Early Lessons from Mixed-Member Proportionality in New Zealand's Westminster Politics

Howard Cody
University of Maine

Introduction

In 1993 New Zealand grafted a German-model mixed member proportional electoral system (MMP) onto a traditional Westminster-modeled Parliament that New Zealanders had elected for decades by the first-past-the-post (FPP) plurality system. MMP features a ballot with two separate side-by-side votes, one for an electorate candidate and the other for a party list. New Zealanders supporting MMP wished this change to impose institutional constraints that would end the cabinet and Prime Ministerial "elective dictatorships" claimed in all Westminster systems, impose fairness between parties by giving each party parliamentary representation reflecting its share of the party vote, provide a more diverse representation of women and minorities in Parliament, and replace Westminster partisan adversarialism and one party rule with inter-party consensus and cooperation. (Karp 2002, 130-131; Nagel 1999, 158). New Zealand became the first country to impose coalition-inducing proportionality on a majoritarian Westminster institutional system. In July 2002 Prime Minister Helen Clark's coalition government was reelected in the third MMP election.[1]

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[1] The August 2002 election put seven parties in New Zealand's 120-seat unicameral House of Representatives. The governing minority coalition features center-left Labour under Prime Minister Helen Clark with fifty-two MPs and Jim Anderton's slightly farther left Progressive Coalition with two seats. Center-right National, with twenty-seven MPs, forms the Opposition. The Greens have nine seats, right-wing ACT

July-August 2001 Wellington interviews with Members of Parliament from four parties, including leaders of two small parties, with Clerk David McGee, and with the Electoral Commission's Paul Harris and Stephen Church of the Victoria University of Wellington, exploit five years' perspective after October 1996's first MMP election. What did New Zealanders desire and expect from MMP, and how and how well is MMP operating? What lessons can Canadians and Britons presently considering electoral reforms draw from New Zealand experience? Specifically, how much, and in which ways, can they realistically expect proportionality to change their Westminster politics? This discussion describes the situation shortly before the July 2002 election that provided a second consecutive minority coalition government led by the Labour party. We suggest that New Zealanders are gradually creating a distinctive, broadly representative, but not consensual model accommodating proportionality with a Westminster political culture. Their model may suggest better than Germany how Westminster systems might operate under proportional representation.

Jonathan Boston usefully cautions that it is too soon to appreciate whether early experiences with MMP qualify as transitional and temporary phenomena or as suggestive of lasting effects or characteristics of the new system (Boston 2000a, 2). Over time MMP may—or may not—transform New Zealand's political culture. In MMP's first five years New Zealanders experienced two rather different coalition governments. The first MMP election in 1996 produced an

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(the Association of Consumers and Taxpayers) has nine, and the "devotee" (leader-founded and oriented) right-populist anti-immigration New Zealand First party under charismatic and controversial Winston Peters has thirteen MPs. United Future New Zealand, a Christian socially conservative party, came out of nowhere to elect eight MPs in 2002. In the minority situation, United Future has agreed to support the coalition on confidence matters and some legislation in return for minor policy concessions. The coalition seeks Green support on its socially liberal issue positions where United Future opposes government policy. This arrangement operated smoothly in its first year.

unstable National party-led center-right coalition. A relatively stable center-left coalition under Labour followed MMP's second election in 1999 and continued after the 2002 election. In this sense New Zealanders already have seen MMP operate poorly and well. FPP and MMP have both offered New Zealanders what one might expect of these systems in a Westminster-modeled Parliament. That is, FPP concentrates power on the single party Crown authority executive model (an unchecked Prime Minister, cabinet, and bureaucracy) still practiced in Britain and Canada, whereas MMP generally divides power between a large party and one or more smaller ideological or centrist pivot "nudge" parties in a coalition ministry. Most New Zealanders were more dissatisfied with certain leaders and policies under FPP than with the majoritarian one party government that FPP facilitated. They introduced a proportional alternative with foreseeable but disorienting features some of which they now deplore.

New Zealand before MMP

Plurality elections with a Westminster Parliament generally operated as advertised in New Zealand. They produced what their champions consider their greatest advantage: disciplined single-party governments alternating between two large parties that overcame strong support for small parties to secure clear mandates, keep their campaign promises, and then face an electorate that imposed accountability for their policies. As David Denemark observes, the absence of a federal system, a written constitution, a constitutionally entrenched Bill of Rights, and a second thought upper chamber with the power to review and revise government policies, combined to give New Zealand the world's purest and least restrained Westminster system (Denemark 2001, 70).

Tellingly, although New Zealanders called this situation an "elected dictatorship", it did not disturb them before the 1980s. In fact, in 1951 New Zealanders abolished their appointed Legislative Council upper house, which resembled Canada's Senate and like its Canadian counterpart had served as a

weak check on the executive. Observe that the second chamber was terminated rather than replaced. In a unitary state lacking regional tensions, New Zealanders see no need for a strong and democratically legitimate house of review like Australia's Senate. The absence of support for an upper house with an elected restraint on the government, or for constitutionally entrenched rights in a written constitution, suggests that Kiwis lack Americans' enthusiasm for checks and balances or for any institutionally imposed second look at the executive's policies *on principle.* This feature of their political culture is significant. It demonstrates an enduring attachment to Westminster practices with a mandate mentality that is hindering New Zealanders' acceptance of some predictable consequences of MMP's proportionality.

In a political culture lacking a strong desire for institutional checks, it took an improbable series of cumulatively disorienting and alienating events to discredit FPP. Briefly, these included, in relatively rapid succession, the election of majority governments in 1978 and 1981 in which the victorious National party placed second in the popular vote (the so-called "stolen" elections) but governed under Robert Muldoon in an especially partisan and confrontational manner in line with Muldoon's personality, the 1984 election of a Labour government under David Lange that abruptly introduced neoliberal reforms to New Zealand's economy that were more drastic than anything proposed by the country's political right, the appointment by Attorney General Geoffrey Palmer (one of very few prominent politicians to support reform) of a Royal Commission on the Electoral System that proposed German-style MMP for New Zealand in 1986, Lange's 1987 campaign promise to stage a referendum on this recommendation when he misread his briefing notes by overlooking the word "not" and saying the opposite of what he intended, National party leader Jim Bolger's 1990 election promise to hold a referendum to exploit Labour's refusal to hold one

despite National's overwhelming opposition to electoral system change, and National's victory followed by two referenda (Aimer 1999, 147-151).

Although MMP polled 71% support in the 1992 multiple-choice referendum, second thoughts by the runoff a year later reduced the margin for MMP to 54%-46% over FPP (Aimer 1999, 151; Boston 2000a, 5; Denemark 2001, 91). New Zealanders' accounts for MMP's implementation reveal that their political culture still features stronger personal distrust of unrestrained politicians than suspicion of institutional power. The capacity for governments to make changes expeditiously, combined with an established acceptance of referenda, worked against two successive governments when they lost control of the momentum for reform. The referendum experience suggests that in the proper circumstances a highly centralized polity can carry out change that is systemic and seemingly far-reaching--but not necessarily consequential in operation--more easily than one constrained by constitutional checks like Canada or the United States. It also illustrates the cynicism about politics and politicians that Kiwis share with their trans-Tasman Australian cousins. When it became clear that two successive governments and most National and Labour MPs opposed replacing FPP, many voters supported change largely to spite their politicians. But the same cynicism about politics and politicians that helped effect MMP may yet be turned against it.

Although Germany was the only country with MMP in the 1980s, at no time did MMP's New Zealand supporters nominate the German political system as a role model for New Zealand beyond MMP itself. Germans practice a "politics of collective identities" placing a collective group representation and cooperative spirit above individualism and partisan competition (Allen 2002, pg. 340). Germany has developed a consensus politics featuring behind the scenes consultation and half-hearted partisanship on the floor of the Bundestag in clear contrast to Westminster-style adversarialism (Scarrow 2001, 55-69). Yet what a

small party leader called New Zealanders' typically Westminster "left versus right tribal instinct" that polarizes issues into exactly two sides while de-legitimizing everything else endures relatively intact under MMP.

The Royal Commission, which placed a high priority on securing fair and effective representation for parties, women, Maori, and minorities, did not propose that MMP facilitate a transition to a collegial or consensus political culture (Denemark 2001, 84-86).[2] Nor does the public support such a course. Since electoral reform, polls have indicated that New Zealanders consider broader representation, and more electoral options thanks to their two votes, as MMP's most attractive features (MMP Review Committee 2001, pg. 82). Although many New Zealanders no doubt wanted and expected MMP to reduce adversarialism in politics, they have not addressed how or whether proportionality can and should change the behavior of politicians and the conduct of politics in a Westminster Parliament. This helps to explain a disillusionment with MMP's early performance that has maintained many New Zealanders' political cynicism, and the outcome of the disregarded non-binding ("indicative") 1999 referendum in which 81.5% voted to return the House to its pre-MMP total of 99 MPs from its 120 MPs under MMP.

The Operation of MMP in New Zealand: Introduction

The continuing attachment to majoritarian Westminster norms has influenced New Zealand's experience with MMP and has attenuated MMP's impact on politics. So have trends that may partially supersede and offset institutional reforms' effects. The literature on parliamentary systems, especially in Westminster countries like Canada and Britain that have a weak review chamber, is detecting and deploring a momentum towards a personal and

[2] Perhaps surprisingly, most New Zealanders ignore Germany's experience under MMP. For example, they speculated about how a Labour-Green coalition might operate, or whether it could operate at all, without considering Germany's Social Democrat-Green coalition since 1998 (Roughan 2002).

presidential style of politics. Prime Ministers are concentrating power in their own offices to the detriment of cabinet and Parliament, in effect installing an American-style presidential politics but without the checks and balances with which American chief executives must contend (Savoie 1999; Foley 2000).

Even before MMP, New Zealanders recognized their elections' presidential quality. MMP's two-vote character, in which the second vote for a closed list of largely anonymous party nominees determines each party's overall parliamentary representation, has made voters' assessments of the party leaders even more consequential. Each party must make its own leader attractive to the electorate to maximize its party vote and hence its share of MPs (Boston and Church 2000, 238; Williams 2000, 23). This situation makes parties assign their follow-the-leader cohesion a higher priority than ever, at least at election time. It also encourages them to replace leaders between elections when they need a new leader to bolster the party vote, as National did in 2001 and may do again in the wake of its poor showing in 2002. Besides, New Zealand's media, as in Canada and Britain, report political news with a horse race approach. Television in particular emphasizes personalities, especially party leaders, over policies. A focus on leaders benefits less ideological leader-oriented larger parties, in New Zealand's case center-left Labour and center-right National, and disadvantages smaller parties to the extent that they are more ideological and policy-driven.

Small Parties and MMP

MMP's features that generate the most debate in New Zealand concern the roles of its smaller nudge parties and list MPs. One thing is clear: MMP will not survive unless or until New Zealanders accept the modest power position that MMP awards small parties and most list MPs. Polls continue to show public support for MMP's broadly representative outcomes if little else. Representativeness is meaningful largely to the extent that the Alliance, ACT, Green, New Zealand First, and United Future New Zealand MPs have an impact

in Parliament and as potential coalition partners. In the 1999 and 2002 elections these and other small parties gained 30% and 38% of the party votes respectively, with none polling above ten percent. The small parties' overall support level has long been impressive; they even received 30% of the votes while electing only four MPs in 1993, the last FPP election. Besides, some 35% of 1999 and 2002 voters split their ballots by selecting an electorate MP of one party but choosing a different party for their list vote. Only 15% of German voters split their ballots.

Despite all this, New Zealand's third parties face serious obstacles to securing a respected role, only some of which are self-inflicted. Proportional systems with two large and one or more smaller parties follow two coalition models. In one, which prevailed in Germany for most of the past half century and which may resume with the 2006 election, a small center pivot party forms coalitions with large center-left and center-right parties. Under this model politics gravitates towards the middle. Large parties campaign from the left or right, but must govern from the center to conform to their coalition partner and to Germany's political culture.

Although New Zealanders claim to reject partisan polarization, their left-versus-right mindset precludes interest in the German model or in consensus politics. No German Free Democrat-style pivot party is in sight, although United Future New Zealand could grow into this role. New Zealand's politics seems more attuned to the second model, in which more ideological small coalition partners nudge center-left and center-right parties towards the poles. In theory, this coalition model can intensify ideological polarization, as larger parties may campaign from near the center but must move farther left or right than they would like in order to keep their coalition together. However, New Zealand's small parties, often ominously dominated by other parties' least loyal "party-hoppers", are neither disciplined nor respected enough to force New Zealand's large parties to conform to either model.

Enduring public support for majoritarian mandate-respecting Westminster norms, or wide opposition to many of MMP's effects, places New Zealand's small parties in a no-win dilemma that resembles the Australian Senate's well-known "veto or echo" predicament (Cody 1996, pgs. 103-109). Small parties in both chambers, whose members have been elected all or nearly all proportionally rather than directly, suffer at least a whiff of illegitimacy in a Westminster culture. New Zealand polls and newspaper columns reveal a widespread perception that small parties exercise undeserved power (MMP Review Committee 2001, 84; Allan and Huscroft 2001). When small parties are assertive and demanding, they command attention but invite criticism for presumptuous impertinence, obstruction, and time wasting. Some Kiwis may mistake for real policy influence the publicity and good sound bites generated by small parties and their MPs like the Greens' colorful but hardly influential Nandor Tanczos. Yet when small parties are agreeable and cooperative, like Labour Prime Minister Helen Clark's late Alliance partner under Jim Anderton, they look weak, irrelevant, and unnecessary—and they lose support like Alliance did after 1999. New Zealand's political culture and realities of coalition politics helped to break Alliance apart by nudging Anderton and his allies (renamed the Progressive Coalition in 2002) towards the middle, while driving away the party's left (now the Alliance rump, with no MPs) that prefers to maintain sharp distinctiveness in ideology and policy. Neither coalition model is supposed to operate in this way (James 2001; *New Zealand Herald* 2002).

In a "presidential" Westminster polity, a government's popularity benefits the Prime Minister and his or her party, but it did nothing for a coalition partner like Anderton's Alliance. The public has supported Helen Clark and her center-left policies, and Anderton has been duly cooperative. Demanding major policy concessions from this Prime Minister as its price for maintaining the coalition would have damaged Alliance severely. Alliance found itself in a predicament

where its performance as a supportive coalition partner did nothing for the party or its leader. Voters who approve of the government's performance and a Prime Minister's personal style, predictably enough, will vote for the Prime Minister's party, not a junior coalition partner.

On the other hand, when a government is unpopular, its coalition partner suffers a discrediting guilt by association. A coalition partner that deserts a government, regardless of its popularity, faces charges of irresponsibility and perfidy. Note New Zealand First's fate after its 1998 implosion and subsequent departure from its coalition with National. As long as New Zealanders expect governments to carry out their mandates without delays, it is hard to see how small coalition parties can carve out a respected and influential role in New Zealand politics. But, as noted, they also have a related problem. New Zealanders associate small parties with the proportionally elected list MPs who provide small parties with all but three of their current forty-one MPs.

List MPs under MMP

Mixed member systems necessarily create two classes of MPs, those who carry a single member electorate (New Zealand's sixty-seven electorate MPs increased to sixty-nine in the 2002 election) and those elected through party lists (fifty-three, decreased to fifty-one in 2002). The issue is whether New Zealanders, like Germans, consider their two classes of MPs equally legitimate. So far, most do not. Leery of MMP from the beginning, most Labour and National MPs and ministers have predicted that second class list MPs unaccountable to voters would discredit MMP. However, many of MMP's most outspoken critics, like National MP Wyatt Creech, left the scene with the 2002 election.

New MPs and ministers without ties to FPP are replacing them. Most electorate MPs—but not the public—have begun to accept their list colleagues. Columnist Colin James, in a decidedly unpopular appeal for "more and better-paid MPs", proposes to give New Zealanders "another couple of elections" to

"get the hang of European-style politics" (James 2002a). Fair enough, but small parties first must show solidarity and discipline, and create loyal niche constituencies, to move Kiwis from Westminster norms towards the acceptance of small party influence required for list MPs to enjoy respect. Proportional systems, mixed and pure alike, intend list MPs to provide each qualifying party with parliamentary representation consistent with its support in the voting public. Recall that New Zealanders tell pollsters they consider this a desirable result, although many believe New Zealand's threshold for parliamentary representation at 5% of the national vote or—especially--one electorate seat is too permissive. List MPs have no official electorate or constituents to service through casework and through the myriad of social responsibilities that electorate MPs perform with varying levels of skill and enthusiasm, although their parties assign them electorates to look after. One electorate MP divided his list colleagues into three groups. He asserted that one group, the largest comprising perhaps half of list MPs, to date have found little to do besides (as he put it) take their pay like Australian Senators. He did not intend this as a compliment.

Most Australian Senators have carved out a niche of sorts by serving usually unobtrusively on parliamentary committees and in representing their parties in various capacities in their home states. These activities, and their relatively anonymous party lists, afford them little public profile or esteem. Because parties in both countries control list rankings, list MPs and Senators must please their party's leaders and activists, but no one else. To be sure, hardly any electorate MPs in the Australian and New Zealand Houses of Representatives exercise more freedom than their proportionally elected if generally more anonymous list counterparts. Even so, list MPs, like small parties, must carve out a more conspicuous niche in New Zealand politics if they wish to secure the public's attention and respect.

The second set of list MPs works diligently at servicing their assigned electorates. Many Australian Senators also perform this function. While this activity appears useful, "party hack" Senators' longstanding lack of respect in Australia suggests that it makes little impression on the public at large, even over the course of decades. Members of the third and smallest group define their assignment—we must assume with their party's approval or at its instigation—as representing minority ethnic groups in New Zealand's increasingly multicultural society. National's Pansy Wong and (before 2002) Arthur Anae played this role with growing Chinese and Samoan communities that had previously lacked parliamentary representation as such. They performed the most beneficial functions of non-minister list MPs, less because their communities need special representation than because their assignments afford them more profile and respect than other list MPs.

One list MP confessed her dislike of the pseudo-electorate responsibilities her party expected her to perform in the electorate where she was defeated in 1999. She noted that the Royal Commission had hoped list MPs would devote their time to broader issues that their parties assign them to investigate, perhaps through select committee work. Smaller parties like ACT and Greens, whose caucuses since 2002 have consisted wholly of list MPs, have made a virtue of necessity by assigning MPs without constituents to cover broad issue as well as geographic areas of responsibility. A few like ACT's muckraker Rodney Hide and the Greens' Tanczos attract considerable attention. Even if small parties outside the coalition enjoy no policy influence, their supporters across the country, Greens especially, can see that their views are receiving publicity. It will benefit MMP's public reputation and the parties themselves if the large parties can devise visible and constructive responsibilities for their mostly non-ethnic list MPs.

One particularly telling aspect of list MPs' status derives from Kiwis' continued association of democratic legitimacy and accountability with an individual MP's holding an electorate seat. The often-heard lament about list MPs that "you don't vote for them but they get in anyway" reflects dissatisfaction with a system that permits dual candidacies for candidates who cannot carry their own electorate to enter Parliament through their party's list. There is especially strong disdain for large party MPs who secure a seat in this manner. Only a belief in FPP elections' monopoly on legitimacy can explain this view's currency under MMP. Many New Zealanders refuse to acknowledge that, as in Australia, Canada, the United States, and Britain, some potentially outstanding MPs and ministers cannot win their electorates simply because their parties are weak there. Of these five countries, only New Zealand has created formal institutional structures offering "prize" candidates an alternate route to the "people's" house.

A Green MP's argument that party lists are desirable because they permit New Zealanders who perform well as ministers to serve in Parliament despite an absence of campaigning and constituency service talents, or without having to attend to time-stealing constituency work, enjoys little public acceptance. Yet the well-regarded Finance Minister Michael Cullen and (before the 2002 election) Women's Affairs Minister Laila Harre were elected from the coalition parties' lists. New Zealanders may be equally unimpressed to hear that some Canadians, including Canadian Alliance party leader Stephen Harper, argue that elections put into Parliament good politicians but poor administrators. Harper proposes to open Canada's ministries to specialist non-MPs on the American model (Harper 2001, 13). Perhaps Fiona Barker et al., recalling Colin James, correctly attribute New Zealanders' anti-list MP bias to a preoccupation with electorate MPs that only a successful experience with MMP can erode given enough time (Barker, Boston, Levine, McLeay, and Roberts 2001, 309). But MMP's success

requires list MPs outside the ministry to elevate their public profile and demonstrate that they are not "butt lazy", as one of their fellow MPs uncharitably described most of them, and as a sizeable portion of the public may perceive them until persuaded otherwise.

MMP and the Representation of Maori, Women, and Minorities

Whatever else MMP may have accomplished, it undeniably has enhanced the parliamentary representation of Maori, women and some minorities in New Zealand. New Zealand created four electorates and a separate roll for Maori in 1867, in part to ensure that the then-minority Pakeha (non-Maori, nearly all Anglo-Saxons at the time) would dominate the government (Arseneault 1999, pgs. 135-136). MMP's introduction brought a fifth Maori electorate; the rapidly increasing Maori self-identifiers forced a sixth in 1999 and a seventh in 2002. Maori may choose to enroll on the Maori or the general roll; they now divide about equally between them. Maori MPs rose from seven to sixteen under MMP by 1999, some 13% of the total and near the 15% largely urban and relatively youthful Maori population share. Fully 21% of MPs elected in 2002 daim some Maori ancestry. Most Maori are of mixed race and often well under half Maori by ancestry, but if they consider themselves Maori the law accepts them as such and they may vote on the Maori roll. Thanks to a high Maori birthrate, perhaps a third of New Zealand's children may be Maori by 2051 (Durie 2000).

The 31% 2001 female MPs, mostly elected from party lists, represented a major increase from an already relatively high 21% just before MMP. Even with female representation reduced to 28% in 2002, New Zealand continues to rank among the countries with the highest proportion of women in Parliament. The past two Prime Ministers have been women. In conspicuous contrast to Margaret Thatcher's practice, many of Helen Clark's ministers also have been female. MMP has increased the number of women, Maori, and ethnic minority MPs in

part because parties feel obligated to place them in high positions on their lists to secure these groups' all-important party votes.

To be sure, as Therese Arseneau points out, strong party discipline precludes crossparty caucuses for Maori, women and minorities that can maximize parliamentary minorities' leverage (Arseneault 1999, pgs. 143-144). A South Island cross-party caucus does exist, but it has little to do given New Zealand's rather curious lack of regional or even North or South Island identities. South Islanders appear satisfied with a guarantee of sixteen electorate MPs, compared to North Island's current thirty-five MPs. South Island's relative population decline keeps adding North Island electorate MPs (four since 1999) at list MPs' expense to maintain the required population equality in electorates. Perhaps a South of Bombay Hills caucus (representing everything south of Greater Auckland) or support for an upper chamber for the regions will emerge once the Auckland area's relentless immigration-fuelled growth locates most Kiwis and their MPs in the northern 25% of the country.

Sheer numbers aside, how much influence do minorities actually exercise under MMP? Any such discussion must begin with Maori. Enhanced representation of self-defined Maori, especially through the increasingly numerous Maori electorates, has troubled some Pakeha mostly but not exclusively on the right side of politics, and especially in the ACT party. ACT wants the separate Maori electorates abolished. Opposition Leader Bill English abruptly suggested in January 2003 that his National party also might take this position. Many Pakeha and a few Maori argue that special seats destructively promote racial distinctions and consciousness while segmenting New Zealand's population and making it harder to deal with Maori issues. Besides, they claim that MMP is producing enough Maori MPs that special electorates are not needed (MMP Review Committee 2001, 21; Mold 2003). But many Maori want to keep their electorates as validating symbols of their special status—*and* to retain

MMP. A Maori MP argued that MMP has rescued New Zealand from a major problem in the streets by forcing governments finally to take Maori issues seriously and by affording Maori a more visible role in New Zealand's politics. After all, if proportional representation makes every vote and parliamentary seat potentially important, minorities—Maori particularly—can exercise real leverage at last (Arseneault 1999, 136; Durie 2000, 15-16). Eventually, MMP may encourage the founding of a Maori nudge party (apart from Alliance's Mana Motuhake component) with the potential for a major impact on New Zealand politics. This outcome could hurt Labour, which traditionally takes the majority of Maori votes. The Maori attraction to strong personalities could facilitate such a movement if a charismatic leader emerges, but an offsetting tribal diversity and individuality militate against this development (Sullivan and Margavitic 2000, 197, 183).

Women's roles can assume three forms: moving Parliament's policy style and atmosphere towards a "feminine" collegiality, forcing attention onto women's issues, and providing simple presence. Interviewees agreed that enhanced female membership in New Zealand's Parliament and ministry has made little difference. Women MPs, Prime Minister Clark conspicuously included, are products and practitioners of Westminster politics who no more exemplify "feminine" behavior like placing consensus seeking above competition than their male colleagues. A gay MP did observe that female MPs, as in other countries, seem more open to—or less threatened by--sexual minorities than men. While this can influence certain social policies in sexual minorities' favor, New Zealanders deny that their female MPs and ministers emphasize supposed women's issues like health, welfare, and education.

Some writers assert that women benefit from simple presence or "mirror" representation to "see themselves" in Parliament: "being there" when decisions are made advantages women (Phillips 1995, pg. 140). They note that British

Labourite Nye Bevan wanted representatives to "speak with the authentic accents" of those who elected them. Bevan thought MPs should share class, race, or gender experiences with their voters (Phillips 1995, 172). But some feminists want more. They argue that interests are gendered. A sizeable female presence is necessary—though New Zealand's experience suggests it is by no means sufficient—to reach the critical mass threshold that can advance a women's agenda (Tremblay 1998, 440, 448). In any case, without resorting to quotas (the Greens' rigid gender equality excepted) New Zealand's women have achieved a substantial presence in a ministry that, even without an openly female-oriented political style or policy outcomes, MMP has helped place first among Anglo-Saxon countries in its gender diversity.

MMP's Unintended and Underappreciated Consequences

In proposing MMP for New Zealand, the Royal Commission identified fairness between parties as perhaps the main attribute that led it to prefer MMP to other electoral systems. But once reforms are implemented, the law of unintended consequences takes effect. In New Zealand, MMP has alienated many by perpetuating tight party solidarity and exposing dealings between parties, it has surprised others with arcane strategic considerations that most New Zealanders do not appreciate, and it has impressed all too few with its relatively inconspicuous improvements to parliamentary business. In the referendum campaign for MMP, some of its champions suggested that New Zealanders exasperated with tight party discipline and party polarization should choose MMP to remedy these defects. MMP has not done so. Instead, it strengthens the perceived need for parties' internal cohesion (Boston 2000b, pg. 274). Because every vote matters in a closely balanced coalition government, parties large and small now must maintain solidarity more than ever. But MMP makes smaller coalition parties' internal divisions more apparent by directing

attention to their strange political bedfellows and by exposing many parliamentary processes to public scrutiny.

Consider the damage done by New Zealand First's 1996-1998 tensions and Alliance's 2002 implosion. MMP also enhances transparency by publicizing inter-party relations, especially between coalition partners. That is, much of the *intra*-party bargaining and divisions of the past that single party ministries often could conceal have been replaced by *inter*-party relations for all to see. Canadian Liberal party strategist Warren Kinsella warns that the media thrive on backroom shenanigans and things that go wrong while they exploit all evidence of "misfortune, conflict, and an unkillable distrust of political success" (Kinsella 2001, 187, 219, 222). In New Zealand, which shares Australia's destructive tall poppy syndrome, visible political maneuverings hand the media irresistible opportunities to confirm an already cynical public's suspicions about politics. Admittedly, uncovering sleaze in one of the world's cleanest politics presents a challenge—New Zealand inconveniently ranks behind only Scandinavia in the absence of serious political corruption—but the media ensure that no good reform goes unpunished. Thanks to MMP-facilitated transparency, they now can uncover more "sleaze" than ever. While New Zealand's media revelations would scandalize few Europeans or North Americans, they erode public trust in MMP and politics in general.

The new MMP regime creates some novel strategic considerations for political operatives. Because overall parliamentary seats are apportioned on the basis of the second or party list vote, each party must maximize its party vote. For this reason parties will run strong candidates in hopeless electorates to encourage supporters there to turn out and add to the all-important party vote. They reward these candidates with safe places on the list, which many prefer because they want no electorate responsibilities as MPs. Also, the opportunity for ballot splitting has attracted more attention than anyone foresaw. Small party

members assert that New Zealand, with the same 85% turnout in 1999 as in 1990 and 1993 but (ominously?) just 77% in 2002, has thus far escaped the dramatic turnout declines of Canada (down to 61% in 2000) and Britain (only 59% in 2001) because MMP lets New Zealanders vote for their preferred electorate candidate and also for a party with a realistic chance of playing a role in government. New Zealand's mandatory enrollment but voluntary voting makes its persistently high rate of voter participation worthy of investigation. Barring unexpected discoveries, MMP deserves at least some credit for maintaining high voter participation.

On the other hand, polls report that 30% of New Zealanders, and at least 40% of Maori, Pacific Islanders, and young voters, still did not realize that MMP gives them two votes—even after two MMP elections (MMP Review Committee 2001, 90). A further consequence of MMP, in this case less noticed in the media than party leaders, personalities, and "sleaze", concerns inter-party parliamentary activities. To be sure, MMP has not weakened Parliament's partisanship or most parties' cohesiveness, nor has it changed the atmosphere of the place in a collegial consensus seeking direction. Across party lines MPs do not work better together, they are not more comfortable with each other, and they do not like each other better than before MMP. However, New Zealanders and their media, as in Britain, Australia, and Canada, generally overlook parliamentary committees. Thanks to MMP, parliamentary select committees finally can exploit the opportunities that pre-MMP reforms afford them. They operate with less partisanship now that the government, technically a minority as Labour and Alliance had only 59 of the 120 MPs in 2001 and 54 after the 2002 election, usually lacks committee majorities. Committees call in ministers and hold them to account in a manner unthinkable before MMP. The government no longer can force its legislation through committees unchanged.

Members of all parties participate in devising amendments, most of which the government has accepted. Many amendments are substantive. Most observers believe that committees have improved the legislative process. Some even consider them an informal and semi-independent but still welcome substitute review chamber where opposition parties restrain the executive rather like in the Australian Senate—and better than in either House in Britain or Canada. Still, the Prime Minister and government eventually get what they want. They only need more time and skill in managing MPs of all parties than was the case before MMP. The system still does not feature strong checks and balances, nor is it (yet?) prone to deadlock. In short, MMP has changed the policy process to some extent, for the better if we value closer scrutiny with broader representation and (less so) wider participation—but not quite in the way, or as consequentially, as many New Zealanders may believe.

Discussion

New Zealand's MMP has an uncertain future. To date Westminster has emerged reasonably intact from an encounter with MMP that has manifested more continuity than change. Perhaps the prevailing culture, the party system, and prominent personalities can combine to attenuate the impact of electoral system changes indefinitely. If Australia's proportional Senate suggests anything after fifty-three years, several decades with MMP might not win New Zealanders' affection for list MPs. An MMP Review Committee chaired by Speaker Jonathan Hunt observed in its August 2001 report that New Zealanders admire MMP's enhancing representation in Parliament, offering them more choice in elections from their two votes, and forcing governments to consult with others before imposing their policies. The same poll respondents fault MMP for awarding minor parties too much power, making politics more messy and confusing, making policy decisions take too long, preventing governments from taking decisive action or hard decisions, and—by the largest margin of all—

making list MPs less accountable to voters than electorate MPs (MMP Review Committee 2001, 74-84).

Yet an outside observer notices how little politics has changed under MMP: collegiality remains elusive, small parties have stayed weak, governments and the large parties that head them still get their way, and so on. The most popular further reforms include making party-hopping MPs resign their seats (since enacted) and reducing Parliament's size (MMP Review Committee 2001, 85). Neither reform addresses any of the five perceived MMP deficiencies listed above. Many New Zealanders disoriented by MMP harbor unrealistic expectations in a Westminster polity. They wish enhanced representation and fairness between parties to complement, not replace, their bipolar mandate mindset and disdain for list MPs. For now, the public's satisfaction with the 2002 election outcome that produced another Labour-led minority coalition government is making MMP rather popular (Small 2002). But MMP's public support is still hostage to the government's public standing. MMP retains its probationary status in New Zealand. If no strong government can be put together after an election, or if a minority coalition or the Prime Minister herself loses support, New Zealanders may hold MMP responsible and repudiate it.

We can identify MMP's chief beneficiaries, who might make common cause to help MMP survive. Women, minorities, Maori, small parties, and list MPs all benefit from MMP's closed party lists. All might work to secure support for the list arrangement, even if lists give parties an excuse to nominate few women and minorities in electorates. Over time list MPs may validate the principle of non-geographic representation that will permit even electorate MPs to champion groups with which they identify. For example, a gay MP may attend to gays' concerns better when New Zealanders accept a non-geographic representational model. Some believe such a practice can segment society undesirably. However, this includes many ACT supporters who need MMP's

party lists for parliamentary representation. New Zealand already may be forging a multicultural society where diverse cultures and lifestyles enjoy a respected status in political life. For better or worse MMP can facilitate this outcome.

A multicultural New Zealand can provide both good and bad news for Maori. The Maori conception of a dualist New Zealand—themselves and Pakeha or everyone else, including other Pacific Islanders—reflects their 1840 Waitangi Treaty-legitimized demands for parallel status in various institutions (Denemark 2001, 79). But Maori bipolar notions of New Zealand society are becoming incompatible with reality and unsustainable in the long run. Immigration has given Asians and Pacific Islanders 6% of New Zealand's people each; current projections place Asians about even with Maori by 2011. Maori likely will remain disinclined to work in concert with those they suspect may soon endanger their privileged position in New Zealand (Samson 2002). Yet all of these minorities can advance diversity and multiculturalism better through MMP than under FPP that better reflected an Anglo-Saxon society of individuals. Thus, if managed adroitly, other groups' growing strength can also work to Maori tactical advantage.

The Hunt Committee's poll findings to the contrary, nudge third parties have little influence in MMP New Zealand. Inter-party coalitions resemble hostage situations. In theory smaller partners make large parties hostage to some of their demands. If a large party cannot satisfy small parties, the latter can transfer their support to another large party or force an early election. Germany's small center pivot party model, in which the Free Democrats abandoned the Social Democrats for the Christian Democrats in 1982 and helped keep the new coalition in power for sixteen years, shows how coalitions can give small partners considerable leverage. But New Zealand's MMP-induced coalition politics destabilizes small coalition parties beset by their confirmed party-

hoppers' lack of solidarity and discipline, while it deepens tensions between ideologues and pragmatists. Besides, Alliance or Greens in coalition with Labour, or ACT in coalition with National, cannot expect a coalition role where it can plausibly threaten to move its support elsewhere or benefit from forcing an early election. Labour aggravated Alliance divisions by co-opting Alliance moderates while stranding the left where it proved unable to win list seats as a separate party in the 2002 election. Alliance, not Labour, served as the hostage in this situation. The same could happen in a National-ACT coalition, as ACT's right likely cannot elect MPs on its own.

Forcing an early election can prove suicidal for small parties, and the large parties know it. Thus, most leverage in New Zealand resides as ever with large parties, especially since the 2002 election afforded Prime Minister Clark the desirable "Norwegian" pivot position where she can alternatively draw support from small parties to her left (Greens) and right (United Future) depending on the issue (James 2002b). It will stay there until a center party plausibly can support either Labour or National or unless New Zealanders better respect small parties—and, by association, list MPs (James 2002c). New Zealand's experience may suggest how Westminster majoritarian norms can affect electoral reform efforts in Britain and Canada. The ongoing initiatives in Britain to change the House of Commons electoral system and to reform the House of Lords betray the majority principle's allure. The 1998 (Roy) Jenkins Commission proposals reflected the commission's mandate to seek a Commons electoral formula retaining the stable government that FPP provides, even though broad proportionality also was an objective (Reynolds 1999, 177-178; Lipsey 2002). In Britain "stable government" is a euphemism for a single-party majority and ministry. Jenkins recommended keeping some 80% of Commons seats on a single member basis, albeit with alternate vote (AV) similar to Australia's House of

Representatives. The rest would "top up" British regions' representation from open party lists.

This model aspires to preserve the Commons' current atmosphere, avert coalition ministries, and keep small parties from power. Most formulas for Lords reform propose a review chamber with no veto power, to operate like New Zealand's select committees but with greater public visibility. They also would create two classes of members, some elected and the rest appointed (Chris Smith MP 2002; Tempest 2002). The British might consider New Zealand's experience with party lists and two classes of MPs before they further reform either chamber. Some Canadians are calling for reforms to restore competitive and unpredictable elections to end the cynicism, apathy, regional tensions, and declining turnout that they attribute to FPP and to the domination of the policy process by the Liberal party and the Prime Minister personally (Simpson 2001, pgs. xiii, 196; Robinson and Rebick 2002).

Proportional representation supporter Henry Milner asserts from his observations in Scandinavia that proportionality would address these concerns by facilitating an inclusive and accommodative consensus seeking politics featuring higher turnout and a greater connectedness between voters and parties (Milner 1997, 97; Milner 1999, 37-49). But an enduring attachment to Westminster norms suggests that New Zealand's still evolving model may give Canadians more insight than Europe on how proportional politics would operate in Canada.3 Some optimism is justified. Polls suggest that MMP has enhanced New Zealanders' views of their politics and politicians, even without a consensual political style (Karp 2002, 135, 137). New Zealand's experience also may support David Laycock's speculation that proportional representation (usefully, in his view) would limit new, insurgent, or small Canadian parties' potential by making them nudge parties permanently attached to larger established parties and unable to exercise strong policy influence or attain major party status

(Laycock 2002, 137-139). But no one should expect institutional reforms by themselves to transform a Westminster culture into a less partisan "politics of collective identities."3 When some Canadians examine New Zealand's experience under MMP, they dislike what they see. Louis Massicotte criticizes New Zealand First's behavior as a "slippery partner" in its coalition with National that made coalition-inducing electoral systems like MMP less appealing (Massicotte 2001, 16). Kent Weaver thinks that National discredited MMP with Canada's political elite when it removed Prime Minister Bolger over coalition tensions. Weaver also speculates that MMP would exacerbate Canada's regionalism (Weaver 1999, 80-81). Still others attack coalition politics in general as "prone to pernicious combinations of ideological incoherence, policy stalemate, and political instability" (Clarke, Kornberg, and Wearing 2000, 307).

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