve descriptive representation for women and minorities, but the three most prominent methods are: quotas through constitution or national legislation, quotas through political parties and seat reservations. Quotas for women, according to Dahlerup (2005) entail that "women must constitute a certain number or percentage of the members of a body, whether it is a candidate list, a parliamentary assembly, a committee, or a government" (para 1). The idea behind a quota system is that only when a certain percentage of women are present in a political institution will those women be able 'to act' for women as a group. Most quota systems today aim at ensuring that women present at least a critical minority of 30 to 40% (Dahlerup, 2005).

The IDEA global database on quotas for women lists 107 countries as having constitutional, electoral or political party quotas. On average, women hold 21.2% of parliamentary seats in countries with quotas (IDEA, 2010).[17] It must also be noted that differences in electoral systems appear to be an important factor accounting for the

[17] This number is still below the desired level for women in politics, given the ratio of men to women in countries all over the world.

number of women elected to national legislatures. Of the 107 countries recognized by the IDEA as using some form of quota system, 64 countries use a List PR or mixed electoral system. Countries using a List PR or mixed electoral system also boast some of the highest numbers of women in parliament. Rwanda is an example of the new trend to use electoral quotas as a means of creating gender and minority balance in politics. In Rwanda, women make up 56.3 % of the legislative assembly. Sweden, South Africa and Nicaragua follow closely behind with figures of 45%, 44.5% and 40.2% respectively (IDEA, 2010). These figures corroborate claims made earlier in the study that PR electoral systems do a better job of representing women and minorities.[18]

While it is evident in the literature on electoral systems and representation that women and minorities are better represented numerically under "pure" PR systems, more recently, countries seeking electoral reform have turned to mixed or hybrid electoral systems. Mixed systems are similar to other forms of PR systems in that the overall total of party members in the elected body is intended to mirror the overall proportion of votes received. The difference lies in the way by which they include a set of members elected by geographic constituency and who are deducted from the party totals so as to maintain an overall proportionality (Shugart & Wattenberg, 2001). The outcomes that are typically produced in pure systems also cannot be expected in mixed electoral systems, since the mechanics involved require the application of hybrid or combined rules (Ferrara, Herron & Nishikawa, 2005a; Shugart & Wattenberg, 2001).

Proponents of mixed member electoral systems argue that by combining the distinctive representational features of the plurality/majority and PR system, "the best of

[18] Seat reservation and quotas can and have been used in plurality/majority system as well but they have been less commonly utilized in modern democracies.

both worlds" can be achieved. A central argument in favour of mixed electoral systems is that they offer a more proportional system of representation while still allowing for regional representation, an important thing to have in culturally and ethnically diverse societies. A shift to a mixed electoral system would not only harness the benefits of minority representation indicative of its PR component, but also maintain levels of geographic representation and accountability inherent in plurality/majority systems. Pure list-PR systems provide for reconciliation and inclusivity, but they fall prey to criticisms of generating representatives beholden to a party and not constituents. Systems such as First Past the Post (FPTP) work better in making this connection.

Using the New Zealand experience as an example, the next chapter of the research will examine the mixed member electoral system in depth to gain a better understanding of how it works, and how it can improve representation for women and minority groups. New Zealand provides the perfect example of a momentous change from a "pure" plurality/majority system to a PR system and is arguably one of the few changes to a mixed electoral system that can be considered successful. Electoral reform in New Zealand also provides a good example for countries interested in moving from one electoral system to another.

Chapter 3: Mixed Electoral Systems: Case Study of MMP in New Zealand

Introduction

The type of electoral system used by a country can affect the nature of democratic representation and the composition of government. Most voting systems can provide for the representation of the different groups in a given society, but some make it easier for people from minority interest groups to be elected, and for their views to be easily represented. It is an established fact that countries with a proportional representation voting system are more likely to have a legislative assembly that best reflects the wider society (Duveger, 1984; Lakeman, 1984; Milner, 1999 and Reynolds, Reilly & Ellis, 2005). They are also more likely to ensure the representation of smaller parties in the legislature and provide for multi-party governments. Plurality/majority systems with their single-party governments on the other hand often exclude smaller parties which consequently results in the underrepresentation of women and minority groups in the legislative assembly.

The aim of this chapter is to assess the impact of the Mixed Member Proportional system on women and minority representation. This will be done through an assessment of the New Zealand experience, with a focus on the representational effects on women and Māori. New Zealand's MMP system and experience is not intended to be considered a panacea for change, especially for countries seeking electoral reform. Rather New Zealand's experience is presented as an archetypical example of a momentous change from a "pure" SMP system to a PR system, the process by which the decision was made, and the representational benefits that have been gained.

The Mixed Member Proportional system as used in New Zealand is defined according to Ellis (2005) as:

> A [hybrid] system in which the choices expressed by the voters are used to elect representatives through two different systems: one List PR system and (usually) one plurality/majority system, where the List PR system compensates for the disproportionality in the results from the plurality/majority system. (Ellis, 2005, p. 11)

Extant literature on the advantages of the Mixed Member Proportional system offers a wide range of possibilities that it can provide for countries seeking electoral reform. These include: higher degrees of proportionality; high voter turn-outs; better representation of women and minorities; reduction of "wasted" votes, even in "safe" constituencies; allowing parties to have representation in areas where they cannot win single-seat districts, and finally, the presence of a threshold provides near proportionality for strong parties but a plurality effect for weaker parties, and the limited number of parties contributes to stability and encourages policies (Electoral Commission New Zealand, 1996; Denemark, 2001).

The strongest argument in support of the MMP electoral system derives from the way in which the system is better able to produce a representative legislature by avoiding the inconsistency and disproportionality that usually result from the plurality/majority systems. Mixed electoral systems are often preferred over plurality and "pure" proportional systems by some countries seeking electoral reform because of their ability to achieve "the best of both worlds." Based on this view, a mixed electoral system would not only harness the benefits of minority representation indicative of its PR component but also maintain levels of geographic representation and accountability inherent in plurality/majority systems. Legislators elected in single member districts (SMDs) tend to

be more responsive to local interests, and are held accountable by a community of people living within a particular space. Representatives from proportional representation (PR) lists respond to the broader interests of the party. People's identities are shaped by more than just their physical location, and so their social, economic, ethnic and religious interests need to be taken into consideration. It is important that parliament can reflect the breadth of society so that minority voices have the chance to be heard in parliament.

For countries seeking electoral reform, mixed electoral systems can also prove to be a very attractive option because of their ability to shift the balance of power between the executive and legislative branches of government. The type of electoral system and procedure used by a country can have wider implications than just how votes are cast and seats assigned. The aim of mixed electoral systems is to create proportionality. It therefore follows that the ability of the executive to achieve satisfactory legislative outcomes no longer relies on an inherent ability to dominate a single government caucus. This has greater implications for the level of substantive representation that women and other underrepresented groups are able to enjoy in the legislative assembly. With a wider range of representatives being able to get in to parliament, different viewpoints will be discussed on important issues.

Mixed Member Proportional System in New Zealand

Once regarded among the world's democracies as one of the "purest" examples of the Westminster mode of government, New Zealand changed its electoral system from a Single Member Plurality system to a Mixed Member Proportional system in 1996 (Lijphart, 1984). Prior to the MMP system being implemented, New Zealand's political system was considered more British than Britain (Lijphart, 1984). It was a system

characterized by a two-party electoral system, an "unconsolidated and largely [un]-entrenched constitutional law"; fusion of powers and cabinet dominance; unicameralism and concentration of executive power with one-party, and bare majority cabinets (Denemark, 2001; Vowles 1995, p. 96; Jackson 1987). The electoral system used in New Zealand from 1853 to 1996 was the Westminster-type First Past the Post (FPTP), system which gave every voter one vote. The candidate who received the most votes in each electorate won the seat, however they did not need to reach an absolute majority to be successful.

Parliament under the FPTP system in New Zealand was dominated by the two major parties, Labour and National: a situation which has been deemed an "elective dictatorship". Minor parties were present, but hardly ever made it into the House of Representatives, mainly because the FPTP system excluded them from the electoral process. A small party in New Zealand could have enough support across the country itself but not concentrated enough to receive an electorate seat, and so they lost out on a chance to be represented in parliament. The FPTP system not only concentrated power in the hands of the two major parties, but it also proved to be very unfavorable to the election of women, Māori and ethnic minority groups.

Dissatisfaction with the Electoral System

Dissatisfaction with the First-Past-the-Post electoral system and the disproportional election results it produced provided the main impetus behind electoral change in New Zealand. Other factors include the repeated failure of "third" or minor parties to achieve enough seats in parliament indicative of the percentage number of votes they received in the general election; demand for a more representative parliament;

and a dissatisfaction with the amount of power held by a single party government. Prior to 1996, politics in NZ was based on inter-party inefficiency in that the ruling party did not represent the majority of voters. With a Single Member District system in a unicameral legislature, New Zealand was ruled by strong and decisive majority party governments, with alternation between two major parties. Minor parties were scarcely (or not at all) represented in Parliament (Denemark, 2001), and in several instances a single party won a majority of the seats with under 40% of the popular vote (Denemark 2001; Lundberg, 2007).

Concerns and questions about whether the FPTP voting system was fair for New Zealanders became particularly prominent after the 1978 and 1981 general elections. As Vowles (1995) noted, the 1978 general election was a political watershed for New Zealand, mainly because the Labour Party was able to experience some of the same disadvantages so well known to the minor Social Credit and Values parties. In 1978 the Labour Party won more of the votes (40.4%) and 40 seats, while the National party won fewer votes (39.8) but more seats (51) (Parliamentary Library Research, 2011b). In 1981 National was once again returned to Parliament with a meagre majority of two seats over the opposition Labour party. Even though Labour won 39.0% of the votes, they received only 43 seats, while National won 38.8% and received 47 seats.

Both the 1978 and 1981 elections failed to see the Labour Party gaining enough seats even though they won 10,000 more votes (0.6%) throughout the country as a whole than the incumbent National Party. Labour ended up having 11 fewer Members of Parliament (MPs) than National in a House of 92 MPs (Boston, Levine, McLeay & Roberts, 1996; Parliamentary Library Research, 2011b). The results of the 1978 and

1981 elections in New Zealand served to highlight the fact that the FPP electoral system was highly disproportional in its outcomes.

Minor Parties and Disproportionality

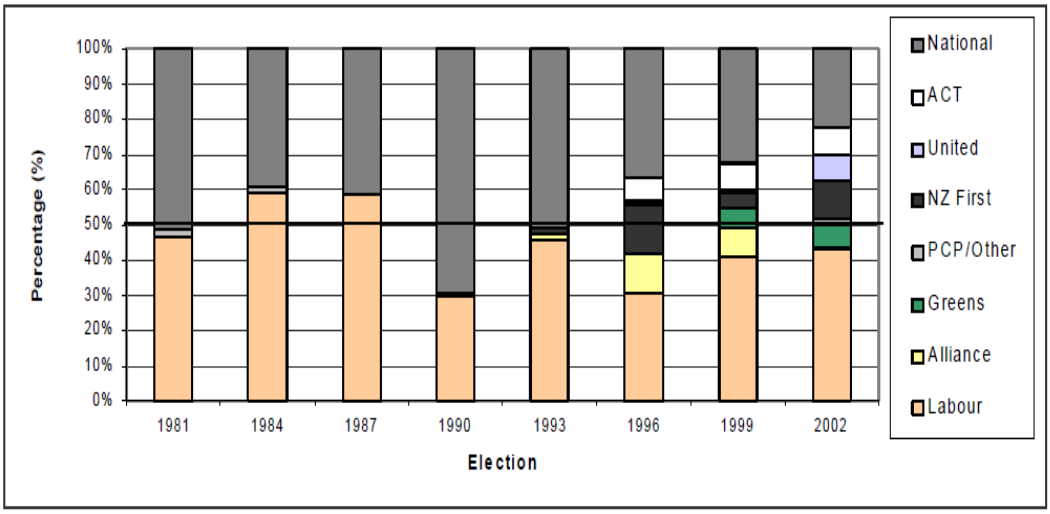
The need for electoral reform was also heightened by the unfairness of the FPTP electoral system towards small or third parties. Small parties were able to get into Parliament, especially during the 1954s to 1990s, but they had little effect on parliamentary politics until after 1996. In 1984 the New Zealand Party gained 12% of the total votes but received no seats in the House of Representatives. Despite winning over 16% of the vote in 1978 Social Credit received only one seat in Parliament. In 1981 Social Credit won almost 21% of the total vote but gained only two (2) seats in Parliament (Denemark, 2001; Boston, Levine McLeay & Roberts, 1996; Parliamentary Library Research, 2011b). The Values, Democrats, the Green Party, New Labour, the Alliance, and New Zealand First were also similarly disadvantaged under the FPTP system.

In 1972 when the Values Party emerged on the political scene in New Zealand they declared in their manifesto that there was an urgent need for reform of parliament in order to make it a more effective and relevant body (Jackson & McRobie, 1998). In 1977 the leader of the Social Credit Party along with 40,970 supporters presented a petition to parliament requesting the usage of a PR system for elections to the House of Representatives. After the 1978 and 1981 general elections again denied the Social Credit, Values party and other minor parties parliamentary representation, they grew even more frustrated and were about ready for change.

In 1990, minor parties such as New Labour, Greens and Christian Heritage received 17.7% of the votes in the general election but received only 1% of the seats in parliament. In 1993 they received over 30% of the votes but gained only 4% of the seats in parliament (Karp & Banducci, 1999, p. 219). Under the FPTP electoral system minor parties were able to gain a certain level of support during each general election, but they were still denied representation in parliament. It is understandable therefore why a change in the electoral system was welcomed by the minor political parties. Jackson (1993) suggests in his assessment of the 1993 referendum on electoral reform in New Zealand that underrepresented groups, including minor parties, were ready for change, and voted against the FPTP system rather than for an alternative system.

After the implementation of MMP in 1996, the number of parties in New Zealand's parliament did grow considerably. In the final general election under FPTP in 1993 only four parties gained representation in the legislature. After 1996, there have been no fewer than five parties in the House of Representatives. Figure 1 below shows a change in the party composition in New Zealand's House of Representatives before and after the FPTP system (selected period from 1981-2002).

Fig.1. Total Seats by Political Party for General Elections (%) 1981-2002



Sources: (Parliamentary Library, 2002a, p. 3)

It becomes evident from Figure 1 that New Zealand's House of Representatives during the period 1981-1993 was dominated by the Labour and National parties. It was only after 1996 that minor parties gained any significant form of numerical representation. In 1996, the first election under MMP, six parties gained seats in parliament, even though New Zealand First was the only minor party to win a significant number of constituency seats. The 1999 and 2002 elections saw an increase in the number of elected minor parties, with the Greens and United parties gaining seats in parliament for the first time since 1981. There are usually six to eight parties present in New Zealand's House of Representatives. These include: ACT New Zealand, Green Party, Labour Party, Mana Party, Māori Party, National Party, New Zealand First, United Future and Alliance.

Minority Representation (or lack thereof)

Before 1996, women and Māori were also underrepresented under the FPTP electoral system. In 1874 for example, Māori comprised approximately 13 percent of the

total population, but made up only about 4.5 percent of the total number of MPs in the House of Representatives (Jackson & McRobie, 1998). Political power was concentrated in the hands of a minority, namely farmers, men and professionals (Lamare & Vowles, 1996). Despite the underrepresentation of minorities in Parliament for so many years, New Zealand had long demonstrated some concern for the representation of minority interests, having created four dedicated electorates and a separate roll for the Māori in 1867 under the FPTP system. This system which remained in place until 1996 saw the implementation of four fixed Māori seats in Parliament. In 1967, Māori candidates were allowed to compete in general constituencies and in 1975, persons of Māori descent were given the option of voting on either the Māori or general electoral roll (Nagel, 1994). Despite these improvements, Māori continued to be under-represented in parliament. Like many Aboriginal groups who often have to choose between assimilation and separation, the Māori in New Zealand were faced with a dilemma. They could stay on the Māori roll and marginalize themselves politically, or they could shift to the general roll (at the risk of group solidarity) and risk losing the descriptive representation that the Māori seats guaranteed them (Nagel, 1994). What the Māori in New Zealand needed was an electoral system that would enable them to keep the Māori seats while allowing them to be granted seats in parliament proportional to the number of votes gained during an election.

While women in New Zealand do not numerically constitute a minority, in parliament their numbers generally do not reflect their overall number in society. Women in New Zealand were the first in the world to receive the right to vote in 1893, but they were still grossly underrepresented in the House of Representatives. Women in

early colonial New Zealand, as in most democratic societies, were excluded from the political scene. Like most countries that used or still use a FPTP electoral system, New Zealand's parliament was dominated by men. Women were relegated to the domestic sphere as mothers, housewives, and child bearers. It was not until 1919 that New Zealand women received the right to stand for parliament, and the first female Member of Parliament was not elected until 1933--40 years after the introduction of women's suffrage. Donald (1998) noted that, prior to 1996, "there had only ever been 36 women legislators until 1993--compared with almost 2000 men" (as cited in Denemark, 2001). In 1987 and 1990 women MPs made up 14.4% and 16.5% of the House respectively. This jumped to 21 percent in 1993. With the first election under MMP, the number of women in the House of Representatives increased to 29% (Arseneau, 1997).

The Royal Commission on the Electoral System

With the continuous underrepresentation of women, minorities and small political parties under the FPTP system, New Zealand's political scene was ripe for electoral change. After losing the 1981 general election, the Labour Party vowed during their 1984 election manifesto to appoint a royal commission to examine among others "whether proportional representation or some other variant from the existing first-past-the-post should be introduced" (Jackson, 1993, p. 17). After winning office in the snap election of 1984, the Labour Party made good on its word by establishing an independent non-partisan Royal Commission to conduct a wide-ranging inquiry into the electoral system. The Commission was mandated to investigate among other things the type of electoral system that would best represent the interests of New Zealanders.

The Commission took two years to carry out its investigation and produce its final report. During the initial stages of its inquiry, it received submissions from citizens, conducted public hearings and visited other countries to gain a better understanding of how their electoral systems work. After concluding its investigation into the various electoral options, the Commission concluded that while FPTP rated well in relation to effective representation of constituents, voter participation, effective government, effective Parliament and general legitimacy, it had severe weaknesses in relation to fairness to major and minor parties, minority representation and Māori representation (RCES, 1986).

Having determined that FPTP was inherently flawed, the Royal Commission examined a number of alternative systems, particularly the Single Transferable Vote (STV) system; the Preferential Vote system used to elect the Australian House of Representatives; the system used in Germany, which the Royal Commission called the Mixed Member Proportional (MMP) system; and the Supplementary Member (SM) system. In comparison to the FPTP electoral system, both the STV and MMP electoral systems were considered more proportional, fair and legitimate (Boston, et al, 1996; Royal Commission on Electoral System, 1986; Denemark, 2001). However, of the two proportional systems, the Commission decided that the MMP system was the best option for the New Zealand people. It was considered fairer to political parties, would improve voter participation, representation of Māori and other groups, and would be seen as more legitimate. MMP was also an attractive option because it would offer proportionality while at the same time retain the single-member constituencies known to New Zealanders.

The People Screamed! The 1992 and 1993 Referendum on Electoral Change

In 1992, a somewhat complicated and indicative (non-binding) referendum for the voting system was held as laid out by the New Zealand Parliament. New Zealanders were asked to choose whether or not they would like to "retain the present first-past-the-post electoral system" or change to a new voting system. Regardless of their preference, voters were then asked to indicate their preference for one of four reform options: Mixed Member Proportional, the Single Transferable Vote, Supplementary Member or Preferential Vote. If there was majority support for electoral change, the government promised to hold a binding referendum (with a choice between FPTP and the most popular reform option) the following year (Boston et al, 1996; Parliamentary Library Research 2011a; Referendum.org.NZ, 2011; Jackson & McRobie, 1998).

The referendum in 1992 saw a 53.5% turnout rate.[19] Of these an absolute majority (84.7%) indicated their preference for a change in the electoral system, while 15.3% favoured retention of the FPTP system. In the second portion of the referendum, 70.5% favoured Mixed Member Proportionality, 17.4% voted for the Single Transferable Vote, 6.6% for Preferential Voting and 5.5% for Supplementary Member (Parliamentary Research Library, 2001; Denemark, 2001; Jackson & McRobie, 1998; Boston et al, 1996; McRobie, 1993; Levine & Roberts, 1993). While the number of voters who turned out to vote in the referendum was not a clear reflection of the wider New Zealand society, the results proved to be a major "upset" in the history of New Zealand--a country that could be considered at that time one of the most politically stable societies. The vote for electoral change was a very clear sign that New Zealanders

[19] This figure differs by author, research and text.

were ready for change. According to Vowles (1995), the 1992 referendum served to "highlight the dimension of disillusion with existing electoral arrangements and reinforce the resolve of those campaigning for reform" (p. 175). He also went on to argue that the outcome of the referendum reflected a "massive groundswell of support for change" (p. 104).

In a 1993 binding referendum held concurrently with the general election, New Zealanders voted to replace the SMP electoral system with a Mixed Member electoral system. With an 82.6% voter turnout, this referendum was more highly contested than that of 1992, with lobby groups and campaigners on both sides of the debate. Of the total voters, 53.9% voted in favour of an MMP system (based upon the German style proportional representation system), and 46.1% in favour of the First-Past-the-Post system (Vowles, 1995). While the MMP system did emerge the overall winner, it must be noted that the end results were not as strong as those of the 1992 referendum where a greater majority voted in favour of it. A reduction in the appeal for MMP and an increase in the vote for FPTP during the 1993 referendum can be attributed to political persuasion during the election campaign period, and the actions of lobby groups. The results of the 1992 and 1993 referendum are set out in Table 1 below:

Table.1. Results of New Zealand's 1992 Indicative and 1993 binding

	Votes	
	#	%
Referendum		
The 1992 Indicative Referendum		
Part A: Status Quo or Change		
Retain the plurality system	186,027	15.3
Change the electoral system	1,031,257	84.7
Total	1, 217, 284	
Part B: Preferred Alternative		
Mixed Member Proportional (MMP)	90,648	70.5
Single Transferable Vote (STV)	194,796	17.4
Preferential Voting (PV)	73,539	6.6
Supplementary Member (SM)	62,278	5.5
Total	1,121,261	
Turnout: 53.5%		
The 1993 Binding Referendum		
Retaining the plurality system	884, 964	46.1
Mixed Member Proportional	1,032, 919	53.9
Total	1,917,883	
Turnout: 82.6%		

Source: **Jackson and McRobie (1998, pp. 252, 255)**

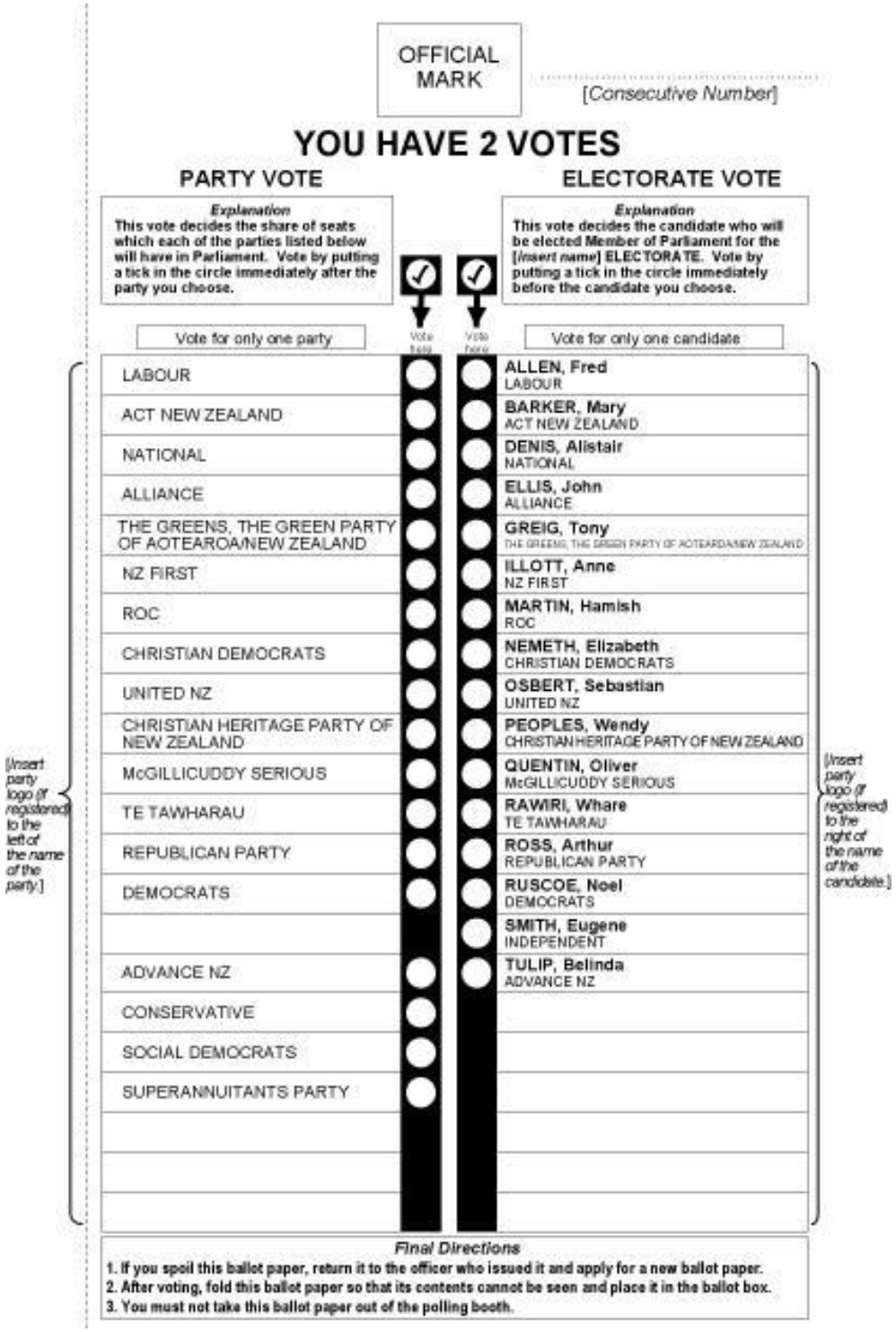
How does the New Zealand Mixed Member Proportional System Work?

The introduction of MMP in 1996 saw the number of MPs in the New Zealand House of Representatives increasing from 99 to 120 (sometimes more due to overhang seats). The country was also divided into 70 electorates (including Maori electorates),[20] each electing one MP. The other 50 MPs are elected from party lists. A fixed number of general constituency seats (16) was allocated to the South Island, and the number of North Island seats was adjusted according to the relative size of the two islands'

[20] The number of electorates increases when the number of Maori seats increase.

population (47 at present) and five Māori electorates (now seven (7) electorates) (Electoral Commission: New Zealand, 2012). It also gave New Zealanders two votes, both of which are on a single ballot: one for a nationally registered party and one for an electorate. The ability to vote twice means that that even if the local candidate someone voted for does not win, their party vote still helps decide the make-up of Parliament, and so no one will feel as if their vote was not taken into consideration. On Election Day, voters are instructed to vote for the party that they prefer (they can only vote for one party). Voting takes place by putting a tick in the circle after the name of the chosen party. The electorate vote is for the candidate that voters like to be their Member of Parliament. Similar to the party vote, they can vote for only one candidate, and voting takes place by putting a tick in the circle before the name of the chosen candidate. Figure 2 below shows an example of the ballot paper that New Zealand voters are given when they go to the polls:

Figure.2. How MMP works in New Zealand (Ballot Paper)



Source: Form 11, Schedule 2 of the Electoral Act 1993.
http://www.legislation.govt.nz/act/public/1993/0087/latest/DLM310898.html

After an election, the candidate in each electorate who wins more votes than any other candidate is declared elected as the Member of Parliament for that electorate. Under the PR component, each registered party's total number of Party Votes (list tier) decides its share of the 120 or so seats in the House of Representatives. List MPs are elected by the nationwide party vote which determines each party's share of seats. Party lists are a formal nomination of candidates for election, ordered in the sequence the party wants them to enter Parliament. They allow parties to select a balance of people who will appeal to a wider range of voters and these will most likely include representatives from minority groups. In New Zealand, List MPs are used to make up the difference between the number of electorate MPs and total allocation of seats that parties received due to the party vote (Election New Zealand, 2008a; Barker & McLeay, 2000).

Under the MMP system in New Zealand, before a party can be allocated its share of all the seats based on its total number of Party Votes, it must cross a "threshold" or win at least one electorate seat. There are two thresholds for MPs in New Zealand; a party must either win at least 5% of all Party Votes cast during the election, or it must win at least one electorate or Māori Electorate seat (Electoral Commission, 1996; Vowles 2009; Reynolds & Reilly, 2005). The threshold limit in New Zealand has worked to ensure that there is some level of fairness between political parties. According to Reynolds and Reilly (2005), "the new voting system (MMP) has seen the index of disproportionality plummet from an average of 11 [%] for the 17 FPTP elections held between 1946 and 1993, to an average of 3 [%] for the first three MMP elections" (p, 102).

Critics might however argue that while the threshold limit in New Zealand does

help to solve the problem of unfairness between parties, it also opens the gateway for another. Small political parties sometimes encourage their voters to split their tickets during an election, or form a coalition with other parties to help them pass the 5 % mark. Parties achieving the 5 % mark needed to pass the threshold are allocated seats based on the Sainte-Laguë method. This involves dividing the total number of party votes held by each party that crosses the 5% threshold by a sequence of odd numbers starting at 1 (1, 3, 5, 7, 9…etc.). This will produce a set of results known as quotients for each party. The 120 numerically highest quotients across all parties correspond to the 120 seats available in parliament. So, for instance, if the Labour Party ends up with 45 quotients in the top 120 they are entitled to 45 seats in parliament (Elections New Zealand, 2008b). The Sainte-Laguë method serves to ensure that parties receive enough list seats to add to the electorate seats won so that its share of the total 120 or so seats are as close as possible to its share of party list votes. Parties that get list seats will then fill those from the list of candidates that they nominated prior to the general election.[21] The total number of seats available for proportional allocation is reduced by the number of electorate seats won by Independent candidates or won by candidates for political parties that are not on the Party Vote.

There are usually 120 seats (total) in New Zealand's House of Representatives, but that number can vary if a party wins more electorate seats than the overall share to which it is entitled. That party is allowed to keep all the seats that it has won, including the extra seats or what are commonly referred to as "overhang seats". It is however, not

[21] List candidates will become MPs in the order that they were ranked on their party's nomination paper. Voters cannot change this ranking and any dual candidate who wins an electorate seat will automatically have his or her name deleted from the party list.

allowed to get any list seats. Whenever there is a situation of "overhang seats", the number of seats in the House of Representatives will increase and usually stay that way until the next general election. Without the increase, the other parties would not be able to receive the shares of list seats to which their vote shares entitled them (Electoral Commission, 1996). In contrast, the number of seats in the House of Representatives can decrease from 120 if a party nominates fewer list candidates than there are seats to be filled. Those seats remain unfilled and the size of the House of Representatives is reduced until the next general election.

The effects of MMP on Minority Representation

MMP was adopted in New Zealand because the Royal Commission believed that it would do a "better" job of converting the expressed preferences of the voters into seats in Parliament. It would do so by giving each qualifying party an allotment of representation closely matching the number of votes received during an election. Other mechanical features of the MMP system such as the 5% threshold level would increase the opportunity for smaller and emergent political parties to enter into Parliament. It was also believed by the Commission that the MMP system would be "likely to provide more effective representation of Māori and other minority and special interest groups" (Royal Commission, 1989, p. 63). The strongly proportional nature of MMP would avoid the distorting effects exhibited by FPTP in terms of its allocation of seats amongst the political parties.

In addition to converting the expressed preference of voters into seats in parliament, MMP in New Zealand was recommended by the Royal Commission primarily because of its ability to shatter the "unbridled power" of majority

governments. Prior to 1996, power was concentrated in the hands of the two major political parties--Labour and National. Small parties were excluded from gaining seats in the legislative assembly. It is understandable therefore why fairness to political parties was at the top of the list of criteria laid out by the Royal Commission on electoral reform. The Commission's stance was that:

> When they vote at elections, voters are primarily choosing between alternative party Governments. In the interests of fairness and equality, therefore, the number of seats gained by a political party should be proportional to the number of voters who support that party" (RCES, p. 11-12).

The role of political parties in promoting and supporting women and minorities for nominations has been repeatedly identified as the most important factor in increasing the representation of women and minority in parliament. The candidate recruitment and selection process (often referred to as the selectorate) is often facilitated by political parties, and is a key factor in accounting for the composition of parliament. Norris and Lovenduski (1995) emphasised this point when they argued that:

> In marginal seats, who gets into parliament is determined by voters. But in safe seats with a predictable outcome the selectorate have a *de facto* power to choose the MP….In choosing candidates the selectorate therefore determines the overall composition of parliament, and ultimately the pool of those eligible for government. (p. 2)

Smaller political parties are especially known for increasing their chance of gaining seats in the legislative assembly by actively promoting women and minorities in their parties. When larger parties see smaller parties nominating and recruiting women and minority candidates, they then feel compelled to follow suit. They do so because they realize that there is no electoral penalty to smaller parties for putting up minority

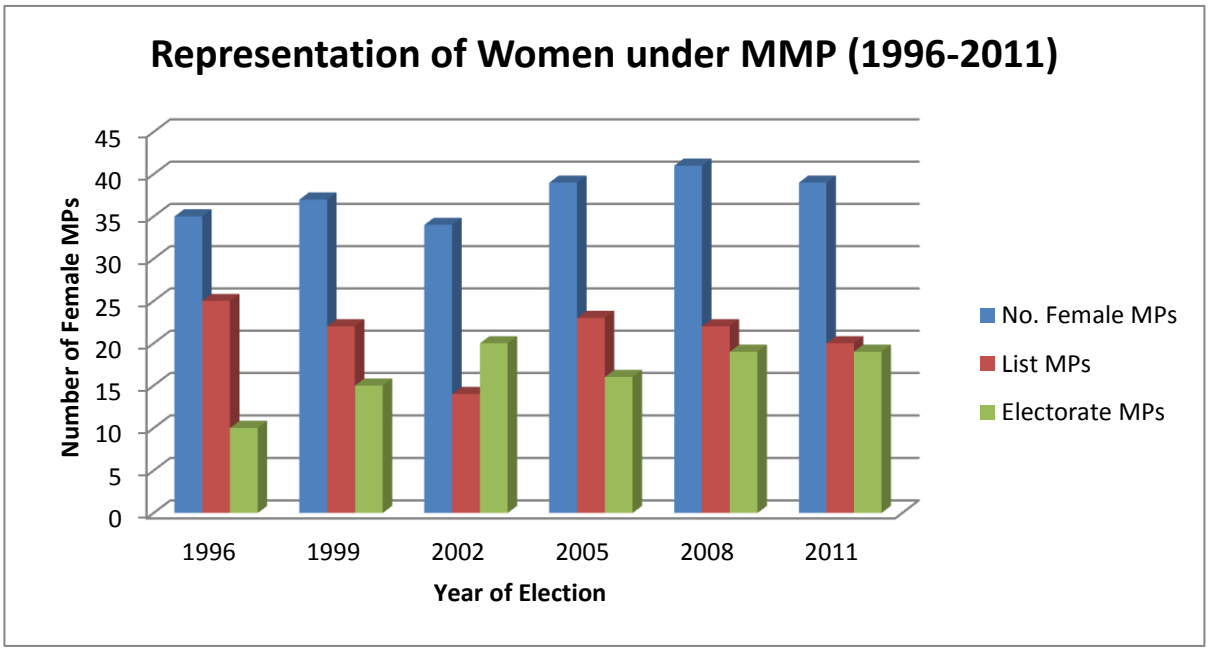
groups and women as candidates. Secondly, putting forward a list of diverse candidates will help to attract voters (Matland and Studlar, 1996).

After the 1996 general election under MMP, New Zealand saw an increase in minor parties and a decline in the National/Labour share of votes. It must however be noted that while MMP facilitated an increase in the number of parties in parliament, these parties were still unable to command sole majority and have been forced to negotiate, bargain, and compromise for coalitions. Nevertheless, it is evident that MMP did facilitate proportionality in the New Zealand Parliament.

Election results produced by the New Zealand Electoral Commission have also shown that the increase in women's and Māori's representation is mainly the result of the party list mechanism. One of the most crucial features distinguishing the MMP system in New Zealand from the FPTP electoral system used prior to 1996 is the tier component which gives parties a greater chance of winning seats. Through its list tier, the MMP system works to promote representation and inclusion by reducing two-party politics, as is often the case under plurality/majority voting systems. The need to have a list of candidates that will be used to identify those individuals who will be elected through the "top-up" elections provides an important opportunity for enhanced gender and minority representation. It would therefore be difficult for a party to claim that all of their top tier candidates are male or Caucasian or English speaking, particularly in heterogeneous societies. As a result, pressure can be placed on parties to use a zippering system (alternating male and female candidates on the list) or some other method to ensure a list that is more representative of the diversity of the political community. McLeay and Vowles (2007), in discussing the differing roles of constituency and list

MPs in an MMP political system, agreed that women and minorities would benefit under a list-based electoral system. List seats they argued should allow greater numbers of minority candidates to have the chance to be elected, and once list MPs enter parliament, there are greater opportunities for them to reach out to minority groups. Figure 3 below indicates that the MMP system has resulted in more women being elected to parliament. However, since 2002 there has been only slight differences between the number of electorate and list MPs elected to parliament.

Figure.3. Representation of Women under MMP (1996-2011)



In the most recent general election (2011), , 39 women MPs were elected to the New Zealand Parliament. The Labour party accounted for 12 of these women--five of whom were elected via the list system. The National party during this election had 15 women elected to parliament, with four of them elected through the list system. The Green Party, New Zealand First and the Māori Party accounted for the remaining 12

women MP (with the exception of one candidate from the Māori Party) elected through the list system. Prior elections results have depicted similar results.

After the 2011 general election, it was also discovered that on a party basis, the Greens (a minor party) headed the list with women as 50% of their MPs. Labour followed with 38%, then NZ First (another minor party) with 37%, the Māori Party with 33% and the National Party with 25% (Julian, 2011). The National Party received the most electorate seats during the 2011 election but only ten of those seats are represented by women. MMP has forced political parties to not only nominate more female candidates, but it also forced them to rank these candidates very high on the party list (Jackson & McRobie, 1998). It is understandable therefore why an increase in women's representation is mainly the result of the party list mechanism where parties (e.g. Labour, National) show a tendency towards selecting more female candidates for list seats, especially when victory in constituencies is considered certain.

List seats have also increased the number of Māori, Pacific Islanders and Asians in the House of Representatives. Māori's increased representation can be attributed both to the party lists and to the increase in the number of Māori seats from four to seven. Pacific Islanders gained their representation mostly through electorate seats, and this is due to their geographic concentration and their successful political mobilization by the Labour Party (Vowles, Banducci & Karp, 2006). The increased representation of Asians can be attributed solely to the party list system. Women and minorities in New Zealand enjoy greater representation and more visible roles in Parliament than under FPTP, primarily because parties take care to place them in winnable list positions.

> The issue of proportionality was a driving force behind the need for electoral reform in New Zealand. A central benefit of MMP in the eyes of the Royal Commission was that it could increase representation for underrepresented groups (women, Māori and other ethnic minorities) in Parliament. The Royal Commission noted that: It is generally accepted that parties have much more opportunity and incentive to ensure the election of representatives of interest groups, regions, women and ethnic groups in electoral systems based on lists of candidates than in other systems…the MMP system would allow the parties to achieve representation of significant groups and interest within our society. (RCES, 1986, p. 50)

It is understandable, therefore, why at the top of the Commission's list of requirements for selecting an effective electoral system was the concept of "effective representation". The top three main criteria as laid out by the Royal Commission include:

> (a) Fairness between political parties. When they vote at elections, voters are primarily choosing between alternative party Governments. In the interests of fairness and equality, therefore, the number of seats gained by a political party should be proportional to the number of voters who support that party.
>
> (b) Effective representation of minority and special interest groups. The voting system should ensure that parties, candidates and MPs are responsive to significant groups and interests. To facilitate this, membership of the House should not only be proportional to the level of party support but should also reflect other significant characteristics of the electorate, such as gender, ethnicity, socio-economic class, locality and age.
>
> (c) Effective Māori representation. In view of their particular historical, Treaty and socio-economic status, Māori and the Māori point of view should be fairly and effectively represented in Parliament (Royal Commission on Electoral Reform, 1986, pp. 11-12).

Other criteria used to test the FPTP electoral system against the MMP and other alternative systems include: political integration; effective representation of constituents; effective voter participation; effective government; effective parliament; effective parties and legitimacy.

The MMP system has undeniably increased parliamentary representation for women, Māori and other ethnic minorities in New Zealand. In relation to the Māori, the Royal Commission gave considerable thought to the future of their representation as it had a specific mandate to investigate "the nature and basis of Māori representation in Parliament (RCES, 1968, p. xiii). After examining New Zealand's FPTP electoral system against the ten selected criteria, the Commission came to the conclusion that the practice of separate seats for the Māori was "seriously deficient in providing for the effective representation of the Māori people" (RCES, 1968, p. 19). Māori seats under the FPTP system, the Commission argued "have not given the Māori people a fair share of effective political power and influence. They have become a political backwater" (RCES, 1968, p. 98). It was therefore recommended that if the favoured mixed member proportional (MMP) system was adopted, the Māori seats should be abolished. The Commission was confident that Māori candidates would have a better chance of being elected through the national party lists portion of the MMP system.

The Commission further observed that the votes of Māori would become more electorally significant to all political parties, and so the major political parties would be encouraged under the MMP system to target voters previously registered on the Māori roll. According to the Royal Commission:

> There would be active party competition for Māori support and for [party] and constituency votes. We think parties would be compelled to select Māori candidates both for high list places and in winnable constituency seats …We expect Māori political participation would rise under an MMP system…We are certain Māori representation under MMP would be much better than under the plurality system with or without separate Māori electorates. (RCES, 1968, pp. 101–102, 103)

The Commission also proposed waiving the 5% threshold for "parties representing primarily Māori interests", in order to boost the profile of Māori concerns in Parliament. The aim of the Commission was to encourage all parties to take Māori concerns seriously and to increase the chance of electoral success for any Māori who wanted to form their own political parties (RCES, 1986). The Commission's proposal did not find favourable grounds among Māori and politicians alike, and eventually, following strong representations from Māori organisations, the seats were retained under the new MMP system. However, instead of keeping the number of Māori seats fixed at four, it was decided that their numbers would now increase or decrease according to how many people opted to register on the Māori roll.

The introduction of MMP in 1996 saw the Māori electorate increasing from four to five. This number increased to six in 1999 and seven in 2002. New Zealand's first MMP election was held on October 12, 1996 and a record number of Māori MPs (13%) were elected, a number that was roughly proportionate to Māori's percentage of the population (Arseneau, 1997). The MMP system along with the Māori electorate seats have enabled Māori to have a guaranteed level of descriptive representation without risking loss of substantive influence (Nagel 1994).

The Royal Commission in its re-evaluation of the FPTP system was also very cognizant of the effects that it had on the representation of women. The Commission

noted that: "while the percentage of women in New Zealand's current Parliament compares favourably with many other nations…the Commission shares the concerns expressed…about the continued underrepresentation of women in our political system" (RCES, 1986, p. 17). It was hoped by the Commission that MMP would improve representation for women in New Zealand, through the utilization of party lists. Political parties are more likely to put women on their party lists than as candidates for electorates, especially safe electorate seats.

As of July 2013, New Zealand is ranked number 32.2% (26th) out of 189 countries for the number of women in national parliaments (Inter-Parliamentary Union: Women in Parliament, 2013). In a study of 24 industrialized countries, Matland (1998) found that over a 17 year period (1980-1997), New Zealand made the biggest gains (24.9%) in the number women elected to national legislatures; 8% of that gain (from 21.2%-29.2%) occurred in October 1996 when New Zealand had its first election under the MMP system. MMP has been essential in increasing the number of women in Parliament, with more female MPs in the last 15 years (1996-2011) than there were since women became eligible. The introduction of MMP in 1996 saw a record number of women MPs (35) being elected to parliament, increasing the percentage of the seats in the House of Representatives held by women from 21% in 1993 to 29%. This increase in representation for women also had a very positive outcome for Māori as it also resulted in the high number of female Māori MPs elected to the legislature.

New Zealand's MMP Referendum 2011

Recent polls and activities have shown an increased support for the MMP system in New Zealand. They also served to reinforce the representational benefits of the MMP

system for women and Māori in New Zealand. In November 2011 New Zealanders voted in a referendum (carried out the same time as the general election) to decide on whether or not the MMP electoral system should be retained. In an almost déjà vu like scenario, voters were asked two questions. The first question asked: Should New Zealand keep the Mixed Member Proportional (MMP) voting system? The second question asked: If New Zealand was to change to another voting system, which voting system would you choose? (Elections New Zealand, 2011). Along with the Mixed Member Proportional system, voters were given a choice between the First-Past-the-Post, Preferential Voting, Single Transferable Voting and Supplementary Member systems. It was promised that if at least half the voters opted to keep the MMP system, the Electoral Commission of New Zealand would conduct a review to recommend changes that should be made to the way it works. If more than half the voters opted to change the voting system, Parliament would decide if there would be another Referendum in 2014 to choose between MMP and the alternative voting system that got the most support in the second question in the 2011 Referendum (Election New Zealand, 2011). Of the over two million voters who participated in the election, 56.17% voted to keep the MMP system, 41.06% voted against it and 2.77% did not indicate a valid response (Electoral Commission, 2011).

While it became evident from the referendum result that the majority of New Zealanders do not want to revert to the FPTP system, more important are the views and concerns that were expressed in support of the MMP system during the election campaigns. There were several arguments in support of (and against the MMP system), but of major importance are those concerning its representative nature. In its assessment

of the 2011 MMP Referendum in New Zealand, the Green party for example expressed strong support for the MMP system by arguing that "MMP makes sure that a party's share of power is directly proportional to the share of votes it wins, and there's no chance of an unfair and undemocratic outcome" (Green Party: *www.greens.org.nz/mmp*). They also reiterated that the proportional nature of the MMP system makes it more representative of the New Zealand people, and brings with it a more diverse range of political voices.

New Zealand First, the ACT Party, United Future, Māori Party and the Mana Party were also supporters of the MMP system.[22] Under the MMP system, the ACT like most minor parties in New Zealand did not need to win an entire election to have their voice and interests represented in the House of Representatives. The minor political parties in New Zealand supported retention of the MMP system because it gives them a voice and representation in the House of Representatives. Of the two major parties, Labour was more supportive of the MMP system than was the National Party. Labour's stance on the retention of MMP could be due in part to its ability to form a coalition government under this system--a practice that it was unable to do under the FPTP system.

Supporters for the MMP system in New Zealand also highlighted the benefits for women. In a report released by *Women for MMP* in 2010, Sandra Grey (co-author of the report) argued that after 1996 women in New Zealand saw significant gains in their parliamentary representation. The diversity of women has also been better represented; the introduction of MMP saw the election of New Zealand's first Pacific and Asian female cabinet ministers. Grey also noted that MMP has seen some big policy gains for

[22] The ACT party actually owes its existence to MMP because prior to 1996 it was basically non-existent.

women, such as paid parental leave and flexible working hours. An examination of spending on "women's health" in New Zealand since 1990 also signaled that increased spending on "women's programmes" occurred alongside female representation. The report concluded by arguing that "If New Zealand moves back to first-past-the-post or to another majority-plurality system, like supplementary member, [it] will almost certainly see a drop in the number of women in parliament" (Women for MMP, 2010, p. 17).

Support for the MMP system was not limited to the political parties. Other supporters of the MMP system included but were not limited to musicians, authors, actors, religious leaders, young people, Māori, and women. They highlighted the ability of the MMP system to better represent minority parties, women and underrepresented groups. They also noted directly or indirectly that under MMP the ability to split one's electorate and list vote between two different political parties encourages representation beyond ideological and geographical boundaries. The most popular argument in support of the MMP system, however, was the claim that the New Zealand Parliament now better reflects the wider society. In an MMP press release dated November 11, 2011, Sandra Grey, the MMP Spokesperson concludes that "MMP is the fairest system, where everyone's votes count no matter where they live." She also said that "going back to FPTP would mean bringing back a system in which hundreds of thousands of votes count for nothing, like the votes of a National Party supporter in a safe Labour area, Labour supporters in National areas…" (Campaign for MMP, 2011).

Chapter 4: Women and Māori in New Zealand: Descriptive Representation

Introduction

The overall aim of this study is to assess the effects of the Mixed Member Proportional Electoral system on the descriptive and substantive representation of women and Māori in New Zealand. A comprehensive understanding of this relationship however, requires advance knowledge of the historical and contemporary development of women and Māori in New Zealand. As Bird (2004) rightfully argues "the dynamics of group identity, residential patterns, and opportunities for political mobilization matter…and must feature prominently in explaining levels of ethnic minority representation (p. 3). Whitby (2002), in writing on the determinants of African-American legislative activities also articulated that, '[t]o fully understand the political implications of Black legislative behavior, we must first understand its context, that is, the importance of social group politics to Black political behavior' (p. 95). Based on the arguments of these two writers, context is important and as such, this chapter presents a historical overview of the struggles faced by women and Māori before and after the MMP system.

Women's Political Participation in New Zealand: Historical Overview

New Zealand women were granted the right to vote in 1893, but this came after several years of struggle by suffragists in New Zealand, and anchored by Kate Sheppard. In 1876 women ratepayers in New Zealand were eligible to vote in local elections, and by 1877 could vote and stand for school committees and boards, but could not vote in general elections. In 1879 all men over the age of 21 (except Māori without property) were granted the right to vote. Various bills designed to give women the right to vote

were introduced but failed. It was not until 1893 that an electoral bill was signed making New Zealand the first self-governing country in the world to grant women's suffrage. Even though women gained the right to vote in 1893, it was not until 1919 that they were allowed to run for office. The first woman to win an election was Elizabeth McCombs in 1933. Even then, women were not eligible to be appointed to the New Zealand Legislative Council (the Upper House of Parliament) until 1941. The first two women, Mary Dreaver and Mary Patricia Anderson of Greymouth, were appointed in 1946 by the Labour Government (McLeay, 1993). The first Māori woman stood for parliament in 1935 and in 1949, the first Māori woman sat in parliament (replacing her MP husband who died).

Prior to 1893, women in New Zealand were not allowed full political participation, and this meant that they played a lesser role in comparison to their male counterparts in shaping the foundational constitutional arrangements such as the *New Zealand Constitution Act* of 1852, which established representative government in New Zealand. Māori women were also excluded from participating or voting on the Treaty of Waitangi (1840). The exclusion of women from the political sphere was however not unique to New Zealand. In fact it transcended borders, countries and time. Like most women during the 1890s and before, women in New Zealand were seen as inferior to their male counterparts. They were considered incapable of possessing the mental and physical characteristics needed to survive in a male dominated society (McLintock, 2009). Their roles were constructed solely in terms of their relationship with men--it was one of dependency and subordination. It is understandable therefore why women (Maori women included) were often relegated to the domestic sphere as mothers, caregivers,

helpers and bedmates. Men were seen as the breadwinners, decision-makers and superior figures. Historically, the public-private dichotomy between the role of men and women served to exclude women from the public and political sphere, and even when they were brought into politics they entered as mothers, wives, secretaries and typists (Shvedova, 2005; Grimshaw, 1972).

The right to vote was granted to women in New Zealand after at least two decades of campaigning by women such as Kate Shepherd and Mary Ann Muller, and organizations such as the New Zealand branch of the Women's Christian Temperance Union led by Anne Ward (Nolan & Daley, 1994; Grimshaw, 1972). These women and organizations fought for improved working conditions for women, equal pay, electoral reform, divorce law reform, equal educational opportunities and other political and socio-economic rights (Grimshaw, 1972). Their aim was to break down the barriers to women's political representation while advocating for policies that would protect and represent their interests.

One organization that was especially influential in the suffrage movement was the Women's Christian Temperance Union (WCTU), which was formed in New Zealand in 1885. Women who joined the WCTU were primarily concerned about the impact of excessive use of alcohol on women and their families (Nolan and Daley, 1994). Like most colonial societies in the nineteenth century, New Zealand was not immune to the problem of alcoholism and excessive drinking. It was estimated that in New Zealand "there were only two causes of death--drink, and drowning as a result of drunkenness" (Grimshaw, 1972). The women's work towards the financial security of the family was

often being undermined by the abuse associated with alcoholism. They believed that if they were granted the vote they could support legislation banning alcohol.

The WCTU was made up of well-known activists, women from different religious denominations, ethnicity, mothers and wives. Their initial intent was to lessen the effects of alcohol on the lives of women and children, but they did not limit their work to promoting temperance and women's suffrage. They also established programmes promoting health, wellness and ideas about how to assist the destitute, young people, and those in hospitals and prisons. Working women's claims for better conditions and pay, and attempts to unionise, were also actively supported. 'Fallen women' (those who became pregnant outside marriage, or prostitutes) were helped to find homes and employment. Work was also undertaken by the Union in pre-school education. This was aimed at assisting working mothers who could not properly take care of their children because of their obligations to their employers. These activities not only highlight the propensity for women to act as caregivers and protectors, but also indicate that they do act as advocates for women and women's issues--even in small numbers. Women's dedication to the cause of the temperance movement also paved the way for other movements to come (Grimshaw, 1972).

With very little male influence, the WCTU served not only to "reflect but to become the spearhead of women's contemporary interests" (Grimshaw, 1972, p. 35). It taught women the "arts of organization, administration, and leadership which could be turned to use in later years in their own cause" (Grimshaw, 1972, p. 23). The Union not only groomed women into becoming better leaders and advocates, it also developed

sympathy for them among their male counterparts. It highlighted the abuse and subordination that women face at the hands of their husbands and partners.

From the 1880s to the 1930s the WCTU led the way in the suffrage movement. Leading the movement was Kate Sheppard, who argued that women had to obey the same laws and pay the same taxes as men so they had a right to the same vote as men. In a 1888 pamphlet titled "Ten Reasons why the Women of New Zealand Should Vote", she wrote that "women should be allowed to vote alongside men, because it has not yet been proven that the intelligence of women is only equal to that of children, nor that their intelligence is on par with that of lunatics or criminals" (Grimshaw, 1972; DiPiazza, 2006). She also wrote that:

> Women should vote because women naturally view each question from a somewhat different standpoint to men, so that whilst their interests, aims, and objects would be very generally the same, they would often see what men had overlooked, and thus add a new security against any partial or one-sided legislation" (New Zealand History Online, 2007).

In 1891, 1892 and 1893 a series of petitions were made calling on Parliament to grant women the right to vote. The third petition proved to be a big success as that year (1893) a women's suffrage bill *The Electoral Act* 1893 was successfully passed on 19 September, granting women full voting rights.

Efforts aimed at increasing women's participation in parliament were not limited to the WCTU. Groups emerging after 1896 also advocated the cause of women. In 1896, the National Council of Women was formed in New Zealand with the aim to "unite all organised societies of women for mutual counsel and co-operation, and in the attainment of justice and freedom for women, and for all that makes for the good of humanity" (National Council of Women, 2012). The National Council advocated changes both at

the federal and local level to ensure that women would have a stronger influence in society. Like the WCTU, it advocated for free and longer education for children, better health care for the less fortunate, prison reform, better living and social conditions for single and struggling mothers. At the political level, the Council argued that all adult residents should have the right to vote, not just ratepayers, who were usually men. Women, they believed, should be entitled to sit in parliament or be elected to public office at both the local and federal level. Amey Daldy, a delegate at the 1896 convention, summed it up best when she moved a resolution for "all disabilities to be removed which at present hinder women from sitting in the house of the legislature or from being elected or appointed to any public office or position in the Colony which men may hold" (National Council of Women 2012; McIntyre, 1996).

The 1900s also saw an increase in activities by female suffragettes and activists in New Zealand. The Women Electoral Lobby was also formed in New Zealand in 1975 to encourage women to enter political life, act as a united political force and promote women's issues in the political arena. In 1987 the Ministry of Women's Affairs was formed by the Labour Party government to promote greater equality for women in New Zealand. Today, the Women's Affairs Ministry remains a state-funded agency responsible for promoting legislation and policies aimed at bettering the lives of women and raising their general status.

Women's Population New Zealand

At the time of the most recent census (2006)[23] there were approximately 4,143,279 people living in New Zealand. In terms of gender, figures show that as of 31st March 2006, the estimated resident populations for males and females were 2,035,000 and 2,099,200, respectively (Statistics New Zealand, 2006). Statistics from the last four censuses in New Zealand also point to the fact that women since 1991 have outnumbered men in the population. However, even though women make up the majority of the population, they have always lagged behind their male counterparts in most if not all aspects of the political sphere. The introduction of the MMP system in 1996 and subsequent elections did result in an increase in the number of women in parliament, but women still represent a minority of candidates in national elections and in parliament.

The Royal Commission on Electoral Reform did serve to highlight and intensify the need for women and other underrepresented groups to be properly represented in parliament--in numbers proportional to their percentage of the population. In its 1986 report, the Royal Commission on Electoral Reform argued that "while the percentage of women in New Zealand's current Parliament compares favourably with many nations…the Commission share[s] the concern expressed…about the continued under-representation of women in our political system" (RCES, 1986, pp. H.3-18). McLeay (1993) also concluded that:

> …it appears from both the experience of other liberal democratic states and the data available on New Zealand, that a major part of the explanation for this country's low representation of women can be located in the workings of the

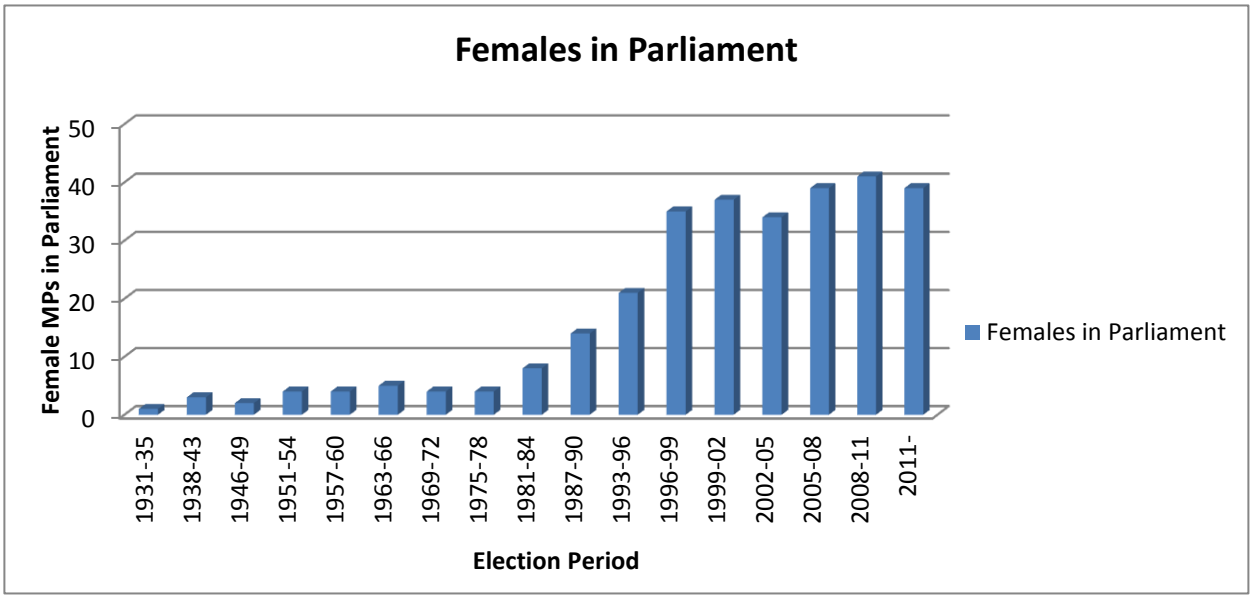
[23] The 2011 Census was not held on 8 March 2011 as planned, due to the Christchurch earthquake on 22 February 2011. The next census will be held in March 2013

> electoral system itself. In New Zealand as elsewhere disproportionality together with the single-member electorates work against the election of women. (p. 54-55)

The Commission blamed the first-past-the-post electoral system used in New Zealand prior to 1996 for the low number of women in parliament. It however, accepted that while the plurality electoral system did contribute extensively to women's exclusion in parliament, it was not the only reason why women were underrepresented.

Between 1931 and 1993, the highest percentage of women in New Zealand's parliament was 16%. The first woman was elected to parliament in 1933, but it was not until the 1993 election that women represented at least 20% of the total legislators in parliament. It was not until the introduction of the MMP system in 1996 that the number of women increased in proportion to their numbers (Figure 4).

Figure 4: Number of Women MPs in Parliament 1931-2011



Sources: (Parliamentary Library 2002a; Parliamentary Library, 2005; Parliamentary Library, 2008c; New Zealand History Online, 2010)

The number of women MPs in New Zealand's Parliament has increased significantly since the advent of MMP, although it still falls short as a microcosm of the New Zealand society. Based on Figure 4, prior to 1996 female MPs comprised less than 10% of the total numbers of MPs in any given election period. The first election under the MMP system (1996) resulted in female MPs occupying 29% of the total seats in parliament (46% were drawn from the list seats). Since then, with the exception of 2002, the number of female MPs in parliament have continued to rise, albeit very slowly.

The MMP system resulted in increased representation for women in parliament, but it would be far too simplistic to claim that it was solely responsible for this increase. As illustrated by Figure 4, women's representation was trending upwards prior to the MMP system. Female MPs for example, comprised 14% of the total MPs in the 1987-1990 parliaments, and by 1993 they comprised 21% of the total MPs. It would seem therefore that the MMP system did not initiate this growth, but instead facilitated its continuation through the promotion and utilization of the party list seats. It is also imperative to note that despite the steady increase in the number of female MPs since 1996, women are still underrepresented in parliament in proportion to their total population size. In 1993 and 1996 women made up 51% of the population, but they represented only 21% and 29% of the number of MPs in parliament respectively. After 2002 the number of females in parliament did increase, but women were still underrepresented when compared to their total population size. It was only in 2008 that female MPs achieved their highest increase with 41 women in parliament (34%). The representational deficit also decreased from -30 in 1993 to -17 in 2008 (Table 2). The representational deficit as depicted in Table 2 below is calculated by deducting the

percentage number of women in the population from their percentage of total MPs in parliament.

Table. 2. ***Women population and seat allocation (1993-2011)***

Category	**1993**	**1996**	**1999**	**2002**	**2005**	**2008**	**2011**
A. Women Population (as a % of total population)	51	51	51	51	51	51	51
B. Women MPs (number out of total MPS)	21	35	37	34	39	41	39
C. Number of MPs in Parliament	99	120	120	120	121	122	121
D. Women MPs (as a % of total MPs)	21	29	31	28	32	34	32
E. Representational deficit (D-A)	-30	-22	-20	-23	-19	-17	-19

Sources: Parliamentary Library, 2005; Statistics New Zealand 2006; Parliamentary Library 2008c; New Zealand History Online, 2010; Parliamentary Library 2012

The Royal Commission on Electoral Reform in New Zealand in its 1986 report criticised the FPTP electoral system for contributing to the low number of women in parliament. It is understandable therefore why one of its reasons for recommending the MMP system was its perceived ability to increase the number of women in politics and parliament (RCES, 1986). The RCES' decision to recommend an MMP system was supported by scholars such as Catt (1993) who argued that "it should be easier for women to be elected under MMP because more are likely to be selected and because voters can more easily choose to vote for a woman without damaging their preferred party" (p. 27). McRobie (1997) also argued that the MMP system makes it easier for women to be elected to parliament because parties will be compelled to rank women

candidates in winnable positions on the party list, thus giving them a reasonable chance of being elected.

After the 2011 general election there were 39 (32%) female MPs in the New Zealand Parliament of 121 members (Parliamentary Library, 2012). While this figure still does not effectively represent the percentage of women in the population, there is little doubt that MMP has led to more women MPs elected than ever before in New Zealand. It should also be noted that as of July 2013, New Zealand ranks 26th among 189 countries with the highest proportion of women in Parliament (Inter-Parliamentary Union, 2013). New Zealand's current position places them ahead of democratic countries such as Canada, the United States of America, France and Australia. It must be noted, however, that despite being ranked higher than some of its democratic counterparts, New Zealand's position since 1996 has been decreasing rather than improving. Between 1997 and 2001 for example, the country was ranked between 6th and 9th in the world for the percentage number of women in the lower or single House. Between 2002 and 2010 their position ranged from 13th to 17th. By 2011, New Zealand's ranking fell to 23, and then to its current position (26thth in 2013). One potential reason for the country's inability to maintain its ranking could be due in part to the efforts by countries such as South Africa, Mexico, Nicaragua and Germany, which usually ranked lower on the table, to elect more women to parliament.

The first General Election held under the Mixed Member Proportional Representation Electoral System not only saw an increase in the number of women in New Zealand's Parliament from 21% in 1993 to 29% in 1996, but it also saw the election of New Zealand's first Asian woman MP--Pansy Wong. Deborah Morris (aged

26) became the youngest woman Cabinet Minister, and was appointed Minister of Youth Affairs and Associate Minister of Accident Compensation Corporation, Women's Affairs and Environment. In 1999 Helen Clark became New Zealand's first elected woman Prime Minister. The year 1999 also saw the election of Luamanuvao Winnie Laban--the first Pacific Island woman elected to the New Zealand Parliament. In 2005, Margaret Wilson became New Zealand's first female Speaker of the House of Representatives. Georgina Beyer became the world's first transsexual MP when she won Wairarapa for Labour (1999) (Ministry of Women's Affair, 2010). The MMP system alone cannot be credited with the gains that women have made in New Zealand, but it did result in a greater pool of candidate from which more women leaders, cabinet ministers and MPs could be chosen.

Election of Female MPs to Parliament via List Seats

As is the case elsewhere, the list seats in New Zealand have delivered more female MPs and are greatly responsible for the number of women elected to parliament after 1996. In the first general election under the MMP electoral system, female MPs comprised 35 (29%) of the total number of MPs in parliament. Of that number, 25 (71%) were elected from party lists (Table 3). The 1999 general election not only saw the election of 37 female MPs to parliament, but included in this number was a woman Prime Minister, 11 women with Ministerial responsibilities and a woman Leader of the Opposition. Since then female representation has been higher among list MPs than electorate MPs in each general election, except in the 2002 general election when women held equal shares of electorate and list seats (Milner, 2004). The 2002 general

election had 34 (20 electorate and 14 lists) female MPs elected to parliament (Table 3) with Helen Clark (Labour Party) re-elected as head of government.

Table. 3. Number of Women in Parliament: Election Results: 1996

Party	**Electorate Seats Seats (General/Māori)**	**List**	**Total Seats**	**Female MPs (by seats)**	
				Electorate Seats	**List**
National Party	30	14	44	3	4
Labour Party	26	11	37	6	7
New Zealand First	6	11	17	1	4
Alliance	1	12	13		7
ACT New Zealand	1	7	8		3
United Future NZ	1	0	1		
Other	0	0	0		
Total	**65 (5 Māori Seats)**	**55**	**120**	**10**	**25**

Source: Election New Zealand, 1996

A reduction in the number of female MPs elected via the list seats in 2002 could be due in part to the fact that by then the number of women in parliament had decreased from 31 percent in 1999 to 28 percent. Krook, Lovenduski and Squire (2009) attribute much of this decline to the victory of right-wing parties such as National with relatively few women on their lists. They also note that by 2002 "even the [New Zealand Labour Party] had placed fewer women in spots where they were likely to be elected…" (p. 794). This is primarily because the policy of pausing after each bloc of five candidates to ensure proportionality had become less effective with each successive election. Over time, the Labour Party also became very complacent as the number of women continued to steadily rise. Vowles, Banducci and Karp (2006) also argue that, "the increase in the number of women winning more electorate seats was due to Labour winning an usually

large number of electorate seats while also nominating a large number of women in electorate contests" (p. 275). The results of the 2002 election further indicate that both the electorate and list seats can be effective in increasing representation for women, but it all depends on the importance that parties place on nominating women candidates.

A reduction in the number of women elected to parliament in 2002 could also be due in part to the retirement of four former women MPs. A further seven (7) failed to be re-elected. Parliament, however, did see the entrance of nine new women MPs: ACT New Zealand 2; National 2; United Future New Zealand 2; Labour 1; Green Party 1, and New Zealand First 1 (Parliamentary Library 2002b). It was expected that the MMP electoral system would increase representation for women through the party list seats, and so the election of more women via the electorate seats in 2002 raises the question of whether or not it (the MMP system) does indeed increase descriptive representation for women in New Zealand. It also questions the assumption that more women and minorities will be elected via the list seats as opposed to the electorate seats in countries with larger district magnitude.[24]

The 2005 and 2008 general elections saw an increase in the number of female MPs elected to parliament, with the majority elected via the list seats. In 2005, 39 female MPs (32%) were elected to New Zealand's parliament (Parliamentary Library, 2005). In the 2008 general election, 41 women MPs were elected to parliament (34%); this constitutes the highest number of women to ever occupy New Zealand's Parliament in one sitting. Of the female MPs elected, a majority was elected via the party list (54%) while 46 percent were elected via the electorate seats. It is also important to note that in

[24] A District Magnitude refers to the number of representatives elected from a given district to the same legislative body.

the 2008 general election, Pansy Wong became the first Asian MP to be elected in a constituency seat (rather than from the party list). She was also appointed Minister of Ethnic Affairs and Minister of Women's Affairs, New Zealand's first cabinet minister of Asian descent. By 2011, however, the number of female MPs in parliament experienced a decline from 41 (34%) in 2008 to 39 (32%). Of the 39 female MPs elected in 2011, 20 occupied list seats while 19 occupied electorate seats. The 2011 election was also the only election since 2002 which had a small marginal difference between the numbers of list versus electorate female MPs elected to parliament.

On average, more women were elected to parliament since 1996 via the list seats. Minor parties unencumbered by male and European ethnic domination were also able to nominate and select more women to compete in the general elections. It also becomes evident that the Labour Party was more inclined to nominate and select more female candidates for election to parliament when compared with the National Party. According to McLeay (2006) "of the 84 women between 1933 and 2002 (inclusive) who became MPs, 45.2 percent (38) represented Labour, 28.6 percent (24) represented National and 26.2 percent entered the House to represent the smaller parties" (p. 76). Women since 1933 have always been better represented by the Labour party which has been argued to be more sympathetic and supportive of their plights. Margaret Wilson (former politician, party president and minister in New Zealand) sums it up best when she noted that:

> The Labour Party was the only viable political option open to women who wished to seek change within the foreseeable future. It was viable because of its history and record of the way in which it has attempted to address the needs of women. (Wilson, 1992, p. 52)

She earlier argued that "the Labour Party supported a policy of equality for women, which provided an ideological basis from which to develop women's policy that addressed the needs of women today" (Wilson, 1992, p. 52).

Historical Overview: Who are the Māori people?

The term "Māori" is today used to describe the indigenous people of New Zealand. Throughout the years, there have been some controversies surrounding the issue of who or what constitutes a Māori. There have been two main ways in which people have been categorized as Māori: either because they meet an ethnic or racial criterion (having Māori ancestors or blood) or because they self-identify their cultural affiliation as Māori. In 1867 the *Māori Representation Act* defined a Māori as "a male aboriginal native of New Zealand", aged twenty one years or older and included "half-castes" (a half-caste has one European parent and one Māori parent). This definition was formed to establish electoral boundaries. It excluded women, natives under the age of 21, and the landless. Another definition of Māori that existed after 1867 was one who had at least 50 per cent Māori blood, and if a half-caste, lived as a Māori (a half-caste living as a European was not considered a Māori) (Durie, 2005).

The Native Land Act of 1865 further defined a Māori as "a*n aboriginal native [including] all half-castes and their descendants by natives" (One New Zealand Foundation, 2012).* Similar definitions were later adopted by the *Māori Affairs Act* 1953, the *Māori Trustee Act* 1953 and the *Adoption Act* 1955 (excluding the reference to sex and age, and including those between half-caste and of pure descent). In 1926 the distinction between half-castes was abandoned, and a Māori was defined as a person with half or more Māori blood. By 1974 Māori were becoming increasingly frustrated

trying to figure out what exactly was their proportion of Māori blood for electoral, land and other purposes. The *Māori Affairs Amendment Act* (1953) in 1974 sought to soothe this frustration when it expanded the definition of Māori to reflect both blood quantum and cultural affiliations/self-identification. Based on this definition a Māori (both men and women) is "a person of the Māori race of New Zealand, and includes any descendant of that person, irrespective of the percentage of blood line" (Report of the Waitangi Tribunal on the Waiheke Island Claim, 1987, page 44; Durie, 2005). This definition still exists today and significantly widened the definition of who can be considered a Māori. Census New Zealand for the purposes of conducting their surveys also offered a broad approach to defining and counting Māori. This they did in two ways: through ethnicity and descent. The former refers to "cultural affiliation" or "self-identification" while the latter refers to "ancestry". Based on these definitions, a Māori for the purpose of this study will be defined in two ways: through descent and ethnicity. In the first instance, a "Māori Ancestor" will be defined as: *a person of the Māori race of New Zealand; and includes any descendant of such a person.* An "Ethnic Māori" will be defined as *anyone who feels that they are Māori and identifies as such*.

Introduction of the Māori Seats

Today Māori make up the largest ethnic minority group in New Zealand but the legal and constitutional rules governing them are different from those governing other ethnic groups. The first distinctive feature of Māori as a minor ethnic group is their recognition as the indigenous people of New Zealand or Tangata whenau which means "people of the land" (Royal Commission on the Electoral System, 1986). Secondly, the Crown formally recognizes the rights of Māori and vowed to protect them. In an

agreement signed between the Māori and the Crown in 1840 called the Treaty of Waitangi, it was recognized that Māori already had occupation of New Zealand. This treaty saw the Māori giving the Crown rights to govern and to continue settling the country with British immigrants. The crown in return guaranteed the Māori certain rights and protection (Waitangi Tribunal, 2012). The final feature distinguishing Māori from other ethnic groups in New Zealand is that they were guaranteed at least four seats in Parliament since 1867. This latter feature is of particular importance to this study as it helps to better explain Māori political representation in New Zealand's political system.

In 1852, the *New Zealand Constitution Act* established the first system of representative government in New Zealand. At the national level, a General Assembly was established, consisting of a Legislative Council appointed by the Crown and a House of Representatives elected every five years by males over the age of 21 who own, lease or rent property of a certain value (Ministry for Culture and Heritage, 2009). The vote was restricted to those having adequate property and wealth, which almost always meant a minority of the male population. Voting at this time was considered not as an individual right, but as a privilege or 'trust' that certain people in society should exercise on behalf of others. This meant that the majority of the population which included women, citizens under age 21 and landless males could not vote.

The inability for Māori men to vote was also restricted when in 1859 the British Crown Law Office ruled that Māori could not vote unless they had individual title granted by the Crown (Elections New Zealand, 2005; Sullivan, 1997; Sorrenson, 1986). The ability of Māori men to vote not only presented a legislative problem for them, but it also pointed to the lack of representation that existed for minority groups within the New

Zealand society. Even though Māori men were subjected to the same taxes and living under the same laws of the new Parliament, they lacked representation from their own people. Several attempts were made to give all Māori the right to vote and enjoy greater representation in parliament, but they all proved unsuccessful. In 1862, for example, James FitzGerald moved in Parliament that Māori be given representation in both Houses of Parliament, but his resolution was defeated by 20 to 17 votes (Joseph, 2008). In 1863, a parliamentary committee on representation proposed that two members of European descent be chosen to represent Māori interests in Parliament (Joseph, 2008). This request was different from prior ones because it somehow suggested that Māori were not capable of expressing their own opinions or representing their own interests. Like other proposals before it this one also did not come to fruition. Two more attempts were made in 1865 and those also proved unsuccessful. It was this estrangement from the political system, and the desire by Māori to enjoy political representation that prompted the enactment of the *Māori Representation Act* of 1867.

It was not until 1879 that non-Māori men achieved adult suffrage (Election New Zealand 2005; Dalhberg, 1996; RCES, 1986). Māori men were theoretically allowed to register and vote, but in practice most of them were excluded because they possessed their lands communally rather than under individual title like their European counterparts. It therefore meant that Māori men could only vote if they converted their land into individual titles. This was not an option that most Māori were willing to choose. Article Three of the Treaty of Waitangi granted royal protection to Māori, and imparted to them all the rights and privileges of British subjects, but those rights and privileges were not extended to private property rights.

The *Māori Representation Act* of 1867 was a temporary measure aimed at ensuring Māori representation regardless of property ownership (Parliamentary Library 2009; Sullivan, 1997; Dahlberg, 1996 and Sorrenson, 1986). It was initially implemented for five years as a way of "buying time" until Māori could obtain the necessary property qualifications needed to enjoy full franchise. The Act allowed for Māori representation in Parliament through four (4) separately elected Māori seats (out of 76) in single-member electorates. The North Island was divided into the Northern, Eastern and Western Māori Electoral Districts, while all of the South Island formed the Southern Māori Electoral District. Only Māori were able to stand in these districts, and all Māori men were allowed to vote for a seat, and as more land became individualised and registered, some Māori could also vote for European seats (Sorrenson, 1986; Waitangi Tribunal, 1994).

Even though Māori now had four reserved seats in New Zealand's new Parliament, they were still underrepresented numerically and substantively. The four separate seats also provided Māori representatives with very little voice in Parliament. Sorrenson (1986) noted for example that "in Parliament the Māori voice was often ineffectual on matters of vital importance to them," particularly the sale of Māori land to settlers, (p. B-25), and they were "very often ignored or ridiculed when they did speak on important Māori matters." (p.B-26). He concluded that: "the Māori members were little more than a token representation that enabled the Pakeha members to salve their consciences while also relieving the Māori of much of their remaining land and autonomy" (p. B-26).

Māori representatives in Parliament were not only often out-voted, they were also overlooked in Parliament when they opposed policies or proposed matters of interests to Māori. It is understandable therefore why critics of the *Māori Representation Act* 1867 hold a common view that the establishment of the Māori seats was not a deliberate attempt by the Crown to improve Māori representation. They argue instead that the seats "stumbled into being" (Ward, 1995). It has also been argued that the *Māori Representation Act* 1867 was a piece of "ad hoc" legislation, and the reserved seats "involved no high intentions or moral principles". According to Dahlberg (1996):

> It [Māori seat] was simply the easiest way to placate the different factions of society who were increasingly disturbed by events in New Zealand after the signing of the Treaty of Waitangi. (p. 63).

Another argument posed was that both the *Māori Representation Act* 1867 and the four Māori seats were simply a useful way of "rewarding Māori loyalists and placating Māori rebels" (Sorrenson, 1986, p. B-20). Sorrenson (1986) further noted that the implementation of these seats assured critics in Britain that the colonists would look after Māori interests (p. B-20). In essence, both the *Representation Act* of 1867 and the four Māori seats were ploys by the Crown to suggest that Māori interests were being taken into consideration, when in fact they were not. This was further proven by unsuccessful attempts in 1876 by Māori to increase their representation. In 1876, a Bill was introduced 'providing for an increase in Māori representation in the House to [seven] members" but was rejected (Sorenson, 1986, p. B-24). In that same year, Parliament was petitioned by the Ngatikahungunu tribe for Māori representation to be 'in the same proportion as the representation is of the European race by European members' (Sorenson, 1986, p. B-24); that too failed to materialize.

In 1872, the four Māori seats were extended for another five years, and by 1876 they were extended indefinitely.[25] Between 1896 and 1975 Māori could vote only in Māori electorates, and only half-castes (persons with one Māori and one European parent) were given a choice of registering on either the Māori or general roll (Sullivan, 1997). A Māori electoral option[26] was introduced in 1975 by the Labour government, and this allowed Māori after each five yearly census to choose whether or not they wanted to enroll in the general electorate or Māori seats. The number of persons on the Māori roll would determine whether the number of Māori seats increased or decreased. If numbers on the Māori roll increased, the number of seats in Parliament would also increase, but if more Māori voters switched from the Māori roll to the general roll, then the number of seats would gradually decrease. The National Party won the general election and formed the government in 1975 and overrode the Labour Party's action by fixing the number of Māori seats at four (despite the number of persons registered on the Māori roll). This resulted in a loss of interest in the Māori seats by Māori voters. It also saw a gradual shift from the Māori seats to the general roll at each option until 1993 when the *Electoral Act* permitted the Māori seats to increase or decrease based on the number of voters on the Māori roll (New Zealand Electoral Commission, 2006).

In conclusion, the Māori seats in New Zealand came about for two main reasons. The first reason according to Dahlberg (1996) was because "European members were motivated to extend the Act fearing that Māori voters might jeopardise the safety of some European seats if they were included on the European roll" (p. 64). The second

[25] The Electoral Act 1893 gave all New Zealand men and women the vote, including Māori.
[26] The Māori Electoral Option gives New Zealanders of Māori descent the opportunity to choose whether they want to be on the Māori Electoral Roll or the General Electoral Roll when they vote in a General Election.

reason is that Māori saw the seats as their only chance at maintaining any form of representation. They were not guaranteed effective representation, but it was more than what other ethnic minority groups enjoyed. Even though the four reserved seats were set up to guarantee Māori political representation, they came to be regarded by Māori as "an important concession to, and the principal expression of their constitutional position under the Treaty of Waitangi" (RCES, p. H-86). They also serve as a base through which Māori can continue to demand more constitutional and political rights.

Māori Population 1991-2006

Data from the most recent census (2006) shows that there are approximately 4,143,279 people living in New Zealand--an increase of 322,530 (8.4 %) since the 2001 Census (Statistics New Zealand, 2006). Of that number, 565,329 people identified with the Māori ethnic group (representing 15% of the total population), while 643,977 people were of Māori descent/ancestry (representing 18% of the total population).[27] Those identifying with Māori ethnicity increased by 7% between the 2001 and 2006 censuses, and by 30% since 1991. The Māori ancestry group also increased by 7% between the 2001 and 2006 censuses and by 26% since the 1991 census (Statistics New Zealand, 2006). Statistics New Zealand (2005) projected that the Māori *ethnic* population will continue to grow both numerically and in proportion to the New Zealand population. It also estimated that the Māori ethnic group will increase by 28% by 2021, to make up 17% of the total population. There was no specific projection for the Māori descendants but it can be assumed that the same level of growth experienced by ethnic Māori can be

[27] *Māori ethnic group:* all those who identified Māori as at least one of their ethnic group affiliations.

expected. The majority group in New Zealand has been classified as "European" or "Paheka", and have a population over four times as large as that of the Māori. Table 4 below gives an indication of the ethnic breakdown in New Zealand between 1991 and 2006.

Table.4. Ethnic Population (%): New Zealand (1991, 1996, 2001 and 2006 census).

Year	European	Māori	Pacific Island	Asian	Other
1991	83.2	13.0	5.0	3.0	0.21
1996	83.1	15.1	5.8	5.0	0.41
2001	80.0	14.7	6.5	6.6	0.72
2006	68.0	15.0	6.9	9.2	12.04

Sources: Statistics New Zealand 2001, Census: Ethnic Groups-reference report; Statistics New Zealand 2004, 1996 Census of Population and Dwellings, Ethnic Groups; Statistics New Zealand 2006; The Social Report 2010, Ethnic Composition of the Population

Notes:
1. Percentages are based upon the 'census usually resident population'.
2. Percentages will not total 100 since individuals are allowed to report more than one ethnic group.
3. "Other" group includes Middle Eastern, Latin Americans, Africans, New Zealander
4. 'New Zealander' was introduced as a new response option for the 2006 Census. Prior to 2006, 'New Zealander' responses were grouped in the 'Other Ethnicity" category. This would account for the drop in the 'European' category in the 2006 Census.

Even though Māori make up the second largest ethnic group in New Zealand, it becomes evident from Table 3 that they lag significantly behind their European counterparts. Their numbers however, are large enough to have an impact on elections and to be considered and not be ignored in important government decisions.

Māori under MMP

Māori representation under the First-Past-the Post electoral system was basically non-existent without the reserved seats. Four Māori seats were established in New Zealand under the First-Past-the-Post system. However, despite having these reserved

seats, Māori continued to be underrepresented at all levels of the political sphere until 1993 when New Zealand changed its electoral system. Being a "minority" group in a majoritarian society means that Māori at all levels of the political field enjoy limited access to power; are often outnumbered and outvoted, and depend on the goodwill of the majority (RCES 1989; Dahlberg, 1996). Electoral reform in 1993 was meant to provide ways by which Māori and other ethnic minority groups could enjoy greater representation. One of the central arguments for the Mixed Member Proportional system in New Zealand was that it would provide the incentives for parties to elect more Māori, other ethnic groups and women. McRobie (1981) sums it up best when he noted that, "New Zealand's [First-Past-the-Post] electoral system is couched in terms of the dominant European values of the society. If a single Māori system is to occur, the Māori people must feel assured that… they are being listened to, and that a genuine attempt is being made to meet their needs and aspirations" (p. 14).

The change to MMP in 1996 was felt across all minority and underrepresented groups. There was a significant increase in the number of minority Members of Parliament who entered the House of Representatives. Māori, other ethnic groups and women could now enter parliament through a political party as a list or electorate candidate. The Māori MPs enjoyed an added advantage in that they were guaranteed at least four reserved Māori seats. For Māori, the first election under MMP in 1996 resulted in a fifth Māori electorate seat. This number increased to six in 1999 and seven in 2002, 2005 and 2008 (Elections New Zealand, 2005). The year 1996 also saw a record number of Māori MPs being elected to Parliament (13%), a number that was roughly proportionate to Māori's percentage of the population (Arseneau, 1997). Of the

16 Māori MPs that were elected to Parliament in 1996, 19% were appointed to cabinet. Comparing election results, it becomes evident that after the 1996 general election the number of Māori MPs continued to rise with a steady increase from 13% in 1999 to 16% in 2008 (Table 5). Prior to 1993, the number of Māori in parliament at any given time did not exceed eight percent.

Table. 5.: Māori Population and seat allocation (1993-2011)

Category	**1993**	**1996**	**1999**	**2002**	**2005**	**2008**	**2011**
A. Māori Population (as a % of total population)	13%	15%	15%	15%	15%	15%	15%
B. Māori MPs (out of total MPS)	7	16	16	19	21	20	21
C. Number of MPs in Parliament	99	120	120	120	121	122	121
D. Māori MP (as a % of total MPs)	7.0%	13.0%	13.0%	16%	17.0%	16.0%	17%
E. Representational difference (D-A)	-6%	-2%	-2%	1 %	2%	1%	2
F. Māori Seats in Parliament	4	5	6	7	7	7	7
G. Māori MPs (without Māori seat) (B-F)	3	11	10	12	14	13	14
H. MPs without Māori Seats (C-F)	95	115	114	113	114	115	114
I. Māori MPs (as a % without Māori seats)	3.2%	9.6%	8.8%	11.5%	14%	11.3%	12%
J. Representational Deficit (I-A)	-9.8%	-5.4%	-6.2%	-3.5%	-1%	-3.7%	-3%

Sources: Statistics New Zealand: QuickStats about Māori, 2006; Statistics New Zealand: Historical population estimates table, (table 1); Parliamentary Library, 2009; Joseph, 2008

Following the adoption of the Mixed Member Proportional (MMP) representation system the New Zealand parliament has grown more diverse and representative of the overall populace. Not only has the number of Māori MPs in New Zealand parliament increased, but the proportion of MPs identifying themselves as

Pacific people or Asians also improved. In 1996, the first Samoan MP (Taito Phillip Field, Labour) and the first Asian MP (Pansy Wong) were elected to parliament. The 1999 election saw the election of the first Rastafarian (Nandor Tanczos, Green party), and the first transsexual (Georgina Beyer, Labour). The 2008 elections also saw the election of more minority representatives elected to parliament. For the first time in New Zealand's history there was elected the first Korean MP (Melissa Lee); the first Sikh member (Kanwaljit Bakshi) and the first Muslim member (Ashraf Chourdray). Following the 2008 and 2011 general election, 31 (25%) out of the 122 and 121 Members of Parliament respectively self-identified as being of Māori, Pacific peoples or Asian ethnicity.

During its investigations, the Royal Commission on the Electoral System in New Zealand sought to abolish the Māori seats based on the belief that political parties would elect more Māori via the list system. The Commission argued that:

> [T]he Māori MPs are…dependent upon the attitudes of the majority…[S]eparate representation has reinforced the political dependency of the Māori people and their exposure to non-Māori control over their destiny and future…[B]y confining Māori voting power to separately elected seats, separate representation has weakened the influence of the Māori MPs. (RCES, 1986, p. 91)

The Commission estimated that Māori representation under the MMP system would fare better than it did under the plurality/majority system…with or without separate Māori seats. It was expected that parties would be compelled to select Māori candidates both for high list places and in winnable constituency seats. This would further lead to an increase in Māori representation and participation. Under the First-Past-the-Post electoral system political parties often nominate or select a candidate who they perceive has the greatest chance of winning. These candidates are often Europeans and men.

Māori, women and other ethnic minorities are usually not perceived as suitable candidates for highly contested seats, and as such they are often passed over for nomination or selection by the respective parties. Based on Table 5 above, it would seem that the Commission was wrong in its assumptions. Without the reserved Māori seats, the percentage of Māori MPs in Parliament would fall far below that of the general Māori population. Most Māori MPs are elected to parliament via the list system, but the reserved seats help to ensure that the level of representation they enjoy is indicative and reflective of the entire Māori population.

Māori seats as discriminatory?

Supporters of the reserved seats for Māori MPs often highlight the right of Māori as the indigenous people of New Zealand, and the need to represent their own interests. Critics of the Māori seats however argue that they are discriminatory and unfair to other ethnic minorities. It is their belief that the reserved seats provide Māori with an added privilege that violates the principle of democracy. Levine (1979) argues for example that:

> Debate [over the Māori seats] centres on the principle of equity, which is not easily interpreted on this issue. Is it 'fair' to other disadvantaged minorities to maintain separate representation, indefinitely, solely for the Māori? Is it 'fair' to the majority to maintain a guaranteed representation for one ethnic group? (p. 108-109)

Other ethnic minority groups such as the Pacific Islanders and Asians do not enjoy having special representation and so must compete with the major ethnic group (European) for seats in parliament. Joseph (2008) argues that while democratic societies should avoid barriers for the representation of minorities, Māori today do not face a barrier. Before New Zealanders gained universal adult suffrage, Māori did face a

tremendous barrier in being elected to parliament. After the vote was extended to everyone, they no longer faced that barrier. Like other ethnic groups, they are now free to compete in the general elections. Separate seats for Māori have also being criticized on the grounds that they create division in a country which prides itself on being "multi-cultural". McRobie (1981) argues that "outwardly, the continued presence of the four Māori seats gives the appearance of communal representation in which 'being Māori' is more significant as a determinant of representation than where a person lives" (p. 2). The contentious debate over whether or not one ethnic group should enjoy more representation than others is one that will continue as long as the Māori reserved seats remain in New Zealand.

Election of Māori to Parliament via List Seats and Electorate seats

The MMP electoral system was adopted in New Zealand because the Royal Commission on the Electoral System believed that it would ensure that voters' party preferences are proportionally reflected in the party composition of parliament. It also argued very importantly that this new electoral system would lead to a parliament that reflects the New Zealand society and its diverse culture. It was expected that parties would be encouraged to strategically place minority groups and women on the party list so as to increase their chances of being elected (RCES, 1986; Catt, 1997). Comparing election results for 1996 to 2011, more Māori MPs were elected from party lists during the 1996, 2005 and 2008 (Table 6). Of the 112 Māori MPs elected between 1996 and 2011, 61 were elected via the list seats while 51 were elected via the electorate seats. It is also important to note that the reserved Māori seats accounted for 82% of the total number of Māori MPs elected via the electorate seats.

Table 6.: Number of Māori Elected to Parliament via List system (1996, 1999, 2002, 2005, 2008 and 2011)

Year	No. Electorate MPs	No. List MPs	Total no. MPs	Size of Parliament	Māori %
1996	7	9	16	120	13.0%
1999	9	7	16	120	13.0%
2002	10	9	19	120	16.0%
2005	7	14	21	121	17.0%
2008	7	13	20	122	16.0%
2011	11	9	20	121	17.0%

As the RCES projected, more Māori were elected under the list portion of the MMP system than through electorate seats, but the role played by the reserved electorate seats in increasing Māori representation cannot be overlooked. Between 1996 and 2008, the electorate seats contributed significantly to the number of Māori MPs in parliament. In 1996 for example, if the reserved seats did not exist, there would only have been nine Māori MPs in parliament.

The 1999, 2002 and 2011 elections were especially different from other elections under the MMP system because they were the only years that more Māori MP were elected via the electorate seats. This could have resulted from more Māori voters registering on the Māori roll. As noted earlier, if more Māori register on the Māori roll, the number of Māori electorates will increase. Conversely, if more Māori enroll on the general roll, it could mean fewer Māori electorates. In 1999, for example, 16 Māori MPs

were elected to Parliament. Of that number, seven (7) MPs were selected through the reserved seats while two (2) were elected from the general roll (total of nine Māori electorate MPs) and seven were elected from the party list.

Conclusion

The statistics presented in this chapter suggest that the MMP system did result in increased descriptive representation for women and Māori MPs--much of which can be attributed to the list proportion of the electoral system. It is imperative therefore that we analyze the role played by political parties in nominating, selecting and ranking candidates. It is in light of this that chapter 5 provides an overview of the role that political parties played in the election of women and Māori to parliament, and to a greater extent, their substantive representation.

Chapter 5: Political Parties: Nomination, Selection and party ranking of candidates

Introduction

Electoral systems influence not just the numbers of minorities elected to parliament, but also how parties seek to appeal to, or marginalize, minority voters, and how inclusive and multi-ethnic candidate lists will be. Proportional representation systems, for example, facilitate the representation of minorities because they encourage minorities to create their own parties if they feel underrepresented in the larger ones. One major characteristic of proportional systems is the claim that they are more likely to produce a parliament which reflects the composition of the electorate (Reynolds, 2006, p. 20). To keep groups from straying, larger parties may seek to place candidates on the party list who reflect minority party constituencies. Whereas Westminster regimes typically produce two parties and solid one-party majorities that govern excluding the rest of social actors, proportional representation structures are more conducive to the representation of minorities (which are left aside in a plurality system) (Adsera & Boix, 2004). A first-past-the-post, single-member plurality system on the other hand, can cause serious distortions in the way that seats are translated into votes. Typically, the party with the most votes is rewarded with significantly more seats than its share of the popular vote would warrant; so too, is a minor party with regionally concentrated support. A minor party with diffuse national support, will rarely receive as many seats as its share of the popular vote would seem to warrant. According to Pitkin (1976), "these distortions in the translation of votes into seats can weaken elections as mechanisms of descriptive representation; after all, the main trait of a representative body is accurate

correspondence or resemblance to what it represents, by reflecting without distortion" (p. 60).

Ellis (2005) further argues that "the type of party system which develops, in particular the number and the relative sizes of political parties in the legislature is heavily influenced by the electoral system" (p. 3). The selection of leadership in a country rests on the electoral system, making it crucial to the successful functioning of the government. Lijphart (1999) further argues that the existence of multiple political parties provides citizens with a choice as to who will govern their country. The argument in support of having multiple political parties is summed up by Cain (2001) who notes that "some see choosing between only two parties as the political equivalent of not having cable television--excusable in the fifties, but not in the modern era" (p. 793). Furthermore, a broader range of winning parties leads to greater representation of diverse values. Thus, it should follow that a country with more political parties will be more democratic by representing more of the public's views (Carey, 1997, pp. 67-68).

A political party can be defined as "any political group that presents at elections, and is capable of placing through elections, candidates for public office" (Mainwaring and Scully, 1995, p. 2). Political parties perform four key functions: to develop policies and programs; to pick up demands from society and bundle them into different policy options; to recruit and select people for executive and legislative positions; and to exercise control over government (Canton, 2007). Parties differ in the groups they represent; how broad their social appeal is or how many groups they represent; how much of the social and private life of their members they control; the extent to which

their sympathizers and supporters are actually enrolled and mobilized in the party; the degree to which membership is open and easily obtained; and the party's attitude toward the present structure of society (Fried, 1966).

In modern democratic theory, political parties are seen as the primary institutional means for mediating between society and government (Klingemann, Hofferbert & Budge, 1994). According to Loenen (1997), "the reins of democracy are held in party hands; parties structure the ballot by selecting the candidates the public will vote on" (p. 85). Furthermore, the "initial selection process eliminates from further participation many diverse views, opinions and interests" (Loenen, 1997, p. 85). Parties form an important component of parliamentary democracies, and are the "gatekeepers" to parliament. Political parties are crucial to the effective operation of representative democracy as they provide the vehicle for the electorate to express itself. They also accommodate diverse interest groups and offer voters different political options. In any society, social groups with particular interests to promote or defend need some means whereby their demands can be aggregated and articulated in government. Traditionally, political parties have performed this function and hence the association of party with particular social groups, regions or religions. Party organizations also determine the manner in which elections are conducted, as well as the nature of the linkage between political elites and the mass public. Parties select candidates to contest elections for public office and the choice offered to voters is thus the choice offered by parties.

Any form of democratic society needs strong and sustainable political parties with the capacity to represent its citizens and provide policy choices that demonstrate their ability to govern for the public good. Parties remain the most important mediating

institutions between citizens and the state. Political parties organize politics in every modern democracy, and some observers claim that parties are what induce democracies to be responsive. Stokes (1999) argues that:

> Legislative politics is unstable without parties hence, legislators who want to get something done and who want their preferred policies to prevail will form parties. Far from an unfortunate consequence of human nature plus liberal freedoms, parties introduce effectiveness into democratic institutions. (p. 245)

In modern democratic societies, the selection of candidates is one of the most important functions of a political party. The role that political parties play in supporting and nominating women, ethnic minorities and underrepresented groups has been identified as one of the most important factors in increasing representation for women and other underrepresented groups in parliament. According to Cross (2006), "in terms of legislative recruitment, distribution of power within parties, and defining the relationship between parties and their partisans, candidate nomination is a key event in all modern democracies" (p. 3). The candidates that a party selects to compete in an election will help define its characteristics--demographically, geographically, and ideologically--more than its organization or even its manifesto (LeDuc, Norris, and Neimi, 2002, p. 110). Furthermore, the quality of candidates selected determines the quality of deputies (MPs) elected, of the resultant parliament, often of the members of the government and, to some extent, of a country's politics. A change in parties' selection procedures in any given country might thus have direct consequences for the way politics operate there (Gallagher, 1988, p. 1). The nomination and selection of candidates determine not only the choices before voters, but also the composition of the government, the opposition and the legislature. Most importantly, it influences the

interests, and ideologies most likely to be addressed, and consequently the resulting policy decisions that will be enacted.

Effects of the nomination and selection process on representation of women and Māori

Political Parties in New Zealand

As noted earlier in the study, the choice of electoral system greatly impacts the level of representation that women, ethnic minorities and other underrepresented groups are able to enjoy in parliament. It has been the general consensus that proportional representation systems are more capable of promoting minority representation than plurality/majority systems (Norris, 2006; Reynolds and Reilly, 2005; Bird, 2003; Arsenau 1997). The Mixed Member Proportional system was adopted in New Zealand because the Royal Commission on the Electoral System believed that it would do a better job of converting the expressed preferences of voters into seats in parliament. The MMP system not only changed the way voters cast their votes, but it also required that the two major parties, National and Labour, change the way they campaign, nominate and select candidates. Instead of putting up candidates for electorate seats, they now have to create national list of candidates and campaign for the nationwide party list (Stephens & Leslie, 2011). Prior to 1996, political parties needed only to appeal to a majority within one electorate. The list system created by the adoption of the MMP system now forces them to construct a list that will appeal to the country at large, and to select candidates who will attract the most voters.

There are usually four stages in obtaining political power: eligibility, recruitment, selection and election. The most difficult stages for women and other

minority groups though are the recruitment and selection stage. Political parties, and political elites "control the recruitment and selection of candidates, determine the rules, the procedures, and often the criteria according to which candidates will be recruited" (Pitre, 2003, p. 103). Political parties, however, do not always practice impartiality and instead often seek to recruit or select the "best" person they perceive will win the election or represent the interests of the constituents. This is known as the "incumbency factor", and can pose a problem for under-represented groups who are often considered "unproven and unknown" (Bird, 2003). In political systems such as New Zealand, where parliament is dominated by males, it is easy for female MPs to get passed over during the recruitment and selection process. The candidate selection process in New Zealand is not a neutral or impartial process even though political parties such as the Green and Labour Party adopt a gender balance approach in selecting and nominating candidates. As Pitre (2003) rightfully argues, "if candidate selection were, in fact, a neutral stage of the political process, legislatures would better reflect the actual population" (p. 3).

An examination of the two major parties in New Zealand shows that the Labour Party was better able to select, nominate and have more women and minority groups elected to parliament than was the National Party. One important answer lies in the mechanism that each party used to select their candidates. In order to better understand the recruitment and selection process used by the two major parties and the smaller parties in New Zealand, it is important to first have an understanding of their organizational structure and ideologies.

The two major parties in New Zealand are the Labour Party and the National Party. While these two parties dominate the political landscape, New Zealand is now considered a multi-party state where smaller parties can hold seats in parliament if they meet the necessary requirements or gain enough votes in the general election. There are six smaller parties that have occupied seats in New Zealand's parliament since the adoption of the MMP electoral system. They include: the Green Party, New Zealand First, Māori Party, ACT New Zealand, United Future and Alliance.

Formed in 1990, the Green Party is the third largest party in parliament, and is positioned on the left-wing of the political spectrum. The Green's core ideologies focus primarily around care for the environment. Their ideologies also include strong ecological wisdom, the belief in non-violent approaches and social responsibility. The Party further envisions a New Zealand where "people respect each other and the natural world… [a] healthy, peaceful and richly diverse [place]" (Green Party, 2012). Despite being a very young party, the Māori Party forms a very active part of the New Zealand Parliament. Formed in 2004, the party is guided by eight constitutional "kaupapa", or party objectives. One of their core objectives is "to promote a fair and just society, to work for the elimination of poverty and injustice, and to create an environment where the care and welfare of one's neighbour is still important" (Māori Party, 2010). It also works to ensure that the Party is of the Māori people and to assist Māori to establish and maintain their connections to their own land. The Party further supports the upholding of indigenous values and compulsory "heritage studies" in schools.

Formed in 1994, the New Zealand First Party lies in the centre of the political spectrum. Its vision is "to put New Zealanders first through enlightened economic and

social policies, by controlling our own resources and by restoring faith in the democratic process" (New Zealand First, 2011). On the Party's website, it is noted that the party was set up to arrest the social and economic decline of New Zealand and to restore its status as a land of fairness and opportunity (New Zealand First, 2011). At the core of New Zealand First's policies are its infamous "Fifteen Fundamental Principles;" the first of which is "to put New Zealand and New Zealanders First". Other principles include: open accountable government with less government; economic policies which entails a strategy for export-lead economic development to add value to our resources; the treatment of money spent on education as an investment, not as expenditure and finally, the employment of New Zealanders as a first planning priority (New Zealand First, 2011).

ACT (Association of Consumers and Taxpayers) New Zealand is a neo-liberal or free market political party which was formed in 1995. The party is based on the core ideologies of personal responsibility, choice and freedom. The principal object of the ACT Party is "to promote an open, progressive and benevolent society in which individual New Zealanders are free to achieve their full potential" (ACT, 2012). To this end the ACT Party upholds the following principles: that individuals are the rightful owners of their own lives and therefore have inherent rights and responsibilities; and that the proper purpose of government is to protect such rights and not to assume such responsibilities. The policies advocated by the Party seek among other things to encourage individual choice and responsibility, enhance living standards for all New Zealanders through sustainable economic growth and international competitiveness; ensure that all New Zealanders have access to quality health care and have security in

retirement; maintain social and economic support for those unable to help themselves and who are in genuine need of assistance; and to limit the involvement of central and local government to those areas where collective action is a practical necessity (ACT, 2012).

United Future was formed in 2000 after a merger of Future New Zealand (formerly the Christian Democrats) and the United Party. The Party promotes a fair, democratic and open society, founded on the rule of law, integrity and justice. It is also committed to the fundamental values of respect for life, liberty, equality and community (United Future, 2012). United Future also believe in an open market economy, and the promotion of innovation, creativity and wealth, balanced by a recognition of wider social responsibility and the need to protect a sustainable natural environment. At the core of its policymaking is the family. The family (including wider family and whanau) is regarded as the primary unit for a sustainable society and every political issue is ultimately viewed as a family issue.

Finally, the Alliance Party is a left-wing party that was formed in New Zealand in 1991 as an alliance of four parties (New Labour Party, Democratic Party, Mana Motuhake and Greens). The party is not currently represented in parliament, but has played an influential role in New Zealand politics. The Party's policies are based on the socialist principles of democracy, equality, social ownership and internationalism. It combines a concern for the protection of the environment with the need to create a democratic planned economy and a modern welfare state. As such it supports free education, healthcare, job security and full employment, the protection of the environment and the maintenance of the welfare state (Alliance, 2012).

Located on the centre-left of the political spectrum, the New Zealand Labour Party was born out of the labour movement in 1916 by left-wing organizations and trade unions. This is further reiterated on the party's website which noted that it started its life as "a party of change - a voice for the working classes who believed that a fairer future was possible" (New Zealand Labour Party, 2012). Today, the Labour Party is considered the major liberal party in New Zealand. The key policies of the party revolve around the fundamental basics of society, education, conservation, environmental issues, healthcare and law and order. Some of the democratic socialist principles accepted by the party include: All political authority comes from the people by democratic means including universal suffrage; regular and free elections with a secret ballot; the natural resources of New Zealand belong to all the people and these resources, and in particular non-renewable resources, should be managed for the benefit of all, including future generations. Finally, the party believes that all people should have equal access to all social, economic, cultural, political and legal spheres, regardless of wealth or social position, and continuing participation in the democratic process (New Zealand Labour Party, 2012). It is understandable therefore why the Labour party has traditionally maintained significant support from ethnic minorities such as the Māori people, women, trade workers and the less fortunate members of society.

The New Zealand Labour Party is structurally organized into four branches (levels): local, electorate, regional and national. At the local level members wishing to join the party can do so based on two categories: affiliate and general. General members can join any of the party's various branches. Some of these branches include those for women, university students, Pacific Island people, Māori and people of other ethnicities.

Affiliated membership is through membership of a trade union affiliated to the Labour Party (New Zealand Labour Party Constitution and Rules, 2011). In the electorate branch there are electorate committees set up by the Labour Party for each of the 70 electoral districts (often called electorates or constituents in New Zealand). A key function of this committee is to assist in selecting the local party candidate and supporting the candidate's election campaign. The electorate committees are further mandated with the responsibility to encourage and support the establishment of membership-based interest groups in the electorate to facilitate such business as: discussions on politics; political, educational and cultural topics; social interaction; election organisation activity; the raising of finance and matters of local public interest.

At the regional level, the Labour party has regional councils that act on regional issues, deal with policy proposals from the region's branches and contributes to the list ranking for party candidates in parliament. These councils are also mandated with the responsibility of raising funds, election organizations, and the promotion of suitable education programmes and public understanding of party policy (New Zealand Labour Party Constitution and Rules, 2011). The national branch on the other hand is made up of the New Zealand Council, and is responsible for candidate selection with assistance from the local and regional councils. The New Zealand Council is made up of the President of the Party; Senior Vice-President of the Party and representatives of interests groups such as: Māori, Pacific Islander, women, youths (one of each holds the title of Vice-President). There is also a Rainbow representative (gays, lesbians, bisexuals and transsexuals) (New Zealand Labour Party Constitution and Rules, 2011)

Located on the centre-right of the political spectrum, the New Zealand National Party was formed in 1936 out of the conservative farming-based Reform party, the urban-liberal middle-class United Party and the libertarian Democrat Party (National Party, 2012). The parties united over their opposition to the election of what they regarded as the "socialist" Labour Party. The name "National" was chosen as the new party sought to represent all parts of the community. The party was formed on the principles of "individual responsibility, private enterprise, and reward for individual effort" (New Zealand National Party, 2012). The party's principles, seek "a safe, prosperous and successful New Zealand that creates opportunities for all New Zealanders to reach their personal goals and dreams" (New Zealand National Party, 2012). They believe this will be achieved by building a society based on the following values:

1. loyalty to our country, its democratic principles and our Sovereign as Head of State;
2. national and personal security;
3. equal citizenship and equal opportunity;
4. individual freedom and choice;
5. personal responsibility;
6. competitive enterprise and rewards for achievement;
7. limited government; strong families and caring communities;
8. and sustainable development of our environment.

Even though the National Party's principles entail conservative, liberal, populist and radical tendencies or beliefs, over the year the conservative tendencies have prevailed. The conservative principles of the National Party rank them as New Zealand's major right-wing party. National's key policies are similar to other parties in parliament, but it is the way in which the party forms those policies that makes it different. While the Labour Party often focuses on the socio-economic well-being of New Zealanders

with special emphasis on women, Māori and other ethnic minorities, National adopts a hands-off approach and centres their focus on the market state and economy.

The New Zealand National Party is governed by a Board of Directors (the Board) which is responsible for the direction and control of the Party's activities, and compliance of the Party with the relevant laws of New Zealand (New Zealand National Party, 2011a). The Board comprises nine people, which include: seven members elected by the Party at its annual conference (one of whom will become President of the Party), the leader (elected annually), and a National Member of Parliament. At the regional level, electorates (constituents) within a particular geographical area are grouped together as Regions of Electorates. These Regions of Electorates are responsible for assisting each other and providing a regional focus for party activities; support the weaker electorates, and assist with candidate selection and ranking of list candidates in the Region (New Zealand National Party, 2011a). The party also has five Regional Councils, led by a regional chair, with each council consisting of representatives elected by electorate committees.

Electorate Committees are also established in each of the 70 electorates and are comprised of either representatives elected by Branch Committees from their own members (where branches are operating within an electorate) or current financial members of the Electorate elected at the Annual Meeting of the Electorate. The functions of an Electorate Committee are "to facilitate and give effect to the Vision and Values of the Party in the Electorate and to carry out the key operational objectives of the Party in the Electorate" (New Zealand National Party, 2011b). Unlike the Labour Party, there are no specialized branches under the National Party. Neither are there

special provisions for women and ethnic minorities. There is, however, a Young Nationals arm which is mandated with the responsibility to advise the Board on matters relating to Young Nationals and other young people and to encourage young people to participate within the Party.

There are various political parties in New Zealand, each with their own ideologies, policies and structure. These parties also differ greatly in the number of women and ethnic minorities that they recruit, select and nominate to contest seats in the general election. The two main identifiable characteristics of a political party that can promote or hinder the representation of women and Māori are organizational structure and ideologies. There are several aspects to a party's organizational structure, but for the purpose of this chapter, the focus will be on whether or not a party adopts a centralized or decentralized method of nominating and selecting candidates.

Centralization refers to the distribution of power and decision-making within the political party. Political parties that use a centralized system to recruit nominate and select candidates do a better job at representing women and Māori. Within a centralized system the recruitment and selection process remain in the hands of the executive or leader, and can therefore work to ensure that women and ethnic minorities are represented. Leaders are also held accountable for the actions of the party, and so they are often forced to ensure that their actions are both transparent and favourable to all. According to Matland and Studlar (1996), "centralized control over nominations means that party elites can increase the number of viable women candidates in response to pressure for greater representation" (p. 709). Caul (1999) further argues that:

> A centralized party organization may be more accountable for its inclusion of female candidates. Groups seeking increased representation have a central target for their demands. If those demands are not met, the groups can fault the party leaders. In a more decentralized system each locality must be individually pressured to support women. (p. 81)

Parties with decentralized candidate selection allow individual members to participate in nominating candidates, and so political leaders have less direct influence over the recruitment and selection process. As such, local representatives are free to choose the candidate that they think will win an election. This often includes males or incumbents with more experience or appeal. One benefit of a decentralized system whereby nominations are conducted at the local level is that it is easier for women and ethnic minorities to work their way up to the national level. It is often hypothesized that underrepresented groups especially women often enter politics by first getting involved at the grassroots level, and then working their way up to the national level. Political parties using a decentralized nomination procedure can also prove more beneficial for minority and underrepresented groups because these parties are faced with more pressure to cater to and appeal to their main supporters. In a centralized system with more rigid rules, it might be more difficult for women and ethnic minorities to work their way up the ladder.

The Labour Party rules are centralized, and its candidate selection is codified in its constitution. Prior to 1996 Labour concentrated decision-making powers in central bodies in comparison to National whose decision-making process was decentralized (Stephens & Leslie, 2011). The selection committee for constituent candidates comprised six persons to select electorate candidates (New Zealand Labour Party Constitution and Rules, 2011). After the nomination of candidates, a selection meeting

was held to determine who would compete in the general election. This committee consisted of three (3) members of the New Zealand Council, at least one of whom was a woman. In the case of the Māori constituency, at least two (2) of the committee members was a Māori (one of whom was a woman). The committee also consisted of two or three local representatives (one of whom was a woman) and one local Party members' representative (New Zealand Labour Party Constitution and Rules, 2011, p. 21).

When New Zealand changed its electoral system in 1996, the Labour Party created a list system as is required under the MMP system, but made little or no change to the constituency selection procedures (Salmond, 2003). A two-staged process was introduced to select candidates for the list seats. The selection process remained largely in the hands of the executive, but regional/local representatives do have an input in the nomination and selection process. The list candidate selection process is a bit more complicated than the constituency selection process and is divided into two main parts: regional and national selections. The first process takes place at the Labour Party's six regional Annual General Meetings, with candidates nominating themselves for particular list places. Each region ranks a given number of candidates (120) based on the proportion of the population living in that region (Salmond, 2003). Candidates go through a process of elimination and are expected to receive 50 percent or more of all available votes in order to be granted a spot on the list. Candidates are ranked by a process of exhaustive ballot taken singly for the first twenty (20) positions at least, thereafter by preferential voting in bands of five (5); for example, positions 21-25, and so on. During this process the selectors pause for an equity review after each five (5)

position ballots are completed (New Zealand Labour Party Constitution, 2011). If no candidate receives the required number of votes on the first ballot, the lowest polling candidate is dropped and a second round of voting takes place. This process is repeated until there is a distinct winner (the result is published after each regional ranking).After the ranking process is completed at the regional level, the ranked list is forwarded to the Head Office.

At the second stage of the selection process a single meeting is held with representatives from the National Council and consists of four senior officers of the Party executive, three representatives of the parliamentary caucus, two members of the Māori policy committee, sixteen representatives from the constituencies within the party, and seven representatives of the party's regional executives (Salmond, 2003). The first two places on the list at the national level are reserved for the leader and deputy leader, and the same elimination process as that used at the regional level is applied. As with the regional selections, the selection committee pauses after every set of five elections to ensure that women, Māori, other ethnic minorities and all age groups are adequately represented.

In the Labour Party's Constitution, there are codified provisions for the inclusion and recognition of women and Māori. Following the adoption of the MMP system in 1996, the party also changed its constitution to include a principle of "gender balance" at all levels of the selection and nomination process. At each candidate selection conference the party "pauses for thought" after each bloc of five candidates to ensure that the list represents women, ethnic groups and different age groups. Clause 260 of the New Zealand Labour Party Constitution and Rules also specifies that "any process

undertaken in the selection and ranking of nominees shall recognize that the Treaty of Waitangi guarantees Māori representation" (p. 23). The party also requires that "gender balance is observed at all stages of the selection process, so that any delegation of two or more will be required to include women as part of their delegation" (New Zealand Labour Party Constitution and Rules, 2011, p. 23). Any delegation which refuses to include women as part of their delegation would have to explain to the Conference Chair and NZ Council why this is so, and will lose one vote. If no justifiable reason is given for this exclusion, they will lose all but one voting entitlement (New Zealand Labour Party Constitution and Rules, 2011).

The National Party's nomination process unlike Labour's was decentralized prior to 1996, and power was placed in the hands of electorates (constituency representatives). With the adoption of the MMP system in 1996, National's organisation did not have the capacity to create a national list or conduct a nationwide campaign which would attract party votes. Under the FPTP system, National dominated the political scene, and saw no reason to change after 1996. Furthermore, the party was not a supporter of the MMP system. The National Party's candidate selection for electorate seats took place within each electorate rather than at the nationwide divisional level and continued under MMP. Candidate selection for constituency candidates is conducted in similar manner to the Labour party, and the selection process involves the elimination of the lowest polling candidate until one candidate has a majority. What differentiates the process used by both parties is the membership of the selection committee. A selection meeting is held with one delegate for every 15 members of an electorate branch. If a selectorate did not have 60 members or if an electorate branch did not reach its quota of 1 delegate for

every 15 members then the division chair could "top it up" by nominating more delegates to reach the 60 members mark. The delegates nominated were usually Pakeha (Europeans) and males. The elimination process, therefore, worked in favour of the incumbent MPs and excluded new candidates and minority groups. Few women and ethnic groups were ever elected based on the selection rules used by the National party (Stephens and Leslie, 2011). Salmond (2003), explains this best by noting that because there is no representation of the Executive during the nomination and selection process, "there is no guarantee that the regional [divisional] chairperson will act according to the wishes of the party's headquarters when nominating top-up delegates" (p. 197).

Like the Labour Party, National chooses its party lists in a two-stage process also known as a "hybrid model". This model allows the regional divisions significant, but not total control over the selection process. The party moves from a regional to a nationwide selection process. Voting at the regional or divisional level is carried out using preferential voting and each delegate (one per electorate) is given one vote. The regional lists, however, are not made public--as is the case with the Labour Party. The second stage of the selection process takes place at the nationwide level, and this committee is made up of the five regional chairpersons, four delegates from each region, the president, the parliamentary leader of the party and five representatives from the head office. Again, similar to the Labour Party, the two top spots are reserved for the leader and deputy leader of the party. Nationwide results like the regional results are also kept a secret.

The National Party's selection process is similar to that of the Labour Party, but there are also several differences. The Labour Party uses an "iterated list ranking

process" which allows them to update their preferences based on the result after each elimination stage. The National Party on the other hand uses a single ballot which does not allow for voters to change their preferences. National's selection process also places extreme power in the hand of regional representatives, and this limits the role of the executive and nationwide representatives. As was noted earlier, this has resulted in bias in favour of incumbent candidates while excluding new-comers and inexperienced candidates (Stephens & Leslie, 2011; Salmond, 2003). More importantly, unlike Labour, there is no requirement in National's selection process to review the list of candidates so as to ensure a gender, ethnic and age balance. There is also no provision in the constitution for the selection and nomination of women, Māori or other ethnic groups.

Variations in political party candidate selection not only determine how minorities and underrepresented groups are treated, but they also reveal the power balance within parties. In a centralized system where candidates are elected by the party leader or small party elite there is greater cohesion and adherence to party discipline. Party leaders are able to control the composition of the party and as such, they are able to punish or reward legislators based on their actions. If a legislator defies the party line or refuses to vote in accordance with the party, he or she can be punished at the next general election. The political party might also refuse to select them as suitable candidates in future elections. Legislators elected by party leaders under a centralized system are therefore forced to behave in a party-centred manner; it is in their best interests to conform to the ideologies of the party to which they belong. A decentralized system on the other hand works in favour of incumbents and against new-comers, but there is a lower level of party cohesion and legislators are more likely to respond to and

represent their own ideologies and those of the people in their constituencies or advocacy groups.

The extent to which political parties implement formal rules to increase women and minority representation depends on its organizational structure, but ideology and party policies will also determine whether they do so or not. A liberal party is more likely to implement measures that will result in the election of more women and ethnic groups than a conservative party which might see special measures as discriminatory as everyone is not being treated equally (Lovenduski and Norris 1993). Sawer and Curtin (2011) find that in New Zealand:

> Women in the Labour Party have, since the late 1970s, sought to ensure that women candidates are selected for safe seats to enable them a chance to build a political career. This progress was augmented by the introduction of MMP, which enabled more Labour women to enter parliament via the party's list. (p. 54)

It is understandable therefore why the left-winged Labour party was better able to adjust its organizational structure to meet the demands of the MMP system while the right-winged National party struggled to do so. It is also more apparent why there are usually more women and ethnic minorities in the Labour Party. McLeay (2006) sums it up best when she noted that:

> Labour's association with Māori, with the women's peace movement and with the trade unions, the consideration of social difference and its validity as a representative criterion, along with its somewhat greater readiness to accept positive discrimination measures affected its relationship with women [and Māori]. Its belief system enveloped policy and representation. (p. 77)

The conservative nature of the National Party often manifests itself in areas such as immigration, gender and ethnicity. It was the National Party for example that lead the fight for the abolition of the reserved Māori seats in New Zealand. Even before the

adoption of the MMP system, the National party was an active opponent of increased representation for the Māori. While the Labour party accepted the retention of separate Māori seats and the provisions that these seats fluctuate based on the number of Māori who register on the Māori roll or not, National was adamant that the number of seats should remain at four (Jackson & McRobie, 1998). After the introduction of the MMP system they continued to argue that the Māori seats and the allocation of funds to Māori were discriminatory and unfair as other ethnic groups in New Zealand did not enjoy such privileges (National Business Review, 2008; New Zealand National Party, 2007; TVNZ, 2007). In its 2008 Electoral Law Policy the National Party proposed to "begin a constitutional process to abolish the Māori seats once all historic Treaty claims have been settled" (New Zealand National Party, 2008). This they anticipate will take place in 2014.

In 2003, the National Party revised its list selection process. The List Standing Committee was made up of the Leader, Deputy Leader, President, five divisional vice presidents, youth, Māori, women vice presidents and four divisional representatives. During that same year, the structure of the Committee was revisited, and the Māori and women representatives sectors were removed. This could be due in part to the National Party's belief that women and minority groups should not be given preferential treatment as it is unfair and discriminatory towards the rest of the New Zealand society. In 2005 and 2008, National failed to stand any candidate in the seven Māori seats as a form of protest for its belief that the Māori seats should be abolished. Prior to the 2008 general election, National stated in its Electoral Law Policy that the party "wishes to see all New Zealanders on the same electoral roll" (New Zealand National Party, 2008).

While the selection process used by the National party is now centralized and the party has talked about the need to take 'balance' into account when selecting candidates, it must be noted that it does not make any extra provision in its Constitution for the recognition of Māori, women or other ethnic minorities in the selection process.

Women in the National Party not only face problems in getting nominated or selected to compete for seats in parliament, but they also struggled to retain those seats once elected. As McLeay (2006) noted, with the exception of McCombs (first woman to be elected to parliament), five of the 37 female Labour MPs elected between 1933 and 1999 (13.5 percent) were defeated after just one term in parliament. For the National party, they had five out of 22 (22.7 percent) candidates failing to remain in parliament after just one term (McLeay, 2006). The reason given for this is that not only did female MPs in the National party face more difficulties in getting selected as candidates, but unlike their Labour colleagues, they were placed in less secure seats and so most of them failed to get re-elected to parliament. This pattern continued after the introduction of the MMP electoral system.

Effects of Party Ranking on Election of Māori and Women to Parliament

Political parties determine who gets elected via the list system, and so have a duty to provide a list of candidates who will reflect the interests, demographic and socio-economic make-up of the wider society. According to Catt (1997), "a party could have a perfect gender balance across all candidates but rank all of the women [or ethnic minorities] in the bottom places and so add nothing to the greater representation of women [and ethnic minorities] in Parliament" (p. 202). The candidate selection process is important in determining the extent to which minority groups and women are

nominated and selected by political parties to compete in general elections, but more important is the question of how they were ranked on the party lists. Political parties under the MMP system in New Zealand rank their candidates in priority sequence, with the political leaders at the top. They also tend to post the most prominent members in the top ten positions, with women, minority groups and junior MPs in the top 20 positions. For the purpose of this research, members ranked within the top 10 positions on the party lists of the Labour and National parties will be defined as "high ranked", while those in the positions of 11 to 20 will be defined as "low-ranked". For the smaller political parties, candidates ranked in the top five positions will be defined as "high ranked", while those ranked lower than five will be defined as "low ranked".

Party lists in New Zealand are closed and so voters are not able to alter the ranking of parties' candidates. A main argument offered by the Royal Commission on the Electoral System on why New Zealand should use a closed list system is that they allow parties to achieve more diverse representation by a high list placement of some candidates (RCES, 1986). This means that parties can include women, ethnic minorities and underrepresented groups in a winnable position on the party list. As noted earlier, the Labour party does seek to balance its party list by pausing after each bloc of five to ensure that there is a good balance of gender, ethnicity, age and experience. They also compare the number of list candidates to the number of electorate candidates. One argument often raised against the closed list system in general is that it gives too much power to political parties. The success of a candidate depends not on voters but on the leaders of the particular political party.

Ranking of Māori Candidates

The MMP electoral system not only increased the number of Māori in parliament, but it also encouraged political parties to both nominate a greater number of Māori and to rank them in favourable positions on the party list so as to maximise their chance of getting elected. In 1996, most parties ranked Māori candidates near the top of their party lists and as such 16 Māori MPs were elected to parliament. This included the Māori electorate seats (McRobie, 1997). A case study of two selected elections (2005 and 2008) reveals that political parties did continue after 1996 to place Māori candidates in winnable positions on the party lists. By 2005 the percentage of Māori MPs in parliament tripled (17%), thus making their percentage in parliament at least 2% higher than their percentage in the population (15%). Māori overrepresentation in parliament resulted in part from political parties ranking Māori MPs in winnable positions on the party list. The Labour Party for example had 37.5% of its eight list Māori candidates highly ranked on the party list (top 10). An additional 12.5% were ranked in the top 20 positions. The remaining 50% were poorly ranked on the party list. This, however, did not seem to have an effect on the level of representation that the Māori MPs enjoyed in parliament. The National Party on the other hand accounted for 14% of all list Māori MPs elected to parliament, but none were highly ranked. With 65 members on the party list, the two Māori candidates were ranked 19th and 29th (National Party, 2005). Both list Māori MPs in the National Party however, went on to win a seat in parliament despite their position on the party list.

When compared, it becomes evident that the Labour party did make more attempt to have Māori MPs represented in parliament, with at least one Māori candidate

ranked in the top five (5) positions (Parekura Horomia: ranked 5th). Of the smaller parties, New Zealand First was the only party during the 2005 election to have a Māori MP ranked number one (1) on the party list (Winston Peters who was the head of the Party and of Māori descent). The Green party had one Māori MP on its party list, but she was not ranked very high on the party list (6th) according to the criteria being used for this study. ACT, Alliance, Progressive Coalition and United Future did not have any Māori candidates on their party list.

In 2008, there were seven political parties in New Zealand's House of Representatives: Labour, National, ACT, Green Party, Māori Party, Progressive Party and United Future.[28] For the first time since 1996, National had six Māori MPs in parliament, with four of them elected from the party list. The party also entered candidates for the Māori seats for the first time since 2002. However, only one candidate was ranked within the top 20 positions (Georgina Te Heuheu: ranked 17). Of the 22 candidates that the Labour Party selected to fill its list seats, six (6) of them were of Māori origin, but unlike the 2005 general election none were ranked in the top 10 list of candidates. The Labour Party not only lost the 2008 general election, but they also lost three of their Māori MPs (Mahara Okeroa, Dave Hereora and Louisa Wall). These MPs were unable to retain their seats partly because they were ranked very low on the party list. Mahara Okeroa for example was ranked number 22 on the party list during the 2005 general election, but in 2008 he was ranked number 40 on the list, thus making it difficult for him to hold on to his seat. Dave Hereora (Māori Caucus Chairman) also lost his seat after being ranked 42 on the Labour Party's list--down from 39 in the 2005

[28] ACT, Progressive and United Future did not have any Maori MPs in parliament. The Maori party did not enter any candidates for list seats.

general election. It has been speculated that Hereora's ranking on the party list was the Labour Party's way of getting rid of candidates that they thought were underperforming. The results of the 2008 general election would suggest that the Labour Party no longer sees it as necessary to place Māori MPs in winnable positions on the party list. Three possible factors can account for this. First, the Labour Party lost some of its Māori support after 2004 when the party introduced the Foreshore and Seabed Bill that threatened the Māori people's access to the land. Secondly, they lost some of their Māori support and candidates after the formation of the Māori Party in 2004. Finally, the Māori people have been enjoying increased representation in parliament since the introduction of the MMP system, and as such there is no overwhelming need for political parties including Labour to place them in winnable positions on the party list.

Ranking of Female Candidates

In 2005, there were eight parties in New Zealand's Parliament. Of the two major parties, Labour which had more women elected via the party list also had more prominently placed women candidates on their party lists. According to Grey and Gilling (2010), "on the party lists women had been allocated 40% of the top 20 Labour positions but only 30% of the top 20 National positions" (p. 8). Overall, Labour had 31 women on its party list (18 of them were elected to parliament), but only 13% of them were ranked in the top 10 list of candidates while an additional 10% were ranked in the top 20 positions. The other 77% were poorly ranked on the party list. It must also be noted that the Labour party had a female leader in 2005, and she was ranked number one (1) on the party list. National had 19 female candidates on its party list, but only 5% of that number was ranked in the top 10 list of candidates. The smaller parties (New

Zealand First, ACT, Māori Party, United Future, Greens and Progressive) all had at least one or more women ranked in their top ten candidates. The Green party proved to be more considerate of women's representation with five female candidates ranked in the top 10 ten positions (see Table 7 below). Furthermore, the party had more women (23) on its party list than the National Party.

Table 7. Ranking of Women on Party Lists: 2005 General Election

Parties	**Number of Women on Party List**	**Number of Candidates: number: 1-10 position**	**Number of Candidates number: 11-20 position**
National	19	1 (10th)	3 (12, 19th, 20th)
Labour	31	4 (1st, 3rd, 7th and 9th)	3 (14th, 18th, 20th)
ACT	16	4 (2nd, 3rd, 9th, 10th)	1 (12)
Green	23	5 (1st, 2nd, 4th, 6th, 9th)	3 (13th, 16th, 19th)
Māori	21	4 (1st, 3rd, 5th,9th)	2 (14th, 16th)
New Zealand First	7	2 (6th, 8th)	1 (19th)
United Future NZ	14	2 (2nd, 8th)	3 (12, 13th,19th)
Progressive	17	3 (4th, 7th, 9th)	4 (11th, 13th, 17th, 18th)

Women in New Zealand after the 2008 general election occupied 34 percent of the total seats in parliament. National survived years of defeat and came back to win the election, thus forming the government, but they had few women in parliament. Of the 18 women MPs that National had in parliament, five (5) were ranked in the top 20 list of

candidates. This was a minor improvement from the 2005 general election when the party had only four (4) women MPs ranked in the top 20 list of candidates. It is also worth noting that some of the female candidates moved up on the list when compared to the 2005 party list. Judith Collins for example, was ranked number 12 on the 2005 party list but was ranked number 7 in 2008. Anne Tolley also improved her ranking from 43 in 2005 to 10 in 2008. The other women candidates ranked in the top 20 position (with the exception of Pansy Wong) also saw an improvement in their ranking.

The Labour party had fewer women in parliament (14), but a higher percentage (33%) in proportion to their number in parliament (Parliamentary Library, 2008c). They also had more women ranked in the top 20 list of candidates. Most of these women also saw an improvement in their position on the party list. In 2005, Maryan Street for example, was ranked number 36 on the party list, but in 2008 was moved up to number nine (9) on the list. Winnie Laban was ranked number 20 in 2005 but was ranked 11th on the 2008 party list (Parliamentary Library, 2008c). The Green party had the most women ranked in prominent positions on the party list in the 2008 general. The party had five women MPs in parliament and they were all ranked within the top 10 position on the party list. Furthermore, the party had another four women MPs who were ranked in the top 20, but did not receive any seats in parliament. The ACT and Māori party had two women and three women MPs respectively elected to parliament, and they were ranked in winnable positions on the party list.

Today, Māori MPs enjoy increased representation in parliament, partly because of the MMP electoral system which encourages political parties to select and place Māori candidates in winnable positions on the party lists. MMP has also been essential

in increasing the number of women in Parliament, with more female MPs in the last 15 years (1996-2011) than there were since women became eligible. This has ranked New Zealand number 27 out of 190 countries for the number of women in national parliaments (Inter-Parliamentary Union, 2013). MMP has forced political parties to not only nominate more Māori and female candidates, but it also forced them to rank these candidates very high on the party list. It is understandable therefore why an increase in women's representation is mainly the result of the party list mechanism where parties show a tendency towards selecting more female candidates for list seats, especially when victory in constituencies is considered certain. We can see from the data analyzed, however, that political parties do not always rank female candidates in favorable positions on the party lists. The Māori MPs in parliament do enjoy proportional representation in parliament because they do have the MMP list system, the reserved Māori seats and a Māori political party that advocates for them. Female MPs have not been able to enjoy such a level of representation. Efforts have been made by political parties to select more female candidates, but they are often placed so low on the party list that there is no chance of them being elected to parliament.

Descriptive Representation of women and Māori in New Zealand's Cabinet

Numerical Representation of Māori and Women in New Zealand's Cabinet

The MMP system in New Zealand not only affected the number of women and Māori MPs in the House of Representatives, it also affected their numbers in the Cabinet. As one of New Zealand's most important decision-making bodies, cabinet sits at the core of the system of government, and is unchallenged by an upper house or federal bodies. The Cabinet in New Zealand is not a legal entity, but is governed by a

constitutional convention. This convention has three main elements: confidence of the legislature, doctrine of collective responsibility and unanimity (Cabinet Manual, 2008; Boston & Bullock, 2009; Boston, McLeay, Roberts & Levine, 1996). Collective responsibility is the most important of the three elements. Ministers are obligated to support decisions coming out of Cabinet, and a failure to do so can result in expulsion or resignation. Collective responsibility provides some finality to the government's decisions, and as such, makes the collective Cabinet responsible and accountable for decisions (Dalziel, 2007). New Zealand Cabinet generally consists of 20 Ministers in Cabinet. There are, however, Ministers outside Cabinet and Parliamentary Under-Secretaries, who may on occasion attend Cabinet for discussion on particular items with the express prior permission of the Prime Minister. Ministers outside Cabinet have full legal powers as Ministers, and may be appointed to full portfolios. They are also bound by the same role, duties, and responsibilities as Ministers inside Cabinet. They do not attend Cabinet (and can therefore be deemed less influential than full ministers), but with the agreement of the Prime Minister, may attend for particular items relating to their portfolio interests (Cabinet Manual, 2008).

New Zealand's Cabinet still remains the central decision-making body of the political system, but certain features have changed as a result of the MMP system and the type of governments that it encourages. In addition to changing the demographic and social composition of the New Zealand Parliament, MMP has also shifted the balance of power from the Government to Parliament. Under the FPTP system, a single party (National or Labour) controlled both the executive and legislature, thus giving cabinet considerable power (Boston & Bullock, 2008). With no upper house in the legislature,

the absence of a written constitution and the lack of an entrenched bill of rights, there were no formal constitutional checks and balances on the decision and policy making process. Most of the governments since 1996 have lacked an absolute majority. This has contributed to a shift in the relative power of the legislature and the executive (Boston & Bullock, 2009).

Under MMP, parliament better reflects New Zealand society and therefore any changes (legislation and regulation) that do emerge are likely to have the broad consensus of people. In essence, cabinet is unable to pursue policies which lack the support of a majority. A proportionally elected House brings with it coalition and minority governments; this can cause a significant change in the relationship between the executive and legislative branches of government (Malone, 2008). Since 1996, neither of the two major parties have been able to command a majority of the votes and so they have had to form coalition governments with one or more of the smaller parties. According to Malone (2008),

> The formation of coalition governments under MMP, and the prevalence of minority governments, has meant that any proposed government policy requiring legislative approval cannot exist in isolation from the reaction it is likely to receive in the legislative chamber. For this reason MMP governments repeatedly ask themselves one question with almost obsessional fanaticism: "Do we have the numbers for this in the House?" For ministers to ignore the issue of a parliamentary majority for a proposal is akin to the captain of a ship ignoring a gaping hole in the hull. In other words, without enough votes in the House sooner or later the proposal will sink. (p. 5)

In essence, it is much more difficult under the MMP electoral system for the government or one political party to dominate the legislative process in parliament. In order to gain support or approval on a particular piece of legislation, a minister or political party will need to not only ensure that they have the support of their caucus, but also that of the

other parties and Members of Parliament. Governments under the MMP system are still capable of controlling parliamentary outcomes, but their ability to do so depends on cooperation between coalition parties and support by the different groups in parliament for the government (Malone, 2008, p. 6).

New Zealand's cabinet is drawn from the legislature and so as the number of women and Māori elected to parliament increases, so should their presence and representation in the cabinet. With more women and Māori in parliament pressure is placed on the government to ensure that cabinet is representative of the legislature and the general society. Appointing more female and Māori ministers would also be in line with New Zealand's commitment to the principle of proportionality and equality.

Prior to 1996, women were not only underrepresented in parliament, but they were also underrepresented in Cabinet. Between 1893 (when women were granted the right to vote) and 1979 only three female MPs were appointed to Cabinet: Mabel Howard (New Zealand's first woman Cabinet Minister in 1947), Hilda Ross (second woman Cabinet Minister in 1949) and Whetu Tirikatene-Sullivan, (the third woman Cabinet Minister in 1972). Tirikatene-Sullivan was also the first Māori woman minister to be elected to Cabinet in New Zealand (Sawer and Curtin, 2002). Between 1975 and 1984 Cabinet consisted of only male MPs. It was only after 1984 that the number of Cabinet Ministers started to increase--though minimally. Between 1984 and 1993 female MPs made up approximately 12 to 21% of the total number of MPs in parliament, but represented only 5 to 10 % of the Ministers in Cabinet.

The introduction of the MMP system in 1996 did not immediately bring with it a significant increase in the number of women and Māori in the Cabinet, but over the

years there has been substantial progress when compared to the years under FPTP (Table 8). After the 1996 general election, women comprised approximately 29% of the House and 20 percent of the coalition government's caucus, and only 5% of the Cabinet (Arseneau, 1997). However, by 1999, their number in Cabinet started to show signs of improvement. In 1999, the Labour-Alliance coalition government had 20 Cabinet Ministers, five ministers outside Cabinet, and one under-secretary member. Of this number 35% were female (Boston & Church 2003). In 2002, female MPs made up 30% of the total number of MPs in the Labour-Progressive Coalition Cabinet. MPs Annette King, Margaret Wilson, Lianne Dalziel, Marion Hobbs and Ruth Dyson were granted full ministerial responsibilities in Cabinet. The 1999, 2002 and 2005 Cabinets are the only ones in which there was a higher proportion of women in Cabinet when compared to their number in parliament. A possible explanation for this is that the Labour Party which accounted for most of these female MPs in parliament has worked continuously since the 1970s to ensure that women are fairly represented in parliament. Secondly, the MMP electoral system allowed more women to be elected to parliament, thus providing the Labour Party with a greater pool of candidates to select from.

After 2002 the number of women in Cabinet plateaued at 30 % even though the percentage of women in parliament continues to increase. By 2008 there were 23 ministers in the National Party lead government Cabinet, but only 26% were women (all inside Cabinet). The 2011 general election produced better results for female MPs, with at least 30% occupying a ministerial portfolio within Cabinet. It would therefore suggest that the MMP electoral system has not only resulted in increased representation for

women in the legislature, it has also guaranteed them steady increased representation at the executive level.

Table 8: Women as a percentage of New Zealand Parliament and Cabinet

Election Year/Government	Women as % of MPs	Women as % of Cabinet Ministers
1981 (National)	8.7	0.0
1984 (Labour)	12.0	10.0
1987 (Labour)	14.0	15.0
1990 (National)	17.0	10.0
1993 (National)	21.0	5.0
1996 (National)	29.0	11.0
1999 (Labour)	31.0	35.0
2002 (Labour)	28.0	30.0
2005 (Labour)	32.0	35.0
2008 (National)	34.0	30.0
2011 (National)	32.0	30.0

Māori MPs fared better as Cabinet Ministers than female MPs after the first general election under the MMP system. Following the general election in 1996, Māori MPs made up 15% of the total number of MPs in parliament (three Māori MPs were appointed ministerial positions in the Cabinet--all from the New Zealand First party). The number of Māori who gained ministerial positions in Cabinet in 1996 can be attributed to the coalition formed between New Zealand First and the National Party. In

1996 New Zealand First captured all seven Māori electorate seats and formed a coalition with the governing National party. New Zealand First's decision to form a coalition with the National Party stems in part from the fact that "National made significant concessions to secure NZ First's support in a variety of areas" (Boston, McLeay, Levine and Roberts, 1997, p.11). The coalition agreement signed by both parties also secured ministerial positions both inside and outside Cabinet for members of the NZ First party. Upon commencement of the coalition, National had fifteen MPs inside Cabinet and two outside Cabinet, while New Zealand First had five MPs inside Cabinet and four outside (35% of total MPs in Cabinet). It was also agreed that by October 1, 1998 the composition of Cabinet would be changed to the extent that National would have twelve inside Cabinet and three outside and New Zealand First would have eight inside Cabinet and three outside (Coalition Agreement between NZ and National, 1996).

In 1999, however, only one Māori MP was assigned a ministerial role in Cabinet (Dover Samuels) while two were assigned positions outside Cabinet (Tariana Turia and Parekura Horomia) (beehive.govt.nz, 1999). In 2002, there were five Māori ministers, but only two inside Cabinet: Parekura Horomia and John Tahimere (Mulgan, 2004, p. 83; Boston & Church, 2003). There were also two Pacific Islanders. By 2008, there were no signs of improvement in the number of Māori with ministerial responsibilities. In fact, the 2008 Cabinet was the only one in which Māori represented less than 5% (1 Māori inside Cabinet) of the total number of ministers inside Cabinet. In terms of other ethnic groups, there was one Asian MP--Pansy Wong (DecisionMaker, 2008). By 2011, there was a significant improvement in the number of Māori MPs occupying a

ministerial position in Cabinet (20%) when compared with the 2008 general election. An additional 25% (2 of 8 Ministers outside Cabinet) occupied a ministerial post outside Cabinet.

Conclusion

Female MPs now enjoy increased representation, even though it is not indicative of their number in the general population. This is primarily because female MPs are often not placed in winnable positions on the party list so as to maximise their chance of being elected to parliament. Despite their increased numbers in parliament, female MPs are however underrepresented in Cabinet, except in the 1999 and 2002 when the number of female MPs appointed ministerial roles was in proportion to their number in the population. Māori MPs on the other hand have fared better than their female counterparts, and have been enjoying representation proportionate to their numbers both in parliament and Cabinet (even though that figure has been fluctuating).

Chapter 6: Women's Substantive Representation (New Zealand)

Introduction

There is a general consensus in the literature on women's descriptive and substantive representation (especially by critical mass theorists) that as the number of women in parliament increases they will initiate laws and policies that address social inequities and bring social services to women (Dahlerup, 1988; Granovetter, 1978; Kanter, 1977). More female MPs in parliament, it is argued, should not only result in descriptive representation for women as a whole, it should also represent their ideas and interests (substantive representation). For political scientists such as Pitkin (1967), female politicians not only stand for women, but they also act for women once elected to parliament. Young (1997) also argues that:

> There is a general expectation that women, once elected, will act in the interests of women, including working within the political system to open the political process to other women, serving as points of access for women's groups, introducing "private" issues onto the public agenda, and bringing the multiplicity of women's perspectives into political debate. (p. 89-90)

Based on Pitkin's notion of substantive representation, female MPs substantively represent women by sustaining the wishes, needs and interests of the wide female population they seek to "serve". Female MPs are also more likely to advocate women's interests than men, mainly because they do share common experiences and bring a different style and expectations to the political scene (Mansbridge, 2005).

When New Zealand adopted the Mixed Member Proportional electoral system in 1996, it was expected that through the party list seats more women would be elected to parliament thus increasing their likelihood of enjoying both descriptive and substantive representation (McLeay & Vowles, 2007; Banducci 2002; Banducci and Karp 1998).

The Mixed Member Proportional system not only created two mechanisms by which MPs can be elected to parliament (list and electorate seats), but it also placed immense pressure on political parties to place women and minority groups in winnable positions on the party list, thus resulting in more women in New Zealand being elected via the list system. Party lists allow greater numbers of minority candidates a chance to be elected, and secondly once list MPs enter Parliament, there are greater opportunities for them to reach out to minority groups. The effects of the MMP electoral system (especially the party list portion) in New Zealand have not been lost on female politicians who often acknowledge the role that it has played in getting them elected to parliament. In her address to the House on the Second Reading of the *Electoral (Reduction in Number of Members of Parliament) Amendment Bill*, Lynne Pillay noted that:

> *If we look at the number of [women] MPs, we see 32 percent represented in Parliament today. But I consider that if we did not have the proportionality with list MPs, that number of women MPs would be considerably diminished. I feel that would be very much a loss not only to women voters but to our democracy generally. I look to my left and I see my very good friend Sue Moroney sitting here today. I know that if it were not for our system Sue Moroney would not be here. (Pillay, 2006)*

Labour MP Laumanuvao Winnie Laban also noted in a 2004 general debate that:

> *I came into this House in 1999 as a list [M]ember of Parliament because of the MMP system…MMP is a system that has ensured that the voices of people previously excluded can now be heard in Parliament. There are 120 members in Parliament. In the case of women, for example, there are now significantly more women in Parliament since MMP. In 1993- 94, under first past the post, 21 women were elected to Parliament, and in 2002, 34 women were elected…All people have some representation in Parliament because of MMP, which has provided a fairer, wider representation. There is no quota system. Political parties have each chosen a list of prospective MPs who reflect New Zealand society. (Laban, 2004)*

In an address to the House during a general debate in 1998, MP Georgina Te Heuheu (Māori) commended the MMP system for its role in getting her elected to parliament. She noted that:

> *I came into this House essentially because the idea of MMP appealed to me, and that is why I am quite excited about what is happening now. The key driver for me was the advent of MMP, allowing a more representative Parliament and a process that requires cooperation and a degree of consensus between the parties that make up the Governmen*t. (Te Heuheu, 1998).

She also highlighted the role of the MMP system in providing greater representation for women and ethnic minorities by arguing that: "*With a record number of Māori and women elected in 1996, it is obvious who the winners were under MMP" (Heuheu, 1998).* Other mentions of the role played by the MMP electoral system in improving descriptive representation for women in New Zealand include those by MPs Helen Duncan (Labour), Helen Clark (Labour) and Liz Gordon (Alliance):

> **Helen Duncan (Labour)…***in the spirit of MMP, I would like today to congratulate the Green Party, 44 percent of whose party representatives are women. I would also like to congratulate the ACT party--44 percent of its MPs are also women. (Duncan, 2002)*

> **Helen Clark (Labour):** *There was a quantum leap in the number of women with the introduction of MMP, from around 20 percent of all members to 30 percent…Parliaments, particularly since 1996, have reflected the diversity of New Zealand's population better than in the past. Not only are there many more women but also the number of Māori members closely reflects the proportion of Māori in the population. In addition, the election of MPs from the Pasifika and Asian communities adds to the ability of the House to represent the diversity that is New Zealand today*. (Clark, 2004).

> **Liz Gordon (Alliance):** *I was going to start by celebrating MMP and saying how great it was that MMP had brought more women into the House, and that in particular in this instance it has brought in the Hon. Laila Harre, who is herself the mother of young children. (Gordon, 2001).*

Interviews conducted as part of this research with current and former female MPs who sat in New Zealand's House of Representatives between 1996 and 2008 further highlight the benefits that MMP has afforded women in New Zealand. When asked: "Do you believe that the MMP electoral system encourages the election of more women to parliament?" one interviewee articulated that "*it is not a matter of belief, but the Mixed Member Proportional system has meant greater representation of a greater variety of people, including women in particular, and it was certainly the belief of the women who advocated for MMP that that would happen*" (Interviewee A). Another interviewee supported this claim by noting that "*the evidence in NZ is that the first MMP election in 1996 saw over a third of parliament being women. This was significantly more than ever before. Since then the numbers have gone up and down a bit but have remained consistently above previous levels"* (Interviewee E).

Findings from the interviews also indicate that not only has MMP resulted in greater descriptive representation, but it has ensured that "issues relating to women are being heard and addressed". It also provides greater visibility and a stronger women's voice in parliament. As a result, there has been a strong move to promote equality of opportunity for women, and a lot of policies that have been put into action recognize the role of women and families in society. It was also noted during the interviews that the MMP electoral system has resulted in the presence of smaller parties in parliament. Some of these parties do have a commitment to diversity and gender equity and so women and ethnic minorities are provided with an additional conduit through which they can be elected to parliament.

Despite the numerical gains made by women as a result of the MMP electoral system, there however remains the question of whose interests female MPs represent once in parliament. This question is, however, a difficult one to answer because there are several factors such as political and cultural developments, party affiliation and ideologies, personal beliefs and interests that can influence the extent to which female MPs perceive the need to represent the wider female populace.

This two-part chapter addresses the extent to which increased presence of female legislators in New Zealand's House of Representatives is likely to facilitate and improve the level of representation of women's interests and concerns. It does so by examining the extent to which female MPs represent, "act" or "speak" on behalf of women's issues in two areas of the legislative process: agenda setting and policy outcomes. For the first section of the chapter, four bills will be examined: The *Domestic Violence Bill* of 1994; the *Domestic Violence (Enhancing Safety) Bill* 2008; the *Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bills* of 2001; and the *Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons)* 2005. The second section of the chapter will assess the extent to which female MPs have been able to influence policy outcome once elected to parliament. This will be done through a content analysis of Members' Bills introduced and passed in New Zealand's House of Representatives between 1996 and 2008.

Domestic Violence Bill 1994 and 2008

The *Domestic Violence Act 1994* replaced the *Domestic Protection Act 1982* and was aimed at reducing all forms of domestic violence in New Zealand. The bill targets violence that is usually hidden, occurring primarily in homes and between people in

close relationships including but not limited to family members. Its main emphasis was therefore on the safety of victims. It also had a special focus on re-education for perpetrators and support for victims of domestic violence (Ministry of Justice, 2007). As Section 5(1) Object, of the *Domestic Violence Act* of 1995 clearly states "the object of this Act is to reduce and prevent violence in domestic relationships by recognizing that domestic violence, in all its forms, is unacceptable behaviour; and ensuring that, where domestic violence occurs, there is effective legal protection for its victims" (Parliamentary Counsel Office, 2012). In the Act *domestic violence,* in relation to any person, means violence against that person by any other person with whom that person is, or has been, in a domestic relationship (Parliamentary Counsel Office, 2012). The Act acknowledges that violence can take many forms, and as such is not and should not be limited to physical violence. It is made clear that the term "domestic violence" includes physical abuse, sexual abuse and psychological abuse such as harassment, intimidation, threats, and damage to property.

In recognition of the diversity of domestic relations that takes place in New Zealand's society, provisions were also made in the Act to allow a much wider range of individuals to apply for protection orders. These include: cohabiting partners (whether heterosexual or same sex); family members; people who share a household; and people in close personal relationships. Provisions were also made for people to make applications on behalf of children and youth and individuals who are unable to apply themselves "whether by reason of physical incapacity or fear of harm or other sufficient cause, to make the application personally" (Parliamentary Counsel Office, 2012).

The *Domestic Violence (Enhancing Safety) Bill* was introduced in 2008 "to amend the *Domestic Violence Act 1995*, the *Sentencing Act 2002* and the *Bail Act 2000* to improve and strengthen the domestic violence legislative regime" (Parliamentary Library, 2008b). It arose out of growing concerns for the increasing number of persons experiencing acts of violence in their homes. The primary purpose of the *Domestic Violence Bill* is to strengthen the police's response to domestic violence. It does so by giving the police the ability to issue "on the spot" police orders; removing the statutory criteria that the police must take into account when considering whether to arrest, without warrant, a person whom they have good cause to suspect has committed a breach of a protection order; and reforming the structures and penalties for contravening a protection order (Parliamentary Library, 2008b).

Parental Leave and Employment Protection (Paid Parental Leave) Amendment Act 2001 and 2005

The *Parental Leave and Employment Protection (Paid Parental Leave) Amendment Act (2002)* was implemented because of the recognition that although New Zealand law protects the jobs of those on parental leave, prior to 2001 mothers had to rely on employer goodwill or on their negotiating power in order to achieve payment for any part of their leave. The Act therefore "entitled certain employees to up to 12 weeks of parental leave payments out of public money when they take parental leave from their employment in respect of a child" (Parliamentary Counsel Office, 2002). According to Hon. Laila Harre (Associate Minister of Labour) "paid parental leave recognizes that for our new workforce of mothers, childbirth requires time off work and should be treated similarly to other periods of time off work for essential reasons--that is, that it should be

paid" (Harre, 2001). *The Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) 2005* was implemented to extend the paid parental leave scheme to self-employed persons who are not currently covered by the *Parental Leave and Employment Protection Act 1987*. It provides for 14 weeks' paid parental leave for self-employed mothers who have been working an average of 10 hours per week during either the previous 6 or 12 months prior to delivery (House of Representatives, 2005).

Do female MPs represent women's interests?

Scholars have suggested that improved representation of women in parliament will result in increased activity of female MPs in areas which benefit themselves and other women (Crowley 2004; Grey, 2004; Lovenduski & Karam, 2002; Carroll 2001; Dahlerup, 1988; Kanter 1977). Women will likely hold different views on certain issues that are particularly close to them (abortion, maternity leave, childcare and reproductive rights), and so it can be expected that as their number increases in the legislative assembly, so will attention to women's issues on the legislative agenda and the decision making process.. Studies by Trimble (1997) and Grey (2002) have shown that as women gain more access to parliament, they become more active on policy questions of child care, parental leave, pay equity, and domestic violence. Thomas (1994) found that women generally had higher passage rates than men for legislation dealing with women, children, and family. Even though there are no universal definition of what constitutes women's issues, there are some issues that are more important to women and do affect them more. It is understandable therefore why they would be more likely than men to concentrate on these issues.

From the debates analyzed for this study, it became apparent that both list and electorate female MPs made more claims about gender than their male MPs. Female MPs often refer to their role as women and as "acting for" women. Consider some of the references made to gender by female MPs in their speech to the House on the Domestic Violence bills of 1994 and 2008 and the Parental Leave Bills of 2001 and 2005:

> **Jill Pettis (Labour):** *…as a woman I empathise considerably with those families who have been victims of domestic violence (Pettis, 1994).*
>
> **Rev. Ann Batten (Independent):** *As a woman, and as one who for a number of years has supported paid parental leave, I did not feel the tax credit supported all women adequately (Batten, 1999).*
>
> **Anne Tolley (National):** *I have to say that, as a woman and a mother, I was delighted and grateful to see that recognition so widely spread amongst a wide range of the community (2002).*
>
> **Darien Fenton (Labour):** *I am one among many thousands of women who campaigned for 10 years for the right for mothers to have time off work on pay at the birth or adoption of a child. (Fenton, 2006)*
>
> **Judy Turner (United Future)**: *For myself, of all the things I have achieved in my life the thing that most fills me with pride is the fact that I have been the mother of three children. It supersedes any other achievement that I have ever had, and the most precious 11 years of my life were spent focusing on that job. (Turner, 2005)*

At least three of the five women quoted above specifically identified themselves as a woman while others spoke to their roles as mothers. These MPs are asserting that while they are in parliament to represent the needs of their constituency, they also identify with their role as women and mothers. Female MPs not only made references to gender when speaking about their role in parliament, but they were also more inclined to speak about the interests and well-being of New Zealand women. While their male counterparts often talk about "representing people" or New Zealanders, female MPs spoke openly about representing women and women's issues.

Domestic Violence Bill 1994: Analysis

Even before the adoption of the MMP electoral system which saw more women elected to parliament, female MPs in New Zealand's House of Representatives expressed an interest in representing women. An analysis of the 17 speeches made in parliament on the *Domestic Violence Bill 1994*, one of the bills chosen to assess women's substantive representation, shows that female MPs were more likely than their male counterparts to speak openly about representing women. There were also more female presenters (12) than there were males (5) (see Table 9).

Table .9. Presenters: Domestic Violence Bill (1994)

MPs	**Party**	**Gender**	**Electorate/List**
Jill Pettis	Labour	Female	Electorate
Dianne Yates	Labour	Female	Electorate
Katherine O'Regan	National	Female	Electorate
Elizabeth Tennett	Labour	Female	Electorate
Judith Tizard	Labour	Female	Electorate
Lianne Dalziel	Labour	Female	Electorate
TWM Tirikatene-Sullivan	Labour	Female	Māori Electorate
Jill White	Labour	Female	Electorate
Ruth Dyson	Labour	Female	Electorate
Janet Mackey	Labour	Female	Electorate
Joy McLauchlan	National	Female	Electorate
Chris Fletcher	Labour	Female	Electorate

Phil Goff	Labour	Male	Electorate
Robert Anderson	National	Male	Electorate
Brian Neeson	National	Male	Electorate
Alec Neill	National	Male	Electorate
Richard Northey	Labour	Male	Electorate

Even though women in 1994 made up only 21% of the total number of MPs in parliament, they were more active in the *Domestic Violence Bill* debates than were their male counterparts. It is also interesting to note that while there were fewer women in parliament during the *Domestic Violence Bill* debate in 1994 more women (71%) presented and supported the bill than they did for the *Parental Leave Bill* in 2001 when they made up a greater number in parliament. In 1994, there were 21 women in a parliament of 99 members (21% of total members), and in 2001, they occupied 37 seats in a parliament of 120 members (31%). Even though they had a 31% membership in parliament, the number of women who presented on the *Parental Leave Bill* of 2001 was significantly less than those who presented on the 1994 bills. The number of female presenters was also slightly less than their male counterparts. As depicted in Table 10, there were 10 female presenters and 11 male MPs. The dichotomy between the results of the *Domestic Violence Bill* of 1994 and the *Parental Leave Bill* of 2001 further begs the question of whether or not the MMP system has resulted in more female MPs "acting for" women.

Table.10. Presenters: Parental Leave and Employment Protection Bill (Paid Parental Leave) Amendment Bill (2001)

MPs	Party	Gender	Electorate/List
Laila Harre (Initiator)	Alliance	Female	List
Anne Tolley	National	Female	List
Dianne Yates	Labour	Female	List
Penny Webster	ACT	Female	List
Liz Gordon	Alliance	Female	List
Sue Kedgley	Greens	Female	List
Sue Bradford	Green	Female	List
Lynda Scott	National	Female	Electorate
Muriel Newman	ACT	Female	List
Ruth Dyson	Labour	Female	Electorate
Nick Smith	National	Male	Electorate
Nick Barker	Labour	Male	Electorate
Dr. Paul Hutchinson	National	Male	Electorate
Taito Philip Field	Labour	Male	Electorate
Bob Simcock	National	Male	List
Chris Carter	Labour	Male	Electorate
Owen Jennings	ACT	Male	List
Mark Gosche	Labour	Male	Electorate
Peter Brown	NZ First	Male	List
Jim Sutton	Labour	Male	Electorate

Kevin Campbell	Alliance	Male	List

The 1994 *Domestic Violence Bill* was not specifically geared towards women, but female MPs nonetheless saw it as a step forward for women in New Zealand. The growing statistics on domestic violence and its effects on women and New Zealanders in general also influenced the language and emotions expressed by female MPs as they presented on the bill. Throughout the debates, they (female MPs) often used language such as "*…New Zealand women and children are suffering appalling violence", "woman not only suffers the pain, both physically and emotionally, of being beaten but she also suffers the financial disadvantages*", "*hopefully, we are doing a lot to empower women today through this legislation*". Other gendered stances include those by Lianne Dalziel, Sandra Lee, Jill Pettis, Sue Kedgley, Sue Moroney and Katrina Shanks:

> **Lianne Dalziel (Labour Party):** *We must provide the best laws that provide the best protection to ensure that the public health of New Zealand is protected, and to ensure that women are protected from the emotional, mental, physical, and sexual violence that is perpetrated against them every single day (Dalziel, 1994).*
>
> **Sandra Lee (Alliance):** *Any legislation that advantages women and provides them with more protection is welcomed by the Alliance. We talk about the Year of the Family. The very first thing we should do in any Year of the Family is to make those who give the nurturing---particularly the mothers--safe. (Lee, 1994)*
>
> **Jill Pettis (Labour):** *I am very pleased to support the introduction of this Bill. We have waited a long, long time, and, while I am pleased that this Bill has finally been introduced, I am saddened that women and children have paid the price of the procrastination and inexcusable delay; those women and children have suffered unnecessarily. (Pettis, 1994)*
>
> **Sue Kedgley (Green):** *Sadly, we live in a society where far too many women continue to be physically, sexually, and psychologically battered and abused, and some women are even killed. (Kedgley, 2008)*
>
> **Sue Moroney (Labour)***: …although there are men who are affected by domestic violence, overwhelmingly those who suffer are women—women and children, in*

> *fact. If we do not acknowledge that, then we will set out down a pathway that does not address the worst of the problem facing this country. When the select committee looks at this issue of domestic violence, I hope we will not get into a big argument about the gender implications of it in our country, because clearly the issue here is the outcomes of domestic violence for women. (Moroney, 2008).*
>
> **Katrina Shanks (National)***: I believe that this is strong legislation that will help women and their children out there, and the other legislation that will come through later in the year will go hand in hand with this. I commend this bill to the House. (Shanks, 2009)*

Statements were made by a small number of male MPs during the *Domestic Violence Bill* debate (5 in total: see Table 9), but unlike their female counterparts they all adopted a gender neutral approach--focusing instead on the effects of violence on the wider New Zealand society. They often made references to the effects of the *Domestic Violence Bill* on "*victims of domestic violence*" as opposed to any particular group of people. There were mentions of "*domestic violence*", "*family violence*" and "*sexual violence*", but little direct mention of violence against women. It would therefore seem that men are more reluctant than women to talk about the issue of violence in terms that would highlight and declare its gendered reality. The gender neutral approach taken by male MPs was however, not limited to the *Domestic Violence Bill 1994*. In a 1988 General Debate, Sonja Davies pointed out the gender neutral approach often taken by male MPs when she asked the following question (in a response to MP Warren Cooper's address to the House):

> *Why is [it]that when women Government members want to talk about women's issues Opposition members always say that they want to talk about people, as if to say that women are of no account and do not warrant even a 2-hour debate? I say to Opposition members that I make no apologies for talking about issues of interest and concern to women. (Davies, 1988)*

Male legislators who supported the *Domestic Violence Bill* were less swift to applaud any one group or gender for their role in the construction of the bill. They also spoke less about their role as men in parliament. In fact, only one male MP (Nick Smith) made reference in the debates to his role as a male member of parliament. This is not to say that male MPs in general do not represent issues that can be classified as "women's interests", but for the debates under review, they were less vocal and arguably less supportive than their female counterparts.

Parental Leave and Employment Protection Amendment Bill (2001): Analysis

An analysis of the *Parental Leave and Employment Protection Amendment Bill* (2001) shows that both male and female MPs made claims about representing women, even though the language used by both sets of MPs differed. Unlike the Domestic Violence Bill, the Parental Leave bill was divided along party lines. Members of Parliament on the left of the political spectrum (Labour, Alliance and Green) often spoke about social issues affecting women in New Zealand and the implications of the bill on their socio-economic wellbeing. They centered their focus on the role of women as mothers, caregivers and wives. They were also more supportive of the state's intervention in the redistribution of wealth and resources. Right-winged MPs (National, Act and New Zealand First) on the other hand were strongly opposed to the bill and often expressed concerns about the employer rights and the role of women as workers in the market. Consider the differing arguments made by female MPs from both sides of the spectrum:

> **Liz Gordon (Alliance):** *Despite better education, women are still significantly lower paid than men in our society….We are the low-paid gender, despite our wonderful educational successes, and, while we are fighting to overcome that,*

> *we have not yet achieved it….Women are significantly disadvantaged economically in this society, not only because they are low paid, but because 57 percent of all student loans in New Zealand are loans to women. We have student debt, and women receive lower pay than men. (Gordon, 2001)*
>
> **Sue Kedgley (Green):** *I do not believe that anyone in this House…would dispute the fact that giving birth to children and bringing them up is the most productive work in our society, and that it is desirable for women to spend as much time as possible with their babies after giving birth. …motherhood has been so undervalued in our society that many people do not even regard it as real work. It is seen as something that women can fit in on top of everything else. It is invisible, unpaid, and seriously undervalued. (Kedgley, 2001)*
>
> ***Anne Tolley (National):*** *National will be opposing this bill because National believes that all mums are working mums. If Helen Clark understood that, she would never allow this bill to go through this House. All mums are working mums…This legislation focuses on the rights of the individual worker. National believes that we should focus on supporting families, whanau, and new mums--all new mums. (Tolley, 2001)*

The National, New Zealand First and ACT Party did not support the *Parental Leave Bill* partly because it was seen as discriminatory towards a certain group of women. The language used in the speeches by both male and female MPs from those two parties was understandably very different from that used by their left-wing colleagues.

A comparative assessment of the statements made by male legislators on the Domestic Violence and Parental Leave bills of 1994 and 2001 respectively again points to the absence of a focus on the gendered specificities of violence against women especially by male MPs from the National Party. While the language used by male MPs when speaking on the bill was partly devoid of gendered claims, it did point to the effects of party affiliation and party ideologies on the representational role of male MPs in parliament.

There were male presenters who did speak about representing the interests of women, but like the National, NZ First and ACT female MPs, they focused less on the social effects of the bill on women, and more on its economic effect--primarily in relation to the market. Consider the comments made by the following male MPs (all members of the National Party):

> **Dr. Nick Smith (National):** *I have to say also that I am ashamed that those mums who work in the home are being discriminated against. There are 320,000 mums who work in the home…I pay tribute to my wife Cyndy, who works her butt off in the home, and who will be asked to pay taxes to support this measure, but who will not receive one iota; nor will the other 320,000 mums. Members on this side say that mothers should have a choice. They should not be discriminated against. Members on the other side of the House say that if mothers work in the home they do not count. (Smith, 2001)*

> **Dr. Paul Hutchinson (National***): …it deeply concerns me that this bill discriminates against a large sector of women…this bill discriminates against self-employed women and their families, and against women who are not in the paid workforce but who might look after one or even more children. It is those women who are under the most stress of all, and those single-income families who have one or more children will not be helped by this bill one iota. It is certainly those women who are being most discriminated against. (Hutchinson, 2001)*

> ***Bob Simcock (National):*** *If this legislation is about making sure that all children get time with their mothers and get a good start in life, why would we say it does not apply to self-employed women? Why on earth would we say that because a woman works for herself, her baby does not need that help? Why would we assume that it is easier for a self-employed woman to give up her income than it is for a person who is employed by someone else? That does not make sense. (Simcock, 2001)*

Male MPs were not only more involved in the 2001 debates, but the level of personal attacks and gendered interactions between male and female MPs also increased. Female MPs were often interrupted during the debates, and in some cases these interruptions resulted in confrontations. While delivering her speech during the first reading of the 2001 *Parental Leave Bill*, Liz Gordon articulated that the bill was a gift,

and that "*it is a joy to the women and babies of New Zealand…a joyful gift to be given to 20,000 women*". MP Nick Smith (National Party) interrupted by asking her *"[a] gift?" "From who*?" Before Gordon could respond to Smith's question, MP Paul Hutchinson (National Party) also interjected by saying "*oh dear*."--an indication that Smith's comment was about to stir up tensions between himself and MP Gordon. Gordon stood her ground and fought back arguing that:

> *It is really interesting that I am being heckled across the House by two men who have themselves benefited from women who have been unpaid and who have taken on the job of bringing up and raising children. Their wives too may well have gained from paid parental leave, and I wonder what-- (Gordon, 2001)*

She was again interrupted by Nick Smith who shouted: "*Parental leave, not women's leave*".

When it was his turn to speak, Smith continued to heckle Gordon by stating that:

> *I want to destroy a myth that Liz Gordon told the House today--the Santa Claus myth. She said that this bill is a gift from the Alliance to the women of New Zealand. There are no gifts, and no free lunches. The $59 million that is required to fund this bill comes from all New Zealand families. We are taking from all and giving to a few. (Smith, 2001)*

The interaction between MP Liz Gordon and MP Nick Smith further suggests that even though women made up a significant portion of the total MPs in parliament, they were still not spared the gendered attacks that are often meted out by their male colleagues. The comments made by Smith are also reflective of other male MPs who presented on the bill. Like Smith, male MPs often argued throughout the debate that the Parental Leave bill affects all New Zealanders and not just women. Gendered heckling and attacks were, however, not limited to male MPs against female MPs. Females also made snide remarks aimed at their male counterparts. During her speech on the first reading of

the *Paid Parental Leave* bill, Sue Kedgley (Green) argued that "*If men gave birth to babies, paid parental leave would have been introduced into New Zealand decades ag*o" (Kedgley, 2001). Liz Gordon (Alliance) also noted during her speech that: *I would like to hear from Opposition members, in particular the male members... (Gordon, 2001).*

Domestic Violence Bill (2008) and the Parental Leave Bill (2005): Analysis

An assessment of the 2008 *Domestic Violence (Safety Enhancing) Bill* and the 2005 *Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill* suggests that more female MPs in parliament will not automatically result in increased attention to women's issues of concern. Even though female MPs comprised 32% of the total number of MPs in parliament in 2005 and 34% in 2008 there was a noticeable decrease in the number of female MPs claiming to represent women or women's interests. In the Domestic Violence debates which women once dominated in 1994, there were only eight (8) female presenters…one less than their male counterparts (see Table 11).

Table 11: Presenters: Domestic Violence Bill (Safety Enhancing) Bill 2008

MPs	**Party**	**Gender**	**Electorate/List**
Lianne Dalziel	Labour	Female	Electorate
Lynne Pillay	Labour	Female	List
Pansy Wong (Minister of Women's Affairs)	National	Female	Electorate
Sue Moroney	Labour	Female	List

Rahui Katene	Māori	Female	Māori Electorate
Katrina Shanks	National	Female	List
Hekia Parata	National	Female	List
Jacinda Ardern	Labour	Female	List
Richard Worth (Minister of Internal Affairs)	National	Male	List
Simon Power (Minister of Justice)	National	Male	Electorate
David Garrett	ACT	Male	List
Hone Harawira	Māori Party	Male	Māori Electorate
Chester Borrows	National	Male	Electorate
Rajen Prasad	Labour	Male	List
Simon Bridges	National	Male	Electorate
Kennedy Graham	Green	Male	List
Tim Macindoe	National	Male	Electorate

It is also important to note that not only did male MPs slightly outnumbered their female counterparts in the 2008 Domestic Violence bill debate, but there were also more list MPs than they were electorate MPs presenting on the bill. At least 59% of the total MPs (22) who presented on the *Domestic Violence Bill* (2008) were list MPs. List MPs are often better able to engage in debates in Parliament, primarily because unlike electorate MPs they do not have a defined constituency that they are responsible for. As such, they have more time to dedicate towards advancing or promoting their own agendas or the interests of the groups they seek to represent in parliament. They also

have more time to dedicate towards legislative activities such as parliamentary debates. However, whether MPs were elected via list or electorate seats did not seem to play a major role in how they viewed the bill.

Female MPs dominated the *Parental Leave Bill* (2005) numerically (Table 12), but unlike the 2001 bill, they made fewer references to gender. They also expressed a lower level of concern about the effects of the Parental Leave Bill on women in New Zealand. This is not to suggest that there was a general lack of concern on the issue of domestic violence, but instead that this time around they did not view it as deserving of much attention as it did in 2001.

Table 12: Paid Parental Leave and Employment Protection (Self-Employed) Bill 2005

MPs	**Party**	**Gender**	**Electorate/List**
Ruth Dyson (Minister of Labour)	Labour	Female	List
Katherine Rich	National	Female	List
Sue Bradford	Green	Female	List
Judy Turner	United Future	Female	List
Paula Bennett	National	Female	Electorate
Maryan Street	Labour	Female	List
Steve Chadwick	Labour	Female	List
Darien Fenton	Labour	Female	List
Jo Goodhew	National	Female	Electorate

Sue Bradford	Green	Female	List
Moana Mackey	Labour	Female	List
Sue Moroney	Labour	Female	List
Michael Cullen	Labour	Male	List
Wayne Mapp	National	Male	Electorate
Peter Brown	NZ First	Male	List
Mark Gosche	Labour	Male	Electorate
Chris Tremain	National	Male	Electorate
Hone Harawira	Māori Party	Male	Māori Electorate
Gordon Copeland	United Future	Male	List
David Bennett	National	Male	Electorate
Te Ururoa Flavell	Māori	Male	Māori Electorate

Unlike the previous bills where women made repeated gendered claims about their representative roles in parliament, by 2008 there were fewer claims about acting as a woman--and for women. Consider some of the comments made by female MPs:

> **Sue Bradford (Green Party):** *All employed and self-employed parents deserve the opportunity to plan ahead for the births of their children, in the knowledge that they will be eligible to receive up to 14 weeks' pay to help compensate for their loss of income during that period. (Bradford, 2007)*

> **Paula Bennett (National):** *Self-employed people work hard. They are the backbone of the country. They are the people who take the risks, and they are the ones who put themselves out there, say they will stand up for something, and give it a go….They deserve equal rights, and they deserve the paid parental leave that others get. Those people deserve to be recognised, as other men and women who have young babies do. They deserve the right to get paid parental leave. (Bennett, 2005)*

> **Jo Goodhew (National):** *It is very important that this bill acknowledges the different challenges faced by self- employed parents compared with those who are employed. This bill allows self- employed people to continue to maintain a level of oversight of their businesses and to perform occasional administrative tasks. (Goodhew, 2006)*
>
> **Sue Moroney (Labour):** *…parents in rural areas will do very well from this bill…many self-employed people who run small businesses in those small communities, and also many farming families in all the geographical areas in between, will applaud the third reading of the bill this afternoon and then the enacting of it… This bill encourages choice for women, parents, and families*. (Moroney, 2006)

Interviews conducted with female MPs further revealed that while gender does play a defining role in how female MPs view their specific responsibilities to women and women's issues, it is not always the determining factor. When asked if she had a specific responsibility to represent women's interests because of her own gender, Interviewee A responded by saying "*...somewhat, because you know, you naturally do that because of your gender, but I think also that I had [a] specific responsibility in that I was the spokesperson on women's affairs*". Consider the following responses given by the following female MPs when asked whether or not they represent women's interests based on gender:

> Interviewee C: *I have never seen myself solely defined by one single task. I am both a woman, I came in as a young woman, I grew up in a rural community, but now live in a city community. I am a single woman that brings a different perspective as well to my experiences in politics. So many varied experiences…I have never seen myself as being able to embody the experiences of all women just because I am one*.
>
> Interviewee E: *I think being a woman influenced everything I did and the way I see the world, but the Greens were a new party in Parliament, representing a philosophy that is crucial to the continuance of life on this planet. That came before any sectoral interests. To the extent that women value nurturing, life-enhancing policies for people and for the earth, and peace and justice, all the Greens represented women but unfortunately quite a lot of women don't share these values.*

When asked who they represent(ed) in parliament, and if they felt that they spoke or acted for women, respondents further revealed that while they represent(ed) women's interests, that was not their primary role in parliament:

> Interviewee A (List and Electorate): *You can say the people of the electorate, but also I was elected as a Labour Member of Parliament, so it meant that when people voted for me they knew that I was a Labour Member of Parliament whether they voted for me in the electorate, or whether they voted for the Labour list. The list in NZ is put forward by the party. When you say do I speak or act for women, yes to some degree, partly because I am a woman, and because some of the issues that I might have been concerned with were those related to women. But your job as an MP is to represent all your constituents*.
>
> Interviewee B (Electorate): *I did represent my electorate, and as I said, I always gave a strong Labour Party view on issues, but I certainly did act and speak on behalf of women. I was in fact women spokesperson for several years…and I was the Chairperson of our Labour Women's Caucus*.
>
> Interviewee C (List): *I believe I represent those who support or choose to support the Labour party, particularly because I came in on the list….but I do certainly feel a responsibility to also reflect the needs and represent the needs of women. Absolutely, particularly given that we have still so many issues around gender representation both in areas of power, but right down to community representation--board of representations, there is a very poor percentage of women in most positions*.
>
> Interviewee E (List and Electorate)[29]: *I was never a member of a government and so never in Cabinet so my role was constructive criticism of government policies from a Green perspective…For three years I was a constituency MP and represented the electorate of Coromandel. For the other 10 years I was a list MP and so represented Green-thinking people throughout the country. Green Party support came a little more from women than from men but I find it hard to see how you can represent women when their views are so different – often diametrically opposed! I did always speak and act in favour of inclusiveness both within the parliamentary system and in policy work. That included, but was not limited to, women*.
>
> Interviewee G (List): *To represent the policies of the Green party…and to represent the constituencies that I came from. I was a list MP so I had particular*

[29] Interviewee E served one term as an electorate MP

> *areas of [interests] which included unemployed workers, low paid workers and trade union beneficiaries-- people who depended on welfare, homeless people, people in subsidized housing, people with mental illness or who were recovering from mental health and addiction and children.*

Interviewee F (Electorate and List)[30] noted that she did speak and acted for women, but could not easily speak and act for all women because her culture is different from theirs. Overall, the interviews conducted for the purpose of this study revealed that female MPs do represent women's interests, but they are not in parliament solely to represent women's interests. Only one interviewee noted that she was in parliament specifically for women. In a survey conducted on New Zealanders opinions about the roles of MPs, Vowles, Aimer, Catt, Lamare and Miller (1995) found that very few of those interviewed thought that MPs should place representing interest groups as their first priority. Most voters thought that an MPs primary responsibility was to the majority voice of the electorate, while the majority of MPs interviewed believed their first loyalty was to the views of the party manifesto, closely followed by their responsibilities to their electorate and their own personal agendas.

While the bills analysed so far reinforced the notion that more women in parliament may not result in an overwhelming attention to women's issues, an assessment of the *Domestic Violence Bill* of 2008 and the *Parental Leave Bill* of 2005 does indicate, however, that more women in parliament can have an effect on the legislative agenda. The increased presence of women in parliament for example, forced male MPs to pay more attention to issues affecting women. Even though there were slightly more male MPs than female MPs during the *Domestic Violence Bill* debate

[30] Interviewee F served one term as a list MP

(2008) their presence did not work against the advancement of women's interests. In fact, unlike the *Domestic Violence Bill* of 1994 where male MPs made fewer claims about the importance of the bill on women, and New Zealanders in general, male MPs did form an integral part of the 2008 debate. They often openly expressed their growing concerns about the effects of domestic violence on all New Zealanders, and the importance of the bill in dealing with these effects. Consider the arguments presented by the following Male MPs:

MP Rajen Prasad (Labour):

> *Labour supports any action for the elimination of family violence in our society. We see family violence as a horrible, horrible curse that our nation faces when we look at any figure, any data, that anybody in this Chamber or outside quotes for us. But when it happens in our homes and amongst the ones we love the most in our society, and when it happens in secret, then there is something fundamentally wrong with our society*. (Prasad, 2008)

Kennedy Graham (Green):

> *Let us acknowledge that we are a violent nation. We chalk up an average of 222 violent family events each day, which is one every 7 minutes. The purpose of the bill is therefore to ensure that a vulnerable partner in a domestic relationship—whether it is a woman or, as we heard from our ACT colleague earlier, a man, as it is in many cases—can receive greater protection through enhanced police procedures*. (Graham, 2008)

During the 2008 *Domestic Violence (Safety Enhancing)* Bill and the *Parental Leave (Self-Employed)* Bill of 2005 there was an obvious change in the approach taken by male MPs when discussing both bills. They seemed more willing to not only speak in gendered terms, but to also work with female MPs than they did in 1994 and 2002. They also spoke more about representing women's interests. *The Domestic Violence Bill* of 2008 for example, had nine male MPs who presented to the House and at least three of them made comments about the effects of domestic violence on women and children.

This is a dramatic improvement from the 1994 debates where male MPs presented on the bill, but made no gendered claims about the effects of violence on women in New Zealand. The number of male MPs who presented on the 2008 *Domestic Violence Bill* nonetheless points to the effect that increased number of women can have on the legislative activities and behaviour of other legislators. It also highlights the fact that male MPs also represent women's interests--even if in comparatively smaller numbers. Consider the arguments made by male MPs during the 2007 and 2008 debates:

> ***Hone Harawira (Māori Party):*** *This bill is an opportunity for Parliament to raise the issue of domestic violence, to remind the nation that there is no acceptable level of domestic violence, to reaffirm our commitment to protecting women and children from domestic violence, to speak up about the impacts of domestic violence, and to lay down markers about our refusal to tolerate it. (Harawira, 2008)*
>
> **Chester Borrows (National):** *…when we look back at the victims of domestic violence, we find that women frequently grew up in homes watching their mothers being beaten, and that the perpetrators grew up in homes watching their fathers beating their mothers. We need to do something significant to stop that….Another point that needs to be made is that there need to be initiatives across pieces of legislation to enhance the ability of the victims, principally women, of domestic violence to be safe. (Borrows, 2008)*
>
> **Rajen Prasad (Labour)***: These are real families, these are frightened people, and these are vulnerable women and children. Yes, Mr. Garrett is right: men are also caught up in this. But, fundamentally it is gendered, because men do so much more damage than women. (Prasad, 2008)*

The arguments presented by these male MPs suggest that they do advance and promote women's issues, even if this is indirectly done. It would also seem that male MPs will support women's interests when there is likely to be an effect on other members of society.

Parliament in 2005 and 2008 also seemed friendlier for women, with the relationship between female and male MPs showing significant changes. There was also

a positive change in the attitude of female MPs from different sections of the political spectrum towards each other. Lynne Pillay in her address on the *Domestic Violence Bill of 2008* pointed this out when she articulated that:

> ***Lyne Pillay (Labour):*** *First, I congratulate the Government. This is the first time since this Parliament began that we have debated under urgency a bill—the Domestic Violence (Enhancing Safety) Bill—that will be referred to a select committee so that the public can have a say on it. I acknowledge that that is a good thing. This is also the first bill this Parliament has seen that does not take a major step backwards; that has been very sad to see in this House over the last 2 weeks. (Pillay, 2008)*

During the *Domestic Violence Bill* (2008) debates, Sue Moroney (Labour) and Steve Chadwick (Labour) also highlighted the improved relationship between MPs and between parties in parliament:

> **Sue Moroney (Labour)***: I think that today's debate really does demonstrate that, because so far no one has got up in the House during its course and said that the Government should stay out of people's bedrooms. No one has got up and said that the Government does not have, and that society does not have, a right to set standards and expectations in this area. I imagine that if we had been having this debate some decades ago we would have heard those very speeches being delivered in this House. There would have been elements in society arguing that it is not anyone else's business to interfere in the family home, to talk to families about how they behave, or to set the standards society expects. This demonstrates to me that we as a society have moved on quite significantly. (Moroney, 2008)*

> ***Steve Chadwick (Labour):*** *There is a totally different sense in the House tonight than there was in 2002. I just want to recap for the benefit of new members in the House that the debate at the time Ruth Dyson submitted the original bill to the House was simply appalling. I remember Katherine Rich putting her head in her hands in shame at the stance that the National Party took. She was appalled, and there simply were not enough women in the House to support her at that time. I also remember the member Judith Collins making absolutely outlandish statements, and I am on record as saying that I would take them back to every women's group, every midwife, and every group in the country that I could possibly get the opportunity to talk to…(Chadwick, 2005)*

Effects of Party Ideology and Party Affiliation on female MPs response to the Domestic Violence (1994 and 2008) and Parental Leave and Employment Protection (2001 and 2005) Bills

Overall, female MPs do speak and act for women's issues, but the extent of their actions has been limited by both external and internal factors. Interviews conducted with female MPs in New Zealand revealed that there are several obstacles to representing women's issues in parliament. These include, but are not limited to: difficulties in women getting elected to parliament; personal responsibilities of female MPs once elected to parliament; a very confrontational political system; lack of consistent "women's views" to represent and the neo-liberal policy framework pursued by officials and the media which makes it very difficult to advocate for equality.

A close analysis of the *Domestic Violence* and *Parental Leave* bills, however, revealed that party influence is the main determinant of whether female MPs "act" or "speak" for women. Some political parties might use various gender equality strategies to encourage the election of women to parliament and the promotion of women's interests, while others might deem it unnecessary to promote any one group over another. While female MPs from the Labour Party often highlight welfare and social issues affecting women their National colleagues centered their focus on the market and the business sector. Grey (2006) sums up the views of both parties when she noted that:

> The Labour Party has traditionally been aligned with social democratic principles and with labor unions…the National Party is, on the other hand, historically associated with liberal ideals and with the business and farming sectors. (Grey, 2006)

Former Prime Minister and Member of Parliament for the National Party, Jenny Shipley also highlighted the stance of the National Party when she noted in a debate on the

Human Rights Amendment Bill (2001) that "*we* [the National Party] *do not believe in collectivism*." Shipley also chastised her Labour women colleagues for forcing women in general to depend on them. In a 1995 general debate, Shipley argued that:

> *The difference between the two parties is that the Labour women want women to depend on them. They want women to depend on a Labour Government, and the Labour women want women to depend on them as being the only people who can save them.*
>
> *Anyone who has listened to the Government women who have talked in the House this afternoon about the interests of women will be clear that it is the National Government's position, and, indeed the belief of women in the National Party, that women want independence. They do not want to depend on Governments. They do not want to depend on their husbands. They do not want to depend on other males. They want to be treated equally so that they can be independent. Anyone who listened to the debate would know that the lingering desire to keep tabs on everyone is alive and well under Labour. This is unlike the National Government, which is committed to empowering women so that they can make decisions for themselves. (Shipley, 1995).*

During the *Domestic Violence* and *Parental Leave* bills debates, the National Party not only often highlighted their own political ideologies in parliamentary debates, but they also often chastised the Labour Party for being too "feminist" in nature. Anne Tolley (National) in her speech to the House on the *Parental Leave Bill* (2002) accused the Labour-Alliance government of being "stuck in the radical feminist era of the 1960s and 1970s" (Tolley, 2002). She also argued that the *Parental Leave Bill* "*is focused on the traditional male breadwinner concept of the workforce, and is completely out of touch with the women of the 21st century and their diverse involvement in today's labour force*" (Tolley, 2002). Tolley's argument was further supported by her National Party colleague Lynda Scott who articulated that "*today in New Zealand, women can do anything, and frequently do. Unfortunately, Laila Harre has not moved on, and the bill is a clear indication of her old-fashioned feminist thinking*" (Scott, 2002).

Members of Parliament from the Labour and National parties dominated the debates and while they both made speeches in which they supported the Bills the Labour Party had more supporters of the Bills than did the National Party. The *Domestic Violence Bill* of 1994 was introduced by the Labour Party, but had the full support of the National Party. Both parties supported the Bill on the ground that violence against women and children was a growing problem in New Zealand which needed to be addressed. MP Elizabeth Tennet sums this up when she noted during the First Reading of the Bill that:

> *Domestic violence is indeed a very sickening phenomenon that occurs in our society [New Zealand]. It is true that 80 percent of all violence in our community is, in fact, occurring inside our own homes. It is mainly against women and it is mainly against children.* (Tennet, 1994)

The *Parental Leave Bill (2001)* was also introduced by the Labour Party, but unlike *the Domestic Violence Bill*, it had no backing in parliament from the National, New Zealand First and ACT parties. The National Party opposed the *Parental Leave Bill* on the ground that it was discriminatory towards a portion of the working population, especially self-employed mothers. The Labour Party was accused of introducing a bill that was backwards, sexist and feminist in nature. According to MP Anne Tolley (National):

> *This legislation [Paid Parental Leave Bill], introduced to compensate women for earnings lost due to childbearing, shows how the Labour-Alliance Government is stuck in the radical feminist era of the 1960s and 1970s, is focused on the traditional male breadwinner concept of the workforce, and is completely out of touch with the women of the 21st century and their diverse involvement in today's labour force (Tolley, 2001).*

During the 2005 and 2008 debates women made more reference to their parties than they did about gender. Sue Kedgley for example made references to the Green

Party a total of four times during the first reading of the Parental Leave debates. Other references to political party affiliation were made by the following MPs:

> ***Anne Tolley (National):*** *National members understand that tenet, and our policies will continue to underpin that commitment to protect and assist families. National believes that all mums are working mums.* (Tolley, 2001)
>
> **Sue Bradford (Green):** *The Green Party will support any Government or member's bill in the future that further strengthens this legislation and finally allows us to ratify the International Labour Organization in this area.* (Kedgley, 2006)
>
> **Lynne Pillay (Labour):** *The Labour Government did so much work around the issue of domestic violence.* (Pillay, 2008)

The political division between National and Labour further points to the expectation that support in parliament for women's issues also depends on which political party forms the government. The Labour Party introduced the 1994 *Domestic Violence Bill*, and while its female MPs were very active during the debates, females from the National Party were exceptionally quiet during the debates. The 2001 debates produced similar results. In fact only one female MP from the National Party presented on the 1994 bill, while the *Parental Leave Bill* of 2001 had only two female MP presenters from the National Party. A majority of the National Party presenters were male MPs. The only acknowledgement made by female MPs from the National Party of their role in the construction of the *Domestic Violence Bill* came from Katherine O'Regan (National: Associate Minister of Women's Affairs) who noted in her address to the House on the third reading of the Bill that: *I would like to talk about one particular area, because it is an area that I was involved in* [improvement of the position in relations to firearm] -- *although listeners may think that only Labour women were involved in it.* She further commended the National Party government for allowing the Bill to go through

Parliament: *I am delighted to be a part of a Government that has seen this legislation go through. This is very good legislation for the women and families of New Zealand.*

Disagreement and discontent over the bills were however not limited to the National Party, they were also evident in claims made by female MPs from the smaller parties. In her speech to the House on the *Parental Leave Bill* (2001) MP Penny Webster (ACT Party) echoed her disapproval of the Bill by arguing that:

> *Women wanted equality, and many of us worked hard in the past to be accepted as equal, and we did a very good job. But now it seems that we are to turn round and ask for a special privilege because we are women, and we want others to pay for it. (Webster, 2001)*

She was interrupted by Hon. Laila Harre (initiator of the Bill) who exclaimed: "*Oh, for goodness' sake, this is amazing*." Refusing to digress from her point, Webster went on to argue that:

> *Well, I think it is amazing that we went through all the pain to get ourselves equal, and now every time we turn round and squeal about it….I fought extremely hard in my area and I managed to get to positions that no other woman has. (Webster, 2001)*

She also went on to note that:

> *The decision to have a child is a personal one--employers are not consulted, and have no say in the matter. There are no logical reasons that employers should fund it--and they will fund it, because they pay their taxes. There is also the need to replace that person during the time that they are away on parental leave. (Webster, 2001)*

Webster's views were clearly not aligned with those of her left-winged female colleagues in the House. She was also insensitive to the plights of working mothers who would be affected by the Bill. Her general focus was on the effects of the Bill on employers and businesses:

> *As a small nation we cannot afford to place yet more requirements on employers. We really need a flexible labour market that can accommodate parental leave along with other requirements, without heavy-handed regulation and cost. (Webster, 2001)*

Webster's approach towards the *Parental Leave Bill* supports earlier claims that having more women in parliament will not necessarily result in increased attention to women's issues. There are MPs who enter parliament with their own agendas, while there are those who strictly adhere to the rules and ideologies of the party they are associated with. The ACT party was not in support of the *Parental Leave Bill* and that could also partly explain Webster's stance on the issue.

Interviews with female MPs in New Zealand also revealed that party affiliation played a primary role in how they perceived and approached their roles in parliament. When asked who they represented in parliament, and if they acted for women, at least 60% of the respondents noted that they represented the interests of those who supported their particular parties. While female MPs do represent women's interests because of their own gender constructs, they have an obligation to their political parties which often supersedes all other forms of allegiance. As Galligan and Tremblay (2005) rightfully argued, "female MPs are conscious of their gender as well as their political affiliation and constituency duties".

Women's Substantive Representation: Members' Bills

The hypothesis for this chapter is that with increased number of women in parliament, female MPs will not only seek to represent women descriptively, but they will also do so substantively. In other words, more women in parliament should result in improved policy outcomes and attention to issues of interest to women. To explore this

further this study examined Members' Bills that were introduced in New Zealand's House of Representatives between 1996 and 2008. It categorized them according to gender (of the initiators) and then coded them according to whether or not they fit into the category of women's issues. Overall, 264 bills were analyzed.

Members' Bills are not only used by MPs to criticize the government, but they also provide MPs and backbenchers, especially those in the opposition, to discuss or highlight certain deficiencies or omissions in the government's policies or programmes (Hyson, 1974). More importantly, Members' Bills provide MPs with an avenue through which they can express their opinions or introduce policies that are of importance to them. Members of Parliament act as the primary link between their constituents, their party and Parliament, and as such, they are responsible (and often held accountable) for explaining and conveying their party's policies to their constituents, and also for conveying their constituents' views to their party and the Government.

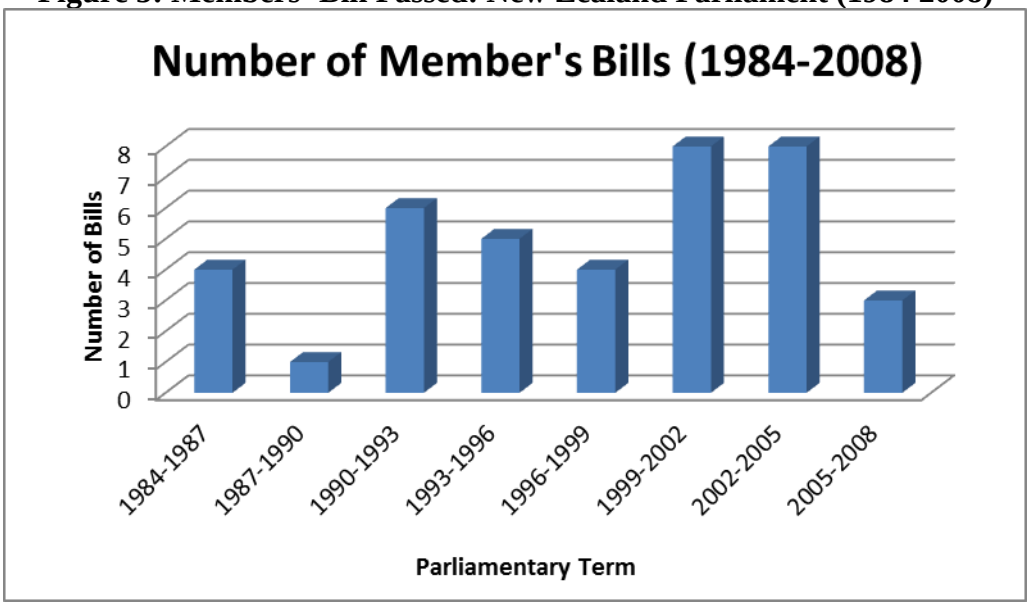
Between 1984 and 2008, 39 Members' Bills were passed into law in New Zealand's House of Representatives. The number of bills passed over the selected time period presents a very small dataset, but as noted earlier in the study, Members' Bills are difficult to pass into law and most do not succeed. There was significant increase in the number of Members' Bills introduced in New Zealand's House of Representatives after the adoption of the Mixed Member Proportional electoral system in 1996. Between 1996 and 2008, the number of Members' Bills increased significantly, accounting for 59% (23) of the total bills passed between 1984 and 2008.

An increase in the number of bills after 1996 was also due in part to the removal of the 'appropriation' rule, and not solely because of the MMP electoral system. The

appropriation rule which traditionally disallowed a large proportion of private members' bills because they involved expenditure was replaced by a government 'financial veto' in 1996 (Martin, 2011). The "financial veto" introduced in 1996 allows MPs who are not members of the government to introduce or promote any proposals or bills regardless of their fiscal implications. The Government, however, has a right to veto such proposals if, in its view, they would have more than a minor impact on its fiscal aggregates if they became law (Cabinet Manual, 2008). Prior to 1996, Members' Bills which had major financial implications would be dismissed before they even had the opportunity to come before the House. According to Spindler (2009), "during the 1990 to 1993 term, 20 Members' Bills were denied introduction, being ruled out of order as involving an appropriation. A further 10 were denied introduction during the 1993-1996 term for the same reason" (p. 57).

It is interesting to note that even though the number of Members' Bills increased after 1996, the lowest numbers of Members' Bills (with the exception of the 2005-2008 periods) were passed following the first general election under MMP (1996-1999). The first term under MMP was not only a new one for all MPs, it was also a transitional period and as was argued in chapter four, political parties, especially the National Party, faced difficulties in adjusting. After political parties started to adjust to the new electoral system, we can see a gradual increase in the number of bills that were passed as law (see Figure 5). There was however, little change after the 2002 general election and a drastic decline after 2005.

Figure 5: Members' Bill Passed: New Zealand Parliament (1984 2008)



During the 46th parliament (1999-2002) the number of Members' Bills passed increased to eight. The National Party proposed four (4) of these bills while the Labour Party proposed one (1), New Zealand First proposed two (2) and the Green Party proposed one (1). A comparative analysis of the bills introduced by MPs from the two major parties (National and Labour) would suggest that Members' Bills are often used by opposition parties in an attempt to propose alternative policies. Whenever the Labour Party forms the government we see an increase in Members' Bills by National Party MPs and vice versa. Political parties forming the government not only tend to introduce more nationally-focused legislation, but they also introduce most of their bills as government bills and so have little need for members' bills. Similar results were experienced in the 2002-2005 parliaments, which also had eight (8) successful Members' Bill. There was also an equitable distribution of Members' Bills introduced

by the political parties in parliament, even though only National and Labour had bills that were passed into law.

During the 48th parliament (2005-2008), the number of Members' Bills introduced decreased minimally from the prior parliament. The number of bills that were passed as law during this period however declined drastically, with only three (3) Members' Bills passed. Unlike other parliament terms, all three Members' Bills passed were introduced by the Green Party. The Labour-Progressive coalition backed by New Zealand First and United Future formed the government, and the National-ACT parties formed the official opposition. Again, of the two major parties, National proposed most of the Members' Bills during this parliamentary period. This is consistent with the earlier claim that parties forming the government will not feature prominently in the introduction of the bills. The decrease in the number of bills after 2005 could be an indication of a drop in legislative activities by MPs, but it could also be due in part to the fact that Members' Bills are difficult to pass and most bills that were ever introduced were not successful.

An increase in the number of Members' Bills introduced after 1996 also supports earlier claims made in the study that increased minority representation--more women, ethnic minorities and political parties in parliament will shift the legislative agenda. The diverse group of MPs and interests following the introduction of the MMP system played a major role in the number of bills that were passed. The MMP system increased the number of MPs in parliament from 99 to 120 (121 or 122 if there is an overhang). With more MPs in parliament, it follows that legislative activities will also increase. One group of MPs who have been influential in the introduction and construction of

Members' Bills are list MPs. The party list system under MMP not only allows for more minority groups to be elected to parliament, it also provides greater opportunities for them to represent the interests of those they seek to "act for".

An analysis of the 264 Members' Bills introduced between 1996 and 2008 shows that list MPs were very influential in the number of bills that were introduced. List MPs combined introduced 58% (152) of the bills introduced in New Zealand within the time period under review, while electorate MPs introduced 42% (112). This is despite the fact that overall, there are usually more electorate MPs (70 electorate seats--including the Māori reserved seats) elected to parliament during any parliamentary sitting than there are list MPs (50 list seats). The role of electorate MPs is usually more defined than that of a list MP and so the latter often seek to legitimize or "find their place" by acting as activists for minority and underrepresented groups. List MPs unlike their electorate counterparts also have more time available to spend representing the interests of minority and underrepresented groups.

Even though most of the Member's Bills introduced between 1996 and 2008 were as a result of the actions of the list MPs, the majority of the 23 bills passed were introduced by electorate MPs (61%). Of the 23 Members' bills that were enacted into law between 1996 and 2008 however, only 39% (9) were introduced by list MPs (Table 13). It is also important to note that female MPs elected via the party list accounted for seven of the nine successful bills that were introduced by female MPs. Further examination of the 48 female MPs who introduced Members' bills in New Zealand's

parliament within the time period under study shows that 66% (32) of them were list MPs.[31]

Table: 13. Successful Member's Bills Passed (1996-2008)

Bills Passed	**Party**	**Proposer**	**Electorate/List**	**Gender**
Members' Bills at the end of 45th Parliament (1996-1999)				
Children's Health Camps Board Dissolution 1999	National	Joy Quigley	List	Female
Education (Tertiary Students Association Voluntary Membership) *Formerly Tertiary Students Association Voluntary Membership 1998*	National	Tony Steel	Electorate	Male
Misuse of Drugs Amendment 1997 *(formerly titled Misuse of Drugs (Drug Paraphernalia) Amendment)*	National	John Carter	Electorate	Male
Trade in Endangered Species Amendment Bill 1997	National	Eric Roy	List	Male
Members' Bills at the end of the 46th Parliament (1999-2002)				
Alcohol Advisory Council Amendment 1999	National	Belinda	List	Female

[31] Ninety nine bills were introduced by female MPs, but some MPs introduced more than one bill. Overall, only 48 females introduced Members' bills between 1996 and 2008.

		Vernon		
Chartered Professional Engineers of New Zealand 2000	National	Nick Smith	Electorate	Male
Dog Control (Hearing Dogs) Amendment 2001	National	Marie Hasler	List	Female
Energy Efficiency and Conservation 2000 *formerly titled Energy Efficiency 1998*	Green	Jeanette Fitzsimons	List	Female
Fisheries (Foreign Fishing Crew) Amendment 2002 *Formerly titled Foreign Fishing Crew Wages and Repatriation Bond 2000*	Labour	Graham Kelly	Electorate	Male
Habeas Corpus 1999	National	Simon Power	Electorate	Male
Local Government (Prohibition of Liquor in Public Places) Amendment 2001	NZ First	Winston Peters	Electorate	Male
Rating Powers (Special Provision tor Certain Rates for Educational Establishments) Amendment 2001 *Formerly Educational Establishments (Exemptions from Certain Rates)*	NZ First	Brian Donnelly	List	Male
Members' Bills at the end of the 47th Parliament (2002-2005)				
Companies Amendment Bill *formerly part of Status of Redundancy Payments Bill*	Labour	Mark Peck	Electorate	Male

Defence Amendment Bill (No 2) *formerly Part of Volunteers Employment Protection Amendment Bill*	National	Wayne Mapp	Electorate	Male
Fisheries (Foreign Fishing Crew) Amendment Bill *formerly Foreign Fishing Crew Wages and Repatriation Bond*	Labour	Graham Kelly	List	Male
Human Assisted Reproductive Technology Bill	Labour	Dianne Yates	Electorate	Female
Insolvency Amendment Bill *formerly Part of Status of Redundancy Payments Bill*	Labour	Mark Peck	Electorate	Male
Prostitution Reform Bill	Labour	Tim Barnett	Electorate	Male
Smoke-free Environments Amendment Bill *formerly Smoke-free Environments (Enhanced Protection) Amendment Bill*	Labour	Steve Chadwick	Electorate	Female
Volunteers Employment Protection Amendment Bill	National	Wayne Mapp	Electorate	Male
Members' Bills at the end of the 48th Parliament (2005-2008)				
Crimes (Substituted Section 59) Amendment Bill) *Formerly Crimes (Abolition of Force as a Justification for Child Discipline) Amendment Bill*	Green	Sue Bradford	List	Female
Employment Relations (Flexible Working Arrangements) Amendment	Green	Sue Kedgley	List	Female

Bill (formerly Employment Relations (Flexible Working Hours) Amendment Bill				
Minimum Wage (New Entrants) Amendment Bill (formerly Minimum Wage (Abolition of Age Discrimination) Amendment Bill	Green	Sue Bradford	List	Female

Gender Differences in legislative activities

A majority of the 264 Members' Bills introduced between 1996 and 2008 were by male MPs (62.5%), while female MPs introduced 37.5% of them. Even though female MPs collectively introduced fewer bills when compared to their male counterparts, this still presents an impressive figure as the number of female MPs in parliament in any given sitting is usually less than that of male MPs. Between 1996 and 2008 for example, there were only 151 female MPs in parliament when compared to the number of male MPs (452 male MPs).

Most of the bills enacted into law were also proposed by male MPs (14). Only nine (39%) bills introduced by female MPs were passed into law during the selected time period under study, but it was in proportion to the number of bills they introduced and so represents a significant step forward for women. Of the nine (9) bills introduced by females MPs that were passed into law between 1996 and 2008, at least 66% (6) addressed areas that can be classified as "women's issues". These include:

1. *the Children's Health Camp Board Dissolution Bill*;
2. *Human Assisted Reproductive Technology* Bill;

3. *Smoke-free Environments Amendment Bill formerly Smoke-free Environments (Enhanced Protection) Amendment Bill;*
4. *Crimes (Substituted Section 59) Amendment Bill) Formerly Crimes (Abolition of Force as a Justification for Child Discipline) Amendment Bill;*
5. *Employment Relations (Flexible Working Arrangements) Amendment Bill (formerly Employment Relations (Flexible Working Hours) Amendment Bill*;
6. *Minimum Wage (New Entrants) Amendment Bill (formerly Minimum Wage (Abolition of Age Discrimination) Amendment Bill*.

While these bills cover a wide cross-section of the New Zealand population, and so cannot be associated primarily with women, their nature and purpose do place them in the category of "women's issues".

The number of successful Members' Bills introduced by female MPs is also reflective of their number in parliament. Overall, women introduced an impressive number of bills in proportion to their numbers in parliament, but a significant proportion did not make it past the first reading, while a majority did not make it past the second reading, and only a small fraction was passed into law. This, however, was not limited to female MPs; most of the bills introduced by male MPs also met the same fate. The rate at which female MPs introduced bills addressing women's issues also decreased with each parliamentary term. In the 45th parliament (1996-1999) there were ten Members' Bills that directly addressed women's issues. In the 46th and 47th parliament (1999-2002 and 2002-2005) this number decreased to six and seven respectively. This decline continued into the 48th parliament (2005-2008) with only six bills directly addressing women's issues. There was similar, but steady decrease in the number of bills introduced

by male MPs that addressed women's issues. In the 45th parliament, male MPs introduced five (5) bills that addressed women's issues and this gradually decreased to four and three for the 46th and 47th parliaments respectively. In the 48th parliament, male MPs did not propose any bills that addressed women's issues.

Further examination of the Members' Bills analyzed revealed that of the 99 bills that were introduced by female MPs, 29% (29) were designed around areas that can be considered "women's interests". The number of Members' Bills devoted to women's issues could suggest that even though female MPs enjoy descriptive representation in parliament, there will not necessarily be increased attention to women's issues.[32] Even though women introduced fewer bills designed around areas that can be considered women's issues, this does not mean that they do not seek to represent women's issues within their constituencies, in parliament or in caucus.

Data gathered from the interviews carried out with past and current female Members of Parliament in New Zealand indicates that outside of introducing Members' Bills and speaking for women in parliament, female MPs have taken "behind the scene" efforts to represent women's interests. One of the questions posed to the five interviewees was: "What are some of the gains that you have made in representing women inside parliament?" Respondents were not only quick to point out the gains they have personally made in parliament, but also those of the party to which they belong(ed).

[32] Examples of bills introduced by female MPs that directly addressed issues and which can be classified as "women's issues" include, but are not limited to: Paid Parental Leave, Child Support Amendment Bill, Human Assisted Reproductive Technology, Child Mortality, and Social Security (Child Benefit) Amendment Bill,

> Interviewee A: *For me in particular, it was legislation. The times that I was in parliament we had some very progressive laws, one on prostitution, which I did not quite agree with how it came out in the end, because it put responsibility on the prostitutes than the clients, but it was an interesting reform. We also had some very interesting reform on relationship property on the break-up of marriage that took greater heed of the consideration of women and children, and the break-up of a relationship*.
>
> Interviewee B: *The main gains made were around the recognition of childcare and the payment of childcare--of money through the education department to be paid for the establishment of childcare centres. Prior to my being a member there was very little childcare in New Zealand, and childcare has meant that a lot more women are able to retain their employment. Another gain was promoting equal pay and pay equity, and the nurses for example, and teachers in New Zealand received some quite substantial pay increases…I was the first Member of Parliament to raise parental leave as something that should be introduced into New Zealand. It was not actually introduced until I left parliament, but I was the first to introduce it. There was some liberalization around abortion which I was involved in, and which ensured that women had the right to choose.*
>
> Interviewee F: *I was very strong on getting support and a new law enacted saying it's not only a crime to have females mutilated in New Zealand, but if a family were to take a young girl outside New Zealand to have it done, that too would be considered a crime*
>
> Interviewee G: *I had success with three private members bill, which is a record in New Zealand's parliament…In the three bills that I got passed in the late 2000s, [was] a bill which ended the legalized use of physical discipline on children. The second bill that I achieved was to bring 16 and 17 year old workers up to the same minimum wage on a whole as adult workers. I saw lower wages as proportionately affecting young women. The third bill…ended the period of time that mothers who were in prisons could keep their babies with them. I saw all those bills as being very important for women and children. I think those were my main achievements, but another one was trying to give a voice for women who lived [on the margin] of society. I spent 10 years speaking up for homeless women, women who lived in poor housing or who were unemployed or on low wages. I was always trying to bring their voice into the public discourse.*

Interviewee C's contribution to women's issues in parliament included: legislation such as the Property Relationships Act which deals with how the property of married couples, civil union partners and de facto couples is to be divided when a relationship ends;

appointment of Equal Employment Opportunities Human Rights Commissioner to promote and encourage equal employment (and pay equity) opportunities and practices in New Zealand; Paid Parental Act - 14 weeks paid leave for mothers and pay equity research and implementation in the public sector. Interviewee D and E, on the other hand, both noted that their gains in parliament have been mostly "symbolic". According to Interviewee D: *People often said to me that I spoke for them and represented their views and their values in Parliament in a way that had not been done before. Possibl[y] this was more important than specific changes in the law*. Interviewee E shared similar sentiments. She noted that:

> *I would say that [my contribution] has been mostly symbolic...I am a list MP in an opposition party, and so we don't have a lot of power, so for me it's important to demonstrate in the meantime to other females that this is a place where you can make a difference, that you can carve out a place [where] you can conduct yourself with a degree of integrity and survive the political machine. I try to be a good role model. Equally, I have been working on policies around children's issues which are heavily reliant on supporting particularly mothers…*

More importantly, all the interviewees noted that coupled with their roles and activities in parliament, they do advocate for women's issues in caucus and outside parliament. When asked if they raised issues of concern to women in caucus, 90 % of the respondents gave a resounding "yes".

> Interviewee A: *Yes I did [raise issues of concerns to women], and I did it every caucus….particularly when I was our party spokesperson on women. It was my role to bring up any issues that were related to women as a whole, related to women's rights, legislation particularly those concerning women. I also was for a long time, the caucus secretary, which meant that I got to see all the papers perhaps more clearly than some of the other members. And when it came to our making appointments to various boards, Ministers would give out a list…they would read out a list, and give me the list, and it was me who would say to the leader, there is no woman on that list or there is no Māori on that list.*

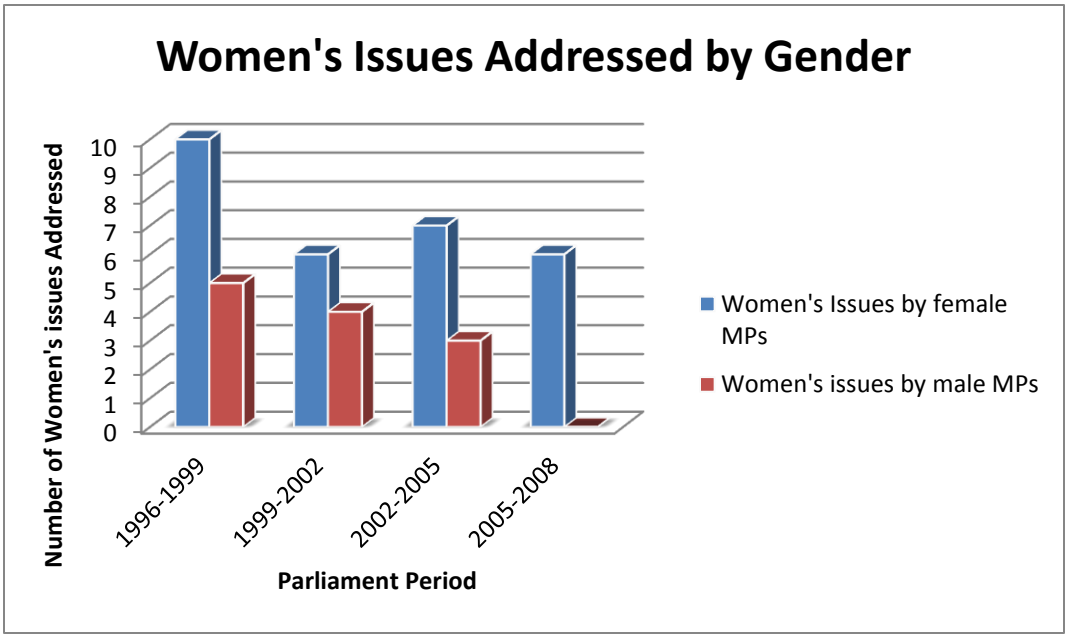
> Interviewee G: *I certainly did, and as frequently as I felt was necessary, which was very often. I identified as a feminist, and so I brought a feminist analysis and awareness to my political work including in caucus and the other entities of parliament…*

Other interviewees noted that yes, they did raise issues of concerns to women in caucus, but so did other women. One interviewee went on to explain that her party has a women's caucus and female members of parliament who gather when the party meets to collectively discuss their position and advocacy on issues. So while there is a primary spokesperson, they all meet collectively to add their voices to issues on the table.

Do male MPs represent women's interests?

Even with the small number of bills dedicated to women's issues, female MPs still introduced more bills that addressed women's issues when compared with their male counterparts. While 165 bills were introduced by male MPs, only 7% (14) were concerned with women's issues, and of the bills that were enacted into law, only one (the *Prostitution Reform Bill*) addressed women's issues. Between 1996 and 2008, nine successful female MP Member's Bills were passed into law, and 66% (6) of them directly addressed issues of concern to women (Figure 6).

Figure. 6. Women's issue by gender (Members' Bills passed into law)



An analysis of the bills introduced also revealed some interesting differences between the priorities of male and female MPs. The latter gave greater priority to social and women's issues such as violence, employment, and child welfare, while the former showed very little interest in women's and social issues. Male MPs who introduced Members' Bills focused their priorities on legal, constitutional and business related policy areas such as defence and fisheries. It cannot be said, however, that women were not interested in issues and areas that are usually male dominated, since they have significantly represented issues of a legal, constitutional or business nature. Neither can it be said that male MPs in their entirety did not support women's issues.

For the most part, it was the issue of child welfare (which can be considered a women's issue) that had the attention and focus of both male and female MPs. Men also represent women's interests, even though they do so to a lesser extent. Moreover, women's interests may "belong to" both women and men (Celis, 2006; Tremblay, 1998). There were, for example, marginal or insignificant differences in activities between male and female MPs on the issue of child welfare. Although it is traditionally of greater concern to women as mothers, fathers, too, may have a vested interest in issues such as state subsidized child care, violence against children, child mortality, maternity and parental leave. Of the 14 bills that male MPs introduced that addressed women's issues, eight (57%) of them concerned child welfare.

It also became evident from the bills analyzed that having more female MPs in parliament can have indirect influences on the way male MPs think and also the policies that they introduce. Increased female presence in the legislative assembly can encourage male legislators to desist from the rhetorical tactics that they so often used to silence

their female colleagues. According to Bratton (2005), the increased presence of women leads men to show more interest in women's issues, either to promote women's autonomy or to restrict advances in women's status. Even though female MPs introduced a significantly higher number of women's interest bills than their male counterparts, men do think about issues that are of importance to women. It was a male MP (Bob Simcock) who introduced the *Child Mortality Review Board Bill*, aimed at reducing child mortality in New Zealand. *The Prostitution Reform Act* of 2003[33] also came about because of the actions of a male MP (Tim Barnett). Male interests in women's issues follows from Kanter's "critical mass" argument that as an underrepresented group increases its presence in an organization, other groups begin to take on the concerns of the underrepresented group until they become indistinguishable from traditional issues (Kanter 1977).

Female MPs had fewer successful Members' Bills in parliament, but they were able to not only influence the policy process through the introduction of Members' Bills that address women's issues, but also to have an indirect influence on the legislative behaviour of male MPs, cabinet ministers and the media. Even when Members' Bills introduced by women fail to pass third reading they can have an important *indirect* impact on public policy by bringing new ideas into the public realm, convincing fellow MPs and cabinet ministers of their worth, and attracting media attention. Female Members of Parliament such as Laila Harre and Tariana Turia not only introduced bills that attracted media and public attention, but their efforts also resulted in the passing of the *Paid Parental Leave Acts*, and the repeal of the *Foreshore and Seabed Bill*

[33] This Act decriminalized prostitution in New Zealand and seeks to protect the human rights and well-being of sex workers.

respectively. Widespread support for a Member's bill may also result in the Government introducing its own legislation to achieve broadly similar aims. Alternatively the Government may agree to support a Members' Bill and make services available to improve the quality of drafting. Either way, Members' bills can have an impact on the Government's legislative priorities.

Conclusion

The "effective" representation of women requires that they enjoy both descriptive and substantive representation. Substantive representation is however, a better indicator of minority representation. While the composition of parliament is very important, what matters most for a woman is whether the female MPs elected to parliament will work to enact policies that benefit or hurt them. Based on the debates and bills analyzed, it becomes evident that with the introduction of the MMP electoral system in New Zealand female MPs now enjoys greater representation. They also "speak" and "act" for women, but are not primarily in parliament to represent women's interests. When compared with their male counter-parts female MPs did demonstrate that they are more likely to advocate for policies that benefit women in general. Male MPs do represent women's interests and support women's issues, but they do so to a far lesser extent.

It also became evident from the bills and data analyzed that both list and electorate MPs do represent women's interests, even though list MPs more frequently participated in the debates or introduced Members' Bills. One of the strongest arguments in favour of list MPs is that they encourage diversity. Since 1996, women have almost consistently made up a larger proportion of all list MPs as opposed to electorate MPs.

While electorate MPs do have specific constituency duties, list MPs have more flexibility and space to represent personal interests, groups and agenda. It is understandable therefore why there were more list female MPs as opposed to electorate female MPs participating in the debates or introducing bills geared at addressing women's issues. The differences in the representational style and roles of list versus electorate MPs will be discussed in greater length in chapter eight (discussion chapter).

Chapter 7: Māori Substantive Representation (New Zealand)

Introduction

The New Zealand electoral reform of 1996 was expected, in part, to achieve greater Māori descriptive representation, which it did. MMP has not only resulted in increased numerical representation for Māori, but unlike under the First-Past-the-Post system, political parties can no longer sweep Māori issues under the proverbial rug now that there is a significant percentage of Māori in parliament. As one Māori MP noted during the interviews conducted for the purpose of this research, "*in the construction of the party lists the architects of those lists have tried to go for a broad pool of talent, to ensure that minority groups such as Māori come into parliament without having to go through the rigmarole of securing a safe seat*" (Interviewee 3). Interviewee 1 also corroborated this finding by articulating that "*with the introduction of MMP and the rankings that each political party has given to their candidate we have seen an increase in the number of Māori members in the House*".

Some scholars have suggested that there is a direct link between the presence of Māori MPs in parliament and the promotion and protection of Māori interests. Banducci and Karp (2004), Catt (1997) and Sullivan (2003) have presented arguments to suggest that the MMP electoral system can facilitate increased substantive representation for Māori. The MMP system it is believed has resulted in the Māori MPs moving from the side-line to the centre of the decision-making process and parliament. Former Member of Parliament, Margaret Wilson, best describes the results of MMP for Māori thus: "although Māori do not have political power, they have political influence" (Coates and McHugh 1998, p. 251). There is however, little empirical evidence suggesting that the

presence of Māori representatives has facilitated the substantive representation of Māori interests. Xanthaki and O'Sullivan (2007) argue that the MMP system has not resulted in increased policy responsiveness to Māori issues. They have argued instead that: '[c]ontrary to initial hopes, the MMP system has not contributed to the rise of substantive policy responsiveness to Māori issues, apart from issues related to treaty settlements and to the improvements related to Māori income and employment' (Xanthaki & O'Sullivan 2007, p. 201).

Similar to chapter six, this chapter is set within a politics of presence framework. It addresses the extent to which increased presence of Māori representatives in parliament is likely to facilitate and improve the level of representation of Māori interests and concerns. It also examines the extent to which "being Māori" influences the representational role of Māori MPs. The main question to be asked throughout the chapter is: Do Māori MPs represent Māori interests? If not, who do they 'act for'? This question will be answered by tracing the impact of Māori MPs in two areas of the legislative process: agenda setting and policy outcomes. The first section of the chapter will examine the extent to which Māori MPs spoke or acted for Māori interests on two specific bills that have had significant consequences for the Māori people: The *Foreshore and Seabed Bill* (2004) and the *Marine Area and Coastal Area Bill* (2011). The second section of the chapter will assess the extent to which Māori MPs have been able to influence policy outcome once elected to parliament. This will be done through a content analysis of Members' Bills introduced and passed in New Zealand's House of Representatives between 1996 and 2008.

Background to the Foreshore and Seabed Bill

There have been serious political and legal conflicts between Māori and non-Māori in New Zealand as a result of the *Foreshore and Seabed Bill* of 2004 which sought to place control of the foreshore and seabed into the hands of the Crown. The Foreshore in question has been defined as:

> The intertidal zone, the land between the high- and low-water marks that is daily wet by the sea when the tide comes in. It does not refer to the beach above the high-water mark. The seabed on the other hand is defined as the land that extends from the low-water mark, and out to sea. (Waitangi Tribunal Report, 2004)

The path to the *Foreshore and Seabed Act* itself began in June 2003 when the Court of Appeal ruled that the Māori Land Court had the jurisdiction to hear claims related to the foreshore and seabed. Shortly thereafter, the Government announced that it needed to legislate to protect the foreshore and seabed for all New Zealanders. The debate then became a question of who should have recognizable claims to the foreshore and seabed--Māori or the Crown (New Zealand state).

The *Foreshore and Seabed Act* was passed in November 2004 by the Labour-led coalition (United Future and the Progressive Party) and came into effect in January 2005. It vested the "full legal and beneficial ownership of the public foreshore and seabed in the Crown" (excluding those parts of the foreshore and seabed held in private title), thus preserving it as public domain for the people of New Zealand (Foreshore and Seabed Act, 2004). Secondly, it prevented the Māori Land Court from investigating applications relating to the foreshore and seabed and removed the High Court's power to determine claims for customary title. Thirdly, the High Court's inherent native title jurisdiction was to be removed and replaced with jurisdiction to grant "territorial

customary rights orders" (TCRs). Finally, the holders of TCRs had the right to enter into discussions with the government of the day to negotiate the possibility of redress (McVeagh, 2010; Ministry of Justice, 2010).

The enactment of the *Foreshore and Seabed Act* inspired very heated debates and reactions from the public about the importance of the Foreshore and Seabed, but more so, about the discriminatory effects on the Māori people. The Māori people reacted strongly to the Act as they believed that it did not recognize their authority (*mana)* over the foreshore and seabed. They argued that the Act was substantially unfair and discriminatory in requiring that only Māori lose their rights in the foreshore and seabed, while guaranteeing private title owners (non-Māori) their rights. The Act also created a basic inequality of legal opportunities by denying Māori access to the Courts to seek clarification of rights.

In his speech to the House during the first reading of the *Foreshore and Seabed Bill*, MP Gerry Lee Brown of the National Party argued vehemently against its enactment because of the perceived racial tension that he associated with it. He implored Māori members on the Government benches to abstain from voting in favour of the bill because doing so would leave behind deep racial division in New Zealand (Brown, 2004). Brown's argument was further supported by Richard Prebble of the ACT party who articulated that "today Parliament is doing great and lasting damage to racial harmony by introducing legislation [Foreshore and Seabed Bill] that racially discriminates" (Prebble, 2004).

Māori and non-Māori groups who opposed the *Foreshore and Seabed Bill* also argued that it violated the Convention on the Elimination of All Forms of Racial

Discrimination's prohibition on racial discrimination by treating Māori property rights differently from non-Māori property rights. The Committee on Elimination of Racial Discrimination (CERD) found that:

> The legislation appears…on balance to contain discriminatory aspects against the Māori, in particular in its extinguishment of the possibility of establishing Māori customary title over the foreshore and seabed and its failure to provide a guaranteed right of redress. The Committee urges the State party, in a spirit of goodwill and in accordance with the ideals of the Waitangi Treaty, to resume a dialogue with the Māori community with regard to the legislation in order to seek ways of lessening its discriminatory effects, including where necessary through legislative amendment. (United Nations, 2005)

Many Māori and Pakeha (New Zealanders who are "of European descent") saw the bill as a further continuation of the practice of the state sanctioned confiscation of Māori land. Moana Jackson for example argued that the *Foreshore and Seabed Bill* was in effect a modern day raupatu (confiscation) that clearly breached Articles II and III of the Treaty of Waitangi and standard common law rules (Jackson, 2004). A report released by the Waitangi Tribunal was also highly critical of the government's policy on the foreshore and seabed. The report concluded that in choosing to legislate, the Crown had seriously breached the principles of the Treaty of Waitangi by failing to respect the tino rangatiratanga (absolute sovereignty) and the good faith obligations of partnership (Waitangi Tribunal Report, 2004). The Treaty of Waitangi guaranteed Māori tribes "full exclusive and undisturbed possession of their lands and estates, forests, fisheries and other properties which they may collectively or individually possess", which many interpret as including the foreshore and seabed. The bill was seen as a violation of the Treaty of Waitangi because the Labour government did not act in good faith as a partner to the treaty.

Marine and Coastal Area (Takutai Moana) Bill

"*We must exercise the legitimacy that we never gave up. There is a desperate need for us to get this relationship right. No nation divided against itself can stand." Today it is time to repair the relationship and restore the spirit of nationhood in this country* (Turia, 2010). These words are reflective of the philosophy underpinning the Marine and Coastal Area Act which was enacted in 2011 to repeal the 2004 *Foreshore and Seabed Bill*. Still troubled by the effects of the *Foreshore and Seabed Act*, Tariana Turia and the Māori Party introduced the *Marine and Coastal Area Bill* which sought to:

> …reform the law relating to ownership of the foreshore and seabed in the Foreshore and Seabed Act 2004 (the 2004 Act) which was passed in response to the Court of Appeal judgement in the case of Ngati Apa, Ngati Koata, Ngati Kuia, Ngati Rarua, Ngati Tama, Ngati Toa, Rangitane and Te Atiawa Manawhenua Ki te Tau Ihu Trust v. the Attorney General and others (the case), and to repeal the 2004 Act. The Bill seeks to restore the customary interests extinguished by that Act (Parliamentary Library, 2011b)

The *Foreshore and Seabed Act* not only expropriated Māori property, but it also breached the principles of the Treaty of Waitangi, and denied the Māori people their right to pursue due process under the law. The Act also caused divisions within the Māori population, and between the Māori and Paheka people.

After the controversial *Foreshore and Seabed Act* in 2004, the Māori Party was created under the leadership of MP Tariana Turia. In 2008 after winning the general election, the National Party agreed to review the *Foreshore and Seabed Act* in their Relationship and Confidence Supply Agreement with the Māori Party. An independent review was also carried out in 2009, the result of which determined that: the *Foreshore and Seabed Act* failed to balance the interests of all New Zealanders in the foreshore and seabed; was discriminatory and unfair; and should be repealed.

Proponents of the *Marine and Coastal Area Bill* argued that "it does not take away rights; rather, it recognises and protects the rights of all New Zealanders, including Māori, to the common marine and coastal area of this country" (Finlayson, 2010). In her opening speech in support, Māori Party co-leader Tariana Turia described the bill as a small but important step forward for the party and the Māori people. She went on to note that "the reality is that five votes out of 122 will never a majority make, but if we are to uphold our word to our people we must be able to make progress and to see it" (Turia, 2010).

The Bill was moved by party leader Tariana Turia, and passed by 106 votes to 15 votes in Parliament. The *Marine and Coastal Area Act* came into being in 2011. It guarantees the rights of all New Zealanders in what was once known as the Foreshore and Seabed. The Act further restored the courts' ability to determine and legally recognise customary rights and title in the foreshore and seabed. Secondly, it established statutory tests for the recognition of customary interests in the foreshore and seabed. Thirdly, it renamed the foreshore and seabed the "Marine and Coastal Area" and classifies those parts of the marine and coastal area that are not already in private ownership as the "common marine and coastal area". Finally, it guaranteed free public access in or over the entire common marine and coastal area (Ministry of Justice, 2011).

Like the *Foreshore and Seabed Bill*, the *Marine and Coastal Area Bill* was not without its critics. The Labour Party argued against the Bill on the ground that "it will not settle the legislative framework for the determination of un-extinguished customary interests in the foreshore and seabed" (Goff, 2010). They also argued that Māori do not have, or should not have recognised, un-extinguished customary interests in the

foreshore and seabed. The Green Party opposed the bill, arguing that it was simply a re-make of the *Foreshore and Seabed Act* 2004 and as a result the inherent injustices of the 2004 Act cannot be remedied with the Marine and Coastal Area legislation (Marine and Coastal Area Bill: Report of the Māori Affairs Committee, n.d). Like the Green Party, the ACT Party also opposed the *Marine and Coastal Area Bill* on the ground that it exacerbates the problems created by the 2004 *Foreshore and Seabed Act*. ACT opposed the Labour Party's 2004 *Foreshore and Seabed Bill* because they believed that all New Zealanders should be able to apply to the Courts to explore the nature and extent of, and to defend, their property rights (Marine and Coastal Area Bill: Report of the Māori Affairs Committee, n.d). The Bill was also met with opposition by Māori Party MP Parekura Horomia who argued that the *Marine and Coastal Area Bill* was the foreshore and seabed legislation, just in a different form. He eventually resigned from the party.

Submissions received by the Māori Affairs Select Committee from both the Māori people, organizations and collectives (not including individual Māori submitters) further show that opposition to the bill was not limited to MPs and political parties. Seventy two submissions were received by the Select Committee on the bill, and they were all opposed to the *Marine and Coastal Area Bill*. At least 44% of the submitters said they thought the bill was a replica of the Foreshore and Seabed Bill. The remaining submitters thought that the Bill was problematic and needed serious amendment before they could support it. They thought it was best to have further conversations with everyone affected about the effects of the bill.

Do Māori MPs represent Māori interests (Foreshore and Seabed Bill)?

An analysis of the *Foreshore and Seabed Bill* suggests that while MMP has resulted in increased descriptive representation for Māori it has not markedly resulted in substantive policy responsiveness to Māori issues. Even though the Māori voice is more prominent than ever in Parliament and they made up 15.8 % of the total number of MPs in parliament (comparable with their proportion of the population in the 2006 Census of 15%), the Labour Party (backed by New Zealand First and the Progressive Party) was able to introduce and pass the *Foreshore and Seabed Act* in 2004 (Parliamentary Library Research, 2002).[34] It is also important to note that a majority of the Māori MPs elected to parliament during this time period were elected by the Labour and New Zealand First parties but they all failed to vote against the bill.[35] Twenty two MPs made speeches to the House on the *Foreshore and Seabed Bill*, and of that number, eight (36%) identified as Māori (Table 14).

Table 14: Number of Presenters on the Foreshore and Seabed Bill (1994)

Names	**Party**	**Ethnicity**
Michael Cullen	Labour	
Don Brash	National	
Winston Peters	NZ First	Māori

[34] Support for the government's position on the Foreshore and Seabed bill was split between parties in parliament. The National party opposed the bill because it was deemed too favourable to Māori. The Green Party opposed the Foreshore and Seabed bill on the ground that it was the confiscation of land which Māori customarily owned and the ACT party at the time of the bill felt that it interfered with the rights of Māori to contest ownership. Instead of deciding on the spot who the foreshore and seabed belonged to, they felt that the existing courts should decide in cases brought before them.

[35] The Labour Party had ten Māori MPs (seven electorate seats and three list seats) while New Zealand First had six Māori MPs. The Green Party, ACT and National had one each (Parliamentary Library Research, 2002).

Parekura Horomia	Labour	Māori
Jeanette Fitzsimmons	Green Party	
Metiria Turei	Green Party	Māori
Richard Prebble	ACT	
Tariana Turia	Labour	Māori
Peter Dunne	United Future	
Nanaia Mahuta	Labour	Māori
Gerry Brownlee	National	
John Tamihere	Labour	Māori
Ken Shirley	ACT	
Nick Smith	National	
Dail Jones	NZ First	
Mahara Okeroa	Labour	Māori
Russell Fairbrother	Labour	
Dover Samuels	Labour	
Larry Baldock	Labour	
Wayne Mapp	National	
Margaret Wilson	Labour	
Georgina Te Heuheu	National	Māori

Even though this figure represents less than half the number of Māori MPs in parliament at the time (19), it is enough to draw a general conclusion about the role of Māori MPs in representing Māori interests. Of the eight Māori MPs who presented on

the bill, only two (25%) opposed the bill or spoke openly about protecting Māori interests. The other six MPs came from the Labour, New Zealand First Party and National, and the stance they took was reflective of their positions within the parties.

Evidence from the debates around the *Foreshore and Seabed Bill* indicates that there was no overwhelming sense of responsibility from Māori MPs to act for Māori interests. In fact, the study found that party affiliation and the number of Māori elected to the governing body as opposed to ethnicity played a defining role in how Māori MPs voted on the Foreshore and Seabed bill. At the time the bill was introduced, all seven Māori electorates were held by Labour and two Labour Māori members held list seats (Dave Hereora and Moana Mackey). A further two represented general electorates (Georgina Beyer--Wairarapa; and Jill Pettis--Whanganui). Despite occupying a Māori electorate seat, all but one of the seven Māori MPs disregarded their "obligations" to their constituencies and voted along party lines. During the *Foreshore and Seabed Bill* debate, MP John Tamihere justified his position on the bill by noting that "*we will listen to our people, but we are part of a Government*" (Tamihere, 2004). MP Parekura Horomia also justified his stance on the bill by highlighting some of the gains that the Māori people have enjoyed under the Labour Party government. He noted that:

> *I say with great pride that this Government has made some of the most dramatic changes and turn-rounds in Māori development in this period of time. That is why I am here being counted. I will be counted against all those things. As that member reminds me, it is no fun sitting in front of the hikoi, going around the hui and getting chastised for it, and knowing that my whanau name will be alongside this. But at least I will stand up and with pride say that it is the right thing to do at the right time.* (Horomia, 2004)

The Labour Party as was noted in earlier chapters has traditionally held a monopoly over the Māori electorate seats and so Māori MPs within this party are often

faced with a dual mandate: allegiance to the party or allegiance to the Māori people who elected them as representatives. The Labour party's manifesto is also generally used as a guiding document to determine support or opposition to bills which are introduced to the House. Both Māori and non-Māori MPs are therefore bound by the rules set out in this manifesto. As Vowles, Aimer, Catt, Lamare and Miller (1995) rightfully argue "political parties select and sustain MPs, and they do so expecting that MPs will support and promote the party's objectives and policies which are agreed collectively" (p. 123). The Māori MPs at the time of the *Foreshore and Seabed Bill* could either choose the position of their party or the wishes of the group that they identified with and were meant to be representing. A majority of them remained allegiant to the position of the party. Venter (2004) describes the representation dilemma Labour's Māori MPs faced as "being in a political vice…they have been squeezed on one side by Government colleagues desperate to retain mainstream support and on the other by constituents who want them to promote Māori interests" (Venter 2004).

Just one year before the *Foreshore and Seabed Bill* was proposed, the Labour Māori MPs were faced with a similar dilemma when the Labour government decided to legislate to extinguish Māori customary title without the prior consent of Māori. The Māori MPs at the time all challenged the government's position. Young (2004) reported that eight of the nine Māori MPs in the party (Nanaia Mahuta, issued her own statement), including the two Māori Cabinet Ministers signed a statement opposing the government's position on the matter. The eight MPs included: Parekura Horomia, John Tamihere, Tariana Turia, Dover Samuels, Mita Ririnui, Mahara Okeroa, Georgina Beyer and Dave Hereora. The statement they signed read as follows: "The land wars are

over…so the consent of tangata whenua is required before customary title can be extinguished…otherwise it is a confiscation, and is likely to breach international law" (Young, 2004). This statement reflects their disturbance at Māori not being consulted before an announcement was made that a law would be passed asserting the Crown's ownership of the foreshore and seabed. It also suggests that Māori MPs do care about Māori issues and will seek to defend those interests in the event that they are being threatened. Fast forward one year later and all but one of these MPs had reversed their position and publicly supported their party on the *Foreshore and Seabed Bill*.

MP Hone Harawira in his Maiden Speech to parliament (2005) chastised the Māori MPs in the Labour party for their stance on the *Foreshore and Seabed Bill* and for failing to stand up for the Māori people on other bills that were passed through parliament. He argued that:

> *…because their [Māori Labour MPs] future is decided by their loyalty to the party, they have allowed themselves to be silenced. I am saddened by the knowledge that they too were as angry as the rest of Māoridom over Labour's decision to push through with the Foreshore and Seabed Act, but they chose their own futures over the needs of their people, and said nothing. I know too that, their having rolled over on the Foreshore and Seabed Act, Helen Clark knew that her Māori MPs would never oppose her when she started rolling back the gains of the last 20 years. So when Labour announced a review of the [Waitangi] Treaty in legislation, her Māori MPs said nothing. When Labour refused to entrench the Māori seats through which its Māori MPs had all come to power, again they said nothing. When Labour started bashing Te Wānanga o Aotearoa, again they were silent. I note the rewards that were given for that silence in the handout of Cabinet and associate ministerships after the election. And while I will never forget the sense of betrayal that Māori felt right throughout the country at the actions of Labour's Māori MPs, I will never ever forgive the Labour Party for what it has done to cause the loss of mana to its own members of Parliament*. (Harawira, 2005)

To further support my claim that party affiliation rather than ethnicity determined how Māori MPs voted on the bill, it is necessary to examine the speech given by

National Māori MP Georgina Te Heuheu during the *Foreshore and Seabed Bill* debate. The National Party opposed the bill on the ground that it was too favourable towards the Māori people, and very discriminatory towards other New Zealanders. As a Māori MP, Te Heuheu's speech was devoid of any specific reference to her role as a Māori or the need to represent the Māori people. Like her fellow National party colleagues, she spoke specifically about the need to represent New Zealanders, while trying at all times not to display any favouritism towards the Māori people. She noted for example, that: '*I want to send a message to Māori people. That should not be taken to mean that I take their side. I hope I am here for the good of New Zealand, like everybody else' (Te Heuheu, 2004).* What Te Heuheu did was to clearly articulate that she was not exclusively a representative for Māori, but was instead a representative of New Zealanders in general.

If Te Heuheu was not a member of the National Party her reaction towards the *Foreshore and Seabed Bill* might have been significantly different, but unless she wanted to be ousted from the National Party or lose favour with her party colleagues it was in her "best interests" to vote along party lines. Shortly after voting in parliament on the *Foreshore and Seabed Bill* Te Heuheu was eventually fired from the National Party and stripped of her shadow Māori Affairs and Treaty Negotiations portfolios. This came about because she refused to back a speech in which National Party leader Don Brash vowed to end all special funding for the Māori and seize ownership of New Zealand beaches for the Crown to prevent Māori land claims (New Zealand Herald, 2004). At the time of the Foreshore and Seabed bill Te Heuheu was highly placed sixth on the National party's list--a position that was very rare for women and Māori. She became the first Māori woman to gain election as an MP for the National Party, and was always

favourably placed amongst the top 10 candidates on the National's Party list from 1996-2005. While Te Heuheu's position on the Foreshore and Seabed bill cannot by itself be used to determine her commitment to the Māori people, it does support my earlier observation that when MPs (especially those from minority groups) are forced to make the tough choice between voting along party lines or voting as the representative of a constituency, they will sometimes choose the former. A failure to vote along party lines can result in members being dismissed from the party or relinquished of their ministerial positions. On the other hand, an MP who votes along party line can be a candidate for promotion or other benefits from the party.

Tariana Turia and Nanaia Mahuta were the only Māori Members of Parliament from the Labour Party to oppose the bill. Miller (2005) argues that Turia and Nanaia's decision to oppose the Labour party "was based on a belief that, as the delegates of their local iwi (tribes) and hapu (sub-tribes), they must act at the behest of their constituents, not their colleagues in the Labour Party" (p. 209). Mahuta recanted her vote during the second reading of the bill and voted in favour of it arguing that: '*it is our responsibility as parliamentarians in this country to try to bring people together*' (Mahuta, 2004).

Unlike Mahuta, Turia who was a Junior Minister under the Labour Party at the time of the bill felt so strongly that the bill was not in the best interest of her constituency that she opted to resign from the Labour Party. Going against a party's position especially a government bill is usually considered incompatible with being a minister and so her ministerial position was revoked. Turia's case provides a classic example of a situation in which a Māori MP stood loyal to her constituency and the people that she represents.

The way Turia and Mahuta voted on the bill at each stage of the voting process offers some explanation of their perceived role in parliament and the people they thought they were there to represent. Mahuta was elected via a Māori electorate seat, but felt that national unity was more important than the needs of individual constituents. During the *Foreshore and Seabed Bill* debate she justified her action by noting that:

> *All that is required to pass this legislation is the consent of Māori, and that has not occurred when it mattered most. Notwithstanding that, it is no good just to recognise the problem. We have to work in Parliament and in Government to be able to effect some change. I have worked hard through the parliamentary process to try to reflect as much change as possible*. (Mahuta, 2004)

On the other hand, Turia who was also a Māori electorate MP at the time of the bill felt very strongly that the needs of her constituency and the Māori people were of utmost importance. As such she could not vote in favour of the *Foreshore and Seabed Bill*, as that would mean neglecting the needs of the people she was elected to represent. At the announcement of her resignation from the Labour Party Turia explained that at the end of the day, her decision to vote against the Foreshore and Seabed bill came down to a question of integrity and as such, she had to act for her people (Berry and Tunnah, 2004). Two years after the Foreshore and Seabed controversy, Turia continued to defend her obligations to the Māori people when she articulated that "*being a Māori woman in politics to me, is essentially about being Māori. It is my greatest responsibility to do what I can, to reflect the dreams and aspirations of tangata whenua to achieve self-determination for whanau, hapu and iwi within our own land*" (Turia 2006).

After leaving the Labour Party, Turia started the Māori Party along with Pita Sharpes and Pem Bird. At the 2005 general election the Māori Party won four of Parliament's seven Māori seats (an upset for the Labour Party which usually dominates

the Māori electorate seats). The Māori Party fared even better in the 2008 election, winning five of the seven Māori seats and 2.4 percent of the party vote (New Zealand Electoral Commission, 2008). For the 2008 general election, a central aim of the party was to win all seven Māori seats and "[t]o liberate the Māori electorates from the political domination of the current government" (The Māori Party, 2005). Following that same election Turia and Pita Sharples became ministers in John Key's minority National government. After forming the government in 2008, the National Party forged a relationship with the Māori party in repealing the *Foreshore and Seabed Act* with the *Marine and Coastal Area Act*. It is unlikely that the *Marine and Coastal Area Act* would have made it into parliament as quickly as it did if it had not been for the National party's support of the Māori party. Through cooperation and consensus, minor parties can be included in the important decisions around the priorities progressing through Parliament.

The formation of the Māori party is not only an example of mobilization along ethnic lines, but it also points to a benefit of the MMP electoral system. Unlike their female counterparts, Māori MPs now enjoy greater representation in parliament through the Māori party which was formed to represent the strong and independent voice of the Māori people. Under the FPTP electoral system, small and third parties were highly discouraged thus making it difficult for minority groups or representatives to break their ties with the two major parties (National and Labour). Today, the Māori Party continues to be one of the most active political parties in New Zealand's parliament, and is represented by three members (New Zealand Parliament, 2012). Despite its small number, the Party has managed to maintain a presence in Parliament and to have several

'successes'. In 2007, the Party signed a voluntary Code of Conduct with the other small parties in Parliament (ACT, United Future and the Green Party), where they agreed to uphold integrity, respect, accountability and transparency in their Parliamentary work. In 2011, the party signed a Relationship Accord and Confidence and Supply Agreement with the National party with the central aim of lifting Māori achievements. Māori Party Co-Leader Dr Pita Sharples was appointed to the positions of Minister of Māori Affairs, Associate Minister of Education and Associate Minister of Corrections (Ministerial positions outside Cabinet). Māori Party Co-Leader Tariana Turia was appointed to the positions of Minister responsible for Whānau Ora, Minister for Disability Issues, Associate Minister of Health, and Associate Minister of Housing (National Party, 2011). Other initiatives by the Māori party include a joint call with the Green Party, United Future and ACT to enact the Law Commission's recommendation to remove the crime of sedition. On April 24, 2007 the four parties identified above issued a joint call to the Government to push through legislation which would pick up on the recommendations of the Law Commission to scrap the charge of sedition. (Māori Party: Press Release, 2007). The Party has also repeatedly raised concerns about the impact of the *Fisheries Amendment Bill, the Electoral (Reduction in Number of Members of Parliament) Amendment Bill and the Foreshore and Seabed Bill* among others on Māori. The presence of a Māori party ensures that matters of interest to the Māori people are not brushed aside by Māori MPs who are constrained by membership of a bigger party (Xanthaki, and O'Sullivan, 2007). Xanthaki and O'Sullivan (2007) also argue that:

> A party specifically looking after Māori rights is able to bring Māori views in to all discussions...Finally, since New Zealand has a minority government the

> Māori Party is well-positioned to exert influence disproportionate to its level of Parliamentary representation. (Xanthaki & O'Sullivan, 2007, p. 55)

Māori MPs representing Māori Issues: Tariana Turia and Metiria Turei

During the *Foreshore and Seabed Bill* debates, Turia (Māori Party) and Metiria Turei (Green Party) were the only two Māori MPs who openly voted against the bill or expressed concerns about the effects of the bill on the Māori people. Both MPs opposed the legislation on the grounds that the Treaty of Waitangi makes no mention of the Foreshore and Seabed and since no one had explicitly bought the Foreshore and Seabed, it therefore still belongs to Māori. They also wanted tribal authorities to be able to contest ownership of the foreshore and seabed in the courts, instead of having the crown or the public with definitive ownership. In her speech to the House on the First Reading of the *Foreshore and Seabed Bill*, Turia expressed her concerns about the effects of the bill on the general Māori populace by arguing that:

> *The bill impacts only on Māori…The legislation is infused with racist overtones in that it is specifically targeted at ensuring Māori are prevented from claiming their inherent rights to the foreshore. (Turia, 2004)*

She also reiterated the importance of the land especially the Foreshore and Seabed to the Māori people: "*Our authority comes from our relationship and our access to our lands and the rights of guardianship and protection. We will not be relegated to second-class citizens in our own land. We are tangata whenua, and we are proud of it"* (Turia, 2004). Her reasons for opposing the *Foreshore and Seabed Bill* however came about primarily because of her own Māori background and her obligations to the future Māori generation:

> *Ultimately, it is because of our mokopuna [grandchildren] that I have decided unequivocally to vote against the Foreshore and Seabed Bill. I do not want to be*

> *recorded in history as part of a Government that attacked the very nature of customary rights—the rights we have held according to our tikanga [customs], for our children and our grandchildren. Kia ora" (Turia, 2004).*

Metiria Turei also acknowledged the injustices that were being meted out to Māori as a result of the *Foreshore and Seabed Bill*. In her speech to the House, she highlighted her concerns about the extinguishment of Māori rights and the confiscation of land that once belonged to them. She pleaded with the Labour government to withdraw the legislation and sit down with Māori to have a real dialogue about other viable solutions. She also pleaded with the Labour and New Zealand First Māori MPs who had not yet turned away from the legislation to do so because of the effects that the bill would have on Māori and the future of New Zealand. She further went on to note:

> *How can any of us, willingly and knowingly, subject our people to this theft? We all, Māori and Pākehā in this Parliament, have the choice right now whether we take the path back to our colonial paternalistic history of confiscations, unrest, and injustice, or we put on the brake, withdraw the legislation, and take the path of deliberation, cooperation, peace, and justice*. (Turei, 2004)

Unlike most Māori MPs in parliament, Turei belongs to a loosely aligned party (Green Party) which affords her more freedom to represent her ethnicity rather than her party. In addition, her party opposed the Foreshore and Seabed Bill allowing her to represent Māori interests without restraints.

The *Foreshore and Seabed Act* was designed to assign a definitive owner of this piece of land, but it came under criticism from Māori and non-Māori alike. Some felt that it would extinguish the customary rights of Māori over the land. Others felt that it would restrict public access to beaches, or was favouring Māori. Overall, there were concerns about the effects of the *Foreshore and Seabed Act*, but there was no clear indication from the majority of the Members of Parliament, including the Māori MPs in

parliament, that Māori interest was at the top of their list of priorities. The data demonstrates that party affiliation rather than culture or ethnicity influenced the perceptions that elected Māori representatives have of their own roles in terms of substantive activities.

Representation of Māori Issues: Marine and Coastal Area Act

The *Marine and Coastal Area Act of 2011*, a government bill facilitated by the Māori Party and the National Party government not only repealed the Foreshore and Seabed Bill, but it presented a step forward for Māori MPs in parliament. Even though the *Marine and Coastal Area Act* has proven to be almost as controversial as the *Foreshore and Seabed Act*, it did open up a pathway for the government, opposition and other MPs in parliament to discuss an issue of grave concerns to Māori across New Zealand. There was also a greater sense of obligation from Māori MPs to represent Māori issues. Unlike the Foreshore and Seabed debates, there were Māori MPs who spoke about representing Māori interests, even though they were the minority as most of their Māori colleagues still voted along party lines. The Labour party for example had some reservations about the *Marine and Coastal Area Bill*, but considered it an important topic deserving further discussion and consideration. The party therefore voted for the bill at its first reading. During the second and third reading of the bill, the Labour party voted against the bill. The Māori MPs in the party voted in a similar pattern. In his address to the House on the Marine and Coastal Area bill, MP Bill English (Deputy Prime Minister) chastised Māori MP Shane Jones (Labour party) for his allegiance to the Labour party and for not helping his own Māori people.

Bill English (National)*: What a disappointment the previous speech from Shane Jones was. He used to be regarded as a person with the capability and vision to help New Zealand deal with issues of Māori and Pākehā learning how to live together and work together in New Zealand…I am disappointed that on this occasion Mr. Jones missed his opportunity, which was a big opportunity, to lift himself above the level of the rest of Labour. Labour has gone so low that it has dragged him down, as well. That is a disappointment, but this bill is not a disappointment; it is a success. (English, 2011)*

English also reprimanded the Labour party for its stance on the bill and its poor handling of Māori issues.

Bill English (National): *Labour's cup is running over with resentment and regret about how it handled the issue. From well before the Foreshore and Seabed Act and certainly since 2004, Labour has shown that it does not know how to handle aspirational Māori. It can handle Māori who, traditionally, may have done what Labour told them to do, who thought what Labour said they should think, and who kept quiet about it. But in 2004 Labour panicked over this issue and brought in legislation that was clearly resented and opposed by thousands of Māori. Labour did not solve the problem, which is what this Government set out to do. (English, 2011)*

After the 2004 *Foreshore and Seabed Bill*, the Labour party lost much of its traditionally held Māori electorate seats to the Māori party. Although the Māori seats have been criticized as unnecessary and discriminatory they have played a major role in enabling Māori issues to be heard and discussed in parliament. The MMP helped to improve and increase the level of representation that Māori MPs enjoyed in parliament prior to 1996. Following the 2011 general election nine (9) list Māori MPs were elected to parliament (four less than the previous election). Even though the number of Māori list MPs decreased in 2011, without the MMP electoral system it is highly unlikely that there would be more than seven Māori in parliament, or that the Māori party would have been formed. It is also unlikely that the *Marine and Costal Area Bill* would have come to fruition or that there would be enough Māori support in parliament when the bill was passed. During the Third Reading of the *Marine and Coastal Area Act*, Metiria Turei

(Green Party) acknowledged a strong Māori presence in parliament and the strength they possessed in relation to the bill:

> ***Metiria Turei (Green):*** *For the first time ever in our political history Māori wield enough political power to say no and to stop the Government from extinguishing Māori tikanga rights. For the first time Māori are genuinely the decision makers in whether this bill, this confiscation will proceed. Today the four Māori MPs from the Māori Party are the decision makers for Māori aspirations over Māori land. We could be celebrating that fact, which is a circumstance that has arisen out of decades of struggle in the courts, struggle in education, struggle in the economy, and struggle in politics. (Turei, 2011)*

During the *Marine and Coastal Area Bill* debates, 18 speeches were made to the House and eleven (11) of them were made by Māori MPs (Table 15).

Table 15: Presenters on the Marine and Coastal Area Act

Names	**Party**	**Ethnicity**
Tariana Turia	Māori	Māori
David Parker	Labour	
Christopher Finlayson	National	
Parekura Horomia	Labour	Māori
David Clendon	Green	Māori Descent
David Garrett	ACT	
Peter Dunne	United Future	
Pita Sharples	Māori Party	Māori
Shane Jones	Labour	Māori
Simon Bridges	National	Māori
Mita Ririnui	Labour	Māori
David Parker	Labour	

Metiria Turei	Green	Māori
John Boscawen	ACT	
Bill English	National	
Hone Harawira	Independent	Māori
Kelvin Davis	Labour	Māori
Paul Quinn	National	Māori Descent

This represents more than half the total number of MPs who presented on the bill. It also signals a slight increase from the 2004 *Foreshore and Seabed Bill* which saw only eight Māori MPs presenting on the bill. Even though all eleven Māori MPs who made presentations did not support the bill, there were those who presented arguments that highlighted their concerns about issues affecting the Māori people. There were also those Māori who made specific claims about representing Māori interests. Consider the arguments made by Māori MPs in their presentation on the bill:

Metiria Turei (Green Party): *... although there is a great deal of shouting going on here, at the end of the day it is Māori who will be the ones who pay for this utter disgrace and this fallacy that is being repeated just a few short years after the first iteration….By this legislation today, as then, Māori are being returned to the same indecent fight—the fight just to be Māori in our own land. As with the Foreshore and Seabed Bill, the Marine and Coastal Area (Takutai Moana) Bill is a direct descendant of the racist legislation of our colonial forebears. (Turei, 2011)*

Parekura Horomia (Labour): *Māoris need a ture for the foreshore and seabed. Māori need legislation on the takutai moana. Without any legislation there, people like Gerry, who is doing a good job in Christchurch, can go along, do what they like, and ignore the tangata whenua. That is what this is about. (Horomia, 2011)*

Pita Sharples (Māori Party): *To me, personally, this legislation is payment for the legislation enacted in 2004. So that is why I stand before you, on the power of my ancestors, to say to us, the Māori people, that the time has come for us to stand staunch, regardless of the hardships upon our shoulders. So here we are; we have arrived at this*

day…This is a Pākehā system, not a Māori one. You, the Māori people, have got to understand this. We are here, we have entered into this procedure of Parliament. Therefore, we are your servants in this House, servants for you, the tribes and subtribes. Send us your talk and policies. If you want them enacted here in this House, that is what we are here for—to support your demands. Make a note of it. So thank you collectively. (Sharples, 2011)

***Pita Sharples (*Māori Party) cont'd*:** *Our responsibility in this House is to bring your [Māori] needs here, to do what has to be done to them before putting them before the parties here, be it two, three, or four, to find ways for our people…All Māori members here really support the Māori people, subtribes, and tribes. There is not one who does not. But because of what this place is about, we are forced to poke and prod each other in this House. But at the end of it all, here is the Māori Party—there is no one in charge above us, no party telling Māori that you should do it this or that way. We are the independent party for you.* (Sharples, 2011)

Tariana Turia (Māori Party): *The Māori Party came to Parliament because we want the very best for our people. We want their aspirations heard. We want tangata w'enua to be a strong voice and to be leading the future of Aotearoa. It is a mission that I know others have carried before us. Nevertheless, it is the most critical reason for our existence as a political movement. It is, after all, about our struggle for survival; the reconciliation of kāwanatanga with rangatiratanga; and the long-term plan 100 years from now, and onwards. (Turia, 2011)*

Kelvin Davis (Labour): *Māori need to be brave enough to venture on a new path that leads us away from grievance, and on to a proactive and progressive path that enables us to achieve our dreams, goals, and aspirations—both in the 21st century and into the future. We owe it to our children and grandchildren to leave them a better Māori world than the one that we inhabit now, and if we do not, we will fail our people and fail our future. A Māori world of grievance simply condemns our people to the same reality that we are living in now, and they deserve more than that from us. I stand here as a Māori member of Parliament and implore all other Māori members of Parliament to focus on that which will move us forward, and not on that which will trap our children in the same cycle of discontent. (Davis, 2011)*

The *Marine and Coastal Area Bill* not only had more Māori MPs addressing Māori issues, but it also saw more Māori MPs embracing the Māori culture. During the debates five (5) of the eleven (11) Māori MPs delivered their speech in the Māori language. An increase in the number of Māori who opted to address the House in their native tongue could be due in part to the introduction of simultaneous interpretation in

parliament in 2010 which allows for a seamless interpretation of Māori into English (New Zealand Parliament, 2010). From 1868 to 1920 New Zealand's Parliament had interpreters in the House, but as more Māori MPs became educated and learned the English language, the need for interpreters became less important. With the reintroduction of interpreters and Māori language services in the last 10 or 15 years, the Māori language has become more commonplace in the chamber (New Zealand Parliament, 2010). The introduction of simultaneous interpretation not only heightened attention to Māori issues (specifically Māori language), but it also heightened identity awareness and Māori pride. The Māori language forms the core of the Māori culture and so it follows that any advancement in that area would be seen as a step forward for the Māori people. MP Te Ururoa Flavell sums it up best upon hearing that the simultaneous interpretation would be trialled: "let Māori language flourish in all its beauty, values and meanings because it is the language that holds the key to the culture" (Scoop, 2007b). The use of the Māori language during the *Marine and Coastal Area Act* debates signalled a change in the New Zealand parliament towards the Māori culture, and a certain level of comfort and confidence with the Māori culture by Māori MPs.

The *Marine and Coastal Area Bill* not only saw an improvement in attention to Māori issues, but it also saw a change in the attitude of MPs towards Māori and Māori issues in parliament. There was less tension between MPs and a general acceptance that the time had come for everyone to move forward. Consider the following comments made during the debates:

Simon Bridges (National): *Labour should take its share of blame and its share of the history on this issue, just as I accept that the National Party should, as well. But I do not*

want to look backwards. I think this is a very positive day for this country. (Bridges, 2010)

Mita Ririnui (Labour)*: Even though various members of the House have stood up and expressed their views about the bill, among us is the history of the bill to be talked about. It appears that the anger among us has disappeared. I was angry as well when I came into the House; we were all angry about what people in the House did in the past. But when some of us stood up, this thing called goodwill prevailed over us and the anger disappeared. However, I am still participating and looking for something to talk about because I was one who came here in anger. But let us say that I am feeling somewhat better, and allow goodwill to prevail over us…At this point, I say to the Minister of Māori Affairs to let the pain of the past rest in the past. We agreed, all of us, to move forward. But I acknowledge him and this sister of ours, Tariana. Her departure from the Labour Party has been talked about; that is fine. What has happened in the past should be left in the past… (Ririnui, 2010)*

Māori MPs entrance into Parliament: Who do they seek to represent?

An analysis of 10 Maiden Speeches made by Māori MPs in New Zealand's parliament suggests that newly elected Māori representatives generally feel a specific responsibility to act for Māori interests within and outside their electorate's geographic boundaries. At least seven of the ten Māori MPs stated in their speech that they have some responsibility in parliament to represent the interests of the Māori people, especially those in their constituency. Consider the following comments:

Parekura Horomia: *As a Māori Member of Parliament I have a dual responsibility: a responsibility to my people and to the wider public* (Horomia, 2000)

John Tamihere: *…I am proud to represent the Hauraki constituency. It is the jewel in the eye of Auckland, Hamilton and Tauranga…I have spoken on behalf of my people and I take this seat they have richly and graciously bestowed upon me. Let it be known that from this day on the young, vibrant powerful communities of Auckland Mäori and Hauraki Whanau will be heard and they will be honoured and respected because now is their time to stand tall, be counted and take a right performing on merit to participate in the land of their ancestors. (Tamihere, 2000)*

Pita Sharples: *I look forward to working positively with everyone in this house--towards empowering all our communities so they can realize their potential. My hopes are to ensure that being Māori is something to be proud of. That Māori, like all New*

Zealanders, can enjoy a good measure of health, wealth, and can participate when required as global citizens, and yet live as Māori in these islands. (Sharples, 2005)

Metiria Turei: *...I now accept my place in the cage and I accept the responsibility to do everything I can to widen the floor of the cage to the maximum it can be forced. As a legislator I will attempt to make changes to legislation that will in some part relieve the very real distress suffered by workers, beneficiaries, students, children, families, whanau and hapu*. (Turei, 2002)

Georgina Beyer: *My primary reason for being here is that I am now the elected representative of the Wairarapa electorate…My priority in my tenure in this House will be my electorate… I will stand accountable ... I will [be] front up. I will make sure that I do the best I can on the electorate's behalf. There are many issues and we will all tackle them. (Beyer, 2000)*

Te Ururoa Flavell: *Madam Speaker, I come to this House committed to two goals. The first is to advance the progress of the Māori people on the sure foundation of our own ancestral values, of love, respect, dignity, kinship, and integrity…The second, but not the least, is to advance the interests of all New Zealanders in building a society in which all can live in harmony, not in spite of the Māori presence, but because of it*. (Flavell, 2005)

Hone Harawira: *So why am I here? Why am I in Parliament? My tupuna Tamati Waka Nene encouraged Māori to sign the Treaty, because he said there were already many blue-eyed mokopuna, and because he believed that the Treaty would guarantee Māori rights and would not allow Māori to become slaves in their own land. I am here to defend Māori rights and to advance Māori interests. I want to retain the Māori seats in Parliament, to repeal the foreshore and seabed legislation, and to support legislation that will enable all citizens of Aotearoa to live a healthy and meaningful life…I want to help create the environment where Māori feel positive about taking risk, and where they feel encouraged to seek their own solutions. I want to work to increase funding that encourages positive Māori initiative and to resource those who dedicate their lives to their communities, both Māori and non-Māori. (Harawira, 2005)*

Māori MPs not only acknowledged and highlighted their perceived responsibility to their constituency, but they also expressed a great sense of Māoritanga ("Māoriness"). In her speech to the House, MP Georgina Beyer acknowledged her position as the world's first openly transsexual Member of Parliament, but first and foremost, she identified one other important aspect of her identify--that of her Māori heritage. She articulated that:

> *I also would like to acknowledge my heritage. I am proud to be a New Zealander of Māori descent, primarily the iwi [people] of Te Atiawa, Ngati Mutunga, Ngati Raukawa, Ngati Porou -- and that should be quite enough for anybody, I would have thought! I have to say that the strength and the aroha [love, affection] that I hope to bring to this House will be forged from those heritages and whakapapa links. They are important to me. (Beyer, 2000)*

MPs Tuariki Delamere and John Tamihere also spoke of their Māori identity with great pride:

> Delamere: *For Māori like myself who went through school being told how treacherous and deceitful the Māori were, and who were constantly exhorted to feel grateful that we were freed from a dark and brutal past by benevolent and superior peoples from Europe, the so called revisions of history haven't come soon enough. (Delamere, 2005)*

> Tamihere*: I have paid my acknowledgement in Mäori to those who have gone before us and I feel them rush to my side, I see their songs, I hear their smiles, and I am proud to be a Mäori and proud to be a Kiwi as I feel them shroud around me. (Tamihere, 2000)*

Māori MPs also used parts of their Maiden Speech to highlight the inequality, hardship and injustices facing the Māori people. More importantly, they articulated what they will do in parliament to help alleviate those problems. Indirectly, they are also letting the non-Māori Members of Parliament know that as a Māori MP they know the struggles that the Māori people go through on a regular basis. In that regard, they are better fit to fight for their cause. Comments coming out of the Maiden Speeches include:

> *My Mäori people have suffered, we are ensuring that processes are implemented to resolve these matters and to move forward (Tamihere, 2000).*

> *It is common knowledge that Māori do not enjoy the same socio-economic and educational benefits as non-Māori in this, their country of origin. (Sharples, 2005)*

> *The effects of unemployment and poorly paid jobs are evident in the comparatively lower household incomes of Māori families and in the relatively higher proportion of these families who share a household with other families. (Ririnui, 2000)*

> *We are a minority within our own country, and even worse, we are a minority viewed in a negative light by many in the majority culture…All the educational attainment in the world will not change the fact that when a Māori attends a job interview, as things now stand, he or she will most likely be judged by a person from the majority culture who will see them firstly as a Māori - with all the negative connotations that may include. (Delamere, 2005)*

Members of Parliament not only enter parliament to physically represent their constituency or the people who elected them to power, but they are those who enter parliament with the hope of changing policies and the political scene. It became evident from the Maiden Speeches that most of the Māori MPs identified in the case study entered parliament with the hope of reversing or eliminating the injustices that have been meted out to the Māori people. Metiria Turei for example noted at least eight actions she would take to eradicate some of the problems being faced by the Māori people. These include:

- Increase benefit levels;
- Reform the cannabis laws;
- Eliminate the "our poo your problem" approach to sewage management;
- Lift the minimum wage for all workers;
- Resource hapu[36]and iwi[37] to engage with [the Department of Conservation] in a meaningful, Māori defined process;
- Resource hapu and iwi to engage with local government in a meaningful, Māori defined process;
- Ensure that businesses are responsible for the cleaning up of toxic sites they have polluted; and
- Protect our kiatiakitanga[38]. (Turei, 2002)

Interviews conducted with Māori MPs however, indicated a different sense of responsibility from that displayed in the Maiden Speeches. Consider the responses given by Māori MPs when asked: Who do (did) you represent in parliament and do you feel that you spoke or acted for Māori?

[36] Hapu is the basic political unit within Maori society
[37] Iwi means "people" or "nations", and refers to the largest social units in the Maori culture.
[38] Kiatiakitanga means guardianship and protection. It is a way of managing the environment.

Interviewee 1 (List): *Our party was not founded on any ethnic or racial group and so I felt that I represented the general constituency, whether they be Māori or non-Māori, and I think that is the distinguishing feature between a list member who has come to parliament under MMP as opposed to a constituent member who has been elected by a certain area of the general constituency. I have never for one minute regarded myself as speaking for Māori, but rather for articulating the Māori view*.

Interviewee 2 (Māori Electorate): *I was an electorate MP for Māori electorate, but I always believed my job was to first and foremost represent the interests of New Zealanders as a whole, and not push Māori issues to the detriment of the country*.

Interviewee 3 (List): *Primarily I represent the Labour party and I represent those voters in New Zealand that supported the Labour Party*.

There were also those MPs who used their Maiden Speeches as a forum to highlight their own specific area of interest. Hekia Parata, a local businesswoman, used her speech to talk about the history of her family's involvement with politics, their entrepreneurial nature and their struggles as small business owners in New Zealand. She noted that:

> *We came to parliament equipped with our experience of starting our own businesses and managing them through all the highs and lows that attend such initiatives. We have faced the risks that small businesses up and down the country face. We have slogged through the mire of compliance regimes and related costs. We have encountered the impervious official at the point of export, indifferent to the effects of inexplicable bureaucracy and the costs incurred. We must liberate businesses to create employment and wealth, and bend our minds to that, rather than to ever more clever ways to redistribute it. (Parata, 2008)*

MP Georgina Beyer was concerned about rural depopulation and the decentralisation of health and education services. There were those Māori MPs who used their speech to pay homage to their political parties.

Even though the maiden speeches used in the study are not numerically representative of the Māori population in parliament, they did however point to the expected role of Māori MPs once elected to parliament. Overall, the maiden speeches

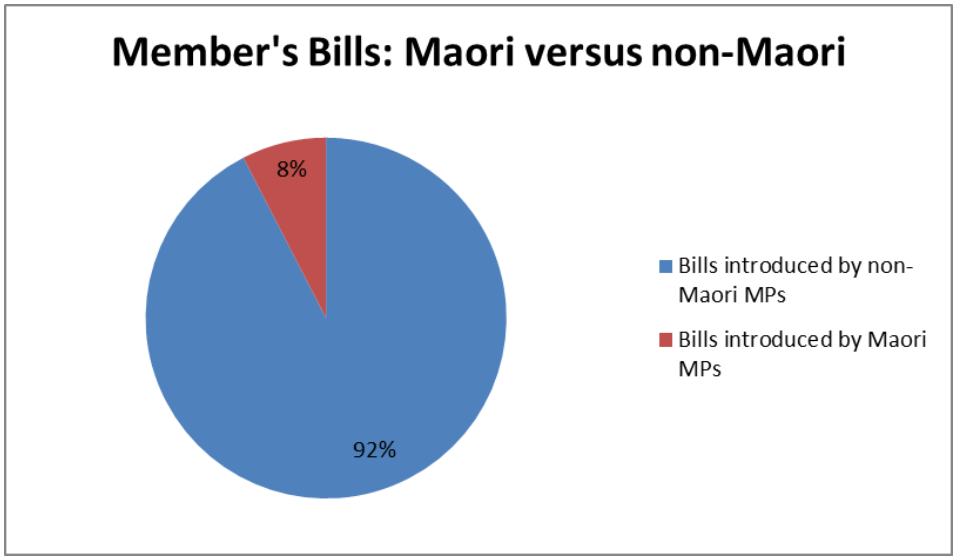
suggest that Māori MPs do enter parliament with good intentions--that of working for the people who elected them as representatives. Whether they do "act" for Māori interests after taking their seats in parliament will depend in part on several internal and external factors and is an issue that needs to be further explored.

Māori Representation: Members' Bills

Similar to Chapter six, the hypothesis for this section of the analysis is that more Māori MPs in parliament should result in increased policy outcomes and attention to issues of interest to Māori. I examined Members' Bills that were introduced in New Zealand's House of Representatives between 1996 and 2008. I categorized them according to Māori versus non-Māori and then coded them according to whether or not they fit into the category of Māori issues. Examining substantive representation through bills introduced to parliament can offer some indication of which representatives are the primary initiators of the representation of group issues (Tremblay, 1998, p. 464). It must be noted however that while the introduction of Member's Bills are an important measurement of Māori substantive representation, they are not the only indicators. There are several ways that Māori MPs can "act" for Māori interests, both at the local and national level.

Overall, two hundred and sixty four (264) Members' Bills introduced in parliament between 1996 and 2008 were analyzed. As Figure 7 shows, of the 264 Members' Bills introduced in New Zealand's House of Representatives between 1996 and 2008 8% (20) were introduced by Māori MPs (which is less than their percentage number of MPs in parliament)

Figure 7: Members' Bills Introduced: Māori versus non-Māori



This therefore means that most of the bills introduced during the time period under study were proposed by non-Māori MPs. With the adoption of the MMP system the number of Māori MPs in parliament increased from seven (7) in 1993 to 16 in 1996--a number that reflected their percentage of the total population (Elections New Zealand, 2006). By the 48th parliamentary period in New Zealand, the number of MPs who identified as being of Māori descent had tripled since the introduction of the MMP system (Parliamentary Library, 2005). Most of these MPs were elected via the party list system. In fact, nine (9) of the 20 Māori MPs who introduced Members' Bill(s) occupied a list seat. As was envisioned by the Royal Commission on the Electoral System, the list seats under the MMP system have undoubtedly resulted in increased descriptive representation for Māori.

Even though the number of Māori MPs increased in parliament, the number of Members' Bills introduced by Māori MPs remained constant (with the exception of the

48th parliament). The 45th and 46th parliaments under the MMP system saw the introduction of five (5) Members' Bills by Māori MPs. There was a small decline in the 47th parliament with only four bills, but by the 48th parliamentary period this number had risen to seven. These numbers represent a very small dataset and do not clearly indicate whether Māori MPs are "acting" on behalf of the Māori people. They however point to an increase in parliamentary activities by Māori MPs in parliament.

Further examination of the Members' Bills analyzed revealed that of the 20 bills that were introduced by Māori MPs only 30 % (6) were designed around areas that can be considered "Māori issues". These include, but are not limited to bills on territorial customary rights, Treaty of Waitangi and the Foreshore and Seabed. The low percentage of Members' bills devoted to Māori issues would suggest that even though Māori enjoy descriptive representation in parliament, it does not necessarily mean that there will be increased attention to Māori issues. It was a Māori MP (Winston Peters) for example who introduced the Principles of the Treaty of Waitangi Deletion Bill which sought to eliminate all references to "the principles of the Treaty of Waitangi" from New Zealand legislation. The Treaty is "a foundational constitutional document creating a partnership between Māori and Pakeha and recognized and defined a fiduciary obligation on the Crown to respect the principles of the Treaty" (*New Zealand Māori Council v Attorney-General* (1987) cited in Democracy in New Zealand, 29). In his Maiden Speech MP Hone Harawira explained the importance of the Treaty both to the Māori people and the entire New Zealand population. He noted that:

> *The Treaty is the founding document of our nation. It provides the basis for good relations between all citizens of Aotearoa, it sets out how resources can be managed for the betterment of all, and it provides the framework for an ethical*

> *and inclusive society. To deny its rightful place in our society is to deny our past and to limit our future.* (Harawira, 2005).
>
> He further went on to argue that:
>
> *Its [Treaty] betrayal is at the source of much of the ill-feeling between the races in this nation, and I say to all who would bother to listen that if there is one truth about the Treaty of Waitangi, it is this: there will be no true peace in Aotearoa until this House has the courage to do justice by the Treaty" (Harawira, 2005).*

At first glance, it is perplexing why Peters would introduce a bill that sought to remove any portion of the only medium that the Māori people depend on to ensure that they maintain legal recognition in New Zealand. Winston Peters was the leader for the New Zealand First Party, and a Māori MP, but he did not conform to the principles and political beliefs held by many Māori MPs in parliament. Furthermore, even though New Zealand First was the only political party other than Labour and the Māori Party to win all the Māori electorate seats, they still advocated for the removal of the electorate seats. Known for flip-flopping across the political spectrum with very little loyalty to any particular party, NZ First under Peters spent most of its time in parliament opposing changes proposed by the government. When the National Party was in power, NZ First opposed welfare cuts and the sales of assets. When the Labour Party was in power, they opposed social welfare and programmes aimed at social development. With very little sense of ethnic loyalty, it is not surprising therefore why Peters introduced the Principles of the Treaty of Waitangi Deletion Bill. The bill was defeated but its introduction proves that the presence of Māori MPs in parliament will not necessarily result in meaningful attention to Māori issues.

Despite the dismal number of Member Bills that were introduced by Māori MPs, it cannot be denied that Members' Bills can be an effective way to attract publicity and

or negotiate changes in the law. Once a private member has brought in a bill, it may not be successful, but there is potential for that bill to stimulate debates, attract media and public attention or revive an issue that might have otherwise been neglected. The *Foreshore and Seabed Act (Repeal) Bill* which was introduced by Māori MP Tariana Turia in 2006 is an example of such a bill. The bill did not get past the first reading, but it did keep the issue alive in parliament. It also opened up a dialogue between Māori MPs and the State about a contentious issue that has plagued the Māori people for a very long time. As part of its support agreement with the National Government, the Māori Party was able put forward the *Marine and Coastal Area (Takutai Moana) Bill* which successfully replaced the *Foreshore and Seabed Act* of 2004.

Do non-Māori MPs represent Māori Issues?

It is interesting to note that unlike the case of women's representation where there were male MPs who expressed an interest in representing women's issues, there were no clear indications from the Members' Bills or throughout the debates that Non-Māori MPs felt any sense of obligation to protect Māori interests. Non-Māori MPs who introduced Private Member bills around Māori issues did so primarily because they wanted to lessen the level of perceived power they thought the Māori people enjoy both in parliament and the New Zealand society. The Māori seats are one area of contention in New Zealand's history that has sparked numerous debates since their inception in 1867. The Māori seats were initially seen as a temporary measure that would be removed once Māori men could own property on an individual basis, but it was later acknowledged that this process would take longer than anticipated and in 1876 the Māori seats were made permanent (New Zealand Electoral Commission, 2009).

Supporters of the Māori seats in parliament often perceive them as being important for Māori continual representation in parliament, but critics have argued that they are based solely on racial differentiation and thus promote inequality.

In 2002, a Members' Bill was introduced by Ken Shirley of the ACT party entitled the *Electoral (Racially-based Representation) Referendum Bill*. This bill sought to put mechanisms in place for a referendum on race-based seats in both local government and central government. Shirley was of the opinion that the Māori seats were discriminatory and created inequality within New Zealand society. He went on to compare the division that he perceived the seats to have caused as being similar to apartheid in South Africa. In a Press Release Shirley said: "I believe New Zealanders should be able to vote in a binding referendum on whether we want to continue having [separate Māori] seats, and whether this system should be extended to the Local Government area as Labour proposes" (Shirley, 2002). He also explained that the Māori constituencies were introduced as a temporary measure in the 1860 when only property-owning males over 21 had the right to vote, and that every review of the electoral system, including the Royal Commission on Electoral Reform, had recommended abolishing the Māori seats (Shirley, 2002). More importantly, Shirley argued that:

> The Government has never asked New Zealanders of any ethnicity if they want to live under a segregated system. My sense is that the public do not support racially-based seats at a parliamentary or local body level. Most importantly my Bill will give every New Zealander the chance to have their say. (Shirley, 2002)

He therefore proposed in his Members' Bill that in the event the bill became an Act a referendum would be carried out among voters asking whether they wished to retain the racially-based representation in parliament or local government, or whether they wished

to abolish racially-based representation in parliament or local government. Shirley's bill was negatived (defeated) after the First Reading, but if it had been successful it would have meant a reduction in the number of Māori seats in parliament. With the Māori reserved seats abolished, Māori representation in parliament would have been reduced significantly.

Further examination of Māori issue-related news and bills in parliament shows that the ACT party was never one to support the Māori seats. After the National Party's decision in 2004 not to stand any candidate in the Māori electorate seats for the 2005 general election, the ACT Party leader Rodney Hide expressed his delight by noting that: "I am pleased that National Leader Don Brash is considering not standing candidates in the Māori seats. These seats are an anachronism and are racist. People should not be granted special voting privileges based on their ethnicity" (Hide, 2004). He further went on to argue that "we'd be horrified at the thought of white-only seats. The Māori seats are just as wrong. Political parties should show their contempt for our race-based laws by refusing to stand in them" (Hide, 2004).

Another Members' Bill which threatened to reduce Māori MPs representation in parliament was the Electoral (Reduction in Number of Members of Parliament) Amendment Bill introduced by MP Barbara Stewart (New Zealand First Party). The Electoral Amendment bill introduced by Stewart sought to reduce the number of MPs from 120 to 100 at the 2008 general election. The number of constituency seats would remain the same, but the number of list seats would be reduced by 20 (*Clause 4, amending Section 191(7) and (8) of the Act*) (Parliamentary Library, 2006). Even though this bill would not see a removal of the Māori seats, it would still mean a reduction in

the number of seats in parliament that Māori MPs could potentially hold. It would also result in minority groups and women being denied proper parliamentary representation. The MMP system was adopted in New Zealand to ensure amongst other things that there would be proportionality in parliament through the list component of the new electoral system. The list seats are there partly so that women, Māori and other underrepresented groups can have a greater chance of being represented in parliament. A bill such as that proposed by Stewart threatened to undermine all the gains that the MMP system has made so far.

Conclusion

The MMP electoral system has resulted in greater proportionality for Māori MPs and as such, they now enjoy greater descriptive representation in parliament. There, however, remained the question of whether or not Māori MPs would represent Māori issues or act for the Māori people once elected to parliament. The finding from this chapter suggests that Māori MPs do represent Māori interests, and they do identify with being a Māori. This has been further enhanced by the Māori party which was formed in 2004 to represent the interests of the Māori people. Unlike female MPs who usually have to work in groups or individually to enact changes in their political representation, the Māori party in New Zealand has worked to ensure that Māori issues are not brushed aside or disregarded by larger parties. It was the Māori party for example, that worked to ensure the Foreshore and Seabed Bill was repealed in 2011 and replaced with the Marine and Coastal Area Act, which they believe better protect Māori's interests and right to the foreshore and seabed. The Māori party has also been able to remain highly visible in

parliament by not only attracting Māori MPs and supporters, but also by bringing Māori views into all aspects of discussions in parliament or negotiations with other parties.

Despite enjoying greater representation in parliament, it must be noted, however, that there are some Māori MPs who do not necessarily share any kind of common interests or desires, merely because they happen to share a similar trait such as ethnicity. It became evident from the Foreshore and Seabed debates and the Marine and Coastal Area debates that increased Māori presence will not necessarily lead to increased attention to Māori issues. This however, does not mean that Māori MPs in general do not represent Māori interests. What it does suggest is that the actions of a few good Māori is equally likely as a critical mass to bring about change. It was the actions of MPs such as Turiana Turia and Meteria Turei that led to the formation of the Maori party which now forms a central part of the Maori presence in parliament. Māori MPs do enter parliament with the intention of representing the people who elected them, but this responsibility can often get skewed by institutional arrangements and external factors. In the case of this research, ethnicity played a role in how Māori MPs perceived their role in parliament, but party affiliation played an even greater role in how they represented the Māori people and Māori issues.

Chapter 8: Discussion

Introduction

With more research emerging on the effects of electoral reform on minority representation, this study is timely in examining the effects of the Mixed Member Proportional system on women and Māori representation in New Zealand. The Mixed Member Proportional electoral system not only marked a momentous change in the political history of New Zealand, but it has unequivocally resulted in increased descriptive and substantive representation of women, Māori and other marginalized groups in parliament, government and Cabinet. It also advances the possibility that women and Māori voices will be heard in institutional political spaces. Prior to 1996 New Zealand's parliament primarily consisted of men (European men). Women gained the right to vote in 1893, but were nonetheless treated like second class citizens at every level of the political process. For Māori and other ethnic minorities, political representation before 1996 was minimal or non-existent. Māori MPs did enjoy greater representation in comparison to the other ethnic groups because of the designated Māori seats, but they were still underrepresented in parliament. It is understandable therefore why increased representativeness and the need for greater proportionality was a driving force behind the Royal Commission on the Electoral System that convened in 1986 to examine the existing First-Past-the-Post electoral system.

Numerical presence in New Zealand's House of Representatives has ensured that women's and Māori's voices are heard on important issues such as health, childcare, domestic violence, natural resources and equal pay--issues that will prompt policy makers to include more gender and ethnic issues on the policy table. It is important to

note, however, that despite their increased numbers, not all female and Māori MPs will speak or act in the interests of women and the Māori people. In a diverse parliament such as New Zealand's there are vast social, cultural and political differences between legislators, and as such there tend to be differences in policy preferences. Gender is, for example, "not a pre-political and fixed identity that women and men bring with them when they enter politics, but one that is partially produced and reproduced within the context of particular legislatures" (Childs and Krook, 2006. p. 131).

The first indication that more female MPs in parliament will not necessarily lead to increased attention to women's issues came from an analysis of the *Domestic Violence Bill* of 1994 and the *Parental Leave* bill of 2001. Despite comprising only 21% of the total number of MPs in parliament in 1994, female MPs were more active in the *Domestic Violence Bill* debates than they were in the *Parental Leave Bill* when they occupied 37 seats in a parliament of 120 members (31%). An assessment of the 2008 *Domestic Violence (Safety Enhancing) Bill* and the 2005 *Parental Leave Bill* further indicated a decrease in the effectiveness of women as their number increased in parliament. Even though there were more female MPs in parliament during the *Domestic Violence Bill* (2008) and the *Parental Leave (Safety Enhancing) Bill* (2005) debates, there were fewer claims from them about the need to represent women or women's interests. Female MPs not only spoke less about representing women and women's interests, but they also made fewer gendered claims about their role in parliament. Grey (2006) also demonstrated that fewer overt claims were made by female politicians in New Zealand from 2000 to 2005, despite women's representation in the House having increased. This is in line with arguments by Childs and Krook (2009) who theorize that

as the number of women in the legislative assembly increases, their effectiveness might decrease. It can therefore be concluded that the presence of a few good women--women with common goals and objectives, and not a critical mass is necessary for there to be increased attention to women's issues.

An assessment of the *Foreshore and Seabed Bill* produced similar results for the Māori MPs (even though the motives were different). In 2004 when the *Foreshore and Seabed Bill* was introduced Māori MPs made up 15.8% of the total number of MPs in parliament, yet a significant majority of them refused to oppose a bill that threatened the rights of the Māori people and their relationship with the land. At the time the bill was introduced by the then governing Labour party there were 11 Māori MPs in caucus--all seven Māori electorates, two list seats and two general electorates. Of the seven Māori MPs who occupied the reserved electorate seats, all but one supported the *Foreshore and Seabed Bill*, despite a clear rejection of the proposed legislation by many of their electorate members. These MPs have been accused of prioritising their parliamentary careers and political party above the interests of the Māori people.

It also became obvious from the data analyzed that MPs do not always support each other because they share a common identity. The *Parental Leave Bill* of 2002 provides a clear example of an instance in which female MPs in New Zealand's House of Representatives shied away from associating themselves with a women's bill. There was a clear disconnection between female MPs from the Labour party, and those from the National Party. The latter often seem more concerned about defending their own party ideologies and personal agendas rather than representing the interests of women both in parliament and the wider society. Female MPs in the National Party also made it

exceptionally clear throughout the debates that they do not identify with the feminist ideologies that they associated with their Labour Party colleagues. There are two possible explanations for the inability of some female and Māori MPs to support policies aimed at promoting or protecting women's and Māori rights and interests. One very defining factor was party affiliation and party ideologies. The second factor was the method of election to parliament.

Political Party Influence

When examining the extent to which female and Māori MPs will address or promote women and Māori interests it is critical to also look at the conditions under which they were nominated and elected. In essence party affiliation and party ideologies matter. Women and Māori representatives share common interests with members of their social groups, but it does not mean that they share the same ideas, principles and values. As noted earlier in the study, when faced with multiple representational roles or responsibilities, women and Māori MPs may respond in a manner that can sometimes be deemed questionable; they may choose to defend the interests of their constituents, or adopt a strategy that they believe will be popular among their party and that will get them re-elected to parliament (especially if they depend on the party lists to get them elected). Political parties determine who gets nominated, selected and consequently elected to parliament. These parties normally demand that MPs vote according to the party's position on parliamentary issues. Voting against a party especially on a government bill for example, is considered unconventional, and can result in serious consequences for those who choose to do so.

In New Zealand, almost every member elected to parliament since 1943 has been aligned with a political party (Miller 2005, p. 195). Each party has adopted different approaches and mechanisms for appealing to women and Māori and to increase their participation. Political parties on the left of the political spectrum have often displayed a greater commitment to pursuing or encouraging the introduction of feminist and ethnic policies than parties on the right. Not only was the Labour party, for example, founded upon the principles of social and gender equality, due to its trade union background, but the party also has a women's caucus within the party which meets on a regular basis to discuss issues of concern to women. The Labour Party has also had more female MPs in its caucus than the National Party. The gravitation of female MPs towards political parties on the left has contributed in large part to the ability of these parties to advance women's interests.

During the debates, female MPs made numerous gendered claims about their role in parliament, but ultimately their votes were influenced by party ideology and party affiliation. Parties on the left of the political spectrum (Labour, Green, Māori and Alliance) are generally sympathetic to and promote socialist values and interventionist measures to achieve social justice, whereas those on the right (National, ACT and New Zealand First) are more conservative and tend to endorse liberal ideas of individuality (Chaney 2006, p. 697). Bird (2004) also argues that women and ethnic minorities within right-wing parties generally find it more difficult to speak for the substantive interests of their groups (p. 19). During both Domestic Violence bills debated, political influence was not entirely missing, but it played a less crucial role in how female MPs viewed their representational roles in parliament. Female MPs focused exclusively on defending

the rights of women because unlike the Parental Leave debates they all had a common goal and their choices were less dictated by party rules. At the time of the 1994 bill, there were only two parties in parliament (National and Labour), and both supported the bill. In 2005 when the *Domestic Violence (Enhancing Safety) Bill* was introduced, parliament consisted of at least eight political parties, and they all voted unanimously in support of the bill. They also shared common concerns about the effects of domestic violence on New Zealanders, primarily because violence is an issue that affects all New Zealanders. Unlike their Māori colleagues who were forced in 2004 to choose between their constituents or their party on the *Foreshore and Seabed Bill*, female MPs could focus primarily on advancing the interests of women.

Political party influence however, played a very important role in how women voted on the Parental Leave Bills. Parties on the right of the political spectrum opposed the bill because it required the redistribution of income, a position inconsistent with free market and conservative ideologies of these parties. It is understandable therefore why female MPs from the conservative National party for example, often stressed in their speech, the needs and rights of women as workers in the market or the effects of the *Parental Leave Bill* on employers. Female MPs from the Labour Party centred their focus on the role of women as mothers, caregivers and wives. This finding is validated by Tremblay's 2005 study on the relationship between women's political representation and the electoral system. Tremblay found that in New Zealand, female MPs who were members of parties that are centre/centre-left (the Green Party and the Labour Party) acknowledged the responsibility to represent women, whereas those from a right-wing party (ACT Party) did not acknowledge such a mandate. She also found that there were

female MPs from New Zealand First (which had a large number of Māori members) and United Future who supported the idea that they were responsible for representing women, provided that the women were Māori or mothers (Tremblay, 2005, p. 68).

The attitude of female MPs in the National Party and other right-winged parties could also be due in part to the level of representation they enjoyed in the party caucuses. In 2005 and 2008 for example, women made up 32% and 34% respectively of the total number of MPs in parliament, but were underrepresented in the National Party. The Labour Party had 19 (38 percent) of its 50 MPs who were women – the highest number in any one political party while the National Party had 12 women MPs (25 percent) (Parliamentary Library, 2005). In 2008 National won the general election with 58 seats in parliament (41 electorate seats and 17 list seats), but had 18 women elected to parliament. Even though Labour had fewer women in parliament, they had a higher percentage (33%) of women than National (31%) in comparison to their total number in parliament (Parliamentary Library, 2008c). Female MPs not only struggle to find their place in parliament, but political cleavages and possible backlash from the male majority often threatens their political representation at the party level.

It also became obvious from both debates that not only are female MPs from the left-leaning parties more likely to advocate for and support policies that will result in the substantive representation of women, but so do male legislators. While male members of the Labour party were not overly vocal about issues affecting women, they were nonetheless more likely than their male and female colleagues in the National party to advocate a feminist position. Male MPs from the Labour party were also very supportive of the female legislators within the party.

Political party influence also greatly impacted the way Māori MPs perceived their representational role in parliament. In fact, party affiliation played a greater role in how Māori MPs perceived their role in parliament than it did for female MPs. Māori MPs in parliament formed a significant portion of the New Zealand House of Representatives, but they often demonstrated constant cohesiveness and allegiance to the particular political parties. This is in spite of the fact that unlike their female colleagues, many of them were elected via the reserved Māori seats and so depended less on the political party to be re-elected to parliament. The *Foreshore and Seabed Bill* provides a clear example of a situation in which party affiliation proved more influential than ethnicity or group representation. This bill proved to be especially difficult for Māori MPs as their party and government introduced the bill. They were faced with the ultimate test of allegiance: vote in accordance with the Labour party or act in the interests of the Māori people. As was noted in chapter seven, at the introduction of the *Foreshore and Seabed Bill*, the Labour party consisted of eleven Māori MPs, but only one (Tariana Turia) was valiant enough to act at the behest of her constituents instead of the Labour Party.

It should be noted however, that even though Māori MPs primarily voted along party lines, they still found ways to show that they identify with and can relate to the Māori people. Based on the maiden speeches given by Māori MPs upon their induction into parliament, they do enter with the aim of representing the Māori people. Māori MPs whether they were supporting the *Foreshore and Seabed Bill* spoke openly of their ethnicity and whakapapa, thus demonstrating that deep down they do identify with the Māori people. MP Dover Samuels for example, argued during the second reading of the

Foreshore and Seabed Bill that "*I support the second reading of the bill, and I tell the House that I have a vested interest. It may very well be that I have a conflict of interest. Why? Because I am a Māori and I belong to a hapū*" (Dover, 2004). Parekura Horomia (Minister of Māori Affairs: Labour Party) also spoke of his Māori identity by noting that:

> *As Māori members in the Government, we need to understand some things in the sense of what is relevant to Māori, and in the sense of being a mokopuna. As a mokopuna I went around the rocks with my nan to rukupūpū—to get kai moana—two or three times a month, every month, through most of my childhood….I say that as a Māori and as a member of the tangata whenua of this great country. I am confident that this bill will preserve the rights of all New Zealanders, Māori and non-Māori, over the foreshore and seabed.* (Horomia, 2004a)

Another way by which Māori MPs drew attention to their whakapapa link was through the use of language. Many examples can be found throughout the debates of Māori MPs identifying themselves through their language. Consider the following ways that some Māori MPs greeted the House:

Winston Peters (Labour): Ngā reo, ngā mana, ngā waka, ngāpūkōrero o ngā hau e whā, rau rangatira mā, tēnā koutou, tēnā koutou, tēnā koutou katoa.
[*To the languages, authorities, canoes, spokespersons of the four winds, and the hundreds of chiefs, greetings, greetings, and greetings to you all*.] (Peters, 2004)

Hon Parekura Horomia (Minister of Māori Affairs) : E tikaakeanōi te mihi akeanō ki a koutou o te hau kāinga, te mana whenua, i a koutou mai i te motui tae akeanōi roto i te āhua o te hīkoi. Tēnā koutou. [*It is fitting indeed that I should acknowledge those of you of the home winds, the authorities of the land, and those of you from up country who came in respect of the hīkoi. Greetings to you.*] (Horomia, 2004b)

Nanaia Mahuta (Labour—Tainui) :Tūana au ki te kei o te waka. E kīanei te kōrero: Mōkau ki runga, Tāmaki ki raro, ko Mangatoatoa kei waenganui. Ko Pare Hauraki, ko Pare Waikato te kaokaoroa o Pātetere. Ka huri te titiro ki te rāwhiti, ko Tīkapa Moana Te Pae o Hauraki ki Moehau. Ka rere atu au ki ngā tai mihia o te Waitematā, ki te mānukanuka o Hoturoa. Tiro atu au ki te pūaha o te awa Tūpuna, he piko, he taniwha, Waikato taniwharau. Ka rongo te whatitiri. Tainui Āwhiro e ngunguruanai te ao, i te pō.

Ka tae atu rā ki te tumu o te waka ki Kāwhia tangata, ki Aotea whenua, Whaingaroa te moana. Ka tau hoki te ūnga o te waka ki Mōkau. Kāti au ikonei. Pai mārire!

[*I stand on the stern of the canoe. The proverb says this: Mōkau at the top, Tāmaki below, and Maungatoatoa in the middle. It is Pare Hauraki and Pare Waikato the long ribs of Pātetere. I turn and look to the east. Behold, it is the sea of Tīkapa and Hauraki on the horizon at Moehau. I wing my way to the welcoming tides of the Waitematā, to the anxiety of Hoturoa. I look at the mouth of the ancestral river and behold, a bend, a chief. It is Waikato of a hundred chiefs. Hark, the lightning hears. It is Tainui Āwhiro rumbling in the daylight and in the night. At last I arrive at the mooring stump of the canoe where the Kāwhia people reside, where the land of Aotea and the sea of Whaingaroa are. The canoe also landed at Mōkau. I end here. Good tidings!*] (Mahuta, 2004)

Even though these MPs voted in favour of a bill that would result in the Māori people losing control over their land and other resources, they wanted to show that they do identify with their Māori heritage. By reinforcing their "Māoriness", Māori MPs are indicating that while they are bound by the rules and ideologies of their party, ethnicity does play some role in how they view their responsibilities. They are also illustrating that they know what is best for the Māori people because they not only have the knowledge needed to make the final decision on Māori issues, but they also know what it is like to live as a Māori. It is possible too that by identifying with their ethnic roots these Māori MPs were attempting to not only seek forgiveness from the Māori people, but to also garner future support from the Māori constituents. Some Māori MPs upon resigning from parliament expressed regret and disappointment in themselves for having voted in favour of the *Foreshore and Seabed Bill*. In his valedictory speech, MP Mita Ririnui said he was left with "*a deep sense of regret*". He also noted that "… *in hindsight, I should have at least voiced my concern about the way in which the operation was carried out…. I would go to a community hui at my marae in Tauranga and no-one would talk to me, not even look at me*" (New Zealand Herald, 2011).

Statements made by Māori MPs such as Metiria Turei (Green) further illustrate that Māori MPs do represent Māori interests. Metiria Turei expressed her concerns and disgust with those Māori MPs who voted on the bill by noting that: "*already this debate has been utterly sickening, and I stand with the thousands of other New Zealanders who, over the next few days, will likewise be sickened by listening to Māori justify the taking of Māori land*" (Turei, 2004).

Unlike the *Foreshore and Seabed Bill*, the *Marine and Coastal Area Act* was a turning point for Māori representation as it not only opened up dialogue with Māori MPs and other legislators in parliament, but it saw the repeal of the controversial *Foreshore and Seabed Bill*. Tariana Turia best sums up the *Marine and Coastal Area Bill* when she noted during the First Reading that:

> *This bill is but a small step along the way, but it is a step forward. It may be that our mokopuna conclude it has not gone far enough, and one day they may return to this House in a time when numbers will enable a different story to be told and a different outcome. But at this time I am proud with what we have done because we did what we promised. In fact, we achieved more, namely to seek repeal and access to the courts. The Act sets out pathways for that to happen*. (Turia, 2010)

More importantly, this Act again validated Tremblay's argument that a few good legislators rather than a critical mass are necessary for the substantive representation of underrepresented groups. Tariana Turia was the central figure behind this bill. She walked out of Parliament and was brought back by her people to stand independent from Labour. Despite backlashes from other parties in parliament, and from some of their own Māori colleagues in parliament, Turia and her team in the Māori party remained steadfast in their resolve to repeal the *Foreshore and Seabed Bill*. Party influence still played a role in how Māori MPs voted on the *Marine and Coastal Area Bill*, but there

was less tension and guilt between the Māori MPs. There were also more Māori legislators claiming to be acting in the interests of the Māori people. Members of Parliament who once supported the *Foreshore and Seabed Bill* also displayed some level of support for the *Marine and Coastal Area Bill* and what it meant for the Māori people.

Party affiliation and party ideologies played a great role in how female and Māori MPs voted on bills in parliament, but perhaps it is more important to examine the actions of these two groups at the party level. Members of a party might be restricted from voting on a government bill once it has been introduced to the House, but that is not to suggest that they do not voice their concerns or disapproval during caucus meetings. As Catt (2003) argues, "[caucus] is one possible forum for discussion where women MPs can raise alternative perspectives without acting against the party line" (p. 16). Interviews conducted with female and Māori MPs indicate that they often raise issues of concerns to women and Māori in caucus. One female MP noted that she did raise issues of concerns to women, and she did so at every caucus meeting. Interviewee 3 from the Māori MPs stated that Māori issues were raised in parliament during every caucus meeting, and it did eventually lead to the break-up of the particular party. Comments like that from Interviewee 3 illustrate that even though legislators might disagree with a party ruling at the national level, they do have an opportunity in caucus to challenge issues that might be out of line with their principles and beliefs.

MMP: List vs. Electorate MPs

The Mixed Member Proportional system was adopted in New Zealand because it was believed by the Royal Commission on the Electoral System (RCES) that through the party list system more female and Māori MPs would be elected to parliament, thus

increasing their descriptive representation. It has also been hypothesized that because their geographical constituencies are so large, list MPs, more than electorate MPs, will specialize in the representation of descriptively defined groups (McLeay and Vowles, 2007). McLeay and Vowles (2007) in their study on the role of New Zealand MPs found that there were no prescribed job descriptions or differentiation between electorate and list MPs in NZ. Electorate MPs, they noted, spent more time in their community, building up relationships with local communities and groups, a task that may prove more difficult for list MPs (McLeay and Vowles, 2007). They, however, found that because their constituencies are so large, list MPs may find themselves reaching out to special interest groups as a form of role legitimation. McLeay and Vowles therefore, hypothesize that list MPs, more than electorate MPs will specialize in representation of descriptively defined groups.

Interviews conducted with female and Māori MPs, found that there is no significant difference in how they perceive the roles of list versus electorate MPs. The respondents argued that whether an MP was elected via the list or electorate seats should not affect one's representational role in parliament. One interviewee noted for instance that:

> *I don't think that there should be any difference in your ability to advocate based on whether you are a list or electorate, or your need to advocate. I would hate for instance to see ever a woman feel inclined that they could not vote for instance on paid parental leave because of the views of their constituency, when they feel personally that they should. I think if you feel the strength of an issue personally that should always be reflected in the debating chamber, because there is a certain dishonesty if you are not reflecting a personal view because you don't think it's politically expedient…that's problematic.*

Consider the following responses by other female and Māori MPs when asked during the interviews whether they think list or electorate MPs do a better job of representing women and Māori interests:

> Interviewee B: *I don't think they are necessarily better able to represent women's issues. I think it actually depends on the individuals who are in the Parliament, and how strongly they feel about women's issues. Certainly MMP does encourage women to become members of parliament as part of the list, and to advocate for women; that can be part of their raison d'etre for being on the list, and hopefully eventually elected into parliament. But there are also strong women who come in via the electorate who advocate for women's issues.*

> Interviewee G: *I don't think there should be any difference. I think that an electorate MP should be able to represent women's interests as strongly as list MPs…it is actually up to the individual MP how they treat the job and what their politics are, and how they see women. If I was an electorate MP I can't see any difference as to how I would have tried to represent women.*

> Interviewee 2: *At the end of the day…it all [depends] on the quality of the beliefs of the Member of Parliament. I don't think it matters whether you are a list or an electorate MP. If you are competent and know what you are doing you can represent the interests of Māori in either form. Certainly being an electorate MP, a lot of people feel gives you a greater moral platform to speak for Māori because you are elected as a Māori electorate MP, but I don't subscribe to that. I think at the end of the day, it comes down to the individual ability and inclination of the MP in parliament.*

The findings from the bills analyzed, however, showed that female list MPs did take their role of representing women more seriously than electorate MPs. They not only had a visible and increased presence in the debates, but they were also more likely than their electorate MPs to propose bills and policies that benefit women. There were however, no major differences in how list and electorate Māori viewed their representational role in parliament. In fact, the study found that the method of election was less important for Māori MPs than it was for females.

With the exception of the 1994 *Domestic Violence Bill*, list female MPs dominated the debates. This could be due in part to the fact that since the introduction of the MMP system more female MPs have been elected to parliament via the party list than they have been through the electorate seats. The role of an electorate MP is usually more clearly defined than those of list MPs, and as such they tend to spend more time in their constituencies, building relationships with local groups and the people they seek to represent in parliament. List MPs do have more freedom to take on issues specific to particular interests as long as it is consistent with the party policy. Female electorate MPs however do represent women's interests as was evident from the 1994 Domestic Violence Bill. Even though the FPTP component of the MMP system does not promote the substantive representation of women, there is nothing to prevent female MPs elected in electorate seats from representing women's issues. When the *Domestic Violence Bill* was introduced in 1994, female MPs dominated the debates. What is more important to note is that these female MPs were all elected via the electorate seats. They not only sought to defend the rights of women in their constituencies, but they were vocal about the need to represent New Zealand women in general. The number of electorate female MPs who supported the Domestic Violence bill in 1994 thus challenges the argument that list MPs more frequently than electorate MPs seek to represent women's and minority interests.

In terms of introducing actual policies (Members' Bills), female lists MPs were more active when compared to their electorate counterparts. When compared with their Māori colleagues, only seven (35%) of the 20 Māori MPs who introduced a Members' Bill were list MPs. This is due largely to the fact that the Māori experience in parliament

is significantly different from that of other MPs, mainly because they are guaranteed at least seven reserved seats. It is understandable therefore why there were more Māori electorate MPs introducing a Members' Bill than there were list MPs. Unlike their female counterparts, the Māori MPs also have a political party in parliament which works to ensure that Māori issues and concerns are raised at every level of the decision-making and legislative processes.

As the MMP system took hold of the New Zealand electoral system, the number of female list MPs not only increased, but we see more list female MPs actively participating in debates on issues affecting women. As noted in chapter 6, list MPs dominated both the Parental Leave Bill of 2002 and 2008 and the Domestic Violence Bill of 2005. The figures were slightly different for the Māori MPs. Of the eight Māori MPs who presented on the *Foreshore and Seabed Bill*, only two were elected via the party list. The *Marine and Coastal Area Bill* had slightly more list MPs (6) than electorate MPs (5) presenting during the debates. While many female MPs depend solely on the list seats for election to parliament, Māori MPs enjoy the best of both worlds in that they are guaranteed at least seven reserved electorate seats along with potential list seats. It is understandable therefore, why the number of list versus electorate MPs who presented on the bills are somewhat different for both sets of representatives.

The Foreshore and Seabed case study analyzed in chapter seven highly demonstrates the extent to which being a list or electorate MP does not influence the way Māori MPs vote in parliament or how they perceive their representational role. The *Foreshore and Seabed Bill* forced Māori MPs in the Labour party to decide between their party and their constituents, and an overwhelming majority chose the former. It is usually expected

that legislators who sit in reserved seats or highly ethnic constituencies, will have been elected more or less exclusively by group members; this should give them more grounds on which to speak for the interests of that group (Bird, 2004). As one Māori MP noted during the interviews conducted for the purpose of this study, "*I definitely think that if you are a Māori and you are in a Māori seat then you definitely have a unique responsibility to both affirm and promote the interests of the people when you are in that Māori seat*" (Interviewee 1). Māori MP Nanaia Mahuta also argued during her speech on the first reading of the Foreshore and Seabed Bill that "*members in the Māori electorate seats have a clear mandate to represent the views of our constituents on the hard issues*…" (Mahuta, 2004). Durie (2003) sums it up best when she argued that a "Māori Member of Parliament is not the same as a Māori member who represents a Māori electorate" (p. 137).

Even though Māori MPs elected via the electorate seats did not depend on the Labour party to get them re-elected to parliament their loyalty still laid primarily with the party. List MPs on the other hand felt that they had no choice but to vote in accordance with the Labour party because they depended solely on the party to get them re-elected to parliament. After her resignation from parliament, Georgina Beyer who served both as a general electorate and list MP, argued that while the government got her vote, they did not have her heart or her conscience on the *Foreshore and Seabed Bill* (Young 2004). In other words, while Beyer voted with her party she personally opposed the Bill. She also offered an explanation for why she ultimately decided to vote on the Foreshore and Seabed Bill:

> I was elected to the general seat electorate of the Wairarapa…I'm in the Labour Party and the Labour Government and they were promoting what became the Foreshore and Seabed legislation. I'm a Māori. I had my whanau, respected elders that I contacted, people like that to get their opinion to let them know I was having this conflict… I was left with an unenviable decision to make… I didn't have an electorate that would elect me back into power like they would with Tariana if I was to spit the dummy and leave… If I'd been a list MP that term perhaps I would have bent quite easily because it wouldn't have made such a difference… And so I did vote in favour of the Foreshore and Seabed legislation though I publicly expressed my disappointment and shame at needing to do so (Findlay 2007, p. 14).

Beyer's comments above indicate that the way she was elected to parliament, through a general electorate, influenced how she acted on the Foreshore and Seabed Bill. If Beyer had been elected to a Māori electorate or via a list placing, her actions regarding the Bill might have been different. Beyer also felt that Māori MPs occupying the reserved seats are in a better position than other Māori MPs to vote against their party because it is easier to explain their position to their Māori mandate. She also explained that Tariana Turia and Nanaia Mahuta had a mandate to oppose the bill because they were Māori electorate MPs. She further argued that: "If there has ever been an argument to retain Māori seats for a specific Māori voice in Parliament, then this has got to be one example of that…all this talk of Māori being able to stand in general seats is all very well but what happens when you are caught between a rock and a hard place?" (Young, 2004

Members' Bills: Substantive Representation

Research into the substantive representation of minority and underrepresented groups often focuses on legislative activities such as parliamentary debates. It is generally implied that underrepresented groups will vote in favour of policies that seek to increase the autonomy or well-being of those they seek to represent. In societies like New Zealand where political parties play a very important role in parliamentary policies

and procedures, MPs are often required and expected to vote in accordance with their party. Political parties therefore hinder or enhance the ability of women, Māori and other MPs to represent or advocate for issues that are important to them. It became important therefore for this study to not only examine political debates in parliament on issues of interests to women and Māori, but to also look at "independent" issues raised by MPs in the form of Members' Bills. Private Members' Bills provide women and Māori MPs with an important opportunity to initiate legislative proposals as well as policy debates, to check the executive, and to respond to issues of public interest and concern. Members' bills not only provide MPs with some sense of legislative autonomy, but they also allow them to introduce policies independent of their political parties because unlike a government bill, private members' bills cannot necessarily rely on party discipline to ensure their passage.

The debates analyzed suggest that not all female and Māori MPs "speak" for women and Māori issues. This, however, should not be interpreted to mean that they will not "act" for women and Māori in other aspects of their political lives. Silence during parliamentary debates should not be construed as broader silence on issues and policies of relevance to women and Māori. There are a significant number of female and Māori MPs who do "act" on behalf of women and Māori issues using mediums such as Members' Bills or through their work within caucus and with advocacy groups. Findings from the interviews conducted with female and Māori MPs indicate that outside of their activities in parliament, these two groups of legislators do introduce and promote women and Māori issues both inside caucus and outside parliament.

Both female and Māori MPs introduced an impressive number of bills in proportion to their numbers in parliament, but a majority of those bills did not make it past the first reading, and only a small fraction was passed into law. Of the 99 bills introduced by female MPs, 29% (29) addressed issues of concern to women. Even though this is less than half the number of bills that were introduced, more important is the substance and impact of the bills that directly addressed women's issues. Māori MPs introduced 20 bills, and 30% (6) directly addressed issues of concerns to the Māori people. Again, this is less than half the number of bills that were introduced, but it does become apparent that not only has the MMP system resulted in increased descriptive representation for women and Māori representatives, but they are now more likely and better able to introduce policies that will improve the lifestyle or socio-economic well-being of women and Māori.

Female and Māori MPs did not introduce an overwhelming number of Members' Bills that directly address women and Māori issues, but they did introduce bills that addresses issues of concerns to the general New Zealand populace or their constituents. It can be assumed that a cross section of these populations do consist of females and Māori. Members of Parliaments (especially electorate MPs) often introduce Members' Bills based on the request of his or her riding. This means addressing issues directly brought to their attention by their constituents. In 2009 for example, MP Metiria Turei introduced a Misuse of Drugs (Medicinal Cannabis) Amendment Bill because of demands from people in her constituency. During her introductory speech on the bill, Turei explained her reason for introducing the bill by noting that:

> *I have had many people come to see me, write letters to me, or send emails to me who plead for relief. Many are already using cannabis for pain relief, nausea management, or pain management of amputations. They are genuinely ill New Zealanders who are at their wits' end and are treated by this Parliament and by the bureaucracy with contempt. They are entitled to the compassionate protection of the law. They are entitled to the medicine that works best for them. But all of those who have contacted me live in real fear both of thieves and of the law*. (New Zealand Parliament, 2009)

She also highlighted the urgency of the bill by describing the physical pain and struggles that people in her constituency undergo because they lack the necessary medical attention needed to alleviate their pain. MPs also often act in the interests of not only Māori or women within their geographic electorate, but also Māori and women with whom they have no electoral ties. This supports Mansbridge's (2003) thesis that representatives sometimes feel responsible to constituents in districts outside of their electorate.

MP Marie Hasler introduced a Member's Bill that was geared towards improving the lifestyle of deaf and hearing-impaired New Zealanders. In 2001, Hasler's Dog Control (Hearing Dogs) Amendment bill became law, thus allowing hearing dogs to accompany their owners into public places such as airports and restaurants without facing the risk of being questioned or refused entry. Hasler justified her bill on the ground that:

> There are thousands of hearing impaired people throughout New Zealand and many will qualify for a companion dog. These dogs make a huge difference in the life of a deaf person, giving them confidence and affection, alerting them to the everyday sounds that we take for granted, such as the telephone and the doorbell (Scoop Parliament, 2001).

This bill was a turning point for the deaf and hearing-impaired people in New Zealand as it granted them the opportunity to become more independent, self-assured

and mobile. Hasler's bill not only indicates that MPs will represent diverse interests, but it also shows that MPs will unite in support of a bill that they deem important to the general well-being of New Zealanders or an important section of the population. Rather than identifying an issue specific to their constituents, MPs may also decide to champion a certain policy idea concerned with the broader public good. The effects of these bills are wide reaching and can be met with more support both inside and outside parliament.

A Members' Bill also presents the best opportunity for MPs to put forth a policy that can benefit groups and individuals that are usually forgotten in society. In 2004 for example, MP Georgina Beyer introduced a Human Rights (Gender Identity) Amendment Bill which sought to protect the rights of transgendered individuals such as herself. While Beyer was elected to parliament in an electorate seat, she was also an advocate for transgendered individuals. Beyer's bill was designed to clarify that transgendered people are covered by the Human Rights Act, because this was previously unclear. She justified her bill on the ground that "transgendered people do experience discrimination in New Zealand. My Bill sought to have transgendered people protected from being kicked out of their houses and jobs just because of their sex, in the same way all other New Zealanders are protected" (New Zealand Labour, 2006). Beyer's bill did not pass the first reading as she withdrew it after the government's Chief Legal Advisor clarified that transgendered people are protected from discrimination by the Human Rights Act.

Members' Bills have also been inspired by public policies, reports, events and tragedies that were rampant in the media. In 2000, Member of Parliament, Dianne Yates introduced the Sale of Liquor (Health Warnings) Amendment which she argued would make it mandatory for liquor health warning labels to be included on cans, casks, bottles

and other alcohol containers. These liquor warnings she believed would serve as public education for the general public on the effects of alcohol on their mental and physical health. This bill was introduced in wake of the Alcohol Advisory Council's report that in 2000 New Zealand was ranked 23rd out of 50 countries in alcohol consumption per capita. A 2002 National Drug Survey further indicated that alcohol was the most popular drug in New Zealand. It was also found that the blood alcohol level of approximately 21 percent of all drivers killed in 2000 was above the legal limit (Parliamentary Library, 2003).

Even though Māori and female MPs had fewer successful Members' Bills passed in parliament, a significant number of them were able to not only influence the policy process through the introduction of Member's Bills that address women's and Māori issues, but they also had an indirect influence on the legislative behaviour of male MPs, Cabinet ministers and the media. Even when Members' Bills fail to pass the first reading they can have an *indirect* impact on public policy by bringing new ideas into the public realm, convincing fellow MPs and cabinet ministers of their worth, and attracting media attention. Widespread support for a Members' Bill may also result in the Government introducing its own legislation to achieve broadly similar aims. Alternatively the Government may agree to support a Members' Bill and make services available to improve the quality of drafting. Either way, Members' Bills can have an impact on the Government's legislative priorities.

An example where Members' Bills introduced by females played an indirect role in a policy outcome is that of Paid Parental Leave. In 1998, MP Laila Harre introduced the Paid Parental Leave as a Members' Bill. Although it was subsequently

defeated, the Bill stimulated debate over paid parental leave in New Zealand and was later adopted as a government bill. Prior to becoming a bill, the introduction of the Paid Parental Leave by Harre not only raised the profile of parental leave, but it also forced the government to respond with a budgetary initiative to assist low-income families on the birth of a child. Another example of a Members' Bill that sparked attention in New Zealand's parliament, and among the general public was the Foreshore and Seabed (Act) Repeal bill introduced by Tariana Turia in 2006. The bill failed to pass the introduction stage at the time but it kept the issue alive in parliament and the media. In 2010 Turia again introduced another bill called the Marine and Coastal Area Bill which successfully repealed the 2004 Foreshore and Seabed Act. The actions of these two MPs validate earlier claims that there need not be a critical mass in parliament for women and Māori to have substantive representation. The actions of a few good MPs who are dedicated and willing to work for those they seek to represent can provide a catalyst for change.

Conclusion

This dissertation has provided an assessment of the extent to which descriptive representation as a result of the MMP system has resulted in increased substantive representation for women and Māori in New Zealand. It commenced with the assumption that female and Māori representatives will 'stand for' and 'act for' women and Māori, thus pushing minority and gender friendly legislation and policies into the political arena once elected to parliament. Using Anne Phillip's *Politics of Presence* and Hanna Pitkin's theory of descriptive representation, the study argued that the presence of women and Māori in the legislative assembly is necessary for their political interests to be taken into account. Descriptive/numerical representation is especially important as argued throughout the study as it empowers minority groups, and gives them a "face" in the legislative assembly. The presence of more women and minority groups in parliament not only promotes minority and women friendly policies, but it also introduces a different style of politics and a diversification of policies. As Bobo and Gilliam (1990) argue, not only may policy outcomes be influenced by descriptive representation, but the actual behaviour and attitudes of minority populations may be positively influenced by being descriptively represented.

Minorities' descriptive representation in parliament is important, but representation becomes purely symbolic if it does not bring about policy outcomes that reflect the interests of conventionally underrepresented groups. The study therefore argued that effective representation is possible only when minorities are able to both "stand for" and "act for" those they seek to represent. Despite physical or other characteristics, a legislator should not only provide a presence in parliament for those he

or she represents, but should instead represent the interests of his or her constituents. Based on the definition of substantive representation used in the study, female and Māori MPs substantively represent women and Māori interests when they are able to *effectively influence the decision-making process and policy outcomes once elected to parliament.*

Today, women and Māori in New Zealand enjoy greater descriptive representation as a result of the MMP electoral system, and while women still have a long way to go the level of political representation they now enjoy far surpass that of the years spent under FPTP. Has an increase in descriptive representation also led to greater substantive representation for these two groups of representatives? An analysis of female and Māori participation and actions during the debates in parliament did not show a very strong relationship or cohesiveness between their numbers in parliament and their responsibilities to their respective groups. While there were female and Māori MPs who actively spoke on behalf of each grouping, there were MPs who either abstained from the debates or who took a less gendered or ethnic stance. Others voted along party lines. Deeper analysis also revealed that there are female and Māori MPs who do not see themselves as being exclusively responsible for or committed to any single group, issue or interest. Women and Māori form a significant portion of New Zealand's parliament, but they do not always share a collective political identity.

What the study did find is that it is not the number of female and Māori in parliament or shared identity that determines the possibility of achieving substantive representation as much as the actions of certain individuals, described as 'critical actors,' Critical actors are individuals who despite their number are able to influence the policy process and

mobilize other actors into representing the concerns and interests of the represented. In their assessment of women as critical actors, Childs and Krook (2009) noted that "they [women] initiate policy proposals on their own, even when [they] form a small minority, and embolden others to take steps to promote policies for women, regardless of the proportion of female representatives ..."(p. 528). Despite their increased presence in parliament, not all female and Maori MPs perceived the representation of women's and Maori issues as part of their role. Crucial to the substantive representation of women and Maori was the presence and actions of female and Māori MPs who highlighted and brought to the fore some of the issues and concerns affecting women and Māori in New Zealand. These individuals not only had a vivid presence and voice during the debates, but they also used their time and resources in office to introduce bills, raise issues of concerns to women and Maori or kept issues that might have been otherwise forgotten on the legislative table.

Constrained by institutional barriers such as party discipline, it was the actions of a few Māori MPs that resulted in the repeal of the *Foreshore and Seabed Bill* and the enactment of the *Marine and Coastal Area Act*. The Māori Party was also formed in New Zealand because of the actions of a few Māori MPs who saw the need for change. Today Māori issues, ideas and visions have to be taken into consideration by the government or other decision-making bodies instead of being brushed aside as they so often were when there were fewer Māori MPs in parliament.

During the debates, female MPs were the most active on women's issues when compared to their male colleagues. They sometimes voted along party lines, and did not all agree on some of the same issues; however, they often displayed a sense of loyalty to

their gender (and to each other) whenever possible. Women from the left of the political spectrum were especially concerned about welfare and socio-economic issues affecting women and they often raised these issues during the debates. The ability of both female and Māori MPs to "act" for women and Māori became especially evident from the Members' Bills that were introduced, as well as the Maiden Speeches analyzed (Māori) and the interviews that were conducted. It was from these three elements that we further realized that female and Māori MPs do enter parliament with good intentions and they do "act" and "stand for" women and Māori.

Electoral reform and the MMP electoral system have greatly impacted women's and Māori's descriptive representation, and in effect, their substantive representation. An examination of parliamentary activities and Members' Bills introduced by female and Māori MPs in New Zealand indicates that the link between their descriptive and substantive representation is not solely because of the electoral system, but rather to the political climate within which they work. Political parties in New Zealand, as pointed out in the empirical chapters, have played an exceptional role in how female and Māori MPs view their responsibilities in parliament. MPs not only have to work within the confines of their respective political parties, but their actions are also constrained by party rules and regulations. The level of representation that both women and Māori are able to enjoy in parliament also depends to a large extent on the ability of political parties to recruit, nominate, select and place them in winnable positions on party lists. Tremblay (2005) sums it up best when she noted that the MMP electoral system resulted in increased representation for women and Māori, but "it was ineffectual in changing the power that political parties had over MPs" (p. 63). This was partly because most female

and Māori MPs elected under the MMP system were elected via the party lists and as such depend on their respective political parties to be elected to parliament. Electorate MPs on the other hand depend on their constituents for support and are therefore less dependent on the party. The method of election to parliament, whether via party lists or through electorate seats, also had a great effect on how female and Māori MPs responded to issues on the legislative agenda.

In summary, this dissertation has presented both theoretical and empirical data to distinctly delineate the relationship between descriptive and substantive representation. The MMP electoral system has resulted in greater descriptive representation for women and Māori in New Zealand and consequently, critical actors willing to "act" and "speak for" women and Māori. There are female and Māori MPs who do enter parliament with a sense of responsibility to women and the Māori people; and, as was evident throughout the interviews and Members' Bills analyzed, they do try where possible to ensure that they advance and promote the interests and well-being of those they were elected to represent. Even when female and Māori MPs do not "speak" or "act" outright for women and Māori, their increased presence in parliament does serve to ensure that women's and Māori issues are not overlooked or disregarded. It can therefore be said that an increase in descriptive representation as a result of the MMP electoral system in New Zealand has improved substantive representation for women and Māori.

References

ACT New Zealand. (2010). Constitution and rules. Retrieved from http://www.elections.org.nz/files/Act_Party_Rules.pdf

Adsera, A., & Boix, C. (2004). Constitutional engineering and the stability of democracies. Paper presented at the 2004 Annual Conference of the International Society for New Institutional Economics (ISNIE), Tuscon, Arizona.

Alliance Party. (2012). Constitution. Retrieved from http://alliance.org.nz/about/constitution/

Arseneau, T. (1997). The representation of women and Aboriginals under PR: Lessons from New Zealand. *Policy Options, 18(* 9), 9-11. Institute for Research on Public Policy. Montreal.

Banducci, S. A. (2002, February 1-2). The changing nature of representation in New Zealand: Evaluation of the party list. Prepared for Elections and Democracy (Fulbright Brainstorm). Lisbon, Portugal.

Banducci, S. A., & Karp, J. A. (1998). Representation under a proportional system. In J. Vowles., P. Aimer., S. Banducci, & J. Karp, (Eds). *Voter's victory? New Zealand's first election under proportional representation* (pp. 135-152). Auckland, NZ: Auckland University Press.

Banducci, D., & Karp, J. (2004). Minority representation, empowerment, and participation. *Journal of Politics*, *66* (2), 534-56.

Barker, F., & McLeay, E. (2000). How much change? An analysis of the initial impact of proportional representation on the New Zealand parliamentary party system. *Party Politics*, *6* (2), 131-154.

Beehive.govt.nz. (1999). Labour-Alliance 1999-2002 Ministers Retrieved from: http://www.beehive.govt.nz/search/apachesolr_search/The%20New%20Zealand%20Executive%20Council%20as%20of%2010%20December%201999?page=3&filters=tid%3A4376

Berelson, B. (1952). *Content analysis in communication research*. Glencoe, Ill: Free Press.

Berry, R., & Tunnah, H. (2004). Turia quits labour, stripped of portfolios. *The New Zealand Herald*. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=3563873

Birch, A. (1971). *Representation*. New York, NY: Praeger.

Bird, K. (2003, November 11). The political representation of women and ethnic minorities in established democracies: A framework for comparative research. *Working Paper presented for the Academy of Migration Studies in Denmark (AMID),* Aalborg University, Denmark.

Bird, K. (2004, September 3). Unequal gains: Patterns of ethnic minority representation in the political systems of France, Denmark and Canada. Presented at the Annual Meeting of the American Political Science Association, Chicago, Illinois.

Bobo, L., & Gilliam, F. D. (1990). Race, sociopolitical participation, and black empowerment. *American Political Science Review, 84*, 377-393.

Bogdanor, V. (1984). *What is proportional representation? A guide to the issues.* Oxford, GB: Martin Robertson.

Boston, J., & Bullock, D. (2009). Experiments in executive government under MMP in New Zealand: Contrasting approaches to multi-party governance. *New Zealand Journal of Public and International Law, 7* (1). (page numbers??)

Boston, J., & Church, S. (2003). Government formation after the 2002 general election. In J. Boston., S. Church., S. Levine., E. McLeay., & N. Roberts (Eds.), *New Zealand votes: The general election of 2002 (pp. 333-360).* Wellington, NZ: Victoria University Press.

Boston, J,, Levine, S., McLeay, E., & Roberts, N. (1996). *New Zealand under MMP: A new politics?* Auckland, NZ: Auckland University Press.

Boston, J., McLeay, E., Levine, S., & Roberts, N.S. (Eds.) (1997). From campaign to coalition: New Zealand's first election under proportional representation. Palmerston North, Dunmore: Dunmore Press.

Bratton, K.A. 2005. Critical mass theory revisited: The behavior and success of token women in state legislatures. *Politics and Gender, 1*(1), 97-125.

Bratton, K.A. (2002). The effect of legislative diversity on agenda setting: Evidence from six state legislatures. *American Politics Research, 30* (2), 115–42.

Britton, H. (2008). South Africa: Challenging traditional thinking on electoral systems. In M. Tremblay (Ed.), *Women and legislative representation* (pp. 117-128). New York, NY: Palgrave Macmillan.

Bulmer, M. (1996). The ethnic group question in the 1991 Census of population in D.

Coleman & J. Salt (Eds.), *Ethnicity in the 1991 Census: Volume one: Demographic characteristics of the ethnic minority populations, (pp. 33-62).* London: HMSO.

Burke, E. (1955). *Reflections on the revolution in France*. London, England: Penguin Books.

Cabinet Manual (2008). Cabinet decision-making Retrieved from http://cabinetmanual.cabinetoffice.govt.nz/5

Cain, B.E. (2001). Party autonomy and two-party electoral competition. *University of Pennsylvania Law Review*, 149 (3), 793–814.

Caton, M. (2007). Effective party assistance: Stronger parties for better democracy. Stockholm, Sweden: International IDEA.

Campaign for MMP. (2011). Poll shows support to keep MMP and make it better [Press Release]. Retrieved from http://www.campaignformmp.org.nz/news/poll-shows-support-keep-mmp-and-make-it-better

Carey, J.M. (1997). Institutional design and party systems. In L. Diamond., M. Plattner., Y. Chu., & H. Tien (Eds.). *Consolidating the Third Wave democracies*. Baltimore, MD: Johns Hopkins University Press.

Carroll, S. J. (Ed.) (2001). *The Impact of women in public office*. Bloomington and Indiana: Indiana University Press.

Catt, H. (1993). Introduction. In H. Catt., & E. McLeay (Eds.).*Women and Politics in New Zealand*. Wellington, NZ: Victoria University Press.

Catt, H. (1997). Women, Māori and minorities: Micro-representation and MMP. In J. Boston, S. Levine, E.M. McLeay, & N.S. Roberts (Eds.), *From campaign to coalition: The 1996 MMP election*, (pp. 199-206). Palmerston North, NZ: Dunmore Press Ltd.

Catt, H. (2003). How can women MPs make a difference? Reconsidering group representation and the responsible party model. Retrieved from http://www.qub.ac.uk/cawp/research/Catt.pdf

Caul, M. (1999). Women's representation in parliament: The role of political parties. *Party Politics, 5* (1). 79-98.

Celis, K. (2006). Substantive representation of women and the impact of descriptive representation. Case: the Belgian Lower House 1900-1979. *Journal of Women, Politics and Policy*, *28* (2), 85-114.

Celis, K. (2009). Substantive representation of women (and improving it). What is and should it be about? *Comparative European Politics*, 6 (4), 95-113.

Chaney, P. (2006). Critical mass, deliberation and the substantive representation of women: Evidence from the UK's devolution programme. *Political Studies*, 54, 691-714.

Childs, S. (2004). *New Labour's women MPs: Women representing women*. New York, NY: Routledge.

Childs, S., & Krook, M.L. (2006). The substantive representation of women: Rethinking the 'critical mass' debate. Retrieved from http://www.psa.ac.uk/2006/pps/Childs.pdf

Childs, S., & Krook, M.L. (2008). Critical mass theory and women's political representation. *Political Studies*, *56*, 725-736.

Childs, S., & Krook, M.L. (2009). Analysing women's substantive representation: From critical mass to critical actors. *Government and Opposition, 44* (2), 125-145.

Coalition Agreement between New Zealand First and the National Party of New Zealand (1996). Retrieved from www.hinz.org.nz/journal-pdf/77

Coates, K. S, & McHugh, P.G. (1998). *Living relationships kokiri ngatahi*. Wellington: Victoria University Press.

Cowley, P., & Childs, S. (2003) Too spineless to rebel? New Labour's women MPs. *British Journal of Political Science*, *33* (3), 345–65.

Cross, W (2006). Candidate nomination in Canada's political parties. In J.P. Pammett & C Dornan (Eds.), *The Canadian Federal Election of 2006*, (pp, 171-195). Toronto, ON: Dundurn.

Crowley, J. E. (2004). When tokens matter. *Legislative Studies Quarterly*, *29* (1), 109-136.

Dahlberg, T. (1996). Māori representation in parliament and Tino Rangatiratanga, *He Pukenga Korero*, *2*(1), 62-72.

Dahlerup, D. (1988). From a small to a large minority: Women in Scandinavian politics. *Scandinavian Political Studies*, *11* (4), 275-298.

Dahlerup, D. (2005). Increasing women's political representation: New trends in

gender quotas. In J. Ballington., & A.M. Karam, (Eds.) *Women in parliament. Beyond numbers (revised edition).* Stockholm, Sweden: International IDEA.

Dalziel, L (2007). Cabinet under MMP. Retrieved from http://www.beehive.govt.nz/node/30014

Darcy, R., Welch, S, & Clark, J. (1994). *Women, elections, and representation*. New York, NY: Longman.

DecisionMaker. (2008). NZ National led Ministerial List as at 19 November 2008. Retrieved from http://www.decisionmaker.co.nz/guide2003/links.html

Denemark, D. (2001). Choosing MMP in New Zealand: Explaining the 1993 Electoral Reform. In M.S. Shubert & M.P. Wattenberg (Eds.), *Mixed-member electoral systems: The best of both worlds? (pp. 70-95).* Oxford, England: Oxford University Press.

DiPiazza, F (2006). *New Zealand in pictures*. Minneapolis, IN: Twenty-First Century Books.

Durie, M. (2001). Mana Māori Motuhake The state of the Māori nation. In R. Miller (Ed.), *New Zealand government and politics* (pp. 464-478). Auckland, NZ: Oxford University Press.

Durie, M. (2003). Māori in governance: Parliament, statutory recognition, and the state sector. In F.L. Seidle., & D.C. Docherty (Eds.), *Reforming parliamentary democracy* (pp. 128-49). Kingston, ON: McGill-Queen's University Press.

Durie, M.H. (2005). *Ngā Tai Matatū: Tides of* Māori *endurance*. Melbourne, AU: Oxford University Press.

Duverger, M. (1984).Which is the best electoral system? In A. Lijphart., & B. Grofman (Eds.), *Choosing an electoral system: Issues and alternative* (pp. 31-39). New York, NY: Praeger.

Electoral Commission, New Zealand. (1996). *Everything you need to know about voting under MMP: New Zealand's electoral system*. Wellington, NZ: GP Publications.

Electoral Commission New Zealand. (2008). Understanding MMP in New Zealand: Final report. Retrieved from http://www.elections.org.nz/files/Final-FullReport-Understanding_Of_MMP_Aug08_0.pdf.

Electoral Commission, New Zealand. (2012). Report of the Electoral Commission on the

Review of the MMP Voting System. Retrieved from http://www.mmpreview.org.nz/sites/default/files/pages/uploads/Final%20report%202012%20review%20of%20MMP.pdf

Elections New Zealand. (2011). 2011 Referendum on the voting system. Retrieved from http://www.elections.org.nz/elections/2011-general-election-and-referendum/2011-referendum-on-the-voting-system.html

Elections New Zealand. (1996). Summary of party list and electorate candidate seats. Retrieved from http://www.electionresults.govt.nz/electionresults_1996/pdf/1.1%20Summary%20of%20overall%20results.pdf

Elections New Zealand. (2008a). Mixed member proportional electoral system. Retrieved from http://www.elections.org.nz/study/education-centre/nz-electoral-facts-stats/mixed-member-proportional-mmp-electoral-system.html.

Elections New Zealand. (2008b). Sainte- Laguë allocation formula. Retrieved from http://www.elections.org.nz/voting/mmp/sainte-lague.html

Elections New Zealand. (2006a). Māori, Pacific and Asian MPs 1990-2005. Retrieved from http://www.elections.org.nz/study/education-centre/ethnicity-mps.html

Elections New Zealand. (2006b). General elections 1996-2005-seats won by party. http://www.elections.org.nz/elections/resultsdata/general-elections-1996-2005-seats-won-by-party.html

Elections New Zealand. (2005). Māori and the vote. Retrieved from http://www.elections.org.nz/Māori/ntkmdemocracy/Māori-vote.html

Ellis, A. (2005, May). *Principles of electoral system choice*. Presented at Workshop VI: Representative democracy, participatory methods and capacity development for responsible politics sixth global forum on reinventing government Seoul, Republic of Korea.

Fairlie, J.A. (1940). The nature of political representation, 2. *The American Political Science Review*, *34*, (3), 456-66.

Farrell, D. (2001). *Electoral systems: A comparative introduction*. Basingstoke, UK: Palgrave Macmillan.

Fenno, R.F. (1978). *Home style: House members in their districts*. Boston, MASS??: Little, Brown and Company.

Ferrara, F., Herron, S., & Nishikawa, M. (2005a). *Mixed electoral systems: Contamination and its consequences*. New York, NY: Palgrave MacMillan.

Findlay, K., 2007. Georgina waltzes on. In *Mana, 74*, 12-7.

Finlayson, C. (2010). Marine and Coastal Area (Takutai Moana) Bill passes first reading. National Party. Retrieved from http://www.national.org.nz/Article.aspx?articleId=33980

Fleras, A. (1985). From social control towards political self-determination? Māori seats and the politics of separate Māori representation in New Zealand. *Canadian Journal of Political Science, 18* (3), 551-576.

Foreshore and Seabed Act (2004): Foreshore and Seabed Act, preliminary: Provisions, part one 4 (a). Parliamentary Counsel Office: New Zealand Legislation. Retrieved from http://www.legislation.govt.nz/act/public/2004/0093/latest/DLM319839.html

Form 11, schedule 2 of the Electoral Act 1993. *http://www.legislation.govt.nz/act/public/1993/0087/latest/DLM310898.html*

Fried, R. (1966). *Comparative political institutions*. New York, NY: Macmillan

Gallagher, M. (1988). Introduction. In M. Gallagher, & M. Marsh (Eds.), *Candidate selection in comparative perspective: The secret garden of politics (pp. 1-19)*. London, England: Sage

Galligan, Y., & Tremblay, M. (Eds.), (2005). *Sharing power: Women, parliament, democracy.* Hants: Ashgate Publishing Ltd.

Galloway, G. (2008). The legislator as politico. In R. Diclerico., & A. Hammock (Eds.), *Points of views: Reading in American government and politics* (pp. 163-166). Boston, MASS: McGraw-Hill Higher Education.

Ghai, Y. (2003). *Public participation and minorities.* London, England: MRG.

Goff, P. (2010). Enduring foreshore and seabed solution needed. *Labour Party*. Retrieved from http://www.labour.org.nz/node/3019

Grey, S. (2002). Does size matter? Critical mass and New Zealand's women MPs. *Parliamentary Affairs, 55* (1), 19-29

Grey, S. (2004). The 'new world?' The substantive representation of women in

New Zealand. Paper presented at the Women and Westminster Compared Conference, Ottawa, Canada.

Grey, S. (2006). Do women represent women? Rethinking the "critical mass" debate. *Politics and Gender*, *2*, 491-530.

Grey, S, & Gilling A. (2010). MMP and women's political representation in New Zealand: A report prepared for Women for MMP. http://campaignformmp.files.wordpress.com/2010/09/representing-women-gilling-and-grey-2010.pdf

Granovetter, M. (1978). Threshold models of collective behavior. *American Journal of Sociology*, 83(6), 1420–1443.

Green Party. (2012). MMP Referendum 2011. Retrieved from http://www.greens.org.nz/sites/default/files/campaigns/mmppocketguideweb.pdf

Green Party. (2011). *Constitution*. Retrieved from http://www.greens.org.nz/constitution

Grimshaw, P. (1972). *Women's suffrage in New Zealand*. Auckland, NZ: Auckland University Press:

Grofman, B. (1982). Should representatives be typical of their constituents? In B. Grofman., A. Lijphart., R. McKay., & H. Scarrow (Eds.), *Representation and redistricting issues (pp. 97-99).* Lexington, MA: Lexington Books.

Guion, L., Diehl, D., & McDonald, D. (2011). Conducting an in-depth interview. Retrieved from http://edis.ifas.ufl.edu/pdffiles/FY/FY39300.pdf

Harre, L. (2001). Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill: First reading. Parliamentary Debate. Retrieved from http://www.vdig.net/hansard/content.jsp?id=91133

Hide, R. (2004). Māori seats must go [Press release]. *ACT New Zealand*. Retrieved from http://www.scoop.co.nz/stories/PA0407/S00267.htm

Horn, P., Leniston, M, & Lewis, P. (1983). The maiden speeches of New Zealand women members of parliament. *Political Science, 35*, 229-266

House of Representatives. (2005). Parental Leave and Employment Protection (Paid Parental Leave for Self-employed Persons) Amendment Bill---first reading. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/8/2/48HansD_20051206_00001288-Parental-Leave-and-Employment-Protection.htm

Hyson, S. (1974). The role of the backbencher: An analysis of private members' bills in the Canadian House of Commons. *Parliamentary Affairs, 27* (3), 262-272

IDEA (2010). Gender quotas around the World. *Global database of quotas for women*. Retrieved from http://www.quotaproject.org/country.cfm

Inter-Parliamentary Union. (2013). Women in national parliaments. Retrieved from http://www.ipu.org/wmn-e/classif.htm

Jackson, M. (2004). *An analysis of the Foreshore and Seabed Bill*. Māori Law Commission, Wellington, NZ.

Jackson, K. (1987). *The dilemma of parliament*. Auckland, NZ: Allen and Unwin Press.

Jackson, K, (1993). The origins of the electoral referendums. In A, McRobie (Ed.), *Taking it to the people? The New Zealand electoral referendum debate (pp. 12-23)*. Christchurch, NZ: Hazard Press.

Jackson, K., & McRobie, A. (1998). *New Zealand adopts proportional representation. Accident? Design? Evolution*? Aldershot, England: Ashgate Publishing Limited.

Johnstone, B. (2002). *Discourse analysis*. Oxford, England: Wiley-Blackwell.

Joseph, P. (2008). *A study of Māori economic and social progress: The Māori seats in parliament.* New Zealand Business Roundtable. Retrieved from http://www.nzbr.org.nz/site/nzbr/files/publications/Māori%20seats%20in%20parliament.pdf

Julian, R. (2011). Fewer women than before [Press Release]. *United Nations National Committee, Aotearoa, New Zealand*. Retrieved from http://www.unwomen.org.nz/?p=667

Kanter, R.M. (1977). Some effects of proportions on group life: Skewed sex ratios and responses to token women. *American Journal of Sociology, 82* (1), 965–990.

Karp, J., & Banducci, S. (1999). The impact of proportional representation on turnout: Evidence from New Zealand. *Australian Journal of Political Science, 34*, (3), 363-377

Klingemann, D., Hofferbert, R., & Budge, I. (1994). *Parties, policies and democracy*. Boulder, CO: Westview Press.

Krippendorff, K. (1980). *Content analysis: An introduction to its methodology*. Newbury Park, CA: Sage.

Krook, M.L, Lovenduski, J., & Squires, J. (2009). Gender quotas and models of political citizenship. *British Journal of Political Science*, (39), 781-803.

Krouse, R.W. (1982). Two concepts of democratic representation: James and John Stuart Mill. *The Journal of Politics*, *44*, (2), 509-537.

Kymlicka, W. (1995). *Multicultural citizenship.* Oxford, England: Oxford University Press.

Labour (n.d.). History. Retrieved from http://www.labour.org.nz/about-us

Lakeman, E (1984). The case for proportional representation. In A. Lijphart., & B. Grofman (Eds.), *Choosing an electoral system: issues and alternatives* (pp. 21-31). New York, NY: Praeger.

Lamare, J.W., & Vowles, J. (1996). Party interest, public opinion and institutional preferences: electoral system change in New Zealand. *Australian Journal of Political Science 31*, 321-345.

LeDuc, L., Norris, P., & Niemi, R (Eds.). (2002). *Comparing democracies 2: New challenges in the study of elections and voting*. London, England: Sage Publications

Leonen, N. (1997). *Citizenship and democracy: A case for proportional representation*. Toronto, ON: Dundurn Press

Levine, S. (1979). *The New Zealand political system*. Sydney, AU: George Allen and Unwin.

Levine, S., *&* N.S. Roberts., *(*1993*).* The New Zealand electoral referendum of 1993. *Electoral Studies, 12*, 158-167.

Lijhart, A. (1984). *Democracies: Patterns of majoritarian and consensus government in twenty-one countries.* New Haven, CT: Yale University Press.

Lijphart, A. (1994). *Electoral systems and party systems: A study of twenty-seven democracies, 1945-1990*. Oxford, England: Oxford University Press.

Lijphart, A. (1999). *Patterns of democracy: Government forms and performance in thirty-six countries*. New Haven, CT: Yale University Press.

Lijphart, A., & Grofman, B (Eds.). (1984). *Choosing an electoral system: issues and Alternatives*. New York, NY: Praeger.

Lovenduski, L., & Karam, A., (2002). Women in parliament: Making a difference in *International IDEA's Handbook: Women in parliament: Beyond numbers*, Stockholm, International IDEA.

Lovenduski, J., & Norris, P. (1993). *Gender and party politics*. London, England: Sage.

Lundberg, T.C. (2007). Why abandon mixed-member electoral systems? Paper presented for the 4th ECPR Conference, Pisa. The politics of electoral reforms (Panel II).

Loewenberg, G. (1972). Comparative legislative research. In S.C. Patterson., & J. C. Wahlke (Eds.), *Comparative legislative behavior: Frontiers of research*. New York, NY: Wiley.

Māori Party (2010). Schedule A: NGÄ KAUPAPA O TE PÄTI MÄORI. Retrieved from http://www.parliament.nz/NR/rdonlyres/22CACF7A-2530-45E6-9569-518E53CF0056/244060/ScheduleA7.pdf

Māori Party (2005). Tiriti O Waitangi/Treaty of Waitangi Policy, [Press Release]. Retrieved from http://www.scoop.co.nz/stories/PA0508/S00836/tiriti-o-waitangitreaty-of-waitangi-policy.htm

Mainwaring, S., & Scully, T. R. (1995). *Building democratic institutions: Party systems in Latin America*. Stanford, CA: Stanford University Press.

Malone, R. (2008). *Rebalancing the constitution: The challenge of government law-making under MMP*. Wellington, NZ: Institute of Policy Studies.

Mansbridge, J. (2000). What does a representative do? Descriptive representation in communicative settings of distrust, uncrystallized interests, and historically denigrated status. In W. Kymlicka., & W. Norman (Eds.), *Citizenship in diverse societies (pp. 99-123).* Oxford, England: Oxford University Press.

Mansbridge, J (2003). Rethinking representation. *The American Political Science Review, 97* (4), 515-28.

Mansbridge, J. (2005). Quota problems: Combating the dangers of essentialism. *Politics and Gender, 1*(4), 622-638.

Mansbridge, J. (1999). Should blacks represent blacks and women represent women? A contingent 'yes.' *Journal of Politics, 61*, 628-57.

Marine and Coastal Area (Takutai Moana) Bill: Report of the Māori Affairs Committee (n.d) Retrieved from http://www.converge.org.nz/pma/macabrep.pdf

Martin, J. (2011). From legislative machine to representative forum? Procedural change in New Zealand Parliament in the twentieth century. *Australasian Parliamentary Review*, *26* (2), 35-52.

Matland, R. (1991). Institutional variables affecting female representation in national legislatures: The Case of Norway. Paper presented at the 1991 Annual Meeting of the American Political Science Association, Washington, D.C.

Matland, R. (1998). Women's representation in national legislatures: Developed and developing countries. *Legislative Studies Quarterly, XXIII* (1), 109-125.

Matland, R. (2005). Enhancing women's political participation: Legislative recruitment and electoral systems. In International IDEA, *Women in Parliament: Beyond Numbers* (Revised Edition) http://www.idea.int/publications/wip2/upload/WiP_inlay.pdf.

Matland, R., & Brown, D. (1992). District magnitude's effect on female representation in U.S. State legislatures. *Legislative Studies Quarterly, 17* (4), 469-492.

Matland, R., & Studlar, D.T. (1996). The contagion of women candidates in single and multimember district systems: Canada and Norway. *Journal of Politics, 58*(3), 707-733.

Maykut, P., & Morehouse, R. (1994). *Beginning qualitative research: A philosophic and practical guide*. London, England: The Falmer Press.

McCrone, D.J., & Kuklinski, J. (1979). The delegate theory of representation. *American Journal of Political Science*, 23 (2), 278-300.

McIntyre, R. (1996). *The women's parliament: the National Council of New Zealand 1896-1920*. Victoria University: Wellington, Victoria University Press.

McLeay, E. (1993). Women and the problem of parliamentary representation: A comparative perspective. *Political Science*, *45* (1), 40-62.

McLeay, E. (2006). Climbing on: rules, values and women's representation in the New Zealand Parliament. In M. Sawer, M., Tremblay, & L. Trimble (Eds.) *Representing women in parliament (pp. 67-82).* New York, NY: Routledge

McLeay, E., & Vowles, J. (2007). Redefining constituency representation: The roles of New Zealand's MPs under MMP. *Regional and Federal Studies,* 17 (1), 71-95.

McLintock, A.H (Ed.). (2009). Women's role in New Zealand society. An

encyclopaedia of New Zealand. Retrieved from http://www.teara.govt.nz/en/1966/womens-role-in-new-zealand-society/1

McRobie, A. (1981). Ethnic representation: The New Zealand experience. In E. Stokes (Ed.), *Māori representation in parliament,* Occasional Paper 14, Hamilton, NZ: University of Waikato.

McRobie, A. (1993). *Taking it to the people: the New Zealand electoral referendum debate*. Christchurch, NZ: Hazard Press.

McRobie A. (1997). New Zealand's first MMP election. *Agenda*, 4 (3), 329-340

McVeagh, R (2010). Foreshore and Seabed Act 2004: The government closes in on repeal. Retrieved from http://www.russellmcveagh.com/_docs/RMForeshoreSeabedUpdateApr2010_288.pdf

Meintjes, S. (2005). South Africa: Beyond numbers. In International IDEA, *Women in parliament: Beyond numbers* (Revised Edition). Retrieved from http://www.idea.int/publications/wip2/upload/WiP_inlay.pdf

Miller R. (2005). *Party politics in New Zealand,* Auckland, NZ: Oxford University Press.

Mills, J.S. (2008). *On liberty and other essays*. Edited by John Gray. Oxford, England: Oxford University Press.

Milner, H. (1999). The case for proportional representation in Canada. In H. Milner, (Ed.), *Making every vote count: Reassessing Canada's electoral system* (pp. 37-49). Peterborough, ON: Broadview Press.

Milner, H. (Ed.). (2004). *Steps toward making every vote count: Electoral system reform in Canada and its provinces*. Peterborough, ON: Broadview Press.

Ministry for Culture and Heritage (MCH). (2009). *New Zealand history online: Political and constitutional timeline.* Retrieved from http://www.nzhistory.net.nz/politics/milestones

Ministry of Justice. (2011). Marine and Coastal Area---About the legislation. Retrieved from http://www.justice.govt.nz/policy/constitutional-law-and-human-rights/marine-and-coastal-area-takutai-moana/about-the-legislation

Ministry of Justice. (2010). New Zealand: Reviewing the Foreshore and Seabed Act

2004. Retrieved from http://prensa.politicaspublicas.net/index.php/alatina/new-zealand-reviewing-foreshore-act?page=3

Ministry of Justice. (2007). A review of the Domestic Violence Act 1995 and related legislation: A discussion document. Retrieved from http://www.justice.govt.nz/publications/global-publications/r/a-review-of-the-domestic-violence-act-1995-and-related-legislation-a-discussion-document-december-2007

Ministry of Women Affairs. (2010). Timeline. Retrieved from http://www.mwa.govt.nz/women-innz/timeline/1800.html

Mulgan, R. (2004). *Politics in New Zealand*. Auckland, NZ: Auckland University Press.

Nagel, J.H. (1994). What political scientists can learn from the 1993 electoral reform in New Zealand. *Political Science and Politics*, 27 (3), 525-529.

National Business Review. (2008). National confirms policy to abolish Māori seats. Retrieved from http://www.nbr.co.nz/article/national-confirms-policy-abolish-Māori-seats-35774

National Council of Women-women and the vote. (2012). Beyond suffrage. Retrieved from http://www.nzhistory.net.nz/politics/womens-suffrage/national-council-of-women

New Zealand Electoral Commission. (2008). General election, official count results. Retrieved from http://www.parliament.nz/NR/rdonlyres/5C49DDB6-5058-47AA-BA07-2955B47F8005/96299/FinalResults2008GeneralElection1.pdf

New Zealand Electoral Commission. (2006). *Māori electoral option resource kit.* Retrieved from http://www.elections.org.nz/news/meo-resource-kit.html

New Zealand First Party. (2011). New Zealand First election manifesto. Retrieved from http://nzfirst.org.nz/sites/nzfirst/files/manifesto2011-4.pdf

New Zealand Herald. (2011). Māori MP notes foreshore and seabed regret in parting speech. Retrieved from http://www.nzherald.co.nz/politics/news/article.cfm?c_id=280&objectid=10755079&ref=rss

New Zealand Herald (2004). No surrender vows te Heuheu as she loses role. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=3547313

New Zealand History Online (2010). Female MPs 1933-2002 (graph).

Retrieved from http://www.nzhistory.net.nz/media/photo/women-mps-in-parliament

New Zealand History Online. (2007). Ten reasons why the women of New Zealand should vote. Retrieved from http://www.nzhistory.net.nz/media/photo/ten-reasons-for-vote

New Zealand Labour Party. (2012). Principles. Retrieved from http://www.labour.org.nz/about-us

New Zealand Labour Party Constitution and Rules. (2011). Retrieved from http://www.elections.org.nz/files/Labour_Party_Rules_1.pdf

New Zealand Labour Party. (2006). Human Rights Act clarified to include gender identity [Media statement]. Retrieved from http://www.changelingaspects.com/PDF/Human%20Rights%20Act%20clarified%20to%20include%20gender%20identity%20-%2022%20August.pdf

New Zealand National Party. (2007). National confirms position on Māori seats. Retrieved from http://www.national.org.nz/Article.aspx?articleId=9245

New Zealand National Party. (2008). Policy 2008: Electoral law Retrieved from http://www.national.org.nz/files/2008/electoral_law.pdf

New Zealand National Party. (2011a). National-Māori Party Accord and Agreement announced. Retrieved from http://www.national.org.nz/Article.aspx?ArticleId=37697

New Zealand National Party. (2011b). Constitution and rules. Retrieved from www.national.org.nz

National Party. (2012). What National stands for? Retrieved from http://www.national.org.nz/About/standsfor.aspx

New Zealand Parliament. (2009). Misuse of Drugs (Medicinal Cannabis) Amendment Bill---First reading, *655*, p. 4850. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/9/6/a/49HansD_20090701_00001165-Misuse-of-Drugs-Medicinal-Cannabis-Amendment.htm

New Zealand Parliament. (2010). Launch of simultaneous interpretation in the House. Retrieved from http://www.parliament.nz/en-NZ/AboutParl/HowPWorks/Speaker/Speeches/d/6/8/49SpeakSpeech090220101-Launch-of-Simultaneous-Interpretation-in-the.htm

New Zealand Parliament (2012). Parliamentary parties.

Retrieved from http://www.parliament.nz/enNZ/MPP/Parties/

Nolan, M, & Daley, C. (1994). Suffrage and beyond: International feminist perspective. New York, NY: New York University Press.

Norderval, I. (1985). Party and legislative participation among Scandinavian women. In S. Bashevkin, (Ed.). *Women and politics in Western Europe (pp. 71-89).* London, England: Frank Cass.

Norris, P. (2004a). Electoral engineering: Voting rules and political behaviour. Cambridge, England: Cambridge University Press.

Norris, P. (2004b). Increasing women's representation in Iraq: What strategies would work best? Harvard University: John F. Kennedy School of Government.

Norris, P. (2006). The impact of electoral reform on women's political representation. *Acta Politica*, *41* (2), 197-213.

Norris, P., & Lovenduski, J. (1995). *Political recruitment: Gender, race and class in the British parliament.* Cambridge, England: Cambridge University Press.

O'Connor, R.J. (1991). The future of Māori representation in parliament. *New Zealand Law Journal.* May, 175-178.

Office of the Clerk of the House of Representatives. (2010). Members' bills. Retrieved from http://www.parliament.nz/en-NZ/AboutParl/HowPWorks/FactSheets/6/1/5/00HOOOCPubResAboutFactSheetsProcess1-Parliament-Brief-The-legislative.htm#_Toc143945577

One New Zealand Foundation. (2012). Māori---A people one sees in legislation. Retrieved from http://onenzfoundation.co.nz/wordpress/articles/Māori-a-people-one-sees-in-legislation/

Parliamentary Counsel Office: New Zealand Legislation. (2002). Parental Leave and Employment Protection (Paid Parental Leave) Amendment Act 2002. Retrieved from http://www.legislation.govt.nz/act/public/2002/0007/latest/DLM134350.html

Parliamentary Counsel Office: New Zealand Legislation. (2012). Domestic Violence Act 1995. Retrieved from http://www.legislation.govt.nz/act/public/1995/0086/latest/whole.html

Parliamentary Library. (2002a). Provisional results for the 2002 New Zealand general election. Retrieved from http://www.parliament.nz/NR/rdonlyres/9D03018B-2242-4BBA-BCBA-C25C493435D1/348/025ProvisionalElection2003.pdf

Parliamentary Library. (2002b). Final results 2002 general election and trends in election outcomes 1990-2002. http://www.parliament.nz/NR/rdonlyres/66A07AE7-54D4-433A-85E7-05B744D63780/350/026FinalElectionResults1.pdf

Parliamentary Library. (2005). Final Results 2005 general election. Retrieved from http://www.parliament.nz/en-NZ/ParlSupport/ResearchPapers/4/0/b/40bcd378849e4ff59302bdc5d2f2fe02.htm

Parliamentary Library. (2006). Electoral (Reduction in Number of Members of Parliament) Amendment Bill (member's bill, Barbara Stewart): Bills Digest No 1338. Retrieved from http://www.parliament.nz/en-NZ/PB/Legislation/Bills/BillsDigests/6/f/3/6f36c5c5f5364bc6b1ee56dcacf4db07.htm

Parliamentary Library. (2008a). The origins of the Māori Seats. Retrieved from http://www.victoria.ac.nz/stout-centre/about/events/events-past conferences/publications/8th-Parlconference-Wilson.pdf

Parliamentary Library. (2008b). Domestic Violence (Enhancing Safety) Bill 2008. Retrieved from http://www.parliament.nz/en-NZ/PB/Legislation/Bills/BillsDigests/8/d/4/49PLLawBD16551-Domestic-Violence-Enhancing-Safety-Bill-2008-Bills.htm

Parliamentary Library. (2008c). Final results 2008 general election. Retrieved from http://www.parliament.nz/NR/rdonlyres/5C49DDB6-5058-47AA-BA07-2955B47F8005/96299/FinalResults2008GeneralElection1.pdf

Parliamentary Library. (2009). *The origins of the Māori Seats.* Retrieved from http://www.parliament.nz/NR/rdonlyres/49B230C1-9D94-4B2B-99DF-C58EF3F9965C/144111/OriginsoftheMāoriSeatsPDFversion1.pdf

Parliamentary Library. (2011a). Marine and Coastal Area (Takutai Moana) Bill 2010 Supplementary Order Papers No 207. Retrieved from http://www.parliament.nz/en-NZ/PB/Legislation/Bills/BillsDigests/a/8/e/49PLLawBD18461-Marine-and-Coastal-Area-Takutai-Moana-Bill-2010-Supplementary.htm

Parliamentary Library. (2011b). Parliamentary voting systems in New Zealand and the referendum on MMP. Retrieved from http://www.parliament.nz/NR/rdonlyres/EE86F1B4-85D3-44F9-8839-DF56BF08C42C/206392/ParliamentaryVotingSystemsinNewZealandformattedfor.pdf

Parliamentary Library. (2012). The 2011 general election. Retrieved from http://www.parliament.nz/NR/rdonlyres/BF9D0810-3BCF-4F6B-8B3C-6DE1F15647B2/208160/The2011GeneralElection3.pdf

Pennock J.R. (1979). *Democratic political theory*. Princeton, NJ: Princeton University Press.

Pennock, J. R., & Chapman, J. (1968). *Representation*. New York, NY: Atherton Press.

Phillips, A. (1995). *The politics of presence*. Oxford, England: Oxford University Press.

Pitkin, A. (1967) *Representation*. Berkeley, CA: University of Carolina Press.

Pitre, S. (2003). Women's struggle for legislative power: The role of political parties. *Atlantis, 27*, (2), 102-109.

Rawls, J. (1996) *Political liberalism*. New York, NY: Columbia University Press.

Referendum.org. NZ. (2011). Referendum on the voting system. Retrieved on http://www.electionresults.govt.nz/electionresults_2011/referendum.html

Royal Commission on the Electoral System. (1986). *Report of the Royal Commission on the Electoral System: Towards a better democracy*. Wellington, NZ:: V.R. Ward, Government Printer

Report of the Waitangi Tribunal on the Waiheke Island Claim. (1987). Overviews and recommendation. Part 7(4), para. 3.1. Waitangi Tribunal Department of Justice: Wellington, New Zealand. Retrieved from http://www.waitangi-tribunal.govt.nz/reports/viewchapter.asp?reportID=6E18D794-ADD1-4EAC-88D7-0C4BDBAC08A3&chapter=14

Reynolds, A. (2006). Electoral systems and the protection and participation of minorities. Minority Rights Group International. Retrieved from http://www.agora-parl.org/sites/default/files/MRG%20-%20Electoral%20Systems%20-%202006%20-%20EN%20-%20PDP.pdf

Reynolds, A., Reilly, B., & Ellis, A. (2005). *Electoral system design: The new international IDEA handbook*. Stockholm, Sweden: International IDEA.

Rule, W. (1987). Electoral systems, contextual factors, and women's opportunity for election to parliament in twenty-three democracies. *Western Political Quarterly 33*, 477-98.

Rule, W. (1994). Women's underrepresentation and electoral systems. *Political*

Science and Politics, 27(4), 689-692.

Ruru, J. (2004). A politically fuelled tsunami: The Foreshore/Seabed controversy in Aotearoa me Te Waipounamu/New Zealand. *The Journal of Polynesian Society, 113,* (1).

Salmond, R (2003). Choosing the candidates: Labour and National in 2002. In J. Boston., S. Church., S. Levine., E. McLeay., & N. S. Roberts (Eds.). *New Zealand votes: The general election of 2002 (pp. 192-208).* Wellington, NZ: Victoria University Press.

Sawer, M. (2004). When women support women…EMILY's list and the substantive representation of women in Australia. Refereed paper presented to the Australasian Political Studies Association Conference University of Adelaide. Retrieved from http://www.adelaide.edu.au/apsa/docs_papers/Aust%20Pol/Sawer.pdf

Sawer, M., & Curtin, J. (2011). Oceania. In G. Bauer & M. Tremblay, (Eds.). *Women in executive power: A global overview*. London, England: Routledge.

Scheiner, E. (2008). Does electoral system reform work? Electoral system lessons from reforms of the 1990s. *The Annual Review of Political Science, 11*, 161-81

Schmidt, G. (2003, February,). Unanticipated successes: Lessons from Peru's experiences with gender quotas in majoritarian, closed list and open list PR systems. Paper presented at the International IDEA Workshop: The Implementation of quotas: Latin American experiences. Lima, Peru.

Schwindt-Bayer, L.A., & W. Mishler. (2005). An integrated model of women's representation. *Journal of Politics, 67* (2), 407-28.

Scoop Parliament: Independent News. (2007a). Māori Party welcomes move to abolish sedition [Press Release]. Retrieved from http://www.scoop.co.nz/stories/PA0706/S00158.htm

Scoop Parliament: Independent News. (2007b). Simultaneous interpretation: Impact of Māori voice. Retrieved from http://www.scoop.co.nz/stories/PA0705/S00388.htm

Scoop Parliament: Independent News. (2001). Christmas present for special helpers: New Zealand National Party [Press Release]. Retrieved from http://www.scoop.co.nz/stories/PA0112/S00249.htm

Sharples, P. (2010). Whenua: Sustainable futures with Māori land. *Beehive.gov.nz*.

Retrieved from http://feeds.beehive.govt.nz/speech/whenua-sustainable-futures-m%C4%81ori-land

Shugart, M. (1994). Minorities, represented and unrepresented. In W. Rule & J. F. Zimmerman (Eds.). *Electoral systems in comparative perspective: Their impact on women and minorities* (pp. 31–41). Westport, CT: Greenwood Press.

Shugart, M., & Wattenberg, M.P. (2001). *Mixed member electoral systems: The best of both worlds*. Oxford, England: Oxford University Press.

Shvedova, N. (1998). Obstacles to women's participation in parliament. In A. Karam (Ed.). *Women in parliament: Beyond numbers* (pp. 19-41). Stockholm, Sweden: IDEA.

Skard, T. & E. Haavio-Mannila. (1985). Women in parliament. In Haavio-Mannila, E. (Ed.). *Unfinished democracy: Women in Nordic politics (pp. 51-80).* Oxford, England: Pergamon Press.

Sorrenson, M.P.K. (1986). A history of Māori representation in parliament. *Appendix B. Report of The Royal Commission on the Electoral System 1986: Towards a Better Democracy.* Wellington, NZ: V.R. Ward, Government Printer

Spindler, R. (2009). Members' Bill in the New Zealand parliament. *Political Science, 61* (1), 51-79.

Statistics New Zealand. (2001). Ethnic Groups---Reference Report. Retrieved from http://www.stats.govt.nz/Census/2001-census-data/2001-census-ethnic-groups.aspx

Statistics New Zealand. (2004). 1996 Census of Population and Dwellings, Ethnic Groups. Table 1 Retrieved from Retrieved from http://www2.stats.govt.nz/domino/external/pasfull/pasfull.nsf/7cf46ae26dcb6800cc256a62000a2248/4c2567ef00247c6acc256b6d00070563?OpenDocument

Statistics New Zealand. (2006). National Population Estimates (table 1). Retrieved from http://www.stats.govt.nz/browse_for_stats/population/estimates_and_projections/national-pop-estimates.aspx

Statistics New Zealand. (2005). *Māori population: looking out to 2021*. Prepared for Hui Taumata, Wellington: Statistics New Zealand.

Stephens, G. and Leslie, J. (2011). Parties, organizational capacities and external change: New Zealand's National and Labour parties, candidate selection and the advent of MMP. *Political Science, 63,* 205-218.

Stokes, S.C. (1999). Political parties and democracy. *Annual Reviews Political Science, 2*, 243-67.

Sullivan, A. (1997). Māori politics and government policies. In R. Miller (Ed.) *New Zealand politics in transition (pp. 361-371)*. Auckland, NZ: Oxford University Press**.**

Sullivan, A. (2003). Effecting change through electoral politics: Cultural identity and the Māori franchise. *Journal of the Polynesian Society*, *112* (3), 219-237.

Swain, C. M. (1993). *Black faces, black interests. The representation of African Americans in Congress*. Cambridge, MASS: Harvard University Press.

Swers, M. (2002). *The difference women make: The policy impact of women in congress*. Chicago, ILL: University of Chicago Press.

The Social Report. (2010). Ethnic composition of the population. Retrieved from http://www.socialreport.msd.govt.nz/people/ethnic-composition-population.html

Thernstrom, A. (1987). *Whose votes count? Affirmative action and minority voting rights*. Cambridge, MA: Harvard University Press.

Thomas, S. (1994). *How Women Legislate*. New York: Oxford University Press.

Tremblay, M., (1998). Do female MPs substantively represent women? A study of legislative behaviour in Canada's 35th parliament. *Canadian Journal of Political Science, 31* (3), 435-465.

Tremblay, M. (2003). Women's representational role in Australia and Canada: The impact of political context. *Australian Journal of Political Science, 38* (2), 215–238.

Tremblay, M. (2005). Women's political representation: Does the electoral system matter? *Political Science*, *57*(1), 59-75

Tremblay, M. (2007). Electoral systems and substantive representation of women: A comparison of Australia, Canada and New Zealand. *Commonwealth & Comparative Politics*, *45*(3), 278–302

Tremblay, M. & L. Trimble, (2003). Women and electoral politics in Canada: A survey of the literature. In M. Tremblay., & L. Trimble (Eds.), *Women and Electoral Politics in Canada* (pp. 1-20). Don Mills, Ontario: Oxford University Press.

Trimble, L. (1997). Feminist politics in the Alberta Legislature, 1972–1994. In J. Arscott., & L. Trimble (Eds). *In the presence of women: Representation in Canadian governments (pp. 128-154)*. Toronto, ON: Harcourt Brace.

TVNZ. (2007). Brash launches fresh attack on Māori seats. Retrieved from http://tvnz.co.nz/national-news/brash-launches-fresh-attack-Māori-seats-3921162

Turia, T. (2006). Being a Māori woman in politics [Press Release]. *Scoop Independent News*. Retrieved from http://www.scoop.co.nz/stories/PA0609/S00509.htm

United Future. (2012). Our principles. Retrieved from http://www.unitedfuture.org.nz/our-principles/

United Nations. (1992). United Nations declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities. *Office of the High Commissioner For Human Rights*. Retrieved from http://www.unhchr.ch/html/menu3/b/d_minori.htm

United Nations. (1995). *The Beijing Declaration 1995. Section 13*. Retrieved from http://www.un.org/womenwatch/daw/beijing/platform/declar.htm

United Nations. (2005). International convention on the elimination of all forms of racial discrimination. Retrieved from http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.66.NZL.Dec.1.pdf

Urbinati, N. (2000). Representation as advocacy: A study of democratic Deliberation. *Political Theory*, *28*, 258–786.

Venter, N. (2004). A Foreshore and Seabed deal Māori seat MPs can live with. *The Dominion Post, 22.*

Vowles, J. (1995). The politics of electoral reform in New Zealand. *International Political Science Review 16*, 95–115.

Vowles, J, (2009). The 2008 general election in New Zealand. *Electoral Studies, 28*, 492-517.

Vowles. J., Aimer, P., Catt. H., Lamare, J., & Miller, R. (1995). *Towards consensus? The 1993 general election and referendum in New Zealand and the transition to proportional representation***.** Auckland, NZ: Auckland University Press.

Vowles, J., & Aimer, P. (2004). Political leadership, representation and trust. In J.

Vowles., P. Aimer., S. Banducci., J. Karp., & R. Miller (Eds.) *Voters' veto: the 2002 election in New Zealand and the consolidation of minority government* Auckland: Auckland University Press.

Vowles, J., Banducci, S., & Karp, J. (2006). Forecasting and evaluating the consequences of electoral change in New Zealand. *Acta Politica*, *41*, 267-284.

Waitangi Tribunal. (1994). *Māori electoral option report: Māori representation in parliament: An historical overview*. (WAI 413). Brookers, Wellington: NZ.

Waitangi Tribunal Report (2004). Report on the Crown's Foreshore and Seabed policy. Retrieved from http://www.waitangitribunal.govt.nz/scripts/reports/reports/1071/00AEFB80-5FE0-4D2E-AD9E-0F45E36B91AE.pdf

Waitangi Tribunal (2012). The Treaty of Waitangi: Meaning of the Treaty. Retrieved from http://www.waitangitribunal.govt.nz/treaty/

Wängnerud, L. (2009). Women in parliaments: Descriptive and substantive representation. *Annual Review of Political Science*, *12*, 51-69.

Ward A. (1995). *A show of justice: Racial 'amalgamation' in nineteenth century New Zealand*. Auckland, NZ: Auckland University Press.

Whitby, K (2000). The color of representation: Congressional behavior and Black interests. Ann Harbour, MI: University of Michigan Press.

Williams, M. (1998). *Voice, trust, and memory: Marginalized groups and the failings of liberal representation*. Princeton, NJ: Princeton University.

Wilson, M (1992). Women and the Labour Party. In Margaret Clark (Ed.), *The Labour Party after 75 Years*. Wellington, NZ: Department of Politics, Victoria University of Wellington.

Women for MMP. (2010). *Representing women: MMP and women's political representation in New Zealand*. A report prepared for Women by MMP by Ana Gilling and Sandra Grey. Retrieved from http://www.campaignformmp.org.nz/sites/default/files/representing-women-gilling-and-grey-2010.pdf

Xanthaki, A., & D. O'Sullivan. (2007). Good practices of indigenous political participation: Māori participation in New Zealand elective bodies. Research on best practices for the implementation of the principles of ILO, Convention No. 169.

Young, A. (2004). Beyer switches to vote for government on Foreshore. *The New Zealand Herald*, Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=3561288

Young, I. M. (2000). *Inclusion and democracy*. Oxford, England: Oxford University Press.

Young, I.M. (1990). *Justice and the politics of difference*. Princeton, NJ: Princeton University Press

Young, I. M. (1997). Deferring group representation. In I. Shapiro & W. Kymlicka, (Eds). In *Ethnicity and group rights: NOMOSXXYIX (pp. 349-376).* New York, NY: New York University Press.

Young, L. (1997). Fulfilling the mandate of difference: Women in the Canadian House of Commons. In J. Arscott., & L. Trimble (Eds.). *In the presence of women: Representation in Canadian governments (pp. 82-103).* Toronto, On: Harcourt Brace & Company.

Primary Sources:

Batten, A. (1999). Parliamentary debate---Paid Parental Leave Bill: Consideration of Report of Social Services Committee. Retrieved from http://www.vdig.net/hansard/content.jsp?id=74612

Bennett, P. (2005). New Zealand parliamentary debate: Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---first Reading. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/8/2/48HansD_20051206_00001288-Parental-Leave-and-Employment-Protection.htm

Beyer, G. (2000). New Zealand parliamentary debate: Address in reply. Retrieved from http://www.vdig.net/hansard/content.jsp?id=75604

Bradford, S. (2007). New Zealand parliamentary debate: Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---first reading, *628*, p. 583. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/8/2/48HansD_20051206_00001288-Parental-Leave-and-Employment-Protection.htm

Borrows, C. (2008). New Zealand parliamentary debate: Domestic Violence (Enhancing Safety) Bill---first reading, *651*, p. 979. Retrieved from http://www.parliament.nz/en-

NZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Bridges, S. (2010). Marine and Coastal Area (Takutai Moana) Bill---first reading, *666*, p. 13997. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/7/1/7/49HansD_20100915_00000778-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Chadwick, S. (2005). Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---first reading, *628*, p. 598. Retrieved from http://www.parliament.nz/mi-NZ/PB/Debates/Debates/Speeches/a/9/e/48HansS_20051206_00001413-Chadwick-Steve-Parental-Leave-and-Employment.htm

Clarke, H. (2004). New Zealand Parliament: Address to Governor General Parliamentary debates. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/b/0/d/47HansD_20040524_00000001-Address-to-Her-Excellency-the-Governor-General.htm

Dalziel, L. (1994). New Zealand parliamentary debate---Domestic Violence: Introduction. Retrieved from http://www.vdig.net/hansard/content.jsp?id=44843

Davies, S. (1988). New Zealand parliamentary debate: General. Retrieved from http://www.vdig.net/hansard/content.jsp?id=5906

Davis, K. (2011). Marine and Coastal Area (Takutai Moana) Bill---third reading, *671*, p. 17626. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/4/3/c/49HansD_20110324_00000943-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Delamere, T. (2005). Maiden Speech. Māori political issues blogspot. Retrieved from http://Māoripolitics.blogspot.com/2005/05/maiden-speech-of-tuariki-delamere.html

Dover, S. (2004). Foreshore and Seabed Bill---second reading. Retrieved from http://www.parliament.nz/en NZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Duncan, H. (2002). New Zealand parliamentary debates. Retrieved from http://www.vdig.net/hansard/content.jsp?id=95098

English, B . (2010). Marine and Coastal Area (Takutai Moana) Bill---first reading.

Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/7/1/7/49HansD_20100915_00000778-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Fenton, D. (2006). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill-Second Reading, *630*, p. 2614. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/0/3/8/48HansD_20060502_00000764-Parental-Leave-and-Employment-Protection.htm

Flavell, T. (2005). Maiden Address. *Scoop Independent News: Parliament.* Retrieved from http://www.scoop.co.nz/stories/PA0511/S00364.htm

Goodhew, J. (2006). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---second reading, *630*, p. 2614. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/0/3/8/48HansD_20060502_00000764-Parental-Leave-and-Employment-Protection.htm

Gordon, L. (2001). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Graham, K. (2008). Domestic Violence (Enhancing Safety) Bill---second reading, *657*, p. 6728. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/1/f/8/49HansD_20090922_00000890-Domestic-Violence-Enhancing-Safety-Bill.htm

Harawira, H. (2005). Maiden Address. *Scoop Independent News: Parliament*. Retrieved from http://www.scoop.co.nz/stories/PA0511/S00321.htm

Harawira, H. (2008). New Zealand parliamentary debate: Domestic Violence (Enhancing Safety) Bill---first reading, *651*, p. 979. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Horomia, P. (2000). Maiden speech. *The Jobs Letter*, *6* (119). http://www.jobsletter.org.nz/jbl11912.htm

Horomia, P. (2004a). Foreshore and Seabed Bill [17167]. New Zealand parliamentary

debate. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2004&m=11&d=16&o=46&p=46

Horomia, P. (2004b). Foreshore and Seabed Bill---procedure, second reading, *621*, p. 16930. House of Representatives. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/5/5/8/47HansD_20041116_00001271-Foreshore-and-Seabed-Bill-Procedure-Second.htm

Horomia, P. (2004c). Horomia, Parekura: Foreshore and Seabed Bill---first reading, *617*, p. 12724. House of Representatives. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/Speeches/4/2/8/47HansS_20040506_00000901-Horomia-Parekura-Foreshore-and-Seabed-Bill.htm

Horomia, P. (2010). Marine and Coastal Area (Takutai Moana) Bill---first reading, *666*, p. 13997. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/7/1/7/49HansD_20100915_00000778-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Hutchinson, P. (2001). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Kedgley, S. (2001). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Kedgley, S. (2006). New Zealand parliamentary debate: Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---third reading, *631*, p. 2930. Retrieved from http://www.parliament.nz/mi-NZ/PB/Debates/Debates/1/f/f/48HansD_20060510_00000995-Parental-Leave-and-Employment-Protection.htm

Kedgley, S.(2008). New Zealand parliamentary debate: Domestic Violence (Enhancing Safety Bill)---first reading, *651*, p. 979. http://www.parliament.nz/en-NZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Laban, L. W. (2004). Parliamentary debate: General debate, *11311*. http://www.vdig.net/hansard/content.jsp?id=106089

Lee, S.. (1994). New Zealand parliamentary debate: Domestic Violence Bill: Introduction. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=1994&m=11&d=29&o=210&p=222

Mahuta, N (2004). Foreshore and Seabed Bill---second reading. http://www.parliament.nz/en NZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Moroney, S. (2006). Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---third reading, *631*, p. 2930. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/8/d/8/48HansD_20060510_00000995-Parental-Leave-and-Employment-Protection.htm

Moroney, S. (2008). New Zealand parliamentary debate: Domestic Violence (Enhancing Safety Bill---first reading, *651*, p. 979. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Parata, H. (2008). Maiden speech. National. Retrieved from http://www.national.org.nz/Article.aspx?articleId=29130

Peters, W. (2004). Foreshore and Seabed Bill---first reading, *617*, p. 12718. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Pettis, J. (1994). Parliamentary Debate---Domestic Violence Bill: Introduction. Retrieved from http://www.vdig.net/hansard/content.jsp?id=44845

Pillay, L. (2006). New Zealand parliamentary debate: Electoral (Reduction in No. Members) Amendment Bill---first reading, *629*, p. 1834. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/e/f/e/48HansD_20060315_00001001-Electoral-Reduction-in-Number-of-Members.htm

Pillay, L. (2008). New Zealand parliamentary debate: Domestic Violence (Enhancing Safety Bill-First Reading, *651*, p. 979. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Prasad, R.(2008). New Zealand parliamentary debate: Domestic Violence

(Enhancing Safety) Bill---first reading, *651*, p. 979. Retrieved from Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/7/8/4/49HansD_20081218_00000231-Domestic-Violence-Enhancing-Safety-Bill.htm

Ririnui, M. (2000). Maiden speech. *Scoop independent news: Parliament.* Retrieved from http://www.scoop.co.nz/stories/PA0002/S00071.htm

Ririnui, M. (2004). Foreshore and Seabed Bill---second reading. Instruction to committee, in committee, *621*, p. 16961. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/4/6/e/47HansD_20041117_00000001-Foreshore-and-Seabed-Bill-Second-Reading.htm

Ririnui, M. (2010). Marine and Coastal Area (Takutai Moana) Bill---first reading, *666*, p. 13997. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/7/1/7/49HansD_20100915_00000778-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Scott, L. (2002). Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---second reading. Retrieved from http://www.vdig.net/hansard/content.jsp?id=92574

Shanks, K. (2009). New Zealand parliamentary debates: Domestic Violence (Enhancing Safety) Bill---second reading, *657*, p. 6728. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/1/f/8/49HansD_20090922_00000890-Domestic-Violence-Enhancing-Safety-Bill.htm

Sharples, P. (2005). Maiden Speech. *Māori Party*. Retrieved from http://Māoripartymps.org/?p=3849

Sharples, P (2011). Marine and Coastal Area (Takutai Moana) Bill---third reading, *671*, p. 17634 Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/Speeches/f/4/c/49HansS_20110324_00000987-Turei-Metiria-Marine-and-Coastal-Area-Takutai.htm

Shipley, J. (1995). New Zealand parliamentary debate: General. Retrieved from http://www.vdig.net/hansard/content.jsp?id=48306

Shirley, K. (2002). Bills Digest: Electoral (Racially-Based Representation) Referendum Bill 2001. *New Zealand parliamentary library.* Retrieved from http://www.parliament.nz/NR/rdonlyres/C225F27F-9994-4F5C-9539EA3EE01A94F4/50304/922ElectoralReferendum1.pdf

Simcock, B. (2001). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Smith, N. (2001). New Zealand parliamentary debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Tamihere, J. (2000). Maiden speech. *Scoop independent news: Parliament*. Retrieved from http://www.scoop.co.nz/stories/PA0002/S00128.htm

Tamihere, J. (2004). Foreshore and Seabed Bill---first reading, *617*, p. 12718. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Te Heuheu, G. (1998). New Zealand parliamentary debate---General. Retrieved from http://www.vdig.net/hansard/content.jsp?id=66448

Te Heuheu, G. (2004). Foreshore and Seabed Bill---first reading, *617*, p. 12718. New Zealand parliament. Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm (Accessed August 15, 2012).

Tennet, E. (1994). New Zealand parliamentary debate: Domestic Violence Bill---Introduction. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=1994&m=11&d=29&o=210&p=222

Tolley, A. (2002). New Zealand parliamentary debate, *599*, p. 15439

Tolley, A. (2001). New Zealand Parliamentary Debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill---first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

Turei, M. (2002). Maiden speech. *Green Party*. Retrieved from http://www.greens.org.nz/speeches/maidenspeech-metiria-turei

Turei, M. (2004). Foreshore and Seabed Bill---first reading, *617*, p. 12718. *New Zealand parliament.*

Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Turei, M (2011). Marine and Coastal Area (Takutai Moana) Bill---third reading, *671*, p. 17634 Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/Speeches/f/4/c/49HansS_20110324_00000987-Turei-Metiria-Marine-and-Coastal-Area-Takutai.htm

Turia, T. (2004). Foreshore and Seabed Bill---first reading, *617*, p. 12718. *New Zealand parliament.* Retrieved from http://www.parliament.nz/enNZ/PB/Debates/Debates/3/c/3/47HansD_20040506_00000830-Foreshore-and-Seabed-Bill-First-Reading.htm

Turia, T. (2010). Marine and Coastal Area (Takutai Moana) Bill---first reading, *666*, p. 13997. http://www.parliament.nz/enNZ/PB/Debates/Debates/7/1/7/49HansD_20100915_00000778-Marine-and-Coastal-Area-Takutai-Moana-Bill.htm

Turner, J. (2005). New Zealand parliamentary debate---Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Bill---first reading, *628*, p. 583. Retrieved from http://www.parliament.nz/en-NZ/PB/Debates/Debates/3/8/2/48HansD_20051206_00001288-Parental-Leave-and-Employment-Protection.htm

Webster, P. (2001). New Zealand Parliamentary Debates: Parental Leave and Employment Protection (Paid Parental Leave) Amendment Bill--first reading. Retrieved from http://www.vdig.net/hansard/archive.jsp?y=2001&m=12&d=13&o=18&p=27

APPENDIX A

List of Interviewees

Female MPs

Dianne Yates: Labour Party (List and Electorate)

Elizabeth Tennet: Labour Party (Electorate)

Margaret Wilson: Labour Party (List)

Jacinda Ardern: Labour Party (List)

Jeanette Fitzsimons: Green Party (List)

Joy Quigley: National Party (Electorate and List)

Sue Bradford: Green Party (List)

Māori MPs

Pita Paraone: New Zealand First Party (List)

Tuariki Delamare: New Zealand First Party (Electorate)

Shane Jones: Labour Party (List)

Introductory Letter and Interview Request (Former Female MPs)

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050.
Saint John, N.B. E2L 4L5

To:

My name is Tracy-Ann Johnson and I am currently conducting research for my PhD in Interdisciplinary Studies at the University of New Brunswick (Canada). As a visible minority, I am especially interested in the level of representation that minority and underrepresented groups enjoy both in parliament, and the decision-making process. My dissertation research focuses on the extent to which the Mixed Member Proportional electoral system has increased or enhanced descriptive and substantive representation for women and Māori in New Zealand.

I would appreciate it if you would be willing to participate in a telephone interview with me for approximately 30 minutes, at a time convenient to you to talk about your personal views and knowledge on the role of female MPs in New Zealand's parliament. The interview will consist of 10 short questions. Attached is the list of questions that will be asked during the interview. This research has been approved by the University of New Brunswick Research Ethics Board (REB File Number**: 029-2012)**

As a former female Member of Parliament, you will have very useful and important knowledge that will be highly valuable to this research. Your contribution to this research will help me to analyze and understand the responsibilities and role of female MPs in parliament. The findings from this study will not only contribute to an improved understanding of the effects of the Mixed Member Proportional electoral system on women and minority representation, but it will also have implications for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform.

The information gathered from this interview will be used for the purpose of my dissertation, and any publications stemming from it. A copy of the dissertation will be made available to you upon completion if you so desire.

In the event that you do wish to participate in a telephone interview with me, please also find attached, a written consent form which outlines your rights as an interviewee, and how the data provided as well as your identify will be protected. Thank you for your consideration of this request, and I look forward to hearing from you. If you have any questions or concerns, please do not hesitate to let me know.

Introductory Letter and Interview Request (Current Female MPs)

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

To:

My name is Tracy-Ann Johnson and I am currently conducting research for my PhD in Interdisciplinary Studies at the University of New Brunswick (Canada). As a visible minority, I am especially interested in the level of representation that minority and underrepresented groups enjoy both in parliament, and the decision-making process. My dissertation research focuses on the extent to which the Mixed Member Proportional electoral system has increased or enhanced descriptive and substantive representation for women and Māori in New Zealand.

I would appreciate it if you would be willing to participate in a telephone interview with me for approximately 30 minutes, at a time convenient to you to talk about your personal views and knowledge on the role of female MPs in New Zealand's parliament. The interview will consist of 10 short questions. Attached is the list of questions that will be asked during the interview. This research has been approved by the University of New Brunswick Research Ethics Board (REB File Number**: 029-2012)**

As a current female Member of Parliament, you will have very useful and important knowledge that will be highly valuable to this research. Your contribution to this research will help me to analyze and understand the responsibilities and role of female MPs in parliament. The findings from this study will not only contribute to an improved understanding of the effects of the Mixed Member Proportional electoral system on women and minority representation, but it will also have implications for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform.

The information gathered from this interview will be used for the purpose of my dissertation, and any publications stemming from it. A copy of the dissertation will be made available to you upon completion if you so desire.

In the event that you do wish to participate in a telephone interview with me, please also find attached, a written consent form which outlines your rights as an interviewee, and how the data provided as well as your identify will be protected. Thank you for your consideration of this request, and I look forward to hearing from you. If you have any questions or concerns, please do not hesitate to let me know.

Introductory Letter and Interview Request (Former Māori MPs)

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

To:

My name is Tracy-Ann Johnson and I am currently conducting research for my PhD in Interdisciplinary Studies at the University of New Brunswick (Canada). As a visible minority, I am especially interested in the level of representation that minority and underrepresented groups enjoy both in parliament, and the decision-making process. My dissertation research focuses on the extent to which the Mixed Member Proportional electoral system has increased or enhanced descriptive and substantive representation for women and Māori in New Zealand.

I would appreciate it if you would be willing to participate in a telephone interview with me for approximately 30 minutes, at a time convenient to you to talk about your personal views and knowledge on the role of Māori MPs in New Zealand's parliament. The interview will consist of 10 short questions. Attached is the list of questions that will be asked during the interview. This research has been approved by the University of New Brunswick Research Ethics Board (REB File Number**: 029-2012)**

As a former Māori Member of Parliament, you will have very useful and important knowledge that will be highly valuable to this research. Your contribution to this research will help me to analyze and understand the responsibilities and role of Māori MPs in parliament. The findings from this study will not only contribute to an improved understanding of the effects of the Mixed Member Proportional electoral system on women and ethnic minority representation, but it will also have implications for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform.

The information gathered from this interview will be used for the purpose of my dissertation, and any publications stemming from it. A copy of the dissertation will be made available to you upon completion if you so desire.

In the event that you do wish to participate in a telephone interview with me, please also find attached, a written consent form which outlines your rights as an interviewee, and how the data provided as well as your identify will be protected. Thank you for your consideration of this request, and I look forward to hearing from you. If you have any questions or concerns, please do not hesitate to let me know.

Introductory Letter and Interview Request (Current Māori MPs)

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

To:

My name is Tracy-Ann Johnson and I am currently conducting research for my PhD in Interdisciplinary Studies at the University of New Brunswick (Canada). As a visible minority, I am especially interested in the level of representation that minority and underrepresented groups enjoy both in parliament, and the decision-making process. My dissertation research focuses on the extent to which the Mixed Member Proportional electoral system has increased or enhanced descriptive and substantive representation for women and Māori in New Zealand.

I would appreciate it if you would be willing to participate in a telephone interview with me for approximately 30 minutes, at a time convenient to you to talk about your personal views and knowledge on the role of Māori MPs in New Zealand's parliament. The interview will consist of 10 short questions. Attached is the list of questions that will be asked during the interview. This research has been approved by the University of New Brunswick Research Ethics Board (REB File Number**: 029-2012)**

As a current Māori Member of Parliament, you will have very useful and important knowledge that will be highly valuable to this research. Your contribution to this research will help me to analyze and understand the responsibilities and role of Māori MPs in parliament. The findings from this study will not only contribute to an improved understanding of the effects of the Mixed Member Proportional electoral system on women and ethnic minority representation, but it will also have implications for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform.

The information gathered from this interview will be used for the purpose of my dissertation, and any publications stemming from it. A copy of the dissertation will be made available to you upon completion if you so desire.

In the event that you do wish to participate in a telephone interview with me, please also find attached, a written consent form which outlines your rights as an interviewee, and how the data provided as well as your identify will be protected. Thank you for your consideration of this request, and I look forward to hearing from you. If you have any questions or concerns, please do not hesitate to let me know.

Tracy-Ann Johnson (PhD Candidate)

University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

CONSENT FORM

Personal Interview

Research Project: The Mixed Member Proportional Electoral System and Minority Representation: A Case Study of the New Zealand Experience

Researcher:
Tracy-Ann Johnson. Interdisciplinary Studies Doctoral Program, University of New Brunswick; Email: j571z@unb.ca; Tel: 506 333-8345

Supervisors:
Dr. Joanna Everitt. Dean-Faculty of Arts. University of New Brunswick (Saint John); Email: jeveritt@unbsj.ca; Tel: 506-648-5561

Professor Paul Howe. Faculty of Arts. University of New Brunswick (Fredericton); Email: phowe@unb.ca; Tel: 506-458-7495

Dr. Emery Hyslop-Margison. Faculty of Education. University of New Brunswick (Fredericton); Email: ehyslopm@unb.ca; Tel: 506-458-7457

The interview will take no more than 30 minutes of your time.

The purpose of this research is to assess the extent to which the Mixed Member Proportional system has increased both numerical (descriptive) and substantive representation for women and Māori in New Zealand. The benefits to participants will be an opportunity to discuss their present or past experiences in parliament as a list or electorate Member of Parliament. This will enable the researcher to better analyze the effects of the Mixed Member Proportional electoral system on women and Māori. Furthermore, if warranted, it will help the researcher to make recommendations for countries that are seeking to improve representation for its minority and underrepresented groups using electoral reform

The interview is voluntary. You have the right to withdraw from the project at any stage, and the data you provide can be withdrawn at any point until the dissertation has been

published. You are also entitled to have any recordings of the interviews erased or destroyed.

The interview will be digitally recorded, after which I will transcribe it. After transcribing the interview, I will send you a copy of the transcript (within one week of the transcription), and you can then review it and make comments and suggestions if necessary.

If you do not want your identity to be made public in the dissertation, in the final write up I will protect your identity by coding your responses as respondent (1), (2) or (3) and so on. I will however, include your name (and the names of all interviewees) in the appendix section of the report, and so there is a possibility you might be identified.

The consent form will be kept in a locked cabinet in the Department of History and Politics at the University of New Brunswick (Saint John Campus), and will be destroyed after the dissertation has been completed. The transcription of the interview will also be kept in a locked cabinet in the same department until the completion of the study. These documents will only be accessible by the primary researcher (Tracy-Ann Johnson) and/or her dissertation supervisors.

To guarantee confidentiality, the researcher and supervisors will not discuss any data collected during this project with anyone who is not directly involved in the project.

I understand the purpose of this research.

I understand that it is within my right to withdraw from the study at any time without giving a reason.

I understand that I will be given the opportunity to review or comment on the transcript of the interview.

I understand that I may request a copy of the dissertation once it has passed the requirements of a PhD.

I agree / do not agree that I will be digitally recorded.

I understand that the consent form will be stored in a locked cabinet in the Department of History and Politics at the University of New Brunswick (Saint John Campus) until the completion of the study.

I understand that the transcript of the interview will be stored in a locked cabinet in the Department of History and Politics at the University of New Brunswick (Saint John Campus) until the completion of the study.

I understand that I may be identifiable in the dissertation.

By signing this document I hereby consent to participating in an independent semi-structured interview which will be facilitated by Tracy-Ann Johnson, a Doctoral student at the University of New Brunswick, Saint John.

Signed……. Date……..

Questions, concerns or comments about this research project please contact:

Dr. Linda Eyre
Assistant Dean of Interdisciplinary Studies,
University of New Brunswick (Fredericton)
Email: gradist@unb.ca
Tel: 506 453 5161

Dr. Lisa Best
Chair of the Research Ethics Board
Hazen Hall, Room 321A
University of New Brunswick (Saint John)
Email: reb@unb.ca
Tel: (506) 648-5908

APPENDIX B

Interview Questions

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

Current Female MPs

1. Do you believe that the MMP electoral system encourages the election of more women to parliament?
2. What do you think are the implications of having more female representatives in parliament?
3. What do you believe is your primary role as a Member of Parliament?
4. Who do you represent in parliament? Do you feel that you speak or act for women?
5. Do you raise issues of concern to women in caucus? If so, how frequently?
6. Do you think that you have a specific responsibility to represent women because of your gender?
7. Do you think list MPs are better able to represent women's interests than electorate MPs? Why or why not?
8. What are some of the obstacles (internal or external) that have or might limit your ability to represent women?
9. What are some of the gains that you have made in representing women inside parliament?
10. How do you represent women outside parliament? What are some of the gains that you have made in representing women outside parliament?

Former Female MPs

1. Do you believe that the MMP electoral system encourages the election of more women to parliament?
2. What do you think are the implications of having more female representatives in parliament?
3. What do you believe was your primary role as a Member of Parliament?

4. Who did you represent in parliament? Do you feel that you spoke or acted for women?

5. Did you raise issues of concern to women in caucus? If so, how frequently?

6. Do you think that you had a specific responsibility to represent women because of your gender?

7. Do you think list MPs are better able to represent women's interests than electorate MPs? Why or why not?

8. What are some of the obstacles (internal or external) that limited your ability to represent women?

9. What are some of the gains that you have made in representing women inside parliament?

10. How did you represent women outside parliament? What are some of the gains that you made in representing women outside parliament?

Tracy-Ann Johnson (PhD Candidate)
University of New Brunswick (Saint John Campus)
Department of History and Politics
100 Tucker Park Road, P.O. Box 5050
Saint John, N.B. Canada E2L 4L5

Interview Questions

Former Māori MPs

1. Do you believe that the MMP electoral system encourages the election of more Māori to parliament?

2. What do you think are the implications of having more Māori representatives in parliament?

3. What was your primary role as a Member of Parliament?

4. Who did you represent in parliament? Do you feel that you spoke or acted for Māori?

5. Did you raise issues of concern to Māori in caucus? If so, how frequently?

6. Do you think that you had a specific responsibility to represent Māori because of your ethnicity?

7. Do you think list MPs are better able to represent Māori interests than electorate MPs? Why or why not?

8. What are some of the obstacles (internal or external) that might have limited your ability to represent Māori?

9. What are some of the gains that you have made in representing Māori inside parliament?

10. How did you represent Māori outside parliament? What are some of the gains that you have made in representing Māori outside parliament?

Current Māori MPs

1. Do you believe that the MMP electoral system encourages the election of more Māori to parliament?

2. What do you think are the implications of having more Māori representatives in parliament?

3. What do you believe is your primary role as a Member of Parliament?

4. Who do you represent in parliament? Do you feel that you speak or act for Māori?

5. Do you raise issues of concern to Māori in caucus? If so, how frequently?

6. Do you think that you have a specific responsibility to represent Māori because of your ethnicity?

7. Do you think list MPs are better able to represent Māori interests than electorate MPs? Why or why not?

8. What are some of the obstacles (internal or external) that have or might limit your ability to represent Māori?

9. What are some of the gains that you have made in representing Māori inside parliament?

10. How do you represent Māori outside parliament? What are some of the gains that you have made in representing Māori outside parliament?

APPENDIX C

Ethics Committee Requirements

UNIVERSITY OF NEW BRUNSWICK
PO BOX 4040 FREDERICTON, NB CANADA E2L 4L5
TEL 506 453 5189 FAX 506 453 3522 WWW.UNB.CA/RESEARCH
OFFICE OF THE PROVOST & VICE-PRESIDENT (RESEARCH)

July 29, 2013

Ms. Tracy-Ann Johnson
c/o: Dr. Joanna Everitt
Faculty of Arts
UNB - Saint John campus

Project Title: **The Mixed Member Proportional Electoral System and Minority Representation: A Case Study of the New Zealand Experience**
REB File Number**: 029-2012**
Date Application Received – **October 31st, 2012**
Date Application Approved **– November 21st, 2012**

Dear Ms. Johnson,

This is to inform you that the above-named protocol has been approved as submitted.

The period of approval is from November 21st, 2012 to November 20th, 2015.

Please inform me of any changes made to your protocol during the approval period.

And I remind you that the Board requires a brief description of the outcome of the project upon its completion.

Your application received delegated review. For your information I have included the names of the current members of the UNBSJ REB below.

Good luck with your research.

Sincerely,

Dr. Leslie Jeffrey, Acting Chair
Research Ethics Board,
UNB – Saint John Campus

University of New Brunswick Saint John Research Ethics Board
PO Box 5050 Saint John, NB E2L 4L5

CURRICULUM VITAE

TRACY-ANN T. JOHNSON (B.Sc., M.Sc.)
2-4 Canterbury Manor, Apt. 9. Kingston 10
Tel: 876-505-4771
tracyann.johnson@unb.ca

EDUCATIONAL BACKGROUND

Ph.D. Candidate (ABD): Interdisciplinary Studies **2009-present**
University of New Brunswick, Saint John, Canada
Dissertation: Mixed Member Proportional Electoral System and Minority Representation: A Case Study of the New Zealand Experience
(Supervisor: Dr. Joanna Everitt)

Master of Philosophy in Policy Studies (Transferred to Ph.D) **2008-2009**
Politics, Philosophy and Economics Stream,
University of New Brunswick, Fredericton, Canada
Master of Science: Government (Comparative Politics/Political Theory **2006-2008**
University of the West Indies, Mona. Kingston, Jamaica
Thesis: From Reparation to Reconciliation: The importance of reparation in the reconciliation process in post-Apartheid South Africa.
(Supervisors: Dr. Jermaine McCalpin and Prof. Rupert Lewis)

Bachelor of Arts (Hons.): History (major) and Political Science (minor) **2003-2006**
University of the West Indies, Mona. Kingston, Jamaica

SELECTED WORK EXPERIENCE

Teaching Assistant **2008-2012**
University of New Brunswick (Saint John and Fredericton)
Assist lecturer with assigning and grading assignments.
Conduct lectures/seminars with instructions from the Lecturer
Lead group sessions with students

Research Assistant **2010-2012**
Vibrant Communities Saint John (NB): A non-profit organization aimed at efforts to reduce poverty for individuals and families in Saint John, New Brunswick.

Conducted research on voter turnout in New Brunswick, issues of poverty reduction and estimating the cost of post-secondary education to low-income students in Saint John, New Brunswick.

Research Assistant (Summer Internship) **2010-2010**
Vibrant Communities Saint John

SCHOLARSHIPS, ASSISTANTSHIPS AND AWARDS

University of New Brunswick Tuition Scholarship **2009-present**
University of New Brunswick, Saint John, Canada

International Differential Fees Scholarship **2009-2012**
University of New Brunswick, Saint John, Canada

Graduate Research Assistantship **2008-present**
University of New Brunswick, Saint John, Canada

Graduate Teaching Assistantship **2008-2012**
University of New Brunswick, Saint John, Canada

Graduate Studies Travel Grant (University of New Brunswick) **2012**
University of New Brunswick, Saint John, Canada

Graduates Studies Travel Grant (University of New Brunswick) **2011**
University of New Brunswick, Saint John, Canada

Canadian Political Science Association Travel Grant **2011**
University of New Brunswick, Saint John, Canada

University of New Brunswick Entrance Scholarship **2008-2009**
University of New Brunswick, Fredericton, Canada

Department of Government, MSc. (Comparative Politics/Political Theory) 2008
Staff Prize for the best performance in the Final Research Paper in
MSc. Comparative Politics/Political Theory
University of the West Indies, (Jamaica)

CONFERENCE PRESENTATIONS

Australia and New Zealand Studies of North America Conference (ANZSANA) **2012**
Chelsea Delta Hotel, Ontario, Canada.
Mixed Member Proportional System and Minority Representation: A Case Study of the New Zealand Experience

Canadian Political Science Association Conference: **2011**
Wilfrid Laurier University, Waterloo, Ontario
Electoral Reform in Canada: Does Deliberative Democracy works?

Atlantic Provinces Political Science Association Conference **2010**
Dalhousie University, Halifax, Nova Scotia
Enhanced Representation and Electoral Reforms: Arguments for electoral change in Canada

MAJOR RESEARCH PAPERS

Mixed Member Proportional System and Minority Representation: A Case Study of Women and Māori in New Zealand (**Dissertation: in progress**).*University of New Brunswick, Canada.*

Post-Secondary Pursuits: Estimated Cost of a Tertiary Level Education to Low-Income Students (New Brunswick Canada): *A report prepared for the Business Community Anti-Poverty Initiative and Vibrant Communities Saint John.*

From Reparation to Reconciliation: The importance of reparation in the reconciliation process in post-Apartheid South Africa. *Master's Thesis, University of the West Indies, Mona, Jamaica.*

COMMITTEES AND MEMBERSHIPS

Canadian Political Science Association	2011-present
Saint John Poverty Reduction Committee	2011-2012
New Brunswick Social Policy Research Network	2011-present

REFERENCES

Dr. Joanna Everitt
Dean: Faculty of Arts
University of New Brunswick, Saint John (Canada)
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Dr. Leslie Jeffrey
Professor: Department of History and Politics
University of New Brunswick (Saint John)
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Dr. Jermaine McCalpin
Lecturer: Department of Government
University of the West Indies (Mona)
jermaine.mccalpin@uwimona.edu.jm