

Proportional Representation and the 1999 Election in New Zealand: Lessons for Japan¹⁾

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Abstract

New Zealand's 1999 general election was only its second under a new electoral system, one which introduced a party list system of proportional representation in an attempt to end two-party control of the country's politics. This experiment in electoral system change, which occurred at almost the same time as Japan modified its voting rules, has led to major changes in parliamentary procedures, political party competition and voting behavior. Yet public dissatisfaction with Parliament and politicians remains as strong as ever. The November 1999 election provides a good opportunity to consider aspects of the New Zealand experience, particularly as Japan moves closer towards its own second election under its present voting system.

Introduction

New Zealand's political culture has changed dramatically since I first became involved in the study of New Zealand politics more than 25 years ago. At that time New Zealand was in many ways still a rather conservative country. Most people drove British cars. Most people wanting to buy a new car had to wait for one to arrive – from Britain. About 90% of all exports went to Britain. About 90% of all products brought into New Zealand came from Britain. The Queen, resident in

1) This article is based on a lecture given on 7 February 2000 at Seijo University by Stephen Levine, who was a Visiting Professor at Seijo University in the Faculty of Law from October 1999 through February 2000.

London, was a Head of State so respected that a Royal Visit was a social, cultural, political and media event of the first magnitude. Most New Zealanders still regarded Britain as 'home' even if they had never been there. This was not so illogical, because the British government gave New Zealanders rights of entry, residence and work – even if they had never been there before – so long as they could show that they had some connection with the country through a parent or grandparent.

This close connection between Britain and New Zealand persisted even though the New Zealand government had long ago concluded that the British government lacked the will and the power to protect New Zealand from any external threat. The loss of this security guarantee made New Zealand reluctantly turn to the United States for security purposes. But New Zealanders did not see their country as a 'little America'; rather New Zealand was a 'little Britain', the 'Britain of the South Pacific'. And New Zealand's political system reflected this perspective.

Thus when we look at the New Zealand experience we are looking at a country which was, in the not so distant past, a 'happy colony', reluctant to become independent, unwilling to look after itself if at all possible. There is an old saying, that 'the unexamined life is not worth living'; this proverb encourages us to be reflective, to look at ourselves from time to time in a critical spirit, to be willing to change. New Zealand history until recently often showed little evidence of this point of view. Indeed, the literature on New Zealand society and culture has often emphasized that New Zealanders have had little interest in 'ideology' – even at a time when many other nations and peoples were involved in intense ideological struggles – or philosophy or abstract ideas of any kind. This unwillingness to change – or to even think about change – or to consider the possibility of change against a set of broad principles – seemed somehow inherent in the New Zealand character. So many writers claimed. Yet by 1996 New Zealand had gone on to adopt, by referendum – actually by a sequence of two referendums – a new electoral system,

based on a set of ten principles or criteria, and by doing so deliberately set into motion political processes that have had significant effects on many aspects of the political system.²⁾

Political Change in New Zealand

New Zealand's abandonment of the electoral system inherited from the British – known in New Zealand as 'first-past-the-post' (FPP) – was a remarkable development from any perspective. I have my own vantage point on this phenomenon. When I began my study of New Zealand politics, I had the opportunity to suggest some questions which might become part of a nationwide survey of public attitudes.³⁾ My proposal that New Zealanders should be asked whether they would support replacement of the Queen as Head of State was greeted with disbelief. Another suggestion, that New Zealanders should be polled as to their attitudes towards withdrawal from the alliance with the United States, was also met with amazement. Asking people about the electoral system was also an odd notion. Indeed, most people would probably have said, on that question, 'I don't know'. All of these ideas were almost literally unthinkable. No one was thinking, or talking, about them.

Yet by 1986 the alliance with the United States had ended. By 1990 all New Zealand political parties supported the nuclear-free policies introduced in 1984 which

2) The process by which a new electoral system was introduced is chronicled in Stephen Levine and Nigel S. Roberts, 'MMP: The Decision', in Raymond Miller (ed.), *New Zealand Politics in Transition* (Auckland: Oxford University Press, pp. 25-36). Documents on the wider process of change and adaptation are reprinted in Jonathan Boston, Stephen Levine, Elizabeth McLeay and Nigel S. Roberts (eds.), *Electoral and Constitutional Change in New Zealand: An MMP Source Book* (Palmerston North: Dunmore Press, 1999).

3) The results of the survey are found in Stephen Levine and Alan D. Robinson, *The New Zealand Voter: A Survey of Public Opinion and Electoral Behaviour* (Wellington: Price Milburn for New Zealand University Press, 1976).

ended the New Zealand-U.S. alliance.

In the early 1990s a conservative Prime Minister was calling for New Zealand to become a Republic. This idea has not yet been adopted, but I would suggest that most New Zealanders expect that some day it will be.

And of course in 1996 New Zealand held its first-ever election under a new electoral system, known as 'MMP', or 'Mixed Member Proportional'.⁴⁾ In November 1999, the second such election was held, and in a moment we will begin to look at some of the results of that election.

At the outset, it is worth noting a few aspects of the New Zealand system before briefly describing how MMP actually works.

The New Zealand Political System – A Brief Overview

New Zealand does not have a written constitution. There is no document which can be described as the 'supreme law of the land' in the American or Japanese sense. Parliament has the sovereign power to enact any legislation that it may wish. There are no formal, legal barriers to legislative power. Since Parliament has traditionally been dominated by the Executive – that is, the Cabinet – the previous statement could be amended to read that there are no formal, legal barriers to Cabinet or Executive power.

During periods when the Prime Minister is especially dominant, this statement could be revised yet again to read that, in practice, there are no formal, legal barriers to Prime Ministerial power. It was, in part, the result of New Zealanders' displeasure

4) The election is described and analyzed by the various contributors to Jonathan Boston, Stephen Levine, Elizabeth McLeay and Nigel S. Roberts (eds.), *From Campaign to Coalition: New Zealand's First General Election Under Proportional Representation* (Palmerston North: Dunmore Press, 1998).

with this state of affairs which first put the idea of political, constitutional and electoral reform onto the national agenda.

The person responsible for such far-reaching developments was a National Party Prime Minister, Robert Muldoon. He held office for three terms, from 1975-1984. During this time he also held one other position within the Cabinet – Minister of Finance. This perhaps unprecedented combination of portfolios and powers, combined with a provocative personality – he especially disliked university academics; among them, moreover, he especially disliked two groups, political scientists and law professors; economists were also not looked upon favorably – made him New Zealand’s most controversial political leader, probably of the 20th century.

As he held office momentum grew for many changes. This led eventually to the passage of a Freedom-of-Information Act, a Bill of Rights Act, even a Constitution Act (but one with the status of ordinary law).⁵⁾ In our book, *New Zealand Under MMP: A New Politics?*, as members of the New Zealand Political Change Project – which is a publicly-funded research project for which I have been responsible as Director, involving three other political scientists at my university – we have stressed that New Zealand’s ‘new politics’ reflected developments in seven areas of political, social and human activity:

- national identity
- political culture
- demography
- economic development

5) See Stephen Levine with Paul Harris (eds.), *The New Zealand Politics Source Book: Third Edition* (Palmerston North: Dunmore Press, 1999), for a collection of New Zealand’s ‘constitutional’ documents.

- social class
- political parties
- the arts, society and mass culture.⁶⁾

In each of these areas of human endeavor, New Zealand experienced significant change, contributing to the process which eventually produced, among other things, a new way of electing the members of the nation's Parliament.

However, all of these factors represent background elements, part of the changing character of a country evolving away from its British colonial origins just as Britain was moving away from its Imperial trappings and outlook. The most immediate element in persuading New Zealanders to look at proportional representation as a means of bringing about political change – to refer here to the subtitle of my talk – was the Muldoon government. There were two problems with this government: the first was the way in which it governed – with little regard for dissenting opinion or opposition points of view; the second was the way in which it was elected – holding office in 1978 and again in 1981 despite receiving fewer votes overall than the opposition Labour Party.

Another book dealing with MMP, entitled *New Zealand Adopts Proportional Representation: Accident? Design? Evolution?*, draws upon an analytical scheme devised by American Professor Larry Longley to describe the process of political change.⁷⁾ Longley argued that institutional or constitutional change – and electoral system change has elements of both – comes about from six specific factors:

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- 6) See Jonathan Boston, Stephen Levine, Elizabeth McLeay and Nigel S. Roberts, *New Zealand Under MMP: A New Politics?* (Auckland: Auckland University Press, 1996), chapter 1.
- 7) See Keith Jackson and Alan McRobie, *New Zealand Adopts Proportional Representation: Accident? Design? Evolution?* (Christchurch: Hazard Press, 1998).

- events
- individuals
- organizations
- the media
- issues
- perceptions of self-interest.

All of these factors were at work over the nine years of Muldoon's leadership, as New Zealanders sought to find some way of restraining the power of the Prime Minister, and his Cabinet, and his parliamentary party. Ultimately electoral system reform emerged as a major instrument for potentially transforming a majoritarian, Cabinet-dominated political and parliamentary system into one more open to compromise, cooperation and consensus government.

The Royal Commission's Ten Principles for Evaluating Electoral Systems

The system which was recommended by an independent commission – known in New Zealand as a Royal Commission – was based on the German (at that time the West German) model. The Royal Commission had proposed ten criteria for assessing electoral systems – any system (including Japan's):

- fairness between political parties
- effective representation of minority and special interest groups
- effective Maori representation
- political integration
- effective representation of constituents
- effective voter participation
- effective government

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- effective Parliament
- effective political parties
- legitimacy.⁸⁾

After I discussed these ten principles with a colleague in Kobe, he suggested to me that they could be described in Nihongo as follows (my apologies if there are any mistakes in the 'romaji')-

- seito wa, kohei de nakereba naranai
- minorities to tokubetsu riei groupu wa, koukkateki ni daihyo sareneba naranai
- Maori wa, koukkateki ni daihyo sareneba naranai
- senkyo seido wa, seiji toogo ni koken shinakereba naranai
- senkyo seido wa, kokai giin to yukensha no aidani kimimitsu na kankei o ijishinakereba naranai
- senkyo seido wa, tohyo ritsu ageru mono de nakereba naranai
- seifu wa, kokkateki de nakayreba naranai
- gikai wa, kokkateki de nakayreba naranai
- seito wa, kokkateki de nakayreba naranai
- senkyo seido wa, seito de aruto omowareneba naranai

How MMP Works

Under MMP voters have two votes – a party vote and an electorate vote. The party vote enables voters to choose which party they would like to see represented in Parliament. In effect, the voter is expressing a preference about which party should

8) These criteria are reprinted in Levine with Harris, *The New Zealand Politics Source Book: Third Edition*, pp. 180-1. See Report of Royal Commission on the Electoral System, *Towards a Better Democracy* (Wellington: Government Printer, 1986).

govern the country. The electorate vote is for choosing an MP to represent the voter's electorate. Of the 120 seats in Parliament, the number of MPs each party has will be determined *only by the party's share of the party votes* cast at the election.

In recent years several countries – including Japan – have adopted variants of the German electoral system, but none other than New Zealand has implemented Germany's system of full proportionality. There are important differences between the German and New Zealand political systems.⁹⁾ Germany is a federal system; New Zealand is not. Germany has a bicameral legislature; New Zealand's Parliament is unicameral. But Germany's postwar record of political stability and economic prosperity impressed the members of the Royal Commission. In addition, a 'mixed' system allowed New Zealanders to keep their own MP – a person to whom they could go for assistance with complaints of one kind or another – while at the same time making it less likely that any single party would be able to govern the country on its own.

Choosing a New Electoral System by Referendum

By being given the chance to vote for a new electoral system through a referendum, New Zealanders were in effect offered the chance to vote against the system which they felt was responsible for the kind of Parliament, and government, that the country had. This was really therefore a chance to vote against both parties, National and Labour, that had supplied every Prime Minister and every Cabinet Minister since 1935.

This New Zealanders did, not once but twice, thus introducing a new era of New

9) See Jonathan Boston, Stephen Levine, Elizabeth McLeay and Nigel S. Roberts, 'Why Did New Zealand Adopt German-Style Proportional Representation?', *Representation*, vol. 33, 1996.

Zealand politics, one revolving around a system imported not from Britain but from Germany.¹⁰⁾

We could say that the main reason for electoral reform taking place in New Zealand was the same as in Japan – public anger over government corruption. In Japan the corruption had to do with the role of money in Japanese politics. In New Zealand the corruption was of a different kind. New Zealanders did not appreciate governments being elected and then ignoring popular feelings. This too is a type of corruption – a corruption of the meaning of democracy. Following the stormy Muldoon years, the Labour government came to power in 1984 and proceeded to restructure many aspects of the New Zealand economy and government system.¹¹⁾ Although some of these changes were popular, and others proved successful, almost all of them involved the government doing things which it had not told voters about prior to the election. In a larger sense, moreover, the Labour government was carrying out policies contrary to its principles, and so was ‘betraying’ its own supporters.

After Labour was defeated – for its ‘broken promises’ – the next government, a National Party government, also proceeded to carry out policies completely against what it had promised voters it would do. Thus with both parties morally discredited – with both parties having forfeited the trust of the public – the movement to punish both of them, by changing the voting system, became irresistible.

10) For an analysis of the 1992 electoral referendum, see Stephen Levine and Nigel S. Roberts, ‘The New Zealand Electoral Referendum of 1992’, *Electoral Studies*, vol. 12, 1993, and Stephen Levine and Nigel S. Roberts, ‘The Referendum Results: “The People Screamed”’, in Alan McRobie (ed.), *Taking it to the People? The New Zealand Electoral Referendum Debate* (Christchurch: Hazard Press, 1993). An analysis of the 1993 referendum, leading to the introduction of MMP in 1996, is found in Stephen Levine and Nigel S. Roberts, ‘The New Zealand Electoral Referendum of 1993’, *Electoral Studies*, vol. 13, 1994.

11) A description of the record of the fourth Labour government in a variety of policy areas is contained in the two books edited by Jonathan Boston and Martin Holland, entitled *The Fourth Labour Government* (Auckland: Oxford University Press, 1987 and 1990).

The First MMP Election (1996)

The first election under MMP inevitably contributed to changes in the country's politics for which many New Zealanders – including, as it happened, many of its politicians – were quite unprepared. Thus the resulting coalition negotiations, the character of the government that was formed, and the complexion of the Parliament which was convened proved something of a shock for many observers. It was one from which neither the public – and, quite possibly, MMP – never fully recovered.

National won the 1993 election with only a one-seat margin over all other parties (50-49).¹²⁾ In 1996, under MMP, no party was able to win a majority.¹³⁾ The result was – eventually – a National-New Zealand First coalition government. The voting figures had placed New Zealand First in a pivotal position. However, this coalition was unpopular from the outset. As in Japan, it can be difficult for voters to understand how political enemies can suddenly become allies in a government whose policies and principles seem very hard to define.

Among National supporters, there were many who were unhappy with the idea of a partnership with the New Zealand First leader, Winston Peters, who had been ousted from the National Cabinet in 1991 and had made a career for himself out of his rebellion against his former party. As for New Zealand First's voters, most of them felt betrayed by their leader's choice, as it had been made in spite of the party's campaign rhetoric emphasizing that a vote for New Zealand First was a vote *against*

12) For an account of the 1993 election campaign and results, see Stephen Levine and Nigel S. Roberts, 'The New Zealand General Election and Electoral Referendum of 1993', *Political Science*, vol. 46, 1994.

13) The 1996 MMP election is analyzed in Stephen Levine and Nigel S. Roberts, 'The 1996 General Election', in Raymond Miller (ed.), *New Zealand Politics in Transition* (Auckland: Oxford University Press, 1997), and in Jonathan Boston, Stephen Levine, Elizabeth McLeay and Nigel S. Roberts, 'The 1996 General Election in New Zealand: Proportional Representation and Political Change', *Australian Quarterly*, vol. 69, 1997.

National. Yet now New Zealand First was agreeing to keep National in office...

The 1999 Election

The 1999 election – the second under MMP – was very different from the 1996 contest. For one thing, most opinion polls were in agreement with each other for much of the 1996-1999 period. Thus voters had every reason to approach the 1999 election with some considerable certainty about the eventual outcome, at least in terms of the larger picture. Only someone oblivious to New Zealanders' feelings about politics, the government and the state of the country could have expected the National Party to win another three-year term in office: not on its own, and almost certainly not through an arrangement with any plausible coalition partner(s).

The prospect of a coalition between the main opposition party – Labour – and a smaller left-wing party, the Alliance, was strongly foreshadowed and it was against that background that New Zealanders went dutifully to the polls. They did so in large numbers: 2,127,245 people voted, a turnout of 84.8 per cent. The results of this

The State of the Parties after the 1999 General Election

Party	Seats on Election Night Results, 27 November	Seats after the Counting of Special Votes, 10 December
ACT	9	9
National	41	39
United	1	1
New Zealand First	6	5
Labour	52	49
Alliance	11	10
Greens	0	7
Labour/Alliance	63	66
Centre-Left Majority	6	12
Total Number of Seats	120	120

collective effort were dramatic and, in due course, even suspenseful; but the picture after election night was not very different from what had been anticipated for a very long time. The National Party, led by Prime Minister Jenny Shipley, had been defeated; no party or group of parties could restore it to power. The Labour and Alliance parties together would govern the country, with Helen Clark – the new Prime Minister – finding her own place in the country’s history as the first woman to lead a New Zealand political party to victory at a general election. The 1999 election results are given in the accompanying Table.

The Shipley Government and the 1999 Campaign

New Zealand’s first government after the 1996 election had Jim Bolger as Prime Minister. When the coalition remained unpopular, National removed Bolger as Prime Minister and substituted Jenny Shipley as Prime Minister. Despite a brief rise in the polls – reflecting Shipley’s place in New Zealand history as the country’s first woman Prime Minister – the coalition soon fell back in public esteem. This led to a third government being formed, as a somewhat desperate effort by National to revitalize itself by separating itself from New Zealand First. The collapse of the coalition, however, did little to enhance National’s image as a coherent governing party. It thus entered its final year of office with its image as a stable, decisive and competent force a dwindling asset yet perhaps its only one. Nevertheless this too was squandered, surrendered in stages almost right up until election day.

The election campaign itself featured few major issues. A National government had once before managed to win four successive elections (1960, 1963, 1966 and 1969) but few people thought that it could do so again. The government was pronounced ‘dead’ even before the campaign began. Several televised debates left the Labour leader, Helen Clark, undamaged. Even Labour’s promise to raise tax rates for some voters seems to have caused the party few problems. Although the issues could be

identified as health, education and the economy, the more pervasive influence on voting choice could be described as a sense of fatigue with National, an impatience born of familiarity and disappointment.

It may seem overly imaginative on my part, but in fact the final blow to the government came not at a campaign meeting or during a televised debate but on a rugby football field in Europe. The possibility of any 'feel good' factor rescuing the government was destroyed when the national team in New Zealand's number one sport, the All Blacks, was defeated in the Rugby World Cup, a blow made all the more severe by its having come at the hands of the French.

The election results

National

The election results confirm the gradual decline in National Party support. When the party came to power in 1990 it did so with 47.8 per cent of the vote – only 40,000 votes short of a majority. Three years later, when it won a second successive term, it only managed to secure 35.1 per cent of the vote – only about 30,000 votes more than one-third. In 1996, with the introduction of MMP, National slipped a bit further towards that mark, its constituency candidates together gaining 33.9 per cent of the vote and the party as a whole securing 33.8 per cent of the party-list vote. The 1999 results gave National only 30.5 per cent of the party-list vote, the lowest share of the vote ever recorded by the party since its formation after the 1935 elections.

Labour

While under FPP the obverse of these figures would have been an inexorable rise for the Labour party, New Zealand's emergence from two-party politics – towards an

evolving form of 'two-bloc' politics – has meant that National's subsidence has not always and inevitably been to Labour's immediate advantage. For instance, the Labour party's collapse in 1990 – its share of the vote had fallen from 48 per cent to 35.1 in the space of three years – was not arrested in 1993. The strengthening of a more authentic multi-party politics could be seen at that year's election, as Labour dipped just a bit further, gaining 34.7 per cent of the vote in a neck-and-neck race with National (only 7000 votes separated the two parties). In 1996, Labour fell even further in public esteem. Labour's share of the party-list vote was only 28.2 per cent, substantially behind National's, and the party received fewer votes in 1996 than it did in 1993.

The 1999 election returned Labour to power for the first time in nine years, with 38.7 per cent of the party-list vote – a gain of more than 10 per cent from 1996. Its 800,199 party-list votes were 216,000 votes more than it had received three years earlier – though still considerably less than the 878,448 votes it had attracted in 1987, the last time it won an election. As in 1996, so too in the second MMP election the most intriguing parties to watch were the smaller ones – indeed, on their performance hung the outcome of the election.

The 'smaller' parties

In 1999, for the first time, the Alliance – originally a grouping (hence the word 'Alliance') of five parties – was without the Greens, one of its most important elements. The Alliance's other main actor had been derived from a left-wing party known as NewLabour; on its own that party had managed to attract slightly more than 5 per cent of the vote in 1990, its only solo effort. At that time the Greens had done somewhat better, with nearly 7 per cent support. Together as the Alliance – and embracing three other parties as well – the Alliance had reached 18.2 per cent of the vote in 1993, New Zealand's last first-past-the-post election. At that election, its

first, the Peters-led New Zealand First party had won 8.4 per cent of the vote; thus the principal 'third party' vote just prior to MMP was at 26.6 per cent. In 1996 this combined Alliance-NZF vote was little changed – at 23.5 per cent of the party-list vote and 24.8 per cent of the electorate vote – but other groups, on the right, also won support. Two such groups – a low-tax small-government party, known as ACT New Zealand, and the Christian Coalition – were able to gain a further 10.4 per cent of the party-list vote. Thus the votes cast in New Zealand's first MMP election could be said to have gone towards three groups of political actors – the National Party, which had been in government for six years; the opposition Labour Party, which had also governed for six years just prior to National's reign; and the newer parties, which were part of the same environment of discontent which had led to the rise in support for a new electoral system in the first place.

In 1999, the prospects for the smaller parties were not so good. One of them, New Zealand First – the third-place finisher in 1996 – had split and had also lost much of its popularity. In any case it was no longer an 'outsider' party, but rather had had a share in the decisions and divisions on which voters were now being invited to reflect. The others, too, had seen their fortunes alter. The Christian Coalition had fallen apart, its two parties proving unable to reconcile their differences. As for the Alliance it too had lost its unity. The departure of the Greens was one of the Alliance's two changes from 1996; the other was the Alliance's decision to formally and explicitly commit itself to a coalition government with Labour if the election results gave the two parties the opportunity to form one.

In 1996 National and Labour together had gained 62 per cent of the party-list vote; in 1999 this rose to 69.2 per cent – the first time that the two-party share of the vote had gone up since 1987. This still left nearly 30 per cent of the vote distributed among other contenders for power. New Zealand First's experience of government left it in very poor shape; its proportion of the party-list vote fell by 9.9 per cent,

almost – but not quite – as much as Labour’s rose. But the Alliance’s performance in 1999 was also weaker than three years earlier. In two elections the Alliance had fallen dramatically, from 18.2 per cent in 1993 to 10.1 per cent (of the party-list vote) in 1996 to only 7.7 per cent in 1999. The combined Alliance-NZF vote was now at only 12 per cent, a precipitous decline from the 1993 and 1996 figures. With the Christian Coalition gone, NZF below the 5 per cent threshold and the Alliance limping towards power, where did the rest of the ‘third-party’ vote go? On the right, ACT New Zealand improved slightly, going up from 6.1 per cent to 7 per cent of the party-list vote. The Greens cleared the 5% threshold for winning seats in Parliament – just barely – winning 5.2 per cent support, somewhat less than it had managed to do under FPP rules in 1990. Other votes were scattered, with the most pitiful performances being achieved by those candidates identified as most responsible for the disturbingly lamentable inauguration of a hopeful country’s new electoral system. Thus all the Members of Parliament who had deserted the parties that had elected them were defeated. These included defectors from New Zealand First and from the Alliance. Thus even though there is no law against a Member of Parliament leaving their party, it seems that the voters have come up with their own method of punishment.

The Electoral Aftermath

The pre-election agreement on the part of Labour and the Alliance made the formation of a new government a fairly easy task. Negotiations were conducted quickly and with apparently little rancour. The 20-member Cabinet brought four Alliance MPs into the new Ministry. Outside of Cabinet were a further six positions, two of them held by Alliance MPs.

Apart from the installation of Helen Clark as Prime Minister, the biggest signs that New Zealand had entered a new era were associated with the personnel selected to

be part of the new government. Where the previous government had had only one woman in the Cabinet – albeit the Prime Minister – the new government had seven. Outside of the Cabinet, among the further six positions there were an additional four women. Thus the 26-member Ministry had 11 women among its members – three from the Alliance and eight from Labour – a near-parity with men that transformed New Zealand into one of the world leaders in this respect.

Other developments also made for a remarkable demonstration of change to a once conservative country's political culture. For apparently the first-time anywhere, a person who had undergone a sex change operation had been elected to a parliamentary seat – and from an electorate not known for its radical tendencies. The image of Carterton, where Georgina Beyer is also Mayor, as a sort of 'People's Republic' – the Berkeley (California) of the South Pacific – seems extraordinary. Elsewhere, too, New Zealanders' voting decisions seem to have been characterized by tolerance and by judgements made according to public issues and assessments of individual competence rather than on the basis of politicians' private preferences. In two other elections, for instance, men who would be ineligible for membership in the U.S. armed forces under that country's 'don't ask, don't tell' policy on sexual orientation were able to win seats in Parliament, in each case not for the first time.

The reputation of MMP as a system conducive to the formation of a more representative parliamentary institution was also further strengthened by 1999 voting patterns. The number of Maori being elected under MMP remained substantially higher than it had ever been before, with 16 Maori being elected to Parliament. New Zealand's only Asian MP, National's Pansy Wong, won a second term in office – this being one of the genuine successes of MMP, as no Asian woman had ever come anywhere close to winning a seat in Parliament before. At the 1999 election, this feat was matched by the first-ever victory for a Samoan woman. As for the Greens, the election of the party's leader in an electorate was the first time that a Green

parliamentary candidate, anywhere in the world, had ever succeeded in securing membership in a national legislature by winning an electorate seat (as opposed to a party-list). The Greens made their parliamentary presence known right from the beginning – not by securing a place in Cabinet, from which they were excluded (as the Labour-Alliance Cabinet was announced a day before final results giving the Greens their seats were announced), but by indicating its opposition to a government plan to legislate against MPs deserting their party.

The Future of MMP

The election was also accompanied by two Citizens' Initiated Referendums – one on reforms to the criminal justice system, the other on a reduction in the size of Parliament to 99 MPs (the number of MPs in the last FPP Parliament, but one which was simply the result of the workings of a population-based formula in the Electoral Act 1956 rather than the outcome of a calculated, explicit decision about the appropriate number of MPs for New Zealand's size, type of legislature or political requirements). These referendums were carried by large majorities, but their non-binding character was soon emphasized as the incoming government showed little inclination to take up either cause. Nevertheless the widespread support for the removal of 21 MPs from the 120-seat House was a further sign of the fragile hold that the new MMP system has on the electorate. Further evidence will no doubt be provided by the difficult but mandated review of the electoral system scheduled to begin in mid-2000 and to run for two years. Thus, somewhat remarkably, for New Zealanders an interest in electoral system alternatives – almost required by law – seems likely to be an obsession sufficiently persistent to survive the country's transition from one millennium to the next.

Assessment of the Impact of Electoral Reform on New Zealand's Politics

As already noted, MMP was offered to voters on the premise that it could best satisfy ten separate criteria. After two elections we can look at these criteria and advance some preliminary conclusions.

- fairness between political parties

As expected, the introduction of a 'mixed' system using proportional representation to determine representation in Parliament has increased representation for smaller parties. The 1996 election resulted in six parties winning seats in Parliament. The 1999 election has led to seven parties gaining representation. If it is 'fair' for parties to win seats according to their proportion of the nationwide vote, then MMP could be described as promoting greater 'fairness' between political parties.

- effective representation of minority and special interest groups

The introduction of MMP has been a great success in giving candidates from minority groups representation in Parliament. Previously it would have been very difficult for an Asian or Pacific Island person to be elected as the representative of a particular electorate. The party-list system has led to the election of an Asian woman, a Samoan woman and three Samoan men to Parliament.

- effective Maori representation

The number of Maori Members of Parliament has risen dramatically. Some Maori have been elected on party-lists, usually for Labour, the Alliance and New Zealand First. Another development, prompted by the change to MMP, has been the increase

in the number of Maori electorates – seats guaranteed to Maori – from four to six. Whether the increased Maori representation has been ‘effective’ is another question. Many of the most unpopular Members of Parliament, defeated at the 1999 election, were Maori Members of Parliament, rejected by Maori voters.

- political integration

It is difficult to say that New Zealanders are becoming more ‘integrated’ because of the new electoral system. To some extent the rise in the number of Maori Members of Parliament, for example, has led to a backlash among some non-Maori New Zealanders.

- effective representation of constituents

Even the Royal Commission felt that New Zealanders were well served by their Members of Parliament under the old electoral system. The new system – which has fewer electorate Members of Parliament (only 67) and larger electorates – makes it more difficult for New Zealanders to communicate effectively with their Member of Parliament. It also makes it more difficult for Members of Parliament to travel around their electorates.

- effective voter participation

Even under the old system New Zealand’s voting participation has been high – much higher than in Japan or in the United States, for example. Under MMP the voting turnout has remained at a high level.

- effective government

This has been the greatest problem with MMP. New Zealanders did not regard the National-New Zealand First government as an 'effective' or credible administration. The test for MMP is whether the new Labour-Alliance coalition can be seen to provide coherent, decisive and unified government, capable of dealing with social and economic problems.

- effective Parliament

Electoral system reform was designed, in part, to strengthen the power of Parliament vis-a-vis the Executive (Cabinet). During periods when there is 'minority government' – when the coalition lacks a majority in Parliament – the government must negotiate with opposition parties. To that extent the potential power of Parliament has increased since it is more likely that there will be a minority government – as there is now, with Labour and the Alliance having only 59 seats – under MMP.

But, as in Japan, the power of the legislature to initiate policy, to develop legislation on its own, to dominate the political process, is not very great. Parliament remains weak – despite the idea that it, like the Diet, is the 'highest organ' of State power – and, furthermore, despite new rules (known as Standing Orders), most commentators regard the level of behavior in the New Zealand Parliament as having deteriorated under MMP. The hopes for a 'new Parliament' – composed of rational people, working together for the common good – hopes which were perhaps always rather naive – have not been achieved under the new system.

- effective political parties

It is hard to say that political parties have become more 'effective' under MMP. There are more parties than ever before – 34 took part in the last election in one

way or another – but their total active membership is certainly less than in the period when New Zealanders strongly identified with either National or Labour. The parties exist to play a role in nominating candidates and developing policy, but they seem no more ‘effective’ under MMP than they were before.

- legitimacy.

Finally, it is impossible to claim that the New Zealand system is now perceived as ‘more legitimate’ under MMP than it had been previously. Probably the opposite is true. The old system became discredited because of the behavior of the two parties while in office. However, New Zealanders generally understood how the system worked and probably many people would have believed that the responsibility for ‘bad government’ lay with the parties, and their leaders, rather than with the voting system itself. Of course it took about 140 years – from 1852 to 1992 (the year of the first referendum) – for New Zealanders to turn against the electoral system.

The new system, however, seems to have lost its ‘legitimacy’ in a matter of a few days.¹⁴⁾ The spectacle of New Zealand First taking a large number of Cabinet seats in exchange for its vote to keep National in power disillusioned many New Zealanders with MMP – the system which gave New Zealand First the power to act in this way. Secondly, the poor performance of many Members of Parliament elected on the party lists – and the inability of New Zealanders (and many Members of Parliament themselves) to understand what party list Members of Parliament were supposed to be doing in Parliament (since they did not represent territorial electorates and were therefore not busy with complaints from constituents) – also served very quickly to deprive MMP of much of its legitimacy. Thus MMP remains

14) For an account of that early disillusionment with MMP, see Stephen Levine and Nigel S. Roberts, ‘Enthusiasm and Entropy: New Zealand’s Experience with Proportional Representation’, *Representation*, vol. 35, 1998.

a system very much on trial with the New Zealand electorate. A successful Labour-Alliance government will give the new system a chance; a poor performance by the new coalition will increase demands for a reduction in the number of Members of Parliament and a new referendum to change the voting system.

Conclusion

Two highly cohesive parties, Labour and National, dominated the New Zealand House of Representatives from 1935 onwards. In 1993, New Zealand adopted a mixed member proportional electoral system. After a transitional parliamentary term between 1993 and 1996, a multi-party Parliament was elected at the first general election under the new rules in 1996.

Ultimately it is the party composition of the legislature that is critical in determining the nature of the governments that will be formed in parliamentary democracies such as New Zealand. As expected, the introduction of MMP has brought significant changes, both to the character of the party system and the number of parliamentary parties.

It is important to recognize that the New Zealand party system is essentially unidimensional in character, with a single, dominant socio-economic (or left-right) ideological dimension distinguishing the parties from one another. In practice there are no major social or moral issues to prevent parties with a shared outlook on economic issues and the role of the State from holding office together. In addition, the degree of polarization along the socio-economic dimension is actually not very great. Nevertheless – in New Zealand as in Japan – a problem facing all coalitions is how parties can retain their separate identity (and electoral appeal) without depriving the government of its capacity to make and implement firm decisions on matters of important national policy.

The National-New Zealand First coalition attempted to deal with this problem by developing a very lengthy and detailed coalition agreement in which each party's policy objectives could be satisfied to some degree. At the same time mechanisms for dealing with inter-party disputes were developed. These of course failed the test completely once the parties had decided to find an excuse for breaking up their unpopular coalition.

The new Labour-Alliance coalition has dealt with this problem in a different manner. Their coalition agreement is very short and lacking in detail. At the same time the two parties have come up with an approach that allows each party to designate certain issues as being of importance to the party's 'political identity'. This will enable the parties to take different positions on certain issues without threatening the existence of their coalition government. Nevertheless how voters accustomed to governments speaking with one voice will respond to seeing the components of this coalition government speaking with two remains to be seen. On this question perhaps depends the future both of the Labour-Alliance government and the new electoral system that made it possible.

The New Zealand Experience – Lessons for Japan

It is never easy to talk about the 'lessons' for one country that can be derived from the experience of another. The New Zealand Political Change Project, for example, has looked at the effects of electoral system change in New Zealand on a diverse range of topics, including the courts, the public service, Parliament, Cabinet, voting behavior, political leadership, political recruitment and career patterns, campaign strategy, the party system, the policy process and specific policy initiatives. We have also examined the possibility of further constitutional change taking place in New Zealand, involving the role and identity of the Head of State, the collective rights of the indigenous Maori people to some form of sovereignty, and the possibility of

changes to the Cabinet system. Of course, the review of alternatives to MMP is also very much a part of the New Zealand agenda.

Given these widespread effects on aspects of New Zealand's political system, as well as the differences between Japanese and New Zealand politics, it is impractical to speak in a comprehensive way or at great length about 'lessons' to be drawn from the New Zealand experience with electoral reform. Yet in Japan there is something of a temptation to do precisely this, if only because throughout my stay in this country I have been asked so many times about what New Zealand can 'teach' Japan – whether this is in the area of health policy, taxation, State sector reform, education, the budget process, Question Time in Parliament, and so on. It is flattering for New Zealanders, perhaps, that there seems to be such a readiness among informed Japanese to believe that New Zealand has something to contribute to Japanese experience.

My own view is that what New Zealand can most contribute to Japanese scholars and commentators on politics – and to the Japanese public – is a healthy skepticism about political rhetoric and the meaning of the word 'reform'. In New Zealand it seems that any person, party or group with an idea to advance or a policy to promote claims that it is in possession of a 'reform'. This word, however, has little intrinsic meaning. There seems to be no independent criteria which can be used in advance to determine whether a proposal is, in fact, a 'reform' – an improvement on the status quo – or not. But certainly attaching the label 'reform' to an idea gives it an advantage with the public and increases the likelihood that it will be adopted.

This, however, can lead to problems later on. One reason that New Zealanders became disillusioned with MMP so quickly was that so many wonderful things had been claimed for this system, when in fact it simply represented an adjustment to the process by which Members of Parliament were elected – a major adjustment, of

course, but not something which, by itself, was going to change the behavior of politicians, or encourage all parties to work together for the common good, or lead inescapably to the best policies and the wisest leadership. New Zealand advocates of proportional representation faced such an uphill battle for such a long time – since MMP had been opposed by almost all members of the National and Labour parties, even by the governments which set up the Royal Commission and authorized the two referendums – that their rhetoric became somewhat excessive. Thus they led New Zealanders to believe that a new political era was going to unfold – actually one imbued with very Japanese values, an era that was to be characterized by ‘wa’ (harmony) in the community and among politicians – and the inevitable result was dismay and disillusionment.

In the wake of disappointment there has emerged a ‘reform fatigue’. New Zealanders voted to remove the National party from office – and punished New Zealand First as well – thus giving Labour and the Alliance their change to govern. But really New Zealanders are running out of options. Having voted first for Labour, and then for National, they decided to change the electoral system. Now, having first elected a center-right government under MMP, they have decided to opt for a center-left government. Meanwhile the electoral system’s stability is itself rather shaky. Ultimately this frustration with the political process must pose a danger for New Zealand democracy. When a people run out of answers – when they lose hope with elective politics – this creates a very risky situation indeed.

So one of the ‘lessons’ I would suggest from the New Zealand experience is that would-be ‘reformers’ should moderate their rhetoric. Do not promise more than a particular change to existing institutional arrangements can realistically be expected to deliver. Short-term gains – acceptance of a particular proposal – will be offset by long-term disappointments. This can be put another way. Do not talk down to voters – assume that they can understand the limited gains to be achieved by a particular

'reform'.

An example here would be the introduction of a form of 'Question Time' in the Japanese Diet (kokkai). There were some remarkable commentaries on what this was going to do to and for the Japanese legislative process. In an astonishingly brief time – only one or two such 'leaders' debates' – very strong criticisms of this much anticipated and highly celebrated 'reform' were being expressed. Yet even a cursory look at the way this works in New Zealand, for instance, would have alerted any commentator to the fact that the gains from such a development were going to be real, of course, but also quite modest.

Looking more closely at the electoral system itself, there seem to be some shared problems in New Zealand and Japan in terms of public acceptance of existing rules. In neither country has there been a serious attempt to develop criteria that would allow agreement to be reached as to the appropriate number of legislators. At the moment the choice of numbers seems entirely arbitrary. For that reason a new group of New Zealand 'reformers' was able to persuade more than 80% of the electorate that 120 Members of Parliament were too many and that 99 were about right. However, it is likely that an overwhelming majority of New Zealanders would have voted in favor of reducing the number of Members of Parliament to 90 – or 80 – or 70 – or 60 – or perhaps even 50. Similarly, in Japan political parties discuss whether the number of Lower House Members should be reduced by 20, or 30, or 50 – or left unchanged. But these calculations do not appear to be supported by an analysis which could persuasively establish an appropriate number of Members for that institution, in terms both of the requirements of the position and the needs of Japanese society.

In other areas, too, ambiguity of purpose has not been helpful in building public acceptance or understanding. Should legislators elected on a party list have the right

to change their party after being elected? There are actually good arguments on both sides of this question. The evidence suggests that in both New Zealand and Japan, however, that the integrity of the voting system – and hence the legitimacy of the political process – is undermined by allowing such legislators to change party allegiance.

The New Zealand system has been largely free of any problems in the area of campaign finance. Legislation giving political parties access to television and radio has meant that the sorts of pressures to raise campaign funds which exist in the United States, for instance, have been absent. New Zealand's Electoral Commission has done a good job in educating voters about the electoral system. The country's Representation Commission revises the electorate boundaries after each census (conducted every five years) so that population disparities are kept to a minimum. The system of 'special votes' for New Zealanders away from their electorates on election day – traveling both in New Zealand or overseas – has helped to keep voting turnout exceptionally high. These aspects of the electoral system are not often emphasized, but they help to keep the system equitable and efficiently maintained.

Perhaps the most important difference that I have observed between the two countries' political systems has to do with the Cabinet system. Barring any unforeseen developments, the membership of the Labour-Alliance Cabinet announced by Helen Clark after the election is not expected to change between now and the next election. Furthermore the number of Labour and Alliance members of Cabinet roughly reflects their share of seats in Parliament. Finally, the two party leaders are in the Cabinet together, at the top of the New Zealand Executive. This is the norm for New Zealand Cabinets. A New Zealand Prime Minister undertaking a comprehensive reshuffle – one which removed almost all the members of the Cabinet so as to give other politicians a chance – would be removed from office. In any case the Labour Cabinet Ministers were elected to Cabinet by a vote of the

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Labour Members of Parliament; Helen Clark's discretion was simply limited to determining which portfolios they should manage. Indeed, if she were to remove a Labour Party Cabinet Minister, it would be possible for Labour Members of Parliament to re-elect that person to Cabinet, thus overriding the Prime Minister. This happened in 1988 and led eventually to the resignation of a very frustrated Labour Party Prime Minister.

It is, however, not clear to me whether any aspects in this New Zealand approach to Cabinet management recommend themselves to Japan. It could be that the Japanese approach – which makes a reshuffle 'normal', rather than a moment of national political crisis – has some 'lessons' for New Zealand.

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