Does Māori Representation Matter?: An Analysis of the Relationship between Māori Descriptive and Substantive Political Representation in Parliament and Local Government

Kim Margaret Summersby

ABSTRACT

This thesis investigates the relationship between Māori descriptive and substantive political representation in New Zealand's parliament and local government. The 1993 parliamentary electoral reforms and optional changes to the structure of local body elections in 2001-02 aimed, in part, to help increase Māori descriptive representation. The overall number of elected Māori representatives in parliament has grown, and the proportion of Māori representatives in local government could increase should electoral reforms be implemented. Consequently, arguments based on democratic justice and equality for ensuring an adequate Māori political presence are being superseded by questions of who Māori MPs and Māori local councillors represent, and whether these representatives are making a difference in politics. This study examines the extent to which elected Māori representatives feel a specific responsibility to represent Māori and the ways Māori substantive representation is manifested. It also considers how institutional arrangements and attitudinal factors constrain or facilitate the promotion of Māori interests. This thesis presents case study analyses of Māori substantive representation based on in-depth interviews with elected Māori representatives. It is supported by an examination of three specific issues relevant to parliament, to help demonstrate how Māori MPs react and respond to issues of importance to Māori.

The evidence suggests elected Māori representatives generally feel a specific responsibility to act for Māori interests within and outside their electorate's geographic boundaries. The data demonstrates that whakapapa influences the perceptions elected Māori representatives have of their role in terms of substantive activities and style of politics. However, electoral system influences, political party practices, the type of representation provided by Māori, the proportion of Māori actually elected to a governing body and non-Māori attitudes to Māori issues, are salient to Māori substantive representation because they mediate the role of the representative. While the relationship between 'standing for' Māori and 'acting for' Māori interests is not directly correlated, this thesis suggests elected Māori representatives largely do promote Māori interests. Māori ethnicity influences the role of Māori MPs and councillors. Thus, Māori representation matters. This research adds to current understandings of the nature of Māori political representation and of New Zealand's representative democracy.

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INTRODUCTION

> If what representatives actually say and do is fashioned at least in part by who they are, then the link between identities and interests must be explored (Trimble 2006:121).

Reforms to parliamentary elections in 1993 and electoral choices on the structure of local body council[1] elections in 2001-02 aimed, in part, to help increase the proportion of elected Māori[2] representatives in New Zealand's governing bodies. The legislative changes enabled Māori to become roughly proportionately represented in parliament since 1996. However, few local body councils have adopted the elective provisions that are likely to increase the number of Māori councillors, and Māori representation in local government has remained consistently low. As the number of nationally elected Māori representatives has grown, arguments centred on democratic justice and equality for ensuring an adequate Māori political presence are being superseded by questions of who Māori MPs and local councillors represent, and whether these representatives are making a difference in politics.

This thesis moves beyond an analysis of numeric Māori representation in politics. Rather, it investigates the relationship between Māori descriptive and substantive political representation. Descriptive representation refers to shared characteristics such as age, gender or ethnicity between the representative and the represented, while substantive representation goes further to indicate the representative is acting in their constituents' interests, irrespective of their personal attributes (Pitkin 1967:chapters 4-6).[3] Put another way, this study questions whether the presence of elected Māori representatives in parliament and local councils is related to the promotion of Māori interests. It answers this question by exploring the manner and extent to which Māori MPs and Māori councillors address the substantive concerns of Māori, in particular through examining the role of elected Māori representatives.

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[1] In this thesis, the phrases local government, local body, local council, local body council and local authority are used interchangeably, and all generally refer to the 85 territorial and regional councils in New Zealand. They do not refer to community boards, district health boards, or any other special purpose board.

[2] Māori are the indigenous people of New Zealand. As an explanatory note, long vowels in the Māori language are marked with a macron where appropriate in this thesis, but the original spelling and grammar is retained where sources are directly quoted. Māori words are not italicised, as the Māori words used in this thesis can be confidently assumed commonplace. When required, the meanings of Māori words are given in the first instance of their use.

[3] While outside the scope of this study, it requires mention that there is an extensive body of research that exists on representative bureaucracy, where the link between passive (descriptive) and active (substantive) representation in public organisations is investigated. Literature on representative bureaucracy has recently been expanded to include discussions on how institutions impact on this relationship (Wilkins 2006:77).

The Report of the Royal Commission on the Electoral System (RCES) (1986:7) highlighted the importance of maintaining a representative government in a democratic society by stating, '[p]arliament should ideally have within its membership individuals from all major groups in society'. Section 4(1)(a) of the Local Electoral Act (2001) stipulates one of the legislation's principles is to implement 'fair and effective representation for individuals and communities'. These ideals reflect a general expectation among the voting public that representatives in governing bodies should 'mirror the diversity of society', and 'not only represent this diversity in what they do, but in what they are' (Karp 2002:131). Despite these expectations, there is an absence of direct guarantees that those representatives who 'stand for' a particular group due to shared characteristics will subsequently 'act for' them through their political behaviour and attitudes (Pitkin 1967:113-4). The connection between group descriptive and substantive representation should therefore not be presupposed.

The retention (or in most local body councils, the establishment) of proportional representation electoral systems, and Māori electorate seats in parliament and Māori wards and constituencies[4] local body councils, is justified on the grounds that the election of Māori representatives will lead to the representation of Māori interests. However, little evidence in the extant literature demonstrates a link between Māori descriptive and substantive political representation. Therefore, are these electoral provisions necessary? The assumption that descriptive representatives will (or at least are expected to) substantively represent their group is, according to Mackay (2006:177), one of the most controversial arguments for increasing a group's presence in a decision-making body. Although contested, some political scholars consider it the most interesting argument for group representation (Childs 2002:94, Stokes 2005:22). Bratton (2002:116) articulates the basis of these arguments as: 'The question of the effect of legislative diversity is the foundation of much of the recent debate over the need for legislative diversity'. In other words, the disputed impact of a representative government shapes arguments for and against electoral measures to help increase minority representation. Does difference in identity breed diversity of interests?

The approach to answering the overarching research question, whether Māori descriptive and Māori substantive political representation are related, is twofold. First, I ask if elected Māori representatives feel a responsibility to act in the interests of Māori. If so, when and how is Māori substantive representation manifested? Second, I examine how current electoral systems, institutional arrangements and attitudinal factors constrain or facilitate the representation of Māori interests, and how they moderate Māori representatives' perceptions of their roles and responsibilities.

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[4] Territorial authorities are divided by wards, and regional councils are divided by constituencies.

This study is timely for reasons unique to parliament and local government. It is an opportune time to conduct this research in the parliamentary arena, as there have been five elections since electoral reforms were introduced in 1996. Māori have gained proportional representation nationally. According to the 2006 census, 14.6 per cent of people living in New Zealand belong to the Māori ethnic group (Statistics New Zealand 2007b).[5] In the 2008 general election, Māori comprised 14.8 per cent of all MPs (18 out of the 122 MPs).[6] It is reasonable to assume that New Zealanders have become adjusted to the Mixed-Member Proportional (MMP) electoral system (Aimer and Vowles 2004:17). In addition, a considerable amount of data has been collected which relates solely to the MMP political environment, such as survey data from the New Zealand Election Studies (see Vowles *et al.* 2004).

In local government, only a minority of local authorities have adopted the 2001-02 optional electoral changes and Māori continue to be under-represented. In 2007, less than five per cent of elected councillors were Māori (Human Rights Commission 2008a). The Royal Commission on Auckland Governance recommended, in 2009, the establishment of three Māori wards on a proposed Auckland council that amalgamated the region's existing city and district councils, which would partly address Māori under-representation. But immediately following the release of the Royal Commission's report the Government announced the recommendation for separate Māori representation would not be implemented (Watkins 2009). The low proportion of Māori elected to local government, however, should not be a motivation to ignore the opportunity to research Māori substantive representation at the local level. This is particularly so due to the paucity of scholarly literature concentrated on local government more generally (Drage 2002a:10), and the serious lack of understanding many citizens have of this institution (Cheyne 2006:285). Drage (2004:237) has argued there is a need for more research to look in-depth at how councillors practice their representative role and which factors influence how it is carried out.

The foremost implications that flow from this work concern ideas about electoral engineering. If the articulation of Māori interests were found to be reliant on Māori descriptive representation, it would provide compelling evidence to argue Māori should be proportionately represented in central and local government. If, in addition to descriptive representation, Māori substantive representation is most clearly and comprehensively exhibited through Māori electorates (as opposed to general electorate or list seats), this would add validity to

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[5] However, 17.7 per cent of people living in New Zealand indicated they are of Māori descent (Statistics New Zealand 2007b). This is an important distinction explained further in this thesis.
[6] The Māori MPs elected in 2008 were: Paula Bennett, National, Waitakere; Simon Bridges, National, Tauranga; Tau Henare, National, List; Hekia Parata, National, List; Georgina Te Heuheu, National, List; Paul Quinn, National, List; Parekura Horomia, Labour, Ikaroa-Rāwhiti; Nanaia Mahuta, Labour, Hauraki-Waikato; Kelvin Davis, Labour, List; Shane Jones, Labour, List; Moana Mackey, Labour, List; Mita Ririnui, Labour, List; Te Ururoa Flavell, Māori Party, Waiariki; Hone Harawira, Māori Party, Te Tai Tokerau; Rahui Katene, Māori Party, Te Tai Tonga; Pita Sharples, Māori Party, Tāmaki Makaurau; Tariana Turia, Māori Party, Te Tai Hauāuru; Metiria Turei, Green Party, List.

retaining guaranteed Māori parliamentary representation and creating compulsory (not optional) Māori wards and constituencies in local government. Moreover, describing the distinctive role of Māori representatives, and how this role could alter according to whether Māori are elected to a Māori electorate, general electorate or a list seat, may help Māori voters decide whether to register on the Māori electoral roll or the General electoral roll.

More broadly, the study contributes to the growing pool of international literature on the substantive representation of under-represented and minority groups by adding a Māori (and indigenous) element to the debate. It adds a new perspective to current understandings of how group differences impact on substantive representation. Further, it will demonstrate the need for classic, liberal understandings of representation to incorporate the effects of ethnicity, and specifically, indigeneity. The two critical components of representative democracy are the election of the representatives and their decision-making choices (Catt 1999b:2). Or put a different way, the representation of people (descriptive representation) and the representation of interests (substantive representation) (Stokes 2005:18). Therefore, this thesis also widens current knowledge about representative democracy in New Zealand.

Scope and structure of thesis

When dealing with issues of political exclusion (a category Māori can arguably be classified under), Phillips (1995:25) argues that research should focus on the relationship between political ideas and political presence. The 'politics of ideas' concerns traditional notions of representation based on 'views, beliefs and goals through party policy, programs and ideology' (Catt 2003:7). The 'politics of presence', in contrast, relates to the representation of perspectives generated through shared experiences, making personal characteristics integral to this concept (Catt 2003:7). In other words, 'the messenger matters as well as the message' (Catt 2003:7). The relationship between Māori representatives (the messengers) and who they represent (their messages) is central to this thesis.[7] Here, Māori substantive representation exclusively refers to the political behaviour of elected Māori representatives in relation to the interests of the wider Māori community.

At this early stage, it is important to delineate the parameters of this project. This study is restricted to an investigation into the elected Māori representative's role in parliament and in local body councils at present (2009), while taking into account the institutional and attitudinal factors MPs and local body councillors operate within. It does not explicitly cover questions relating to who should represent Māori, however, this issue is briefly covered in chapters four

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[7] Tremblay (2006:502) likens the relationship between presence and ideas to that of a tension between representation and responsiveness.

and five where interviewees have spoken about the expectations Māori communities have of elected Māori representatives. Nor does the study specifically discuss whether Pākehā can or do act as representatives of Māori, or the extent to which Māori MPs and councillors represent general interests. Rather than attempting to undertake an exhaustive investigation into Māori substantive representation, this study is one contribution to the debate, which other scholars can build upon and use as a basis of comparison.

This thesis is divided into eight chapters. The introduction will outline the theoretical framework, research design and methodology employed for this study. Chapter one critiques theories of political representation. It first evaluates key arguments for and against group-differentiated rights to representation. Then the main concepts of representation relevant for this thesis are clarified, and the specific relationship between descriptive representation and substantive representation is examined. A review of some international writings on the descriptive-substantive representation relationship pertaining to African Americans and women provides empirical support to the largely theoretical focus of the chapter.

Chapter two contextualises the theoretical literature reviewed in the previous chapter by examining extant writings on Māori representation. The role of a New Zealand MP and local body councillor are discussed to enable similarities and differences with the role of an elected Māori representative to be identified and accentuated. What makes Māori representatives distinct from non-Māori representatives? This is followed by an examination of the levels of political presence Māori have held in parliament and local government. Finally, the chapter will review the available literature on Māori substantive representation at both levels of government.

The descriptive-substantive representation relationship concerns more than numbers. Distinct characteristics of political institutions and of electorates can manipulate how representatives perform their representative role in a governing body. As Dahlerup (2006:520) argues, because the number of elected representatives from a minority group interrelate with other factors, it is almost impossible to isolate the effects of sheer numbers on substantive representation. Therefore, factors influencing the descriptive-substantive representation relationship must be taken into account. Chapter three explains and assesses four structural and institutional factors that either facilitate or hinder Māori representatives voicing Māori concerns. These include the electoral system, the Māori electorates, party practices, and Māori identity[8].

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[8] In this thesis, 'Māori identity' refers to Māori ethnic and indigenous identity. Māori interviewees primarily used 'whakapapa' (genealogy) to describe their identity. 'Whakapapa is the genealogical descent of all living things from the gods to the present time' (Barlow 2001:173).

The empirical research component of this thesis is introduced in chapter four. It analyses Māori substantive representation in local government through in-depth interviews with 21 Māori councillors. Four key themes direct the discussion, first, the roles and responsibilities of Māori councillors; second, Māori representatives' unique style of politics; third, prioritising Māori ethnicity above a consciousness of Māori issues; and finally, misunderstandings of and attitudes towards electoral systems which can restrain Māori substantive representation.

Chapter five examines Māori substantive representation in central government. This examination is based on data collected from in-depth interviews with 14 Māori MPs. Results are again reported within four central themes, similar to those of the local government study. These are the extent to which Māori MPs act for Māori; collegiality amongst Māori MPs coupled with their distinct political behaviour; the critical importance of a Māori presence in parliament; and the constraints representatives face when advocating a Māori viewpoint.

Chapter six examines three specific policy issues to illustrate the relationship between Māori descriptive and substantive representation. The case studies were chosen because they help to illustrate how some key themes that arose from interviews with Māori MPs play out in practice in parliament. Māori representatives' actions specifically relating to the Foreshore and Seabed Act (2004), the Whenuakite land claim issue that arose in 2007, and the Principles of the Treaty of Waitangi Deletion Bill introduced to parliament in 2006 seeking to remove the Treaty principles, will be analysed. This analysis offers some further insights into how Māori MPs grapple with tensions between representing their party and representing Māori interests in parliament.

Finally, chapter seven discusses the empirical results in relation to the earlier reviewed theoretical literature. This concluding chapter summarises and clarifies the relationship between Māori descriptive and substantive representation in national and local government. It draws conclusions from the findings, and indicates some possible implications of the research. It is argued that although fragmented by influential factors, the presence of elected Māori representatives does have consequences for the representation of Māori interests in New Zealand's governing bodies.

Theoretical framework

This study on the relationship between Māori descriptive and substantive political representation is interpreted within Phillips' (1995) 'politics of presence' theoretical framework.

The politics of presence suggests groups have distinct identities and perspectives to contribute in governing bodies, and therefore groups should be represented. The basis of this concept lies in a group's essential attributes. According to Phillips (1995:5), the problems of democratic equality have been dramatically reframed. Traditionally, emphasis was placed on the policies that individuals (or, perhaps more accurately, their parties) promoted rather than who those individuals were. More recently, this politics of ideas has been challenged by an alternative politics of presence (Phillips 1995:5). Bybee (1997:390) explains that the politics of presence framework asserts that the individual who does the representing is related to what issues get represented. This subsequently leads to demands for legislatures to look more like its constituents.

Phillips (1995:167) maintains that group representation creates the potential for certain interests to be presented and heard, but does not guarantee it will result in substantive representation. Trimble (2006) clarifies Phillips' stance thus:

> Phillips is not, as some characterise her work, articulating a 'theory of presence' whereby the presence of women legislators 'standing for' women means that they will 'act for' women as a group… What Phillips *is* saying is that the presence of women in legislatures *may* enable the articulation of a fuller range of ideas, as well as the introduction of a different style of politics and perhaps even different types of outcomes (Trimble 2006:121, emphasis in original).

This differentiation is important. Phillips (1995:167) does not presume representatives within a group will pursue a homogeneous set of interests. It would be misguided to do so. The essence of the politics of presence theory, rather, is to 'enable those now excluded from politics to engage more directly in political debate and political decision' (Phillips 1995:167). While a concrete promise of representation is not advanced, the capacity for it is. The link between presence and ideas is developed further in chapter one.

The politics of presence framework is influenced by certain factors, which must first be identified and taken into account. Swers (2002:134) suggests that the politics of presence is only a first step in analysing the complex relationship between the presence of groups and their substantive representation, in her work on women's representation in the United States (U.S.) Congress. Substantive representation is also dependent on 'access to influential positions within the institution that allow members to exercise strategic influence over the shape of policy outcomes' (Swers 2002:134). Sawer (2000:376-7) has similarly articulated that in a current age of increased global competitiveness, '[d]iscourses of difference assume too readily that those with certain characteristics and related life experiences will act in ways inflected by those experiences', which may come at the expense of strategies for accountability. Thus while descriptive representatives are believed to be likely advocates of their group's interests, substantive representation must be considered alongside institutional variables such as the representative's position in the governing body and to who they are accountable.

The assumption that representatives of a particular group are likely to represent their group's interests is central to this study on substantive representation. Demands for parliamentary electoral reforms to increase Māori descriptive representation were based on arguments concerning justice, fairness and equality, and the premise that Māori representatives will act for Māori once elected (Royal Commission on the Electoral System 1986:chapter 3).[9] Democratic justice, Williams' (2000:124) argues, requires that minority groups are adequately represented in political decision-making. Expectations that elected Māori representatives will represent Māori interests are grounded in theories on group identity politics (see Haynie 2001:17-9). Bickford (1996:103-4) has stressed the importance of group membership on identity. She argues that characteristics such as ethnicity, gender or class are a significant part of a person's identity, because 'they provide the contexts in which we learned to speak and think the languages that both shape us and enable us to give voice to our unique selves'. Moreover, 'it is within particular social groups that we first are paid attention to, and learn to attend to others – the very capacities necessary for democratic politics' (Bickford 1996:103-4).

The politics of presence relies on diversity amongst groups. Campbell (2004:21) explains that for the politics of presence theory to be sustained in terms of women's representation, 'there should, at the very least, be some evidence to suggest heterogeneity between the political parties of the sexes'. Equally so, to base this thesis on a politics of presence theoretical framework, there is an assumption that Māori and non-Māori have different interests. Sapiro (1981:703) has noted that research of this nature must first consider whether group members share 'unique politically relevant characteristics', and that 'special interests to which a representative could or should respond' exist. If so, it can be argued that a group has shared interests which can be represented (Sapiro 1981:703). Therefore, Māori must hold distinct interests (however varied) for the current research on Māori substantive representation to be carried out.

Māori are a significant and unique group in New Zealand. According to the RCES (1986:81), the legal and constitutional status Māori hold differs from other minority groups in the country in three respects. Firstly, Māori are the indigenous people. Secondly, Māori hold a special constitutional status under the Treaty of Waitangi, entered into and signed by around 500 Māori chiefs and the Crown in 1840. Thirdly, Māori have had separate electoral representation since 1867 (Royal Commission on the Electoral System 1986:81). However, while Māori are a distinct group, this does not automatically infer that every Māori person is 'consciously allied, or that there is a clear and obvious answer to any given problem' they encounter (Sapiro 1981:703). Indeed treating Māori as a single entity neglects the importance

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[9] These are the same arguments used by some advocates of increasing women's representation (Grey 2006b:492).

of iwi and hapū (tribal groupings), particularly in respect to the Treaty of Waitangi (O'Sullivan 2005:55). Despite many similarities, Māori do not, nor do any group based on gender, ethnicity or other common factor, 'constitute a monolithic bloc' (Tremblay 1998:465), and 'counterintuitive positions' that individuals hold reinforce this (Swain 1993:217).

But interests do not require universals (Vickers 2006:21). Variability of interests is acceptable, even expected. According to Guinier (1995:45), '[i]nterests… are *not* necessarily descriptive of an essentialist concept of group identity but are fluid and dynamic articulations of group preferences' (emphasis in original). Interests are inherently contingent in nature (Teghtsoonian 2006:132). Williams (1998) sums up these arguments about the recognition of group interests, and addresses some concerns in the following manner.

> [E]ven though the experiences and perspectives of marginalized group members are themselves diverse, the social positions of group members are sufficiently similar that there are good reasons to believe that members of marginalized groups, *on average,* are more likely to represent the concerns and interests of citizens from those groups than are nonmembers (Williams 1998:6, emphasis in original).

On balance, and taking into account the essential differences individuals possess, it can be argued that groups do have some important commonalities.

Some research undertaken by feminist scholars on women's substantive representation has developed the above reasoning on group interests further. Grey (2006b), for example, asserts that the notion that female representatives are more likely to stand and act for women is:

> …based not on a belief in an essential link between sex and representation but on the way in which women experience the world and how this affects their actions if elected as political representatives (Grey 2006b:493).

Childs (2008:104) makes a similar point, arguing that the relationship between women's descriptive and substantive representation is understood 'based on gender (women's shared experiences) rather than sex (visible characteristics)'. The assertion that interests are gendered is not new and, according to Lovenduski and Norris (2003:87), this argument can be extended to other groups seeking political representation in order for their interests to be articulated and heard. In this thesis, elected Māori representatives are hypothesised to be likely representatives of Māori interests due to their shared experiences.

Defining exact group interests is, in reality, an unattainable goal. While every individual has similarities with certain groups, they also have distinct differences. Nevertheless, the very nature of groups implies that members have at least some similar concerns. As Swain (1993:7) has argued in attempting to determine African-American interests, 'it would be a mistake to place more emphasis on the variations within American black society than on the commonalities'. She goes further by adding '[b]road patterns of objective circumstances and subjective orientations characterize American blacks, and striking differences continue to

exist between black and white Americans' (Swain 1993:7). Similar reasoning has been applied to the Māori context by Durie (2005a).

> Within all populations, there is diversity, but differences between individuals and groups do not necessarily discount common foundations derived from shared cultural, environmental, linguistic, and political perspectives (Durie 2005a:251).

Māori may not have one single voice, but they do arguably hold a unique perspective that enables an analysis of Māori substantive representation to take place.

Lovenduski (2001:745) argues that in critiquing substantive representation, it is important to distinguish between perspectives and issues. Group issues (or interests) encompass those primarily affecting the group, while a group perspective relates to that group's views on political matters (Lovenduski 2001:745). The following example demonstrates how a Māori perspective on an issue before parliament can influence select committee deliberations. A member of the select committee looking into the Human Tissues Bill in 2007 commented on one of the Māori Party co-leaders' contribution to the debate, through offering a Māori perspective.

> The comments that Tariana Turia made earlier in this debate are important, because it is very clear that there is a dynamic and ongoing conversation within Maoridom about issues relating to organ donation. There are very sensitive issues of tikanga and very sensitive issues about whanaungatanga and whanau, and there are issues to do with the rights that individuals or whanau might have over the donation of organs after death (New Zealand Parliamentary Debates 2007a:12622).

While the Human Tissues Bill is of equal interest to Māori and non-Māori, Tariana Turia highlighted the different ways Māori and Pākehā look at issues surrounding death. Māori believe organ donation is a discussion held by the deceased person's whanau. In contrast, Pākehā generally focus on the legal rights of the individual who has passed away.

Group issues or interests are self-identified, Guinier (1995:45) argues, which are 'those highly salient needs and wants articulated by any politically cohesive group of voters'. According to the RCES (1986:86), the primary political interest for Māori is the preservation of their culture, which incorporates two long-standing Māori claims to autonomy and the formal recognition of the Treaty of Waitangi/Te Tiriti o Waitangi.[10] Murphy (2008:215) has more recently identified countrywide Māori issues as including 'cultural retention, socio-economic deprivation, treaty reparations, and improvements in environmental regulations'. An alternative approach to defining Māori issues and interests is that promoted by Māori Party MP Te Ururoa Flavell, who reportedly commented 'every issue is a Maori issue' (Smith 2006a:42). Then New Zealand First MP Ron Mark similarly observed that most issues affect Māori in some way, saying '[t]here is little that passes through the House that does not cause me to contemplate its effect on Maori and Maori development' (Fraser 2007:13). An integral component of

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[10] Wängnerud (2000:68) notes that the main common political interest of women in the Swedish Riksdag, like that of Māori, is increasing their autonomy.

substantive representation research is determining whether common interests are present in groups (Sapiro 1981:703). While it might be impossible to create an exhaustive list of Māori issues and interests, it is nonetheless valid to assume Māori have distinct priorities in politics.

This thesis is considered within the politics of presence framework, however critical mass has traditionally been the leading conceptual and analytical framework guiding studies on the relationship between the level of a group's (particularly women's) presence in a governing body and the policy difference they make (Childs 2004b:25). Proponents of critical mass maintain that once the proportion of a group in a governing body reaches a point described as critical mass, usually around 15 per cent, political behaviour, institutions and public policy will be transformed to accommodate and reflect that group's interests (Childs and Withey 2004:554). Others, however, believe a much more complex equation is at work (Childs and Withey 2004:554). Childs (2004b:196-202) highlights the complexity of the relationship between numbers and the nature of representation, by illustrating that the proportion of a group elected is 'not everything' – political parties, gender and ethnic identities, the political environment, as well as the candidate selection process, pose significant constraints to substantive representation. To remedy these problems Childs and Krook (2006c:3) propose that the central research question should be reformulated 'from *when* women make a difference to *how* the substantive representation of women occurs', and they suggest investigations should move from the macro-level of questioning 'what do "women" do?' to the micro-level of 'what do specific women do?' (emphasis in original). In contrast to critical mass, which assumes women politicians will make a difference when they reach a certain percentage of the governing body, the politics of presence theory 'formulates a more limited claim… saying that gender has an influence on the potential to represent women' (Celis 2006:86-7). For these reasons, the politics of presence theory will guide research for this thesis, rather than critical mass.

Research design and method

The primary objective of this thesis is to determine whether elected Māori representatives act for Māori interests, principally by examining the role of Māori MPs and councillors. One of the most complex components of this study that needs to be addressed is 'what constitutes "proof"' (Childs and Krook 2006a:23). How can it be proved Māori are substantively representing Māori interests? Measurement is complicated due to difficulties of knowing 'exactly what representation refers to and, more importantly, how to study it empirically' (Schwindt-Bayer 2003:17). Writing in the context of women's representation, Childs (2006a:17) maintains that simply counting the number of elected female members will not explain the likely effect they will have in government, and therefore 'good empirical research must also think about the best way to investigate the nature and extent of the difference

women representatives make in practice'. Similarly, knowing the proportion of Māori elected to parliament and to local body councils does not reveal, in itself, in whose interests they act. A review of the choice of research design and method for this current study is presented here.

No consensus has been reached on the best method for studying the relationship between the descriptive and substantive representation of groups. This is perhaps because attempts to research, measure and understand substantive representation are, quite simply, difficult (Curtin 2006:247, Hajnal 2009:40, Mackay 2004:109). In her work on women's representation in the U.S., Carroll (2002:66-7) explains that because differences between electoral districts, representatives' own ideologies, party commitments, and race all impact on whether elected members substantively represent a group, 'even when women members of Congress act in ways that they perceive as representing women, their actions may not always look the same'. As a consequence, 'changes in policy making that result from congresswomen's surrogate representation of women's interests will not always be unidirectional, straightforward, or uncomplicated' (Carroll 2002:67). A myriad of factors directly and indirectly influence how elected representatives carry out their role (as chapter three discusses in-depth), and discrepancies amongst findings on substantive representation may be due to these influential environments not being taken into account (Dodson 2006:15).

Studies on women's substantive representation have predominantly relied on interviews with political elites in order to gauge the views and attitudes of women representatives about their role in a governing body (Childs and Krook 2006a:23). Quantitative approaches to analysing substantive representation, such as examining elected members' voting behaviour, are valuable. But they provide little to no information about the policy process and the deliberation that has taken place (Gamble 2005:2). Conducting interviews allows an exploration of how elected representatives legitimise their efforts on behalf of the wider group (Dodson 2006:26). Interviews also capture how representatives perceive themselves as a group that should be represented, and 'how these perceptions affect their sense of themselves as representatives' (Carroll 2002:50). In short, qualitative methods have greater opportunities to explore and explain the reasons 'why' things are rather than simply 'what' (Harrison 2001:77). Qualitative research can be highly time consuming though, and the researcher can potentially encounter difficulties in making generalisations due to the data gathered often being atypical (Harrison 2001:79). To combat these and other deficiencies, some researchers employ a quantitative approach. Research on U.S. women representatives has predominantly followed this quantitative path due to their country's loose party structure (Curtin 2006:245).

Scholarship on African-American substantive representation in the U.S. has generally employed quantitative methods. This has largely been in the form of gathering data from roll-

call voting records and analysing how liberal and supportive of civil rights representatives are (Grose 2005:435), particularly since the early 1990s (Fenno 2003:4, Tate 2003:4). Roll-call voting is one of several different ways of voting in Congress. A roll-call vote is held on the record and compiled by an electronic voting machine. Only a minority of bills receive a roll-call vote (Library of Congress 2008). Using voting behaviour as a measurement of substantive representation is perhaps more pronounced in, and suitable to, the U.S. than other countries due to their comparatively weak party discipline (Lovenduski and Norris 2003:90, Stokes 2005:27). Similar to that of studies on women's substantive representation, there is a degree of inconclusiveness of results amongst research on African-American representation. According to Preuhs (2006:585, 598), 'a remarkable amount of ambiguity' remains around whether a relationship can be established between the proportion of elected African-American representatives and the level of influence they exert, due to what he believes is studies failing to take account of a 'complex set of conditioning factors'. Again, the importance of taking into consideration factors influencing the descriptive-substantive representation relationship is highlighted.

One criticism of evaluating substantive representation through roll-call votes centres on the extent to which representatives actually support the issue on the political agenda. Hall (1996:192) clarifies this argument, stating that white and black Congress men and women may vote in similar ways for roll-call votes, but the intensity the representative believes in the issue is hidden. Swers (2001:218) similarly cites concerns with the use of roll-call votes to investigate women's substantive representation, as it 'does not reveal the depth of the member's commitment to women's interests'. The New Zealand equivalent of roll-call votes is individual MPs voting on parliamentary bills. Voting in parliament is largely taken as a party vote, therefore the names of MPs are not recorded on the voting tally (Gillon and Miller 2006:183). According to Gillon and Miller (2006:183), this may increase the anonymity of a MP's voting history, and 'reduces the member's personal responsibility for legislative outcomes'. Voting records in parliament, therefore, rarely demonstrates an individual member's vote preference.

Because of the nature of MPs voting in the New Zealand parliament, analysing how Māori MPs vote on a bill does not reveal their reasons for casting their vote in a particular way. To illustrate, Māori Party co-leader Tariana Turia voted against the Te Arawa Settlement Bill in 2006. While Turia (2006a) felt the iwi should be compensated for past breaches of the Treaty of Waitangi, she opposed the Bill because it did not go far enough and needed to better reflect what the iwi wants and deserves. This example highlights the difficulties of interpreting parliamentary votes as a measure of the extent to which Māori representatives are acting for Māori in their parliamentary capacity. Walsh (2002:390) argues that researchers should

refrain from examining substantive representation solely on the way representatives vote for policy change.

> Instead, authentic 'standing for' representation involves giving voice, with genuine empathy, to the concerns and experiences of society's members who are not present during debate (Walsh 2002:390).

How to find and distinguish that 'voice' is the vital question.

Method employed

Woods (2006:3) observes that a qualitative researcher 'seeks to discover the meanings that participants attach to their behaviour, how they interpret situations and what their perspectives are on particular issues'. This thesis is principally concerned with how Māori perceive their representation role, therefore qualitative research methods are appropriate. The first method used is in-depth interviews. A process of elite interviewing was undertaken.

> Elite interviewing is an excellent form of data collection when the behavior of interest can best be described and explained by those who are deeply involved in political processes. It often provides a more comprehensive and complicated understanding of political phenomena than other forms of data collection, and it provides researchers with a rich variety of perspectives (Johnson and Reynolds 2005:275).

The second method, discussed later, is an examination of three specific parliamentary issues to demonstrate how Māori MPs react and respond to issues of importance to Māori, thus illustrating how Māori substantive representation operates in practice. Two different qualitative approaches are employed due to concerns that single methods for substantive representation research potentially constrain the questions asked and the findings generated. This 'methodological pluralism' is argued to strengthen research and findings because it engages in 'problem-driven rather than method-driven work' (Krook and Squires 2006:46).

The politics of local councils and parliament differ. Party affiliations have minimal influence in local councils, whereas the party a MP belongs to is a dominant factor in parliamentary politics. Local councils have between six and 30 members (Justice and Electoral Select Committee 2005:10), while 122 members were elected to the 2008 parliament. Meier *et al* (2005:761) argue that the size of a U.S. representative body is likely to play a vital role in the difference a minority representative can make, and this reasoning can similarly be applied to New Zealand. While a large legislature has 'extensive rules and structures that limit what individual members can do… small group dynamics will likely create different types of relationships and more opportunities for log rolling' (Meier *et al.* 2005:761-2).[11] Another difference, Kaufmann (2004:9) argues, is that American local body elections are primarily shaped by group interests rather than party allegiance, where 'racial and ethnic group

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[11] Log rolling refers to trading favours in a governing body, where 'two (or more) legislators agree for each to trade his [or her] vote on one bill he [or she] cares little about in exchange for the other's vote on a bill that is personally much more important to him [or her]' (Johnson 2008).

identities often subsume partisan ones as important voting cues'. Again, these arguments have parallels to New Zealand local government, where group interests can dictate policy outcomes. For example, Mulgan (2004:207) has argued that political conflicts in local government usually centre on different groups of property owners. Local residents without property are 'of marginal concern to local bodies'. Despite Māori being significant landowners in some parts of the country, Pākehā interests have dominated local government (Mulgan 2004:205). This could be due to the under-representation of Māori in local government. The differences between local council and parliamentary politics warrant separate discussions on Māori substantive representation in each tier of government.

Semi-structured, in-depth personal interviews were held with 35 elected Māori sitting representatives between November 2006 and August 2007.[12] The number of MP interviewees was determined by the response rate of requests for an interview with all Māori MPs.[13] In late 2006, when I began identifying potential interviewees, 20 of the 121 MPs (16.5 per cent) identified either as Māori or as having Māori ancestry. I sent a letter to all 20 Māori MPs requesting an interview, and followed up this letter with a telephone call. 14 Māori MPs agreed to participate in this research – four MPs from Māori electorates and ten list MPs. My sample included Māori representatives from five of the seven political parties in parliament. Māori were represented in Labour, National, New Zealand First, the Green Party and the Māori Party. United Future and the ACT Party, the two smallest parties, did not have Māori representation. Eight men were interviewed and six women. The ratio of men to women interviewees was slightly higher than the proportions of elected men and women in the 2005 parliament (Electoral Commission 2006:7). Unfortunately, very few Māori have represented general electorates and at the time interviews with Māori MPs were carried out, no Māori person held a general electorate seat. 12 of the 14 interviews were carried out in Wellington during weeks when the House of Representatives was sitting. Most interviews took place in the Māori MP's parliamentary office, while one was conducted in a parliamentary cafeteria. Two interviews took place in Auckland at the interviewee's local office.

While Māori MPs are easily identifiable through Electoral Commission publications, determining which elected councillors identify as Māori is a more complicated task. This is because official statistics on the number and names of elected Māori representatives in local government are not collected, with only survey data available. I therefore tried to identify as many North Island Māori local body representatives as possible. Only North Island councillors

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[12] 14 Māori MPs and 21 Māori councillors were interviewed. One interviewee was a current local body councillor as well as a former MP. This interviewee was asked to comment on the role they played in both levels of government. Primarily, however, the comments related to local government.
[13] A brief description of the order of events with respect to the method, particularly in terms of the number of people approached, the number of people who accepted and were subsequently interviewed, and the ensuing data analysis, appears in Appendix A.

were considered as interviewees due to added costs involved travelling to the South Island. However, this limitation should not hold any real significance because it is unlikely that there will be any differences in the attitudes of respondents based on which island they live on. Many of the potential interviewees were identified through personal networks, specifically by speaking with staff members of the Department of Māori Studies at the University of Auckland, scholarly experts in the fields of representation issues and elections, and Māori councillors with whom I had already built a relationship. Some potential Māori local body interviewees were identified through territorial and regional council websites, and local newspaper articles that stated a particular councillor was Māori. Two Māori councillors were identified during an interview, where the interviewee told me the names and contact details of other Māori members of their local authority.

The same process for contacting Māori MPs was used for Māori councillors, that is, I sent a letter to all identified councillors requesting an interview, and followed up this invitation with a telephone call. 21 Māori local body councillors agreed to be interviewed. These interviewees were representatives of the following local councils: Northland Regional Council, Environment Bay of Plenty, Gisborne District Council, Whangarei District Council, Papakura District Council, Franklin District Council, Rotorua District Council, Whakatane District Council, Wairoa District Council, Wellington City Council and Manukau City Council. Two Māori constituency representatives were interviewed, with the remainder elected to general wards or constituencies. Two councils used the proportional representation electoral system Single Transferable Vote (STV) for their most recent local body election prior to the interview (which was in 2004), and the other nine councils employed First-Past-the-Post (FPP). 15 male and six female councillors were interviewed. This approximate 70:30 gender split mirrors the overall gender ratio for all locally elected positions in 2004 (Justice and Electoral Select Committee 2005:39). Unlike the interviews with Māori MPs, which predominately took place in central Wellington, interviews with Māori local body councillors were carried out throughout the North Island. On all but one occasion, where a councillor kindly insisted on meeting me for the interview at the Māori Studies Department at the University of Auckland, I travelled to a location convenient to the interviewee. The locations included Whangarei, a number of suburbs throughout the central and southern Auckland regions, Pukekohe, Rotorua, Murupara, Whakatane, Opotiki, Gisborne, Wairoa and Wellington. The interviewees chose the venue of the interview. Venues included meeting rooms within local authorities, the interviewee's home or workplace, and local cafés and restaurants.

As already stated, the MP and councillor interviews were carried out using the same methodology. All but two of the 35 interviewees were first contacted by letter,[14] which explained the purpose of the research, why they were invited to participate, and my personal background. A list of the names of the interviewees, the governing body they were elected to, and the date and place of each interview, appears in appendix A. Copies of the introductory letter sent to participants, interview questions, participant information sheet and consent form, along with letters confirming approval for the research from the University of Auckland Human Participants Ethics Committee, are reproduced in appendix B. Prior to each interview formally commencing, I briefly introduced myself to the interviewee and explained why I was undertaking the research. I explained why it was necessary to audio tape the interview, and why a consent form needed to be signed. It was emphasised to interviewees that they could stop the interview at any time. Elite interviewing is generally conducted in a non-standardised manner, however often researchers carry out focussed interviews when questioning participants, which involves using an interview guide comprising broad questions and topics (Johnson and Reynolds 2005:274). This questioning style was employed here. The same set of open-ended questions was used as the basis for interviews with both Māori MPs and Māori local body councillors. Some questions, however, were of direct relevance to either parliament or local government and asked to MPs or councillors accordingly. Interviewees were primarily questioned about their role as a representative, who they felt responsible to act for, their style of politics, and factors that influenced their representation actions.

Taped interviews ran for approximately 20 minutes each, with the shortest eight minutes and the longest 45 minutes. However, the actual time I spent informally speaking with interviewees ranged from 30 minutes up to three hours. Some interviewees were keen to talk generally about Māori political issues prior to the interview commencing, while others wanted to know about me and where my family is from before the interview formally began. Following every interview, a transcript was sent to the interviewee within two weeks of the interview date. The interviewee then had four weeks to make suggestions, changes to the transcript or withdraw from the process. A small number of interviewees requested minor amendments to their transcript.

Partial confidentiality, where quotes are not aligned with interviewees in the body of the thesis but the names of all interviewees are listed in an appendix, was promised in the expectation interviewees would feel more comfortable to offer their honest opinions. Interviewees are referenced as Interviewee 1, 2, 3 and so on within the thesis text. Words and phrases from

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[14] Initial contact with two interviewees was made by telephone rather than by letter. On these occasions, I was recommended by a Māori councillor following the conclusion of their interview to call two other Māori councillors from the same local body council. I had not previously known these councillors were Māori. Telephone contact was the most appropriate and effective method of communication as I had only scheduled to be in the council's district for two more days from the time I was given this information.

interviewees' quoted statements that might identify respondents (such as the name of their iwi, hapū, ward, constituency or local authority) were removed, to help interviewees' retain a degree of anonymity. More general wording replaces the interviewee's words in these instances, indicated by square brackets. The original syntax of interviewee comments have been retained unless the intended meaning was obscured, or statements were grammatically incorrect, whereby I have made minor changes and indicated by square brackets.

Interesting methodological issues were exposed during the interviews with Māori representatives. Perhaps the most notable is the importance of establishing a sincere relationship with the interviewee at the earliest possible time, as well as outlining why Pākehā, like me, have an interest in Māori studies research. To illustrate, interview meetings with Māori MPs were unsurprisingly brief, prone to start late and finish early due to politicians' numerous other commitments. While I was acutely aware of the importance of taking time to introduce myself prior to the interview beginning, these introductions were unfortunately short due to time constraints. The implications of this proved significant. I informed all interviewees prior to the interview commencing that I was a PhD researcher from the Māori Studies department at the University of Auckland. Depending on the time available and the mood of both the interviewee and the meeting itself, only some interviewees were retold at the actual interview additional information such as the name of my primary thesis supervisor, where my family is from, and my background experience in researching and tutoring the subject of Māori political representation.[15] Once the Māori MPs were informed of my personal background, many were noticeably more responsive to me and to the interview. For instance, one MP appeared disinterested throughout almost the entire interview. At its conclusion, the interviewee asked who supervised my research. After being told and realising they knew this person, the interviewee was considerably more positive and welcoming towards me.

The significance of introducing one's self and establishing a relationship with the interviewee prior to starting the interview is demonstrated in other examples. One Māori MP told me they had links through their spouse's whānau to the area where my family resides. This interviewee wrote to me one week following the date of their interview requesting their regards be passed on to my whānau and wished me good luck with my studies. Another instance that illustrates the importance of personal connections, this time at the local government level, is a Māori councillor's initial response to my request for an interview. This interviewee commented during our first telephone conversation that the only reason they responded to my letter regarding a potential interview was because they are from the same area on the East Coast as I am. These examples from the interview process reinforce a

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[15] Most of this information was outlined both in an introductory letter inviting the interviewee to participate in the research, and in a participant information sheet given to the interviewee prior to the interview beginning. It was evident a number of the Māori representatives had not read this correspondence themselves.

theme drawn from the interviews themselves, that whakapapa and identity affect the role of an elected Māori representative.

The second framework used to assess Māori substantive representation focuses on 'an account of a specific policy change', which according to Childs and Withey (2006:11) helps to establish a fuller 'description and account of the activities, relationships and dynamics through which the substantive representation' occurred. Simple critical mass or numbers analysis does not identify how representatives make a difference in governing bodies. A case study approach is therefore taken which analyses Māori MPs actions in terms of speeches made, parliamentary vote choices, and personal stances on issues of particular concern to Māori. The results of this analysis complement and strengthen the interview findings. As Trimble (2006:123) claims, along with interviews, 'content and discourse analyses of legislative debates may reveal the extent to which legislators articulate women's opinions, interests and differently situated identities'. Rather than simply focus on how Māori MPs vote on bills before parliament, is it more useful to know why they have taken their chosen position. Gamble (2007:422) argues that 'when we focus only on the end of the legislative process, we miss the process that ultimately leads to those outcomes'. It is the decisions made early in the process that 'shape the content of legislation that members finally vote on' (Gamble 2007:423).

New Zealand parliamentary debates and media commentary are examined to reveal the extent to which Māori MPs substantively represented Māori on certain issues. *Hansard* provides detailed transcripts of parliamentary debates, thus providing a wealth of information on the way MPs act in their parliamentary capacity. Similar documentations of individual local council proceedings are unavailable, which necessarily restricts the case study issues to parliament. Examining the political behaviour of elected Māori representatives offers insights into the relationships members of political parties have with one another as MPs, and as Māori. This research mainly focuses on Māori MPs from a single party (Labour) due to the strong traditional ties Māori voters have had with Labour. The four Māori electorates returned Labour candidates from 1946 until 1993.[16] It was only in 1996, with the introduction of MMP, that the Labour stronghold on the Māori electorates was broken. While the Māori Party won four and then five of the Māori electorate seats in 2005 and 2008, Māori voters continued to give their party vote to Labour, suggesting Māori may still prefer a Labour-led government (Chief Electoral Office 2005:, Chief Electoral Office 2008a).[17] The Labour Māori caucus' actions are therefore particularly relevant to Māori substantive representation research. Of

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[16] New Zealand First MP Tau Henare won the Te Tai Tokerau electorate in 1993. Labour MPs retained the remaining three Māori electorates at this general election.
[17] Across the seven Māori electorates in the 2005 general election, Labour received 54.62 per cent of the party vote from Māori registered on the Māori electoral roll, compared to the Māori Party gaining 27.70 per cent of the party vote (Chief Electoral Office 2005). Similarly, in the 2008 general election, even though the Māori Party won five of the seven Māori electorate seats, approximately half of all Māori on the Māori roll voted Labour for their party vote (Chief Electoral Office 2008a).

course, Māori do support other political parties, such as National. James (2009) believes as many as one-third of Māori voters on the General roll vote for the National Party. Nevertheless, the continuing popularity of the Labour party amongst Māori voters deems the chosen research focus appropriate.

Elected Māori representatives' voting and positioning were examined on three issues: the Foreshore and Seabed Act (2004), the Whenuakite Land Claim (2007), and the Principles of the Treaty of Waitangi Deletion Bill (introduced in 2006). The Foreshore and Seabed Act (2004) is an appropriate issue to examine because it provoked widespread Māori protest. Many Māori considered the legislation removed their legal right to a court determination on whether hapū or iwi held customary title to parts of the foreshore and seabed surrounding New Zealand. However, there were many shades of opinion on the matter, and differing reasons for opposing the Bill. The ACT party (a right-wing political party), for example, advised that the government should respect the judicial process in regards to property rights. Non-Māori and the government generally responded unsympathetically to major Māori opposition to the Bill. This first case will illustrate the dilemma Māori MPs faced when deciding how to vote on the Bill. Some important questions were raised regarding the role of elected Māori representatives. Principally, should elected Māori MPs act on behalf of their Māori constituency, or represent the view of their political party? A further issue relates to the responsibilities of Māori MPs representing general electorates, evoking a discussion on 'delegate' versus 'trustee' models of representation. A search of the near 4,000 submissions on the Foreshore and Seabed Bill at the parliamentary library, Wellington, provided information to help gauge some indication of who Māori felt the Māori MPs should act for on this issue.

The 2007 Whenuakite Land Claim on the Coromandel peninsula is the second issue examined. At Whenuakite, Māori protested against the selling of land that could potentially be subject to a Treaty of Waitangi claim. Here, Childs and Withey's (2006:11) broad framework of establishing how the issue was brought to the attention of parliament and what actions led to the policy change is directly employed, which helps to illuminate the role of MPs in policy formulation. This issue provides examples of how the Māori Party MPs contributed to the issue's resolution. It will be shown that the Māori MPs approached and dealt with Whenuakite very differently to the Foreshore and Seabed legislation. The Māori Party MPs' presence in parliament clearly exposed the constraints under which the Labour Party's Māori caucus must operate.

The third issue examines issues surrounding the Principles of the Treaty of Waitangi Deletion Bill debated in 2006 and 2007. If successful, this Bill would eliminate any references to Treaty

principles from legislation. This issue looks at the practical actions of Māori MPs and their (lack of) freedom to act overtly for Māori interests. It illustrates that a party's formal arrangement practices and conventions can restrain Māori MPs from representing Māori interests in parliament, subsequently creating irreconcilable tensions between the interests of the party and the interests of Māori. The issue also demonstrates that Māori politicians do not have a uniform view on what are the best interests of Māori. The political party that introduced and promoted this Bill consisted of a high proportion of Māori, and every member supported the removal of the Treaty principles. This issue will demonstrate that the substantive representation of group interests is not guaranteed by descriptive representation.

Conclusion

Māori political representation thus concerns more than numbers. Below its numerical surface, there abound perplexing issues about the nature of representation. This thesis investigates the relationship between the presence of elected Māori representatives and the interests they serve in central and local government. The number of Māori MPs has steadily increased since the advent of electoral reform in 1996. Optional reforms to local council elections provide similar opportunities to increase Māori representation. As the number of elected Māori representatives has grown, questions of who Māori MPs and local councillors represent are becoming increasingly prevalent and important. Are electoral reforms, specifically the implementation of proportional representation electoral systems and dedicated Māori electorates, necessary for the promotion of Māori interests? Is the presence of Māori descriptive representatives a prerequisite for the advocacy for Māori concerns? Or, more succinctly, does Māori representation matter?

Arguments centred on democratic justice, fairness and equality are being surpassed by debates about who Māori represent. This study therefore seeks to contribute to a more informed understanding of the relationship between Māori descriptive and substantive representation. This study of who Māori MPs and councillors believe they represent and how certain factors mediate their role, is examined through a politics of presence theoretical framework. This theory maintains that individuals within a group have unique life experiences, perspectives and interests, which are likely to be advanced by members of the same group. Ascertaining 'proof' of Māori MPs and Māori councillors substantively representing Māori is difficult due to the significant influence some institutional and attitudinal factors have on the relationship between the number of representatives and the nature of representation. A qualitative methodological approach is taken, revealing a wealth of insightful knowledge about the Māori representative's role from elected Māori representatives themselves. A review of the literature on political representation follows, with particular emphasis on the way different

definitions of representation relate to each other. This helps to create a theoretical base to begin empirically addressing the central thesis question.

CHAPTER ONE

Reviewing Representation

The introductory chapter described the central research question as whether the presence of elected Māori representatives in New Zealand's parliament and local body councils is related to the promotion of Māori interests. Put another way, it asked what is the scope and shape of the relationship between Māori descriptive and substantive political representation. To complicate matters, the meaning of representation is complex. The term political representation is unavoidably contested because it is subject to differing values and choices (Drage 2002b:94). It has already been shown that difficulty understanding what representation refers to makes attempts to measure it problematic. The only real consensus about political representation is that it is of central importance to both society and government (Zappalà 1999:4). Essentially, representation relates to the relationship between elected representatives and their constituency (Fenno 2003:5). Fenno (2003:5) suggests representation is a process best conveyed through the idea of connections. The connection between elected Māori representatives and the interests of the constituents they serve is the principal subject of this thesis.

The purpose of this chapter is to present a review of select theoretical and empirical literature on political representation, most notably that which relates to the relationship between descriptive and substantive representation. The chapter first discusses group-differentiated rights to representation, particularly in terms of the competing arguments about the necessity and legitimacy of these rights. It then critically analyses the differing concepts of representation, by employing Pitkin's (1967) framework of formal, descriptive, symbolic and substantive representation. Additionally, surrogate representation is critiqued because it is also considered an important component of Māori representation. The chapter then discusses theories concerning the 'politics of ideas' and the 'politics of presence' as presented by Phillips (1995), and how they influence interpretations of political representation. A brief review of empirical research carried out on the hypothesised relationship between descriptive and substantive representation of two groups, African Americans and women, follows, creating a broader international context to situate the current research.

Group-differentiated rights to representation

This chapter begins by questioning whether ethnic identity should be a consideration in a representative democracy (Tate 2003:156), by examining if groups are a valid measurement

for political representation.[18] Canon (2005:292) argues there is a need, in the U.S. at least, to address normative questions about how minority interests should be represented. General questions posed include:

> Should government treat everyone as individuals or recognize group differences? If group differences are recognized, what are the proper mechanisms for ensuring fair representation? Should group differences be confined to the private sphere and only tolerated in the public sphere within a broader Madisonian system of majority rule or should identity politics be embraced, recognizing that permanent majorities may be tyrannical? (Canon 2005:293).

Whether individuals or groups should be recognised in politics is a key tension in debates about political representation. The implications of this debate (particularly as they affect theories of democracy and equality) are discussed here. A review of arguments concerning group-differentiated rights to representation as a valid model of analysis is thus necessary.

Democracy, equality and meritocracy

Democracy can be evaluated through two key principles of popular control and political equality (Phillips 1995:27). Popular control, according to Phillips (1995:28), is fundamental to democracy as it relates to government not only for, but by, the people. The second principle, political equality, has come to 'set the terms for modern democracy', as few in Western democracies would object to women or non-white adults voting (Phillips 1995:30). However, this acute oversimplification does not take into account the impact of some groups holding significantly more power and influence than others (Phillips 1995:30). According to Catt and Murphy (2002:116), a fundamental theme within group rights literature is 'the need for states to accommodate their sub-state national groups with some special form of representation'.

The traditional liberal interpretation of fair representation promotes the concept of 'one person, one vote', where the opportunity to participate and influence the electoral process is argued to equate with just processes (Williams 1998:4). However, the equal right to vote does not necessarily provide equal opportunity to effect political change. Phillips (1993:105) has warned that '[d]emocracy cannot continue to proceed on the assumption of an undifferentiated humanity, or the complacent assertion that voices are equally weighted by their equal right to participate in the vote'. Equality of opportunity and equality of outcomes are different. In a similar vein, the Royal Commission on the Electoral System (RCES) (1986:88) argued that '[d]emocracy demands that interests be given their due weight in the competition for influence on public policy, and this in turn requires that they be adequately and effectively represented'. Kymlicka (1995) takes this argument further where he writes:

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[18] Interestingly, voting behaviour literature has traditionally centred on group identities. 'The sociological approach to voting behavior argued that political cleavages were derivative of other social groupings – that secondary group memberships, in effect, translated into partisan groups' (Kaufmann 2004:14).

> …group-differentiated self-government rights compensate for unequal circumstances which put the members of minority cultures at a systemic disadvantage in the cultural market-place, regardless of their personal choices in life (Kymlicka 1995:113).

This is one situation, Kymlicka (1995:113) argues, where true equality requires, and indeed relies upon, differential treatment.

In Britain (and elsewhere, including New Zealand) the 'normative ideal of equality' is generally viewed as 'equal treatment rather than positive action' or equal outcomes (Squires 2003:18). Yet there are times where true equality relies on 'differential treatment in order to accommodate differential needs' (Kymlicka 1995:113). These actions, described as differential only because they deviate from Western norms, can be crucial for addressing social disparities. Williams (1998) summarises this situation in the following way.

> Difference-blind equality assumes that so long as no attention is paid to social difference, it will have no effect. In fact, as long as we pay no attention to difference, we will never overcome the inequalities that difference has been used to justify (Williams 1998:239).

Preferential policies that intend to elevate the collective good are one way to address disparities. However, liberal theorists such as Kukathas (1998:691) inherently oppose these types of initiatives. These contrasting perspectives on preferential policies highlight the opposing collective and individual ideologies (Sullivan 1998:56).

Meritocracy is an argument articulated by opponents of preferential politics. The term is defined as 'a kind of society in which there would be inequalities, but in which those who got the best positions would have achieved them "on the basis of individual merit"', and not through the possession of prescribed characteristics (Barry 2005:109). However, Young (1990:200) argues that the presently considered 'unjust hierarchy of caste' has simply been 'replaced by a "natural" hierarchy of intellect and skill'. In other words, recognising caste (a group characteristic) is unacceptable whereas recognising certain skills (as defined by one group) is an acceptable characteristic to judge. In New Zealand, Former Alliance MP and Mana Motuhake party president Sandra Lee criticised the meritocracy argument, maintaining it is not a valid defence for the lack of Māori list candidates in political parties.

> [Lee] says Maori must ask the rights questions. '"How many Maori are on your list?" And I am not going to buy into that argument of "Oh we're deciding ours on merit". That response suggests that Maori are not meritorious and that meritorious Maori cannot be found to represent various political points of view. I do not accept that' (Melbourne 1995:124).

Bacchi (2006:34) argues that the meaning or understanding of merit is too narrow. Merit can be defined and interpreted in a variety of ways. Taonui (2009) illustrates this point by noting that opponents of separate Māori electoral representation on the proposed Auckland 'super city' argue that the electoral system will elect the best person for the job. This in turn assumes that Pākehā are better councillors, as they are over-represented in elected local positions. Yet

while all Pākehā councillors would be able to name 10 European countries, it is questionable if those same people could name the 10 tribes of the greater Auckland region (Taonui 2009). Thus, the merit of a person is dependent on who sets the criteria of defining and interpreting merit.

An important contribution to the debate about meritocracy has been made by the Nunavut Implementation Commission (1995:A-8.13), which argued 'merit is not a value-free concept: different groups in society assign merit differently'. Prior to the creation of Canada's Nunavut territory in 1999, a proposal for dual-member constituencies in the form of guaranteeing one male and one female successful candidate was put forward as a plebiscite to address women's low political participation and representation rates (Steele and Tremblay 2005:35). In seeking to establish these constituencies, the Nunavut Implementation Commission linked gender equality to the collective contributions of men and women in Inuit society (Steele and Tremblay 2005:35). Both the social diversity between gender roles and the importance of representation between the genders were emphasised. While the proposal failed to get majority support, Young (1997:313) commented that if nothing else, it enticed enough discussion to 'confront the failings of our democratic institutions and consider alternative conceptions of political citizenship and representation'.

Communities of interest

According to Kukathas (1998:691), liberalism is purely interested in 'upholding the framework of law within which individuals and groups can function peacefully'. He argues liberalism is 'indifferent to particular human affairs or to the particular pursuits of individuals and groups. Liberalism might well be described as the politics of indifference' (Kukathas 1998:691). Tully (1995) disputes this argument, and maintains that liberalism does, and indeed must, incorporate interest groups. He argues that for a liberal constitution to sustain the values of freedom and autonomy, it must protect the cultures of its members and promote mutual respect for cultural diversity – requirements of individual self-respect (Tully 1995:190). Rather than threaten liberal values, Tully (1995:190-1) believes 'the recognition and protection of cultural diversity is a necessary condition of the primary good of self respect, and so of the individual freedom and autonomy that it underpins'. There is, therefore, a broad spectrum of liberalism and wide variations amongst interpretations of the concept.

While group representation is seemingly at odds with liberalism, Kymlicka (1995:151) proposes it is in fact a 'plausible extension of our existing democratic traditions'. Williams (1998:239) also sees parallels with liberalism, suggesting that group representation 'offers a reconceptualization of autonomy that contributes more than it takes away from liberal views of fairness'. Geographic constituencies form the basis of New Zealand's political system. These

types of constituencies are 'a form of group representation in which common territory is a proxy for common interests' (Guinier 1994:119). Group representation is thus an essential component of political participation (Guinier 1994:121). Indeed these geographic communities of interests, Kymlicka (1995:136) points out, have never solely related to an individualistic conception of participation or representation.

Some liberals, most notably those on the right, consider group representation (other than geographic group) undemocratic and separatist. But, as Bickford (1996) explains, majority groups also pursue an agenda.

> Groups that are marked out as groups are seen as self-interested in pursuing group-specific claims, whereas dominant groups, precisely because they are not marked out as groups, can speak their own claims in the language of impartiality and 'the common good' (Bickford 1996:104).

To illustrate, the Crown represents the entire New Zealand population including Māori. However, O'Sullivan (2005:55) suggests that it does so 'from a single cultural perspective'. It can be argued that there is an overrepresentation of groups via class in New Zealand. Local body councillors are most likely to be white, middle class men (Sullivan 2005:127). MMP has created a more diverse parliament than it was while the FPP electoral system was in use. Nevertheless, that 72 per cent of MPs held a university degree in 2002 (Miller 2004:96) suggests middle class characterises parliament as it does local government. A myriad of groups exist in all parts of society that arguably promote their own interests.

Electoral systems used in both central and local government in New Zealand rely on geographic electorates to elect single or multiple representatives. There are also separate Māori parliamentary electorates and the option of establishing Māori wards and constituencies in local government. Although group based, these Māori electorates are still essentially geographic. They are not representative of tribal boundaries. As Taonui (2009) has stated, '[e]lectoral boundaries cut across tribal lines'. While local authorities must consider tribal affiliation when determining the boundaries of Māori wards and constituencies, a community of interest must still be defined as a single geographic area in conformity with other community boundaries (Local Government Commission 2005:22). Tribal affiliation is one factor the Representation Commission (2009) takes into account when determining the boundaries of the Māori parliamentary electorates as well. The option to vote within these Māori electorates is based on Māori identity (see chapter three).

Separate group representation does not radically depart from existing representation arrangements, according to Kymlicka (1995:134). Drawing boundaries which coincide with communities of interests such as farmers, workers, immigrant groups, and religious sects, have all been uncontroversial (Kymlicka 1995:135). Group considerations when drawing

electorate boundaries only became controversial in the U.S. when they involved the creation of black-majority districts to aid African-American descriptive representation (Kymlicka 1995:135-6). It is ironic that the practice of gerrymandering was initially created in southern U.S. states to compound African-American under-representation (Kymlicka 1995:135).

Group representation has been a feature of the New Zealand electoral system since the early 1860s. Gold miners in the South Island were identified as a community of interest that required representation at the same time the Māori electorates were established (Hayward 2006:602). Sorrenson (1986:B-18) notes the demands for representation of the goldfield districts were more insistent than that vocalised from Māori, and the gold miners were subsequently accommodated. More recently, a former Labour MP has suggested that rural descriptive representation is necessary in parliament to ensure rural interests are heard. Jim Sutton (2006) argued there is a need for the Labour Party to 'recruit people who come from that heartland background'. That Labour is traditionally an urban party and, at the time, were governing the country, Sutton (2006) maintained it needed to be 'well plugged into the whole country'. A descriptive presence was considered necessary for the substantive representation of group interests.

The representation of rural residents and their specific interests continues to feature in local government. The Local Electoral Act (2001) requires all territorial and regional councils to review their representation arrangements at least every six years. Arguments were presented in favour of retaining the Masterton District Council's rural ward based on the perceived need to retain and present a 'rural identity' on council (Dawson 2006). Rural wards have existed on this council since 1989 when the Masterton borough and county councils amalgamated, because of concerns that the 'rural voice would be quashed and even silenced' without direct representation (Ditchfield 2006). The election of members of the rural community was seen as a prerequisite for rural interests to be articulated in the governing body.

Opposition to the proposal to abolish the rural ward on the Wanganui District Council also centred on the relationship between descriptive and substantive representation. A local newspaper reported one member of the community felt that since the 'district's rural communities have different needs… it was essential for them to have a voice at the council table' (Bryan 2006). A Rural Community Board member reportedly claimed there was also widespread opposition to at-large voting amongst the rural community, because it was felt they would be effectively disenfranchised if only allowed to vote for the mayor, one councillor and the Rural Community Board (Bryan 2006). On reviewing the proposed representation arrangements for the 2007 election, the Local Government Commission (2007:11) accepted 'a councillor elected from the Rural Ward would typically have a better knowledge and

understanding of general rural issues than a resident of the Wanganui urban area'. But the Commission also argued this rural district is a combination of many smaller groups of communities that hold their own individual concerns (Local Government Commission 2007:11). Therefore, the Commission did not change the decision for at-large voting, but recommended the retention of the Rural Community Board (Local Government Commission 2007:13). These examples illustrate general acceptance of the idea of special interest representation, that specific community members should be represented on governing bodies to voice their group interests. The representation of ethnic interests, through provisions such as Māori electorates, can be justified and established on the same criteria.

Geddis (2006:363) has difficulty accepting that geographically as opposed to ethnically determined electoral districts differ in terms of democratic equality values. He argues that individual voting rights, which lie at the heart of democratic equality, should act as the measure to judge whether the Māori electorates are democratic (Geddis 2006:363). Differences between the voting rights of Māori on the Māori electoral roll and individuals on the General electoral roll do not necessarily imply inequalities.

> While the law does establish a *difference* between the electorate votes of each type of voter in terms of the electoral district – or community of interest – each is cast in, it is not clear that this difference in treatment actually results in any *inequality* between the electoral rights held by the two individual voters. Their votes are subject to the same formal set of regulatory provisions, are counted in the same way and have the same potentially determinative effect within each relevant electoral district (Geddis 2006:363, emphasis in original).

Theorist scholars such as Kymlicka maintain that group representation, like geographic based representation, is consistent with principles of political equality. If liberalism simply requires each individual to have one vote, 'it should be matter of indifference how these boundaries are drawn' (Kymlicka 1995:136).

Rehfeld (2005:9) goes further to question why territorial representation should be favoured, even when it is divided to achieve group representation. Rehfeld (2005:206) proposes that rather than base voting on geographic constituencies according to where a person lives, elections should be conducted using 'a heterogeneous, permanent, involuntary constituency' which voters are placed into for their entire lives, so that each individual constituency demographically reflects the nation it represents. One of the hypothesised benefits of large territorial constituencies, he argues, is deliberation, which comes from 'forcing representatives to justify themselves before a heterogenous population' (Rehfeld 2005:xii). Rehfeld (2005:240) admits, though, that the idea of random constituencies might be too radical to ever be adopted. Nevertheless, his arguments prompt reconsideration of the type and general use of territorial constituencies.

Problems of group proliferation and essentialism

Two frequently used arguments opposing group rights to representation are concerns about group proliferation, and problems of essentialism. The threat of group proliferation is a key concern for opponents to group representation. It is feared an abundance of social groups will seek to identify as marginalised in order to gain special representation, with a proliferation of demands subsequently sought from the state (Williams 1998:7). Baer (2005:253) suggests that it is not a group's claim to self-determination that is controversial, it is the scope of that right to self-determination and which groups are afforded it. However many liberal theorists would disagree because, as earlier discussions have shown, they oppose any group claim to a collectively held right.

Phillips (1995:46) admits political equality does not necessarily require 'each and every characteristic' be proportionately represented. Rather, the case for group representation 'depends on more historically specific analysis of the existing arrangements for representation and the existing conditions of political inclusion' (Phillips 1995:46). McLeay (1980) develops this theory by suggesting a group justifies reserved representation not simply due to the:

> …sociological definition of an ethnic minority which has it own institutions (objectively defined) and its own perception of itself as different from the majority, but also in its political relationship with the majority culture (McLeay 1980:61-2).

She goes further by adding:

> This brings the argument back to the bias towards individual achievement that is inherent in representative systems with dominantly capitalist societies and the supremacy of certain economic interests within those systems. Where these biases and interests cut across and into the historically defined legal, property, kinship, community and language rights of the minority people, and where there are insufficient blocs of minority voters to produce minority representation, then special representation can be justified (McLeay 1980:62).

In sum, in situations where biases in representative democracies erode the collective rights of minorities, and those minorities are unable to achieve political representation, measures to ensure separate representation are warranted.[19]

Another criticism of group representation is the issue is essentialism. Essentialism assumes that 'members of certain groups have an essential identity that all members of the group share and of which no others can partake' (Mansbridge 1999:637). Essentialism implies that only members of a group can represent their group's interests and those group members cannot represent other groups. As a consequence, individuals are offered an excuse to avoid representing certain group interests (Kymlicka 1995:139-40, Mansbridge 1999:637, Royal Commission on the Electoral System 1986:90). The RCES (1986:91) warned that essentialism, specifically the separate Māori electorates, encourages non-Māori 'to regard

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[19] Chapter three presents arguments specifically for separate Māori representation in parliament and in local government.

Maori concerns as the sole preserve of separately elected MPs'. However, some feminist and minority rights advocates disagree with the theory of essentialism as a valid critique of group representation, because it legitimises the dominance of the white males (Childs 2004b:16). Furthermore, Tate and Harsh (2005:218) argue that the essentialism claim does not take into account the empirical evidence which firmly establishes the importance voters place on descriptive representatives being present in governing bodies. There are some important reasons to be cautious of essentialism amongst representatives, but these criticisms should be considered within the broader context of dominant majority groups and the symbolic effects of descriptive representation.

The theoretical framework employed in this thesis is the politics of presence. According to Childs (2004b:18), the basic premise of this theory is the demand for the equal representation of groups. A review of the theoretical literature indicates groups are a valid instrument for inquiries into political representation. The remainder of this chapter explores the different models of representation and their intertwining relationships that are relevant to answering the central research question, whether the presence of Māori in governing bodies has consequences for the substantive representation of Māori interests.

Models of political representation

The complexity of political representation is reflected in the multiple models the term embraces. Pitkin's (1967) seminal work *The Concept of Representation* identifies and describes four main models of representation – formal, descriptive, symbolic and substantive.[20] According to Schwindt-Bayer and Mishler (2005:407), researchers often only concentrate on a single model or on a relationship between two models of representation, hence 'most empirical work on representation ignores her integrated conception'. Failing to test the integrationist aspect of Pitkin's concept, Schwindt-Bayer and Mishler (2005:407) argue, leads to investigations and conclusions that are 'not so much incorrect as incomplete'. Writing on the New Zealand context, Arseneau (1997:12) similarly warns of the dangers of focusing on a single model of representation, notably descriptive. She contends that effective representation is not just about numbers. It is also important to scrutinise how representatives fulfil their role, which involves a more sophisticated notion of representation (Arseneau 1997:12). The earlier work of Birch (1971:124) would disagree with Pitkin's integrated

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[20] Birch (1971:15-8) has defined similar models of representation, labelling them microcosmic, symbolic and delegated representation. Microcosmic representation indicates shared characteristics between a person and a class of persons (descriptive), symbolic representation indicates 'a person symbolizes the identity or qualities of a class of persons' (symbolic), and delegated representation denotes 'an agent or spokesman who acts on behalf of his principal' (substantive) (Birch 1971:15-8). Elective representation is also included, however it is essentially microcosmic because the function of the representative 'is to constitute, in themselves, a microcosm of the nation, so that if… they pursue their personal interests, they will reach decisions which will maximise the happiness of the whole community' (Birch 1971:55). Although Birch arguably provides a more simplistic definition of these models than those offered by Pitkin, Pitkin's terms are employed to remain consistent with the majority of international scholarship which favours this approach.

conception of representation, however. He saw little point in trying to show how four models comprise a whole to find the 'real nature of representation' because, he maintained, it is 'clearer and more helpful to say that there are four different types of representation' (Birch 1971:124).

This thesis is primarily concerned with descriptive and substantive representations, but both formal and symbolic representations are incorporated into ensuing discussions. Therefore, while it is a fragmented analysis of Pitkin's integrated concept of representation, it nonetheless incorporates all of her ideas in some way. Discussions of descriptive, symbolic and substantive representations, as well as surrogate representation, follow. Prior to this, however, formal representation requires a brief outline. Formal representation concerns the processes of choosing representatives and then affording those elected with authority to act and represent others. It divests authority to the representatives. Pitkin (1967:55) notes that the formal model is based on authorisation and on accountability, neither of which hold substantive content. Formal representation refers to the 'institutional rules and procedures through which representatives are chosen' (Schwindt-Bayer and Mishler 2005:407), and as chapter three will show, these rules, such as electoral systems, are not neutral and heavily influence electoral outcomes.

Descriptive representation

At its simplest, descriptive representation is defined as 'standing for' others (Pitkin 1967:60). Descriptive representation relates to shared characteristics a representative and the represented both possess, such as age, gender, religious affiliation or ethnicity. These common characteristics must be politically relevant and significant for descriptive representation to take place (Pitkin 1967:87). According to Pitkin (1969:10), 'a legislature must be an accurate map of the whole nation, a portrait of the people, a faithful echo of their voice, a mirror which reflects accurately the various parts of the public', to be descriptively representative. Proponents of descriptive representation, then, are concerned with the composition of government, not with the policy outcomes that take place. Thus the key question for empirical researchers of descriptive representation is whether the legislature or government reflects the characteristics of its constituents (Arnold and King 2002:288).

The definition of descriptive representation has been extended to encompass not only demographic characteristics a representative and his or her constituents both possess, but also their shared experiences (Mansbridge 1999:629). Mansbridge (1999:629) cites an example of town residents often promoting the election of a long-term resident to office based on the grounds that 'lifetime experience increases the representative's common experiences with an attachment to the interests of the constituents'. Williams (1998:241) echoes this

reasoning by arguing group-based theory should be used where 'the representative shares his or her constituents' experience, and consequently shares the cognitive agency that arises out of that experience'. Including experiences within the interpretation of descriptive representation is 'crucial in determining the relationship between characteristics and actions', Childs (2004b:197) argues in her work on women's representation, because female representatives represent women 'not on the basis of shared sex but on the basis of shared gendered experiences'. The principles underlying this assumption can be extended to other groups. This theme is developed further in chapters four and five, which analyse Māori substantive representation through interview data.

Members of ethnic groups are likely to consider a representative from their own group will represent their interests better than a representative from a different group (Guinier 1995:29). Guinier (1995:29) demonstrates that advocates of minority voting rights in the U.S. traditionally relied on 'race[21] as a proxy for interests'. She cites traditional voting rights litigation which depended on election contests between black and white candidates to help define the degree that blacks and whites voted differently (Guinier 1995:29). Tate and Harsh (2005:226-7) concur with Guinier insofar as they found '[r]ace and ethnicity are important correlates of political ideology, and thus constituents use this information to make judgements about members' likely politics and voting behavior'. Writing in a similar vein, but in terms of women's representation, Catalano (2009:54) claims '[s]ex is considered to be a proxy for gender'. A similar perception is held by a current Māori member of the New Zealand parliament who commented that Māori politicians are 'proxies for Maori' (Trevett 2007). Descriptive representation as it relates to Māori is comprehensively discussed in chapter two.

Symbolic representation

Symbolic representation, like descriptive representation, refers to 'standing for' others. Pitkin (1967:111) illustrates the difference between these two models of representation by clarifying that descriptive representation involves the likeness between representative and citizen, whereas the symbolic model centres on the 'minds of those who are to be represented'. It is at this constituent-level that symbolic representation is based, rather than a policy-level (Lawless 2004:93). Symbols can be powerful instruments because they inherently promote recognition. Symbolic representation affects the represented as well as the representative, because it is 'concerned not with who the representatives are or what they do, but how they are *perceived* and *evaluated* by those they represent' (Schwindt-Bayer and Mishler 2005:409,

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[21] Kukutai (2004:86) explains that race was historically employed to classify humans biologically based on genetic make up, which was manifested in physical traits. Contemporary definitions of race, Kukutai (2004:86) notes, state race is a 'socially constructed category based on the identification of (1) a group marker that is transmitted through reproduction (e.g. skin colour); and (2) individual, group, and cultural attributes associated with that marker'. Ethnicity, on the other hand, refers to a cultural group with a 'common socio-history based on geographical, religious, ancestral or/and cultural roots'(Kukutai 2004:86).

emphasis in original). Tate (2003:95) goes further to suggest that although the 'policy-making process remains at the heart of representational government… it may not be the process most valued by constituents'. For this reason 'symbolic acts may go further than substantive accomplishments' (Tate 2003:95). The symbolic connection between the representative and the represented is illustrated in Fenno's (2003:259) work, which demonstrated how the success of two African Americans as the first black representatives of their city and state districts made them feel obliged to both stand for and act for their constituents. According to Fenno (2003:259), symbols 'invoked a sense of group identity and a sense of group progress toward inclusion in American political life'.

A governing body's social composition raises important symbolic issues based on its legitimacy and authority to represent the population (Norris and Lovenduski 1995:209). The symbolic model legitimises the representativeness criteria for governing bodies, according to McLeay (2006:81). It also contributes towards legitimising the political system itself (Tremblay 1998:435). Atkeson and Carrillo (2007:81) maintain that a governing body which shares characteristics with its constituency 'appears more open to input from more citizens and appears better able to understand citizen interests'. Cameron and White (1995:101) illustrate this point with a Canadian example. They argued that since all but one member of the Nunavut Implementation Commission belonged to the indigenous Inuit group, and the one non-Inuit member was immersed in the Inuit world through the language and culture, the Commission was 'perceived as a body representative of the Inuit interests'. Therefore, symbolic representation can create a sense of legitimacy.

Symbolic representation is also an indication that the political system recognises the validity of a group's voice (Catt 1999b:91). Tau'akipulu's (2000:82) research on Tongan symbolic representation in the New Zealand parliament illustrates this point, where one Tongan MP indicated their election to parliament demonstrated that the country 'accepted us to be co-decisionmakers with them'. Moreover, symbolic representation can have a role model effect. Childs (2002:94) argues that symbolic representation demonstrates women can participate in the 'man's world' of politics, lending further legitimacy to the political institutions they work in. All this transpires without women representatives actually having to make any substantive difference through their actions (Childs 2002:94).

Symbolic representation can also satisfy emotional and psychological needs of group members. Swain (1993:217) argues that a noticeable pride held by African-American representatives at the annual Black Caucus legislative weekend in the U.S. holds symbolic value. She has highlighted the importance of an African-American presence in a governing body for the perception it generates amongst African-American constituents.

> Although a white representative can 'think, act, and talk black', he or she can never *be* black. White representation of blacks will never replace black representation… The presence of black representatives in Congress, regardless of their political party, fulfils a host of psychological needs that are no less important for being intangible (Swain 1993:217, emphasis in original).

Fenno's (2003:261) study on the relationship African-American representatives' have with their home district constituents reached a similar conclusion. He argues that:

> …whenever institution-building and political-empowerment efforts are highly valued by the black citizenry, only African American politicians can make and keep the requisite organizational connections with their supportive black constituents (Fenno 2003:261).

Furthermore, '[u]nder those conditions, white politicians can neither lead nor represent' (Fenno 2003:261). Hence, the symbolic presence of group members is an important component of political representation.

Substantive representation

Descriptive representation is what Fenno (2003:34) describes as a 'static concept. It says nothing about behaviour'. However, the presence of descriptive representatives has been shown to be a proxy for the likely representation of their group interests, and it encourages some emotional responses amongst constituents such as legitimacy of an institution. The fourth and final view of representation provided by Pitkin (1967) is substantive, and has everything to do with behaviour. Substantive representation concerns the nature of the representational activity itself. Pitkin (1969) defines substantive representation as:

> …an acting for others – not a depicting, not making oneself into a symbol, not acting in someone else's name in the merely formal sense that one has been authorized or will be held to account, but the real substance behind that formality: the activity of representing (Pitkin 1969:14).

The representative is acting for the represented in this regard, she argues, as opposed to passively standing for them. The substance of acting for others is distinct from a representative's external trappings (Pitkin 1967:113-4).

According to Pitkin (1967:142), only substantive representation 'supplies us with standards for judging the representative's action, for deciding whether he has represented well or ill'. This is because substantive representation is primarily concerned with institutional outputs (Owens 2005:780). Owens (2005:780-1) clarifies institutional outputs in the following manner: '[I]f an institution is representing the interests of black Americans the policy outputs of the institution should reflect black preferences'. Swain (1993:7) also contends that the level of presence a group has within a governing body should always be questioned alongside who the representatives are acting for. 'Whenever we consider the descriptive representation of blacks in Congress, we must always ask whether substantive representation is also present' (Swain 1993:7).

For elected representatives to represent their group in substantive terms, they should pursue and support policies congruent with the needs, demands and interests of that population. As Menifield *et al.* (2005:180) explain, substantive representation requires elected members to be 'responsive to the legislative needs of their constituents and to be able to secure policies that are beneficial to those constituents'. According to Schwindt-Bayer and Mishler (2005:409), substantive representation is most commonly interpreted as '*policy responsiveness* or the extent to which representatives enact laws and implement policies that are responsive to the needs or demands of citizens' (emphasis in original). This description and understanding of substantive representation would make it hard to argue that minority groups act for their constituents, because it is difficult for minority representatives to generate policy changes when decision-making is typically determined by a majority vote. Devlin and Elgie (2008:251) have shown in their work on women's substantive representation in the Rwandan Chamber of Deputies that 'policy output is the area most resistant to gender effects', a theme consistent throughout Westminster parliaments. This problem is also likely to extend to other minority group representatives' efforts to act in the interests of their group.

However, policy responsiveness is not the only output of substantive representation. Fenno (1978:241) has criticised the traditional structure of representation that centres on the extent to which policy preferences of voters and the policy decisions of elected members correlate.

> The point is not that policy preferences are not a crucial basis for the representational relationship. They are. The point is that we should not start our studies of representation by assuming they are the only basis for a representational relationship. They are not (Fenno 1978:241).

Schwindt-Bayer (2003:17) argues that although policy is the most visible and well-known part of a legislator's job, '[a]ctivities such as allocating goods, constituency service, and symbolic responsiveness are also important'. Tremblay and Trimble (2003:18) identify other ways group representatives can make a difference, including bringing that group's experiences to the political arena, considering the criterion of the group's interests when speaking on legislation, making policies intended to improve the living conditions for the population of their group, and promoting a different parliamentary style.

Further insights can be gained by distinguishing between process-oriented and outcome-oriented aspects of representation. According to Franceschet and Piscopo (2008:397), substantive representation as a process involves representatives undertaking activities on behalf of women. Some of these actions include:

> …introducing and/or supporting bills that address women's issues, establishing connections to female constituents or women's organizations, networking with like-minded colleagues, or putting women's issues on the agenda within committees or party delegations (Franceschet and Piscopo 2008:397).

Franceschet and Piscopo (2008:397) argue that process-oriented substantive representation may not necessarily lead to outcome-oriented substantive representation, which involves the transformation of political practices and 'winning new policies'. Nevertheless, it improves the likelihood that changes to policy outcomes will occur (Franceschet and Piscopo 2008:397). While policy changes may be the clearest form of substantive representation, minority groups would find this ideal extremely difficult to achieve. More subtle forms of substantive representation are equally valid analytical tools to judge the extent to which descriptive representatives act in the interests of their group, and in some cases, they are also more appropriate.

Surrogate representation

The inclusion of one final model of representation, surrogate, is warranted because it is an important component of Māori political representation. It helps to explain some characteristics of a Māori representative's role, as discussed in chapters four to six. Surrogate representation is based on a shared group identity or ideological perspective between representative and constituent, while electoral accountability is absent (Carroll 2002:51). The representative and their constituents have no electoral relationship because they are in different electorates (Mansbridge 2003:522). Representatives must actively commit to representing a group with whom they share a common identity, therefore surrogate representation is not passive (Tremblay 2006:507). According to Tremblay (2006:506), surrogate representation 'dissolves the conventional electoral ties between a representative and a given territory', which she suggests is similar to political theorist and philosopher Edmund Burke's idea of virtual representation, where representatives act for people who may not have directly elected them. In this way, surrogate representation departs from the traditional model of promissory representation, which is guided by criteria of democratic accountability. Promissory representation concerns the promises candidates make during an election and how they follow them through, thus the representative is answerable to constituents (Mansbridge 1998:1, 2003:515-6). Most studies of representation assume representation occurs dyadically, that is, between the geographic constituency and their elected representative, but the term constituency does not necessarily have to be based on a geographic measure (Schwindt-Bayer 2003:28). Despite a lack of formal accountability, Mansbridge argues (2003:523), 'surrogate representatives sometimes *feel* responsible to their surrogate constituents in other districts' (emphasis in original).

According to Tremblay (2006:508), surrogate representation 'encourages representation based on social identities and gender consciousness by strengthening the relationship between presence and ideas'. It facilitates an inclusive environment, Mansbridge (2003:525) explains, where it is 'more likely that varied and important perspectives will be included'. It

follows with this line of reasoning that surrogate representation can be enhanced by descriptive representation because, Mansbridge (2003:523) argues, the 'sense of surrogate responsibility becomes stronger when the surrogate representative shares experiences with surrogate constituents in a way that a majority of the legislature does not'.

That descriptive representation leads to surrogate representation has been advanced by Hall (1996:192), who suggested that 'the personal identification of African-American and Hispanic legislators should predispose them to represent their extradistrict constituency too'. Fenno's (2003:247) example of surrogate representation in practice is particularly instructive here. His research reported an African-American congressional representative slowly discovering the breadth of their influence.

> [B]ecause I am the only black member of Congress from Ohio… I can be helpful to people outside my district. Many black people call on me for help because I understand their situation. When I first went to Congress, I didn't realize that people outside my district would look to me for help and that I could be helpful. *Today I realize that I still don't fully understand the scope of my influence* (Fenno 2003:247, emphasis in original).

Surrogate representation, like the other models of representation discussed above, is central to understanding Māori political representation. The more specific connection between descriptive and substantive representation, and how this relationship might operate in practice, is explored next.

The descriptive-substantive relationship

Descriptive representation is sometimes considered a stepping-stone or prerequisite towards the achievement of substantive representation. While descriptive representation does not guarantee those elected will act for their group, it 'increases the probability and holds out the promise of enhanced substantive representation' (Carroll 2001:3). Schwindt-Bayer and Mishler (2005:423) attest to the importance of descriptive representation for other models of representation, describing it as 'the glue that binds the several dimensions of representation together into something resembling a coherent whole'. Hassim (2003:104) considers that the tendency to view descriptive and substantive representation as separate goals is misleading. Rather, she contends 'the "minimal" demand for a numerical increase in women's representation can become the grounds upon which a deeper struggle may be fought' (Hassim 2003:104). In other words, descriptive representation is a basis for moving towards the greater goal of substantive representation. Whether variations in the levels of descriptive representation substantially impact on policy responsiveness is 'one of the most widely studied hypotheses regarding representation' (Schwindt-Bayer and Mishler 2005:413), and individually they are the two models of representation researchers of minority representation generally focus on (Owens 2005:780). Consequently, the body of international literature relating to this equation is expanding, but it is accompanied by conflicting results.

Little scholarly attention has been directed at indigenous peoples' efforts to act in the interests of their group in governing bodies though. Most likely, this is due to indigenous peoples comprising a small minority of most countries' populations and descriptive representation being the more important objective. Therefore, the literature this research has primarily drawn on concerns women's and other under-represented minority groups' substantive representation. In using these bodies of literature, it is important to be mindful that political representation issues can affect gender and ethnicity in different ways. Bird (2004b) points to a need to recognise the differences between women's and ethnic minorities' descriptive representation because they are characterised by different patterns. For instance:

> …dynamics of group identity, residential patterns, and opportunities for political mobilization matter far more for ethnic minorities than they do for women, and must feature prominently in explaining levels of ethnic minority representation (Bird 2004b:3).

Krook and O'Brien (2007:28) argue that 'measures to promote women and minorities emerge from diverse – and even contradictory – motivations for policy reform'. Further differences are highlighted by Htun (2004:439) who claims '[w]hereas gender tends to be cross-cutting, ethnicity tends to be coinciding. Women and men belong to all political parties; members of ethnic groups, by contrast, frequently belong to one only'.

Remedies for political under-representation are arguably different for women, ethnic minorities and indigenous groups. Nevertheless, it is argued that many of the issues they face in terms of descriptive and substantive representation, such as candidate selection discrimination, working within mono-cultural or mono-gendered institutions, and even the lack of recognition that they exist as a group, are sufficiently similar to allow comparative analyses to be drawn. While the literature on women's and African Americans' struggle for representation (as reviewed here) may not share surface features with Māori representatives' efforts, broader structural features do. In fact, the approach adopted here is a continuation of international trends. While most empirical studies on substantive representation scrutinise how either the racial or gender background of a representative impacts on substantive representation, the accompanying theoretical literature usually discusses the connection between descriptive and substantive representation more generally including both racial groups and gender (Griffin and Newman 2005:2).

Linking presence and ideas

As first discussed in the introductory chapter, this thesis is guided by Phillips' politics of presence theoretical framework. Phillips (1995:1) advocates for a move from a politics of ideas to a politics of presence. The politics of ideas suggests understanding politics is 'a matter of judgement and debate'. It relates to the classic, liberal interpretation of democracy,

where difference almost exclusively concerns the ideas representatives hold rather than their personal characteristics (Phillips 1995:1). Therefore groups not physically represented (such as women and ethnic minorities) can be, in effect, already represented (Bacchi 2006:43-4). This stance is taken by Pitkin (1967:143), who has claimed the 'activity of representing as acting for others must be defined in terms of what the representative does and how he [or she] does it', not according to what the representative looks like. Grofman (1982:99), similarly, is uncompromising in his position, arguing that '[b]eing typical may be roughly synonymous with being representative, but it is neither a sufficient nor a necessary condition for being an effective representative'.

The primary deficiency Phillips (1995:5) exposes in this and similar arguments denying the value of descriptive representation, is that they fail to 'engage sufficiently with a widely felt sense of political exclusion by groups defined by their gender or ethnicity or race'. An alternative way of looking at political representation, she proposes, is through the politics of presence, where acknowledgement of difference includes the demographics of representatives (Phillips 1995:5-6). Taylor (1992:25-6) exposes these different political focal points in a similar manner, although he refers to the politics of presence theory as the 'politics of recognition', where political discourse relates to recognition and identity. According to Childs (2004b:18), difference is increasingly framed around different identities rather than different ideas.

Some theoretical scholarship maintains descriptive representation of previously under-represented groups can accrue genuine benefits in terms of deliberation. Mansbridge (1999:654) suggests there are two key situations where the presence of group members can enhance substantive representation by improving the quality of deliberation. The first is 'contexts of distrust', where impaired communication occurs between members of one group and those of another (Mansbridge 1999:641). Mansbridge (1999:641) argues that for representatives and voters of a shared group, the 'outward signs' of living through common experiences can often lead to each being able to 'read one another's signals relatively easily and engage in relatively accurate forms of shorthand communications'. The representative and his or her constituents also form 'bonds of trust' based on those shared experience. She substantiates this argument with empirical data that indicates African Americans are more likely to contact their local representative in the U.S. if that representative is African American, than if their legislator is white (Mansbridge 1999:641).

The second situation where Mansbridge (1999:643) argues descriptive representation can improve substantive representation through deliberation is in 'contexts of uncrystallized interests'. This context occurs when 'issues have not been on the political agenda long,

candidates have not taken public positions on them, and political parties are not organized around them' (Mansbridge 1999:643). Uncrystallized interests may therefore be best addressed in substantive terms by a citizen's descriptive representative, as that representative 'can draw on elements of experiences shared with constituents to explore the uncharted ramifications of newly presented issues and also to speak on those issues with a voice carrying the authority of experience' (Mansbridge 1999:644). Mansbridge (1999) illustrates and supports this argument with interview responses from Illinios legislatures regarding how to vote on the Equal Rights Amendment in 1981. One rural legislator thought that because he and his constituents came from the same district, were raised in a similar way, and worked in the same way, they would hold the same position about the Amendment (Mansbridge 1999:644-5). Phillips (1998) made a similar argument about the importance of descriptive representation, writing that because:

> …policy decisions are *not* settled in advance by party programmes, for new problems and issues emerge alongside unanticipated constraints, and in the subsequent weighing of interpretations and priorities, it matters immensely who the representatives are (Phillips 1998:235-6, emphasis in original).

Williams (2000:132) agrees that the inclusion of marginalised group perspectives is important to the deliberative process, because those group members 'may see things about social forces that are not readily apparent to others, and what they see may turn out to be extremely valuable for the formulation of good public policy'. An example Williams (2000:132) offers is of people with disabilities explaining to others who are not disabled the difficulties of navigating a city and how they are physically prevented from entering certain spaces. Others can learn from a disabled person's perspective by reflecting on their own practices. But for group perspectives and arguments to have any impact, Williams (2000:132) argues, listeners must first recognise the oppressive or unjust nature of their practices and be willing to change them, even if those changes are detrimental to their own interests. One problem with this theory, she points out, is that there are good reasons to believe 'privileged groups will have a systematic tendency to reject marginalized group interpretations of social practices as unreasonable' (Williams 2000:134).

Dovi (2002:729) qualifies the argument that descriptive and substantive representation are related, stating there is a need to establish criteria to identify which members of disadvantaged and under-represented groups are 'preferable descriptive representatives'. She suggests:

> …a commitment to a politics of presence would be more likely to support robust democratic relations if descriptive representatives were selected on the basis of their mutual relationships with dispossessed subgroups (Dovi 2002:730).

In other words, descriptive representatives most likely to advance the interests of their group are those who have a strong relationship with their group. Importantly, the representative and their constituents must mutually recognise each other, thus holding an interactive relationship

(Dovi 2002:735). Empirical research undertaken by Rocca *et al.* (2008:402) on Latino voting behaviour in the U.S. Congress supports this claim, where they found education, gender, nativity and generation significantly affected roll-call votes, and thus they conclude that 'personal attributes… have policy consequences and empirical meaning'.

The 'presence model', Preuhs (2006:586-7) explains, is the basic model linking presence and policy influence, but three other models also help theorise about the connection between descriptive and substantive representation. The 'simple incorporation model' argues minority representatives must be incorporated into the political regime to exert any influence over policy decision-making. This can be in the form of minorities having membership in the majority coalition, and minority representatives holding formal positions that have added influence over policy decisions. The 'party as substantive representative model', Preuhs explains, suggests the promotion of minority preferences is dependent on the presence of liberal (Democratic) party representatives. In this situation, minority interests are advanced with or without minority descriptive representation when a certain party is in power. Finally, the 'racialized institutions model' argues racial polarisation 'conditions the magnitude and direction of the effects of minority descriptive representation'. Government responsiveness to minority needs and demands increase when racial cleavages do not dominate politics. This is because 'racialized' contexts provide few potential coalition members, and in these contexts positions of influence are often not assigned to minority representatives so that the interests of the dominant group are not threatened (Preuhs 2006:586-7). Some scholars (such as Haynie and Swain) have alluded to these different models in their work on African-American substantive representation, as a review on the literature will reveal. And although not labelled as such, the simple incorporation model features prominently on literature on Māori substantive representation in parliament, where it is suggested that Māori MPs need to achieve powerful ministerial positions to make a difference for Māori (as discussed in chapter two). While acknowledging these different models linking presence and policy influence, the presence model primarily guides the current research because of its all-inclusive nature. A broad hypothetical argument is thus made here, that the presence of elected Māori representatives is likely to lead to greater advocacy of, and responsiveness to, Māori interests.

African Americans' representation

The first of two brief literature reviews of empirical research on the relationship between descriptive and substantive representation concerns African Americans. The U. S. House of Representatives is in 'a representation crisis', according to Zimmerman and Rule (2000:vii), indicated by the under-representation of minority groups and women, combined with low voter turnout statistics and very high rates of re-election. African Americans constitute 12 per cent

of the U.S. population, but hold only two percent of all positions in elected offices (Tate 2003:4). One way to address the under-representation of African Americans is through black-majority districts.

According to Banducci *et al.* (2005:196), amendments to the Voting Rights Act in 1982 coupled with a 1986 U.S. Supreme Court ruling, created momentum for increasing descriptive representation through the creation of majority-minority U.S. House districts that African Americans have the potential to win. The U.S. Justice Department subsequently encouraged this practice in areas containing a large minority group (Banducci *et al.* 2005:196). Since the 1993 U.S. Supreme Court decision of *Shaw v. Reno*, however, black-majority districts have been threatened by successive court cases restricting the use of race as a factor to be considered when drawing electoral district boundaries (Baker and Cook 2005:227, Williams 1998:3).

Black-majority districts are promoted on the assumption that an increase in the election of African-American legislators will lead to an improvement in the substantive representation of African-American interests (Swers 2005:407). In the 1990s, extensive testing of this assumption began, where scholars empirically investigated whether elected African-American representatives acted in the interests of their group. Examinations largely focussed on whether these legislators cast different roll-call votes to their white counterparts in the U.S. Congress (Tate 2003:4). Less research has been directed at African-American substantive representation at the state level legislatures (Canon 2005:292). Some prominent and influential studies are looked at here.

Swain's (1993:207) pivotal study on African-American substantive representation argued that descriptive representation was not necessarily required for the promotion of African-American interests. Rather, she outlined certain preconditions for the representation of African-American concerns in the U.S. Congress. These included: that African Americans can win election in white districts by overcoming racial cues where voters favour candidates from their own racial or ethnic group; districts with a minority of black voters can give African-American candidates an incentive to build coalitions across racial groups; white members could and did substantively represent blacks, as did blacks act in the interests of white Americans; and that the presence of blacks has its own value fulling symbolic and psychological needs (Swain 1993:207-17). In a later publication, Swain (2000:43) contended that in spite of their increased numbers, African Americans wielded less power due to the Republicans gaining control of Congress in 1994 and the fact that many experienced Democrats had retired. These results challenge the necessity of, and grounds for, electoral measures providing a descriptive presence of African Americans in Congress. If African-American candidates can

win majority white districts, and furthermore those districts encourage multiracial coalitions, then the arguments for creating black-majority districts are weakened. That white Americans were found to support the goals of African Americans further undermined these arguments.

Since the Voting Rights Act 1965, black political empowerment focussed on the successful election of African Americans to office (Guinier 1991:1078). According to Guinier (1991:1078), this black electoral success theory (as she terms it) posits 'empowerment is obtained through meaningful enfranchisement, which exists when blacks are elected'. In other words, the election of African Americans is a manifestation of political equality. However, Guinier (1991:1079) challenged this theory by arguing that the election of African Americans does not always lead to increased responsiveness to African-American concerns, therefore 'black electoral success stifles rather than empowers black political participation'. She is concerned that the equality of opportunity ideology is legitimated through the election of African Americans, and in turn ignores problems of tokenism. Black electoral success has not yet encouraged African-American voter mobilisation. Furthermore, black-majority districts generate African Americans representing 'a geographically and socially isolated constituency in a racially polarized environment' and having little influence over the policy choices of their white counterparts (Guinier 1991:1079-80). Guinier (1991:1080) warns the theory of black electoral success merely supports, rather than challenges, majority rule. A refocus is therefore necessary, she argues. Being physically represented is inadequate; fair political representation would provide mechanisms to ensure minority groups also have a chance to have their policy preferences satisfied (Guinier 1991:1136). Both Swain and Guinier are critical of the link between descriptive and substantive representation. Swain disagreed with the theory that elected African-American representatives were a necessary precondition for black interests to be voiced in office. Conversely, Guinier found fault with the electoral system, which encourages a small proportion of African-American descriptive representation, but does so at the expense of African-American substantive representation and the political participation of African-American constituents.

Both Swain and Guinier were instrumental in developing theoretically and empirically informed arguments about the relationship between African-American descriptive and substantive representation. Flowing on from this, there has been an upsurge of empirical research on this topic. One area that has been focussed on is electoral composition. Cameron *et al.* (1996:809-10), for example, analysed the link between the proportion of African Americans within electorates and elected representatives' roll-call voting behaviour. They concluded a key to improving the number of African-American representatives is not to concentrate African-American voters in certain districts, but to maximise the number of districts with slightly less than a majority of African Americans (Cameron *et al.* 1996:809-10). In critiquing this research, Lublin (1999:186) argued to the contrary, that racial redistricting is

in fact vital to African-American descriptive representation, and was critical of Cameron *et al.*'s research methodology. Epstein and O'Halloran (1999:187) subjected Lublin's methodological concerns with their earlier work (cited as Cameron *et al.* (1996) above) to empirical examination and were led to their same initial conclusion – that 'districts on the order of 45% black voting age population maximise the expected number of votes for minority-supported legislation'. More recently, Gay (2007:454) empirically tested the claim that majority-minority districts weaken the electoral incentives central to a representative's role, making the representative less responsive to their constituency's opinion. While majority-minority districts are characterised by low rates of voter turnout and political competition, Gay (2007:454) found legislators from majority-minority districts are no less responsive to their constituents' policy demands than representatives from predominantly white districts.

In the U.S., scholars of ethnic substantive representation have generally focused on the race of the representative or the proportion of African-American voters within a congressional district (Grose 2005:427). Most African-American representatives are elected in black-majority districts. Hence Grose (2005:431) sought to address the methodological problem of 'multicollinearity', where it is hard to differentiate the effects of (a) electing a black legislator and (b) the black population of districts. This is because the correlation results of each are usually so high that only one can be included to test (Grose 2005:431). Grose (2005:428) overcame this problem and found African-American descriptive representation enhances the substantive representation of black constituents in terms of roll-call voting (even after controlling for party affiliation and the proportion of blacks in the district), as do large black district populations. African-American substantive representation is therefore significantly affected by both the race of the representative and the proportion of blacks within a electoral district, distinct from any party effects (Grose 2005:440).

A study by Baker and Cook (2005:240) confirmed the influence African-American identity has on black substantive representation. African-American representatives were found to represent black interests more than their white colleagues, where 'shared experiences, culture, and linked life chances of African Americans as a group provide a compelling basis for Black legislators to pursue these interests within political institutions' (Baker and Cook 2005:240). They concluded:

> …it is being Black, independent of simple constituency characteristics or re-election maximisation strategies that drives Black members to support and pursue the material and cultural interests of their ethnic group (Baker and Cook 2005:240).

So, being African American matters. The results also validate Mansbridge's (2003:523) claim that shared life experiences between representatives and their constituents enhance a sense of surrogate responsibility.

Disparities amongst some findings on the connection between the level of presence African Americans have within a legislature and their policy preferences, are due to what Whitby and Krause (2001:559-60) believe are studies failing 'to account for race-based differences attributed to the policy substance of legislation'. They accept that race impacts on American political representation, but the extent of that impact is dependent on whether the legislation considered has concentrated or dispersed effects on the African-American population (Whitby and Krause 2001:555). Broad implications drawn from this study are twofold. Firstly, race is confirmed to be an important factor in the substantive representation of African-American policy interests, and secondly, 'the concentrated versus diffuse effects associated with public policies are vital to understanding racial representation' (Whitby and Krause 2001:571-2).

Another concern is whether the election of African Americans is fundamental to understanding the substantive representation of black interests. The party in control, or the ideological make up, of a legislative body may have a greater influence (Owens 2005:780). As noted earlier, Swain (2000:43) claimed that despite an increased African-American presence in Congress, the substantive representation of African-American interests diminished following the Republicans gaining a majority in Congress in 1994. However, Owens (2005:780) claims this argument is somewhat premature, as his own research found an increase in African-American officials did lead to a substantive increase in policy areas of interest to African Americans (Owens 2005:789).

Haynie's (2005:395) appraisal of African-American representatives from the 1870s until the twenty-first century concluded that, collectively, they have been 'the leading proponents of a legislative agenda that seeks to address the particular and sometimes distinctive needs of African Americans and other disadvantaged minorities'. But Haynie (2005:396) concedes descriptive and symbolic representation is 'not enough to guarantee a group's meaningful inclusion in deliberations or measurable influence over policy decisions'. According to Haynie (2005:396), amongst academics, activists and politicians a term known as a 'new politics of inclusion' emerged. This marked a shift away from the numerical focus on African-American legislators, to 'an interest in how well such groups are strategically placed in formal institutional positions of power'. Here, 'political incorporation', denoting the extent to which group representatives are included in policymaking coalitions and the degree that they are able to exert 'sustained influence over policy agendas', has become a significant factor in researching the relationship between descriptive and substantive representation (Haynie 2005:396). African Americans have increased their institutional power in the U.S. House of Representatives since the 1970s, but Haynie (2005:396-7) has questioned whether political incorporation was to the detriment of black substantive representation. His research concluded that while black legislators have experienced greater levels of political incorporation, including having 'a significant voice in deliberations over national policy', their

more traditional role of being a 'race representative' remains intact (Haynie 2005:407). This research takes Swain and Guinier's work further by distinguishing the type of substantive representation exerted by elected African-American representatives.

A new approach to understanding minority representation in the U.S. involves assessing demographic group voter preferences and the frequency that they win or lose in elections. Recognising the flaws involved with assessing and calculating the descriptive and substantive representation of African Americans, Hajnal (2009:37) introduced a supplementary measure of minority representation. By counting the number of voters from a group who voted for a losing candidate (losers) and the number who voted for a winning candidate (winners), and comparing the number of losers and winners across different demographic groups and across a range of U.S. elections, Hajnal (2009:37) developed some arguments about the inclusion of minority preferences in American democracy. The African-American community was found to be the only group to consistently be 'more likely to end up on the losing side of democracy' (Hajnal 2009:54). Hajnal (2009:54) suggests the findings raise serious concerns about the health of democracy in America and the extent to which it incorporates minority interests.

Little research has been directed at how the intersection of race and gender influences legislative behaviour, which Bratton *et al.* (2007:72) comment is 'hardly surprising given how recently U.S. legislatures have become more diverse'. In their study on whether African-American women demonstrate distinct policy interests, Bratton *et al.* (2007:78) focussed on the number and type of bills introduced in ten state legislatures by representatives. After controlling for party and district demographics, the authors found 'African American women are more likely to focus on *both* women's interests and black interests' (Bratton *et al.* 2007:91, emphasis in original). One significant observation made by Bratton *et al.* (2007:91) was that the institutional context influenced the representatives' actions when it came to introducing women's interest legislation. African-American women were inclined to consider how many other women supported or opposed bills that related to gender when deciding how to act. Yet African-American female legislators were found 'impervious to the racial composition of the chamber' when deciding whether or not to sponsor black interest legislation (Bratton *et al.* 2007:91). The authors suggested the difference was due to a greater likelihood that men would support women interest policies, than non-black legislators would support black interest policies (Bratton *et al.* 2007:91-2). While the study supports Swain's (1993:211-6) findings that white American legislators can substantively represent African-American interests, and African Americans can act in the interests of whites, there appears greater unwillingness amongst legislators to support ethnically focused policies than polices related to gender.

Women's representation

The second review of literature concerns women's substantive representation. The 1990s witnessed a surge of attention at the increasing level of women represented in politics worldwide, which subsequently created an impetus for research into the causes, consequences and meaning of this unprecedented development (Sawer *et al.* 2006:1). A numerical increase of elected women representatives was expected to enable women to make a difference to the policies, laws and programmes directed at improving the status of women (Albertyn 2003:99). Since the 1990s, a sizeable body of international research has focused on the impact of women within political institutions (Stokes 2005:28). The literature tends to demonstrate that women are more likely to advocate women's interests in government than men (Mansbridge 2005:622). However, there are a few exceptions as the research of Cowley and Childs (2003:364) shows. One striking theme throughout most studies on women's substantive representation is that women feel a responsibility to represent women, and according to Tremblay (2003b:216), that 'perception is shared by female politicians of different generations and from different countries'. Dovi (2008:152-3) maintains that taken collectively, feminist contributions to democratic theory have been significant because they provided 'a more fluid and complex understanding of our political identities'. Feminist research has thus added to and informed debates about group representation.

Scholarship investigating whether women hold distinct policy preferences from their male counterparts emerged in the U.S. as the number of women gaining election to Congress and state legislatures increased (Dolan *et al.* 2007:248). Early research published in the 1970s found differences in female legislators' attitudes and behaviour, but women were reported as having difficulties in adapting to the male dominance within legislative institutions (Dolan *et al.* 2007:248). In the 1980s, a series of studies sponsored by the Center for American Women and Politics helped build on this growing body of empirical research, with a great deal indicating that female and male representatives devote their attention to different issues (Carroll and Fox 2006:5). This decade saw studies reporting women representatives as being more liberal than their male counterparts, and more likely to work on bills which concern feminist issues (Dolan *et al.* 2007:249). It was found that women felt a responsibility to act in the interests of women (Dolan *et al.* 2007:249).

Most recently, Reingold's (2008:129-35) comprehensive literature review on the behaviour and accomplishments of women state legislators and members of the U.S. Congress, demonstrates that in terms of policy preferences, policy leadership, policy impact and outcomes, legislative styles and constituent responsiveness, women do make a difference in elective office. Swers (2001:217) has similarly noted that studies on the impact of women in state legislatures have generally found that as well as female legislators exhibiting unique

policy priorities in the area of women's issues and having a firmer commitment to feminist initiatives, women representatives also displayed a unique view of their representative role.

That many studies demonstrate U.S. female politicians embrace the role of representing women is, according to Tremblay (2007:280), partly attributed to certain features of the U.S. political system. These include the financing of electoral campaigns that require maintaining relationships with socio-economic groups, that women have organised themselves as a political interest group, and the presence of weak party discipline (Tremblay 2007:280). However, female politicians' acceptance of a role to represent women is also evident in other countries governing bodies. In Westminster parliaments, which have comparatively strong levels of party discipline, women are still likely to say they represent female interests (Tremblay 2007:281).

Scholars of gender political representation in the U.K., Mackay (2004:100) observes, have 'moved from monitoring inertia and stasis to charting the dynamics of change'. British studies were largely cautious about the impact of women in politics up until 1997, since the number of women entering parliament was relatively small (Mackay 2004:104). The dramatic increase in the number of females elected to British political institutions post-1997, however, 'sparked new lines of inquiry about what difference women's presence might make' (Mackay 2004:108). Since the late 1990s, there have been more women MPs in the House of Commons belonging to Labour than any other party, and these Labour female representatives are 'overwhelmingly self-defined feminists' in comparison to other parties' women MPs (Mackay 2004:108). Childs' (2004b:196-7) research revealed many of the Labour women politicians agreed that they sought to act in the interests of women, a claim based largely on their shared gendered experiences.

Empirical research on female politicians in Canada, another Westminster parliament, demonstrates that most 'see their sex as posing unique representational responsibilities' (Trimble 2006:123). Tremblay (1998:437) found female members of the Canadian House of Commons were proportionately more involved than their male counterparts in women's issues. This lends support to the notion that an increase in the election of women might affect the nature of politics (Tremblay 1998:463). A later study by Tremblay (2007:289) confirmed these findings, where a majority of female MPs felt a specific responsibility to represent women. However, Trimble (2006:123) warns that evaluating the validity of representation claims is complicated because while women representatives may express a willingness to represent women, they may not actually be acting on these gender-based interests. She argues that overall, Canadian studies on women's substantive representation 'indicate a weak and heavily mediated relationship between the presence of women in legislatures and the

articulation of various women's interests and opinions' (Trimble 2006:123-4). This is why focusing investigations on a women's social perspective is favoured over their ability to represent women's interests (Trimble 2006:131).

In two other Commonwealth countries, New Zealand and Australia, literature again suggests female representatives feel responsible to represent women's interests (Tremblay 2007:281-2). To represent women substantively, elected members must be responsive to the needs of their women constituents (Menifield *et al.* 2005:180). Grey's (2006a:149) New Zealand case study analysis of parliamentary debates on topics such as parental leave demonstrates there is 'clear evidence female MPs have been strong advocates for women and women's issues'. However, she says three interrelated factors significantly mediate the willingness of women to act for women. These are the lack of support through an identifiable women's movement outside of parliament, the increased diversity of MPs overshadowing 'strategic essentialism'[22] in gender representation, and a backlash against feminism in the House since 2000 (Grey 2006a:149). Women in the New Zealand parliament therefore do act in the interests of women, but internal and external factors limit the extent of their actions. Sawar (2004:18), in her investigation into women's substantive representation in Australia, also commented on how the presence or not of an active women's movement influences women's substantive representation, stating that it 'provides an institutional base for feminism within professionalised party politics'.

Not all work on women's substantive representation is from the West. Devlin and Elgie (2008:237) studied the Rwanda situation, which they maintain is significant because it has the highest proportion of female politicians within its parliament in the world (see Inter-Parliamentary Union 2003). 48.75 per cent of the Rwandan Chamber of Deputies seats are held by females, whereas women constitute 17 per cent of Members of Parliament worldwide (Devlin and Elgie 2008:238). Devlin and Elgie's (2008:243-4) investigation into the impact the rapid increase of female representatives in Rwanda had on women's substantive representation found changes to the social climate of parliament, where women felt more comfortable and confident in the chamber. Furthermore, their results suggested there was solidarity amongst women representatives, and a perception that women acted in unison on gender issues (Devlin and Elgie 2008:245).

Future directions and developments for women's substantive representation research have been proposed. Both U.S. and U.K. scholarship has stressed the contingent nature of the

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[22] According to Stone (2004:142), 'strategic essentialism' means that women should acknowledge that essentialism denies the diversity amongst women, but in certain delimited contexts women should act as though they believe essentialism is true in order to encourage a shared women's identity and women acting collectively.

relationship between women's descriptive and substantive representation. Writing on the U.S. context, Reingold (2008:135) articulates that while this representation relationship amongst women is strong, this link is not always assured. Thus, research into the exceptions and qualifications to the conclusion that women make a difference in politics ought to take precedence. Reingold (2008:136) suggests future research should focus on individual politicians, institutional structures, and the socio-political forces which shape the desire and ability for female representatives to act for women. Swers (2001:219) promotes the development of new areas of research that could concentrate on the way 'female legislators incorporate women's interests into policy discussions in areas that are not readily identified as women's issues'. In terms of Westminster parliaments in the U.K., Canada, Australia and New Zealand, Curtin (2006:244) argues that without a political presence it is unlikely women's perspectives will be taken into consideration. Thus the topical question is 'whether, in the future, the increased descriptive representation of women will in fact alter the nature, culture and legislative priorities of Westminster parliaments' (Curtin 2006:244). What she is saying is that substantive representation of women's interests is dependent on the presence of women in parliament. Because women are elected to parliament in increasing numbers, researchers should consider examining whether the presence of women could transform the male dominated culture of these political institutions.

Evidence of a connection between descriptive and substantive representation, or presence and ideas, has been demonstrated through a review of literature on ethnic African Americans' representation and women's representation. Taken collectively, the literature reveals that although the descriptive-substantive relationship is at times relatively strong, it is not directly causal and is affected greatly by institutional and party arrangements. An analysis of the intervening factors on the relationship between Māori descriptive and substantive representation is presented in chapter three.

Conclusion

Political representation refers to a relationship between the representative and the represented. This relationship is flexible. An elected candidate that stands for constituents through shared politically relevant characteristics, descriptively (and symbolically) represents them. A representative acting in the interests of the electorate substantively represents that group. Additionally, in some cases surrogate representatives can act for constituents who reside and vote outside of the representative's geographic electorate. What was considered here reaffirms that the meaning of representation is ambiguous (Mulgan 2004:133). Yet while the concept is necessarily vague, it can be deconstructed to enable a better understanding of the dynamics of different models of representation.

Should identity politics play a part in New Zealand's representative democracy? Is the recognition of groups, namely Māori, rather than individuals, inherently undemocratic and discriminatory? Arguments about political equality through 'one person – one vote' and blanket resistance to collective rights, can oversimplify the debate about groups and political representation. Often, these arguments do not take into consideration the reality and effects of minority under-representation on the needs and desires of those groups. All groups have an inherent agenda. It is natural for humans to pursue a set of interests. Thus, the descriptive representation of groups is a likely avenue for the substantive representation of their concerns in a governing body. Groups have been argued to be a legitimate instrument to inquire into the effects of political representation.

If policy responsiveness and explicit political outcomes were employed as the sole measure of Māori acting in the interests of Māori constituents, it would be extremely difficult to show any relationship between the presence of elected Māori MP and local body councillors and Māori substantive representation. Substantive representation is effectively a judgement about the actions of elected representatives. While policy responsiveness is an important dimension of substantive representation, it is not the only measurement. The way group representatives can make a difference is through bringing their common experiences to politics, considering their group interests when speaking on bills, and introducing a different style of politics. The inclusion of marginalised group perspectives is important in the political deliberative process. Shared life experiences mean members of a group may have a different perspective on issues, thus effectively contributing unique viewpoints to public policy formation. This is a central tenant sewing through the remainder of this thesis. All of these more subtle forms of substantive representation infiltrate comments made by elected Māori representatives interviewed for this thesis.

The various models of political representation and the ways they interact discussed here will help to inform analyses of empirical data in chapters four to six. Prior to this, however, chapter two applies the theoretical underpinnings of the relationship between descriptive and substantive representation to Māori within the context of local body councils and parliament, while chapter three explores some factors that influence the relationship between Māori descriptive and substantive representation.

CHAPTER TWO

Developments in Māori Political Representation

Chapter one demonstrated that one of the most commonly researched representation relationships is that between descriptive and substantive representation. A review of the theoretical and international empirical literature related to these terms helped to contextualise the current study, which seeks to determine the relationship between the number of elected members who 'stand for' Māori and the ways and extent to which those Māori representatives 'act for' Māori interests. A comprehensive understanding of this relationship requires prerequisite knowledge of the historical and contemporary developments of Māori political representation. As Whitby (2002:95) acknowledges writing on the determinants on African-American legislative activities, '[t]o fully understand the political implications of Black legislative behavior, we must first understand its context, that is, the importance of social group politics to Black political behavior'. Bird (2005:426) also stresses the importance of context to understanding the relationship between descriptive and substantive representation, where she argues that the 'dynamics of group identity, residential patterns, and opportunities for political mobilization are essential factors that must feature prominently in explaining levels of ethnic minority representation'. Context is critical. Accordingly, this chapter presents a historical overview of Māori politics from the New Zealand Constitution Act 1852, which provided for a restricted form of Māori participation and representation within the New Zealand House of Parliament, until the present (2009).

The history of Māori political representation is a story of a struggle to gain an effective political voice. Whether working inside or outside of the Crown government system, the unwavering goal of Māori has been self-determination, or tino rangatiratanga, over Māori affairs. This chapter begins by arguing that the role of Māori MPs and Māori local body councillors is guided by somewhat unclear guidelines. Therefore, as subsequent chapters demonstrate, their perceptions of their role, including whether they consider themselves a delegate or trustee of Māori interests, can significantly influence their actions in parliament and in local authorities. The focus then shifts to examining key developments in Māori descriptive political representation at both national and local levels of government. There have been significant legislative and electoral changes, strategic alliances, and the presence of key Māori politicians, that have had a dramatic impact on the level of descriptive representation Māori have held in New Zealand governing bodies. A critical survey of existing literature on Māori substantive representation follows. The vast majority of published and unpublished works on this topic relate to the substantive acts of Māori MPs in parliament. It will be shown that some

positive changes to Māori policy have been attained, and these achievements have been attributed to certain Māori politicians. However, there are few conclusive findings about Māori substantive representation. The question of who Māori act for, and their motivation to do so, remains somewhat unclear, particularly in the MMP environment. Far less literature makes any sort of connection between Māori descriptive and substantive representation in local authorities, demanding more attention is directed at the second tier of government.

Some idea about the historic and more contemporary relationship between Māori descriptive and substantive representation can be gauged through this examination of developments in Māori political representation. Here, the review of political theory in the preceding chapter is applied to Māori politics, and a context is given to the empirical research carried out on the role of elected Māori representatives presented in chapters four, five and six. More importantly, however, this chapter raises significant questions about potential anomalies elected Māori representatives have faced, and continue to confront, in their roles as MPs and local body councillors. Have they and should they consider themselves delegates or trustees of Māori? How have Māori representatives balanced their commitments to Māori, their non-Māori constituents and their party? And, most critically, is there any indication of a relationship between Māori descriptive and substantive representation?

A representative's role

The role of a representative is based on connections. According to Wahlke (1978):

> To a large degree, the person sees himself not as a mere isolated and unique 'thing' in a universe of unique things, but as standing in certain relationships to other things and persons. The word which refers to his perceptions of his relationships to the things and persons in the universe around him is 'role' (Wahlke 1978:26).

In other words, a representative's role is determined by their relationships with others. One of the primary relationships elected representatives have is with their constituents, and, according to Catt (1999b:77), literature is divided on the extent to which this relationship exists. While some argue an elected member's role is to act on behalf of his or her constituents (as a delegate), others believe they are elected to make decisions for the population as a whole (as a trustee) (Catt 1999b:77).

Early political theorists exposed and refined these contrasting views of a representative's role. James Madison, for example, argued factional disputes on political issues were inevitable and therefore representatives should 'act to a very considerable extent as delegates for particular interests' (Birch 1971:79). Pitkin (1967:134) describes delegates as subordinates 'sent on a mission' with clear instructions to do certain things. On the other hand, proponents of a trustee style of representation, such as Edmund Burke, advocated the proper function of

parliament is to make decisions for the good of the population as a whole (Catt 1999b:89). Here, national interests take precedence over sectional interests (Birch 1971:79). Burke (1969), in a letter to his electors in 1774, decisively asserted:

> Parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the whole… You choose a member, indeed; but when you have chosen him he is not member of Bristol, but he is member of *Parliament* (Burke 1969:175-6, emphasis in original).

This holistic view of a governing body removes individual autonomy from elected representatives, and instead focuses on the aggregate actions of government.

According to Catt (1999b:94), the debate between delegate and trustee (or the mandate-independence controversy as Pitkin (1969:17) and Birch (1993:94) describe it) is unlikely to be resolved because the reality is both voters and their representatives combine these models of representation. She explains that '[m]odels of voting behaviour now tend to mix aspects of group membership and political attitudes while most MPs will perform several of the representative roles depending upon the specific issue' (Catt 1999b:94). Pitkin (1969:20) too has admitted that while the concept of representation has its limits, 'there is still room for a whole range of positions concerning the representative's role' and their relationship to their constituents. Under New Zealand's system of party government, however, MPs are mainly delegates of their party rather than delegates of their constituents. Broad expectations of the role of representatives in central and local government have recently undergone dramatic changes. What prompted reconsideration of MPs' and local body councillors' roles, and their outcomes, are examined next.

A Member of Parliament's role

Moving from a majoritarian to a proportional representation electoral system for New Zealand's general elections in 1996, carried with it a need to reassess the role of MPs. The conventional FPP electoral system produced a parliament comprised only of constituency MPs. This promoted New Zealand's tradition of what Ward (1998:125) refers to as 'local representation', that which stressed the 'local role' played by MPs. That is, there was a strong connection between the representative and the represented due to each MP's constituency work. Furthermore, Barker and Levine (1999:110) cite the strength of party discipline as 'perhaps… the defining feature of parliamentary behaviour' under FPP. MPs were generally controlled by their party when voting in parliament, and instead politicians traditionally served their constituents through community activity (Barker and Levine 1999:110). In New Zealand MMP parliaments, MPs are elected through electorates (general and Māori) and party lists.[23]

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[23] The 2008 parliament comprised of 63 general electorate MPs, seven Māori electorate MPs, and 52 list MPs – a total of 122 Members of Parliament. The overhang of two in parliament was caused by the Māori Party winning more

According to Gillon and Miller (2006:174), the introduction of list members created a 'change of emphasis from a narrow geographical focus to representing wider regional and national interests, as well as distinct social and ethnic groups within the wider community'. Thus, the representative's role loosened to encompass the representation of a multitude of interests based not only on local geographic areas, but also on social group ideas.

Within the broad role of a New Zealand MP, elected parliamentary representatives have three main functions. The first is legislative, which refers to several roles, 'ranging from policy development in party committees and conferences to decisions by caucus, cabinet and their committees, and debating on the floor of the house' (Gillon and Miller 2006:175). The second relates to their constituency, because '[i]t is in the electorate office that an MP usually grasps a local issue that forms the basis for official representation in parliament' (Gillon and Miller 2006:180). The third is party, where both electorate and list MPs are expected to be loyal and active party members (Gillon and Miller 2006:180).

List and electorate MPs generally differ in their views of how each of the above three activities should operate, and the significance each holds in comparison to others. According to Miller (2005:207), electorate MPs value their constituency work highly whereas list MPs place greater importance on their parliamentary work, namely operating and participating in the debating chamber and in select committees. List members have been described as second-class MPs because, unlike their electorate-based counterparts, they are indirectly elected through the party list and therefore do not have a direct mandate from an electorate (Ward 1998:127). Similar criticisms have been directed at the electoral arrangements in the Scottish Parliament and the National Assembly for Wales, which both recently changed to the MMP electoral system. There are fears the MMP system will create two classes of elected representatives because list members will be more concerned with party issues rather than constituent interests, in comparison to single member constituent MPs (Lundberg 2006:60). Some New Zealand parliamentarians have chosen to stand in an electorate and not hold a list placing so local constituents alone determine their chances of election. One example, discussed further in chapter six, is Labour Māori MP Nanaia Mahuta's decision not to stand on her party's list in the 2005 general election. Instead, she allowed her constituents to decide whether she should return to parliament following her support for the Foreshore and Seabed Act (2004), which many of her constituents opposed.

The constitutional positions of list and electorate MPs within the New Zealand parliament are very similar, with the main difference being the way they are elected (Ward 1998:142). While

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electorate seats (5) then the number of seats it would have received through their proportional allocation from party votes received (3) (Electoral Commission 2009:11).

electorate MPs have a constituency they are accountable to each election, list MPs are 'accountable to the country as a whole' (Ward 1998:143). List MPs did assume electorate responsibilities immediately following the transition to MMP, but acceptance of this role had begun to decline by 2004 (Miller 2004:103). Ward (1998:144) argues that list MPs could transcend parochial interests by speaking out and acting on behalf of national interests. List MPs have the potential to act for a range of interests, wider than a geographic district. These can include advocating and articulating their party philosophy, the interests of a sector of society, or a particular issue (Barker and Levine 1999:112). These representatives may therefore have more flexibility in speaking for groups, such as Māori. Indeed Palmer and Palmer (2004:142) contend that the constituency of a list MP is a specialised segment of the community. They suggest that former list MP and National Party leader Dr Don Brash could be viewed as a representative of the business community and those interested in economic policy (Palmer and Palmer 2004:142).

Another example of a list member who possibly represented a segment of New Zealand society when she was elected to parliament is former Associate Pacific Affairs Minister Luamanuvao Winnie Laban. Laban (2004) commented that when she entered parliament as a list MP she did not have a geographical constituency, rather the Pacific Island community became her constituency and strengthening this community was her first priority. She added that because she was a Wellington-based MP, her 'primary constituency was the Pacific Island communities of the greater Wellington region and the Pacific Island communities located in the lower North Island… and in the South Island' (Laban 2004). In addition, Laban (2004) found that since '[m]any Pacific Island organisations are women's groups… they wanted "their" woman MP to meet with them'. What she is describing is a duty and a responsibility to act for her group. A list seat, rather than an electorate seat, may facilitate this type of surrogate representation.

A local body councillor's role

The structure and operation of New Zealand local government underwent upheaval and reorganisation in the mid-1980s, occurring amidst the Fourth Labour Government's wider economic reforms, which included the privatisation of many state assets. Restructuring of local government was thus set among principles used for wider public sector goals of achieving responsible management and a high degree of accountability and transparency in government (Bush 2005:174). Although this restructuring radically modernised local government in the 1980s, Drage (2004:211) argues the elected councillor's role was significantly undermined as a consequence. Drage (2003:11) explains that greater community involvement in local authority activities led to confusion and distrust of the role of local body

councillors. Increased community involvement, she suggests, 'can result in increased dissatisfaction with final decisions made by locally elected representatives' (Drage 2003:11).

The Labour and Alliance parties flagged their commitment to review local government and local electoral legislation if elected in the lead up to the 1999 general election (Crawford 2002:277). One part of the Labour-Alliance coalition government's central objectives for local government reforms, which they tackled in their first term in office, was to clarify the relationship between local government and the Treaty of Waitangi (Crawford 2002:278). Another concerned creating an empowering legislative framework, which included the fair representation of local communities (Crawford 2002:279-80). The resulting legislation was the Local Electoral Act (2001) and the Local Government Act (2002), and both hold important implications for Māori communities. Cheyne (2006:293) argues the role of local government has been enhanced through these Labour-led reforms in the 1980s and early twenty-first century, through a commitment to strengthen both the relationship between central and local government and the provisions for public participation.

The role of a local body representative is, generally speaking, twofold. According to research conducted by Local Government New Zealand (2004), councillors are required to 'participate in the decision-making processes that guide and govern the affairs of the council'. Also, as elected representatives of the community, councillors are to represent both residents and ratepayers, provide leadership and guidance, facilitate communication with the community, and promote council interests with other governmental bodies (Local Government New Zealand 2004). The Local Government Act (2002) requires local councils to prepare a governance statement (section 40) which includes reference to the role of their councillors (subsection 1e). Drage's (2008:130) analysis of all 85 local authorities' governance statements revealed that most statements about representation referred to 'representing the interests of the district, city or region', or 'representing the interests of the residents and/or ratepayers'. These guidelines are clearly extraordinarily broad.

Explicit guidelines of a local body councillor's role were traditionally absent. The Local and Regional Government Group was established by the University of Auckland in the mid-1990s to address a gap in local government scholarship on up to date knowledge of the role of elected council members (New Zealand Local Government 1999:8). The resulting report was based on a survey of then current councillors' views of their roles in local government (Szabó 1999). One of the report's most interesting sections (for this thesis at least) focussed on participant responses to statements on issues of concern to council. For example, the statement: 'Elected representatives should represent the views of all the people in their wards, not just those who voted for them' resulted in a 96 per cent level of agreement. Szabó

(1999:53) describes this as a 'rather innocuous' statement and hence generating the highest level of agreement. The report also asked for comment on the statement: 'The most important role of local government is to represent the interests of the people in an area'. Szabó (1999:53) calls this an '"easy to agree with" sentiment' holding an agreement rate of 87 per cent. While these two statements acquired a very high rate of agreement, they should be subjected to further scrutiny because they go to the core of local representation. Exactly whose interests are represented in local government, and are the interests of distinct groups voiced equally? As interviews with local body council representatives demonstrate in chapter four, many expressed a concern that Māori local body councillors were often the only members of council who voiced Māori interests.

The 2001-02 local government reforms gave councillors increased autonomy in terms of governance and decision-making which, Drage (2004:238) argues, has resulted in communities wanting further definition of the councillor role to ensure specific interests are heard. But this contrasts greatly with the underlying ideology of representative government and with the community's preference to be legitimately represented in local decision-making (Drage 2004:211). Drage's (2004:183) research found that most local body candidates and councillors believed a councillor's representative role holds a multiplicity of responsibilities, including representing local interests and being a bridge between the community and council. Governance, decision-making and policy making were also considered a major part of their role (Drage 2004:183). In a later publication, Drage (2008:165) argued that electoral changes to local government in 2002 that demand compliance, has shifted the emphasis to governance and decision-making, which came at the expense of representing communities. Drage (2008:166-7) concludes that the role of local body councillors needs strengthening, which could be achieved through giving it greater clarity and by ensuring councillors have the skills and networks that secure their role within their communities.

The triennial review process (authorised under the 1991 Local Government Amendment Act but since replaced by the representation review process under the Local Electoral Act 2001) also offers insights into the role of elected local councillors. According to Drage (2002b:93), councillors and communities alike want the councillor role carried out effectively and in an accountable manner, but there is also 'strong argument for delegated representation and for resemblance of special interests, particularly through ward systems that ensure representative ratios[24] remain low'. Indeed, Tate (2003:125) suggests democratic theory favours the delegate role. To illustrate, as part of its review in 1997, the Manukau City Council wanted to incorporate an ethnicity factor into its method for deciding representation numbers

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[24] A representation ratio refers to the number of citizens a single councillor represents. According to Drage (2002b:87), the representation ratio in New Zealand is 1:3588, and the average number of councillors on local authorities is 12.

(Drage 2002b:92). The Local Government Commission, however, ruled that it was inappropriate to define a community of interest by a factor based on ethnicity (Drage 2002b:92).

The role of an elected representative in parliament and in local body councils has rather unclear boundaries, leaving the representative with flexibility to determine how they carry out their representation duties. How MPs and councillors perceive their role is thus likely to have a bearing on whose interests they voice and substantively represent. The remainder of this chapter documents the changes in Māori descriptive representation, and analyses the extant literature on the nature of the relationship between Māori descriptive and substantive representation.

Māori descriptive representation

The presence of elected Māori representatives in New Zealand's governing bodies is considered an essential step in a journey towards political and democratic equality, as is the descriptive representation of other minority and under-represented groups such as African Americans (Guinier 1991:1078-9) and women (Swers 2002:2). Survey data shows Māori place greater emphasis than non-Māori on descriptive representation (Karp 2002:133). The RCES discussed the importance of a Māori political presence in their 1986 report, and argued there is a relationship between the descriptive and substantive representation of groups.

> Since the identification of the individual representatives with their groups is likely to have a strong bearing upon their effectiveness as representatives, democracy also recognises the need for the direct and fair representation of diverse groups by members of those groups… Maori interests should therefore continue to be represented in Parliament by MPs who are also members of the Maori community (Royal Commission on the Electoral System 1986:88).

Others go further and consider that Māori representation in parliament is a collective right. Māori objected to the RCES' proposed abolition of the Māori parliamentary electorates in 1986, partly because they are regarded by Māori as an acknowledgement of their right to be represented by those chosen specifically by Māori (Geddis 2006:358). Geddis (2006:358) believes this argument is based on the broader demand of indigenous people for recognition of their right to exercise self-determination. The Waitangi Tribunal (1994:11) expressed a similar viewpoint in its *Māori Electoral Option* report, which maintained that Māori parliamentary representation, and its exercise by Māori, is of the highest constitutional importance.

Māori descriptive representation is also important in local government. The Human Rights Commission (2008a) pointed out that ethnic representation in local government does not

mirror the ethnic make up of local communities. In 2007, less than five per cent of elected councillors were Māori and nearly 88 per cent were European (Human Rights Commission 2008a). Race Relations Commissioner, Joris de Bres, argued that local councils should encourage candidates from a diverse range of backgrounds to stand for election to improve their councils' chances of descriptively representing their communities (Human Rights Commission 2008a). Some local body councils do actively promote the benefits of a Māori presence in local government. The mayor of Kaipara District Council, for example, maintained it was important Māori have council representation because they comprise 21 per cent of the Kaipara population (Kaipara District Council 2008). This council consulted with their constituents on whether they should create designated Māori wards to ensure a Māori voice on council, or consider alternatives such as encouraging strong Māori candidates to stand in general wards or establish an iwi liaison committee (Kaipara District Council 2008). The importance of Māori descriptive representation is therefore recognised at both levels of government in New Zealand.

Māori in parliament

New Zealand became self-governing in 1852 under the New Zealand Constitution Act (Walker 1992:381). Universal suffrage was based on a property qualification but because Māori held most of their land communally (Royal Commission on the Electoral System 1986:82-3), it was not until the Māori Representation Act 1867 was passed that Māori participated in parliament. However, this participation was restricted. The 1867 introduction of four Māori parliamentary electorates was based on the dichotomous reasoning of justice on the one hand, and prudence and expediency on the other (Maaka and Fleras 2005:130). Yet little justice was in fact delivered, because while Māori were afforded a place in parliament they held no real power (Maaka and Fleras 2005:130). Indeed Sorrenson (1986:B20) claims 'no high principle was involved in Maori representation'. Walker (1992:382) goes further and argues the 1867 Act oppressed the potential strength of Māori representation because on a population basis Māori were entitled to 20, not four, electorate seats in parliament.[25]

Although effectively disenfranchised by the Constitution Act 1852 due to their communally held land, Māori had not formally requested separate representation in parliament prior to the passing of the Māori Representation Act in 1867 (Walker 1992:382). In fact, Walker (1990:149, 1992:383) recounts that at the time of their establishment, Māori interest in the Māori electorates was minimal and indifferent, because they were introduced without any

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[25] Further discriminatory legislative provisions included denying Māori the secret ballot until 1937, despite Pākehā receiving this right 67 years earlier; the introduction of compulsory registration for Māori voters in 1956, nearly 30 years after it had become obligatory for Pākehā; and not revising the size and number of the Māori electorates until 1993, while the general electorates were subject to revision after every five-yearly Census (Walker 1992:382-3). These and other barriers to effective Māori participation and representation led McLeay (2006:69) to reason that in spite of the relatively early enfranchisement of Māori, '[d]emocratisation of the Māori seats was… slow'.

consultation with Māori and because Māori believed the Māori electorate seats had serious shortcomings in terms of their guiding electoral framework. Maaka and Fleras (2005:130) add that Māori initially saw little relevance in the four Māori electorates, at a time when they had to adapt to the effects of colonisation.

While Māori were not initially interested in parliament itself, they were seriously concerned about the political landscape of their country. The real world of Māori politics, as Walker (1992:383) describes it, operated alongside the colonial parliament (although without the latter's approval or recognition). The Kauhanganui and Kotahitanga movements are two examples. Until at least the 1890s, Maaka and Fleras (2005:130) argue that Māori were 'too preoccupied with their own politics and alternatives to political power to take parliamentary representation very seriously'. It was not until very early in the twentieth century when Apirana Ngata, Peter Buck and Maui Pomare (each of whom were ultimately knighted) were elected, that more general interest in Māori parliamentary representation was first signalled (Walker 1992:386).

The value of Māori descriptive representation was evident to the prophet leader T. W. Ratana. Love (1977:183) writes that by the time Ratana began to emerge as a leader in the early twentieth century, Māori were in turmoil. Painful memories of the Māori wars and land confiscations were still raw, Māori returned servicemen were discriminated against in rehabilitation, unemployment was high, and many Māori considered the Māori MPs were out of touch with real, grass-root Māori concerns (Love 1977:183). As early as 1928 Ratana declared he and his supporters would endeavour to win all Māori electorates (Newman 2006:258), and Ratana consequently begun developing a relationship with Labour (Newman 2006:263).

The Ratana movement formally aligned with the Labour Party in 1936 (Love 1977:290-1). Love (1977:295) has written that the relationship was symbolically cemented in a ceremony in April 1936 where Ratana gave Prime Minister Savage four articles of supreme significance.[26] This meeting and gift offering was of the utmost significance, according to Love (1977:298), because it provided Labour with the foundation for Māori electoral support and provided Ratana with a means to promote his integration policies. The Labour Party and the Ratana

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[26] The first article of significance was Ngā Hou Huia (Huia feathers), described by Ratana as 'the priceless possessions of the Maori race'. The second item was pounamu (greenstone), which according to Ratana represented the 'richness and nobility of the Maori people'. Third, Ratana presented Savage with a gold watch once owned by his grandfather, who had supported the then government. Ratana, too, was entering politics to support the Labour Government. The final item was Tohu o te Maramatanga (a pin), emblematic of the Ratana movement and its members. Ratana handed this to the Prime Minister requesting he keep it safe, and act for the Ratana membership as 'their Father in justice' (Love 1977:295-6).

Church unified for political purposes, and from 1943 until 1993 Ratana endorsed candidates representing Labour were almost always elected to the four Māori electorates (Walker 1992:387). Durie (1998:98) writes that while Māori had given a political advantage to the Labour Party through the four Māori electorates for half a century, the party had not implemented its Māori caucus' advice to increase the number of Māori electorates to at least ten. The rationale was that the fixed number of electorates failed to represent fairly the number of Māori enrolled on the Māori roll compared to the population size of the general electorates. In a parliament of less than 100, there would have been massive distortions to the representativeness of parliament if this recommendation had been implemented. Regardless, the Labour-Ratana alliance was steadfast until the early 1990s.

The beginning of Māori discontent with Labour was demonstrated in 1979 when Labour Māori MP Mātiu Rata defected from his party and formed Mana Motuhake, in response to what Walker (1990:228) describes as 'Labour indifference to Maori needs'. Disillusionment with Labour, and particularly with the radical social and economic reforms of the 1980s that had a negative impact on Māori, eroded Māori support for Labour at the polls (Sullivan and Margaritis 2002:66). In 1993, the Northern Māori electorate was won by a non-Ratana, New Zealand First candidate. Labour's proportion of the Māori vote had decreased from 78 per cent in 1978 to 50 per cent by 1993 (Newman 2006:433). Then, in 1996, the New Zealand First party won all five Māori electorate seats. This party captured not only the Māori electorate vote in 1996 but also the party vote. New Zealand First won 42.29 per cent of the party vote in the five Māori electorates, compared to Labour's 31.92 per cent (Chief Electoral Office 1996). At the next general election held in 1999, however, Māori voters returned to support their traditional Labour allies following New Zealand First's inability to provide solid Māori leadership (Sullivan and Margaritis 2002:82).

Labour's Foreshore and Seabed Act (2004), combined with the electoral loss of the Te Tai Hauāuru Māori electorate in a forced by-election, signalled of a new era whereby Māori found a new avenue to promote their aims and objectives. Elected Māori representatives who represented Māori through a Māori rather than a mainstream party, won four of the seven Māori electorates in 2005. This political party, the Māori Party, consolidated their support in the Māori electorates at the following general election in 2008, winning five of the seven Māori electorate seats. In contrast to New Zealand First, the Māori Party struggled to compete with Labour for the party vote, but it was able to retain and increase its support in the Māori electorates.

For any previously excluded group seeking adequate political representation, symbolic representation is usually seen as the first step towards a more proportionate, descriptive

presence in the governing body (Catt 1999b:91). Many of the submissions made by Māori to the 1986 RCES opposed the abolition of the Māori electorates, reflecting a commonly held view that they symbolically represented the special status Māori have as tangata whenua (Williams 1998:209). Murphy (2004:281) claims the Māori parliamentary electorates are also a symbolic expression of the unique constitutional position Māori have in New Zealand. Geddis (2006:359) adds that this symbolism is 'recognition of the position of the Māori people as a "Treaty partner" in the enterprise of national government'. Catt and Murphy (2002:98), in assessing the degree and extent of political voice Māori have held in parliament, suggest the pre-1996 Māori electorate MPs were symbolic representatives because they were restricted in number to four. Amendments to the Electoral Act 1993 permitted the Māori electorates to rise and fall according to the number of Māori registered on the Māori and General electoral rolls. Former Māori MP Whetu Tirikatene-Sullivan (2006) points out, though, that the right for Māori registered on the Māori electoral roll to be governed by the same representation ratio as the general electorates was hard fought. 'It's only a right because there was a fight' (Tirikatene-Sullivan 2006).

The 1996 general election marked a radical change in New Zealand politics. The first MMP election was held and the number of Māori electorates increased, for the first time since their inception, from four to five. Party lists and list MPs were also introduced. These electoral reforms both had immediate and significant effects on the level of Māori descriptive representation in parliament. Māori comprised 5.1 per cent of MPs[27] in 1987 and 1990, and 7.1 per cent in 1993. But at the first MMP election in 1996 the descriptive representation of Māori leapt to 13.3 per cent (Vowles and Aimer 2004:169). Following the 2008 general election 14.8 per cent of MPs were Māori, that is, 18 of the 122 elected Members of Parliament either identified as Māori or had Māori ancestry (Electoral Commission 2009:11). Nine of these Māori members were list MPs. Māori candidates placed in favourable party list positions have facilitated greater Māori descriptive representation. The number of Māori MPs elected via the list has provided the means by which Māori have been able to achieve a proportional presence in parliament. Parties have been motivated to include Māori on their lists due to the importance of the party vote. In turn, the presence of Māori in high list positions helps to court the party vote of Māori constituents. Further electoral reforms have enabled MPs returned from Māori electorates to move from what Catt and Murphy (2002:32) describe as symbolically to proportionately elected. Māori have had much less success standing in general electorate seats. From New Zealand becoming a self-governing country in 1852 until the 2008 general election, only 11 people who have declared themselves as identifying as Māori or as having Māori ancestry have won general electorate seats.[28]

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[27] It is not known whether all of these MPs identified as Māori, or only had Māori ancestry.
[28] This is my calculation of MPs elected to general seats who self-identify as Māori or who have Māori descent (there may be others). They include: Sir James Carroll, first elected to the Waiapu seat in 1893; Rex Austin, elected to Awarua in 1975; Ben Couch, elected to Wairarapa in 1975; Winston Peters, elected to Hunua in 1978; Ian Peters,

Māori in local body councils

New Zealand's second tier of government was established relatively early during European settlement in 1842 under the Municipal Corporations Ordinance, where boroughs were created in settlements of 2000 people or more (Rikys 2004a:12). The Constitution Act 1852 officially established provincial government and municipalities in the main cities (Rikys 2004a:12). This 1852 Act recognised Māori rangatiratanga at the local level through section 71 which permitted districts to be set aside where Māori laws and customs could be maintained, however this provision was never implemented (Matunga 1989:2).

While legislation rectified, in some way, Māori disenfranchisement in central government elections through the establishment of four Māori parliamentary electorates in 1867, corresponding measures were not initially provided at the local level (Hemi 2003:58, Matunga 1989:2). The first attempt to accommodate Māori in local government did not come until the Town and Country Planning Act 1977, where tangata whenua could be co-opted onto the Auckland Regional Council's planning committee (Rikys 2004a:19). The position of Māori on the Auckland Regional Council was strengthened in 1986 when two Māori constituencies were established for two terms, as a result of a Local Government Commission review of the council in 1985 (Rikys 2004a:70). But these Māori constituencies were abolished in 1992 following the National Party's reforms of local government, where local councils' electoral structures were uniformly applied (Rikys 2004a:71).

Māori wanted the issue of Māori political representation addressed during the Fourth Labour government's wide-spread reforms of local government in 1989, however it was left unresolved, as were issues of local government engagement with tangata whenua and the application of tikanga Māori in council decision-making (Matunga 1989:13). The incoming National government from 1990 to 1996 also failed to confront and address the relationship between Māori and local government (Bush 2005:180). Māori calls for reform were either ignored, unheeded, or as Bush (2005:178) puts it, 'earmarked for later attention'. It was not until the Labour-Alliance coalition government was elected for the 1999-2002 term that electoral reforms were introduced to help diversify the make up of local government.

The local government electoral system operated solely under FPP until 2001, and councils were not descriptively representative of their communities. According to Sullivan (2005):

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elected to Tongariro in 1990; Clem Simich, elected to Tamaki in 1992 (by-election); Sandra Lee, elected to Auckland Central in 1993; Jill Pettis, elected to Wanganui in 1993; Georgina Beyer, elected to Wairarapa in 1999; Paula Bennett, elected to Waitakere in 2008; and Simon Bridges, elected to Tauranga in 2008.

Local government councils are dominated by Pākehā, middle class, reasonably wealthy, professional males who are likely to be Eurocentric in outlook and representative of the business and commercial sectors of the local community (Sullivan 2005:127).

Provisions under the Local Electoral Act (2001) allow local authorities the option of establishing Māori wards or constituencies, and the choice of using either the proportional representation electoral system STV or the traditional FPP. Māori wards and constituencies would operate in a similar fashion to the Māori parliamentary electorates. Residents and ratepayers enrolled on the Māori roll would vote for candidates who stand in Māori wards and constituencies. The Māori wards and constituencies would overlap the same geographic area as the general wards and constituencies. The adoption of these measures is more likely to lead to an increase in the number of elected Māori representatives in local body councils than has occurred under FPP.

Very few local bodies have opted to introduce the electoral changes of STV and/or Māori wards or constituencies. For the 2007 local body elections, only eight of the 85 local body councils used STV, two less than in 2004 (Department of Internal Affairs 2008). At the time of writing, it was understood six councils would use STV for the 2010 local body elections.[29] All local body councils have resisted introducing Māori wards or constituencies, apart from Environment Bay of Plenty (EBOP), which established Māori constituencies for the 2004 election under their own legislation (Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001). One potential exception is the Far North District Council (2008) which has promised to establish Māori wards on the proposed Far North unitary authority, should the district and regional councils merge into a single entity. As briefly noted earlier in this thesis, in 2009 the Royal Commission on Auckland Governance recommended the establishment of three Māori wards on an Auckland 'super council', which would merge the region's city and district councils. However, the Government announced that while plans will go ahead to set up a single council in time for the 2010 local body elections, the proposed Māori wards will not (Watkins 2009).

Most local body councils have thus been unwilling to adopt new legislative provisions as provided by the 2001-02 electoral options. This theme of unresponsiveness is further evidenced by Cheyne and Comrie's (2005:201) research which exposed local body

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[29] The 10 local authorities that used STV for the 2004 local body elections were Matamata-Piako District Council, Papakura District Council, Thames-Coromandel District Council, Chatham Islands District Council, Kaipara District Council, Kapiti Coast District Council, Marlborough District Council, Dunedin City Council, Wellington City Council and Porirua City Council. For the 2007 local elections, Matamata-Piako District Council and Papakura District Council reverted back to FPP, leaving eight local councils using STV. Since then, Thames-Coromandel District Council and Chatham Islands District Council have both decided to change to FPP for the 2010 local elections. Waitakere City Council has decided to use STV in 2010; however this decision is likely to be reviewed following the recommendations of the Royal Commission on Auckland Governance released in April 2009 for Auckland's city and district councils to amalgamate. Therefore it is possible only six local authorities will carry out their elections in 2010 using the available proportional representation electoral system.

councillors' attitudes to reforming their electoral system and structure for the 2004 local body elections. Local authorities were found to have ignored the concerns of representation in favour of cost considerations and simplicity, giving communities minimal chances to engage in this debate about political representation (Cheyne and Comrie 2005:201). There was widespread rejection of STV by incumbent councillors due, Cheyne and Comrie (2005:201) argue, to self-interest.

Debate continues to surround the option for establishing Māori wards and constituencies in local government. National MP Tony Ryall introduced the Local Electoral (Repeal of Race-Based Representation) Amendment Bill in 2006 to repeal provisions allowing Māori wards and constituencies on local authorities. During the Bill's first reading, Ryall claimed that only one local council opting to establish Māori wards or constituencies indicates the provision is 'unwanted, unnecessary, and divisive' (New Zealand Parliamentary Debates 2006d:6775). To try to prove Māori agree with his argument that Māori electorate representatives do not serve Māori better than those in general electorates, Ryall quoted the comparatively low voter-turnout statistics in the three Māori constituencies of Environment Bay of Plenty in the 2004 local elections (New Zealand Parliamentary Debates 2006d:6775). However, this is a precarious connection to make between voter turnout and the effectiveness of a representative, and a rather simple conclusion to draw. It does not take into account Franklin's (2004:23) argument that voting or not voting is a habit people adopt after their early experiences of elections, and therefore it should not be surprising that Māori voters did not mobilise en-masse at the first election using Māori constituencies. Moreover, for many people the decision to vote or not to vote is not an individual decision, rather, it 'has some fundamental characteristics of a collective act' (Franklin 2004:41). According to Franklin (2004:42), there are costs to voting; or in other words, there are incentives not to vote, in such cases where non-voting reinforces group solidarity. Māori, for example, may not have voted because the wining candidate may have been a foregone conclusion. However, O'Sullivan (2007:157) believes that from a Māori perspective, one objection that could be raised against designated Māori wards and constituencies (and equally to the Māori parliamentary electorates) is that separate representation 'removes focus from attention to the real barriers of prejudice which inhibit Maori representation from a common roll'.

A related issue is the avenues available for establishing Māori wards and constituencies on local authorities. Under section 19H of the Local Electoral Act (2001), Māori wards and constituencies must be introduced in the event a council has passed a resolution to do so, or after conducting a poll in which a majority agrees to their creation. Whakatane District Council resolved to hold a referendum on this issue at the same time the local body elections were held in October 2007. The local newspaper reported a resounding negative response to the Māori wards proposal, where 'Eastern Bay people voted against the proposal by an emphatic

6717 to 2868 margin' (Whakatane Beacon 2007). 29.9 per cent voted for Māori wards and 70.1 per cent voted against their establishment. However, some qualifications to this result should be pointed out. It is not known what percentage of Māori voted for the establishment of Māori wards; however, it is likely that a majority supporting the proposal were Māori. According to the 2006 Census, 42.2 per cent of people in the Whakatane district identified as Māori (Statistics New Zealand 2008b). Disproportionately more Māori are under 15 years in the Whakatane district (35.3 per cent) compared to the overall number of people under 15 years (25.5 per cent) in the district (Statistics New Zealand 2008a), which reduces the Māori voting population further. From general election statistics, we can presume Māori would be less likely to vote than non-Māori would in this referendum. The use of referenda, therefore, is an unlikely reflection of Māori opinion on whether Māori wards should be established in the Whakatane district. The Māori viewpoint on how Māori should be represented is effectively suppressed because as a minority group within this local authority (as are Māori in every local authority district in the country) they can be outvoted, and most likely were outvoted on this occasion. A referendum or survey canvassing Māori views would provide a basis for informed discussion rather than one dominated and dictated by the majority viewpoint.

The Local Government Commission (2008) has commented on whether a poll for Māori wards or constituencies should be conducted amongst all constituents or only those on the Māori electoral roll. The Commission felt that given that Māori wards and constituencies impact on district or region-wide representation arrangements, the present provisions which incorporate the views of the entire electorate are appropriate (Local Government Commission 2008:141). The Commission also rightly mentioned that a significant proportion of Māori are registered on the General roll who also have a legitimate interest in the issue of Māori representation (Local Government Commission 2008:141). The RCES (1986:2) confronted a similar issue in their discussion on the parliamentary electoral system, and ensured Māori had proper access to making submissions on the electoral arrangements in ways consistent with tikanga Māori. The Royal Commission reported that all but one of the submissions made by Māori argued for the continuation of separate Māori representation in parliament. On the other hand, the vast majority of submissions made by non-Māori supported the abolition of the Māori electorates (Royal Commission on the Electoral System 1986:85).[30] Like the Local Government Commission, the RCES (1986:112-3) pointed out that separate Māori representation arrangements are as important to non-Māori as it is to Māori.

Reviewing the progress of Māori descriptive representation in local government is difficult due to the lack of data available on the number of Māori elected to individual local body councils

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[30] One notable exception is the Electoral Reform Coalition, which campaigned for the retention of the Māori seats. The Electoral Reform Coalition, according to Jackson and McRobie (1998:168), accepted the 'main thrust' of the Royal Commission's report, with the sole exception being their proposal to abolish separate Māori representation.

and to local government as a collective. Sullivan (2008:2) explains that while statistics are collected on the socio-economic status, gender and geographic residence of elected members, local councillors are not required to declare their ethnicity, making the collection of ethnicity data problematic. The only information of this type available is compiled via surveys. Consequently, the actual level of presence Māori hold at the local level of government is somewhat uncertain. Furthermore, Sullivan (2008:2) argues that the invisibility of Māori descriptive representation on local councils is perpetuated by failing to collect data by ethnicity. The collection of ethnicity data is important. As Kukutai (2004:104) maintains, to ignore ethnicity, or indigeneity for that matter, is to disregard particular arrangements a group may have with the state deriving from historical relations. It ignores the historical and contemporary processes which contributes towards certain ethnic groups being disproportionately in need, including those under-represented politically (Kukutai 2004:104).

Reliability problems with the data available are also encountered. Conflicting reports have estimated Māori representation in local government, following the 2004 local body elections, to be between 4.3 and seven per cent (Justice and Electoral Select Committee 2005:40-1). Others cite Māori representation in local government, after the 2007 local elections, as a mere 3.6 per cent (Human Rights Commission 2008b:74). A further report records Māori representation as fluctuating between 4 and 5.5 per cent in the three local body elections prior to 2007 (Local Government New Zealand 2007:15). Former Wairoa Mayor and Māori Party candidate, Derek Fox (2009), stated that the proportion of Māori elected to local government had never exceeded 2 per cent. Whichever figure is correct, all demonstrate serious Māori under-representation in local government.

It is unclear whether the above percentages refer to those who identify as Māori, or if they also include successful candidates with Māori ancestry but who do not self-identify as Māori. Kukutai (2004:101) argues people of Māori descent who do not identify as Māori should not be counted as Māori. Rather, they are New Zealanders of Māori ancestry. Robson and Reid (2001:3) take this point further, maintaining 'statistics are value-laden and used to endorse different agendas and points of view'. Hence distinctions between Māori identity defined in terms of ethnicity and ancestry are important, even critical, to ensure outcomes for Māori are measured correctly (Robson and Reid 2001:16). As will be discussed in chapter three, Māori who opt for either the Māori or General electoral roll may do so depending on the extent to which they identify as Māori.

In sum, parliamentary electoral reforms passed in 1993 and choices for local council elections made available in 2001-02 aimed, in part, to increase the number of elected Māori representatives. While successful in parliament, few local body councils have chosen to

implement the optional election provisions and Māori descriptive representation has remained low. These electoral reforms have prompted questions relating to the relationship between the presence of Māori MPs and councillors, and the substantive representation of Māori interests. Should the local government electoral system be changed, and MMP be retained, to encourage increased Māori representation? Does it matter if New Zealand's governing bodies mirror New Zealand society in terms of ethnicity, or any other descriptive characteristic (Catt 1998:401)? One reason it might matter is that the descriptive representation of diverse groups could lead to the substantive representation of their interests.

Māori substantive representation

Māori representatives are generally assumed to be carriers and advocates of Māori knowledge and interests. They are also considered to be more active on Māori issues than non-Māori representatives, because Māori have more at risk on these occasions (Swers 2002:128).[31] In fact, Durie (2003:137) has asserted that 'the point of having Māori representation in Parliament is to ensure that domestic law recognizes Māori interests'. Mulgan (1989:136), on the other hand, claims the presence of Māori does not guarantee attention to Māori interests, but he qualifies this by stating that their absence contributes to the alienation of Māori from governing institutions. What Mulgan is indirectly highlighting is the connection between Māori descriptive and substantive representation. For former Māori MP Sandra Lee, the significant factor of Māori representation is the actual outcomes made for Māori. 'It's not about bums on parliamentary seats. It's about what the people who get the privilege of being there do for our people' (Harawira 1999:27).

There is a limited amount of research on Māori substantive representation, possibly due to the limited number of Māori elected to parliament (until electoral changes were implemented in 1996) and in local government. Nearly all material available on the role of Māori MPs focuses on Māori electorate members, and predominantly centres on the pre-MMP political environment. Rarer still are empirical and theoretical studies directed at the representative actions of Māori in local body councils. Indigenous substantive representation in other countries is even less researched. According to Murphy (2008:204), internationally 'there has been little systematic or sustained empirical research into the impact of legislative representation as a means of advancing indigenous self-determination'. Electoral changes post-1993 also justifies the need for current research into Māori substantive representation.

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[31] Similarly, there is empirical evidence to suggest that gender differences are more pronounced on women's issues or those concerning women's autonomy (Grey 2006b:496).

Early Māori MPs attitudes to their representative role

Following the passing of the New Zealand Constitution Act in 1852, Māori descriptive representation was not considered necessary for the advancement of Māori interests in the House of Representatives. According to Joseph (2008:6), '[f]rom the outset, the Colonial Office held to the Eurocentric belief that elected Europeans could properly represent Maori'. However, just prior to the introduction of separate Māori electorates 15 years later, some MPs considered the presence of Māori members was necessary for the representation of Māori interests. Walker (1990:144) writes that the Secretary for Native Affairs and the MP responsible for introducing the Māori Representation Act 1867, Donald McLean, asserted 'that without some form of Maori presence in the House, the Maori interest was likely to be forgotten'. While some politicians felt Māori interests were represented in parliament through the actions of Pākehā members, others argued that 'taking them as a race and a people, they were not represented' (New Zealand Parliamentary Debates 1862:512). Whether this statement referred to Māori not being descriptively or substantively represented is not entirely clear. Nevertheless, the need for collective Māori representation was recognised early in New Zealand's political history.

The effectiveness (or lack thereof) of Māori Members of Parliament has guided developments in Māori political movements and in representation history (Walker 1992:387). Writing on the first two decades of Māori representation, Sorrenson (1986:B-26) appraised the Māori MPs parliamentary performance as collectively being 'little more than a token representation'. He reasoned the Māori representatives' lack of knowledge of the English language hindered their involvement in parliamentary debates and they were subsequently ignored or ridiculed when they spoke on Māori issues in parliament (Sorrenson 1986:B-26). Overall, Sorrenson (1986:B-25) claims Māori politicians were ineffectual on parliamentary matters of importance to them. Early Māori MPs consistently opposed the legislation that was designed to facilitate settler purchase of Māori land, but no attention was paid to their protests (Sorrenson 1986:B-25).

A Māori Parliament, or Pāremata Māori, was created in 1891 in response to the unsuccessful attempt by Māori to secure tribal autonomy and to prevent the ongoing alienation of Māori land (Cox 1993:61). In the 1890s, members of the Māori Parliament did ponder the role of Māori in the general parliament. Opinions were mixed. Walker (1990:168) reports that some members believed the nineteenth-century Māori MPs were merely 'tame parrots' belonging to the settler government. In other words, Māori MPs were assimilated. Others argued that they should be withdrawn because their presence symbolically implied Māori acceptance of the House of Representatives. That is, recognition of Pākehā sovereignty. While others felt the Māori MPs should be directed by the Māori Parliament, implying a recognised need to have

Māori descriptive representation (Walker 1990:168). Regardless of these differing views amongst Māori, the Māori electorates remained in place and unchanged.

The turn of the century saw new Māori MPs enter the political scene, including Apirana Ngata, Dr Peter Buck, and Dr Maui Pomare. These men were comfortable in both the Māori and Pākehā worlds. In contrast to the more traditional Māori tribal chiefs of 1800s, these Māori politicians 'were concerned more with the physical and cultural survival of the Maori people than the issue of sovereignty' (Walker 1992:386). Although they have been described as the Young Māori Party, Walker (1992:386) clarifies they were 'not a political party as such but were representatives of the Maori people'.

Sir Apirana Ngata was a National Party MP from 1905 to 1943. According to Jackson (1977:13), Ngata viewed his role as one of primarily representing Māori – he 'was a Maori first, last and forever', said one of Jackson's research informants. Walker (2001:142) concurs, stating Ngata 'was always mindful of obligations to his iwi Ngāti Porou, his constituents in the Tai Rāwhiti electorate and Māori people in general'. Throughout his parliamentary career, Ngata dealt with Māori Affairs in a non-partisan manner, and once stated in parliament that one of the worst incidents that could happen was if Māori took sides politically (Walker 2001:329). Ngata's list of achievements in politics include initiating the Māori Land Development Scheme to make effective use of Māori lands, setting up the Māori Purposes Fund Board to provide grants for cultural activities with the aim of cultural revival, being Minister of Māori Affairs from 1928 to 1934, and more broadly, the claim for equal treatment for Māori resonated through many of his speeches in parliament (Walker 2001:128, 204-55). In Walker's (2001:337) opinion, during Ngata's time in parliament he was 'the most effective politician at getting things done for Māori inside or outside Parliament', even when in Opposition.

Other scholars have been more critical of Ngata's substantive achievements, and those of his parliamentary colleagues. Love (1977:54), for instance, describes Ngata as a politician working towards Māori economic development, but willing to co-operate with Pākehā sometimes to the point of compromising Māori interests. This is evidenced, Love (1977:54) suggests, in Ngata's support for the 1900 Māori Councils Bill and the Land Settlement Act 1909, the latter legislation fostering the alienation of nearly 3 million acres of Māori land. Jackson's (1977:10) research demonstrates that some Māori voters were confronted with split loyalties 'to man or party'. Voters in the Eastern Māori electorate, according to Jackson (1977:10), 'were faced with the real moral dilemma of how to reconcile their emotional ties and loyalties to Sir Apirana Turupa Ngata with giving due recognition to the policies which were propounded and then implemented by the Labour Party'. In the midst of the depression,

Jackson (1977:15) argues that the opposing Labour Party could offer hope to the poorer sections of society, including Māori.

McClean (1950:131) also suggests that any successes these early Māori politicians made between 1905 and 1948, were only within the realm of what the Pākehā constituents and Pākehā MPs allowed. McClean (1950:131) illustrates this with government assistance extending to Māori in the 1920s, and claims this policy 'was the outcome of a humanitarian attitude on the part of the Labour Government and not the work of the Maori members'. It could, however, be argued that the Ratana Church was beginning to have an influence at this time. McClean (1950:131) does make some concessions though, namely that the Māori MPs 'were active in speaking on behalf of their race'. Māori MPs of this era were aware of parliamentary constraints that influenced their role as a Māori parliamentary representative. According to McClean (1950:29), Henare Kaihau, Hone Heke and Te Rangihiroa (Peter Buck) recognised that as a majority in parliament the Liberal party did not need to concede to the wishes of the Māori minority group.

While early twentieth century Māori MPs such James Carroll, Apirana Ngata, Maui Pomare and Te Rangihiroa became well-known and received much praise for their parliamentary achievements, Love (1977:140) suggests other Māori MPs of that era possibly worked harder to represent Māori concerns during their parliamentary careers. Love (1977:140-1) argues that less well known Māori MPs (and less acknowledged), such as Hone Heke, 'while following the general tenure of the Young Maori Party did fight far more rigorously for the rights of Maoris'. Another is Henare Kaihau, who Love (1977:145) describes as '[p]erhaps the most pro-Maori representative during the early period'. Love (1977:146) draws this conclusion because 'Kaihau concerned himself only with Maori legislation; he would not attend Parliament except when Maori legislation was being considered'. McClean (1950:24) similarly observed Mr Kaihau would speak at length on issues of importance to Māori, preferring to only sit in the House when Māori legislation was the topic of discussion.

The diversity of these early Māori MPs was also reflected in their differing perceptions of their parliamentary roles. According to McClean (1950:29), Ngata regarded Māori MPs as 'responsible for the welfare of the whole country, not for Maori interests alone'. In other words, he felt Māori politicians should not limit their role as representatives of Māori. Love (1977:146-7) argues that Carroll, Ngata, Pomare and Buck took a wide understanding of their role and 'viewed their Parliamentary responsibilities as being for the welfare of all New Zealand'. Other Māori MPs, such as that Heke and Kaihau, perceived their role as protectors of the Māori cause. Love (1977:146-7) argues they were therefore arguably representing Māori as intended by the Māori Representation Act of 1867. According to Moon (2006:196), Heke

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(Ngapua) concentrated his efforts on achieving Māori self-rule while in parliament and was committed to the Kotahitanga movement. Whereas Kaihau, Moon (2006:172) maintains, effectively represented the King movement in parliament. These comments and analyses of the Māori MPs essentially describe the different role an elected member may have, notably that of a trustee or a delegate, as described earlier. For example, while Kaihau explicitly stated he would put the interests of his people before the broader considerations of the state (a delegate), Ngata believed elected Māori representatives were responsible to all citizens, not just Māori, so he was a 'trustee' for the country more generally (McClean 1950:25-9). Other Māori politicians serving in the 1920s, namely Mr H. H. W. Uru, his son Mr H. W. Uru and Mr T. Henare, have been labelled by McClean (1950:48-50) as 'silent Māori members' due to their minor role in parliament. The implication being they were descriptive rather than substantive Māori parliamentary representatives (recognising that currently there is little written about these men).

As noted earlier, T. W. Ratana and the Labour Party strategically aligned in an effort to capture all four Māori parliamentary electorates. In the lead up to this alliance, Ratana questioned what gains Māori politicians had previously made for Māori. Addressing Taite Te Tomo, MP for Western Maori, in 1931, Ratana asked:

> [W]hy have you come here? What have you and the Pakeha MPs who accompany you done for our people?... You and your colleagues are but the legs of the Prime Minister. What can you accomplish for us? (quoted in Newman 2006:275).

These comments suggest Ratana was concerned with the lack of positive outcomes Māori MPs had achieved for Māori. Māori descriptive representation had not translated into Māori substantive representation. Ratana therefore made it was clear who the Ratana aligned MPs should represent in parliament. The Ratana movement had a kawenata, or covenant, signed by Ratana's candidates and contained four pledges. One pledge declared the four MPs would work '"Mo te Iwi Maori", for the whole of the Maori race without concern for the tribe or other affiliations' (Love 1977:251). Love (1977:252) argues this clause requiring Māori to articulate and represent Māori concerns collectively was particularly significant, because during the 1920s 'tribal affiliations were strong and Maori Members of Parliament were susceptible to the demands of their own tribe'. Ratana strived to 'break down the tribal barriers that prevented Maoris from speaking with a united voice' (Love 1977:252). Foster (2006) has also pointed out that the Ratana leader insisted Māori politicians were to be representatives of the Māori race rather than their individual iwi, which was a reflection of wider Ratana ideals and also a demand to substantively represent Māori.

McClean (1950:113), in contrast, has argued the Māori MPs elected for the 1946-49 parliamentary term (the first term Labour captured all Māori electorates) did not view themselves as specifically representing Māori. Instead, she claims Labour Māori MPs considered they were representatives of their party (McClean 1950:113). McClean (1950:113)

corroborates this argument with a statement by Māori MP Mr. Paikea. 'The people I represent are part of the Labour Government. We came in as Labour nominees and not as Maori nominees' (New Zealand Parliamentary Debates 1947:471). Clearly, there is some confusion as they were elected in the Māori electorates, by Māori, and supported by Ratana.

Until the advent of electoral reform in 1996, the role of Māori MPs differed little from that prescribed when the four Māori parliamentary electorates were first created in 1867. According to Love, (1977:435) Māori MPs' ties to the Māori community ensured both Māori representatives and those they represented were aware of wider political problems. Additionally, the Māori MPs had a unique ceremonial role to play in Māori society (Love 1977:435). Through an examination of Mr Reweti's 1969 election campaign in the Eastern Māori electorate, Jackson (1977:221) concluded that Māori MPs work within a 'completely different cultural milieu' from Pākehā politicians. Māori MPs must be fluent in te reo Māori and understand and practice tikanga Māori. Perhaps most importantly, '[a]s Maori members they must accept that they are in Parliament primarily for the benefit of Maoris' (Jackson 1977:221). Tabacoff (1975:381) investigated the role of elected Māori representatives through interviewing the four Māori electorate MPs in the mid-1970s, and found the Māori MPs felt they had a role to preserve Māoritanga by lending physical and moral support to Māori groups, and concurrently they had to maintain a separate identity for Māori in parliament. The RCES (1986:88) even went so far to prescribe certain attributes Māori MPs should have, giving the examples of 'fluency in the Maori language, a record of service to the Maori community, and a certain standing in their own tribes', but without saying why these were necessary. Dibley (1993) analysed the role of the Māori electorate representatives just prior to the introduction of MMP. She argued that a number of the aspects of a Māori electorate MP's role had remained steadfast, such as the importance attached to attending tangihanga (Dibley 1993:60, Tabacoff 1975:377). Just as Jackson (1977:221) and Tabacoff (1975:380) argued two decades earlier, Dibley's (1993:75) research found the key factor distinguishing Māori electorate MPs was that their role was to advocate on behalf of Māori.

Jackson (1977:215) identified several characteristics that Māori voters in the 1970s found favourable in Māori parliamentary candidates. The ability to speak te reo Māori fluently was identified by most respondents (Jackson 1977:215). Māori MPs should also represent a Māori perspective in parliament. The primary duty of Māori MPs, according to an overwhelming majority (92 per cent) of Jackson's (1977:215) respondents though, is to represent the interests of their Māori constituents. Two thirds of Jackson's (1977:216) respondents believed Pākehā should not be allowed to stand in Māori electorates. Over three quarters felt the Minister of Māori Affairs should be Māori 'since only a Maori can understand a Maori' (Jackson 1977:88). Jackson's research indicates Māori constituents highly value descriptive

representation, but Māori also believe there should be a strong relationship between the presence of Māori in parliament and the substantive representation of Māori interests.

Māori constituents thus held high expectations of their representatives. However, Māori politicians were assigned the task of 'advocating, influencing and creating public policy for the people they represent in the face of overwhelming odds' (Love 1977:96). As Love (1977:96) has indicated, during the 1970s the Māori MPs had a demanding task of advocating policies for a minority group which were in opposition to the interests of the majority. He claimed Māori policy was often 'forced to be one of compromise and expediency' due to the constraint of party loyalty (Love 1977:96). Because they had to convince other European MPs of the merit of their policies, including their party colleagues, the Māori MPs 'were often forced to accept party policies which did not meet the needs of Māori society' (Love 1977:96). Tabacoff (1975:375) argued that the effectiveness of the Māori MPs was restricted to the successes made by the Labour Party as a whole. He commented that Māori MPs represented 'the interests of the Maori people within the framework of party politics' (Tabacoff 1975:375). Dibley's (1993:204) work also emphasised the impact party identity and loyalty had on a Māori electorate representative's role, factors that she says significantly constrained Māori acting for Māori in parliament. While Māori MPs believed they had a greater understanding of Māori issues and were better able to articulate these concerns than their non-Māori counterparts could, according to Dibley (1993:204), 'the role of parties has diluted the role of the constituency representative and Maori representation has suffered because of this'. In other words, placing greater importance on political party policies eroded the value of electorate-based issues, in turn hindering Māori substantive representation (which is discussed further in chapter three).

McLeay (1980:44) studied the relationship between ethnicity and political representation in New Zealand in 1980, and highlighted the different attitudes that the Labour and National parties had towards Māori representation. The National Party, McLeay (1980:55) argued, had an assimilationist view of Māori and since they prioritise individual legal equality they have little sympathy for bi-cultural aspirations. Between 1943 and 1975 the National Party did not have any Māori MPs within their caucus (McLeay 1980:53). The Labour Party, on the other hand, have an ideological commitment to those less well off in society which contributes to greater support amongst Māori (McLeay 1980:55). Furthermore, according to McLeay (1980:55), Labour's Māori MPs have been able to influence their party's policies, and Māori voters have placed constraints on Labour due to the slim majority the party held as a ruling government from 1946-49 and from 1957-1960.

The Labour Party dominated the Māori electorates for half a century from the mid-1930s to the mid-1990s. Support for National Party candidates in the Māori electorates descended dramatically in 1935 from 50.7 per cent to 27.2 per cent in 1943, in part due to the shift towards Labour (Chapman 1986:B-88). Yet in the 1946 election, when Apirana Ngata, James Henare (who was unsuccesful), A.T. Carroll and Pei te Hurinui-Jones stood as National Party candidates, support for National rose by 4.8 points to 33 per cent (Chapman 1986:B-88). McCracken (1971:136) interprets this slight increase in Māori voter support for highly respected non-Labour party candidates, as Māori 'seeking parliamentary representation along the lines of traditional leadership found on traditional mana'. According to McCracken (1971:135), a 'sizable minority' of Māori who supported National Party candidates until the late 1960s reflected 'a preference for the non-Labour candidates who tended to be better qualified in traditional Maori terms'. Jackson's (1977:80) research supports these arguments, where some of his interviewees in the 1970s felt educational achievements were secondary to Māori politicians' life experiences. To illustrate, one of Jackson's interviewees stated Mana Motuhake candidate Mātiu Rata was preferred over Labour member Whetu Tirikatene Sullivan because while '[h]e hasn't any education… he is able to understand the Maori because he has been through the mill' (Jackson 1977:80). Overall, however, Māori made a long-term commitment to the Labour party during this period.

It was always going to be difficult for Māori representatives to make a positive impact on Māori policy and development while the number of Māori electorates were restricted to four regardless of population size (Dahlberg 1996:64, Harris 1992:8, Maaka and Fleras 2005:69, Walker 1985:4). Fleras (1985:559) argues early Māori MPs in the late nineteenth century were viewed by their Pākehā colleagues as a token contribution to New Zealand politics because Māori politicians lacked 'political acumen or the verbal skills to influence the outcome of legislation pertaining to the Maori race'. Walker (1992:388) contends the alliance between the Ratana Church and the Labour Party was unfruitful for Māori, because apart from general welfare state benefits few other gains were made. Dahlberg (1996:64) says there is a dichotomy between the expectations and role of the Māori electorate MP due to the constraints of majority rule and party practice. Consequently the representation Māori MPs offered, when restricted to four, could only be symbolic (Dahlberg 1996:64). However, Dahlberg (1996:71) qualifies this, stating that while the Māori MPs were only able to make modest gains for Māori, 'without them our development as Māori coming to terms with a neo-colonial state may have been even more stunted'.

Māori MPs in the MMP environment

The first MMP general election was a turning point in Māori political representation, not least because Māori had renewed confidence in the parliamentary system (Durie 2003:135). In

Durie's (2003:136) opinion, following the 1996 MMP election 'the potential of the five Māori members to carry the balance of power was felt'. However, Māori electorate MPs occasionally had the potential to hold the balance of power in parliament in the past. For example, Māori voters gave the Labour government slim majorities from 1946-49 and from 1957-1960. Durie (2003:135) also notes examples of Māori MPs attaining powerful positions, including Maui Pomare's appointment as Minister of Heath in 1922, and Apirana Ngata's position of Native Minister from 1928 to 1934 as well as deputy Prime Minister for a brief period. Nevertheless, 1996 marked a radical change because the capacity for Māori MPs to make a difference in parliament increased considerably with the introduction of proportional representation.

Immediately following the first MMP election, Māori voters on the Māori electoral roll effectively demonstrated their dissatisfaction with the Labour stronghold of their Māori electorates. A new political party, New Zealand First, led by Māori MP Winston Peters, won all five Māori electorates. This party ousted all the incumbent Labour MPs, indicating Māori were looking for 'a more powerful social, economic, and political role for Maori' (Sullivan and Vowles 1998:190). Furthermore, according to Edwards (2009), at around the time of the 1996 election, Māori were looking to Peters as the first Māori Prime Minister. While New Zealand First only held on to the Māori electorate seats for a single term, they were able to make some gains for Māori. Durie (2003:136) says that approving the Ngai Tahu Treaty of Waitangi settlement and governmental acceptance of responsibility for reducing socio-economic disparities between Māori and non-Māori, were largely a result of the insistence of Māori members. Durie (2003:136) also cites retaining access to the Privy Council and lifting the Treaty of Waitangi settlements' fiscal cap as further examples of Māori MPs making a difference in parliament. However, the Privy Council has since been disestablished, and the $1 billion fiscal cap first proposed by the National Government in the early 1990s is likely to retain at least some control over the total settlement value due to the relativity clauses written into the Tainui and Ngai Tahu Treaty settlements (Stokes 2006b).

Labour MPs won back all Māori electorates in 1999, which had then increased in number to six. What is particularly notable is that Māori MPs were appointed to cabinet ministerial positions following this election, which Durie (2003:136) insists is further demonstration of Māori political influence. That the Labour government awarded a share of the third generation radio-frequency spectrum to Māori (promoted as an avenue to reduce disparities between Māori and non-Māori) was evidence of a deal brokered by Māori MPs, according to Durie (2003:137). Durie (2003:137) concludes Māori are better served under MMP compared with FPP.

Indeed scholarship on the Māori representative's role post-1996 has largely focussed on how the MMP environment can facilitate Māori substantive representation. Some suggest there is a connection between the presence of Māori MPs and the articulation of Māori concerns in parliament. Banducci *et al.* (2004:537) argue that MMP motivates all parties to court the Māori vote, even with the retention of the Māori electorates, because the party list determines the overall portion of parliamentary seats won. This electoral system and structure enables Māori guaranteed descriptive representation without risking the loss of any substantive influence (Banducci *et al.* 2004:537). Xanthaki and O'Sullivan (2009:201) are more critical of the effects of MMP on Māori substantive representation, and expect more from the Māori MPs. They argue that '[c]ontrary to initial hopes, the MMP system has not contributed to the rise of substantive policy responsiveness to Maori issues, apart from issues related to treaty settlements and to the improvements related to Maori income and employment' (Xanthaki and O'Sullivan 2009:201).

Catt (1997:205) envisioned that if Māori MPs comprised a significant proportion of a party that had a pivotal position in coalition talks, 'then this could give Māori a form of power sharing'. Sullivan (2003a:235) has since observed that in MMP environments, coalition governments have resulted in the potential for Māori electorate MPs to become key players in deciding who will form the incoming government. This was the case in 1996 and 2005, when New Zealand First supported the National and Labour parties respectively to form governments. Sullivan (2003a:235) suggests this influence has translated into increased significance at the executive level, typified by Māori MPs obtaining cabinet positions. In spite of these gains, she argues 'it is not evident that this has resulted in Māori becoming "policy makers", in the sense of being able to positively influence Māori welfare developments' (Sullivan 2003a:235-6). In the U.S., Haynie (2005:396) argues African-American representatives must achieve 'political incorporation' to have a significant affect on government policies. Incorporation, in the descriptive-substantive representation relationship context, includes the seniority gained by legislators and their party leadership positions (Haynie 2005:396). Following the 2008 New Zealand general election, Māori Party co-leaders Pita Sharples and Tariana Turia both became ministers outside of cabinet through a confidence and supply agreement between their party and the National Party. It remains to be seen what influence they will have on government outcomes. According to Derek Fox (2009), who unsuccessfully stood for the Māori Party at the 2008 election, the only way Māori can effect change is to influence the major party while being in a governing coalition.

Whether an increase of Māori MPs generates the potential for cross-party Māori support on Māori issues in parliament is another area of interest. Tariana Turia, in 1999 and then still a Labour list MP, claimed greater numbers of Māori in parliament facilitates an environment where Māori MPs can work across parties effectively.

> [H]aving so many of us Maori MPs in here for the first time has made a huge
> difference. It's created an environment where we can raise issues, knowing that we'll
> have support across parties. It's different being a Maori MP, I believe, to being a
> mainstream MP. We come here with a lot of common purpose for us and so we have
> points of commonality, points of agreement. How we express them in this place might
> be different, but we know that it's highly likely our Maori colleagues, no matter what
> party, will be supportive (Harawira 1999:28).

However, it would seem unlikely Turia has retained these beliefs. In her capacity as co-leader
of the Māori Party, Turia has criticised fellow Māori MPs for not acting in the interests of Māori
in parliament. In 2008, she labelled the Labour Minister of Māori Affairs ineffective at
influencing government policy.

> I have been advised that those attending the recent national Maori fisheries summit
> were disappointed that the Minister of Maori Affairs seemed 'impotent' to influence
> the Fisheries Minister, even though the irony is that Parekura Horomia is also the
> Associate Minister of Fisheries (Turia 2008b).

On another occasion, Turia was reported to have commented that the role of Labour Māori
MPs is to 'represent that political party, not the people'. She added that 'middle New Zealand'
was used as a justification to veto any policies the Labour Māori caucus wanted to initiate
(Trevett 2008b). As this thesis will demonstrate, interviews with Māori MPs reveal that most
acknowledge the potential for working across parties to make positive gains for Māori,
however party discipline is a significant barrier to the realisation of this ideal.

Although a number of Māori political movements have operated outside of parliament since
the late nineteenth century,[32] the first official Māori political party, Mana Motuhake, was
established in 1979 and led by former Labour MP and Minister of Māori Affairs, Mātiu Rata
(Smith 2006b:406). According to Cox (1993:135), Mana Motuhake was dedicated to reducing
Māori dependency on the State and concurrently increasing Māori self-reliance. While Rata
had considerable personal support from his electorate, it was not enough to get him into
parliament. So, in 1991, the party joined the Greens and New Labour to form the Alliance
Party (Walker 1992:399). In 1993, Sandra Lee successfully stood for parliament as a Mana
Motuhake candidate, within the umbrella of the Alliance Party. Lee became the leader of
Mana Motuhake the following year, until Willie Jackson made a successful bid for the
leadership role in 2001. Lee and Jackson were both Māori politicians. The Alliance party,
which included Mana Motuhake, failed to return to parliament in 2002.

The Māori Party is the most recent Māori political party to enter parliament in 2005. According
to Bargh (2006:20), the Māori Party is distinguishable from other Māori MPs and Māori parties
elected to parliament by its claim to represent the 'Maori component of the Treaty of

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[32] See Smith (2006b:406-7) for an overview of these movements, which included the Young Māori Party established
in 1897 (this was more an interest group promoting Māori development, rather than a 'party' as such); Ngā Koata e
Wha (four quarters) which was formed through the Rātana religious movement; and the 1960 Independent Māori
Group.

Waitangi'. The Māori Party has been described as 'the most independent Maori voice since the 1990s Congress and the 1890s Kotahitanga Movement' (Taonui 2006).[33] This independence is reflected in the way the Māori Party MPs regard themselves as 'representatives, not just of a party, but also of a wider social and cultural movement' (Smith 2006b:405).

The Māori Party have been very active in parliament, speaking on a range of bills and issues before the House. Māori Party MP Te Ururoa Flavell (2006b:2) reported that a requested analysis from the parliamentary library uncovered that the number of Māori Party MPs speeches contributed to the House far outweighed those made by Labour Māori MPs. Flavell made particular mention of Labour Māori electorate MPs.

> My esteemed colleague Hone Harawira and I both scored the record number of speeches at 27; closely followed by Dr Pita Sharples at 22 and Tariana Turia on 21. And then, a huge leap to Hon Nanaia Mahuta on 5; the Associate Minister for Treaty Negotiations, Hon Mita Ririnui on 2; Hon Mahara Okeroa on 1; and the Minister of Maori Affairs, the Hon Parekura Horomia, with the grand total of one speech delivered since the last election… That is how Maori who voted for Labour Maori MPs have been served – the electorates of Tainui, Tai Tonga and Ikaroa Rawhiti come to a total of seven speeches delivered in ten months; while the electorates served by the mighty Maori Party – reach a total of 97 (Flavell 2006b:3).

Taonui (2007b) describes the Māori Party MPs as 'incredibly industrious, averaging 97 parliamentary speeches each this term, compared with 30 each for the next four most prominent Maori MPs'. These claims do need some qualification though – as Māori representing large parties have fewer opportunities to speak, given that speaking rights have to be shared among much larger numbers. Examining substantive representation through bills introduced to parliament or the number of parliamentary speeches made which promote a group's interest, can nevertheless offer some indication, according to Tremblay (1998:464), of which representatives are the primary initiators of the representation of group issues. The Māori Party MPs' high participation rate in terms of parliamentary speech making suggests these politicians could have been the principal actors of Māori substantive representation in the period discussed.

The differing approaches to campaigning in general and Māori electorates offer some indication of the distinct representative roles of Māori electorate MPs. Bargh (2007:293) notes that certain aspects of a Māori electorate campaign include the marae setting, use of tikanga and te reo, knowledge of iwi and national Māori issues, and the inclusion of Māori worldviews. Bargh (2007:293-5) argues a key factor differentiating the general and Māori electorates is that while national politics are generally based around issues, Māori politics are usually iwi, hapū and marae based, with tribal relationships also significant. Further, according to Labour

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[33] However, Keenan (2008:72) argues that despite considerable Māori support for the Māori Party, it does not enjoy the 'mass Māori movement' that Te Kotahitanga did.

list Māori member Shane Jones (2009), it is crucial for all Māori MPs to be seen at Māori events. 'In order to be credible as a Māori MP you have to have interaction with Māori at the grassroots level' (Jones 2009).

Māori Party MP for Te Tai Tokerau, Hone Harawira (2008), believes the key difference between Māori electorate MPs, and general electorate and list MPs, is that only the Māori electorate seat members specifically represent Māori interests. Harawira declared his role in parliament is to serve his Te Tai Tokerau Māori electorate alone – that is, Māori on the Māori roll in the Northland region. This commitment was demonstrated by his referral of requests for his assistance from those in his electorate's district on the General electoral roll, to Northland MP John Carter. Harawira reportedly argued it is not his responsibility to help those on the General roll.

> It's not about denying access to everybody, but it's about me being very clear that at the end of the day I can't help everybody in the world, but that those who I'm there to serve, I'll serve to my utmost ability (Berry 2006a).

However, Māori Party co-leader Tariana Turia disapproved of Harawira's decision not to assist constituents on the General roll. Turia argued MMP requires a wide range of consultation to take place, and is reported to have said that 'everybody is important, it doesn't matter who they are, what roll they are on. In the end if you are talking about MMP, you are likely to have people in an MMP environment voting for the Maori Party with their party vote' (Berry 2006c). Here, Turia is emphasising the importance of the party vote in determining the overall make up of parliament.

Gender affects on Māori substantive representation have also been explored. Tremblay's (2003a) study suggests female Māori MPs feel a greater responsibility to represent Māori interests than women concerns.

> When I asked them whether they felt a responsibility to represent the women of New Zealand, the female Maori deputies were unanimous: they represented Maori women, of course, but first and foremost they represented all Maori – women and men. It seems that cultural identity is more important than sexual identity to these Maori MPs' role as representatives, perhaps because of a history of oppression and their socio-political status, which is still that of a minority. Garneau arrives at the same conclusion about female members of First Nations in Quebec (Tremblay 2003a:36).

Wall (2001:139) interviewed five female Māori MPs, four of whom felt they represented the interests of their whānau, hapū and iwi foremost in parliament, as well as their party. None felt a primary responsibility to women. As a further example, Māori Party co-leader Tariana Turia (2006b) implied that her role in politics is to represent Māori, rather than represent women's interests. 'Being a Maori woman in politics to me, is essentially about being Maori. It is my greatest responsibility to do what I can, to reflect the dreams and aspirations of tangata whenua to achieve self-determination for whanau, hapu and iwi within our own land' (Turia 2006b).

Some scholars have speculated about the most effective ways Māori MPs can influence the government and generate policies that positively affect Māori. MacDonald (2004:11) believes that should a small Māori party enter into a coalition or have a relationship with a major party such as National or Labour, it is unlikely to lead to many substantial gains. He argues that previous elections have shown minor parties in a coalition with the government (such as United Future, New Zealand First, and Alliance) or those that have a relationship with the government (such as the Greens) have produced few victories and a decline of voter support. For example, in the 2008 general election, following their involvement in a Labour-led coalition government the previous term, New Zealand First was voted out of parliament and United Future lost substantial voter support. Early observations on the success rate of the Māori Party within the current (2009) National government are somewhat uncertain. For example, as noted earlier, the Māori Party failed to persuade National to support separate representation for Māori in Auckland's new government structure. MacDonald suggests 'it is difficult to see that a Māori party is any better than having good Māori representation inside National and Labour' (MacDonald 2004:11). MacDonald (2004:11) believes the optimum approach would be for the current Māori Party to build on its members in parliament rather than try to replace the Māori MPs from other parties. That MacDonald's comments merely speculate the impact a Māori party could have in parliament demonstrates the need for conducting further empirical research into the role of Māori MPs in parliament.

Māori councillors' representative actions

The local body councillor's role, as described earlier, is commonly understood to be a representative of all ratepayers and residents within their district. Due to this all-encompassing theory it follows that all councillors, both Māori and non-Māori, should equally represent Māori and general public views. It is questionable, however, whether non-Māori councillors act in the interests of Māori. Ironically, while some local councils have objected to separate Māori representation in local government on the basis that it is unfair to presume non-Māori cannot represent every ethnic group within their district, this is the central argument under-represented groups make for their inclusion in politics (Sullivan 2003b:143).

Writing on the role of Māori local body councillors, Maureen Waaka, a Māori elected member of the Rotorua District Council, stressed the importance of all elected members representing Māori concerns.

> Councillors should not be selective by personal choice. Councillors should not expect that an elected Māori councillor will pick up all Māori issues and represent Māori interests on their own, just because they are Māori. A councillor, no matter Māori or non-Māori who has no relationship with Māori of the area, is failing in their duty if he or she does not make the effort to communicate with Māori (Waaka 2006:219).

Waaka (2006:219) maintains exclusivity of representation should not exist at the local government level. According to Manukau City councillor Anne Candy (2005), this argument also extends to Māori ward and constituency representatives. In her view, Māori ward and constituency councillors 'have a mandate to represent the Māori people. However, as a councillor they have a duty to represent the whole of their local authority area like every other councillor' (Candy 2005). According to these elected Māori councillors, a Māori councillor's role is not unlike any other representative's, where all interests should be voiced. However, as this thesis demonstrates in chapter four, most Māori representatives believe they have additional obligations to their Māori constituents. This is due to personal expectations, and the expectations of Māori communities, to act in the interests of Māori.

The Local Electoral Act (2001) provides local authorities and their communities with the opportunity to establish Māori wards or constituencies. Separate Māori representation in local government may have the potential to encourage Māori substantive representation (Sullivan 2003b:143). Sullivan (2003b) is instructive on this matter where she writes:

> Māori representatives who are elected by and accountable to Māori voters can promote and protect Māori rights and Māori interests within council and the wider community and therefore bring Māori concerns into the mainstream of local government policies (Sullivan 2003b:143).

Hayward (2005) agrees with this argument, maintaining that while a proportional representation system may 'produce more Maori faces', it will not necessary lead to better Māori representation. Furthermore, Māori councillors who are elected to separate Māori wards or constituencies can '"represent" Maori without jeopardising their election chances' (Hayward 2005). She is alluding to non-Māori constituents' reluctance to vote for councillors who promote Māori issues in local government.

Clearly, very few studies have attempted to define the relationship between the presence of elected Māori representatives and the interests they serve in local government. Nevertheless, the work of Sullivan and Hayward, discussed above, provides a solid foundation to begin empirically investigating this topic. More scrutiny of the Māori representative role has focused on Māori electorate MPs in parliament. Most of the studies on Māori substantive representation, based on sound empirical research, were carried out when the FPP electoral system was in use. Few of the more recent studies on this topic have comprehensively investigated the role of elected Māori representatives from the Māori MPs' and Māori local councillors' own perspectives. As more Māori are elected to New Zealand's governing bodies, and are increasingly representing parties and positions from across the political spectrum, it is both appropriate and necessary to examine whether the presence of elected Māori representatives leads to the substantive representation of Māori interests.

Conclusion

Māori descriptive representation has been mapped from the establishment of elected government in New Zealand in 1852, up to 2009. The creation of the four separate Māori parliamentary electorates in 1867 ensured a limited form of Māori descriptive representation; however, it was not until 1999 that Māori achieved representation in proportion to their population. The introduction of electoral reform in 1996, in particular allowing the number of Māori electorates to vary with the number of Māori on the Māori roll combined with the adoption of MMP, has greatly assisted the increase of Māori MPs in parliament. Electoral measures that have the potential to increase the presence of Māori at the local level of government have not eventuated. Available provisions to facilitate a greater presence of Māori councillors through the STV electoral system and the establishment of Māori wards or constituencies have not been widely embraced by local authorities and their communities.

It has been demonstrated that the role of MPs and local body councillors is guided by rather broad guidelines and unclear boundaries. This relative freedom, therefore, enables the perceptions held by elected representatives of their political role to help shape how they act and who they act for in governing bodies. Ensuing chapters will demonstrate the importance of this perception. Māori representatives that perceive their role as being a representative of Māori interests, are subsequently more likely to feel they have a responsibility to act for Māori in parliament and local government.

A review of the literature and debates on Māori substantive representation illustrate that generally, early Māori MPs considered they had a responsibility to act for Māori. However, in most instances, this was within the confines of political party practices. Studies on the role of Māori MPs in the MMP environment have largely confirmed these conclusions. However, in these most recent times, variance amongst Māori representatives regarding who they act for is more pronounced. Some authors discussed in this chapter have argued that under the MMP electoral system, Māori MPs have directly influenced public policies, which has resulted in positive and tangible outcomes for Māori. Policy outcomes are an important measurement of substantive representation, but they are not the only way to judge whether Māori are acting in the interests of Māori. The scope of Māori acting for Māori is wide, and includes subtle acts. The limited amount of research on Māori substantive representation in local government suggests elected Māori councillors do have the freedom to voice Māori interests as well as those of the wider city or district due to the nature of the local representative role, but there is little evidence demonstrating how this occurs. Further, the threat of not being re-elected if a Māori councillor does actively promote Māori issues seems to be an important constraint on their representative role.

Understanding the role of elected Māori representatives is complex, but not completely void of allowing analysis to take place. In fact, it is important this type of current analysis does occur, particularly as challenges to the necessity of electoral arrangements to facilitate a place for Māori at decision-making tables throughout the country become more vocalised and determined. This is because the (hypothesised) unique role of Māori representatives often lies at the heart of these debates. Thus far, this thesis has provided a theoretical and contextual understanding of the state of Māori descriptive and substantive representation in parliament and in local body councils. Chapters four, five and six present empirical data on the role of Māori in parliament and in local body councils. First, however, factors likely to influence the relationship between Māori descriptive and substantive representation are examined.

CHAPTER THREE

Factors Influencing the Descriptive-Substantive Relationship

The previous two chapters set the theoretical and contextual scene for current understandings of the relationship between Māori descriptive and substantive representation in central and local government. However, an important observation arising from the literature is that this relationship is not straightforward. Elected representatives operate in networks that have a significant influence on the role they play. Factors such as party loyalties, institutional arrangements, shifting identities, and differences within social groups themselves, contribute to enhancing, constraining and shaping both the practice of representation and the substantive results achieved (Mackay 2004:101). There are other factors that are relevant to New Zealand's political system, such as the size of a party (there are differences in the dynamics of large and small parties), and whether the party has a general brief or one specific to a particular point of cleavage, such as ethnicity. Dodson (2006:10) argues that any analysis of the link between a group's presence in a governing body and the interests they promote must take the actions of representatives out of a contextual vacuum, and acknowledge the multiplicity of internal and external factors that influence it. By this, she means researchers should consider the way certain environments affect what elected representatives do (Dodson 2006:15). Childs (2006b:155) has also pointed to the need to surpass single-dimensional examinations of the individual or collective actions of certain group representatives, and instead consider the impact intervening factors have to ensure the findings of empirically-based research do not misrepresent the reality of representation.

Understanding how certain factors influence the relationship between descriptive and substantive representation creates a more accurate picture of what a representative can achieve while in elected office. Mackay (2006:185) maintains that 'debates about substantive representation need to be realistic and attentive to policy environments that further shape the scope and capacity of political actors and institutions'. Dodson (2006:9-10) goes further to argue that unrealistic expectations should not be placed on group representatives to make a significant difference in legislatures, due to a number of factors which can limit the progress elected members can make. One consequence of this, is that the onus bestowed on group representatives to act in the interests of their group is then apportioned to the current government as well (Goetz 2003a:52). Writing on the constraints of majoritarianism, party discipline and executive dominance to indigenous substantive representation, Murphy (2008) argues:

> …specific interests are always going to face defeat at some point in the give-and-take of majoritarian politics. The message here is that we should lower our expectations of what indigenous representatives are capable of delivering to their constituents and that we need to assess the potential impact of indigenous representation in the context of the limitations of electoral representation as a whole (Murphy 2008:205-6).

According to Murphy (2008:215), electoral representation will 'rarely if ever… deliver an indigenous veto over government policy, and in many instances its impact will be modest, neutral, perhaps even negligible'. The lack of numbers within a larger organisation (namely, a political party) limits the ability of indigenous people to influence decision-making. Expectations placed on elected indigenous representatives should account for this.

The purpose of this chapter is to offer insights into some factors moderating opportunities Māori representatives have to 'translate policy preferences into legislative initiatives' (Childs and Krook 2006b:525) in support of Māori. Four factors are examined. The first is electoral systems, particularly the way proportional representation systems are more conducive than majoritarian systems to minority descriptive representation, and to the substantive representation of groups. The second focuses on how and why Māori electorate representatives might differ to Māori elected to general electorates, wards or constituencies, or via the party list. This discussion centres on the Treaty of Waitangi and self-determination, and how separate Māori electorates can encourage accountability. The third factor concerns political party restraints, and this section relates primarily to the parliamentary arena because parties are not always a major feature in local government politics. Party representation, at times, comes in direct tension with two other forms of representation – geographical and group. Finally, the chapter examines how Māori identity, commonly referred to as whakapapa (genealogy), affects both Māori political participation (in the form of voting and choosing an electoral roll) and the desire to represent Māori interests.

Electoral systems

Electoral systems are fundamental to the framework of representative democracy (Lijphart 1994:1, Young 1997:310). Electoral systems also have a profound impact on political representation. According to Canon (1999:331), this is 'especially true when it comes to representing divergent racial and ethnic group interests'. In New Zealand, the RCES (1986:88) recognised the effect electoral system choice has on a group's substantive representation, by noting 'the mere presence of a group in the legislature does not guarantee political effectiveness. Other conditions, such as the character of the electoral system… are also important'. Electoral system choice can influence both the number of Māori elected and the way they carry out their role in parliament and local government. It is therefore important to examine the way and extent to which this factor influences the relationship between descriptive and substantive representation.

Systems and descriptive representation

As discussed in the previous chapter, the meaning of representation is complex and contested. Different types of electoral systems are linked with these contrasting interpretations of representation. Farrell (2001:11) explains there are generally two distinct conceptions of representation. The first is the 'microcosm' view, suggesting a governing body should aim to be a representative sample of the population. 'It is a sociological mirroring of society', where 'it is the pattern of composition of the parliament that matters' (Farrell 2001:11). The second type is 'principal-agent', where the focus lies in the decisions of the governing body, and one person acts on behalf of another. Even if old, white, middle-class men numerically dominate parliament, it is 'less important that parliament is statistically representative of voters, and more important that it acts properly in the interests of the citizens; composition is less important than decisions' (Farrell 2001:11). While majoritarian systems focus on single-member districts which ensure individual representatives are accountable to a specific geographic region, proportional representation multi-member districts facilitate a more representative and responsive legislature (Blais and Massicotte 2002:64). Blais and Massicotte (2002:66) argue that it is impossible to say one electoral system is inherently better than others, because competing values are at stake.

The choice of electoral system then, is in effect a reflection of 'which elements of political identity are salient and warrant representation' (Young 1997:310). Advocates of proportional representation focus on the form of a governing body (descriptive), whereas majoritarian supporters look at the decisions they make (substantive). Some scholars concerned with descriptive representation have highlighted how the type of electoral system can affect the level of numerical representation groups attain. Norris (1997:298) has stressed the significant influence of electoral systems, by noting that they can dictate 'some groups, parties, and representatives are ruled into the policy-making process, and some are ruled out'. Reeve and Ware (1992:7), and Reilly and Reynolds (1999:6), have argued that the electoral system can be designed to determine political outcomes.

However, others have formed more moderated criticisms of the influence electoral systems have on descriptive representation. MacIvor (2003:24) cautiously argues in her work on women's representation that while electoral system choice does not singularly determine how well women are represented, it can 'impose formidable barriers to the nomination and election of female candidates'. According to Tremblay (2008:1), some studies have overstated the extent to which electoral systems impact on women's descriptive representation. As such, the influence voting systems have on the election of women remains an area of debate (Tremblay

2008:1). Despite some disagreement in the literature regarding the extent to which electoral systems affect descriptive representation, there appears to be general acceptance that electoral systems are subjective rather than objective tools of electing candidates.

The traditional electoral system employed in New Zealand has been FPP; a majoritarian, plurality based system. FPP was used in parliamentary elections until 1996, and is the most popular choice of voting system employed in local body elections. Goetz (2003b:50-1) argues FPP is 'deeply resistant to the introduction of social newcomers', due to the combined constraints of single-member constituencies, no term limits, and many safe seats, which offer incumbents important advantages. Although every individual may hold several different politically relevant identity elements, based on ethnic, gender, class, religious and a variety of other social cleavages, single-member plurality electoral systems 'give top priority to geographic or regional aspects of citizens' political identity' (Young 1994:3).

Proportional representation systems, in contrast to those based on majoritarian structures, are aimed at 'reducing disparities between shares of the vote secured by political parties and their resulting shares of seats, as well as alleviating the problem of "wasted votes"' (Fraenkel 2006:71).[34] Moreover, proportional systems allow several candidates from the same political party to stand in the same geographic area because the electoral districts are necessarily larger. This, Young (1994:4) argues, enables and encourages parties to 'choose to make gender, race, ability, age, occupation, or any other characteristic a relevant criterion for seeking the support of electors'.

Thus while some electoral systems accelerate disproportional representation, others can resolve it. According to Rule (1994:689), discriminatory cultural biases 'can be overcome to a great extent by alternate electoral systems'. Lijphart (1994:139) similarly argues that the extent to which a governing body proportionately reflects the wider population 'responds very sensitively to the rules of the electoral system'. The strongest instrument impacting on this proportionality is through switching to or from the plurality electoral system (Lijphart 1994:143). Evidence from the New Zealand parliament helps to validate this argument. The presence of Māori within central and local government is, according to McLeay and Vowles (2007:87-8), an important normative issue when assessing electoral systems, because it is an indication of whether or not Māori have fair access to political power.

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[34] Fraenkel (2006:71) clarifies this theory thus: 'Under FPP systems, if party A has 40 per cent of the vote reasonably evenly spread across the country, while party B has the other 60 per cent of the vote, party B wins all the seats and party A gets no representation (votes for party A are 'wasted'). Proportional systems, by contrast, aim to give party A something close to 40 per cent of seats'.

As illustrated in the previous chapter, an important consequence of replacing the FPP electoral system with MMP in New Zealand general elections was the dramatic increase in Māori representation. MMP is a semi-proportional system. The proportional element is in the party vote. The plurality element consists of the electorate vote. The last FPP election in 1993 saw 7.1 per cent of the New Zealand parliament identifying as Māori (Vowles and Aimer 2004:169). By the fourth MMP election in 2005, 17.3 per cent of MPs identified as Māori (Electoral Commission 2006:7). However, this figure dropped to 14.8 per cent of MPs (18 out of 122) who identified as Māori following the 2008 general election. A second electoral change contributing to an increase in Māori representation was the ability for the Māori electorates to fluctuate with the number of Māori enrolled on the Māori roll. Electoral system changes have had a demonstrable impact on the level of Māori representation in parliament. Overall, MMP is recognised as having made parliament 'more representative on descriptive terms' (Vowles 2005:306).

Māori politicians have commented on the merits of MMP and the effect it has had on descriptive representation. Louisa Wall, then a Labour list Māori MP, acknowledged the MMP electoral system as conducive to electing a more representative body of people. 'I am here today because I am a proud member of the New Zealand Labour Party, and because of MMP… MMP is a system that ensures that every vote is counted, and that the will of the people of Aotearoa is heard' (New Zealand Parliamentary Debates 2008c:14563). National Māori MP Georgina Te Heuheu (1998:N.Z.22) claimed that the move to adopt MMP persuaded her to enter national politics. MMP not only facilitates a more diverse and representative government through its electoral formula, it can encourage minority group members to stand for election.

In local government elections, Sullivan (2003b:145-6) demonstrates that both at-large and ward voting systems used under FPP adversely affect Māori candidates' chances of election. At-large voting, she argues, can be viewed as biased because it provides 'the opportunity for the over and under-representation of a few sectors of the community' (Sullivan 2003b:145). Ward voting constrains group representation in a different way, by 'dissipating the strength of bloc voting' (Sullivan 2003b:146). STV, in comparison, aims to ensure seats won are roughly proportionate to votes received, offering broader recognition to different groups in the community. Hayward (2002b) explains the STV equation.

> The system allows (when votes are counted) for the transfer of votes amongst a ranking of candidates, thereby allowing excess votes (for very popular candidates) and wasted votes (for very unpopular candidates) to be transferred to the next most preferred candidate. Under these circumstances the impact of the majority is minimised and the outcome better reflects the voting preferences of the entire community (Hayward 2002b:24).

The proportional STV electoral system therefore encourages a fairer representation of groups within the community than is possible under FPP.

Some insight into the effect STV might have on Māori representation in local government can be drawn from the 2001 and 2004 District Heath Board elections. Vowles (2007:299) found an improvement in the level of Māori representation on District Health Boards from 2001 when FPP was in use, to 2004 following the introduction of STV. 'In 2001 Maori candidates made up 11.7 per cent of the total, but only 2.7 per cent of those elected. In 2004, under STV, they made up 12.9 per cent of candidates and 7.5 per cent of those elected' (Vowles 2007:299). Based on this data, it is likely the proportion of Māori councillors would also increase should local authorities adopt STV. Electoral systems have been shown to influence the level of Māori descriptive representation. The extent to which FPP, MMP and STV may influence the representative role of Māori MPs and councillors is discussed next.

Systems and substantive representation

The electoral system affects both who is elected and the policy involvement of those elected representatives (Reeve and Ware 1992:7). According to Tremblay (2003b:216), the electoral system influences descriptive and substantive representation by determining 'not only who wins and under what conditions, but also how the winners carry out their role as representatives'. This point has also been raised by Reilly and Reynolds (1999:6), who maintain electoral systems shape politics by offering MPs 'incentives to behave in certain ways'. Moreover, the 'great potential of electoral system design for influencing political behavior is thus that it can reward particular types of behaviour and place constraints on others' (Reilly and Reynolds 1999:6). Because electoral systems can enhance or constrain elected members' opportunities to 'translate their attitudinal predisposition into corresponding behaviour' (Childs 2006b:155), these voting systems must be taken into account in this discussion on the relationship between Māori descriptive and substantive representation.

While there is a growing pool of knowledge explaining how electoral systems influence the descriptive representation of groups, less is understood about the way these systems affect group substantive representation. This quandary is particularly prevalent in Māori representation literature. It mirrors trends in women's research, where multiple publications have focussed on the impact electoral systems have on the number of women representatives, yet 'there is a conspicuous dearth of studies on their influence over the substantive representation of women' (Tremblay 2006:502). Farrell and Scully (2007) highlight the same concern in more general terms.

> [W]e now know a great deal about the manner in which electoral arrangements shape *who* represents the people. However, we know rather less about the manner in which electoral systems affect *how* people are represented (Farrell and Scully 2007:5, emphasis in original).

The electoral system influences the perception of political representation. For example, FPP presumes those residing in the same geographical location hold similar interests, so a representative elected by a majority of people in a district can act as that constituency's mouthpiece (Catt 1998:399). But electorates are not homogenous (Catt 1998:399). An electorate can be describes in a multiplicity of ways. They are comprised of different genders, ethnicities and nationalities to name but a few groups, who undoubtedly hold their own perspectives and opinions. The move to MMP in 1996 therefore radically challenged 'long-established assumptions about democratic accountability and the nature of constituency-based representation' (Miller 1999:2).

Some authors have disputed the validity of the strong traditional focus on geographic representation. Sullivan (2003b:145) has questioned 'why geographic rather than proportional representation is believed to be the most important democratic rule'. In fact, McRobie (1981:2) has suggested that the Māori parliamentary electorates give 'the appearance of communal representation in which "being Maori" is more significant as a determinant of representation than where a person lives'. As discussed in chapter one, the Nunavut plebiscite proposed dual-member constituencies in the form of guaranteeing one male and one female successful candidate. If successful, the plebiscite would have strengthened principles grounded in both traditional representation (geographic) and modern representation (social), which creates 'a space for a form of political representation that could accommodate territory as well as identities that relate to culture, language, and gender' (Steele and Tremblay 2005:38).

Plurality electoral systems such as FPP entrench the legitimacy of geographic based representation, whereas proportional systems weaken the primacy of places and can arguably act as a catalyst for the substantive representation of groups. The focus shifts from group representation based on localities, to that centred on social identities. Sawar (1998:52) claims proportional representation can enable both women's descriptive and substantive representation because it has 'more scope for the representation of broader interests which cross geographical boundaries, including issues of equal opportunity for women and minorities'. In Tremblay's (2006:505) words, proportional representation 'depersonalizes the mandate of representation'. Increasing the number of elected members from each electorate (the district magnitude) helps disband traditionally strong links between a representative and his or her geographic constituency. This subsequently increases the potential for group substantive representation because more people are responsible for voicing the electorate's concerns. Put differently, ties to geographic-based representation are loosened through proportional systems, theoretically allowing room for the voicing of social group interests.

Proportional representation electoral systems, therefore, can be an enabling mechanism for substantive representation. Tremblay (2003b:216) suggests that because 'electoral systems generate their own interpretations of political representation', politicians elected through the various systems will view their role as representatives in distinct ways. Farrell and Scully's (2007) research offers some insights into this hypothesis. Their interviews with Members of the European Parliament (MEP) confirmed electoral systems were one factor that helped to explain the attitudes of parliamentarians (Farrell and Scully 2007:199). Their evidence supports the claim that a move to a proportional representation system has changed the nature and quantity of an MEP's presence in the constituency, in terms of who is represented and the amount of constituency work performed (Farrell and Scully 2007:159).

Members elected via proportional representation may have more freedom to distinguish whose interests they represent. Tremblay (2003b:224) suggests members who are elected under a proportional system 'have more latitude and are better able to focus on more specific issues during their term', compared with those voted in under a single-member majoritarian system where they are assigned the duty of representing everybody within their constituency. In the New Zealand context, McLeay and Vowles (2007:77) suggest that list MPs, due to their comparatively large electorate size, 'are likely to be more responsive to interest groups than to ordinary electors'. They offer evidence and examples where women, Pacific Island, and Asian MPs take their role of substantively representing their ethnic group in the New Zealand parliament seriously, but no examples are given for Māori MPs (McLeay and Vowles 2007:88-9). Following this reasoning, however, Māori list MPs should be more able to express a Māori perspective than should Māori elected to general electorates.

One qualification to the above argument that list MPs have more freedom to represent group interests compared to general electorate MPs, is that New Zealand's MMP system operates with closed lists. This means voters are unable to alter the order that candidates appear on a party's list. Tremblay (2006:509) argues that although closed lists might potentially encourage descriptive representation, they may not advance substantive representation. This is because closed lists 'encourage loyalty to the party that decides who shall have a seat in parliament' (Tremblay 2006:509). Tremblay (2006:509-10) thus demonstrates why it is vital to understand the multi-faceted effects of electoral systems on how group members perceive their representative role, in the context of voting system change. MMP has facilitated greater numbers of Māori in parliament. It is not conclusive, though, whether or not this electoral system encourages Māori substantive representation.

Tremblay's (2007) more recent work in this area of electoral systems and group substantive representation is instructive, as it presents a new insightful way of looking at this debate.

Tremblay (2007:283-4) examined the psychological effects of voting systems, which 'refer to the perceptions that political actors (such as the electorate or the party elites) have of the gains and losses offered by electoral competition', and how they impact on female politicians' views of their representation role. Tremblay (2007:295) concluded that surrogate representation helps to explain why there is a strong tendency for elected women representatives to feel a responsibility to act for women, irrespective of the voting system involved and the different rationales underlying their mandate of representation. Tremblay (2007:296) suggests her findings cast serious doubt on arguments that women elected via proportional systems 'have more latitude to substantively represent women' than those elected in majoritarian systems.

The nil effect of electoral systems on women's substantive representation has also been recorded by Devlin and Elgie (2008) in their research on women's representation in the Rwandan Chamber of Deputies. They found that while most women parliamentarians had been elected in fulfilment of the gender quota, there were 'no significant differences between the quota deputies and the directly elected deputies' (Devlin and Elgie 2008:245). The way women were elected did not seem to affect their commitment to women's issues. 'Women's solidarity', Devlin and Elgie (2008:245) report, 'seemed to cover both groups of deputies'. Women representatives were likely to act in the interests of women whether elected at-large or to a reserved electorate seat. In other words, the electoral system did not appear to influence the relationship between descriptive and substantive representation, and neither did separate women's representation. Whether separate Māori electorates have an impact on Māori acting in the interests of Māori, is considered next.

Māori electorates

A second factor influencing the relationship between Māori descriptive and substantive representation is the Māori electorates. Durie (1997:2) has commented that while an elected Māori representative could bring a Māori perspective to parliament or local government, this representative 'may not be in a position to articulate Māori interests; nor is that necessarily an expectation'. The way a Māori representative is elected and their position within their party may mediate the extent to which they substantively represent Māori. Research into Māori acting in the interests of Māori would be incomplete, therefore, without distinguishing between the types of electorates Māori represent. Of particular interest are the separate Māori electorates, wards and constituencies.

According to Durie (1997:2), Māori list MPs and Māori general electorate MPs are different from a Māori member representing a Māori electorate. Durie (1997:2) argues that since Māori list MPs are chosen by a political party they are primarily representatives of that party. It

would be of interest to know what Durie might say about Māori list MPs representing a Māori political party. Māori elected to general constituencies, he suggests, are limited representatives of Māori because they can only represent Māori who belong to his or her electorate. These elected members are voted in by, and consequently represent, both Māori and non-Māori. Māori MPs who represent Māori electorates, however, 'come close to holding a Māori mandate' (Durie 1997:2).[35] Indeed Māori Party co-leader Tariana Turia (2008a) describes the Māori parliamentary electorates as being 'seen as synonymous with the indigenous voice'. Later chapters will examine whether Māori electorate MPs do voice Māori concerns in governing bodies. First, though, three issues need to be discussed. These are some of the central arguments in favour and opposing the retention of the Māori electorates, how the Treaty of Waitangi influences the nature of Māori representation, and in addition, whether the Māori electorates act as an accountability mechanism for Māori voters.

Debates about the retention of the Māori electorates

The necessity of separate Māori representation has been periodically debated since the establishment of four Māori electorates in parliament in 1867. Providing a similar option for local body councils in 2001 extended this controversy to the local level of government. The RCES (1986) described why Māori considered separate Māori representation in parliament important.

> They guarantee that the Maori people will have representatives in parliament who are elected by, and accountable to, Maori voters, who can serve their constituents in a Maori way, and who can use their standing as MPs to promote and protect Maori rights and Maori interests within Parliament, the Government, and the wider community (Royal Commission on the Electoral System 1986:18).

Nevertheless, the RCES recommended the abolition of separate Māori representation in 1986. The RCES (1986:105) believed Māori parliamentary representation would become more effective using a common electoral roll and a proportional electoral system, rather than the traditional FPP system in conjunction with four separate Māori electorates, for three key reasons.

First, the Commission envisaged that under a proportional electoral system it would be in the political parties' best interests to put Māori candidates in winnable seats and to develop policies acceptable to Māori. Proportional systems ensure seats are shared roughly in proportion to the amount of votes received, and therefore the votes of Māori would be significant to all parties (Royal Commission on the Electoral System 1986:101). More recently, Joseph (2009) argued that Māori face no discrimination and no institutional barriers to representation when the MMP system is used because it is guided by the principle of one-

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[35] However, Durie (1997:2) qualifies this by noting only around half of the eligible Māori voting population choose to enrol on the Māori electoral roll.

person, one-vote, one-value.[36] But any advantages made by minority and under-represented groups seeking representation are highly dependent on political parties actively working towards this goal (Goetz 2003a:56).

Under MMP, Māori need to be placed relatively high on the party list in order to gain entry into parliament. One of the main benefits of party lists, Maaka and Fleras (2005:133) argue, is that Māori positioning on them makes a party's support of its Māori members transparent. Most political parties had given at least one Māori candidate a favourable party list position in the 2005 general election (Sullivan 2006:611) and in the 2008 general election. Most political parties rank some Māori candidates highly in an effort to secure Māori voter support (Xanthaki and O'Sullivan 2009:202). Nevertheless, Sullivan (2005:126-7) warns that were the Māori electorates abolished, 'it is highly probable that Māori would not have similar access to political participation'. This is because it could no longer be presumed previous patterns of party support for Māori would continue (Sullivan 2005:127). Sullivan (2005:127) reasons, 'Māori have gained proportional representation precisely because the Māori electorates have been a major force in determining which political party governs'. However, those in favour of abolition would argue that the view of close to 350,000 Māori voters would not be ignored. Xanthaki and O'Sullivan (2009:195) maintain that Māori, as 15 per cent of the population, are too large a group to be sidelined politically. The number of elected Māori MPs reduced at the 2008 election because the New Zealand First party and its entire Māori membership were no longer in parliament (in 2005 there were three New Zealand First Māori MPs).

Second, the RCES (1986:102) believed a proportional electoral system would offer Māori incentives to participate politically, and it would be possible for a Māori political party to contest and win seats. In 2005, this was realised when the Māori Party won four of the seven Māori electorate seats in the general election. It was the first time any official Māori political party won parliamentary electorates. Although Mana Motuhake, formed in 1979, eventually did win a seat in 1993, this was not until they became part of Alliance with three other minor parties (Smith 2006b:407). The 1996 election result also requires mention, where the New Zealand First party captured all five Māori electorates. New Zealand First was not a Māori party as such. To the contrary, their party promoted themselves as a voice for all New Zealanders. However, they were perceived to represent Māori due to the strong Māori presence within the party. Maaka and Fleras (2005:129) argue that New Zealand First's coalition with National in 1996, while brief, demonstrated that under MMP 'the status and role of Māori members of parliament has changed and strengthened'.

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[36] However, as chapter five demonstrates, Māori face societal and attitudinal barriers, such as public opinion and Māori holding a minority of the vote. O'Sullivan (2007:163) has remarked that questions should be addressed 'about the nature of a society that will not elect Maori to public office'.

Third, the RCES (1986:103) considered that a proportional system would encourage Māori and non-Māori MPs to look after both groups' interests, because a single electoral roll would foster mutual understanding between Māori and non-Māori. Maaka and Fleras (2005:134) argue that while Māori MPs are still unable to direct the political process as such, 'MMP provides a new form of leverage because Māori members of Parliament are no longer isolated and marginalised within a single political party'. To date there is little empirical evidence to corroborate the RCES' claim that all MPs do represent Māori interests. However, as noted above, the two-vote system of MMP means that parties must court the votes of all electors (Xanthaki and O'Sullivan 2009:195).

The retention of the Māori electorates has also been argued on the basis that the presence of Māori MPs (elected via the list and through general electorates) does not necessarily lead to the articulation of Māori interests. Former Māori MP Willie Jackson (2008), for example, claimed 'not all Maori MPs are qualified to represent Maori. Nor are they all interested in doing so'. Matt McCarten (2008), whose former roles include leader of the Alliance party and Māori Party campaign manager, agreed with Jackson. McCarten (2008) argued there have been few occasions where Māori list MPs have prioritised Māori interests over their party leadership. One exception is National list MP Georgina Te Heuheu's concern with former party leader Don Brash's infamous 2004 Orewa speech. Te Heuheu reportedly commented there was a 'deep chasm' between her beliefs and those of Dr Brash on race-relations (Waikato Times Editorial 2004).[37] However Te Heuheu was subsequently demoted and, in McCarten's (2008) opinion, 'hasn't said a word since'. Both Jackson's and McCarten's arguments centre on the relationship between descriptive and substantive representation. They support Shaw's (2007) contention that 'the debate about the Maori seats is really about the form that Maori parliamentary representation should take'. Māori electorates arguably allow and encourage a different type of representation. These arguments also highlight two central issues empirically examined in this thesis. Whether the presence of Māori representatives leads to the advocacy of Māori concerns and interests, and the extent to which certain factors constrain Māori MPs' and councillors' efforts to represent Māori.

The nature of Māori representation and the Treaty of Waitangi

According to Hayward (2002a:220), and as alluded to above, the heart of discussions on the legitimacy of Māori electorates is based on the more complex question about the role of a representative.

> [W]hat is the relationship between the physical composition of a group of representatives and the issues they represent? In the New Zealand context, this age-

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[37] Another female member of the National Party caucus also faced demotion for not supporting the Orewa speech in its entirety. Katherine Rich lost her front bench seat because she was not in agreement with the party leader on social welfare issues, particularly those concerning the domestic purposes benefit (List 2004).

old dilemma is overlaid by the Treaty of Waitangi which, arguably, creates a right for Maori representation per se, regardless of how we might view the relationship between the representative and the views they represent (Hayward 2002a:220).

The link between a Māori representative and whose interests they act for, or how 'presence' and 'ideas' interact, she argues, cannot be divorced from the Treaty of Waitangi. The Treaty is arguably valid grounds for retaining the Māori electorates to guarantee Māori representation. Thus, the Treaty argument is primarily approached from a constitutional angle. The RCES (1986:85) suggested the Māori electorates are important for matters which go beyond that of simple political representation. Māori regard the Māori electorates in parliament as 'an important concession to, and the principal expression of, their constitutional position under the Treaty of Waitangi' (Royal Commission on the Electoral System 1986:86). Bargh (2007:300) agrees, noting the Māori electorate seats' distinctive nature makes standing and campaigning in these electorates 'inextricable from questions around the role that Maori and Te Tiriti o Waitangi should play in our constitutional arrangements'.

In considering the proposal to establish Māori constituencies on Environment Bay of Plenty, Hearings Commissioner Judge Trapski (1998:2) maintained that their validity 'should be considered primarily and essentially against the constitutional law of New Zealand, particularly that which affects the delivery of democracy'. In acknowledging this, Judge Trapski (1998:2) recommended Environment Bay of Plenty continue to promote their proposal for Māori constituencies (which were ultimately established in time for the 2004 local body elections).

> The proposal for a Maori constituency of the Bay of Plenty Regional Council is in conformity with the principals [*sic*] enunciated by the Royal Commission on the Electoral System, and the provisions of the Electoral Act 1993. It is therefore considered to be constitutionally sound, paralleling and reflecting the delivery of democracy in the government of New Zealand (Trapski 1998:2).

Judge Trapski (1998:10) also importantly stated that the possible introduction of the STV electoral system, which has the potential but is not guaranteed to increase Māori descriptive representation, should not be a reason to postpone the recognition of Māori rights to representation through Māori wards and constituencies. Hayward (2002a:222) believes the debate about separate Māori representation in local government provides an excellent opportunity for wider discussions of the constitutional implications of representation, as well as the obligations the Treaty of Waitangi brings to the debate.

The connection of the Māori electorates to the Treaty of Waitangi has also been discussed in regards to self-determination. In their *Māori Electoral Option* report, the Waitangi Tribunal (1994:4) argued the reconciliation of the Treaty guarantees of kāwanatanga and tino rangatiratanga allows Māori 'qualified autonomy', one expression being separate representation in parliament. During the claim, the Waitangi Tribunal heard that:

> …rangatiratanga embraced the right of self-determination which, in the context of the claim, meant the form and nature of political representation most consistent with the provisions of the Electoral Act 1993. The Māori seats, it was submitted, represented the closest form of political self-determination currently available to Māori (Durie 2005b:4).

In Geddis' (2006:348) view, the Māori electorates have moved from first being utilised as a way of guaranteeing a Māori presence in parliament, to serving the wider aim of Māori self-government. His argument is based on a perceived relationship between the Treaty partners, where 'the ongoing existence of the Māori seats presupposes a basic distinction in the way in which those who are *tangata whenua* and those who are *tangata tiriti* ought to be represented at a national level' (Geddis 2006:348, emphasis in original).

Other scholars have doubts about whether the Māori electorates reflect the Treaty of Waitangi in part or in its entirety. Iorns-Magallanes (2005:114) argues that while the mandate for the Māori electorates appears to implement Treaty guarantees, the candidate selection process for these electorates is not Treaty-based. Iorns-Magallanes (2005:110) reasons that candidates standing for Māori electorates do not have to be affiliated to the area in which they stand for election, the choice of candidate is often made for strategic reasons, voting is individualised, and voter choice is influenced more by the candidate's individual qualities and party affiliation than tribal politics. However, modification of the nature of the candidate selection process seems congruent with other compromises and changes made to Māori society following the signing of the Treaty of Waitangi. The Māori electorates are arguably the nearest form of Māori self-determination available, as guaranteed under the Treaty (Durie 2005b:4). Therefore, these aspects of the selection process in the Māori electorates may be a natural result of adapting to parliamentary and party politics, as well as the increasing diversity amongst the Māori population.

Joseph (2008:17) goes further by strongly disputing any Treaty of Waitangi relationship to the Māori electorates. He argues that no person has a claim to electoral rights under the Treaty because the liberal democratic principle of one person, one vote directly opposes any 'electoral privilege' based on race (Joseph 2008:17). Hayward and Sullivan (2009) disagree. They contend that Māori electoral representation is an indirect Treaty right. Māori representation on governing bodies that have decision-making powers over resources in which Māori have a vested interest, is necessary in order for Māori to protect and exercise their direct Treaty rights of tino rangatiratanga of their taonga (Hayward and Sullivan 2009). Further, Joseph's simplistic interpretation of liberalism rejects the RCES' claim that Māori regard the Māori electorates as an expression of their constitutional position, which Joseph (2008:17) maintains is flawed. As discussed in chapter one though, equality of opportunity does not always lead to equality of outcomes. These types of liberal interpretations of the connection between representatives and constituents are challenged further later in this

thesis. The descriptive characteristics of elected representatives, specifically their ethnicity, will be shown to influence the dynamics and effects of representation.

Differing terms of accountability

Will greater numbers of Māori representatives lead to a concurrent increase in the proportion of MPs and councillors actively promoting Māori interests? The long established accountability link between geographic constituents and their electorate or party representative is a major challenge to group substantive representation (Goetz 2003b:57). Goetz (2003b:57) argues that simply increasing group descriptive representation does not change the incentives and accountability systems in politics that makes politicians primarily responsive to their parties or to geographic constituencies, and not to social groups. In seeking to act for Māori, Māori electorate representatives could overcome these types of accountability constraints because all their constituents are Māori. As Fox (2009) has stated, 'the only place where Māori can decide who represents them is in the Māori seats'.

To illustrate, throughout the period leading to the passing of the Foreshore and Seabed Act (2004), the accountability of Māori electorate MPs to their Māori constituents was questioned. Six of the seven Labour Māori electorate MPs supported the Act at its third and final reading, despite a clear rejection of the proposed legislation by many of their electorate members (see Bargh 2006:17). According to Mulholland and Hirst (2006:31), many Māori believed the Māori electorate MPs had a moral obligation to vote according to their people's wishes, and therefore should not have supported this legislation. The authors asked whether Māori electorate MPs have a greater responsibility, than do Māori elected to general electorates and list seats, to represent Māori interests, and furthermore, to what extent can Māori electorate MPs deviate from the party line should they disagree with their party's policy (Mulholland and Hirst 2006:31). According to former Māori MP Willie Jackson (2006), events surrounding the Foreshore and Seabed Act clearly demonstrated the need to retain Māori electorates so that Māori can hold their Māori representatives to account.

> History has shown us that it is near impossible to effectively represent Māori interests if you are a general seat MP. And while Māori seat MPs don't always effectively represent Māori interests, with the Foreshore sell-out being a shining example, at least with Māori having our own MPs we're able to make them accountable (Jackson 2006).

Māori voters did hold their Māori MPs accountable in the 2005 general election, following the Foreshore and Seabed Act (2004), with Māori constituents in three of the Māori electorates voting out the Labour incumbent.

In referring to local government representation, Matunga (1989:15) expressed a similar concern, that Māori elected to council through means other than Māori wards and

constituencies offer 'no guarantees that they will promote Maori interests and have tikanga Maori as their platform'. He has recommended a modified political system clarifying Māori accountability and guaranteeing Māori descriptive representation. This system, he argued, could be implemented through the creation of Māori wards in territorial authorities and Māori constituencies in regional authorities, where only those on the Māori roll could stand as candidates (Matunga 1989:15). In fact, this system has largely been put in place through the Local Electoral Act (2001), but the provisions are not mandatory.[38] Herein rests the greatest challenge – to establish compulsory Māori wards and constituencies in local body councils, in an environment where local councils are demanding increased autonomy. As in parliament, the role of Māori ward and constituency representatives is likely to be influenced by their distinct terms of accountability. The following chapters show that Māori electorate MPs and Māori constituency councillors feel slightly more accountable to Māori than do other elected Māori representatives, because they rely exclusively on the Māori vote.

The role of a Māori representative can be multifaceted. For example, between 1993 and 2009 one Māori MP, Tau Henare, has been aligned with three political parties (New Zealand First, the Mauri Pacific Party, and the National Party) and has been an independent MP as well. He successfully stood for election in a Māori electorate, subsequently became a list MP, and then unsuccessfully campaigned in a general electorate. Henare (2005) was questioned by one reporter who he would represent if successful in the 2005 general election (which he was), and whether this group would differ from groups he had represented in the past. This Māori politician was criticised for failing to represent a consistent group of people during his parliamentary career. Henare (2005) refuted this accusation, however, pointing out that changing constituencies is like changing employers. '[I]t's exactly the same, it's about representing people, and if I can represent people better than the next person people will vote for me' (Henare 2005). In other words, Henare claims the mode of entering parliament affects the representation role of MPs. A further influence on the role of Māori MPs is political party practices.

Party practices

The third factor examined in this chapter on the influences on Māori substantive representation, is the constraints of party practices. Strong party loyalties feature in all Westminster government models (Sawer *et al.* 2006:4). That representatives are reliant on their party for re-election strengthens party discipline (Güneş and Tütüncü 2008:464). This section primarily relates to Māori MPs, as local government councillors and party alignment is

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[38] A key difference between Matunga's proposal and the relevant provisions of the Local Electoral Act (2001) is that under this legislation, any person can stand as a candidate in Māori wards and constituencies, but only those registered on the Māori roll can vote in Māori wards and constituencies.

not a strong feature of local body politics. In New Zealand, almost every member elected to parliament since 1943 has been aligned with a political party (Miller 2005:195). Political parties are thus the central 'organising unit' within parliament, and a MP's role is intrinsically connected with party membership and abiding by the party line (Catt 1999b:100). Voting behaviour literature demonstrates voters are more influenced by the party a candidate belongs to, than a candidate's personal views or characteristics, so 'if representation theory is to have any relevance to political practice it needs to take account of political parties' (Catt 2003:6). Party representation influences Māori substantive representation by creating tensions with other models of representation based on geographic districts and ethnicity.[39] Accountability differences between group substantive representation efforts and acting with the party line can also conflict. Scholarship on gender and representation offers possible directions for reconciling these differences.

Party discipline and tensions with two other forms of representation

According to Mackay (2006:177), in strong party parliamentary systems, party identity and loyalties mediate the relationship between the presence of group representatives and their efforts to voice their group's concerns, more than any other factor. In New Zealand, political parties normally demand that MPs vote according to the party's position on parliamentary issues. Rare conscience votes are the only exception. Voting behaviour studies argue strict party discipline is imposed because MPs are elected largely due to their party's manifesto rather than the individual's personal attributes (Catt 1998:400). Consequently, a parliamentarian's role is 'to be a mouthpiece for a set of political views' (Catt 1998:400). Survey research reveals that electorate and list MPs place more importance on voting with their party in the MMP environment in New Zealand, compared with the last general election under FPP in 1993 (Karp 2002:140).

Party discipline can generate dilemmas for MPs if it competes with other representation loyalties based on geographical and group interests (Catt 1998:398). Geographical representation refers to voicing the concerns of the MP's geographical constituents. Group representation relates to representatives acting in the interests of a social group, based on identities such as gender, class, age or ethnicity. Perhaps one of the major differences between geographical and group representation is that a person's geographic electorate can easily change through moving to a new residence or electorate boundary revisions. In contrast, group representation remains relatively steadfast. For example, following the determination of the 2008 electoral boundaries, Māori Party co-leader Tariana Turia (2007a) acknowledged the unchanging nature of whakapapa, by stressing that geographically based

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[39] Māori are not the only group affected by strong party discipline in the New Zealand parliament. Women are another group faced with the dilemma of whether to act as a voice for women's concerns or to back their party.

electorate boundaries do not change whakapapa affiliations. This statement is equally relevant to local government ward and constituency boundaries, where at-large voting systems do not lessen the discrete tribal identities within a local district. Māori representatives must balance the potentially competing demands between party, geographical and group representation. At the heart of this conflict is deciding which group's interests takes priority. The decision is dependent upon each individual representative's view of his or her role in parliament, but it is also mediated by institutional factors.

Māori MPs actions and statements relating to the passing of the Supreme Court Act 2003 help to illustrate the conflict between party discipline and geographic or group representation. According to Levine (2004:654), Māori had largely opposed the move to abolish the Privy Council as the Supreme Court Bill intended, arguing their consent was legally required as signatories to the Treaty of Waitangi. Labour Māori MPs were forced to make a decision whether to support this Bill introduced by their party, or represent the wishes of their Māori constituents. Levine (2004:654) recounts how opposition members capitalised on this situation and challenged the Labour Māori caucus 'to cross the floor, to put the views of their constituents (ostensibly favouring retaining the Privy Council) ahead of Labour Party policy and group discipline'. New Zealand First Māori member Winston Peters spoke emotively about the Labour Māori MPs' betrayal and distrust of Māori people, and ignorance of Māori leadership (New Zealand Parliamentary Debates 2003:8921). National MP Georgina Te Heuheu expressed her concern and 'disgust' at the seven Labour Māori electorate MPs who, she believed, did not take into account the arguments Māori put forward in submissions when deciding how to cast their parliamentary vote on this Bill (New Zealand Parliamentary Debates 2003:8918). Unwavering support for the party position in the face of scathing attacks by fellow Māori MPs illustrated the strength of party discipline on this occasion. Levine (2004:654) maintains that while the Labour Māori MPs did not follow the calls of the opposition, 'they did draw renewed attention to the potential strength of Labour's Maori MPs if they wished to act together for Maori purposes'. In other words, the Labour Māori caucus would be a significant force in politics should they act in unison on a Māori issue.

Haynie (2001:8) has commented on the almost dual role minority representatives must carry out as party and group representatives in America. He writes of African-American legislators confronting a 'duality dilemma'.

> African American representatives face the paradoxical expectation of being both protagonists and antagonists of the political system. That is, they are expected to simultaneously be race representatives and responsible legislators. African American legislators must somehow manage the precarious and difficult tasks of becoming integrated into legislative institutions while at the same time trying to transform them (Haynie 2001:8).

According to Haynie (2001:9), African-American state legislators have three available strategies to manage this predicament. First, legislators can 'persist as race representatives,

making matters on race their primary concern' (Haynie 2001:9). Even so, there is potential for the representative to become an outsider and less effective in terms of forging 'meaningful coalitions in support of their interests' (Haynie 2001:9). A New Zealand example relates to the Māori Party MPs, who sat on the opposition benches during their first parliamentary term (2005-08). Following the 2008 election, they signed a confidence and supply agreement with the National government that included both Māori Party co-leaders being assigned ministerial posts outside of cabinet. The Māori Party was in a position to align with a coalition government to further their party interests, even though they are seen primarily as representatives of Māori interests, that is, as 'race representatives'.

The second option available to African Americans, Haynie (2001:9) argues, is to '"deracialize" legislative agendas in order to appeal to a more diverse audience'. Yet while deracialization is promoted as a 'means of integrating African Americans into political institutions and advancing the cause of black interests', it could also be argued to have the opposite effect of stifling efforts to pass legislation of direct benefit to African Americans (Haynie 2001:9-10). This strategy may prove particularly unhelpful in cases where race-related problems 'require race-specific solutions' (Haynie 2001:10). In New Zealand, following Don Brash's 2004 Orewa speech, then Race Relations Co-ordinating Minister Trevor Mallard announced ethnic targeting would be removed from a number of the government's policies and programmes in order to move away from race-based funding and towards funding based on need (Espiner 2005). As part of the Labour government, the Labour Māori MPs had to support this move, which removed some programmes that targeted Māori in a number of social and economic spheres. The third approach identified by Haynie (2001:10) blends the earlier two options to produce a 'middle-ground approach'. This involves legislators acting both as a 'race representative' and a 'responsible legislator', by balancing the two roles (Haynie 2001:10). Māori MPs face a similar dilemma between representation of party and of Māori concerns, and is a central theme explored in chapter six.

In addition, a party's ideology can potentially influence the relationship between Māori descriptive and substantive representation. Left of centre parties are generally sympathetic to and promote socialist values and interventionist measures to achieve social justice, whereas those placed on the centre-right are more conservative and tend to endorse liberal ideas of individuality (Chaney 2006:697). Ideology can guide and explain how a party may (or may not) address equality policies and initiatives, as well as recognise groups and their collective rights. Bird (2004a:19) has argued that the position of a representative's political party influences the degree they can substantively act for their group through neutralising cleavages. 'Women and ethnic minorities within right-wing parties generally find it more difficult to speak for the substantive interests of their groups' (Bird 2004a:19). Tremblay's (2005:68) research into the representational roles and responsibilities of New Zealand's

women MPs supports the suggestion that left leaning parties are more conducive to promoting and representing group interests. Female MPs from the centre and centre-left political parties were found to be more likely to acknowledge a responsibility to represent women than those in right-wing parties (Tremblay 2005:68).

Accountability and creating the party line

As noted earlier, the substantive representation of group interests can conflict with party loyalties. The essence of this tension, Catt (2003:3-4) explains, is that MPs are expected to make a difference to outcomes while being accountable to the voters, many of whom were elected because of their party's ideology and policies rather than their descriptive characteristics. Making a substantive difference in politics could involve descriptive representatives expressing their differing views in discussions with other representatives. However, according to the responsible party model, MPs must ultimately act within the party line (Catt 2003:10). Phillips (1995) explains this conflict further.

> Either gender does make a difference, in which case it is in tension with accountability through political parties, or it does not make a difference… [W]e can only believe that the sex of the representative matters if we think it will change what the representatives do. Yet in saying this, we seem to be undermining accountability through party programmes (Phillips 1995:77).

Examples already given in this chapter, such as National Māori MP Georgina Te Heuheu's decision not to support her leader's race relations speech in 2004, illustrate this predicament.

To resolve this representation dilemma, Catt (2003:11) suggests the focus should be on the deliberative phases of the parliamentary process rather than the final decision-making actions of representatives. By this, she advocates for a preference of concentrating on caucus discussions. The party line is necessarily created by the party, and in caucus meetings MPs can have influence and voice alternative perspectives (Catt 2003:16). Therefore, in parliaments where party discipline is very strong, substantive representation may be more evident within party processes, rather than overtly identified within the wider legislative arena. Catt (2003:16) adds that calls for the representation of group interests is no different from the accepted caucus discussion protocol of considering local interests raised by the MPs who are deemed to represent local communities. In other words, as geographic communities are an accepted interest group, so should other social groups, including those based on ethnicity. Catt (2003:18) subsequently concludes that under-represented groups should pursue a strategy of having a sufficient number of representatives in each political party to make a difference.

Curtin (2006:247) has also put forward the proposition that substantive representation operates in covert places. In her work on women's substantive representation, she suggests

acting for group interests is most likely to be performed 'behind closed doors', inside party (or women's) caucus meetings. This is because the measurement of substantive representation is 'fraught with difficulties', and furthermore, according to her, the explicit expression of women MPs representing women's concerns within mainstream political forums may hurt their chances of re-election (Curtin 2006:247). As chapters four and five will reveal, some elected Māori representatives consider the explicit advocacy of Māori interests risky in governing bodies for this very reason. However, it is difficult to gather data on parliamentary activities occurring 'behind the scenes' because representatives' actions, and the effects of these actions, are neither observable nor measurable (Childs 2006b:156-7).

Māori political representation literature is largely silent on the extent to which Māori MPs may make a substantive difference through party caucus deliberations. In Māori Party MP Hone Harawira's (2007) view, large political parties are too robust for Māori MPs to make a difference to the party line, whether in parliament or away from the public arena in caucus meetings. Harawira criticised the Labour Māori caucus (comprised of nine Māori MPs) during Māori protest over the sale of land held with Landcorp at Whenuakite in the Coromandel.

> Quite frankly, after the embarrassing way in which Labour's Māori MPs were bypassed over the Landcorp debacle, I think it's time they stopped talking rubbish about an influence behind closed doors which they clearly don't have, and answer the question that their people are asking – do they support iwi, or do they support the government? (Harawira 2007).

An obvious way group representatives would make a difference in their caucus discussions is if that party was based on the interests of their group. One such example is, of course, the Māori Party.

Māori identity

This chapter has thus far explored three factors that can influence the relationship between Māori descriptive and substantive representation: the electoral system, Māori electorates and party practices. Additionally, Māori identity has a mediating role. As Dodson (2006) points out, the cultural environment is a powerful influence on substantive representation.

> [I]mportant as the institutional environment is, however, we cannot fully understand the institution, its members, or what happens in it, if we analyze it in a cultural vacuum, for the larger environment in which that institution is embedded almost certainly plays a role as well in shaping behavior and in contributing to the probabilistic nature of the descriptive-substantive representation link (Dodson 2006:18).

Identity is a central theme traversing all chapters of this thesis. Alternatively, it could be referred to as whakapapa, a term elected Māori representative interviewees preferred.

Debates on the Historic Places Amendment Bill in 2006 offer some indication of the way identity may affect the role of a representative. Green MP Sue Kedgley proposed an amendment to that Bill which would ensure a Māori descriptive representative was on the Historic Places Trust (New Zealand Parliamentary Debates 2006c:3528). Kedgley was concerned with the Bill's initial form, which allowed a non-Māori person to act as the representative of Māori on the Trust. This, Kedgley argued, was 'really just a new and completely unjustified redefinition of what is Maori' (New Zealand Parliamentary Debates 2006c:3528). Māori Party MP Hone Harawira expressed similar concerns. He colourfully argued that allowing non-Māori to determine if the Trust is acting in Māori interests is like saying 'that rats born in a kennel know what it is like to be a dog. It is the silliest argument I have ever heard' (New Zealand Parliamentary Debates 2006c:3531). Fellow Māori Party MP Te Ururoa Flavell felt Māori ethnicity should not be deleted as a key factor of board membership on the Trust, because that would 'reduce and dilute the strength of Māori Representation, by providing that those members just have knowledge about Māori rather than be Māori' (New Zealand Parliamentary Debates 2006b:3927). In other words, being Māori matters for both descriptive and substantive representation.

New Zealand First MP Brian Donnelly articulated a contrary view on the Historic Places Amendment Bill, that the legislation should focus 'upon the knowledge, the understanding, and the skills that are to be brought to the task, rather than on the ethnicity' (New Zealand Parliamentary Debates 2006c:3527). In other words, the position should relate to the substantive acts of the representative, rather than their descriptive characteristics. National MP Georgina Te Heuheu agreed with the position held by the Greens and the Māori Party on this issue, despite her own party ultimately voting against the amendment. Te Heuheu pointed out that due to the nature of judgements concerning wāhi tapu:

> …one can see that it would be very difficult indeed… if one did not have Māori blood, whakapapa, because so many of the issues surrounding wāhi tapu do depend, in my view, on an understanding of those genealogical links (New Zealand Parliamentary Debates 2006c:3530).

Therefore, being Māori has implications for substantive acts. The influence of identity is explored further through the examples of Māori voting habits and electoral roll choice.

Māori voting and non-voting

Identity affects both political participation and representation. Voting, Hill (2006:66) says, is often seen as 'something of a bloc affair', where preferences tend to form along class, ethnicity, age, religious and gender cleavages. Identity shapes how groups act and react. Recognising the distinct political preferences of groups, reinforces the significance of group representation (Hill 2006:67). According to Hill (2006:66), '[u]nderstanding how and why people vote the way they do can tell us a lot about the democratic culture in question and how

well it is performing in terms of representation'. Does representation affect the political engagement of groups? Some studies suggest that descriptive and substantive group representation do have participatory effects on voters and non-voters. A shared identity, it is proposed, can influence how constituents and representatives carry out their respective roles in politics.

Bobo and Gilliam (1990:387) revealed almost two decades ago that African-American political empowerment, defined as the extent to which a group has 'significant representation and influence in political decision making', affects black participation rates, political knowledge and engagement. This is because representation acts as a 'contextual cue of likely policy responsiveness to black concerns' (Bobo and Gilliam 1990:387). Tate's (2001) study also found that African Americans are more satisfied with political representation when their representative is African American.

> When it gets down to it… it may be that representation from the vantage point of the voter is simply 'being like me' on two easily discernible public dimensions: race and political party. Trying to determine their competency and legislative record is far more difficult and not as emotionally satisfying as figuring out how much the legislator and constituent are alike on social and political attributes (Tate 2001:635).

A more recent investigation by Banducci *et al.* (2005:209) demonstrated that African-American descriptive representation is associated with African Americans' viewing their government as 'being more responsive "to people like me"', which in turn encouraged voter turnout. Being a member of a group and identifying with that group, therefore, can affect other group members' actions.

One study by Tate (2003:141), however, claimed African-American voters who are descriptively represented were not significantly more interested in political campaigns, efficacious, or likely to vote than African Americans represented by other racial groups. Tate (2003:141) suggests there are two reasons why descriptive representation did not have an empowering effect. She first hypothesises the effects of black empowerment might be more pronounced at the local level (Tate 2003:141), and second, the empowering agent within descriptive representation may only be temporary and subside once the African-American representative has a secure electoral base (Tate 2003:142). In New Zealand, Labour's fifty-year stronghold on the Māori electorates, as discussed earlier, may lend support to the latter theory.

The interrelated nature of participation and representation amongst minority groups in New Zealand has been demonstrated in some recent studies. Park's (2006:147) research on Asian political participation in New Zealand found that the majority of her Asian respondents believed Asian MPs would represent their interests better than Pākehā or Māori MPs in parliament, and felt there should be increased Asian representation in the House. In other

words, the results appear to demonstrate people within this group feel voting for a candidate who stands for them (descriptive representation) will also act for their interests (substantive representation). Additionally, Cook's (2008:124) MA thesis on Pacific Island MPs in New Zealand's parliament emphasised the importance of descriptive representation, where all interviewees agreed 'Pacific people were essential to represent the Pacific Island community'. Cook's (2008:134) research also concluded that Pacific identity plays an important part in how New Zealand's Pacific MPs define their representative roles. Both constituents and representatives of minority groups in the above instances, perceive a strong connection between descriptive and substantive representation. It could subsequently be hypothesised that Māori identity has an impact on both Māori political participation and representation.

The minority empowerment argument suggests that the election of minority group representatives 'strengthens representational links, fosters more positive attitudes toward government, and encourages political participation' amongst minority group voters (Banducci et al. 2004:534). Using data from the New Zealand Election Study, which measured Māori political attitudes and behaviour following the 1999 general election, Banducci et al. (2004:550) found that a MP's ethnicity did influence Māori political responsiveness. Māori registered on the Māori electoral roll and represented by a Māori electorate MP, Banducci et al. (2004:550) demonstrate, are 'more likely to believe that they have a say than those represented by electorate MPs who are not Maori'. Māori enrolled on the Māori roll are likelier to have higher levels of efficacy than those on the General roll, and Māori on the Māori roll also have a higher probability of voting (Banducci et al. 2004:550-1). Knowledge about and contact with representatives has the potential to grow further with a parallel increase in descriptive representation, in turn leading to greater electoral participation in New Zealand (Banducci et al. 2004:534). At the local level, Cheyne and Tawhai (2007:49) concluded from their empirical research that one solution to Māori disengagement in local body politics is through greater Māori representation. Cheyne and Tawhai (2007:49) maintain that '[e]nhanced integrity and accountability of local government is essential in securing full participation by Māori… The presence of Māori councillors is a key factor in stimulating Māori interest'. What is being demonstrated here is Māori representation has a positive impact on Māori constituents. Greater Māori descriptive representation could lead to an increase in Māori voter turnout. Shared identity thus influences political representation.

The introduction of MMP to New Zealand parliamentary elections in 1996 affected both Māori representation and voting behaviour. As Māori representation increased, so did Māori voter turnout. Non-voting in the Māori electorates increased after 1984, and peaked at 41.5 per cent in the penultimate FPP election (see Vowles and Aimer 1993:50-2). At the first MMP election, Māori non-voting in the Māori electorates fell to 27.5 per cent (Sullivan and Vowles 1998:173). Māori political parties have been less successful at improving Māori voter turnout.

Mātiu Rata's Mana Motuhake Party, which stood candidates in the four elections from 1981-1990, did not halt the rise in Māori non-voting. As illustrated above, Māori non-voting actually increased during this period. The Māori Party, established in 2004, had little lasting affect on Māori voter turnout either. Māori Party candidates stood for the first time in all seven Māori electorates in the 2005 election, and Māori voting in the Māori electorates was 67.07 per cent. Although the Māori voter turnout was dramatically up from 2002 (57.57 per cent), it was lower than 1999 (70.65 per cent) (see Chief Electoral Office 2008b). At the 2008 general election, voter turnout in the Māori electorates was 62.3 per cent (Electoral Commission 2009:12.4). Māori voter turnout is still considerably less than non-Māori turnout (see Chief Electoral Office 2008a). These examples could suggest Māori are still less politically engaged than non-Māori.

Māori voter turnout is also believed to be very low in local body elections. It is not possible to identify the exact figures for Māori voter turnout in local elections because nearly all of the individual councils' elections use a common electoral roll. However, there is one region where a Māori roll and a General roll are used – Environment Bay of Plenty. In the 2004 Environment Bay of Plenty local election, the three Māori constituencies averaged 31 per cent turnout, whereas the four general constituencies averaged 47 per cent turnout (Justice and Electoral Select Committee 2005:43). The 2007 local body election results were similar to 2004. The three Māori electorates averaged a 32 per cent turnout, and the four general constituencies averaged 46 per cent (Local Government Commission 2008:141). This demonstrates Māori were still less likely to vote than non-Māori were, even when their candidates were Māori standing in Māori constituencies. Despite empirical and theoretical evidence that suggests Māori descriptive representation should encourage Māori electoral participation, Māori continue to have lower levels of voting than non-Māori.

Higher levels of non-voting amongst Māori compared to the general population can be attributed to a variety of factors. Part of the reason may be that Māori have a much more youthful population than non-Māori. The median age of Māori is almost 23 years, 13 years younger than that of the general population (Statistics New Zealand 2007a:9), and it is recognised that the 18-29 age group are less likely to vote (Vowles 2002:94). Another reason is that for half a century (until 1996), the Māori electorates were considered safe Labour electorate seats. Serious competition from other parties contesting the Māori electorates was notably absent. Vowles and Aimer (1993:51) have commented that in the FPP environment 'individual Maori on the Maori roll have had little rational incentive to vote, because their participation would manifestly have made little or no difference to the result'. Furthermore, some Māori may view non-voting as an act of political protest. For example, the Māori Council of Churches campaigned to persuade Māori not to vote in 1990, and instead sign a tino rangatiratanga protest register (Vowles and Aimer 1993:52).

As noted earlier, voting behaviour literature shows voters are influenced more by a candidate's party allegiance than their personal views or characteristics (Catt 2003:6). While this general finding is also relevant to Māori voters (as will be discussed below), early Māori voting patters suggest Māori were initially persuaded by other factors. During the first half of the twentieth century, the choice of Māori voters generally reflected support of the existing government (Jackson 1977:10, McClean 1950:127). Historically, tribal links influenced Māori voters. According to Jackson (1977:248), by the 1960s tribal affiliations continued to be a significant determinant of rural Māori voters, but by this time it seemed that, generally, the importance of tribal factors had decreased. This was due to the Ratana-Labour alliance, the abolition of the vote by declaration, as well as swift urbanisation (Jackson 1977:248). The political party a candidate belonged to had begun to determine the Māori voter, rather than tribal membership (Jackson 1977:248).

More recently, the fate of the New Zealand First Māori electorate MPs in the 1999 election lend some support to the contention that Māori voters are swayed more by the candidate's party than their ethnicity. That is, parties, as opposed to Māori candidates, influence Māori voters. Although New Zealand First Māori MPs Tau Henare, Tukoroirangi Morgan, Rana Waitai, Tuariki Delamere, and Tutekawa Wyllie successfully broke Labour's stronghold in the 1996 general election by winning all five Māori electorates from Labour,[40] their individual support crumbled in 1999 after four of these five New Zealand First MPs split from the party. This indicates personality and ethnicity alone are not always sufficient to gain election. Sullivan and Margaritis (2000:179-80) argue that strong personalities may sway voting patterns in the Māori electorates, but '[i]f the personal qualities of a candidate are to influence the outcome, they need to be linked with a political party that has a realistic chance of capturing the electorate's party vote too'. However, the New Zealand First party did hold much appeal amongst Māori voters due to the personal appeal of Māori leader Winston Peters. Described by Miller (1997:173) as a politician perceived by some Māori as a 'warrior prophet', it was perhaps Peters rather than the party that, at least initially, swayed voters. UMR Research (2006:38) have suggested that if candidates are more important to Māori voters than are parties, Māori on the Māori electoral roll might be more likely to vote for a candidate than for a party. In the 2005 general election, Māori enrolled in the Māori electorates cast more party votes than electorate votes, suggesting there is no support for the claim that Māori place more importance on candidates (UMR Research 2006:38).

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[40] The exception is Tau Henare, who successfully challenged the Labour incumbent in the Te Tai Tokerau electorate in the previous general election in 1993.

Electoral roll choice

Electoral changes in 1975 introduced the five-yearly Māori electoral option, which allowed Māori to choose to register on either the Māori or the General electoral roll (Westbrooke and Ryan 2002:267). Māori interest in the Māori electoral option was limited until the Electoral Act 1993 permitted the Māori electorates to fluctuate according to the number of Māori enrolled on the Māori roll, instead of set at four (Westbrooke and Ryan 2002:270). In 1994, 32,000 Māori switched to the Māori roll from the General roll creating a fifth Māori electorate for the 1996 election (Comrie *et al.* 2002:49), reflecting Māori approval for these electoral changes. A sixth Māori electorate was created following a further increase in the proportion of Māori changing to the Māori roll following the 1997 option (Comrie *et al.* 2002:49). Since the 2002 general election, seven Māori electorates have existed. More Māori (55 per cent) are enrolled on the Māori roll, than the General electoral roll (Electoral Commission 2006:3).[41]

Enrolling on the Māori electoral roll could be an expression of Māori identity. Vowles and Aimer (2004:173) suggest that 'those enrolled in Maori electorates might be expected to identify more as Maori politically'. Māori Party MP Te Ururoa Flavell (2006a) describes enrolling on the Māori roll as 'an affirmation about Māoriness'. In a similar vein, former Māori politician Whetu Tirikatene-Sullivan was reported as saying the Māori Electoral Option 'is about affirming who Māori are and being proud of making that statement to the rest of the nation's citizens' (Mulholland and Hirst 2006:28). Registering on the Māori electoral roll may be way for Māori living abroad to make a statement about their identity as well. According to Hamer (2008:23), the small number of Māori who remain politically engaged in New Zealand politics while living in Australia 'gravitate principally towards the [Māori] roll as an act of emphasising their identity'. For Tabacoff (1975:381), the Māori electorates act as a preservation mechanism for a separate Māori identity. Geddis (2006:355) interprets the choice as offering some degree of self-determination. He contends the choice of electoral roll allows Māori to distinguish themselves (or not) from other New Zealanders, 'without thereby treating descent as inescapable destiny. Simply put, it assumes that being Māori might "matter" in terms of political representation – but only if an individual desires that it should do so' (Geddis 2006:355). In the same way, being Māori might matter to elected Māori representatives, subsequently shaping their representative role.

Additionally, some survey data suggests Māori identity is a key determinant of electoral roll choice. Research undertaken by Fitzgerald *et al.* (2007:4) found that cultural identity appeared to influence Māori survey participants' choice of electoral roll, as well as their views

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[41] Following the results of the Māori Electoral Option that ran from April to August 2005, 208,003 Māori are enrolled on the Māori roll and 169,759 Māori are enrolled on the General roll (Electoral Commission 2006:3). More Māori continue to either enroll for the first time on, or change from the General roll to, the Māori electoral roll (Electoral Enrolment Centre 2006). While only Māori have the choice of enrolling on the Māori roll, Māori as well as non-Maori may stand as a candidate in the Māori electorates, recognising, of course, that being 'Māori' is self-identity.

on politics more generally. Māori who were more engaged in te āo Māori tended to choose the Māori roll over the General roll (Fitzgerald *et al.* 2007:42). Māori cultural identity was measured by seven key indicators: self-identification, Māori language ability, involvement with whānau, knowledge of personal ancestry, day to day contact with Māori, marae participation and Māori land interests (Fitzgerald *et al.* 2007:13). Moreover, Sullivan and Margaritis' (2002:81) survey analysis revealed the attitudes of Māori registered on the Māori roll on certain Māori issues differed from the attitudes of Māori on the General roll. Māori on the Māori roll were more adamant about preserving the place of the Treaty of Waitangi and about offering Māori compensation for past Māori land confiscations (Sullivan and Margaritis 2002:81).

Contrary findings were recorded in a study by Banducci *et al.* (2004:551), which investigated what motivated people to choose to register on the Māori electoral roll over the General electoral roll. Two incentives to choose the Māori roll include furthering Māori descriptive representation, since the number of Māori electorates is determined by enrolment; and disenchantment from the political system, where enrolment on the Māori roll is a sign of their registration of protest (Banducci *et al.* 2004:551). However, their analysis concluded that neither of these incentives actually influenced taking the Māori option (Banducci *et al.* 2004:551). Moreover, Banducci *et al.* (2004:551) found little difference in the socio-demographic characteristics of Māori enrolled on the Māori roll and Māori on the General roll, except that people with lower incomes were more likely to enrol on the Māori roll. Māori on the Māori roll were found to have greater political interest though (Banducci *et al.* 2004:551).

Understanding Māori voting behaviour can inform questions relating to Māori substantive representation, because the distinct group patterns strengthen the significance of group representation (Hill 2006:67). Furthermore, understanding Māori constituents' electoral roll choice provides insights into Māori substantive representation within the Māori electorates. Māori voters (and non-voters) see clear differences between registering on the Māori and the General electoral rolls, and it is possible Māori representatives of Māori electorates, wards or constituencies also view their role differently. New information presented in the following three chapters supports the contention that identity influences Māori substantive representation.

Conclusion

New Zealand's experience with changing electoral systems from a majoritarian system to one based on proportional representation, has illustrated the dramatic effect voting systems have on the descriptive representation of groups. At the national level, MMP has facilitated greater diversity within the New Zealand House of Representatives. There have been an increased number of women, Māori, Pacific Islander, and Asian MPs. This chapter has shown that the

electoral system can also influence how elected members perceive and carry out their representative role. Extant literature suggests that Māori MPs and councillors could have greater opportunities to articulate Māori interests under the MMP and STV electoral system. Examples from Māori MPs and councillors on how the voting system might moderate Māori substantive representation are offered in chapters four and five.

The need to retain the Māori electorates has been a point of contention since their establishment in 1867. Debates about separate Māori representation in parliament and in local body councils are essentially about the form representation should take. Māori electorates, wards and constituencies arguably facilitate a different type of representation, and present different accountability structures and opportunities. It departs from the traditional geographic based model. Rather, as ensuing chapters clearly demonstrate, Māori political representation centres on a responsibility to the wider Māori community. This chapter argued that the Treaty of Waitangi and wider constitutional issues influence Māori representation. The Māori electorates are one reflection of self-determination, a guarantee made to Māori under the Treaty of Waitangi. Representation is arguably also an indirect Treaty right, in that it enables direct Treaty rights to be implemented.

A Member of Parliament's role is closely associated with party membership and adhering to party policy. Māori substantive representation in parliament is thus heavily mediated by the constraints of party practices. It has been shown that party representation influences the extent to which Māori can act for Māori in parliament, as it can create tensions with other models of representation based on geographic districts and ethnicity. Since New Zealand is based on a strong party system, party representation usually takes precedence where conflict exists between these models. However, in some cases, elected Māori members place their loyalties with Māori, rather than the party. How Māori MPs decide which cases merit this position, are revealed in chapter five. Furthermore, MPs are expected to make a difference in parliament while being accountable to the voters. Yet constituents normally choose to vote for a candidate based on the party they are affiliated with. This accountability conflict between group substantive representation efforts and acting with the party line can be resolved in some way by focusing on how representatives influence caucus discussions. MPs can voice alternative perspectives in caucus meetings and in turn help create the party line.

Finally, research on Māori voting patterns and electoral roll choice have been brought together to show how Māori identity shapes these aspects of political participation. It is proposed that Māori identity also influences a Māori representative's role. Indeed identity, or whakapapa, is a central element that permeated through all interviews with elected Māori representatives. Many interviewees, as will be shown, cited whakapapa as a reason and

justification for some of their representative actions in parliament and in local government. Understanding how these institutional and attitudinal factors can moderate opportunities for Māori representatives to act in the interests of Māori, provides a more accurate and realistic context to frame and interpret the empirical data. As will be shown in chapters four to six, some of the research carried out for this thesis supports these arguments about the electoral system, the Māori electorates, party practices and Māori identity, while others challenge them. The empirical analysis begins at the local government level.

CHAPTER FOUR

Māori Local Body Councillors' Perceptions of their Representation Role

Māori substantive representation is contingent on several institutional and attitudinal factors. It has been shown that historic and contemporary developments in Māori representation have contributed to the complexity of whether Māori act for Māori in governing bodies. Phillips (1995:38) has pointed out in her influential work on representation that 'we cannot deduce what is politically fair from abstract principles of political equality: we have to draw on empirical judgements of what is likely to happen as well as what seems in principle to be fair'. Similarly, investigations into how Māori identity influences political behaviour should include both theoretical and empirical evidence and analysis. This chapter empirically examines the presence of Māori representatives in local government and their perceptions of their representation role. As covered earlier in this thesis, the role of local body representatives is broad, and thus the individual perspectives councillors have of their role influences what they do in council.

The findings from interviews with Māori local body councillors are presented thematically here, due to the recurrent nature of a number of issues that emerged from the interviews. The first theme focuses on the personal reflections of Māori councillors relating to who, or which groups, they represent. Interviewees' views on their perceived roles and responsibilities in local government are discussed, particular those that relate directly to Māori communities and Māori concerns. Surrogate representation plays a key part in these responses, as the responsibility to Māori extends beyond the elected representatives' geographically defined boundaries. Theme two deals with the unique style of politics Māori councillors may demonstrate in the council chambers. Māori are shown to bring a more consensual style of politics to council, as well as a cultural element to their representative actions. The third theme looks at what difference Māori ethnicity brings to local government, and illustrates ways Māori councillors consider themselves to be distinguishable from non-Māori representatives who have a consciousness of Māori issues. In particular, it demonstrates how Māori culture, worldview and perspective influence the Māori councillor role. Finally, theme four discusses understandings of, and attitudes towards, electoral systems and electoral change in local government. It examines how these perspectives on electoral mechanisms can inhibit or facilitate Māori representation. It also discusses a further attitudinal factor affecting the descriptive-substantive representation relationship, that of non-Māori councillors' unawareness and misunderstanding of Māori issues.

Roles and responsibilities

Prior to the advent of parliamentary electoral reform in 1996, and local government reforms in 2001 and 2002, New Zealand political representation was based on geography. Plurality voting (which includes FPP) stipulates that the candidate who receives the most votes in their geographic constituency in an election wins. Essentially, this voting method indicates 'people's interests are addressed where they live, which implies that the boundaries of an electoral division define communities of interests' (Tremblay 2003b:222). These plurality electoral procedures reinforce the conventional understanding of representation based on a relationship between the representative and the constituent in the same geographic area, which is at odds with ideas of identity-based group representation (Tremblay 2003b:222).

In local government, the optional introduction of either or both the proportional electoral system STV, and Māori wards and constituencies, challenges the traditional view of representation by geographic region and, subsequently, a local body councillor's role. STV encourages proportionality, replacing the conventional winner takes all structure, while separate Māori electorates are designed to provide group representation. Despite few local body councils introducing these options (in the 2007 local body elections eight of the 85 local body councils used STV, and only a single authority had Māori constituencies), it is important to question how Māori councillors consider political representation, in particular whether they believe their representative role extends further than their geographic boundaries. If representatives willingly speak about a sense of responsibility to their group and that group's distinct needs then, Dodson (2006:47) argues, the increased presence of that group has the potential to improve substantive representation. Interviews with Māori local body councillors suggest most believe their ethnicity affects their representative role.

Personal reflections on who Māori councillors represent

According to Drage (2002b:67), '[w]hile there are currently procedural and legal frameworks which mayors and councillors work within, the *way* in which they do their job is up to them' (emphasis in original). An individual councillor's personal perspective of political representation can therefore act as an important indicator of how they perform their role and who they represent in council. All Māori interviewees were asked who they felt they politically represented. Most were brief with their answers. Over 80 per cent stated that they represented either every person in their ward, or every person in their council's district. Some councillors emphasised both.

> You stand in a particular ward, but you represent the district. The decisions that you make have to fairly reflect the whole district (Interviewee 23).

> I see [ward representation] as the first level of representation. I then see the second level of representation to the wider [district] (Interviewee 24).

> [I represent] primarily [my] ward, but it is a bigger organisation than just the ward. [It is] the district as a whole (Interviewee 35).

These responses are indicative of a general expectation, as chapter two outlined, that although most councillors are voted on to council through wards and constituencies, they are elected to represent the district as a whole (Local Government New Zealand 2004).

Local body legislative provisions, specifically the Local Government Act (2002), were used as a defence for some interviewees' statements that their role was to represent the entire council community.

> One of the points we do when we sign on as a councillor is essentially swear allegiance to the region (Interviewee 24).

> From what I understand about the Local Government Act is you look after the whole district, but you have a responsibility [to your ward] because you [are] elected from that district to represent them (Interviewee 13).

> I think the Local Government Act says we should act in the best interests of the city. But obviously we are directly elected by a particular area. So the way it happens is you represent that area (Interviewee 16).

Clearly, councillors were aware of their dual responsibilities to their ward or constituency, and to their region, district or city. Drage's (2002b:89) research findings are in agreement with this position, but she adds that sometimes there is conflict representing these different levels (such as the interests of ward residents and advocating city-wide issues). The interviewee responses highlight how local government legislation, as dictated by parliament, primarily guides the Māori councillor's representation role.

That councillors should represent all interests in the community was qualified in two ways, and both concerned exclusive Māori representation. Māori councillors who represented a Māori ward or constituency, and those elected to a ward or constituency with a disproportionately high number of Māori residents, stated that their primary role was to advocate on behalf of Māori in council. These Māori councillors also felt a wider responsibility to act in the interests of Māori throughout their city or district, not only those Māori within the ward or constituency they represented. Similar to the responses given above, these elected representatives felt a dual responsibility to their geographic based electorate's concerns, and the interests of the wider district. The key difference being that the responsibility was in terms of Māori constituents' needs and desires.

The first qualification concerned two representatives who were elected to Māori constituencies. One of these councillors stated their role was to represent Māori interests not only within their own constituency, but also throughout the entire council area. The

constituents that elected Māori members physically represent in a geographic sense are different to those they represent holistically.

> Physically I represent them [Māori in their constituency], but really I represent a voice for Māori in general (Interviewee 1).

A second Māori constituency representative maintained their role was to represent all Māori, irrespective of whether they enrolled on the General roll or the Māori roll.

> If Māori approach me from within my constituency, I respond. I don't question what roll they are on (Interviewee 12).

Tai Eru, an Environment Bay of Plenty Māori constituency councillor elected in 2004, agrees. Eru is reported to have said that:

> …being one of the first Maori constituency councillors in New Zealand had brought special responsibilities to ensure the voice of Maori is heard at the Council table and in particular to ensure that the special cultural and spiritual relationship that Maori have with the natural resources of the Bay of Plenty region is given due weight in the management of those resources (Commonwealth Secretariat 2005:35-6).

This research suggests that Māori elected to Māori constituencies believe their role and responsibility in council is to represent Māori substantively.

The second qualification related to Māori councillors who felt they principally represented all Māori due to the demographics of their general ward or constituency. While acknowledging their role was to act in the interests of their ward, two interviewees pointed out that the majority of residents in their ward were Māori, which dictated the direction of that representation.

> [I represent] the population of [the district], the majority who are [Pacific Island and Māori]. There are only a few Māori [on council] and you do [represent Māori]. You are a Māori voice for the whole of the city council. Of course you do. What else is there? (Interviewee 8).

> I represent Māori. The area which I am elected to… is 85 per cent Māori dominated in population terms… [I represent Māori] both as constituents… as well as right across the board because there is a lack of [Māori] representation in our district (Interviewee 31).

These councillors viewed their role as not only representing Māori within their own ward or constituency, but also Māori within the broader region, which suggests they see themselves as surrogate representatives. According to Carroll (2002:59), surrogate representation may be ingrained through a belief of underlying commonalities amongst group members. Carroll (2002:53) hypothesised in her work on women's representation that due to females sharing certain experiences, a U.S. Congresswoman would have a sense of surrogate responsibility to women. This argument, as demonstrated above, can be extended to Māori. Indeed Māori surrogate representation was a theme evident throughout interviews with both Māori councillors and Māori MPs.

A more specific responsibility to represent Māori

Most Māori councillors said they acted as representatives of all residents in their ward or constituency, or in the district as a whole. When probed further on that comment, however, their responses were more enlightening. Close to 80 per cent of Māori councillors felt a special obligation to represent Māori because they identified as Māori and had a unique perspective to contribute to the council arena. Some offered further reasons, such as the low proportion of Māori elected to local government. Two interviewees initially said they held no responsibility to represent Māori. However, they subsequently accepted and demonstrated why they did have an important role in representing Māori interests.

The distinct perspective Māori councillors have and its impact on substantive representation is explored later in the chapter. However, this aspect is also significant for explaining why some interviewees felt they should and could act for Māori on council. This responsibility to Māori derives from the descriptive characteristics representatives shared with their constituents.

> Yes, I do [have a responsibility to represent Māori]. Partly because I'm Māori. But very definitely because I would definitely say that every issue is a Māori issue. But some of the issues are more obvious in the Māori context. So that is one of my functions, and I think it always has been, that I make sure that anything Māori is aired and given a fair hearing (Interviewee 33).

Others felt obliged to represent Māori due to their knowledge and appreciation of Māori concerns; subsequently implying non-Māori do not understand issues facing Māori. Māori engage with sections of the community in their own unique way.

> When Māori issues come into council, I feel that I can talk about those because I have a better understanding than any of my colleagues (Interviewee 28).

> Recently I pointed out how our roles as Māori councillors are different. We cannot stay out of the engine room. The staff need us to better engage with Māori communities – whereas they do not need the Pākehā councillors for engaging with Pākehā communities. There is starting to be recognition of a team approach – Māori councillors are having to be part of the team (Interviewee 12).

Consistent with the surrogacy role already identified, most elected Māori councillors who felt a responsibility to represent Māori did so across wards and constituencies. Representing all Māori, as opposed to Māori residing within a specific area, reflects the ideological position of Māori. One interviewee explained this is probably due to Māori viewing things in terms of the collective (Interviewee 18).

Not all Māori councillors directly and overtly acknowledged a responsibility to represent Māori. For these interviewees, initial rejection of any specific responsibility to act in the interests of Māori gave way to subsequent acceptance of this role. To illustrate, one councillor maintained that not holding mana whenua in the council area meant their role did not extend to representing Māori interests. Mana whenua refers to the tangata whenua who have

customary authority over an area. One city council defined mana whenua as: 'Māori who are tied culturally to the area by whakapapa (genealogy)' (Manukau City Council 2008). The interviewee later noted, however, that they could and did legitimately voice the concerns of Māori more generally, and indeed defended this responsibility, because many Māori within the district were not tangata whenua of the area.

> I don't see my role as being tangata whenua… There are a lot of other Māori in [this district] from other places. So I have to represent them as well so they have a voice… [I represent] the people of [my district]. And that's made up of 25 per cent Māori… So I do represent all people, but I do keep an interested eye on Māori issues (Interviewee 30).

As a further example, one councillor did not explicitly state they felt obliged to represent Māori views on council, but commented that the proportion of Māori in their district qualified their representational role.

> I believe I have a responsibility to represent all of my constituents, even young ones. Even kids; and Māori. But then bearing in mind we are predominantly a Māori constituency (Interviewee 21).

These examples demonstrate some Māori councillors did not want to be perceived as representatives of only Māori, and so justified their substantive representation of Māori interests on the ethnic composition of their ward or constituency. They rejected being labelled as a Māori representative, but nonetheless subscribed to the view that Māori descriptive representation has implications for Māori substantive representation.

Māori under-representation in local government is shown to heighten Māori councillors' sense of responsibility to act for Māori, inherently promoting surrogate representation. Interviewees who were the only Māori representative on their council often highlighted this feature.

> [I represent] the ward. But within that, being the only Māori councillor [is] certainly… a huge responsibility in terms of the way I feel about who I represent. And I do feel that responsibility to Māoridom... It is a personal feeling about it. There is no commitment from council in that direction (Interviewee 26).

That Māori viewpoints were rarely considered in council discussions, despite Māori constituting 16 per cent of the district's population, prompted a different councillor to stand for election. This interviewee effectively argued that descriptive representation was a prerequisite for substantive representation in local government.

> There are certainly Māori [living here]… but in this area, they just didn't have a voice (Interviewee 11).

A further interviewee, also the sole Māori representative on council, spoke of a responsibility to direct discussions on Māori issues within the council chamber.

> A lot of it I guide and I'm given that recognition. And I guess that is natural because I am the only Māori on the council. There are issues there (Interviewee 26).

It is not entirely clear whether this councillor was given the responsibility to chair discussions, or whether they assumed it.

This responsibility to act for Māori, generated through being the sole Māori council representative, was not universal. One interviewee said that by arguing Māori councillors have an additional duty to represent Māori, leads to the expectation that Māori councillors alone would deal with Māori issues (Interviewee 5). This concern reflects the wider problem of essentialism, a key criticism of group representation and discussed in chapter two. Essentialism, it was explained, assumes only people that share descriptive characteristics can substantively represent that group's interests, which can excuse non-members of that group from actively representing their concerns (Kymlicka 1995:139-40, Mansbridge 1999:637). Indeed this was a concern the RCES (1986:91) had with the Māori parliamentary electorates, where they were thought to discourage non-Māori from looking after Māori interests. One interviewee explained how this concern might transpire in local government.

> Because I am the only Māori elected to this city council, I can perhaps be a better bridging mechanism where there is ignorance on an issue. I can be a useful bridge between there and there. In other words, because I'm Māori, I can have (but not always have) a particular usefulness in assisting decision-making processes… [However], I would far rather see, my ultimate ideal is, that the bi-cultural sensibilities and the bi-cultural journey is taken on, if not by everybody, [then] by the majority of people so it is not left to a Māori person to push, for instance, tangata whenua issues within a city council (Interviewee 5).

Māori councillors could and did effectively contribute towards addressing Māori issues, and this person agreed that as the sole Māori council member it did present certain representation challenges. Ultimately, though, the council as a whole needs to be responsive to Māori concerns.

The responsibility to represent Māori was refuted by a further Māori councillor, citing few real difference between Māori and non-Māori to justify the claim. Rather, it was argued that there is a responsibility for all representatives to protect Māori culture.

> There is nothing about being Māori - apart from a cultural aspect - that is any different to being Pākehā… What may be different, or can be different sometimes, is the culture. Then that begs the question, where is culture's place?... [I]s it my job to protect Māori culture on council? Of course it is! It is all of council's job though. Not just because you are Māori (Interviewee 23).

Rotorua District Councillor Maureen Waaka (2006:219) made a similar statement, arguing that local body councillors should not expect the Māori councillors to 'pick up all Māori issues and represent Māori interests on their own'. According to the Office of the Minister of Health (2000), this concern is also relevant to District Health Boards.

> Experience has shown that Māori members on Boards carry a burden of expectations beyond that of other members. That is particularly the case where there is a sole Māori member (Office of the Minister of Health 2000:3).

The onus of Māori substantive representation seems to be placed primarily on the Māori descriptive representatives. Elected Māori representatives generally believe non-Māori should take some responsibility to advocate Māori concerns in local government. It appears some non-Māori do use Māori descriptive representation to validate their inattention to Māori issues.

Māori constituents, as well as elected Māori representatives, have a desire for non-Māori council members to be receptive to Māori concerns. Cheyne and Tawhai's (2007:41) research showed that Māori constituents believe it is important for all elected representatives (not just Māori) to support Māori issues, in order to promote confidence in local authorities.

> All participants agreed that concern for Māori interests by all representatives, not only Māori representatives, was critical. As a result, participants identified support for Māori issues from all councilors as… essential to engaging Māori interest and sense of confidence in local government (Cheyne and Tawhai 2007:41).

While the descriptive presence of Māori can be symbolic for Māori constituents (as discussed later), the results of this research demonstrate that the substantive actions of non-Māori councillors also have symbolic effects.

Only four of the 21 interviewees (19 per cent) explicitly stated they did not feel any responsibility to act for Māori simply due to their ethnicity. Their reasons appeared to be straightforward. Two used racial discrimination as a justification.

> I don't discriminate on grounds of race. I represent everybody regardless (Interviewee 9).

> [F]irst and foremost all councillors are there for the general public… I've always felt that everyone should be treated equally. In making decisions on council, we should not be looking at people as different ethnic groups (Interviewee 16).

Two others argued their councillor role was determined by the nature and characteristics of their ward.

> I am not elected as a Māori councillor. I am elected as a councillor and I have Māori in my background. I have never stood as a Māori councillor (Interviewee 35).

> The issue is not about being Māori or Pākehā. To me the issue is about deprivation and income levels (Interviewee 24).

All four refuted the connection between descriptive and substantive representation. However, this was a minority viewpoint. Additionally, one respondent noted that they did not consistently prioritise Māori interests over district-wide concerns.

> There are times when I perhaps don't speak the way they [Māori] would wish me to because I don't believe that the stand is ethically right at that time. So I would step outside the box and represent the people of the city (Interviewee 18).

In this instance, the Māori representative was acting as a trustee as opposed to a delegate of Māori interests.

While not explicitly questioned about the impact gender has on Māori substantive representation, some female interviewees commented that being a woman is a further descriptive characteristic influencing their role and responsibilities as a Māori councillor.

> As a woman, and at this stage the only woman, I [am] put on committees where the council needs to present a balanced committee – gender-wise and Māori-wise – so that as both I get an opportunity that maybe the other Māori, being male councillors, don't get (Interviewee 12).

Another commented that she substantively represents women because she is the sole woman on council (Interviewee 28). Her reasoning mirrors the attitudes of other Māori councillors who said they felt responsible to represent Māori because they were the only Māori member of council. One further respondent described how being a Māori women elected to council affects people's self-perceptions.

> I think as a Māori woman, it gives mana to all Māori women in [the district] to have someone in a position such as mine… I've always promoted the fact that Māori women are really no different from Māori men. We are capable, and have the potential, just as much as them (Interviewee 18).

Educating and influencing non-Māori councillors and the wider community on Māori issues was a further role carried out by Māori representatives in local government. To illustrate, one interviewee commented on their personal responsibility to explain the relationship between Māori social problems and economics to their council.

> My role is then to try to influence some of the other councillors who don't normally have a regard or connection between the cost to council of not supporting the social endeavours or community type initiatives (Interviewee 13).

Elected Māori representatives can play an educative role in council, claimed another respondent. Examples cited by one interviewee included occasions where Māori concerns for environmental sustainability and the preservation of Māori history had ultimately become an interest for everyone. In one instance, the council debated whether to give significant places in the city Māori names.

> It is an opportunity for you to have the privilege of learning the history. And to understand why Māori are passionate about this area, to understand why Māori are passionate about giving a Māori name to this road… I think that the more people [who] know about where they live, the better it is for them (Interviewee 18).

Symbolic representation in local government

Symbolic representation is similar to descriptive representation, in that a representative 'stands for' something. The descriptive form focuses on politically relevant characteristics a representative holds, whereas symbolic representation concerns what it inspires in people. Here, perception is critical. Pitkin (1967:96) explains that '[t]o say something symbolizes something else is to say that it calls to mind, and even beyond that evokes emotions or attitudes appropriate to the absent thing'. Most interviewees (63 per cent) felt either they possessed, or their constituents perceived they possessed, some symbolic value as elected Māori representatives on council. Many qualified this claim with various examples demonstrating how Māori symbolic representation is manifested.

One outcome of symbolic representation, Sawar (1999:100) explains, is 'the motivational or role model effect – the idea that presence in public life and the visibility that accompanies it will raise the aspirations of other members of the group'. A Māori councillor spoke positively of

the symbolic role they play in the community for Māori and other ethnic minorities in terms of role modeling. When asked if there was a symbolic element to their position, they replied:

> I think so. I hope it is. And I hope it is also a catalyst… A catalyst for our people down here in our community saying… he's part-Māori, I want to go to local government too. I want to help our people (Interviewee 8).

Additionally, Māori representation is symbolic to non-Māori councillors because it shows Māori are equally able and competent as their non-Māori colleagues to participate in local politics.

> It is more symbolic to the Pākehā representatives that are [on council] (Interviewee 19).

The presence of Māori representatives gives non-Māori councillors access to Māori views and perspectives on issues before council. Tremblay (1998:435) contends that symbolic representation might encourage behaviour that is more inclusive. She argues that a female presence in political parties and governing bodies is important for changing the attitudes and behaviour of men in these political institutions (Tremblay 1998:435). The above findings suggest that a similar consequence may occur amongst non-Māori through the descriptive representation of Māori in local government. This point is reiterated later in the chapter, where the unique style of politics Māori practice is likely to have implications for non-Māori councillors.

In contrast, the general role of local body councillors and the impact of tribalism were two reasons some interviewees believed there was little symbolic value attached to the election of Māori councillors. One felt non-Māori councillors represented Māori as effectively as Māori representatives did, but added that Māori are also discerning and a relationship based on trust is a necessary precondition of substantive representation.

> We've got people like [a certain councillor] who is a European male, and he's just as capable of representing Māori as anybody is. And he does if he sees the need. But Māori are also discerning. [Māori] have also got to trust and have empathy with [non-Māori councillors]. It is very hard to build up that empathy and trust (Interviewee 9).

Others believed their presence on council did not hold any type of symbolic value for Māori because they did not hold mana whenua status in the council area, thus demonstrating the importance iwi membership plays in local electoral districts.

> You have to realise that I am not from here, and Māori are quite tribal (Interviewee 23).

> I am fiercely proud of being [a certain iwi], which is a negative in this area because it is [a different iwi] (Interviewee 11).

In other words, councillors might have a greater symbolic role in local politics if they have mana whenua.

According to Tate (2003:159), some scholars argue that group members' reliance on descriptive characteristics (such as race and ethnicity) as political cues can be misleading.

One interviewee who viewed symbolic representation in a negative way raised this argument, and made comparisons with women's representation.

> I would prefer that people voted for me by what I stood for, not how I look, or not because I have a Māori word in my name. But I'm sure that happens. The same as how some women symbolically vote for a female candidate irrespective if that person might have shocking views (Interviewee 5).

Symbolic representation can be detrimental, the councillor argued, because it could act as a proxy for incorrect interests, where a representative and constituent share descriptive characteristics but may hold contrasting political views. This point is important because, as has already been noted, the descriptive-substantive representation relationship is not straight forward, and institutional structures as well as individual representatives' opinions can mediate the relationship further.

Community perceptions and expectations

The role of Māori local body councillors can be influenced by Māori constituents' perceptions and expectations of elected Māori representatives. Some interviewees commented that the Māori community perceive all Māori councillors as proponents of Māori interests because they are, descriptively, Māori.

> In the Māori community – and I know this – they look towards me as their Māori spokesperson for the… area (Interviewee 8).

> I know the Māori community think that… They see us as advocates on their behalf (Interviewee 30).

For one councillor, this feeling was particularly evident in terms of resource management issues.

> They [Māori] know that when those issues arise, like the RMA stuff… they know that we will be sympathetic towards that particular issue. It has worked out that way to be honest (Interviewee 30).

Dovi (2002:736) argues that descriptive representatives who are most effective at substantively representing their group's interests are those who hold a mutual relationship with their group. Preferable descriptive representatives, Dovi (2002:736) maintains, are those who recognise, and are recognised by, members of the group. According to some interviewees, the perceptions and expectations of Māori councillors from the Māori community are mediated by the extent to which the representatives identify as Māori and whether the wider community recognise them as Māori. Māori council members who did not represent Māori on issues of importance to Māori were criticised. As chapter three highlighted, representatives who have a weak sense of Māori self-identity could be less likely than those who strongly identify as Māori, to act in the interests of Māori.

> I would be the only really strong Māori advocate, even though there are two other Māori councillors. So people look to me to debate those issues really (Interviewee 31).

On council there are, I think, two or three councillors who have Māori blood in them... You don't want to insult them by saying you might not be accepted by the Māori community as being Māori… There is an expectation that because they have Māori blood… they can give a Māori perspective. Some of those councillors… try to get consensus even with Māori perspectives, which I won't accept. There is a Māori perspective and that is that (Interviewee 12)

Their Māori must be about this much [showing a small pinch with their fingers] that never surfaces… I now find myself being the voice for Māori… That's my role (Interviewee 8).

Speaking as the Te Tai Tonga candidate for the Māori Party, Rahui Katene (2008) presented a similar viewpoint, stating that '[s]imply from virtue of having Māori whakapapa doesn't necessarily equate to effective Māori representation'. These comments suggest that the descriptive presence of Māori local body representatives does not necessarily guarantee that Māori substantive representation will follow. A practical example illustrating this at the parliamentary level, which relates to the New Zealand First Party and the Principles of the Treaty of Waitangi Deletion Bill, is offered in chapter six.

As discussed earlier in this chapter, elected Māori councillors felt they had a personal responsibility to advocate Māori issues in council because they are Māori. These representatives also faced pressure from Māori constituents to act on behalf of Māori. According to some interviewees, Māori constituents perceive a relationship between Māori descriptive and substantive representation.

I think Māori see that I have [a responsibility to represent Māori]. Māori see that I am there for them because I am Māori and they place a lot of trust in that (Interviewee 18).

There is an expectation from the Māori constituents to attend tangihanga or unveilings, or to sit on a paepae with the marae, or to go to special occasions such as the opening of the bike track we had, visits from MPs, that sort of stuff (Interviewee 21).

This second statement was qualified, however, where the councillor said they would have attended the events outlined above irrespective of their council position. It would seem that this statement illustrates the more general group conduct of Māori, and the collective nature of Māori society. It would be interesting to know if non-Māori councillors similarly attend tangihanga and unveilings, and contrast these opinions. There is some consistency with extant literature though, in that Tabacoff's (1975:377) and Dibley's (1993:60) research on the role of Māori MPs (as outlined in chapter two), stressed the importance of being seen in Māori communities and attending Māori events. Another respondent argued the expectation from Māori to represent Māori or a particular tribe must be earned.

There is an expectation from that side, from the tribe. The tribal opinion is one that you earn or you don't. A lot of people assume that they have that role but they don't. You have to earn it. When they come and ask you for advice or when you get called to go and talk to them, then you know that you are in that position (Interviewee 2).

Therefore, the roles and responsibilities of elected Māori councillors are influenced by personal convictions and community expectations.

In sum, Māori councillors primarily acted for their ward or constituency, and represented the wider district at a secondary level. Many, close to 80 per cent, also stated they had a specific responsibility to represent Māori. The findings have parallels with Swain's (1993:216) argument that African Americans could and did represent the needs of white Americans in Congress, without compromising on their ability to support African-American interests. Māori councillors said they are often surrogate representatives for Māori constituents outside of their own ward or constituency. This theme is also evident amongst Māori representatives at the national level of government, as discussed in the next chapter. While many interviewees initially argued that they represented all members of their ward or constituency, they nonetheless clearly saw their role as a representative of Māori. For some this was influenced by the ethnic composition of their ward or constituency, or due to being the sole Māori elected to council. For others, the responsibility simply stemmed from being Māori, and due to expectations of the Māori community. Rather importantly, Māori councillors were generally eager for non-Māori to start engaging with the Māori community, and at least attempt to represent Māori interests in some form. The underlying theme is that Māori representatives in local government endeavoured to represent Māori interests in substantive terms. In other words, their descriptive presence has the potential to make a difference to the Māori communities they represent.

A unique style of politics

The politics of presence theory, Trimble (2006:121) explains, asserts that the presence of group representatives in politics has the potential to introduce a different political style and possibly different outcomes to political institutions. Mackay (2004:101) describes a group's style of politics as '[a]nother dimension of substantive representation', and used the context of women to illustrate. 'In this scenario women make a difference by "acting like" women with consequent outcomes in changes to masculinist political behaviour and institutional norms' (Mackay 2004:101). Do elected Māori representatives make a difference to local government by employing a unique style of politics? Two thirds of Māori councillors believed so. Some distinctive ways Māori councillors carry out their local government duties are explored here, beginning with interviewees who did not believe Māori councillors have a different style primarily because their councils were considered to already embrace Māori interests.

Councils embracing a Māori inclusive agenda

Local government has a history of tension and mistrust with Māori, not helped by local councils' numerous violations of the Treaty of Waitangi (Hayward 2003:xv). While the relationship between Māori and local government has, at times, been one of frustration, a

number of interviewees maintained that positive developments have been made and their council was generally receptive to Māori concerns. These council members did not feel they had introduced and promoted a particularly different style of politics because their council already embraced a Māori inclusive agenda.

> This council, not only in its politicians but also in its senior management and staff, are remarkably advanced in terms of their shared vision with Māori and about the realities of the journey of this country (Interviewee 5).

> There has always been a Māori presence on council. Always. [Our council] is a little bit unique [because] there has always been recognition that [the local iwi] have their place in this town. It is a very special arrangement (Interviewee 9).

> We're fortunate that the council as a whole is supportive of Māori issues; and our mayor as well. We keep that alive in our discussions. [If] a marae comes up, or Māori education comes up, they know they'll [Māori] get a fair hearing and we will actually advocate on their behalf (Interviewee 30).

These councillors acknowledged their council's efforts to include Māori in decision-making processes. Because the research method employed in this thesis centres purely on Māori councillors' views, it is unknown how Māori communities rate the receptiveness of these councils to Māori concerns. It is interesting to note that these interviewees regard the inclusive nature of their councils as 'unique', 'fortunate' and 'remarkably advanced'. These comments suggest their acknowledgment that the wider local government institution is generally not responsive to Māori.

It is difficult to determine whether councils are inclusive of Māori concerns due to this question's subjectivity. To illustrate, two Māori councillors from the same local authority offered differing views on their council's responsiveness to the Māori community. The first councillor dismissed any suggestion of obstacles to promoting Māori issues on their council.

> I would say all councillors are very open minded [about Māori issues] and quite prepared to sit back and listen and take [them] on board… Where appropriate we certainly action things. There is no way that we side step it or put it in the too hard basket because it is a Māori issue (Interviewee 35).

In contrast, a second interviewee elected to the same council claimed Māori issues are often left unaddressed.

> They [Pākehā councillors] have some quite obvious obstacles… I think [Māori issues] are put to the side because people don't understand them. You've got to really work at something to fully understand it and to make it successful. And because they don't understand one another and don't want to, can't be bothered, and never have the time to [understand]… [Māori issue go] in the too hard box (Interviewee 33).

These differing perspectives demonstrate the diversity of views between and amongst Māori regarding the status of the relationship between local government and Māori.

Different approaches to politics and decision-making

According to Waaka (2006), traditional Māori political practices differ markedly to local government.

> On the marae it is a different scenario altogether. The kaupapa is on traditional lines, the koeke [adults] give advice, and whānau assist in reaching a consensus point of view despite colourful and challenging discussions along the way. There is a respect for elders, whakapapa and ahi kaa, not to mention the art of oratory in te reo Māori. It is not a singular or subjective point of view. The subject is relevant to those called to hui, be it whānau, hāpu [sic], iwi or waka oriented. The decision is to benefit all (Waaka 2006:219).

Here it is questioned whether Māori transfer their way of practicing politics on the marae, characterised by tikanga Māori, to council.

Elected Māori councillors identified clear distinctions between Māori and Pākehā councillors' approaches to decision-making. Some of these distinctions include the characteristics Waaka identified above, such as reaching a consensus, respect and the use of te reo Māori.

> I think the tikanga of Māori councillors is a bit different. Things like upfront debate. I'm on another [Māori] Trust in town. You know the tikanga between governance of decision-makers is a lot different there than council. It is a lot more combative in council… But my style is consistent with [the Trust]. I take a lot from that. We operate and make decisions differently (Interviewee 13).

> We have that respect for whoever is speaking at any time, where other councillors generally have not. I think we also show greater courtesy to the Chairman of Council than others might. Neither do we, generally speaking, engage in the tittle-tattle that non-Māori councillors engage in about their colleagues (Interviewee 12).

This latter comment is similar to implementing the concept of manaakitanga in political business, which the Māori Party (2007) define as treating people with mutual respect. Manaakitanga is one of nine kaupapa guiding the Māori Party MPs' actions in parliament.

Durie (1998:219) has asserted that Māori decision-making prefers consensus over decree. Similar distinctions are seen in other indigenous peoples' approaches to governing. For example, Inuit decision-making, according to White (2006:16), 'rejects majoritarian approaches such as voting in favour of decisions reached on the basis of consensus'. Consensual political practices were identified by interviewees as a reflection of a unique Māori style of politics, which tended to be discussed in terms of deliberation rather than majority rule. Some interviewees were keen to criticise the faults of voting conventions.

> I think we would bring a [quality] of wanting consensus instead of voting... I know people don't like voting. It is just terrible… I think we put pressure on [council] to get consensus (Interviewee 12).

> I would like to think that most Māori councillors would be looking for a consensus of understanding. When I was chair of council, we didn't have one vote at the council table. Because one of the issues is you can talk about things… [I]f you sense great disquiet the best remedy after talking it through is to leave it for another day. Now that is not being weak (Interviewee 4).

A further interviewee felt that Pākehā councillors have a desire for quicker consensus, whereas Māori councillors prefer to slow down decision-making to ensure all viewpoints are properly considered (Interviewee 1). According to Nagel (1994:527), proportional

representation electoral systems, like the STV electoral option available to local authorities, can help facilitate a more consensual style of politics.

The local government decision-making process requires the majority of elected members to meet formally, and for their decisions to comply with statute and standing orders (Bush 2003:165). Māori councillors commented that council procedures do not align with or accommodate Māori protocols.

> You are governed by legislation and you have to follow due process. That's just the way it is. At times, it is very frustrating because it is not the Māori way. I get very frustrated by it. But I'll work it because that's the only way (Interviewee 28).

Moreover, the local government electoral process was identified as a barrier to Māori participation and representation.

> Māori are so untrustworthy of the Pākehā system of voting. That is why Māori don't turn out to vote (Interviewee 1).

> The whole Westminster system… is too formal. Way too formal (Interviewee 19)

> [Māori] don't actually relate to the Westminster system of voting. Their whole tribal system is based on whakapapa and kōrero on the marae. They don't vote. It doesn't match that sort of system (Interviewee 24).

An interesting remedy to improve Māori representation was proposed by one councillor, where all electors are given two voting papers – one for the general wards or constituencies and one for the Māori wards or constituencies – and it is the individual voter's choice which ward or constituency they vote on (Interviewee 24). Cheyne and Tawhai's (2007:49) research revealed that the Pākehā norms of operating council business not only make Māori representation efforts difficult, they also project the perception amongst Māori that local government 'is an entity not worth participating in'. Cheyne and Tawhai (2007:49) therefore argue Māori must be shown that local councils are committed to embracing Māori participation and representation.

Local councils have statutory obligations under the Local Government Act (2002) to provide Māori with opportunities to contribute towards decision-making processes, and to be informed about how their decision-making affects Māori (Local Government New Zealand 2007:3). There are a number of mechanisms councils can put in place to encourage Māori engagement, including the establishment of Māori advisory or standing committees, which provide advice to council on Māori issues (see Local Government New Zealand 2007:10). One interviewee illustrated the differences between Māori politics and the council chamber, using the council's Māori Liaison Committee members as an example. The Māori committee members were described as 'fish out of water'. Council meetings were very intimidating and confusing for these members because they could not understand how the standing orders operated (Interviewee 26). This councillor felt local government should be more encompassing of Māori, rather than force Māori to adapt to council (Pākehā) practices.

It is no good having standing orders and chamber rules in there with a Māori Liaison Committee. These people have come from the marae and they stand and speak, and speak freely. And no one interrupts. That is seen as being rude. [In] this [council] environment, if you are trying to make your point, you have to be prepared to call points of order and there are a whole lot of implications there. You get to speak once. You get five minutes to speak. On a marae, it may take all day for you to get your point across. Those are some of the differences. So, for Māori in here, the rules have to be different… If we want the best out of our Māori membership they've got to be comfortable in here. Council has to bend as well. It is not just about Māori coming in here and fitting in. We don't want clones in here. If council gives a bit, and Māori give a bit, it can work (Interviewee 26).

Local government could be more responsive to Māori by adapting their governing procedures to reflect and embrace a bi-cultural environment.

The unfamiliarity of council and its decision-making practices therefore may limit the impact Māori advisory committee members make. One Māori councillor explained what commonly happens during council and committee meetings.

I'm on the Māori advisory committee as the council representative and I sit there and they are all too scared. The chairman asks for someone to move something and another one to second it and they don't do it (Interviewee 28).

According to this representative, Māori members need to understand their role in local government and the extent of their influence better. Furthermore:

Council practices should probably change for [Māori], but [Māori] also need to understand that if they grabbed a policy that had a huge affect on Māori and said we want you [the council] to change this policy to better reflect the needs of the Māori community it would happen (Interviewee 28).

Mutual understandings of council and Māori practices are thus necessary for an effective working relationship. Standing orders were criticised for obstructing honesty and frankness amongst members by a different interviewee.

There are some times when you need to be frank with people about certain things, especially Māori [issues]… You have to be able to say your piece instead of someone saying 'point of order' (Interviewee 30).

This councillor commented that standing orders made the Māori committee members feel stifled (Interviewee 30). Unfamiliar processes can curtail the progress Māori councillors and Māori standing and advisory committee members deliver for Māori.

A further note is necessary on Māori advisory and standing committees regarding Māori councillors' views on whether they increase Māori participation in local government. Some interviewees praised their council's decision to establish a Māori committee, saying it demonstrated the council's commitment to Māori concerns. However, a negative side effect of these committees is that they could dilute a councillor's tendency to represent Māori. To illustrate, an interviewee mentioned that the Iwi Liaison Committee on their council is better suited to dealing with Māori issues than are councillors, because the members are mandated by their iwi to represent their concerns. The Māori councillor added that their role was then to

work on the periphery, balancing the issue with the interest of their ward (Interviewee 21). Two others promoted the benefits of these committees.

> I think that [a Māori committee] is a better system than having wards, quite frankly, because you always get the demarcation [with Māori wards] (Interviewee 11).

> We do have the [Māori] standing committee as a backstop… If we need a Māori perspective specifically on issues, that is where it is referred. But, ultimately, the decision-making isn't taken away from council (Interviewee 9).

In these examples, Māori committees are considered an adequate vehicle to bring Māori concerns to the table.

However, importantly, these advisory committees are subordinate to council and have no real decision-making powers. While Māori electorates in local government carry voting weight, advisory committees do not. Māori Party co-leader Pita Sharples criticised the actual strength and influence of iwi advisory committees when speaking on the National government's decision to not implement the recommendation of the Royal Commission on Auckland Governance to establish Māori wards on the proposed Auckland 'super city'. Sharples said he has served on iwi committees on local councils in the past and they 'have not had any mana at all. No teeth' (Watkins 2009). One exception is the historic decision by Taupo District Council in January 2009 to transfer resource consent and private plan decision-making powers over Māori-owned land to local iwi Ngāti Tūwharetoa. A committee comprising of an equal number of Tūwharetoa appointees and Taupo District Councillors will have this decision-making autonomy (The New Zealand Herald Reporter 2009).

Māori Party co-leader Tariana Turia expressed her personal view of Māori descriptive representation in local government, saying it is more important to have mana whenua with a decision-making role alongside council than trying to increase the proportion of Māori councillors (Trevett 2008a). Her argument was based on ensuring mana whenua in the council area have a say on how the waterways and land is maintained, rather than any Māori person who may not have a genealogical link, or whakapapa, to the area (Trevett 2008a). The Tūwharetoa landmark decision above may reflect Turia's ideals. Nevertheless, this is a recent and unique development. Under current local government legislation, Māori committees do not have voting powers. They can advise and make recommendations, but the power remains with elected members of council. This is a central reason why Māori descriptive representation is important. Moreover, as already beginning to be shown in this chapter, the presence of Māori on local body council also has the potential to change the Eurocentric focus of council, and the attitudes of council members towards Māori issues.

Influencing local government members and structures

As pointed out earlier, Mackay (2004:101) suggests that descriptive representatives can make a difference through their unique political style leading to changes in the dominant group's political behaviour and to the institutional norms in governing bodies. It has been shown that elected Māori representatives do practice politics differently in local government, and as chapters five and six reveal, a similar pattern is present amongst Māori MPs in parliament. This unique style reflects tikanga Māori values and principles. The presence of Māori in local body councils also makes a positive substantive difference by changing the Eurocentric behaviour and attitudes of non-Māori councillors, and has the potential to influence the culture of local government more broadly. One interviewee felt that a Māori presence on council had encouraged non-Māori representatives to become more aware and sensitive to Māori concerns, in terms of what they should and should not say aloud.

> They can't just have a whole lot of general councillors in there who are generally all Pākehā saying what they like about Māori. Now they think oh, I better not say that. They are more aware of what they can and cannot say… You just can't be making bad generalisations that all Māori are criminals or all Māori are whatever. So they start towing the line and thinking twice. Actually thinking about what they are going to say (Interviewee 1).

Māori descriptive representation can lead to non-Māori councillors becoming more accepting of, and possibly sympathetic towards, Māori concerns.

Māori representation can have a broader influence on the culture of local government. Some councillors considered a Māori presence on council was vital to changing the predominately middle-class Pākehā attitudes and decisions of their local authority.

> The feedback I was getting… was that it was very much white middle-class sitting around the chambers here. You could see that being reflected in the decisions coming out of the place. So I saw that as an opportunity to get in and maybe cast a different perspective on things (Interviewee 11).

> It is important having Māori there. Of course it is. I look at the culture that exists around that council table and it is a very white middle to upper class culture. Because in order to be on council you've got to have some money (Interviewee 23).

In these councillors' opinions, Māori descriptive and substantive representation is related. The descriptive representation of middle-class Pākehā in local government was believed to lead to the representation of that group's interests. In the same way, they felt their presence as Māori was necessary for Māori interests to be represented, and to change the Eurocentric council focus and outcomes.

The different life experiences of Māori and non-Māori shape their input on council policies. This argument, according to some interviewees, confirms the necessity for Māori descriptive representation in local government.

> I know that when we are setting policies, sometimes equity isn't always about having the same amount. I think equity, sometimes, is that you have to put unequal resources in to get equal resources out the other end. I think, from that perspective,

you know what it is like to be in the negative stats, whereas a lot of the other councillors have never been in the negative stats because they are the majority (Interviewee 18).

[Māori councillors] bring something quite distinct… [W]e are looking, always, for a cultural rationale for decisions that are made… So, for example, there are a lot of issues on wastewater and how that has affected Māori in this district. Because the systems that we could use could be aligned culturally to Māori or not… Recently we have chosen to make a decision to have a treatment system which is more in keeping with tangata whenua values and concerns… One that is consistent with the philosophy of tangata whenua (Interviewee 31).

The second statement demonstrates Māori concerns with the spiritual life force of the environment. Effluent disposal in the ocean degrades both environmental quality and the sacredness of the locality's life essence (Sims and Thompson-Fawcett 2002:262). Sims and Thompson-Fawcett (2002:261) argue that successful landscape planning at the local level requires Pākehā to be sympathetic towards Māori values. This, the authors suggest, might facilitate the collaborative management of natural resources (Sims and Thompson-Fawcett 2002:261). According to a number of interviewees, the presence of Māori councillors could aid Pākehā understanding of these and other issues of concern to Māori.

A group's style of politics is one element of substantive representation (Mackay 2004:101). The findings demonstrate Māori do have a unique style of politics. Māori approach issues from a consensus viewpoint, focussing on the collective group rather than the individual. Respect towards fellow councillors and for the wider environment was another key feature of a Māori political style. Local government decision-making processes are largely at odds with traditional Māori processes based on tikanga. These divergent practices are often not helpful in advancing a collaborative, inclusive approach to local body politics. Some Māori advisory committee members, in particular, find council practices confusing, and thus intimidating. However, it is evident that the presence of Māori in local government has the potential to influence non-Māori councillors' political practices as well as the culture of council itself. The recognition and incorporation of Māori culture in local government can make a difference by promoting effective Māori participation.

Māori ethnicity versus a consciousness of Māori issues

Electoral reforms introduced in 2001-02 to increase the proportion of Māori in local government were based on the assumption that elected Māori representatives are necessary for the representation of Māori interests. However, it is likely that some non-Māori councillors do act for Māori in council. Then, is the physical presence of Māori more important than the election of non-Māori representatives who advocate Māori concerns? Do Māori councillors bring anything to local government that non-Māori cannot? One of the main arguments presented in submissions on Environment Bay of Plenty's proposal to establish Māori constituencies on this regional council was that 'a Pakeha representative could not, no matter

how well intentioned, be a Maori' (Rikys 2004b:12). Although some interviewees argued that representatives should be judged on merit alone, three quarters of Māori councillors felt Māori ethnicity was politically relevant in local body councils. The presence of Māori mattered, Māori councillors claimed, because Māori have a different perspective.

The value of merit alone

Meritocracy, as discussed in chapter one, holds that people should win positions on the basis of their individual merit (Barry 2005:109). Descriptive characteristics should not influence this result, as they do not affect a person's ability. Grofman (1982:99), one advocate of this argument, asserts that being typical is not a necessary requirement for being an effective representative.

> [T]hat a representative is *not* representative of those whom he [or she] represents does not *prevent* him [or her] from representing them well, and that a representative *is* representative of those whom he [or she] represents does not *guarantee* that he [or she] will represent them well (Grofman 1982:99, emphasis in original).

In the same way, close to one quarter of Māori councillors maintained it was more important to have a member elected to council who understands and promotes Māori issues irrespective of their ethnic background, rather than ensuring a Māori presence in local government. These interviewees tended to be of the belief that all elected representatives should be accountable to the entire electoral district.

Substantive outputs for Māori were preferred to simply having the numbers.

> There might be some minor differences in terms of one's actual experiences in the Māori world. But I would far rather that most non-Māori are on board with these issues than have one Māori who is, a few non-Māori who are, and a majority that are still having problems (Interviewee 5).

> The problem you have is who decides who is going to represent Māori… You see for me, you don't have to be Māori in order to be an asset to Māori. If [they] have the ability, I don't care what race they are. If they are going to do good things for our people, then I say come on board (Interviewee 23).

The latter respondent considered that debates about who should represent Māori, such as whether that might be a councillor with manawhenua or not, could be bypassed if the focus was on merit (Interviewee 23). Interestingly, this interviewee also argued that Māori voters affect the behaviour of non-Māori councillors. Without a reasonable presence of Māori constituents, they argued, Pākehā councillors are unlikely to advance Māori interests.

> Now those [Pākehā] people, if they didn't have Māori living in their wards that would make them believe their job is so much easier because then they wouldn't have to pay any attention to it at all. But because they have Māori in their ward they are dependent on Māori votes, they are going to show some token interest. And token interest is about all they do show (Interviewee 23).

So while earlier arguing that any person who is willing to act for Māori is beneficial to Māori, the interviewee subsequently acknowledged a dearth of non-Māori actively promoting Māori

concerns in a substantive way. The merit argument, in other words, was qualified. Again, it is shown that the presence of Māori in the constituency, as well as in council, influences the behaviour of non-Māori councillors.

Māori are either are a minority within, or absent from, most local bodies in New Zealand. Therefore, according to one interviewee, although Māori descriptive representation is helpful, it is more important for non-Māori to be receptive to concerns.

> If you don't have Māori councillors, and most councils don't, it is important that the actual councillors are open-minded to hear. I think if you are open-minded, you are able to listen to what the officers or others may put up and you are able to make an informed decision (Interviewee 18).

The implication is that it is difficult to make an informed decision on Māori issues without deliberating with Māori. Former Māori MP Wille Jackson (2004) also highlighted the importance of non-Māori councillors proactively considering the Māori point of view on council issues. He stated that while compulsory Māori wards and constituencies are an important way to combat Māori under-representation in local government, it is 'even more essential… for councils to embrace the Māori agenda so that they can better reflect what is meant to be a Treaty partnership in this country' (Jackson 2004).

Māori culture, worldview and perspective

Former Environment Bay of Plenty Māori constituency councillor Tai Eru has commented that ensuring a Māori voice is heard on council is 'something that only a Maori can do, as it has to be lived, not learned' (Commonwealth Secretariat 2005:35-6). A paper on the options to achieve equitable Māori representation on District Health Boards echoed these opinions. 'While all Board members share the responsibility for improving Māori health, only Māori can talk of the experience of being Māori' (Office of the Minister of Health 2000:9-10). Williams' (1998:242) work on minority representation is in agreement with these viewpoints. She argues that no matter how skilled or effective a representative is at their job, without a shared experience of oppression they are unable to explain why some policies reinforce subordination of certain groups and others alleviate it (Williams 1998:242). Although non-group members may attain this understanding with concerted effort, 'those who are group members are likely to possess it immediately, as an outgrowth of their own experience' (Williams 1998:242).

In this study, three quarters of councillors are of the view that life experiences and whakapapa are the primary features that make Māori representatives unique. Non-Māori might have a very good understanding of a Māori worldview, but they still differ from people with Māori whakapapa because they do not have an intrinsic Māori perspective (Interviewee 30). The

presence of elected Māori representatives in local government is therefore important and necessary. Councillors who identify as Māori, and those who are non-Māori but are willing to promote Māori concerns, are distinct. In other words, being Māori matters.

Māori inherently possess a unique worldview. Interviewees maintained that this perspective is innate, and perhaps not obvious to non-Māori. Several examples were used to illustrate this point.

> My son went to the interview with the… scholarship [committee]. They asked him if he spoke Māori. My son said to him, no I can't speak Māori but I don't need to speak Māori because I understand where Māori stand and what they stand for. He said sometimes that you can only be Māori to understand it. You don't have to speak Māori to understand it… Being Māori is important (Interviewee 30).

> We've got our own little secret. Māori have a secret. It is something you grow up with I think. You don't have to tell anybody over the room. Because we look across the room, we look at each other and we smile and we've got our secret. Whereas other people have to learn what's going on we just close our eyes and we know it (Interviewee 19).

A further councillor proposed the main difference was that non-Māori representatives' efforts to promote Māori issues 'lacks authenticity from a cultural perspective' (Interviewee 31). Being Māori brings a unique perspective and promotes an inherent bond between Māori.

The politics of presence theory, Catt (2003:7) explains, essentially argues that who is bringing the message is as important as the contents of the message itself. In other words, descriptive characteristics and substantive outputs are both important to political representation. Some Māori councillors argued there is a strong relationship between descriptive and substantive representation.

> [Māori councillors] understand the issues better. You see Māori must have their own voices to speak up for themselves. Somebody said that it doesn't matter how good your intentions are, if you are not Māori you don't really quite grasp the fundamentals of the issue. I think that I'm able to do that (Interviewee 33).

> We [Māori councillors] know how Māori think. It is a cultural thing. It is just like having an Indian in parliament representing the Indians. And Pansy Wong, of course she can relate to Chinese... That is a big problem with our own Pākehā New Zealanders. How much integration have they had? Māori have learnt to speak English and learn Pākehā ways. But I would say it would be fairly embarrassing if you were to run one of those polls to see how many Pākehā have been on a marae and how many can say more than kia ora (Interviewee 1).

The different perspectives of Māori and Pākehā can generate frustration. In general, Māori and Pākehā approach issues in different ways due to their distinct cultural backgrounds, as the following example illustrates.

> Our land is worthless to others. You can't even get a loan on it. And yet they will rate it at an astronomic figure that you think, far out!... You have a non-Māori council that can't understand the issues that face Māori. For me it is very simple (Interviewee 28).

These statements demonstrate the significance Māori councillors' place on descriptive representation. Being Māori, they argue, enables the representative to wholly understand and address issues facing Māori.

According to Williams (2000:132), the inclusion of group perspectives is important to deliberations in governing bodies because group representatives 'may see things about social forces that are not readily apparent to others', which could be valuable to formulating good public policy. What she means by this is a group member can contribute important insights to a situation that others may not have considered. However, for the arguments to have any impact non-group members must willingly change their practices to accommodate these group interests, even if it is to the detriment of their own interests (Williams 2000:132). Some Māori councillors were of the view that their presence in council had helped non-Māori understand the approach Māori took to certain issues.

> We [the council] gave back a section next to a marae that was taken under the Properties Act. It had to be given back, [especially] when I explained the value to the marae of that land, and that no way in hell would that be sold. [Selling] just didn't come into the equation. Then the councillors went for it. And we ended up giving it back. And we all felt good about it. It was just a different perspective on simple things like the ownership of the land and the value in terms of that ownership (Interviewee 26).

> There are a lot of [Māori] things to discuss, even sitting down having a cup of coffee or something like that, and then issues are raised. In fact, I had one of the councillors say it was easy to talk to me about Māori issues because I don't present a perspective that is radical or anything like that. So she was quite confident in talking to me about it (Interviewee 26).

The educative role of Māori councillors is again apparent. While non-Māori may normally resist policy changes that directly or indirectly benefit Māori, initial opposition can give way to agreement once they understand why Māori councillors promote a certain position.

Further examples illustrate how the unique perspectives and worldviews held by Māori and non-Māori affect the decisions of local authorities.

> Our marae needs a sprinkler system to protect the taonga. Now I had to go back twice to council because the first time it was turned down. It was turned down because of their lack of knowledge of what a taonga is to Māori. They thought that [this marae] was like all the other marae. It is not. [This marae] is the paramount marae. All of the other marae are hapū marae. There is the difference. It was just so obvious to me but not to my colleagues (Interviewee 28).

By clearly explaining to Pākehā colleagues a Māori perspective on the issue, those members eventually understood the reasons behind the request and eventually supported it. Environment Bay of Plenty non-Māori councillor Andrew von Dadelszen's submission to the Royal Commission on Auckland Governance made the same point. Von Dadelszen (2008) stated that he remained opposed to separate Māori representation, but he also acknowledged that having Māori constituencies on his council has produced benefits to non-Māori.

> The Environment Bay of Plenty experience has seen Councillors receiving a better understanding of iwi issues than would have been possible without separate Maori representation. This is the trade-off between a fair democratic process, where there is equal representation for all in our region, and the acknowledgement that Maoridom would [have] had a lesser voice without separate representation (Von Dadelszen 2008).

That a Māori presence facilitates information exchange is consistent with Devlin and Elgie's (2008:245) findings, which revealed that a greater presence of women contributed to achieving 'a sense of détente' between genders in parliament, and increased understanding of each other's concerns. These examples demonstrate that Māori representation provides diversity to council not only in terms of aesthetics. It also has implications for the policy decisions that take place. Similar responses were evident amongst Māori MPs as well, as documented in chapter five, where they felt their presence could educate non-Māori about a Māori perspective on issues of importance to Māori.

The ability of Māori to walk in both the Pākehā and Māori worlds, te āo Pākehā me te āo Māori, was identified as a further trait of being Māori, of being tangata whenua. This was considered an important point of differentiation from those non-Māori who may articulate Māori concerns in council.

> I'm accepted in both walks of life. I'm comfortable on marae. I'm comfortable at hui, or ratepayer meetings. It doesn't matter what they are (Interviewee 9).

As the following comments suggest, some Māori councillors felt their ethnic background enabled them to advance Māori issues easier than Pākehā. They felt confident voicing Māori concerns because they are Māori.

> Probably being Māori, I have the confidence of putting the [Māori] viewpoint forward, because I do deal with that (Interviewee 2).

> I am extremely lucky because I don't have the inhibitions that Pākehā councillors have about using a Māori issue or criticising Māori if they are wrong. Or even embracing Māori if they are right. It doesn't worry me. I don't have this problem about it (Interviewee 24).

> There is a lot of Pākehā fear about going into Māori society almost, or Māori thinking. Because it is that fear of the unknown and also that fear that it might cost too much. Or it is a bit of a hoha, or they can't be bothered (Interviewee 1).

Sharing descriptive characteristics enables Māori councillors to advocate on behalf of Māori comfortably and easily. Again, similarities are evident with some comments by Māori MPs, who felt non-Māori were reluctant to speak on Māori issues.

Cultural influences are particularly evident in environmental issues facing local government. As one interviewee stated, environmental issues 'go beyond false borders' of wards and constituencies (Interviewee 12). The types of committees Māori councillors serve on offer some indication of how culture influences the role of Māori councillors. For example, one representative chose to be on their council's Environmental and Urban Design committee

because of wāhi tapu sites (Interviewee 8). Another highlighted water concerns as of particular concern to Māori councillors.

> There are some things that are [of] specific [concern to] Māori that need to be brought up and aired. For instance, Māori don't like having fluoride and chloride thrown into the water systems. They don't like speedboats with all their smelly oil and water on the lakes and the rivers. So yes, there are [Māori issues] because the water is a living force (Interviewee 33).

As mentioned earlier, Māori believe all features of the natural landscape have a spiritual life force, and Māori, as tangata whenua, have a responsibility to practice sustainable management (Sims and Thompson-Fawcett 2002:262). This environmental responsibility is evident amongst some Māori local body councillors, reflecting a kaitiaki (guardian) role.

Māori descriptive representation is vital on local body councils. While some interviewees contended it was more important for any individual who promotes Māori issues, irrespective of their ethnicity, to be elected to council, most argued a Māori presence was needed. This was because the culture, worldview and perspective of Māori are all distinct, and they affect what elected Māori representatives bring to, and how they operate in, local body councils. Ethnicity affects the councillor role. Many interviewees believed non-Māori councillors either were not comfortable promoting Māori interests, or did not have a sufficient understanding of Māori issues to represent them. A subsidiary theme that has recurred in a number of the arguments is that Māori representatives play an educative role within local government, in both formal and informal settings, by informing non-Māori on issues of concern to Māori. Māori representation thus remains significant, even with the successful election of non-Māori councillors who have a consciousness of Māori issues and willingly promote those concerns. Māori descriptive representation has wider implications for politics than substantive representation alone.

Understandings of, and attitudes towards, electoral reforms

This chapter has so far demonstrated some scope for a relationship between Māori descriptive and substantive representation in local government. However, this relationship is moderated by a number of factors, two of which are the electoral system used and the presence (or otherwise) of Māori wards and constituencies. As observed elsewhere, the local government electoral reforms in 2001-02 enables councils and their communities to choose between the FPP and STV electoral systems, and establish separate Māori representation. Māori councillors' understandings and perspectives of these options can create or limit the opportunities Māori councillors have to act in the interests of Māori. Racism and unawareness of Māori issues amongst non-Māori councillors is a further obstacle to Māori substantive representation and warrants comment.

Representatives and electoral mechanisms

It has already been shown that the adoption of a proportional representation electoral system should improve Māori descriptive and possibly even substantive representation. In New Zealand, local councils can choose to use either the plurality FPP electoral system or the proportional STV system. Given the general support amongst Māori for MMP and Māori electorates at the national level, it would seem reasonable to assume that Māori would also support similar changes to local government in the form of adopting STV. However, some Māori councillors did not believe STV would lead to greater Māori representation, nor would it encourage Māori candidates to stand for election. Others were indifferent to electoral system change altogether. One of the only two avenues to introduce the proportional electoral system to local body councils requires the initiation and support of elected councillors.

A reasonable knowledge and understanding of STV was not evident amongst all Māori councillors. Some paused for thought when the topic of electoral systems was broached, appearing unsure of how to respond. At times, councillors' responses were clearly based on incorrect information. Other interviewees needed prompting on the differences between FPP and STV. For example, one councillor felt there were few benefits in adopting STV, making comparisons with the MMP system used for general elections where voters did not directly elect list MPs. When reminded that under the STV system voters still need to vote for candidates by putting a number by their name, this council member abruptly shut down the conversation by rebutting:

> You mean where you rank them 1,2,3,4? I think people get confused (Interviewee 23).

Here, fault was directed at voters, but confusion seemed equally apparent in the mind of the councillor. Greater education in local government on electoral systems and their inherent biases (which chapter three explored) appears necessary.

Majoritarian systems (such as FPP) promote individual accountability to specific geographic regions, whereas proportional systems (such as STV) facilitate a more representative composition of governing bodies (Blais and Massicotte 2002:64). Electoral arrangements, Rule asserts (1994:689), are 'not neutral; they are the means used to exclude or include groups'. Yet some interviewees believed the electoral system was largely irrelevant to Māori descriptive representation and based their reasoning on merit.

> To be honest, I don't mind which way [FPP or STV]. If you're good enough you'll get there (Interviewee 30).

> I think it is coming to the fore now that there are quite a few Māori out there who are smart enough on how to market themselves, regardless if they are in a party or not (Interviewee 19).

The latter statement shows the interviewee was confusing electoral systems with the presence of parties. A further councillor argued STV was unnecessary because their council,

at the time of the interview, accurately reflected the diverse make up of the district (Interviewee 9). While this council might have been descriptively representative in its then present form, the interviewee did not consider future (or past) elections where this might not be the case.

Strategic planning was identified as a further pivotal factor for Māori electoral success, again prioritised over the importance of the type of electoral system.

> There were three of us in the same ward. There was no dialogue beforehand. I didn't know they were standing until the notices came out. Strategising and things like that did not come into it (Interviewee 26).

> I do want to stress that people do need to think very carefully politically. A couple of years out from the election start doing the work, the mahi (Interviewee 5).

At least some onus, according to these representatives, should lie with Māori themselves to achieve representation through hard work and constructing a well thought out political campaign to better their chances of election. A further interviewee argued Māori voters have the potential to elect Māori representatives if they genuinely desire this outcome.

> In First-Past-the-Post, if Māori wanted a Māori candidate voted in, Māori would mobilise. And this happened in the last general election [in 2005] where the Māori Party were able to secure four seats. That's awesome. That is the power of collective Māori action. It can be done. Granted this is under an MMP environment, however they won their seats in the local electorate vote. So it is possible. People just have to motivate themselves to get ready (Interviewee 21).

The idea is good, even if some of the reasoning is not quite accurate. Māori have not been able to mobilise and vote Māori into general electorates, only Māori electorates. It is not evident that the respondent realises this argument is only applicable if Māori have dedicated Māori wards and constituencies – a mechanism available to local councils but very rarely used.

When the option for STV was introduced, citizens needed information about how to vote under this system because voters rank their preferred candidates rather than placing a tick next to the single most preferred candidate that FPP requires. When councils were first required to decide whether to review their electoral system in 2002, the perceived complexity of explaining STV to the voting public was one factor that deterred councils to conduct more extensive public information and consultation exercises, and instead retain the status quo (Cheyne and Comrie 2005:193). One interviewee opposed to STV also used this reason.

> STV… would probably help to gain representation for minority interest groups. It has got its pitfalls as well. It is very hard for voters to understand. You saw what happened with the District Health Board elections. I think there were thousands of invalid votes… I do think MMP has probably been good for Māori representation. That's a lot simpler to understand (Interviewee 16).

Voters had to become informed about and accustomed to using MMP for it to become perceived as 'simple'. However, public understanding of MMP is still not universal. A 2008

survey reported 58 per cent of New Zealanders found MMP easy to understand (Electoral Commission 2008). Similarly, an educative process is necessary for STV.

Māori participation in local government, by way of elected representation (see Justice and Electoral Select Committee 2005:40-1) and by actually voting (see Local Government Commission 2008:141), is less than non-Māori. The responsibility of Māori to participate in elections was considered an important factor for achieving Māori political representation by some interviewees. Whichever electoral system is chosen, Māori still need to vote and participate in local council forums.

> STV would make it easier for Māoridom to become part of [council], but Māoridom also has a responsibility. I feel that we have a responsibility. If we want to compete in this environment then our people have to vote. If they want to stand back and make criticism and make comments and all the rest of it, without having input into the process, then that is never going to work and it doesn't matter what system you have (Interviewee 26).

> [Māori] definitely do need to get involved in local government at all levels. Their lack of presence in the Annual Plan process means they are missing out. The avenues are there… There might be some merit in [STV]. But I think there are more avenues for them to be voted in under the current system. People need to turn up to vote for a start (Interviewee 13).

Māori local body councillors appeared reluctant to push for electoral changes without Māori active participation in local government. However, as noted in chapter three, Cheyne and Tawhai's (2007:49) study showed Māori engagement in local body politics is unlikely to increase without a greater presence of elected Māori representatives. Waaka (2006:219) has commented that Māori under-representation is a contributing factor to why Māori view local government as an institution in which they are unable to influence policy and procedures. The representation and participation of Māori in politics are thus firmly related.

Only a small number of councillors demonstrated a sound knowledge of electoral systems and their influence on the descriptive representativeness of local government. One person used the increase of Māori representatives elected to District Health Boards in 2004, after the compulsory change to STV from FPP, to illustrate the benefits of proportional representation electoral systems.

> It is not a huge jump, but at least it has showed that there is more capacity to be elected that way. And I think it is a more democratic system because it is more like a consensus-based process where everyone has their tick and all those ticks count. Whereas in First-Past-the-Post you could be a really good candidate and just be beaten out by one or two votes or something (Interviewee 31).

Proportional representation electoral systems, Sawar (1998:52) argues, 'fosters a political culture based more on consultation and consensus seeking. This is because negotiation is usually needed between a number of parties for the passage of legislation'. Interestingly, while many councillors claimed their own style of politics was based on a consensus approach, only one showed that they recognised this trait in the STV system. Like the above

evaluation of STV, the RCES (1986:14) claimed FPP was unfair to minorities because unless they held significant support through all constituencies (about 30 per cent) or support concentrated in a specific part of the country, they would be heavily penalised.

Attitudes towards Māori wards and constituencies

Local government reforms introduced in 2001 provide local councils with the option to establish Māori wards and constituencies. Conflicting opinions were expressed about this development by interviewees, and a number of valid concerns regarding separate Māori representation were raised. Over half of the Māori councillors interviewed supported the establishment of Māori wards and constituencies, however some qualified their response by citing certain situations where separate Māori representation would or would not be appropriate. Around 45 per cent of interviewees opposed the establishment of Māori wards or constituencies in local government, and most were unequivocal in their response.

Māori wards and constituencies offer certain benefits to Māori. One such benefit is they reduce the risk of a backlash that might occur in general wards and constituencies should a councillor promote Māori interests. As Hayward (2005) alluded to earlier, Māori councillors representing separate Māori wards or constituencies can act for Māori interests without risking their chances of re-election. One interviewee who represented a Māori local electorate, commented that Māori ward and constituency representatives could advance Māori issues without jeopardising voter support amongst non-Māori constituents who may disagree with that stance.

> I bring in pure Māori issues. I don't have to water them down in order to appeal to a bigger populace. I don't have to do that politician thing really. I can just put a Māori perspective in there (Interviewee 12).

Representatives of Māori wards and constituencies do not have to rely on the Pākehā vote to win or retain their place on council. Gisborne District Councillor Atareta Poananga (2002) has claimed that Māori representation in local government is vulnerable and short-lived because Māori councillors are normally seen as reflecting Māori interests. Subsequently, Māori councillors who represent a ward or constituency with a minority of Māori voters, Poananga (2002) argues, are likely to remain on council for only one term. Māori wards and constituencies, in contrast, allow Māori to decide who represents them, descriptively and substantively. Dibley (1993:82) came to a similar conclusion in her study on Māori electorate MPs in parliament, where these Māori representatives were found to be 'in a position where they are able to work in the interests of only Maori and do not have to take other interests into account'. Dibley (1993:82) argues that this accountability to an absolute Māori majority is the primary reason why Maori seats are important.

The considerable funds that Treaty of Waitangi settlements are injecting into local economies, Sullivan (2005:127) argues, has heightened the need for cooperation and consultation between iwi and local councils. To illustrate, a local Whakatane newspaper has reported that a number of Treaty of Waitangi claims have recently been completed in the area, and other local iwi were then negotiating their claims with the Crown. Members of the district council's iwi liaison committee stated that these claims will enable iwi to become 'more influential power brokers in the future', and therefore existing relationships between local government and Māori should be fostered (McNabb 2009). Some interviewees argued the relationship between local government and the Treaty of Waitangi justified the establishment of Māori wards and constituencies. One interviewee stated the three Māori constituencies on Environment Bay of Plenty reflected the:

> …developmental phase of understanding where Māori are. What is happening now is we have Tribunal claims coming into reality. We are going to be major owners in forestry. We are going to be major owners in tourism areas and environmental areas, national resources. And the cultural perspective is going to be there also (Interviewee 2).

Another councillor considered it necessary for every council to have Māori representation if they want to recognise the Treaty of Waitangi (Interviewee 1).

Chapter two discussed the options available to establish Māori wards and constituencies, which required either backing from a majority of council members, or from a majority of residents and ratepayers. Thus the political authority to establish local Māori electorates is devolved to the district as a whole, rather than Māori. A Māori councillor interviewee criticised this process, and suggested that Māori electorates have only been introduced in a single local authority because:

> …the obstacles you would have to go through in order to get a Māori ward do not enable Māori people to actually have a say. For example, if Māori in the district decided to go for a Māori ward, then Pākehā voters could veto that… What the government has done is make it impossible, really, for Māori to have that political voice [because the process is] so difficult (Interviewee 31).

The majority voice is able to outvote the Māori minority when deciding whether to adopt STV or introduce separate Māori representation. Quite simply, each council has a choice. According to the aforementioned interviewee, their council will not choose the option of Māori wards (Interviewee 31).

Nearly half of Māori local body councillors interviewed for this study opposed the establishment of Māori wards and constituencies in local government. Some regarded these local Māori electorates as a special privilege, unnecessary, and having the potential to produce unmeritorious council members.

> If we bring Māori in and set up a system to accommodate them, they will always be second-rate councillors because they had to have some special process to get in here… I would say that if they want better representation, get a Māori person to stand, do the donkey-work, and get in…. We've got to compete (Interviewee 26).

I don't believe that [not establishing Māori wards] is hindering Māori getting elected to be quite honest… I don't want special compensation, or dispensation. I want to get in because I earned it, because I'm good enough, not because I'm Māori (Interviewee 28).

I think that you are not going to help Māori by setting them aside from everyone else. They should be treated exactly the same under the electoral system as everyone else, that is, non-Māori (Interviewee 16).

I have difficulty with [Māori wards]. If you are able to come into the system… on the merits of where you have come from, I think you will get a far better outcome… If you had brought somebody in who had not had the skills and spent time within the political system they would have been socked to bits… I think what you get in terms of wards is people saying it is tokenism – that they are there, but they are not there on their own merits. So I think you are in a much more powerful position if you are elected there basically on your own merits (Interviewee 11).

These councillors are concerned with how the public perceive Māori representatives elected through separate wards and constituencies. Merit was a common theme amongst interviewee responses, however as discussed in chapter one, merit is often defined in a very narrow sense (Bacchi 2006:34). Its definition depends on the criteria used to interpret the word. Nevertheless, it is clear many Māori local body representatives have serious concerns with separate representation.

Racism and unawareness

Racism, largely generated by a lack of awareness of Māori issues, was identified as a barrier to representing Māori concerns in local government.

Councillors are a reflection of communities, and I think we have racist attitudes there. And they won't be changed (Interviewee 12).

[There is] straight out racism. I don't think that some elected members realise that they are racist and that their comments are racist. I think that is quite sad (Interviewee 19).

I've said it publicly. I've said it in some of the heated debates that we've had in there. I've said it to a couple of councillors. Take a step back and listen to yourselves, or turn your collar up because your red neck is showing (Interviewee 11).

One respondent shared that some non-Māori councillors feel it is unnecessary for Māori issues to be at the fore of council debates, and this is sometimes racially motivated. Nevertheless, a qualification to this statement was offered.

By and large there is a willingness to accommodate Māoridom but it means change. And change – I don't know about any other places but in [this district] – anything that means change is ruffling the feathers a bit (Interviewee 26).

Reluctance to change, rather than explicit racism, is possibly the likely motivator of non-Māori resistance to support Māori issues.

Constructive ways to address this concern of racism were offered, suggesting some Māori representatives were accustomed to working within the limits of what Pākehā consider

acceptable. For example, racist attitudes could be overcome by promoting Māori issues with other general concerns at the same time.

> I gave the rates example. There might be a farmer that wants rates remission for their property [as well as Māori groups]. So why can't I combine the two with a better argument and push it, rather than have resistance, or greater resistance from elected members who think, oh here we go, another Māori issue (Interviewee 21).

It appears Māori representatives have had to strategically navigate their way around racism by masking actions so they appear to represent a wider group other than Māori. Indeed, a Māori MP interviewee has taken a similar approach on occasions, which is discussed in chapter five. As Curtin (2008) writes in her work on challenges to women's substantive representation:

> …we need to think about performance as more than the 'articulated' representative claim: it may also be that the representative claim is created in such a way that masks the 'group' that will most identify or benefit from the policy representation taking place (Curtin 2008:502).

Childs (2004b:200) has also demonstrated there may be times where representatives need to act strategically in order for substantive results to be achieved. '[A]cting for women might be dependent upon acting like men' (Childs 2004b:200).

The presence of Māori council members and the substantive representation of Māori interests in local government are mediated by electoral mechanisms. STV should theoretically improve the number of Māori elected to local body councils; however some interviewees opposed this move. It appeared some misunderstood how the STV electoral system worked and the benefits it could generate. There was also disagreement about establishing Māori wards and constituencies. Just over half supported separate Māori representation, but many others considered local Māori electorate seats an unnecessary and unwarranted special privilege. A key obstacle that Māori councillors faced when acting for Māori in council was the attitudes of non-Māori towards Māori concerns. Some believed non-Māori councillors were racist towards Māori advancement, but this issue may be more attributed to the lack of understanding many council members have of a Māori worldview and perspective. Indeed, Māori descriptive representation could help remedy this situation.

Conclusion

The themes considered in this chapter demonstrate the distinctive nature of Māori political representation. The evidence suggests Māori descriptive representation is likely to lead to Māori substantive representation. Māori councillors feel a personal responsibility to represent Māori both within and outside their ward or constituency. Māori councillors are often surrogate representatives for Māori constituents. The responsibility to articulate Māori concerns stemmed from a number of sources, including the ethnic make up of their ward or constituencies, the lack of Māori representation on council, the expectations of the Māori

communities, or simply due to being Māori. Interviewees also voiced concerns that Māori were often relied upon to represent Māori, and many felt Pākehā councillors should be more responsive to Māori issues and engage with the local Māori communities.

The political behaviour of Māori representatives indicates a Māori style of politics, where consensus decision-making is preferred. Many interviewees spoke of the respect they afforded their fellow council members. Some local government decision-making processes are opposite to traditional Māori processes based on tikanga, which can hinder attempts create an inclusive approach to local politics. Nevertheless, Māori descriptive representation, it has been suggested, can influence non-Māori councillors' political practices. Incorporating Māori culture in local government can in turn promote effective Māori representation and participation in this important institution.

The key determinant of a Māori councillor's role is whakapapa. Whakapapa traversed all themes. Most interviewees argued whakapapa, which was sometimes referred to as identity, was a critical component to consider when analysing representation. A Māori presence was considered necessary, even when non-Māori councillors who promoted Māori concerns were elected, because the culture, worldview and perspective of Māori are distinct. These characteristics of Māori councillors influence how they operate within local councils, and the contributions they make. Consequently, elected Māori representatives can have an educative role in local government because they inform non-Māori about why certain issues are of concern to Māori.

Phillips (1998:235-6) has argued that because 'policy decisions are *not* settled in advance' – and this is particularly true of local government – 'it matters immensely who the representatives are' (emphasis in original). The data of this study suggests Māori representation does matter to local authorities because it influences their representative role and their political style. However, equally important is the scope and capacity of influences mediating this role. One significant impediment to making positive policy changes for Māori in council is non-Māori representatives' Eurocentric outlooks and their failure to understand issues of importance to Māori. Moreover, it appeared that many councillors do not have a good understanding of proportional representation and STV in particular. This has ramifications for Māori support of electoral system changes aimed at increasing Māori representation. More education is needed across the local government sector on the effects and biases of electoral systems available to councils. The adoption of electoral reforms to improve the numerical presence of Māori on council is critically important because the descriptive representation of Māori has been shown to improve the extent to which Māori issues and concerns are addressed in local authorities. Whether these themes traverse local

and central government are exposed in the next two chapters, which investigate whether Māori Members of Parliament similarly act in the interests of Māori communities.

CHAPTER FIVE

Māori Members' of Parliament Perceptions of their Representation Role

The previous chapter concludes that the presence of Māori in local authorities is likely to lead to the substantive representation of Māori interests. This is because elected Māori representatives feel a responsibility to advocate on behalf of local Māori communities' needs and desires. However, Māori councillors' indifference to electoral system change poses barriers to improving the number of elected Māori representatives in local government, and does not help to reverse the general lack of understanding non-Māori councillors have on Māori issues. The compulsory use of STV coupled with separate Māori wards or constituencies would increase the number of Māori on council, and subsequently raise the level of responsiveness to Māori concerns in local government. This chapter examines whether a similar pattern emerges at the national level, where Māori descriptive representation fosters Māori substantive representation in parliament. It again looks at themes concerning the extent to which Māori Members' of Parliament feel they act for Māori interests, and how 'being Māori' influences their representation role.

The structure of this chapter follows the same pattern as chapter four. It examines four major themes that emerged through the interviews with Māori Members of Parliament. The first broadly focuses on how Māori MPs perceive their parliamentary role. It reveals the proportion who views themselves as representatives of Māori interests and the varying degrees that interviewees embraced this role. By articulating a responsibility to Māori, it is likely the MP substantively represents their group (Dodson 2006:47). It examines MPs' primary loyalties, and what will be shown is how important Māori ethnicity and identity is to their position as elected parliamentary representatives. The second theme centres on the strong sense of collegiality amongst Māori MPs and their unique political style. The way Māori politicians work and their behaviour in parliament suggests Māori MPs have a distinct style of politics and share a unique bond. Interviewees often talked about fellow Māori MPs as family relations. A group's particular style can have implications for changing a governing body's institutional norms (Mackay 2004:101). The third theme shares Māori MPs' thoughts of why they regard their presence in parliament as essential, and why they maintain they are distinct from non-Māori MPs who may believe they are acting in the interests of Māori. Most Māori MPs thought a Māori presence is relevant to political representation. Indeed shared life experiences allow descriptive representatives to easily empathise with their group's concerns (Williams 1998:242).The fourth theme considers the influence of public opinion, party identification and

the number of Māori in parliament, when a Māori centered agenda is being considered in the House. Each mediates the extent to which Māori MPs can act for Māori interests.

Māori MPs representing Māori

The first MMP parliamentary election was held in 1996, and immediately Māori representation jumped from 7.1 per cent in 1993 to 13.3 per cent in 1996 (Vowles and Aimer 2004:169). Since then Māori have continued to be represented roughly in proportion to the population who identifies as Māori in parliament. It is thus an opportune time to question how Māori MPs view their representative role, and in turn, whether Māori descriptive representation leads to Māori substantive representation. According to Childs (2004b:81), a useful starting point to begin establishing whether descriptive representatives are likely to act for their group, is to identify who they perceive they represent. Over 85 per cent (12 out of 14) of elected Māori MPs that were interviewed stated they represented Māori interests in parliament, with most agreeing they had a specific responsibility to do so. Differing reasons and justifications were offered as to why they acted for Māori in parliament. Differences were especially pronounced (and predicted to be) between Māori electorate and Māori list MPs. To highlight these constraints, the opinions of these groups of representatives on their representative role are considered separately.

Māori electorate representatives

According to Chapman (1986:B-107), the Māori political sub-system operating through the Māori electorates is distinct because 'it is supposed to do the different job of representing the other culture in our country in its Parliament. Maori electors and MPs see to it that it does'. In other words, the role of Māori electorate MPs is unique. As explored in chapters two and three, existing scholarship has revealed Māori electorate MPs in the FPP era did have a unique role in parliamentary politics. For example, Tabacoff (1975:381) argued that the role of the Māori MPs was to physically and morally support Māori, and preserve a separate Māori identity. The RCES (1986:88) argued in a similar vein, that Māori MPs should represent Māori in a manner consistent with Māori customs, traditions and expectations. However, far less research has provided insights into the contemporary role of Māori electorate MPs in the MMP environment, particularly from the perspective of the Māori MPs themselves.

Interviews with Māori electorate MPs reveal that they felt their central role in parliament is to represent Māori interests. This responsibility is determined by the relationship they have with their constituents on the Māori roll. Although these Māori MPs have a discrete electoral district to represent, they also believed they have a duty to represent Māori issues with national relevance.

> I represent Māori. Māori people. In particular, my electorate… My role here is… to raise any issue which will advance Māori or defend their rights (Interviewee 25).

> I represent the people who voted for me at the last election through [my] electorate, and by, I suppose, circumstance of the parliamentary process, those people who didn't vote for me… [I] also represent other Māori who seek [my] support and help wherever they might be (Interviewee 6).

> I represent my constituents in [my Māori] seat, but… I have a duty of caring in relation to all Māori interests (Interviewee 32).

> I see my role as advancing the interests of Māori people first and foremost. To be the most powerful advocate that I can be in terms of meeting their aspirations (Interviewee 17).

Therefore, the role of Māori electorate MPs encompasses representing Māori interests within, and outside of, their geographic electorate. Mansbridge (2003:522) describes this as a surrogate representational role that occurs when the electoral relationship between representative and constituent is absent, yet elected members still strive to act as a voice for their concerns.

Māori electorate MPs believed their role to represent Māori is of prime importance. Yet as will be explored later in this chapter, this role is heavily mediated by parliamentary, party and attitudinal factors. The findings support Murphy's (2004:281) contention that the Māori electorates are 'a means of keeping Māori concerns before government and the public and of representing country-wide Māori concerns'. By representing Māori interests across New Zealand, Murphy (2004:281) alludes to the surrogate representation role played by Māori politicians.

List representatives who are Māori

Māori MPs who entered parliament via their party's list described their role differently to those representing Māori electorates. Māori list representatives emphasised the importance of their party when describing their main parliamentary role. This was not unexpected because the New Zealand parliament has a strong party system present. While 80 per cent of the list MPs (eight out of 10) believed their primary responsibility was to represent their party, they also claimed their role encompassed representing Māori concerns. Thus the Māori representative role must traverse both the role of a 'responsible legislator' (having an awareness of district-wide issues which is manifested in representing the party views) and a 'race representative' (being an advocate for Māori wants and needs) (Haynie 2001:10). That party representation was prioritised over acting in the interests of Māori suggests political parties are a key influencing factor that helps to explain the relationship between Māori descriptive and substantive representation in parliament.

The definition of descriptive representation encompasses the shared experiences between a representative and his or her constituents, as well as their physical descriptive characteristics (Mansbridge 1999:629). Shared life experiences was one reason Māori list MPs felt a responsibility to act for Māori, which was affected by being Māori.

> I am a list MP and accordingly I see that the party put me here so that is who I represent… Do I represent Māori issues? Yes, within the areas that they exist. It is a harder one because I am Māori, and I do have a greater affinity in some areas than I do in others by the virtue and nature of who I am, and the fact that I am dealing with these problems, these legacies back home… I am representing Māori probably in a broader manner… and in my own way (Interviewee 34).

> I suppose I just see my role as being a representative of particularly the… party because at the end of the day they put me on the list… I see [my role is] as much about the experiences that I have, as well as my ethnicity. I see it as being a part of it, but not perhaps my sole purpose (Interviewee 14).

While the party was prioritised, these interviewees also acknowledged how ethnicity inevitably influenced their parliamentary representative role. The examples support Mackay's (2006:177) argument that party identity and loyalties mediate the relationship between descriptive and substantive representation, and is discussed and illustrated more in-depth later in this chapter.

As a comparison, Cook's (2008) research showed that Pacific Island MPs in the New Zealand parliament face similar tensions regarding their representative role to Māori MPs, by having to balance their party's position and that of their ethnic group. Interviews with Pacific politicians revealed:

> …MPs struggle to decide where their allegiance lies: to their electorate, their party or their constituents. While the Pacific MPs may be aligned to a diverse range of interest groups, they all stressed the importance of being responsible for and accountable to the Pacific community in New Zealand (Cook 2008:120).

Parallels between Māori and Pacific Island MPs in terms of who they feel responsible to act for within the realities of politics are clear, and warrant further investigation to strengthen debate on the relationship between the descriptive and substantive representation of groups within New Zealand.

Whakapapa and the upbringing of Māori MPs also affected how they perceive their role in parliament. This response was also made by some Māori local body councillors, as chapter four explained.

> All decisions you make are made from the point of view of someone who grew up in [a certain area with a high Māori population]. I guess to a certain extent it is probably more than I even realised. This is probably who I first and foremost represent – my family's values, which would guide everything that I do… I am there representing [my iwi]. I am in touch with them constantly… There was never any way it wasn't going to be like that (Interviewee 15).

Whakapapa bestowed a personal obligation to voice Māori concerns on another MP, but they added that socio-economic factors influenced their view on representation.

Even if I didn't have any Māori ancestry, I would feel a responsibility towards a group in society who are still disadvantaged economically and socially (Interviewee 29).

Also like Māori local body councillors, a Māori perspective was central to many Māori MPs' roles. National Māori MP Georgina Te Heuheu (1998:N.Z.22) has argued that she represents 'a Maori perspective on policy issues'. For some Māori list members, their duty to advocate on behalf of Māori derived from their ability to offer a Māori point of view.

I represent all the people who voted for my political party. That is in a direct way because I am a List MP… I believe I am here because I can represent a reasonably valid Māori perspective (Interviewee 20).

This MP acknowledged their list placing was because of their Māori identity. Another similarly argued they represented Māori as well as their party due to being Māori.

I always say that we've joined [this party] as politicians and our primary responsibility is to maintain the appeal and, maybe, the leadership of the… party. You don't, however, abandon your identity. You don't all of a sudden stop being gay or being committed to gay politics. And you could say similar things about the Pacifica reps. But all of us owe an obligation to uphold the party because without that waka, without that kaupapa, we wouldn't survive (Interviewee 10).

List MPs are voted into parliament by votes cast for a particular party, rather than for the candidate. These interviewees were aware of their responsibilities to the constituents who gave them their party vote. The comments also reveal how Māori ethnicity and identity influence the parliamentary representative role of Māori MPs. The findings are similar to Baker and Cook's (2005:240) research on African-American substantive representation, which demonstrated that independent of constituency characteristics or re-election strategies, 'it is being Black' that drives African-American representatives to pursue their ethnic group's interests.

The responsibility to act for Māori was constructed, for some Māori MPs, by the expectations of the Māori community. Māori MPs spoke of the pressures Māori constituents enforced.

I think you do [have a responsibility to represent Māori]. I think you do because the communities at home expect that… I think Māoridom put a lot of importance on it. When I gave my maiden speech… [fellow iwi members] turned up by the busload. The message there is quite clear. You are one of ours, we are proud of you, and we expect you to represent our views and our best interests in parliament (Interviewee 15).

I don't think I've got any choice [in representing Māori]. Partly because I am Māori… Partly because of my own Māori politics, but also because there are so few of us here to represent Māori issues… I think there is a huge expectation that Māori MPs will represent Māori views and they look to us to do so (Interviewee 3).

Another similarity with interviewees from local government is that the minority of positions Māori hold in individual local councils strengthens elected Māori representatives' desires to articulate Māori concerns and promote Māori issues. This second interviewee above added that Māori MPs are faced with balancing competing expectations from the Māori community and other groups, most likely political parties.

> It does place greater demand, especially when there is an expectation that you will represent a view and you have to represent a whole variety of other views as well. It's not always that easy (Interviewee 3).

Māori MPs, most notably those elected via the list, thus have dual responsibilities to their political party and to Māori interests.

Only two Māori politicians described their role as exclusively political party representatives. Even then, their ethnicity was still a factor in their parliamentary role. One interviewee explained:

> Even though I am a Māori, the position of our party's policy is that we represent all New Zealanders… I am my party's spokesperson for Māori affairs and I speak on a number of Māori affairs issues, but always from a viewpoint that I am a list MP for a party (Interviewee 7).

Yet when this MP acknowledged other groups they could comment on in parliament, it became evident that being Māori did affect their role in parliament.

> I've never ever said that I represent Māori. So we have to get that clear... But in terms of making comment on things Māori, the fact that I am Māori and the fact that I do come from a community of Māori, I think I come with some experience (Interviewee 7).

Another interviewee initially stated that due to being a list MP their allegiance was solely to their party (Interviewee 27). However, when the member identified other interests and how their perspective impacts of their parliamentary role, their commitment to Māori substantive representation became more apparent. Although this MP staunchly argued they held no responsibility to represent Māori at all, they also stated that they offered a Māori perspective in parliament.

> It just happens that I am Māori. Which I think is a good thing because I can represent, I suppose, what I think is a particular Māori version of a point of view. Not particularly the Māori view because, really, there is no such thing. We are just as individual as Pākehā people are (Interviewee 22).

While not specifically speaking for Māori, being Māori compels and enables Māori MPs to represent a Māori viewpoint. Focussing on the unique perspective Māori bring to parliament, rather that the actual extent to which, or ability of, Māori to represent so-called Māori interests, is a favoured approach for some scholars. Trimble (2006:131), for example, maintains Iris Marion Young's concept of a 'social perspective' provides a more holistic way of viewing substantive representation because it embraces diversity within a group 'and rejects false assumptions of homogeneity of interest'.

Since the New Zealand parliamentary system is based on tight party discipline, analysing how Māori MPs vote on parliamentary bills reveals very little about Māori substantive representation. On one occasion however, for bills requiring a conscience vote,[42] MPs votes

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[42] According to Lindsey (2006:187), conscience votes are usually allowed by parties when it is a sensitive issue, one that the party does not have a policy on, is likely to upset some party members if confronted with having to vote with

in the House offer a fair indication of their attitudes towards proposed legislation. Nearly three quarters of Māori MPs commented that their identity, upbringing and tikanga Māori influenced how they voted on bills that allowed a conscience vote.

> Mainly tikanga. Mainly my perception of what the cultural thing to do is… I look at it that way rather than a party way (Interviewee 27).

> It is based on your upbringing and what you believe in… I think that I take a Māori view to be frank (Interviewee 32).

> I do take regard to what people are saying on the issue. But equally, I take into account what my own personal feeling is and my personal feelings are usually based on my own upbringing, my background, and my cultural beliefs (Interviewee 7).

The results are consistent with surrogate representation theory, where surrogate representatives promote their constituents' 'perspectives and interests for various reasons internal to their own convictions, consciences, and identities' (Mansbridge 2003:524).

Some representation concerns

There were some concerns amongst interviewees in terms of the scope of their representation role. Most notably about the specific Māori groups MPs acted for and the problem of MPs being stereotyped. In regards to the first concern, Māori are not homogenous. Traditionally, Māori were a tribal people. It was not until colonisation that Māori were beginning to be thought of as a collective. According to Durie (1998:53), '[t]he evolution of a collective national Māori identity was heralded at a meeting in 1835 when the Declaration of Independence was signed'. In contemporary times, there is still no single 'typical' Māori. Nevertheless, there are similarities amongst Māori, which allow Māori to be seen as a group.

> Māori are as diverse as any other people are – not only in socio-economic terms but also in fundamental attitudes to identity. Nor can a Māori identity any longer be entirely dismissed in favour of a tribal identity. The reality is that some Māori also choose to identify with a particular tribe, others might wish to but have lost access, and others still might be content simply as Māori, with no desire to add a tribal identity (Durie 1998:59).

This diversity appears to have an impact on who Māori MPs feel they can and should represent.

Close, consistent contact between representative and iwi was cited as a requirement for a Māori MP's legitimate claim to represent a group's concerns.

> I don't think I represent all Māori, absolutely not. I think the best that I can hope to do is represent… my iwi. But also [some other iwi] because I do a lot of work in [their areas]… I think it would be ridiculous for any Māori MP, I think, to say that they can represent the views of all iwi (Interviewee 15).

While another did not feel a specific responsibility to represent Māori concerns generally, that they considered themselves urban Māori enabled them to act as a voice for that group of

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the party on the issue, and the issue is traditionally seen as a conscience topic. In the 60 year period up to 2005, 122 conscience votes were conducted in New Zealand (Lindsey 2006:187).

Māori (Interviewee 14). A further interviewee argued that tribal factors were in fact an obstacle to representing Māori in parliament, rather than a unification tool. Differences between MPs personal tribal histories could present difficulties. The concept of whānau demonstrated this point.

> Whanaungatanga: Having to make that decision which will probably cross the line with other members of your iwi or hapū. I think that is one of the things that Māori MPs have to confront within themselves from time to time (Interviewee 7).

These concerns about diversity require further comment because, as Childs (2004b:85) argues, the acknowledgement of heterogeneity challenges the link between descriptive and substantive representation. As discussed in the introductory chapter, substantive representation requires the presence of unique group characteristics and special interests to which a representative can respond (Sapiro 1981:703). Therefore, Māori must hold distinct interests (however varied) for the current research on Māori substantive representation to be carried out. As the above statements by Durie indicate, Māori are not homogenous. Nevertheless, these interests need not be universal. Rather, Williams (1998:6) argues that if the social position of the group members are 'sufficiently similar', it provides good reason that group members are on average more likely to represent the interests and concerns of that group. Furthermore, it is the shared ways Māori experience the world that presumes a likely relationship between Māori descriptive and substantive representation (see Childs 2008:104). While some interviewees believed there were distinct Māori groups they represented, all Māori MPs nevertheless considered that Māori identity influenced their representative role in parliament.

A second concern was raised regarding Māori MPs being stereotyped as solely representatives of Māori interests. One interviewee considered it dangerous for Māori MPs to 'pigeonhole' themselves as representatives who exclusively strive to advance Māori interests and issues (Interviewee 14). The issue was compared with National MP Dr Jackie Blue, New Zealand's first breast physician, who could be branded as only interested in breast cancer issues (Interviewee 14). Former Labour Māori member John Tamihere has also raised this concern, when he was reported to have 'no desire, despite predictions, to be the next Minister of Maori Affairs. He doesn't want to be stereotyped' (Hewitson 2003). Similarly, Ralston (2007:23) interviewed Labour Māori MP Shane Jones and reported in the New Zealand Listener that Jones had no interest in being a Māori electorate MP. Ralston (2007:23) claimed that Jones' interests in politics were broader than sectional concerns and that he is simply a MP who happens to be a Māori. Indeed, having a role of representing all interests, including those of Māori, was common response from both list and Māori electorate MP interviewees.

To summarise, MMP has facilitated greater numbers of Māori in parliament, but it was previously uncertain if this proportional representation electoral system helped to generate Māori substantive representation. Both Māori electorate MPs and (nearly all) Māori list MPs stated that they represented the interests of Māori in parliament. They were, to use Pitkin's (1967:209) phrase, 'acting in the interest of the represented, in a manner responsive to them'. Surrogate representation helps to explain why Māori MPs feel they should act for Māori, irrespective of how they are elected to parliament. The findings are consistent with Tremblay's (2007:296) research on women's substantive representation and proportional electoral systems, discussed in chapter three, where her findings cast doubt on the argument that women elected via proportional systems have more opportunity to act for women than those elected via majoritarian systems. The desire and personal responsibility to voice the concerns of Māori in parliament is a duty most considered fundamental to their representative role. However, as will be shown in-depth later in this chapter, Māori MPs are constrained by important institutional and extra-institutional factors that limit the extent to which Māori MPs can act for Māori in parliament. It is in this context that the Māori electorates appear to be an enabling and facilitating mechanism for Māori substantive representation.

Collegiality and Māori political behaviour

Primarily as a reflection of the practice of tikanga Māori, most Māori MPs believed Māori representatives operate differently inside and outside of parliament compared to parliamentary norms. This is evident in the collegiality amongst Māori members of the House and their distinct political behaviour. Former Māori MPs have criticised aspects of the parliamentary political system, claiming 'the adversarial way in which parliament operates is alien to the Maori way of holding debates and reaching decisions' (Catt 1999a:64). Māori politicians have also spoken about the effect a Māori presence has on parliamentary business and their non-Māori colleagues. In 1998, then a Labour MP, Tariana Turia argued greater numbers of Māori representatives within Parliament had created an environment where issues of direct benefit to Māori could be raised with the knowledge that other Māori MPs would support their cause (Harawira 1999:28). Sandra Lee, a retired Alliance MP, expressed a similar view, commenting 'there is an affinity with Maori MPs' (Wall 2001:138). It will be demonstrated, however, that collegiality has not led to a constructive cross-party Māori caucus due to crucial restraints on their parliamentary role.

Collegiality

The distinct way Māori MPs interact in both formal and informal settings is testament to the special relationship Māori representatives' share. Some members described a degree of collegiality between Māori MPs that is founded on the connections MPs have through whakapapa, family relationships and other circumstances.

> I think where the difference may lie, although this is not visible to anybody else (but maybe it is), is that we have in our real lives as individuals links with each other. Some of us are related to each other. Some of us have worked with each other years ago or recently. Some of us are friends with each other. That in itself presents a different dynamic with the way we interact with each other outside of the theatre [of parliament] (Interviewee 20).

> Although MPs are quite relaxed with each other and have quite good relationships outside of the [parliamentary] arena, I think for the Māori MPs, to some extent, it is a bit easier for them to do that because of the kind of whānau approach to everything (Interviewee 3).

> I think Māori have… brought to the political platform a dynamic that has been alien to political practice. They come with a strong background of collectivity, a sense of whānau whānau (Interviewee 32).

While there have always been four Māori MPs in the house and are therefore not 'alien' to parliament, this point can be taken to stress the minority presence Māori have held and their distinct political style compared to that of the dominant Pākehā group. These whakapapa connections and a sense of collectivity foster a Māori style of politics.

The challenges Māori continue to face as a collective was described as another vehicle encouraging collegiality and an alternative way of operating in parliament. In the opinion of one interviewee, this is illustrated by the degree of loyalty Māori have for one another.

> Here is a dangerous statement: we are by nature loyal to our race. We are through the environments that we have been raised and, this might be a personal view and might not be viewed by other people, I guess as a result of the personal battle that you fought along the way, you become attuned to the wider environment and the dangers and difficulties that it can present you with (Interviewee 34).

One other MP made a similar argument, that Māori representatives 'can cross party boundaries in a way that doesn't happen in a strictly Pākehā way', because 'sometimes adversity brings collegiality' (Interviewee 29). Furthermore, Labour Māori MP Nanaia Mahuta has clearly articulated how 'being Māori' influences Maori MPs political behaviour and collegiality amongst Māori MPs.

> My experience has been, even though we [Māori MPs] disagree politically on some issues, we probably have far more common ground… At the end of the day, many of us operate at another level based on whakapapa connections, based on intertribal loyalties and respect. We don't ignore that. That is probably more paramount that our political allegiance (Mahuta 2009).

However, as is explored further in this chapter and as illustrated in chapter six, there are few occasions where distinct Māori concerns are at stake, and Māori MPs have crossed the floor and voted against their party's position in the interests of Māori.

This collegiality amongst Māori members in parliament has also been exposed in parliamentary debates. National MP Georgina Te Heuheu clarifies the relationship between Māori MPs thus:

> Māori ties are longstanding, historical, and binding. They are enduring. All of us Māori MPs have ties that were in existence when we came into this Parliament, and they

will remain and endure long after we leave (New Zealand Parliamentary Debates 2006e:6383).

The collective nature of Māori society and the links binding Māori MPs were emphasised by Labour Māori member Parekura Horomia.

> It is just that we have a great bond, because no matter how much we argue and divide ideologically over what our parties are doing, at the end of the day we are all tangata whenua and have a greater obligation to Māori collectively than to ourselves individually. It is a privilege to be a Māori MP, a role we will never take for granted (New Zealand Parliamentary Debates 2004a:13199-200).

Parliamentary records and the interviews have shown Māori MPs are conscious of their collective responsibilities to Māori, both inside parliament in terms of who they directly represent, and also outside of the House in relation to the wider Māori population.

Collegiality amongst Māori and their struggle for representation was sometimes compared to that of women. The two groups' efforts to gain descriptive representation were likened, as was their distinctive nature of politics.

> Māori are still struggling for representation in local government. I know of women who either empathise strongly with Māori or are Māori themselves and they have faced a lot of prejudice and difficulties (Interviewee 29).

> I think it is probably almost the same as it was with women parliamentarians a little while ago… In that we do have a common purpose and we do have a common characteristic that brings us together (Interviewee 15).

These comments suggest members of groups who have experienced either oppression or exclusion can have empathy with others in a similar situation. Interestingly, a Māori local body councillor interviewee felt a responsibility to not only represent Māori, but other minority groups in the council district too (Interviewee 11), adding weight to this argument.

Māori caucus potential

Linked with the topic of collegiality, is the often-discussed potential for a Māori caucus. According to Bargh (2006:21-2), there have been 'suggestions that the Maori Party would seek to caucus all Maori MPs to foster a sense of common Maori kaupapa which might have the potential to destabilise the adversarial nature of party politics within Parliament'. A cross-party Māori caucus would presumably have parallels to the Congressional Black Caucus (CBC) established in 1971 by African Americans in the U.S. Congress. Their aim was to improve their ability to pass legislation they desired and prevent that which they opposed (Tauber 2005:50). This was a caucus founded on the philosophy that its members represented a national black constituency (Gamble 2005:51). Similarly, there were moves to establish a 'cross-party sisterhood' in the National Assembly for Wales in 1999, where it was hoped this forum would see feminist and gender equality issues take precedence over party lines (Chaney 2006:704). Can coalitions be built across party lines, or does the collective presence of Māori achieve more for comradery than policy (Dodson 2006:59)?

One survey reported 73 per cent of Māori felt Māori MPs should work together in parliament in spite of party differences (Fitzgerald *et al.* 2007:37). Certainly, some Māori politicians have spoken of a need for Māori to work together in the collective interests of Māori. Speaking on the Education (Te Aho Matua) Amendment Bill in 1999, New Zealand First MP Tutekawa Wyllie stressed, 'I think that perhaps we should remain as one again, and work together as one on this issue… [W]e as the Māori people, we as the Māori MPs, should remain as one' (New Zealand Parliamentary Debates 1999:17042). The rhetoric and sentiment is encouraging but in reality, according to Arseneau (1999:143-4), 'effective cross-party… Māori caucuses have been very rare, and, in terms of votes in the House, these have tended to follow party lines'.

There was some agreement amongst Māori interviewees about the possible effectiveness of a cross-party Māori caucus. Although most respondents did not envision radical policy and legislative changes emerging from a Māori caucus, subtle benefits were believed to be achievable. Informal caucusing amongst Māori MPs does occur, said one interviewee, but the potential results should not be overstated.

> As you are aware, we are having a very low key, below the media barometer, caucusing meeting of Māori MPs. That shows promise. While we may not come out with any great earth shattering statements, and I don't think that is the intention of us caucusing together. It is a comfortable and good forum (Interviewee 29).

One positive outcome of the caucus, this MP suggested, is that Māori MPs can act as 'emissaries in their own caucus and point things out'. In other words, Māori MPs could influence their non-Māori colleagues within their party on issues important to Māori in a caucus forum. Similarly, some Māori councillors maintained that their presence in local government helped educate and inform non-Māori councillors about Māori issues, as discussed in the previous chapter. A further Māori MP considered that a Māori caucus could offer support and assistance to Māori MPs who are part of the government, and who are therefore faced with tighter restraints.

> I think that in general it is a good idea for us to spend more time together and understand what each other is doing. Especially for the government Māori MPs who have internal issues that they can't necessarily tell us about but that we can support them with (Interviewee 3).

A cross-party Māori parliamentary caucus would ideally be an excellent way of identifying Māori concerns and talking informally about these issues. A majority of Māori MPs considered this was the case. Indeed one MP felt the ability for Māori to work across party lines reflected the new style of politics Māori bring to parliament (Interviewee 10). However, many, two-thirds of interviewees in fact, warned the biggest downfall of this type of caucus would be parties seeking different ways to address Māori issues.

> Political parties do not seek the same objectives. Māori amongst themselves do not all think the same… Because whilst we might agree on a philosophy and we might agree on a policy, when you start to discuss the initiatives and how you implement that policy then things break down (Interviewee 34).

> I think it is a very good way to bring things together. I do that continuously in this room speaking with people from other parties. The reality is we work within a construct in this political world which is party divided (Interviewee 32).

In other words, Māori MPs are all likely to have a similar vision for Māori. However, the implementation or achievement of those visions is hindered by the different means pursued by different political parties. These findings substantiate Gillon and Miller's (2006:178) claim that even though cross-party caucuses 'may start with the best of intentions, such groups tend to get bogged down in party politics, thereby reducing their chances of success'.

Decision-making power lies with political parties. A number of interviewees pointed out that a Māori caucus might come up with solutions to problems, but the implementation of their decision crucially relies on political party support.

> It is good when we do get together and try to get cross-party agreement on some issues… That might die when some of the Māori MPs take it back to their caucuses who don't agree, but I think it is important for those decisions to take place because clearly we have a lot in common (Interviewee 15).

> There is always an opportunity for us as Māori in parliament to come together to talk through an issue and from time to time we do do that. But not to the degree that we position ourselves on a vote on a bill. Because as you know, that is the reigns of the party itself (Interviewee 22).

> I've been to one meeting where Māori Members of Parliament have got together to talk about a few things. I said at that meeting that I am here, essentially, to represent the views and aspirations of [my] party and no one else… I am here to represent the party (Interviewee 27).

The ideal versus the reality of a Māori caucus were pragmatically expressed.

Tikanga and kaupapa Māori

Identity, and more specifically whakapapa, has been identified as a component of Māori substantive representation. It creates collegiality amongst Māori MPs and provides the basis of a potential Māori cross-party caucus, albeit with significant limitations. Tikanga and kaupapa Māori are further factors that influence the representative role of Māori MPs, in terms of their political behaviour in parliament. The New Zealand parliament is a Westminster model that generally functions according to Pākehā worldviews and ways of operating. Tikanga Māori is largely not incorporated into this structure. According to Hunter (2003:32), and writing in the Canadian context, substantive representation can be increased through integrating Aboriginal worldviews into the social, political and institutional fabric of a nation's politics (Hunter 2003:32). Descriptive representation is thus a prerequisite of substantive representation of group interests. By extension, the presence of Māori in parliament is important because tikanga and kaupapa Māori are more likely to be incorporated into

parliamentary affairs, and subsequently the Eurocentric priorities can become more inclusive and responsive to Māori. It will be shown that ethnicity and identity affect not only how Māori MPs perceive their representative role in parliament, but also how they practice it. Further, a different style of politics has implications for substantive representation because it can change the dominant group's political behaviour and institutional norms (Mackay 2004:101).

The political style of Māori MPs reflects the practice of tikanga and kaupapa Māori in parliament. Respect Māori MPs afford fellow members of the House was a noticeable characteristic.

> There is a certain degree of respect that you show… There is that custom there that you are not rude to those who know a lot more than you and who have a lot more experience than you, even if you disagree with them (Interviewee 15).

> The majority of Māori MPs operate under the kaupapa of manaakitanga and whanaungatanga… It would be fair to say that the majority of Māori MPs operate within the parameters of kaupapa and tikanga. So you do see significantly different behaviour (Interviewee 17).

> Within that combative theatrical arena, I'm fairly sure we still endeavour to show each other some of the respect that is so much a part of the way tikanga operates. Not always easy to see, not always easy to do. But I think there are dynamics there between us which have us trying to blend both styles – the combative western style theatrics and our own tikanga. So that may single us out (Interviewee 20).

> I think that in terms of Māori MPs, there is a different approach to how they behave in the chamber and towards one another (Interviewee 7).

Labour Māori MP Parekura Horomia expressed a similar opinion where he stated, 'There is something special about the relationship between Māori members of Parliament – a basic courtesy' (New Zealand Parliamentary Debates 2004a:13199). These comments are similar to those offered by Māori local body councillor interviewees, who considered their style was more respectful and courteous than their non-Māori counterparts.

Other interesting characteristics of Māori MPs, combined with the respect and dignity given to fellow members of the House, was a commitment to avoid making personal attacks on others in parliament because of their wider responsibilities to Māori outside of parliament, and to not take criticisms overly personally.

> The kind of game that happens in the House is less personal for Māori MPs in some ways than it is for other MPs (Interviewee 15).

> Inside the theatre [of parliament], we play our part… I think we tend less to personalise stuff (Interviewee 20).

> Māori try not to get too worked up because they realise that there are other collective obligations they have to serve once they leave here. So there is not much point burning all your bridges (Interviewee 10).

These statements suggest Māori MPs believe their actions in parliament are distinct. This is reflective of their tikanga, their whanaungatanga, and their essence of being Māori. While one interviewee agreed that Māori MPs have a 'whānau approach to everything' in parliament,

they also claimed this characteristic enabled some Māori MPs to be more vicious (Interviewee 3).

> I think the familiarity that makes it possible to have good relationships also can lead to a more fierce approach to politics and to political engagement, that isn't necessarily appropriate (Interviewee 3).

This comment was an exception. Even so, at the very least it is a reminder that context affects behaviour.

Different life experiences Māori have in comparison with Pākehā affect how Māori act in politics. Some interviewees argued their solid background in Māori politics, gained prior to entering parliament, influences their political style.

> When you come out of the Māori political scene, you are very au fait with opposition politics already, before you get into parliament, because there is such a large degree of opposition in Māori politics. I think that better Māori politicians are those that have been blooded in Māori politics (Interviewee 10).

> For Māori, politics exists from the time you enter the marae or pa… We are quite politically active at a young age. If you grow up with general politics, it is quite different in its applications, in its principles, in its values. So much so that I think a lot of Māori that do go into central politics, into parliament, are better equipped than non-Māori simply because of those factors (Interviewee 22).

Although the above MP could be accused of exaggeration, the comment nevertheless highlights how life experiences are believed to impact on substantive representation.

The use of te reo Māori has been identified as a further component of a uniquely Māori style of politics.

> I think there is a definite style emerging now that there are more Māori in the House. I think [it is reflected in] the frequency with which the language is used, [and] the way in which we can work very effectively across party lines (Interviewee 10).

An increased presence is argued to lead to greater opportunities for Māori substantive representation. Another interviewee said parliamentary staff had commented on how the incorporation of tikanga Māori in their parliamentary role was clearly noticeable through the language used by Māori MPs and how they relate to people (Interviewee 14). Māori Party co-leader Dr Pita Sharples (2006:3-4) has also commented on the way te reo Māori has changed parliament, despite its clashes with the Westminster system .

> There are other signs, which indicate a different and distinctive style of politics emerging. There is more reo being spoken in the House – even if some Members are constantly turning to the Standing Orders to see if there can be impediments to bear (Sharples 2006:3-4).

According to Catt (1999b:91), descriptive representation indicates 'the political system recognises the validity of that group's voice'. The presence of Māori MPs can be symbolic in the sense that they are role models for other Māori. One interviewee argued that a descriptive

Māori presence does show the wider Māori community that their place in parliament is legitimate and of value. Representation acts as a point of familiarity for Māori.

> I think it is important for young Māori… to be able to see their role models in parliament and know that this place is still welcoming to them even though it is not of their culture and it is not the way they would do things… I still think it is a system that I find foreign a lot of the time... That is not how I'd do things if I had my way but it is the system we have got (Interviewee 15).

Māori descriptive representation might be a useful vehicle to make New Zealand's political institutions more inviting for Māori to participate in politics.

The influence of time in elected office

Collegiality, the willingness to work across parties on Māori issues and the incorporation of tikanga and kaupapa Māori in their parliamentary role, indicates that elected Māori MPs practice a unique style of politics in parliament. Nearly all interviewees felt their political style was distinct from non-Māori politicians. However, there is one cautionary note. The length of time a Māori MP has spent in parliament might affect the extent to which Māori MPs substantively represent Māori interests.

While there was near unanimous agreement that Māori MPs work differently to their non-Māori colleagues in parliament, a number of interviewees argued that Māori politicians who have been in parliament for longer are less inclined to operate in this collective way.

> As they get longer in the tooth around this place and they start to go through the cycles of success and failure, they become hardened because they don't like the failures. And the failures, at the end of the day when they go back and assess what they did right and what they did wrong, might well indicate that they are being too nice to some people along the way (Interviewee 34).

> I think that in terms of Māori MPs, there is a different approach to how they behave in the chamber and towards one another… The sad part about it is those who have been here a long time have tended to forget about the background that they come from, if you measured it in terms of their behaviour towards one another (Interviewee 7).

> I think some [Māori MPs that]… have been here longer than the rest of us… generally follow a line they have learnt over their time in parliament… [T]hey have assumed very much the role of the attributes that their colleagues happen to pick up (Interviewees 6).

Multiple term Māori politicians, according to these respondents, adopt a more confrontational style of politics, replacing one based on tikanga Māori. Their exposure to Pākehā political behaviour influences their own.

Some literature is consistent with the above opinions on the influence time in elected office has on a representative's role. They somewhat reflect Engelbrecht's (1999:95) findings, which were based on an analysis of the role of MPs following the inaugural MMP election in New

Zealand. Electorate and list MPs who had been in parliament longer than one term tended to fulfil a party representative role, whereas newer electorate and list MPs took on a politico role, which was defined as a hybrid of four roles – constituency delegate, partisan, special interests group, and trustee (Engelbrecht 1999:95). The longer in parliament, the more likely MPs conformed to the party line. In an indirect way, the above interview responses also mirror Beckwith's (2006:43) contention that women's substantive representation is affected not only by the proportion of women elected, but also by the number of new women politicians. She argues the difference between male and female legislators 'may be the product of the intersection of numbers and newness, in party and parliamentary context' (Beckwith 2006:43). While this present study does not overtly take this issue into account, future Māori substantive representation research projects could focus on the difference between 'new' and 'experienced' Māori MPs' and councillors' roles and responsibilities.

Interviews with elected Māori parliamentary representatives demonstrate there is a distinct Māori style of politics. Whakapapa links have fostered a strong sense of collegiality amongst Māori MPs, leading many to believe a cross-party Māori caucus could be a positive way to talk informally about Māori concerns. However, this could be where the benefits end. Party loyalties and constraints were identified as the greatest hindrance to Māori caucusing together on Māori issues. Elements of tikanga Māori characterise the Māori representative's role, most notably the respect afforded to fellow MPs, making less personalised attacks on colleagues in the House and the use of te reo Māori. One factor perhaps limiting the uniqueness of a Māori style, however, is the period of time a person has been an elected MP. New MPs are arguably more likely to reflect elements of their culture in their representative role.

The critical importance of Māori MPs

The uniqueness of Māori political style derives from whakapapa and tikanga Māori. These characteristics are also central reasons why the descriptive presence of Māori MPs is considered critically important. As with local body interviewees, Māori MPs were questioned whether they believed Māori MPs are distinguishable from non-Māori MPs who may willingly act for Māori in parliament. In other words, if the substantive acts are the same (where MPs act in the interests of Māori), do the outward signs of being Māori matter? All Māori MPs (compared to 75 per cent of Māori councillors interviewed) felt elected Māori representatives are unique and important. Some interviewees considered Māori MPs to be the only legitimate representatives of Māori interests. The presence of Māori MPs matters, interviewees argued, because it ultimately has a bearing on political outcomes.

Tikanga, whakapapa and a Māori worldview

Even though non-Māori representatives may support policies aimed at making a positive difference for Māori, interviewees argued that Māori descriptive representation remains critically important because they bring a valid understanding of tikanga Māori to their parliamentary activities.

> We have non-Māori representatives that are always conscious and supportive of Māori issues. But at the end of it there have to be assurances, some confidence, that person knows what tikanga is and how to promote that tikanga. Because let's face it – we have been brought up differently. Until we have the confidence that we have been brought up the same, then we will have the confidence to embrace the fact that you will be representing the same issues. That is quite different isn't it? It is really quite different (Interviewee 22).

> Pākehā colleagues can give a view – and that's fine. And I'll give a view. I tend to think that a view, which is backed up by 20 to 30 years of experience and a deep abiding knowledge of what you are talking about, has more value (Interviewee 20).

Non-Māori MPs could attempt to represent Māori concerns if they wished to do so. However, according to these two politicians, Māori MPs are better able to represent Māori interests because they have a greater depth of experience and understanding of Māori issues.

The way life experiences influence a Māori MP's approach to Māori issues before parliament is also illustrated in parliamentary debates. Former Labour MP Mahara Okeroa explained how his early life experiences informed his speech on the Central North Island Forests Land Collective Settlement Bill in 2008.

> [H]aving experienced what it is like to grow up on the margins of the area that I came from, and having absorbed some of the hard lessons that are associated with being pōhara, being not quite part of the loop, seeing old people not respected for what they are, and having one's own cosmology, history, and culture denigrated, I bring to my discussion a full understanding of the whole collection of those feelings (New Zealand Parliamentary Debates 2008a:16927).

Okeroa's emphasis on his Māori background, like the two interviewees above, support Mansbridge's (1999:643) thesis that descriptive representation is likely to lead to substantive representation when issues are new to the political agenda. This is because representatives, in this context at least, base their representative actions on their shared experiences with constituents to explore the ramification of the political issue, and speak on the issue with a voice of authority backed by experience (Mansbridge 1999:644).

A Māori worldview is an important rationale underlying why a Māori presence in parliament is valuable. A bi-cultural perspective affects how Māori representatives approach Māori issues.

> I think the difference is that we have always had to live in two worlds. Because we come here understanding kaupapa and tikanga, the way in which we view issues is significantly different. When you are talking about land issues, water issues, rights issues, all of those things that are significant for our people, then the worldview is quite different to that of non-Māori (Interviewee 17).

We bring an insight into a Māori worldview that very few would be a part of. We bring an element of Māori language, which carries the worldview (Interviewee 6).

This worldview, another interviewee argued, enables Māori politicians to identify and capture issues relevant to iwi agenda (Interviewee 10). A further person argued the individualistic based political system limits the extent to which the Māori worldview is incorporated into legislation.

The majority of legislation that is put in place is based on a Western view of the world and it is quite difficult to get a Māori worldview in those discussions (Interviewee 17).

Political commentator Colin James observed that much of the Māori Party MPs' parliamentary work is performed in two worlds. James (2008) explained that even though the Māori Party functions in the general party system, it 'also operates in, draws its legitimacy from and shapes its ambitions for, another world: te ao Maori'. That the Māori Party is 'distinctly Maori… marks its MPs' (James 2008).

Whakapapa was identified as a further feature distinguishing Māori MPs from non-Māori representatives who may act in the interests of Māori. Whakapapa differentiated MPs in both descriptive and substantive terms.

The difference is the concept of whanaungatanga and the concept of whakapapa… I think that, particularly if you have been brought up within that circumstance, then of course you are going to have a greater empathy towards the people that you are talking about. I think therein lies the difference. Notwithstanding the sincerity of the non-Māori MP (Interviewee 7).

[Māori representatives need to] continually in your own demonstrative way present… that Māori are tangata whenua and that didn't come by chance (Interviewee 4).

I'm probably a bit more liberal on that [non-Māori acting in the interests of Māori] than some of the others would be. I sort of go, good on them! Go hard!... But there is something that you can only get through blood, really. And that's where it makes it a little more difficult (Interviewee 14).

Whakapapa articulated ones genuine empathy with Māori concerns. It alludes to the other traits of Māori MPs as described above – an understanding and practice of tikanga and holding a Māori worldview. The genealogical link is thus crucial.

While respondents identified tikanga, a Māori worldview and whakapapa as key characteristics distinguishing Māori MPs, there are still a number of characteristics such as having knowledge of Māori issues and speaking te reo Māori that are not necessarily uniquely Māori. Non-Māori can learn these in a variety of settings. Indeed, it cannot be guaranteed that Māori MPs will be fluent in these areas. These competencies may be identified as components of a 'Māori', but not necessarily determine that a person is descriptively Māori.

The obvious thing you would say is [non-Māori MPs] do not necessarily have te reo, they don't necessarily understand or know tikanga in the same way Māori do. But in thinking and preparing to say that, I remind myself that that also is true of me. And I'm Māori!... Probably the greatest difference might well be that Pākehā MPs who choose to do that [represent Māori] do it out of a sincerity and a genuineness and a belief that certain things are right and certain things are wrong and they need to be addressed.

> They do not necessarily do it from a depth of understanding of what makes Māori Māori… They seek to put right what is wrong. Māori, they live it. They are it. If they haven't, sooner or later they end up doing so (Interviewee 34).

The intrinsic knowledge of a Māori perspective, derived from whakapapa and life experiences, thus distinguishes a Māori MP from others. Another interviewee claimed Pākehā do not understand, and therefore are unable to represent, Māori issues.

> They [non-Māori] do not understand them in the first instance so they can't represent them. They could represent a housing issue for a Māori person but they can't represent Māori issues (Interviewee 17).

The respondent explained that non-Māori examine issues in terms of welfare or socio-economic factors. Non-Māori do not look at issues from an indigenous angle. Perspective, based on whakapapa, is the distinguishing factor.

The relationship between non-Māori descriptive representation and the substantive representation of Māori concerns has also been reflected on more cynically.

> [Pākehā] don't represent us at all. The only Māori things they represent are if they are forced to, if it looks good, or if they can't afford not to. They are not on the agenda of the average Pākehā member and the government's agenda… We are not a priority, we are not urgent, and we are not there on the agenda (Interviewee 25).

Without Māori descriptively represented, the respondent argued, Māori interests would not be articulated in parliament. As a further example, Gerry Brownlee, a non-Māori MP, became the National Party Māori Affairs spokesperson in 2004. A newspaper editorial criticised Brownlee's credentials for this role since he was elected as the representative of an affluent Christchurch suburb, 'which hardly equates with Maori reality' (Waikato Times Editorial 2004). The editorial proceeded to argue that it is difficult to comprehend how a Pākehā could speak for Māori interests in parliament or hold a Māori Affairs portfolio.

> The belief that a pakeha can speak on behalf of Maori is laughable. Alliance MP Willie Jackson, a Maori, called it a metaphor for colonialism, 'of white men speaking for brown men', and he is right. Dr Brash would have more credibility had he stuck to the tenor of his speech and abolished the portfolio altogether (Waikato Times Editorial 2004).

What this newspaper editor is articulating is that descriptive representation is a prerequisite for the substantive representation of Māori interests. The editor is also alluding to the lack of legitimacy Pākehā have to speak on behalf of Māori.

Legitimacy and perception

Legitimacy and perception are indeed important components of substantive representation. Because Māori descriptive representation was considered necessary for the promotion of Māori interests in parliament, some interviewees perceived Māori MPs as the only legitimate representatives of Māori interests. The key difference between Māori MPs and non-Māori MPs acting in the interests of Māori, one respondent asserted, is 'legitimacy in the things that we say from the community's perspective'. Furthermore:

> Lots of [non-Māori within my party] here… have been vocal because of their history of being involved in Māori issues and Māori questions, but many Māori would still prefer that I did it or that I was involved simply because of that legitimacy. It is one of our own from their perspective (Interviewee 3).

This MP also felt the Māori community desired Māori politicians to be their spokesperson on Māori issues because 'it is a way for them to provide support to us as Māori MPs'. Whakapapa not only helps Māori MPs to identify and empathise with Māori concerns, but it also legitimates their efforts to represent Māori. The response lends support to Williams' (2000:124) argument that due to lack of trust between marginalised groups and the dominant culture, the political presence of these groups is necessary for their effective representation.

> Where relations of social and political inequality have long been structured along the lines of group identity, there is an inadequate foundation of trust between citizens who belong to marginalized groups and representatives who belong to privileged groups. Without this trust, the flow of communication which is a precondition of effective representation is unlikely to exist (Williams 2000:124).

The presence of political trust thus contributes to why Māori descriptive representation makes a substantive difference in parliament.

Non-Māori MPs may be reluctant to overtly speak on issues of concern to Māori because they may not feel they are in a position to act for that group.

> There are some [Pākehā] who are very well versed to speak about [Māori issues], but, generally speaking, I find in our caucus that our caucus colleagues are very respectful and would prefer actually not to speak on behalf of Māori. I mean they'll speak passionately about issues that relate to Māori and other communities, but when it comes to actually speaking for Māori, I don't think there are any Pākehā colleagues in our caucus who would speak for them (Interviewee 15).

That individuals who descriptively match their constituents should speak on their behalf has also been recognised by former Associate Pacific Affairs Minister Luamanuvao Winnie Laban. When speaking about the reciprocal Samoan term of lafo, this Labour MP stated 'koha is a Maori term, so I don't speak for Maoris and Maoris don't speak for Samoans' (The New Zealand Herald Editorial 2006). In another example, Sue Moroney, a Labour MP, interrupted National Māori MP Georgina Te Heuheu during a speech on the Waka Umanga (Māori Corporations) Bill, and questioned whether Te HeuHeu's claim 'all Māori ask for is to have full capacity to exercise their rangatiratanga' was National Party policy. Te HeuHeu responded by saying:

> There is some person on the Labour side who thinks she knows better than Māori people. Goodness me! She is typical of the Government she is part of. She is a Pākehā woman, as well (New Zealand Parliamentary Debates 2007d:13861).

A reluctance to speak on Māori issues might in part be attributed to a fear of being (correctly or otherwise) perceived as incompetent or unqualified to do so, and criticised accordingly as the above example demonstrates. Māori substantive representation, therefore, is at times perceived to lie within the domain of Māori descriptive representatives alone.

Māori representatives, and non-Māori MPs who have a consciousness of Māori issues and are prepared to act as an advocate of them, are distinguished by their whakapapa, an understanding of tikanga and te reo Māori, a Māori worldview, and their life experiences. The presence of Māori MPs is also important in terms of perception. Māori, as well as some non-Māori, perceive Māori as the only legitimate representatives of Māori interests. This perception creates responsibilities for Māori MPs to represent Māori; but it may also discourage non-Māori from attempting to voice Māori concerns in parliament. Two clear differences between the responses amongst Māori MPs and Māori local body councillors emerge on this matter. First, while all Māori MPs believed a Māori descriptive presence was of value and not replaceable by non-Māori willing to advocate on behalf of Māori, a majority (75 per cent) of Māori councillors felt this way. Second, a number of Māori MPs commented that non-Māori were inept at substantively representing Māori interests, whereas Māori councillors generally desired non-Māori to at the very least attempt to understand and begin articulating Māori interests in council. Some, in fact, thought non-Māori represented Māori interests well. These findings could reflect the lower proportion of Māori elected to local government (Māori make up nearly 15 per cent of the parliamentary membership, which is roughly in proportion to the national Māori population, and comprise less than 5 per cent of local government elected positions), and thus there is a greater reliance on non-Māori for support in council.

The impact of public opinion, proportions and party politics

For Māori substantive representation to take place, representatives must act in the interests of Māori. However, elected members operate in institutional settings that limit their ability to voice certain viewpoints, and sometimes make their substantive acts invisible. Childs (2004b:124) illustrates this point where she argues that women Members of Parliament 'may seek to act for women but have no discernible effect because they act in environments that are not conducive to the substantive representation of women'. In other words, the desire of descriptive representatives to act for their group may not translate into substantive gains due to certain norms and characteristics of the parliamentary environment. Interviewees identified key obstacles that restrain MPs' efforts to advance Māori issues and interests. These include public opinion that is unsympathetic towards Māori issues coupled with the lack of Māori elected to parliament, and party discipline. An accurate and realistic examination of the relationship between descriptive and substantive representation must therefore consider these obstacles.

Public opinion and the strength of numbers

The influence of the mainstream, or the majority of voters, must be taken into account when analysing substantive representation. Curtin (2006:247) demonstrated in her work on

women's substantive representation, that the overt expression of female MPs to act for women's concerns within 'mainstream political forums may equate with political suicide'. Similarly, public opinion on political issues affecting Māori can impede Māori MPs from explicitly acting for Māori interests, as to do so might risk losing support at the next election. Karp (2002:133) explains that it is likely parties will adopt positions that are closely aligned with the views of their voters. These voters generally encompass the majority non-Māori population. Xanthaki and O'Sullivan (2009:181) argue that political parties and candidates rarely promote indigenous agendas, as they endeavour to win the votes of the non-indigenous majority.

Policy preferences are more likely to converge on the 'average voter' under the FPP electoral system, according to Karp (2002:133), whereas in MMP environments parties are expected to distance themselves more from each other. Nevertheless, the influence of the mainstream, or the majority of voters, must still be considered when parties develop policies, or choose to support or oppose other parties' initiatives that affect Māori. The following statements illustrate the strength of public opinion.

> The greatest obstacle is a faceless middle New Zealand who are the voters. Because no… political party will support anything if they think their voting public will not support it. So, Māori issues are always compromised in the interests of so-called New Zealanders (Interviewee 17).

> Not all Māori issues can see the light of day because we are a broad party and we have to serve others (Interviewee 10).

Public opinion thus has an impact on whether a proposed strategy or policy concerning the advancement of Māori will be pursued.

Additionally, Māori MPs may face a backlash if they unequivocally support Māori concerns without first considering the majority viewpoint. Mansbridge and Shames (2008:626) argue that backlash involves three components. The action must (1) be a reaction that (2) involves coercive power and (3) tries to reinstate part or all of one's former power (Mansbridge and Shames 2008:627). The threat of the majority of voters reacting negatively towards a Māori policy or initiative, which translates into reduced support at the polls, restrains the extent to which Māori seek to act overtly for Māori.

> If you consider the percentage of Māori in New Zealand compared to non-Māori, immediately there is a different opinion out there about an issue. Because of that, you have to be very conscious of that opinion and how that might affect what you are trying to achieve. Because at the end of it politics represents numbers, more than anything else does. And if you are wanting to get legislation through you basically have to have the numbers on board. It is unlikely that you will secure those numbers if you go against public opinion (Interviewee 22).

> Politics is politics and you have to be aware of the trap of being ahead to quickly for people. You have to bring people with you, not threaten them… You are also aware of the backlash that politicians who promote those [Māori] things face (Interviewee 29).

These statements demonstrate Māori politicians must consider how and the extent to which they promote Māori issues in parliament. The support of the majority might also limit Māori cross-party caucusing.

> Where it gets mucky and murky and where the deception can creep in and the self-interest returns, is where political parties seek to maintain their advantage in the eyes of the public, and seek to preserve and protect the seats they hold, thereby their leverage… So I guess that unspoken realisation of the reality is probably the greatest limiter in the ability of parties to work cross-party and the effectiveness of any Māori caucus per se (Interviewee 34).

If the election of greater numbers of group representatives encourages greater resistance to policies benefiting that group, then descriptive representation could be unlikely to lead to substantive benefits (Sanbonmatsu 2008:640). Sanbonmatsu (2008:640) predicts female legislators may not pursue women's representation if they anticipate a backlash from their colleagues. The above examples from interviews show that this behaviour is evident amongst some Māori MPs. Grey (2006b:499) identified a backlash against feminism when women comprised 30 per cent of parliament and cabinet in New Zealand. Grey's (2006b:499) textual analysis spanning 2000 to 2005 showed a drop in the number of overt claims New Zealand's female politicians made that they were acting for women, and found there was a rise in hostility towards women which appeared to have consequences for the substantive representation of women. A further example from the U.S. shows how a group's descriptive presence can affect its substantive representation. One study examined whether or not the election of openly lesbian, gay, bisexual, and transgendered (LGBT) state legislators was associated with a political backlash. Haider-Markel (2007:109) observed that as the proportion of LGBT legislators increased, so did the number of anti-LGBT legislation. Therefore, not only could the actual claim to support a minority or under-represented groups' interests lead to a backlash, so could their descriptive presence.

The media was considered a serious barrier to Māori policy change because of its influence on people's perceptions of Māori. This subsequently restrained the freedom of Māori MPs to represent Māori.

> You have to deal with the anxieties of mainstream society, and they are easily revved up by the media. They are easily distorted and people react at a shallow level, but nevertheless they lash out when they feel favouritism, or some sort of cost or burden is going to be imposed on them because the Māori want something. So it is at a very base level. But such base-ness can ruin many a fine strategy. You always have to be wary of that. Even in your own party (Interviewee 10).

> I hate calling the media racist but I still think there are real issues around that, and also public opinion in that same way… When we try to talk about Māori issues sensibly in a general media forum it can be very difficult to break through that initial barrier that exists there. Having Māori media makes a difference (Interviewee 3).

A Māori presence can contribute towards providing a more educated or informed understanding of issues amongst parliamentary members, the media and the public. Just as Māori councillors felt their inclusion in local government helped non-Māori to understand and

sometimes ultimately support Māori policy initiatives, some Māori MPs also felt they had an educative role in parliament. Indeed Māori MPs speak on a wide range of parliamentary issues. For example, Māori Party MP Te Ururoa Flavell (2006b) asserted that he and his party colleagues view every parliamentary issue as a Māori issue and use every opportunity to participate in the House.

One approach to dealing with inaccurate or sensationalised media reporting of Māori issues is to label the policy initiative not as 'Māori', but as one inclusive of general concerns. One interviewee argued that the public are more likely to accept Māori policy, or at least be less prone to react negatively, if it is masked within a more general policy.

> I think the problem is that Māori issues have always been seen as wedge issues. Despite the fact that on a number of issues we've tried to do them in a different way so that they are not like that, so that they become issues like economic development or seen in way that is not controversial. Because it is very easy, as we've seen after the Orewa speech of Don Brash, that the mainstream New Zealand – the middle class – will really rear up if that button is pushed (Interviewee 15).

This comment has similarities with that of a Māori local body councillor who offered a constructive way to deal with concerns of racism in local government. Like the above interviewee's approach, the Māori councillor proposed racist attitudes towards policies that would have a positive effect on Māori in particular, could be changed by promoting the Māori cause within the realm of general concerns as well.

Much of politics concerns numbers. New Zealand operates under a majoritarian style of government. Māori must therefore work with the mainstream to make any positive gains. The reality of majority rule decision-making is an obvious constraint on Māori substantive representation as long as Māori are a minority.

> If there is one person against a group of, say, 20 people, well you can give your view [on Māori issues] but it depends in the end on the majority. Majority is the way everything operates here. Majority rules (Interviewee 20).

> One of the practical actualities in parliament is about numbers, irrespective of your ideology or where you think the world should go. That is the starting point. If you don't have the numbers you don't go anywhere for that matter. I think the strength is if you can understand and work that mainstream community strength and collect it with Māori, it is strong[er] leverage (Interviewee 32).

> There are always obstacles in pushing Māori issues because Māori are still a minority in our population… We've faced the difficulties of entrenched misinformation and from this entrenched misinformation comes prejudice (Interviewee 29).

> We have to get the best deal we possibly can for Māori within what is acceptable to Pākehā. Because the worst thing is to get kicked out of government and then get a party that will reverse everything we have done and make it far worse. That is a horrible political compromise to have to make, rather than just doing what you want to do. You kind of have to edge slowly towards it without scaring the horse… It is horrible but it is a numbers game (Interviewee 15).

As the final comment demonstrates, Māori MPs must not only deal with obstacles to Māori substantive representation in terms of public opinion and numbers, but also the risk of a

backlash should they act too far in the interests of Māori. It is clear that Māori Members of Parliament must carefully balance their representation responsibilities within what is acceptable to non-Māori.

Party loyalties

New Zealand, as a Westminster government model, operates with strong party loyalties. The role of MPs is strongly correlated to party membership and following the party line. Party representation creates tensions with representation based on geographic districts and on group identity, such as ethnicity. It therefore affects the relationship between Māori descriptive and substantive representation. As demonstrated earlier in this chapter, most Māori MPs acknowledged that party membership influences their role in parliament. The extent of this influence will be demonstrated here, and whether there are times that MPs prioritise their personal responsibility to represent Māori above party obligations.

Political party membership moderates the extent to which Māori MPs represent Māori interests in parliament. As Labour Māori MP Shane Jones (2009) has stated, the election of Māori to politics through political parties, equates to entering the 'world of compromise and pragmatism'. The reality of politics is that on most occasions Māori MPs are obliged to conform to their party's position on parliamentary matters.

> You always have obstacles. It would be wrong to deny that. I am in a collective [a party] (Interviewee 32).

> I think you would have seen that in the instance of a couple of recent controversial pieces of legislation that came through, where quite clearly, against their own beliefs and personal positions that they wanted to take, they [Māori MPs] fell in line with the party (Interviewee 7).

> I will think why are you voting like that when you know what it is going to mean [for Māori]. But that is the restrictions and constraints of party politics. That's the frustration of politics (Interviewee 29).

Even when the proposed legislation may negatively affect Māori, Māori MPs are required to vote along party lines.

Despite these obvious party constraints, at least one interviewee acknowledged there were times when Māori MPs may place their representation priorities with Māori, rather than their party.

> Regardless of the difference in the political philosophies of the other parties, there is still a common bond between Māori… At times, you are naturally inclined to be more loyal to your race than your political party. In those situations, you are left with some challenges (Interviewee 34).

Fitzgerald *et al.*'s (2007:37) survey found support amongst the Māori community for this position. 'Most [Māori] participants (71.7%) considered that Maori MPs should follow Maori

wants rather than those of the party should a disagreement occur'. Nevertheless, as chapter six will demonstrate, on most issues Māori MPs do follow party lines when disagreements exist. This occurs even on issues of paramount importance to Māori, such as the Foreshore and Seabed Act (2004). Māori Party MP Hone Harawira says that Māori representatives' actions should be guided by their Māori identity, not dictated according to party preferences (New Zealand Parliamentary Debates 2006a:1170). Harawira challenged the Labour Party Māori MPs 'to recognise that they were Māori before they were parliamentarians, and they will still be Māori after Parliament has no further use for them. That is what should determine their position, not the politics of their party' (New Zealand Parliamentary Debates 2006a:1170). Yet as many interviewees repeatedly stressed, Māori MPs are normally compelled to vote with their party even when the proposed legislation negatively affects Māori.

The Māori Party MPs are unique in that their party line is based on kaupapa Māori and their purpose is to represent the interests of Māori. To do otherwise would act against the party line. The Māori Party believes party interests should not override the interests of Māori. Māori Party MP Te Ururoa Flavell (2006b:2) argued it is misguided to assume the government is more responsive to Māori needs since proportional representation of Māori was gained in parliament. Rather, party discipline limits the extent to which Māori MPs can act for Māori. '[I]f Maori representation is muzzled by the branding of the party machine… the party interests will always subsume those of tangata whenua'. Māori Party co-leader Tariana Turia (2007b) summed up what she believed was the key distinction between MPs in the Māori Party and Māori MPs from other parliamentary parties.

> [I]t would be expressed best by Labour MP Shane Jones. Mr Jones stated on Radio Waatea, earlier this year, that for him and his colleagues, they are Labour Members of Parliament first. What he was expressing was in fact my experience as a Labour MP. That is, you cannot represent the indigenous voice of your constituency. You can only ever represent the 'voice' of your political party. Thankfully, for us in the Maori Party, we never need to face such a choice (Turia 2007b).

The strength of party discipline is discussed further in chapter six, where a case study approach of three issues in 2006 and 2007 will demonstrate the different approaches the Māori Party MPs and the Labour Māori caucus took when voting and positioning on these matters.

Since entering parliament in 2005, the Māori Party MPs have consistently challenged their Māori colleagues in parliament to act in the interests of Māori, even if it means acting contrary to the party line. However, after the 2008 election, with two Māori Party MPs becoming ministers outside of cabinet, the Māori Party had started to experience the constraints of parliamentary conventions first hand. In January 2009, National Party and Māori Party ministers were set to approve the first deal made under the Foreshore and Seabed Act, between the Crown and East Cape iwi Ngāti Porou. The deal was negotiated with the previous Labour Government in 2008, and according to a New Zealand Herald reporter, it

authorises iwi to set fishing regulations, change place names and designate wāhi tapu areas (Fisher 2009). Māori Party co-leader Pita Sharples is likely to sign off this deal, despite his party forming out of opposition to the Foreshore law, because he has a role to carry out as Minister of Māori Affairs (Fisher 2009). Sharples was reported as telling the New Zealand Herald he would sign the required affidavit to the High Court cementing the agreement, because it was his job to do so as Minister.

> 'It's my responsibility to do that', he said. 'My responsibility is not a personal one. It is what I'm required to do as Minister of Maori Affairs. We're still going ahead with the review [of the Foreshore and Seabed Act]' (Fisher 2009).

Māori Party MPs can substantively represent Māori without the confines of party discipline that other Māori MPs endure, because their party acts as an independent voice for Māori in parliament. Once bound by provisions of a coalition agreement, however, the Māori Party MPs, too, are restricted in their efforts to promote certain Māori concerns.

Although interviewees did not illustrate with specific, identifiable examples of occasions when they acted against party policy should it conflict with Māori interests, some did describe how these situations transpire.

> I [see] no obstacle in my way in putting my view there. There could be an obstacle when you have to make a judgement. You say, hang on, I am the… party and I got in on the strength of mostly Pākehā people who voted for this party. But I deeply believed in this view… Whether or not anybody [in the caucus] accepted that… once I decided if that was an issue that is really, really important to me and really, really important to the people who have confidence in me to give an objective view about it, I thought yes it is, and I put it there. And you let the chips fall where they will (Interviewee 20).

Entering parliament as a list member, largely through the support of Pākehā constituents, has a clear impact on this MP's perception of their representation role. However, being Māori also affects their role in parliament. Conflict between party and group representation created a dilemma for this MP, forcing a decision to support one or the other. Another Māori MP said they would inevitably confront with some instances where they would have to make a stand on a particular Māori issue.

> I don't have any obstacles per se other than if it was an issue that had to go before my caucus then I would take my directions from the caucus. But if I believed in the take [issue] that was before me, the kaupapa that was before me, I would be into it like a pig in a trough (Interviewee 27).

According to some scholars, it may prove more important to focus on where MPs are found – whether in Opposition, in government backbenches, or in cabinet – as well as their level of seniority, rather than on sheer numbers when researching substantive representation (Arseneau 1997:12, Swers 2002:133). A related limitation on the Māori representative role is whether Māori MPs are in a party forming the government or belong to an opposition party.

> The fact of the matter is you are not part of the government. So it doesn't matter how much you believe, or want to contribute by way of positive input into the development

of the country as a whole. All you can do is talk about it, but you can't actually implement it because you are not part of the government (Interviewee 6).

Examining the difference the Māori Party made while in opposition following the 2005 general election, compared to the substantive achievements they may make while holding ministerial portfolios outside of cabinet as part of their confidence and supply agreement with the National government after the 2008 election, would make an interesting case study.

The ideology of the party a Māori politician belongs to appears to have a slim, but noticeable, effect on their desire to promote Māori interests. As noted earlier, Bird (2004a:19) found in her research that ethnic minorities of right-wing parties generally find it more difficult to act in the interests of their group, compared to those in left-leaning parties. Overall, interviewees from National and New Zealand First (centre-right parties) were less likely to say overtly that they represent Māori, than were those from Labour, the Greens or the Māori Party. Interviewees from right-wing parties spoke of their responsibility to act for Māori in terms that were more indirect. For example, a member of a right-wing party stated that their role is very generic, and that their ethnicity is one area that influences it (Interviewee 14). When another MP of a right-wing party was asked at what point they might speak for Māori, they replied that they never label themselves as a spokesperson for Māori (Interviewee 7). A short time later, however, the interviewee said they did feel a responsibility to represent Māori concerns.

> I think so. And I have no difficulty with that… Because at the end of the day I'm part Māori and a lot of my relatives are affected by government policy (Interviewee 7).

MPs of right leaning political parties were less inclined to state explicitly that they represented Māori, compared to those belonging to left of centre parties. Nevertheless, Labour's Māori MPs work under tight party discipline and, as chapter six's case study analysis illustrates, left-wing parties are not necessarily more sympathetic towards Māori substantive representation.

While Māori MPs may want to act in the interests of Māori, there are factors that significantly impinge on their efforts to do so. Incumbent Māori MPs often rely on the mainstream public support for re-election. Therefore, public opinion on Māori issues can influence how Māori MPs approach and vote on certain bills of interest to Māori. The minority status of Māori as representatives in parliament and as a population, further constrains efforts to act for Māori. Party politics impedes Māori substantive representation when the interests of Māori conflict with the position a political party decides to take on an issue before parliament. MPs' actions are largely dictated by their party. The political environment must therefore be taken into account when analysing the relationship between the presence of Māori in parliament and who they act for, otherwise a skewed interpretation of Māori representation will result.

Conclusion

The research question this chapter set out to address was whether elected Māori representatives who identify as Māori, represent Māori interests in parliament. The evidence presented here suggests Māori MPs, regardless of how they enter parliament, do believe they have a role and a specific responsibility to voice Māori concerns, thus contributing both numerically and substantively to Māori representation. Although this may not always be considered the representative's primary responsibility, and regardless of the importance of the party to a MP's role, Māori MPs still felt an obligation to their ethnic group. Māori MPs interviewed in this research represent a variety of political parties, a wide range of ages, and a relatively even split by gender. Yet responses were rather uniform. While not suggesting Māori MPs thought alike on all issues concerning their parliamentary role, the results demonstrate that many viewed the impact they made, and the constraints to their role, rather similarly. Māori MPs made a varied array of rich justifications and qualifications to their statements, accentuating the advantages of qualitative research.

Whakapapa was a central factor influencing substantive representation. The previous chapter showed that whakapapa also strongly influenced Māori councillors' perceptions of their role in local government. Nearly all Māori MPs felt they had a unique style of politics, reflected in the way Māori representatives interacted, their incorporation of tikanga and kaupapa Māori in parliamentary duties, and their behaviour in the House. The worldview of Māori MPs affected the way they approached and addressed Māori issues, in turn distinguishing Māori representatives from non-Māori in the House. The intrinsic knowledge of a Māori perspective makes a Māori MP distinct. As noted in this chapter, one interviewee explained that non-Māori seek to put right what is wrong, whereas Māori live it. Māori MPs do face obstacles in representing Māori though. Two of the obstacles identified by interviewees were public opinion and party loyalties. Nevertheless, this chapter has demonstrated that the descriptive representation of Māori is important because it influences the substantive representation of Māori interests in parliament.

Catt (1998:403) has questioned whether a MP elected to a Māori electorate seat, or a MP from a Māori political party, or one who identifies as Māori or has Māori ancestry and is elected through the list or a general electorate, is the most effective representative of Māori interests. This research has shown that although the role of each representative has some differences as dictated by their electoral route to parliament, most Māori MPs feel a specific responsibility to act for Māori. It appears clear, amongst those interviewed for this thesis at least, that elected Māori parliamentary representatives from across the political spectrum, have a desire to act for Māori. But there are different ways of bringing about these mutually desired outcomes for Māori. Nearly all Māori politicians want the same outcome – Māori self-determination, however defined – albeit through differing means. The Māori electorates allow

an added avenue to facilitate the overt promotion of Māori interests by representatives. Overall, Māori electorate MPs felt a greater obligation to act as an advocate of Māori concerns due to all their constituents being Māori, compared with their list counterparts. In nearly all cases, however, party policy dictates how Māori MPs vote and act in parliament. Therefore, representatives from a Māori party appear to have the greatest freedom to represent Māori interests in substantive terms, as their party line is based on a kaupapa Māori philosophy. This chapter identifies that the party largely dictates MPs' representational duties – who they represent, the distinct style they have, as well as efforts to establish and operate a cross-party Māori caucus. Tensions between representation of party and ethnicity (and, to a lesser extent, constituency), were subsequently highlighted. The extent to which these tensions affect Māori substantive representation requires further scrutiny, and is thus the focus of the next chapter. Chapter six investigates whether the aims of Māori politicians to act for Māori transpire in practice.

CHAPTER SIX

Tensions of Representation between Party and Ethnicity

The main goal of this thesis is to determine whether the presence of elected Māori representatives in parliament and in local body councils affects the substantive representation of Māori interests and preferences. The previous two chapters identified a strong surrogacy role amongst Māori MPs and Māori local body councillors, where interviewees claimed to represent Māori throughout their governing body's entire district. However, most Māori MPs' statements about their willingness to act in the interests of Māori were qualified with remarks about the supremacy of their political party's views. Symbolic representation appears an important component of the role of Māori local body councillors, in terms of being a role model and a catalyst for electoral participation, yet few Māori MPs expressed a similar position. Māori MPs and councillors also practice a distinct style of politics. Perhaps most significantly, nearly all interviewees agreed the presence of Māori representatives is necessary in parliament and local government. Whakapapa, many argued, reflects the distinct life experiences of Māori and provides an important means for legitimately acting in the interests of Māori communities. These themes suggest a correlation between Māori descriptive and substantive representation.

However, elected Māori representatives operate within environments that can either enhance or restrain their actions in a governing body. Chapter three outlined structural, institutional and attitudinal factors that influence the extent to which an individual could substantively represent Māori. The electoral system, the way a member is elected (via the list, or in a general or Māori electorate), party practices and Māori identity, all intervene on the Māori representative's role. Chapters four and five identified how racism and unawareness, the power of numbers (a minority outvoted by the majority) as well as public opinion, can have an impact on the support Māori representatives are able to offer to policy benefiting Māori.

Conflict between Māori MPs' loyalties to their party and to their ethnic group (and to their constituency, to a lesser degree) has been shown to be an important influence on the relationship between the presence of Māori MPs and the representation of Māori interests. This chapter examines further how Māori politicians deal with the dilemma of balancing tensions between representing their party's interests and representing Māori interests. It will demonstrate how some themes identified in previous chapters, namely Māori substantive and

surrogate representation, a unique Māori style of politics, and intervening factors on the descriptive–substantive representation relationship, actually work in central government. It will also illustrate how the parliamentary environment shapes the Māori MP's role. To do this, Māori MPs' statements and actions recorded in parliamentary debates and in the media on the passing of the Foreshore and Seabed Act (2004) will be analysed. How the collective actions of Māori MPs differ between parties is examined through two issues: the Whenuakite land claim and the Principles of the Treaty of Waitangi Deletion Bill. These three case studies were chosen because of the publicity and public interest they generated, and for their potential to illustrate how a number of key themes that arose from interviews with Māori MPs play out in practice. The case studies also enable some observations to be made on Māori substantive representation when there is and is not a dedicated Māori party present in parliament.

Foreshore and Seabed Act (2004)

In May 2004, a predominantly Māori hikoi estimated to number between 20,000 and 40,000 (see Taonui 2004:, The New Zealand Herald Editorial 2004) marched to parliament to protest against the Foreshore and Seabed Bill. The proposed legislation was the government's response to a Court of Appeal decision, made less than a year earlier, confirming that the question of Māori ownership of New Zealand's foreshore and seabed should be referred to the Māori Land Court (Maihi 2003:2). Aside from the many issues of customary rights, justice and others, this high-profile protest march highlighted the question of whose interests the elected Māori MPs represent. If Māori politicians believe they represent Māori concerns, why did some support the legislation that removed the possibility of Māori obtaining a determination from the Māori Land Court, clarifying customary ownership of freehold title of the foreshore and seabed? Were some Māori MPs, in particular those elected to Māori constituencies, acting against the interests of Māori? Did Māori MPs have any responsibility to act as delegates of Māori on this issue? This discussion begins by examining submissions made by Māori on the Foreshore and Seabed Bill in an attempt to gauge Māori feelings on both the proposed legislation, as well as the wider issue of who Māori constituents consider Māori MPs should represent.

Submissions on the Foreshore and Seabed Bill

Major Māori opposition to the Foreshore and Seabed Bill was clearly visible during the protest march to parliament. It was also evident in the number of submissions to the select committee considering the Bill. Of the 3,946 submissions on the Foreshore Bill in 2004, 94 per cent were opposed to the Bill (Fisheries and Other Sea-related Legislation Committee 2004:3). A summary of the submissions outlined the main reasons whānau, hapū, iwi and Māori organisations opposed the Bill. Opposition centred on the Crown removing the right of Māori

to a court hearing to determine customary property interests; exclusive Crown ownership of the foreshore and seabed; the process for establishing territorial customary rights; that ancestral connections orders would have little effect or disrupt consultation process already in place; and the test for determining customary rights and orders (Fisheries and Other Sea-related Legislation Committee 2004:3). Māori were descriptively represented on the select committee considering the Foreshore and Seabed Bill. National Māori MP Georgina Te Heuheu was the committee's deputy chairperson, but was subsequently replaced by party colleague Gerry Brownlee. Labour Māori members included Nanaia Mahuta (replaced by Mita Ririnui), Mahara Okeroa and Dover Samuels. Metiria Turei represented the Green Party on the committee, and the (then) newly independent MP Tariana Turia was a non-voting member (Fisheries and Other Sea-related Legislation Committee 2004:59).

Individual submissions provide further insights into why many Māori opposed the Foreshore and Seabed Bill. The submission by the Federation of Māori Authorities Inc. (FoMA), for example, outlines many strongly held concerns. FoMA (2004:2-3) opposed the Bill in its entirety because its underlying policy was inconsistent with the principles of the Treaty of Waitangi. FoMA (2004:2-3) expressed concerns that the High Court and Māori Land Court would have their rights removed from considering Māori claims of ownership of the Foreshore and Seabed, and that Māori property rights to these areas would be extinguished. The organisation was also concerned that the Minister of Conservation would be delegated too much discretion in terms of ownership functions, territorial customary rights would essentially become futile, the proposed ancestral connections orders were considered ineffective instruments, and the proposed test for customary rights orders would be excessively restrictive (Federation of Maori Authorities Inc. 2004:2-3). These are further reasons for Māori opposition to the Bill, and clarify why Māori protest remained steadfast during the passing of the foreshore legislation. Furthermore, while FoMA (2004:4) said they did not claim to represent the views of all Māori, they did believe the views they put forward were 'representative of a majority of the Maori landowners within the FoMA membership', and that their views 'conform to views widely held in the Maori community'. In other words, the organisation maintained that it is likely many other Māori held similar sentiments to FoMA.

The submissions are useful for gaining a general Māori viewpoint on the proposed legislation. They also offer some insights into Māori constituents' expectations of their Māori MPs on this particular Bill and regarding the role of Māori MPs more generally. There was a clear indication from submitters that elected Māori members should act in the interests of Māori. For example, Rakena (2004:4), writing on behalf of the Te Pai o Hauraki Marae Committee declared, 'We direct all Maori MPs to oppose all legislation which proposes to extinguish or redefine Maori Customary Title or rights'. A kuia made a submission to the committee requesting they recommend 'dialogue with iwi – not the lackeys representing Maori in

parliament' (Walters 2004:8). In this person's opinion, a more realistic interpretation of Māori thoughts on the Bill could be gauged through hui with iwi. Former New Zealand First MP Rana Waitai (2004:1), writing on behalf of Ngā Tamareheroto, recorded the hapū's profound objection to the Foreshore and Seabed Bill.

> The purpose of this submission is to ensure that the members of the Committee, particularly those who presently represent Maori constituencies, are in no doubt that their support of the bill will forever be recorded as their support of the extinguishment of native title and the confiscation of our territory (Waitai 2004:2).

These comments were clearly directed at the Labour Māori electorate MPs. Expectations that Māori MPs, particularly those elected to Māori parliamentary electorates, represent their people's wishes were made very explicit.

Demands were made for individual MPs to be accountable to Māori. The Te Tai Tokerau MP was attacked for alleged double standards regarding ownership of local foreshore.

> I say to you, Mr Samuels, how can you sit on this committee when we know you were the first one to put your submission in against the crown for your foreshore up north and allow the present government to own ours. Get real (Apatu 2004).

The same MP was also targeted in a submission entitled 'He Panui Mamae Tenei' (A sympathy notice). 'The Labour government will be held in contempt by myself and my whanau. Dover Samuels will be the one who agreed to this contemptible legislation which was deceitful' (Yates Erickson 2004). This local Māori electorate MP was directed to act as a delegate of Māori.

Mita Ririnui, also from the Labour caucus and a Māori electorate MP, was given a stern telling off for supporting the Foreshore and Seabed Bill. In a submission made on behalf of the Ngāti Pūkenga tribe of Tauranga Moana (2004) and presented in Māori and English, whakapapa was used to call the MP to account.

> E Mita kia whai taringa mai. Ko koe tēnā kua kūpapa ki raro. E kore rawa au e whakaae atu kia Horomia e koe ngā tāhuna o Ngāti Hē. Hokia ngā whakapapa kia kite ai koe i te tika o aku kōrero… Tā Te Ruataniwha ko au anō. Tā Te Kahotapu ko tāua e Mita… E hoa, kua nui o tāua pānga kua riro i te ringa tuhi i roto i ngā tau. Nā, kua tahuri koe ki te tango haere anō.

> Listen to me Mita. It is you who has ducked. I will never allow you to swallow up the beaches of the Tribe of the Wrong. Go back to the genealogies so you can see the truth of what I am saying… I also came down from Te Ruataniwha line. But I am from the Te Kahotapu line too, both you and I, Mita… Many of our interests, my friend, have been taken over the years by a mere stroke of the pen. Now, you are doing it again (Ngāti Pūkenga Tribe of Tauranga Moana 2004).

Shared whakapapa was recited and used as a reason why, in the submitter's opinion, the Māori electorate MP should not vote for the proposed legislation. Indeed, a basis of shared identity is the central argument Phillips (1995:167) employs where she maintains there is a likely relationship between the descriptive and substantive representation of groups. As discussed in chapters four and five, elected Māori representatives claimed their responsibility to act in the interests of Māori stems from whakapapa.

Labour Māori MPs were criticised collectively, as well as individually. One person argued that for the entire Labour Māori caucus not to protest against the Foreshore and Seabed Bill demonstrated 'just how easily the "would be rankers" in politics can be moved away from their origins' (Chadwick 2004:2). The Labour Māori members were accused of prioritising their parliamentary careers above the interests of Māori. Te Ope Mana a Tai (2004), an informal group of iwi with mana whenua connections in coastal areas, interpreted the Labour Māori caucus' rationale for supporting the Foreshore and Seabed Bill as seeing:

> …more votes in extinguishing Māori rights than in upholding them… This has led the Government – and particularly all but two of its Māori MPs – to the cynical ploy of trying to convince Māori that they should embrace the Bill as the best of the politically available options (Te Ope Mana a Tai 2004:5).

Here, criticism was levelled at the way party and parliamentary rules manipulate and dictate how Māori MPs act in the House. As discussed in chapter three, and subsequently illustrated with interviewee responses in chapter five, political party discipline and the institutional political environment are key factors influencing the extent to which elected Māori representatives can substantively represent Māori in parliament.

Submissions to the Foreshore and Seabed Bill provide informative accounts of who Māori believe their Māori MPs should substantively represent on this specific issue, and more broadly, as a parliamentarian. Submitters argued that Māori MPs should act in the interests of Māori, irrespective of their political party's position on an issue. Labour Māori MPs who followed the party line, effectively acting against the wishes of Māori, were criticised individually and as a collective. There were also demands that individual MPs be accountable to the people. Shared whakapapa, other submitters maintained, should determine who Māori MPs act for in parliament. The discussion now turns to address how a number of the themes discussed in chapter five, which are condensed to three main topics on references to identity and indigeneity, the perceived authority to speak for Māori and expectations to do so, and the pressures of party constraints, are reflected in practice. The Foreshore and Seabed Bill parliamentary debates are used as a case study.

References to identity and indigeneity

Examples drawn from parliamentary debates will show that Māori MPs generally feel a responsibility to represent Māori concerns at some level due to their ethnicity and whakapapa links. Identity therefore influences whose interests Māori substantively represent. The research will also demonstrate that Māori identity and the relationships Māori MPs share with each other influence the parliamentary behaviour of Māori politicians. This results in Māori representatives practicing a unique political style, a further indication of substantive representation. The way Māori representatives speak of their ethnicity and how they

represent Māori during parliamentary debates on the Foreshore and Seabed Bill can offer important insights into the nature of substantive representation. To illustrate, Grey (2006a:137) researched women's substantive representation in New Zealand by investigating how female politicians represent themselves, women, and their roles in parliament and in society, when speaking in parliament. Grey's (2006a:140) focus included the frequency that MPs 'overtly speak of their own gender'. Curtin (2006:247) points to three further ways, identifiable through parliamentary debates, that women substantively represent women. These are how a MP frames the issue before parliament, on whose behalf the claim is made, and what Curtin (2006:247) calls the 'testimonial component' – the extent to which a MP identifies with the issue.

Māori politicians spoke overtly of their ethnicity and whakapapa in the Foreshore and Seabed Bill debates in 2004, demonstrating the strength of the relationship between Māori MPs and their indigenous identity. Labour Māori member Georgina Beyer, for example, stated, 'I do not believe, as a Māori, that we will be completely written off, as some in this Committee have purported will be the case' (New Zealand Parliamentary Debates 2004b:17165-6). Another Labour MP, Parekura Horomia, concluded a speech in the following manner: 'I say that as a Māori and as a member of the tangata whenua of this great country' (New Zealand Parliamentary Debates 2004b:16938). Green MP Metiria Turei noted, 'When I was given the honour of becoming a member of Parliament, I looked forward to trying to find ways to make real changes that would benefit my people' (New Zealand Parliamentary Debates 2004b:17192). By claiming to speak 'as a Māori' or for 'my people', these members are drawing attention to their whakapapa links and how these connections might influence who they represent in parliament. Specifically, they illustrate Curtin's (2006:247) criteria of substantive representation described above, where MPs declare who they are speaking on behalf of and the degree that they identify with the issue before parliament.

The importance attached to articulating one's identity in parliament is not a recent phenomenon. Māori politicians in the early twentieth century also highlighted how their whakapapa affected their representation role. Love (1977:141) maintains attitude changes towards representation, and tensions between party and Māori identity, were evident amongst early MPs such as Ngata and Carroll, and continued with later Māori parliamentarians. According to Love (1977:140), Ngata's position on the Native Land Settlement Act of 1909 highlights 'his recognition that his role as a parliamentarian outweighed his responsibilities simply as a representative of the Maori'. Ngata initially stated:

> I must confess that the Maori ideal is opposed to the whole legislation from 1900 down to the present time, and to the proposals of the Bill. I am speaking for the moment simply as a Maori, with an eye to no other object than the benefit of the Maori (New Zealand Parliamentary Debates 1907:1041).

However, Ngata qualified his position by noting:

> [A]s Maori representatives in this House, we are bound to look at this question also from the public standpoint – not only as to how it will affect our people, but how it shall affect also the general welfare of the country (New Zealand Parliamentary Debates 1907:1042).

McClean (1950:18) interpreted this statement as a sound argument that Ngata 'put the good of the country, which to him was expressed by Liberal policy, above the ideals of his people'. McClean (1950:19) and Love (1977:140) both suggest this convincingly demonstrates Māori descriptive representation was not exclusively for safeguarding Māori interests. However, other Māori MPs in parliament at the same time as Ngata held contrary views. Speaking on the same Bill, Mr Kaihau argued his role as a MP was to act as a delegate for Māori alone. 'I was not returned to the House by the Government. It was the people whom I represent who put me here' (New Zealand Parliamentary Debates 1907:1054). Māori identity thus appears to have a strong affect on who Māori MPs feel responsible to act for in parliament, but so too do political parties.

Māori MPs articulated specific whakapapa lineage in the parliamentary debates of the Foreshore and Seabed Bill, as well as Māori ethnicity more generally. For instance, New Zealand First member Edwin Perry considered it appropriate and important to proffer his Māori ancestry when speaking on the Bill.

> With regard to my hapū in the Wairarapa, Ngāi Tūmapuhia Arangi, which is based on the Wairarapa coast, I believe that their time has come to be able to identify their customary rights to their coastline (New Zealand Parliamentary Debates 2004b:17073).

Labour MP Mita Ririnui also thought it was essential that his whakapapa be acknowledged. 'In particular, my people, Ngati Whakaue, have an ancestral connection, for want of better words, to a particular area on our coast' (New Zealand Parliamentary Debates 2004b:16983). By drawing attention to their whakapapa, Māori MPs reinforced their allegiance to Māori. Citing whakapapa was also possibly an attempt to garner support amongst Māori constituents.

Genealogical links amongst Māori parliamentary colleagues were pointed out as well, highlighting the collective force whakapapa holds. Labour MP John Tamihere referred to another Māori MP in the House by highlighting their family relationship.

> My colleague and my whanaunga, the Minister of Māori Affairs, would not vote for this legislation if it discriminated or prejudiced our abilities to move forward in a protection regime for the foreshore and seabed (New Zealand Parliamentary Debates 2004c:12738).

Edwin Perry similarly spoke of Green MP Metiria Turei as 'my whanaunga' (New Zealand Parliamentary Debates 2004b:17177). As a further example, Parekura Horomia referred to his Labour colleague as, '[m]y learned pakeke Dover Samuels' (New Zealand Parliamentary Debates 2004b:16939). Dover Samuels outlined his connections to the New Zealand First leader. 'I am a member of the hapu Ngāti Wai, like my whanaunga the Rt Hon Winston Peters' (New Zealand Parliamentary Debates 2004b:17155). In these instances, the Māori

MPs are possibly creating a perception of unity, showing that Māori work together in parliament for a common cause.

On the other hand, National Māori MP Georgina Te Heuheu explained that her role is to act for interests countrywide. 'I want to send a message to Māori people. That should not be taken to mean that I take their side. I hope I am here for the good of New Zealand, like everybody else' (New Zealand Parliamentary Debates 2004b:16953). What Te Heuheu was doing was articulating that she was not exclusively a representative of Māori. Her position may reflect the fact that she is a list MP, and not a Māori electorate representative. This type of assertion, where Māori MPs claim to speak for New Zealand rather than Māori, was demonstrated in chapter five. While most Māori interviewees believed they should act as a voice for Māori in central government, a number of MPs said that they viewed their role as primarily representing the populace of their electorate or the country as a whole. No distinction was made by ethnicity. In general, however, Māori members stressed their whakapapa links in these debates, which accentuated their commitment to Māori.

The hypothesis that Māori identity shapes a Māori representative's role is further substantiated by Māori MPs often referring to themselves as a collective during the passing of the Foreshore Bill through parliament. 'As Māori members in the Government, we need to understand some things in the sense of what is relevant to Māori, and in the sense of being a mokopuna' (New Zealand Parliamentary Debates 2004b:16938), said Parekura Horomia. 'As Māori members representing a wide, diverse range of views, we could not allow this to happen' (New Zealand Parliamentary Debates 2004b:16962), Mita Ririnui asserted. And similarly, Dover Samuels declared, 'Today I am proud to stand with my colleagues, and my Māori colleagues on the other side, to give recognition to the customary rights that our people have had for generations and generations' (New Zealand Parliamentary Debates 2004b:17155). These statements from Labour Māori members reinforce arguments that a collective Māori identity affects how Māori MPs perceive their role, in turn affecting who they represent in practice.

The Green Māori MP who opposed the Bill, called on her Māori MP colleagues in the House to vote against the proposed foreshore legislation and act for Māori in unison. She urged Māori MPs think about their whānau who would be adversely affected by the Bill, when deciding how to cast their vote.

> To the Labour and New Zealand First Māori MPs who have not yet turned away from this legislation I say to them that we know where the injustice in the bill will lead this country. How can any of us, willingly and knowingly, subject our people to this theft? (New Zealand Parliamentary Debates 2004c:12728).

Although Metiria Turia took the opposite position to her Labour counterparts, she similarly spoke of a desire for Māori politicians to act collectively. Turei, however, belongs to a loosely aligned party affording her more freedom to represent her ethnicity rather than her party. In addition, her party opposed the Foreshore and Seabed Bill allowing her to represent Māori interests without restraint.

A sense of collectivity was evident within political parties, as well as within parliament more broadly. Mita Ririnui spoke of the joint work of the Labour Māori MPs. 'Māori caucus members have advocated strongly throughout the entire process for the recognition of Māori customary interests and the right of Māori to have their day in court' (New Zealand Parliamentary Debates 2004b:16961). Like Ririnui, Horomia reiterated that the Labour Māori caucus worked as a group, ultimately for the collective interests of Māori. 'I will tell members about the Māori caucus in this Government; I will tell them about the courage of this Māori caucus' (New Zealand Parliamentary Debates 2004b:17167). Furthermore, '[W]e – the Māori caucus in this Government – have done a lot for our people' (New Zealand Parliamentary Debates 2004b:17191). Similarly, Ririnui indirectly noted the role of Māori MPs is to act in the best interests of Māori. 'The Māori caucus are very confident that we have protected the interests of all New Zealanders, and particularly Māori, in terms of customary rights according to common law' (New Zealand Parliamentary Debates 2004b:17192). These passages show the extent to which Māori collectivity is emphasised in political parties, reinforcing the importance of identity to the role of these MPs.

Appreciating and understanding the characteristics of a Māori style of politics, contributes to an improved overall grasp of Māori substantive representation. As Childs (2004a) has argued, it is important to establish whether women MPs consider there is a feminised style of politics because:

> …it adds to our knowledge and understanding of how women representatives experience their presence in British politics. Moreover, their perceptions may impact on their behaviour (Childs 2004a:4).

Chapters four and five revealed that a majority of Māori representatives from central and local government believe their use of te reo and tikanga Māori differentiates themselves from their non-Māori counterparts, which in turn indicates Māori representatives practice politics in a unique way. It also demonstrates another way identity affects Māori substantive representation.

The use of te reo and tikanga Māori was evident throughout the passing of the Foreshore and Seabed Bill. In the Bill's first reading, seven of the eight Māori MPs who delivered a speech to

the House began with a mihi.[43] Many examples of MPs using te reo can be found, particularly at the beginning of a parliamentary speech. For instance, New Zealand First leader Winston Peters used the following introduction.

> Ngā reo, ngā mana, ngā waka, ngā pūkōrero o ngā hau e wha, rau rangatira mā, tēnā koutou, tēnā koutou, tēnā koutou katoa [To the languages, authorities, canoes, spokespersons of the four winds, and the hundreds of chiefs, greetings, greetings, and greetings to you all] (New Zealand Parliamentary Debates 2004b:12722).

The use of tikanga Māori in parliament is less visible through the parliamentary debates because it is purely a written record. One example of tikanga in the House that is recorded, however, is Labour MP Mahara Okeroa reiterating the significance of his Māori colleague offering some of his speaking time to another member.

> Mita Ririnui was magnanimous in giving his 5 minutes to Tariana Turia, and that is right – that it tikanga. That is the way it should be in this House, even though Tariana Turia is expressing a real, heartfelt view, ka tika mai (New Zealand Parliamentary Debates 2004c:12742).

Interestingly, a Pākehā MP highlighted the difference between Māori MPs and non-Māori MPs who may have a consciousness of Māori issues, which centred on tikanga and whakapapa. Labour member Russell Fairbrother articulated during the Foreshore and Seabed Bill that his absence of Māori whakapapa distinguished him from his Māori colleagues in an important way.

> As a Pākehā, I ask myself what my mokopuna – my grandchildren – will say of my endorsement of this bill. I approach the concepts in the bill, which are grounded in tikanga, and I know I can intellectualise tikanga but I can never live it (New Zealand Parliamentary Debates 2004b:16958).

This statement resonates with interviewee responses examined in chapter five, where Māori MPs generally felt Māori members differ from their non-Māori counterparts due to their life experiences and an intrinsic knowledge of tikanga and te reo Māori.

In sum, Māori parliamentarians emphasised the relationships they held with their Māori colleagues in terms of collectivity and whanaungatanga, within both parliament and their own political party. References to Māori identity and indigeneity reinforce a theme from interviews with Māori MPs (and councillors), that Māori representatives feel an additional role of advocating on behalf of Māori because of allegiances to their ethnicity. This finding is consistent with Mackay's (2006) argument about women's substantive representation in the Scottish Parliament, where she found:

> Unequivocally, although not universally, it was women MSPs [Members of the Scottish Parliament] who saw their representative role as linked with their gender, and for whom there was a sense of, if not accountability, a referring back to the views of the particular 'constituency' (Mackay 2006:177).

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[43] Winston Peters, Parekura Horomia, Nanaia Mahuta, Tariana Turia, John Tamihere, Mahara Okeroa and Dover Samuels introduced their speech with a mihi in te reo Māori, while Metiria Turei did not.

This case study research indicates a special relationship Māori MPs share with each other based on whakapapa. This supports a second theme from interviews with Māori MPs, that elected Māori representatives' collegiality affects the way they operate in parliament. Many Māori MPs used te reo Māori during the Foreshore and Seabed Bill debates, which is a further indication that ethnicity influences the political style employed by Māori representatives.

An authority to speak, with concurrent expectations

As noted earlier, investigating how elected group representatives represent themselves, their group and their role in parliament can help illuminate the nature of substantive representation (Grey 2006a:137). Claims to Māori whakapapa during speeches on the Foreshore and Seabed Bill were used for a variety of reasons. One reason was to create a perception of authenticity about a Māori MPs statement. Some elected Māori members highlighted their whakapapa links as a way of showing they were learned in things Māori and thus able to confidently speak on Māori issues. Other still felt their whakapapa afforded them an educative role in parliament on Māori issues. Moreover, the authority with which Māori MPs claimed to speak on Māori issues binds with a concurrent expectation amongst Māori communities that Māori representatives should act on their behalf. Examples from the Foreshore and Seabed Bill's parliamentary debate records suggest Māori MPs are expected to be knowledgeable on Māori issues, and are therefore charged with dealing with, and commenting on, them before parliament.

By reciting whakapapa relationships, Māori MPs attempt to enhance the authenticity of their argument. New Zealand First leader Winston Peters used his ancestral connection to the sea as a way of validating his knowledge on issues surrounding the Foreshore and Seabed Bill.

> There is no Māori in this country with a closer connection to the sea than, for example, myself, or Dover Samuels. We, and our ancestors, have lived smack on the sea for thousands of years. No Māori can contest that, so let us put a few facts out there (New Zealand Parliamentary Debates 2004b:16935).

Peters also disputed the National Party MPs' (all but one who were non-Māori) understanding of the Bill, claiming most did not appreciate the Māori perspective on the issues before parliament.

> The National members have never understood this bill… They get up, talk about clause 2A, and want to know why whanau, hapu, and iwi appear in that object clause. Well, that it obvious. It is because Māori have a different perspective from the rest of the country, and it differs iwi by iwi… That is obvious to anybody who understands Māori (New Zealand Parliamentary Debates 2004b:16985).

Opposition members, Peters argued, could not understand the necessity of outlining Māori tribal structures in the Bill because they did not have an adequate grounding in tikanga Māori. A Māori perspective, as well as whakapapa, was considered necessary by Labour member Parekura Horomia to understand the proposed legislation.

> We need to understand some things in the sense of what is relevant to Māori from our view as Māori members on this side. In the sense of being a mokopuna who has gone around the rocks to ruku pūpū, to gather seafood, it is clearly something that was passed on to us by our tūpuna, and we want it to last (New Zealand Parliamentary Debates 2004c:12724).

The above examples illustrate how whakapapa is highlighted in parliament to demonstrate an authority to speak on Māori issues.

Similar sentiments about who can authoritatively speak on Māori issues before parliament were expressed in the early 1900s. In 1902, Northern Māori MP Hone Heke claimed that without a Māori presence in parliament the interests of Māori would be neglected, because Pākehā did not understand Māori attitudes to property and social custom. Heke argued that with the exception of Pākehā members who had been brought up in Māori communities, European MPs:

> …do not possess a knowledge of the true feelings of the Maori people, and they do not possess the true knowledge that will enable them to vote and legislate in the interests of the Maoris and their property (New Zealand Parliamentary Debates 1902:217).

In other words, Heke maintained there was a strong correlation between Māori descriptive and Māori substantive representation.

Māori MPs' knowledge and understanding of a Māori worldview impelled some to fill an educative role in parliament on Māori issues. Labour member John Tamihere stated:

> The difficulty that a number of members have in getting their minds round this legislation comes from their inability to understand the key cultural drivers behind Māori thinking, so I want to express those in regard to their application to Part 1 (New Zealand Parliamentary Debates 2004b:16989).

Tamihere later offered to teach MPs about some aspects of tikanga Māori, suggesting their ignorance of certain facts about Māori. 'I want to make a few observations by way of edification, to teach the Opposition a few lessons about why wāhi tapu exist and how they exist in this country' (New Zealand Parliamentary Debates 2004b:17070). His Labour colleague, Dover Samuels, also appeared to take on board an educative role saying, 'To enlighten some of those members across the floor about wāhi tapu, perhaps I can share a couple of things with them' (New Zealand Parliamentary Debates 2004b:17068). Interviews with elected Māori representatives at both the national and local government levels revealed that some felt their role encompassed educating and informing non-Māori MPs and councillors, as well as the wider community, on Māori issues. In parliament, interviewees felt a Māori presence was particularly important due to the media generating negative and inaccurate perceptions of Māori.

As discussed in chapter five, because some Māori perceive only descriptive Māori representatives as legitimate representatives of Māori interests, interviewees considered the presence of Māori MPs critically important. Māori expect Māori descriptive representatives to act in the interests of Māori in parliament. Some Māori MPs imposed this expectation on themselves. Labour MP Dover Samuels both affirmed his whakapapa links in an attempt to validate his argument, and challenged others to try to dispute it, in the following example.

> I support the second reading of the bill, and I tell the House that I have a vested interest. It may very well be that I have a conflict of interest. Why? Because I am a Māori and I belong to a hapū. In the generations of my people, my tupuna at Matauri Bay, Ngāti Kura, there was never any recognition of any right given to their takutai moana – never in generations... I challenge the other Māori members of the House to show me anywhere in legislation that Māori customary rights have ever been given effect to (New Zealand Parliamentary Debates 2004b:16962-3).

Interestingly, Samuels only challenged Māori MPs about the effect of Māori customary rights. He did not similarly confront non-Māori MPs on this issue. A clear responsibility is directed at the Māori MPs alone to act for Māori. As a further example, Tariana Turia argued that the 'Māori MPs in Labour and New Zealand First, clearly understand that this bill is about the failure to trust Māori to do the right thing, and to share their resources with the rest of the country' (New Zealand Parliamentary Debates 2004b:17119). At times, Māori issues are portrayed as lying strictly within the domain of Māori MPs alone to address and comment on. Although it is reasonable to assume descriptive representatives are likely to represent their group substantively, the above types of challenge might entrench the view that only Māori can and should act in the interests of Māori.

Māori MPs directly challenged their Māori colleagues' actions on the Foreshore and Seabed Bill, rather than attack the political party to which those Māori representatives belong. Green MP Metiria Turei asserted that the Māori MPs are responsible for protecting Māori interests.

> Their [the Māori MPs'] challenge was to protect Māori customary rights, to protect the common law rights of iwi, whanau, and hapu in this country, and to protect tipuna title. By supporting this bill, the Māori Labour MPs and Māori New Zealand First MPs have failed in that challenge. They have failed to protect Māori rights (New Zealand Parliamentary Debates 2004b:17002).

Whakapapa therefore creates an expectation for Māori MPs to act in the interests of Māori communities. Labour MP John Tamihere addressed his Māori caucus colleagues about their efforts on the proposed legislation, rather than his party as a whole. '[M]ost of all, I acknowledge my Māori colleagues, who have had to undergo a daily baptism of fire in their electorates on this most important issue' (New Zealand Parliamentary Debates 2004b:16957). By speaking of a responsibility of Māori MPs to debate Māori issues and in some cases directly act in their interests, a theme from chapter five is reinforced – that the presence of Māori is critically important in parliament due to the expectation that Māori descriptive representation will lead to the substantive representation of Māori interests.

Māori identity, or perhaps more specifically whakapapa, offers insights into substantive representation in terms of who Māori MPs believe they have a responsibility to represent, and how it mediates their political style. During the Foreshore and Seabed Bill parliamentary debates, Māori representatives emphasised their whakapapa to give a sense of authority to their speeches. Whakapapa also impelled them to contribute in an educative way about Māori issues. There is an expectation from Māori constituents, and challenges from Māori MPs within parliament, that Māori MPs act in the best interests of Māori as well. The examples given here lend support to the argument made in chapter five that Māori politicians are critically important in two ways. First, knowledge of tikanga Māori and understanding of a Māori worldview differentiates Māori MPs from other representatives. Second, MPs with whakapapa provide a sense of legitimacy to the debates about Māori issues in parliament.

Acting for Māori within party constraints

Elected Māori representatives are confronted with balancing obligations to their party, to Māori, and to their geographic constituency when carrying out parliamentary activities. These competing forms of representation, as were examined in chapter three, influence the relationship between Māori descriptive and substantive representation. In Westminster parliaments, such as New Zealand, political parties impose tight restraints on their MPs. Interviews with Māori MPs, discussed in chapter five, revealed that 90 per cent of elected Māori representatives believed their parliamentary role included voicing Māori concerns. Nearly every politician qualified this, however, by stating that their party's stance on parliamentary issues is prioritised in almost all occasions. How does this commitment to acting for Māori within party constraints function in practice?

Debates on the Foreshore and Seabed Bill in 2004 clearly demonstrate the seemingly irreconcilable tension between acting for the party and acting in the interests of Māori. Labour Māori members faced the greatest pressure to vote with their party, as their government introduced the Bill. The Labour Party traditionally held strong support amongst Māori voters. At the time the Bill was introduced, all seven Māori electorates were held by Labour, two Labour Māori members held list seats (Dave Hereora and Moana Mackey), and a further two represented general electorates (Georgina Beyer – Wairarapa; and Jill Pettis – Whanganui). As well as pressure from the party, Labour Māori MPs faced demands from Māori constituents to act in their interests and reject for Foreshore and Seabed proposal. One reporter described the representation dilemma Labour's Māori MPs faced as being in a 'political vice. They have been squeezed on one side by Government colleagues desperate to retain mainstream support and on the other by constituents who want them to promote Maori interests' (Venter 2004). Here, the influence of political parties on the relationship between Māori descriptive and substantive representation is illustrated.

In mid-2003, when the Labour government first decided to legislate to extinguish Māori customary title without the prior consent of Māori, almost all Māori MPs in the Labour caucus challenged their government's position (Young 2004b). Young (2004b) reported that eight Māori MPs – Parekura Horomia, John Tamihere, Tariana Turia, Dover Samuels, Mita Ririnui, Mahara Okeroa, Georgina Beyer and Dave Hereora – had signed a statement that read, 'The land wars are over… so the consent of tangata whenua is required before customary title can be extinguished… Otherwise it is a confiscation, and is likely to breach international law'. Despite this apparent outright defiance of party policy, these Māori members believed their actions were justified. Young (2004b) claimed that John Tamihere 'disputed any suggestion that his signature on the statement breached collective cabinet responsibility'. Yet by the passing of the Foreshore and Seabed Bill one year later, all but one of these Māori MPs had reversed their position and publicly supported the party. For some this was a very difficult decision.

One Labour Māori MP in turmoil deciding whether to support the Foreshore and Seabed Bill was Wairarapa representative Georgina Beyer. Beyer believed she should abstain from voting on the Bill because she is Māori and she felt a responsibility to represent Māori interests. Beyer also needed to consider her conservative general electorate's view and her party's position. Initially Beyer abstained from voting on the Bill, but her Pākehā constituency forced her to rethink her actions (Young 2004a). Young (2004a) reported Beyer's agreement with a newspaper opinion piece, which argued she must represent the views of her electorate and put her personal feelings and the fact that she is Māori aside. After her resignation from parliament, Beyer re-told and explained her representation dilemma on the Bill.

> I was elected to the general seat electorate of the Wairarapa. Conservative. I'm in the Labour Party and the Labour Government and they were promoting what became the Foreshore and Seabed legislation. I'm a Maori. I had my whanau, respected elders that I contacted, people like that to get their opinion to let them know I was having this conflict… I was left with an unenviable decision to make… I didn't have an electorate that would elect me back into power like they would with Tariana if I was to spit the dummy and leave… If I'd been a list MP that term perhaps I would have bent quite easily because it wouldn't have made such a difference… And so I did vote in favour of the Foreshore and Seabed legislation though I publicly expressed my disappointment and shame at needing to do so (Findlay 2007:14).

Beyer's position clearly illustrates the tensions between loyalties to her party, her conservative geographic electorate who voted her into parliament, as well as Māori generally and her whānau specifically. In explaining how she decided to ultimately vote for the Bill, Beyer said the government 'got my vote but they [did not] have my heart and conscience' (Young 2004a). In other words, while Beyer voted with her government she personally opposed the Bill.

Beyer's comments above indicate that the way she was elected to parliament, through a general electorate, influenced how she acted on the Foreshore and Seabed Bill. If Beyer had been elected to a Māori electorate or via a list placing, her actions regarding the Bill might have been different. Young (2004a) reported that Beyer felt Māori electorate MPs are in a better position than other Māori politicians to vote against their party on issues of importance to Māori, as they can justify this position due to their Māori mandate.

> Georgina Beyer said yesterday that Mrs Turia and Nanaia Mahuta had a mandate to oppose the bill because they were Maori electorate MPs. 'If there has ever been an argument to retain Maori seats for a specific Maori voice in Parliament, then this has got to be one example of that. All this talk of Maori being able to stand in general seats is all very well but what happens when you are caught between a rock and a hard place?' (Young 2004a).

While some Māori politicians were more reluctant than others were, six of the seven Māori electorate MPs ultimately voted for the Foreshore and Seabed Bill as Beyer did. Representing Māori electorates did not stop these Māori representatives from voting for the Bill, demonstrating the strength of party discipline irrespective of the Māori MPs electoral route to parliament.

Two Māori electorate MPs from the Labour Party, Nanaia Mahuta and Tariana Turia, also grappled with deciding whether to vote according to their Māori constituents' desires or to align with their party. Māori electorate representatives were confronted with the greatest pressure to act for Māori as they are elected by, and thus accountable to, Māori constituents. Tainui MP Nanaia Mahuta naturally faced rigid demands from Labour to vote with the party. According to Berry *et al* (2004), Mahuta had met with iwi from the Tainui waka confederation to discuss whether to resign from Labour prior to the legislation passing in support of the Māori position. At its first reading Mahuta voted against the Foreshore and Seabed Bill, asserting that MPs from the Māori electorates 'have a clear mandate to represent the views of our constituents on the hard issues, and this is one of those times' (New Zealand Parliamentary Debates 2004c:12733).

However, at the second reading of the Bill Mahuta recanted her earlier position, instead voting for the Bill and argued that 'it is our responsibility as parliamentarians in this country to try to bring people together' (New Zealand Parliamentary Debates 2004b:17003). Mahuta justified her support for the Foreshore and Seabed legislation by acknowledging that although Māori overwhelmingly rejected the Bill, politicians must work within the confines of parliament and its guiding rules.

> All that is required to pass this legislation is the consent of Māori, and that has not occurred when it mattered most. Notwithstanding that, it is no good just to recognise the problem. We have to work in Parliament and in Government to be able to effect some change. I have worked hard through the parliamentary process to try to reflect as much change as possible (New Zealand Parliamentary Debates 2004b:17207).

Mahuta opted not to stand on the Labour Party list for the 2005 general election as she had done in the previous three parliamentary terms, allowing the Māori electorate to have the 'final word' at the next election on her ability to represent the Tainui electorate (New Zealand Parliamentary Debates 2004b:17208).

Former Labour MP Tariana Turia endured similar pressures to conform to the Labour Party position on the Foreshore and Seabed Bill. The Prime Minister indicated that the Te Tai Hauāuru MP would lose her ministerial portfolios if she voted against the Bill (NZPA 2004). Regardless, Turia opposed the Labour position and subsequently felt compelled to resign from the party. Turia voted against the Bill at each stage of its passing through parliament. At Turia's announcement of her resignation from the Labour Party she reportedly reasoned, '[a]t the end of the day, it came down to a question of integrity and I had to act for my people' (Berry and Tunnah 2004). In other words, Turia chose to prioritise the interests of Māori over her party. Following her resignation from Labour, Turia and her supporters established the Māori Party, which subsequently won four of the seven Māori electorate seats at the 2005 general election.

Labour Māori MPs Beyer, Mahuta and Turia all had sincere doubts about the Foreshore and Seabed Bill and its impact on their Māori constituents, but only Turia consistently cast her vote against the Bill. Turia and Mahuta (but only initially) believed their representative role was to vote according their constituencies' desires on the Foreshore and Seabed Bill, not their party's (Miller 2005:200). However, Mahuta ended up voting with the Labour Party as Beyer did. Why did these three Labour Māori Party MPs act so differently at each stage of the Foreshore and Seabed Bill? The answer may depend more upon who the representative considers they were primarily elected to represent, than how they were elected to parliament. Beyer, elected to a general seat, felt she had a responsibility to voice views that were sympathetic to the Labour Party and her Pākehā constituency. Mahuta, on the other hand, represented a Māori electorate but reasoned national unity took priority over constituency concerns. Mahuta conformed to parliamentary conventions and supported her party rather than the electorate. Turia, also a Māori electorate MP, remained steadfast in her belief that her election to a Māori constituency determined she should act as a delegate of Māori interests and preferences. Essentially, this point illustrates that the way Māori MPs are elected does have some effect on how they perceive their role in parliament. It also clearly shows the strength of party discipline. Perhaps more significantly, however, is that the contrasting examples demonstrate that who Māori MPs believe they represent influences how they act in parliament. This finding reinforces the importance of the methodology used in chapters four and five, which investigated Māori substantive representation by analysing how representatives' perceive their representational role.

The remaining five Labour Māori electorate MPs (excluding Mahuta and Turia) supported the Foreshore and Seabed Bill at all stages of its passing through parliament. However, these members also expressed some difficulty trying to balance a strict party position on the Bill with their Māori constituents' interests. Ikaroa-Rāwhiti member Parekura Horomia struggled with advocating legislation that a majority of his constituents opposed, but defended his position to vote for the Bill by highlighting other gains his party had made for Māori in recent times.

> I say with great pride that this Government has made some of the most dramatic changes and turn-rounds in Māori development in this period of time. That is why I am here being counted. I will be counted against all those things. As that member reminds me, it is no fun sitting in front of the hikoi, going around the hui and getting chastised for it, and knowing that my whanau name will be alongside this. But at least I will stand up and with pride say that it is the right thing to do at the right time (New Zealand Parliamentary Debates 2004b:17167).

Mahara Okeroa, representing the Te Tai Tonga Māori electorate, acknowledged pressure to vote against the Bill, but he claimed that casting a vote against the proposed legislation would be acting in the interests of the opposition party. Crossing the floor, Okeroa exclaimed, 'is a total anathema to me. As the member for Te Tai Tonga, I will not take the mana of the Te Tai Tonga electorate and its diversity of people, and give it to National' (New Zealand Parliamentary Debates 2004c:12742). While Okeroa commented that 'one of the driving motivations for Māori members to be here is to make a difference in terms of legislation that affects the constituency' (New Zealand Parliamentary Debates 2004b:16996), in voting for the Foreshore and Seabed legislation he effectively demonstrated his desire to act for Māori was overwhelmed by party affiliations.

The primacy of the party dictated other Labour Māori electorate MPs' votes on the Foreshore and Seabed Bill. Tāmaki Makaurau MP John Tamihere stressed that he would take note of the Māori position on the Bill, but ultimately Labour Party members must vote along party lines. 'We will listen to our people, but we are part of a Government' (New Zealand Parliamentary Debates 2004c:12738). While a bill before parliament may be detrimental to Māori (as it was considered to be in this case), most Māori MPs, including those representing Māori electorates, believed they must ultimately support the party position. The above justifications from Māori electorate MPs to conform to the party is in stark contrast to then National MP Marilyn Waring's decision in 1984 to vote against her party in favour of a nuclear ban. In response, then Prime Minister Sir Robert Muldoon called for a snap election (Waring 2001:7). As Māori Party MP Hone Harawira later acknowledged, Waring 'voted with her conscience and supported the Opposition's nuclear-free New Zealand Bill, and brought down our own Government in the process' (New Zealand Parliamentary Debates 2007b:9767). Tariana Turia was the only Māori electorate MP to make a stand against her party and her government on the Foreshore and Seabed legislation.

The reaction of Māori constituents to their Māori electorate representatives' actions on the Foreshore and Seabed Bill were mixed. In spite of overwhelming Māori opposition in 2004 to the Foreshore and Seabed legislation, Māori constituents still voted back in three of the six loyal Māori electorate MPs at the next general election. Despite the fact that Parekura Horomia, Mahara Okeroa and Nanaia Mahuta successfully retained their Māori electorates, their main challengers, the Māori Party candidates, did gain a substantial minority of the vote. Labour Māori electorate members John Tamihere, Mita Ririnui and Dover Samuels, however, failed to retain their constituents' support in 2005. Ririnui and Samuels still returned to parliament though, due to being rewarded by their party for supporting the legislation with a favourable list position (Tamihere chose not to stand as a list candidate and thus did not return to parliament). Mita Ririnui was number 32 on the Labour party list at the 2002 election, and number 15 in the 2005 election. Dover Samuels held the number 10 list position at both elections. Berry (2005) reported that Labour Party president Mike Williams reasoned Samuel's retention of his former senior list ranking and Ririnui's significantly higher position reflected their '"loyalty in the line of fire" following the foreshore furore'. The 2005 general election results demonstrated that whakapapa alone would not guarantee Māori voters' support for individual Māori MPs.[44] At the 2008 election, Ririnui again unsuccessfully stood for the Waiariki electorate, but re-entered parliament through his comparatively low list placing of 23. Samuels chose not to contest the election and retired from parliamentary politics.

Following the Labour party's return to government at the 2005 general election, opposition MPs accused the Labour party for rewarding those Māori electorate MPs who remained loyal to the party, in ways other than a high list placing. National MP Gerry Brownlee claimed that Mahuta was rewarded for changing her stance on the Foreshore and Seabed Bill through the Government's deal to return the Waikato River to the Tainui people (Stokes 2006a). Stokes (2006a) reported that Brownlee also believed the arrangement endorsed the Māori Queen's support for Labour over the Māori Party at the 2005 election. Māori Party MP Hone Harawira questioned the timing of $1.56 million the Minister of Māori Affairs, Parekura Horomia, gave to Te Runanga o Ngāti Porou (a large iwi within Horomia's Ikaroa-Rāwhiti electorate) a few months before the 2008 general election.

> With 13 weeks to go to the election, it would seem that the Minister of Māori Affairs, has either to spend about another $100 million to bring everyone up to the same level [as Ngāti Porou], or to risk having simple people like me think that he gave the money to Ngāti Porou to buy votes he might not otherwise get in an election year (New Zealand Parliamentary Debates 2008b:17504).

Māori MPs could have received rewards for working alongside their political party on the Foreshore and Seabed Bill, rather than acting against it and in the interests of Māori.

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[44] This situation resonates with the fate of the 'Tight Five' New Zealand First MPs at the 1999 election (as explored in chapter three). The personality and ethnicity of the politicians were not sufficient to gain re-election; they also relied on support for their political party (Sullivan and Margaritis 2000:179-80).

The way mainstream attitudes and opinions affect party policy and government legislative initiatives are also illustrated within the context of the Foreshore and Seabed Act (2004). While largely opposed by Māori, all but one of the Labour Māori MPs supported the passing of the legislation, their defence being that the Act promoted the interests of the entire country. Then Prime Minister Helen Clark (2004) claimed 'the government's foreshore and seabed policy guarantees access to the foreshore and seabed for all New Zealanders' and the proposed Bill would 'ensure that the foreshore and seabed is preserved for the people of New Zealand by revesting ownership in the Crown in perpetuity'. The Labour Party was conscious of how the general populace could react to the possibility of Māori ownership of what is perceived as a public space, and subsequently vote them out of government. This is a clear example of how influential public opinion can be to Māori substantive representation. In this case, party loyalties and public opinion, rather than identity or whakapapa, determined how the Labour Māori MPs acted. As Green MP Metiria Turei argued, there was no urgency to pass the Foreshore and Seabed Bill in 2004, except to allow some parties to garner votes. 'It is urgent only for Labour and New Zealand First. They want this Bill dealt with before the election, because they see votes in it. They do not see the injustice of it' (New Zealand Parliamentary Debates 2004b:17003).

The Foreshore and Seabed issue has illustrated how themes identified in chapter five operate in a practical situation. Identity, in terms of ethnicity generally and whakapapa specifically, was shown to affect the role of a representative. Māori representatives generally feel an added responsibility to voice Māori concerns, practice a unique style of politics and have a natural rapport with other MPs who are Māori due to whakapapa connections, and they confront different expectations from the voting public and their Māori colleagues in parliament on how they should act on Māori issues. The way Māori are elected also affects perceptions of their representative role. Perhaps most significantly though, party practices heavily influence Māori MPs ability and freedom to act for Māori interests, particularly if the mainstream holds an opposing view to Māori on the matter. Māori MPs from across the political spectrum were at odds over the Foreshore and Seabed Act. Most of Labour's Māori MPs were forced to accept it. New Zealand First Māori MPs helped amend it. Both Green party Māori MP Metiria Turei and National party Māori MP Georgina Te Heuheu opposed it, but for differing reasons. Even though there was no attempt to create a cross-party Māori caucus on this issue, it is highly unlikely that it would have worked effectively due to these differing stances. In sum, while ethnicity shapes the Māori representative's role and provides an impetus to voice Māori concerns, the extent to which these MPs represent Māori in practical and clear substantive terms is heavily constrained by party loyalties. The next two case studies explore these tensions of representation by party and by ethnicity further.

Whenuakite Land Claim

Like the Foreshore and Seabed case study, the Whenuakite land claim prompted Māori protest action. Yet in contrast to the Foreshore and Seabed Act (2004) which continues to generate debate years after its enactment, Whenuakite disappeared rapidly from media and public attention following its resolution, where the government announced it would halt the Landcorp sale and resolve the issue (for the meantime). Childs and Withey (2006:11) have stressed the importance of establishing both 'how the issue was put onto the parliamentary agenda and what actions engendered the policy change' in substantive representation research. They argue that by examining these two factors the role of MPs in policy formulation, who the critical actors were, and whether they acted alone or as a collective, can be revealed (Childs and Withey 2006:11). Childs and Withey (2006:11) also highlight the importance of establishing the identity and impact of other possible actors on policy formation. Whenuakite is a useful case study to apply these broad guidelines. It will examine why Whenuakite became an issue for Māori and provide examples of how the critical actors (namely the Māori MPs) contributed to the issue's resolution. It will be shown that Māori MPs approached and dealt with Whenuakite very differently to the Foreshore and Seabed legislation. This time a new Māori political party was present in the House, whose actions in terms of both speed and conviction differed significantly from their Labour Māori counterparts. The Māori Party MPs' presence exposed the constraints in which the Labour Party's Māori caucus must work.

Inaction and reactions of Māori MPs

Members of Hauraki iwi Ngāti Hei occupied Whenuakite Station on the Coromandel Peninsula in 2007, in an attempt to stop Landcorp selling the land (Tū Mai Reporter 2007:8). Landcorp Farming Limited (2007) is a state-owned enterprise created in 1987, and its origins provide the context for the occupation. Following the State-Owned Enterprises Bill's introduction to parliament in 1986, the Waitangi Tribunal conveyed their concern that by allowing Crown land to be transferred to enterprises such as the Land Corporation, the Crown would no longer have the power to return the land to Māori in accordance with a Tribunal recommendation (*New Zealand Maori Council v Attorney-General* 1987:641). This concern resulted in an amendment to section 27 of the State-Owned Enterprises Bill relating to land subject to a Treaty of Waitangi claim.

However, the New Zealand Māori Council did not believe section 27 went far enough. The New Zealand Māori Council brought a case to the Court of Appeal arguing that the provision 'still enabled the Crown to transfer to State enterprises lands which were subject to claims to the Tribunal lodged after 18 December 1986 and to claims which were not yet lodged' (*New Zealand Maori Council v Attorney-General* 1987:642). The Court of Appeal held that the

Crown has an obligation to act in good faith and therefore the transfer of assets to State enterprises, without first ensuring a system was in place to consider possible inconsistencies with the Treaty principles, would be unlawful (*New Zealand Maori Council v Attorney-General* 1987:643). Following this decision, the Treaty of Waitangi (State Enterprises) Act 1988 was passed which allowed Crown land to be transferred to State-owned enterprises, but memorials were required to be put on those lands' certificates of title noting that the Crown has a 'right of resumption' (Williams 2005:366-7). In addition, the Waitangi Tribunal was given 'a power of "binding recommendations"' if it was found the Crown had breached its Treaty obligations (Williams 2005:367). Those lands with a memorial could therefore be compulsorily repurchased by the Crown if recommended by the Waitangi Tribunal (Stokes 2007b). Whenuakite Station land title held one such memorial.

In late February 2007, the Government refused to return Whenuakite station to Ngāti Hei as part of an outstanding Treaty claim and as a result the iwi and its supporters occupied the land (Stokes 2007a). Landcorp was reported to be in the final stages of selling Whenuakite, worth over $10 million (Stokes 2007a). Soon after the protest occupation begun, however, State-Owned Enterprises Minister Trevor Mallard (a non-Māori MP) announced that the proposed Whenuakite sale would be deferred while the government reviewed its 'policy around the land sales processes undertaken by state-owned Landcorp with the aim of ensuring that land with significant, non-commercial values is properly protected' (New Zealand Government 2007b). The government denied it had 'buckled under pressure' and reversed its Landcorp policy following the occupation by Māori (Fleming 2007).

The Labour Māori caucus was initially silent on the Whenuakite land claim issue. The State-Owned Enterprises Minister controlled how the government responded to and handled the occupation. Labour's Māori politicians appeared to be absent from its government's discussions on Whenuakite, for which they were subsequently questioned about and attacked. Krishnamurthi (2007) suggested the Labour Māori members were 'embarrassed by the minister's failure to inform them of the first review' following the occupation. One News (2007) reported that Labour Māori MP Dover Samuels was 'not happy he and his Maori colleagues were left out of the loop' on the Whenuakite decision and Samuels offhandedly remarked, 'I've got no comment to make. Go and see the Minister of SOEs – he knows everything'.

In contrast, the Māori Party immediately lent their support to the campaign at Whenuakite. Māori Party Treaty Spokesperson Te Ururoa Flavell (2007) commended Māori protestors 'who are reasserting their rangatiratanga rights over land which is contested land for Treaty settlements… [I]f repossession of lands is what it takes for the Crown to recognise their

rangatiratanga, then so be it'. The Māori Party condemned the government's actions of allowing the sale to proceed. Māori Party calls for iwi 'to make their anger known' were taken seriously by the Crown, reflecting the significance of this event (The Press Editorial 2007). Whenuakite was not a one-off occupation. Rather, it was but one example illustrating how the Office of Treaty Settlements had ignored findings of the Waitangi Tribunal that identified land iwi regard as their 'inheritance' (The Press Editorial 2007).

The Māori Party MPs' reactions to the Whenuakite land occupation is an example of Māori substantive representation in action. Whenuakite was 'put onto the parliamentary agenda', to use Childs and Withey's (2006:11) framework, by the Hauraki iwi. As one editorial verifies, the State-Owned Enterprises Minister 'acknowledged – none too graciously – that they had "brought to the Government's attention an issue"' (The New Zealand Herald Editorial 2007). But it was the critical actions of the Māori Party which were the catalyst prompting the review of Landcorp, and in turn 'engendered the policy change' (Childs and Withey 2006:11). One commentator illuminated the triumph of the pressure exerted by the Māori Party, writing that the government 'allowed a party of just four MPs with 1.5% of the popular vote to claim victory over a $1.4 billion state-owned enterprise' (Espiner 2007).

Even though the Labour Māori MPs were excluded from their party's discussions on Whenuakite, they did claim some success for stopping the Landcorp sale. Six months after Whenuakite was first brought to the public's attention, the government outlined new processes for the sale of Crown-owned land, which modified interim procedures. In September 2007, Mallard announced the final version of the rules guiding Landcorp sales, which 'would ensure heritage, cultural, local and recreational values were taken into account' (Small 2007). The deferred sale of the Whenuakite property was reportedly described by Labour Māori member Shane Jones as 'a vindication for the Labour Maori Caucus after all the criticism we received' (Krishnamurthi 2007). Fellow Māori MP Parekura Horomia claimed the Labour Māori caucus contributed to this outcome, stating that they 'took a close interest in the review to ensure Māori interests were accounted for' (New Zealand Government 2007a). Nevertheless, this announcement hardly caused a stir. The damage of branding Labour's Māori MPs as ineffective due to party constraints had already been done.

The media commented on the distinct and contrasting approaches the Labour and Māori Party Māori MPs took on the Whenuakite land claim issue, and some reporters evaluated the perceived effectiveness of each Māori caucus. Espiner (2007) described the responses to Whenuakite from Labour Māori MPs and the Māori Party as totally at odds. 'Turia and her cohorts in Parliament were sticking up for them [Māori] while Government MPs sat on their hands' (Espiner 2007). Espiner (2007) argued the issue made 'Labour's own Maori MPs look

utterly ineffectual'. He went further to question a recent time the Labour Māori members explicitly advocated the rights of their Māori constituents, citing 'Labour's incredibly tight caucus discipline' as the problem (Espiner 2007). Watkins (2007) compared the reactions of the Labour Māori MPs on Whenuakite with their government's Foreshore and Seabed legislation the previous term, claiming Labour's Māori caucus was 'once more caught in the glare'. In Watkins (2007) opinion, the Māori Party capitalised on the land occupation by rejuvenating the property rights debate, while the Labour Māori MPs' 'job of convincing their supporters that it's better to have a voice inside the tent than outside it just got a little harder'. Taonui (2007a), an academic and frequent media commentator, argued the different responses by Māori MPs to the Landcorp occupation emphatically highlighted the restrictions Māori politicians from major parties face. Taonui (2007b) later claimed the Labour Māori caucus appeared 'impotent' on the Whenuakite issue, and the Māori Party 'exposed how the major parties muzzle Maori MPs'.

The Labour Māori caucus appeared to hold little power in directing how their government handled the Hauraki iwi's claim to Whenuakite station. By comparison, MPs from the Māori Party acted in the interests of Māori by overtly advocating on behalf of Māori, and in turn helped to generate policy change. This case study demonstrates that in times where representation loyalties to party and ethnic group clash, party discipline would most likely dictate how a representative acts on the issue. The exception is if the political party's ideology is sympathetic to the issue, as was the Māori Party on this occasion. Labour and Māori Party Māori representatives also acted in contrasting ways to the introduction of the Principles of the Treaty of Waitangi Deletion Bill in 2006, which is examined next.

Principles of the Treaty of Waitangi Deletion Bill

New Zealand First MP Doug Woolerton introduced to parliament in June 2006 the Principles of the Treaty of Waitangi Deletion Bill. If successful, references to the expressions 'the principles of the Treaty', 'the principles of the Treaty of Waitangi', and the 'Treaty of Waitangi and its principles' would be eliminated from all statutes (Woolerton 2006). The 2006 Bill followed a similar attempt by another member of New Zealand First, leader Winston Peters, to eliminate the Treaty principles from legislation during the previous parliamentary term. According to Edwards (2009), Peters was not a 'Treaty disciple', and did not engage in the Treaty of Waitangi dialogue as other Māori did. Peters' earlier private member's Bill was defeated at its first reading 51 votes to 63 (New Zealand Parliamentary Debates 2005:21184). Woolerton's Bill, however, easily passed its first reading with 111 votes recorded for and 10 against, aided greatly by support from the Labour Party (New Zealand Parliamentary Debates 2006f:4471). When the Bill went to the committee stage in 2007, 171 submissions were received and 160 of those were in opposition (Justice and Electoral Select Committee

2007:2). There was little support from the public for the Treaty principles to be removed from law (Justice and Electoral Select Committee 2007:2). The Justice and Electoral Select Committee (2007:2) considering the Bill recommended it not proceed to the second reading. At the Bill's second reading the New Zealand First party was unable to sustain its support and the Bill did not pass, with only the seven members of New Zealand First voting for it.

Relevance of party and people

The Principles of the Treaty of Waitangi Deletion Bill is relevant to exploring the relationship between descriptive and substantive representation for two reasons. First, the confidence and supply agreement the Labour Party held with New Zealand First dictated how the Labour Māori MPs voted on the Bill. This agreement was reached to achieve a stable government without forming a coalition following the 2005 general election (New Zealand Government 2005). As part of this agreement the Labour Government agreed to '[s]upport a New Zealand First Bill relating to treaty principles going to a select committee for consideration' (New Zealand Government 2005). The Labour Māori caucus were required to support the first reading of this Bill in 2006, despite acknowledging the adverse affects it would have on Māori (as will be illustrated below). It is a further example of how party rules constrain the ability of Māori representatives to act in the interests of Māori.

Second, this Bill was introduced by a member of New Zealand First – a political party that had a relatively high level of Māori descriptive representation within its ranks (three out of seven MPs), including prominent Māori leader Winston Peters. Indeed, as Edwards (2009) points out, there has always been a good number of Māori represented within this political party. New Zealand First has held strong voter support amongst Māori at times, most notably when the party won all six Māori electorates in the 1996 election. According to Aimer and Vowels (2004:29), New Zealand First held 'substantial appeal' for Māori in the 1999 and 2002 elections, and were only second to Labour in the party votes cast in Māori electorates (13.2 per cent in 1999 and 14.9 per cent in 2002). Their reduced support in 1999, which resulted in the loss of all Māori electorates to the Labour Party, may have been attributed to the lack of substantive representation the Māori New Zealand First members demonstrated. Until voted out of parliament at the 2008 general election, New Zealand First was the party of choice for a number of Māori voters. That this party introduced the Bill is significant because it illustrates Māori descriptive representation does not necessarily imply Māori substantive representation is likely to occur. The New Zealand First party does not claim to represent Māori, it acts for 'New Zealanders'. New Zealand First Māori MP Pita Paraone described the Principles of the Treaty of Waitangi Bill as being 'based on the premise that all New Zealanders should be treated equally. The Treaty or any other race-based proposition should not be the basis for

different treatment by the Crown or its agencies' (New Zealand Parliamentary Debates 2007c:12880).

This case study exposes inherent tension in the argument that substantive representation will necessarily result from the election of descriptive representatives. The findings support Dovi's (2002:729) claim that criteria is needed to identify which groups members are 'preferable descriptive representatives'. In her opinion, the politics of presence theory would be strengthened if it was qualified by stating that descriptive representatives most likely to advance the interests of their group are those who have a strong mutual relationship with that group (Dovi 2002:730). The New Zealand First Party, which boasts a high proportion of Māori MPs, was arguably not substantively representing Māori on this occasion. It seems that not all elected Māori representatives can claim to be acting in the interests of Māori.

Labour's position and its challengers

The confidence and supply agreement between Labour and New Zealand First demanded the Labour Māori MPs' support of the Principles of the Treaty of Waitangi Deletion Bill to the select committee stage (New Zealand Government 2005). But some Māori MPs, particularly those elected to Māori electorates, opposed the Bill because the removal of the Treaty principles was believed to negatively impact on Treaty settlements and obligatory consultation processes with Māori (Berry 2006b). Berry (2006b) reported that the Minister of Māori Affairs, Parekura Horomia, was not in favour of the Bill but encouraged Māori to make submissions to the select committee. Nanaia Mahuta did not support the Bill either. She explained that while her party did not agree 'with the intent or purpose' of the Principles of the Treaty of Waitangi Bill, the confidence and supply agreement meant Labour's hands were tied on the issue and the Māori MPs must therefore vote for it (New Zealand Parliamentary Debates 2006f:4465). Since the MMP electoral system relies heavily on coalition or minority governments, parties in power must be prepared to offer concessions. Sometimes these concessions involve Māori interests, as Nanaia Mahuta points out:

> [T]he political landscape has changed… The current Government formation means we have an agreement with New Zealand First. Part of that agreement requires that we support this bill going to a select committee, and that is all. We will do that on the basis that although this issue will be canvassed at a select committee, there is no undertaking beyond that point (New Zealand Parliamentary Debates 2006f:4465).

Labour member Shane Jones (2008) justified his party's agreement with New Zealand First to support the first reading of this Bill by stating 'you vote to win'. In other words, Labour agreed to the New Zealand First proposed Bill in order to form a coalition government and subsequently win the 2005 general election. Despite opposition from the Labour Māori caucus to the Bill in principle, they unanimously voted for it due to conventions guiding the coalition government.

Māori MPs from the Greens and the National Party pressured their Māori colleagues in New Zealand First and Labour to reassess the Bill and vote against it. National Māori MP Georgina Te Heuheu spoke about the irony of New Zealand First MP Pita Paraone's support for the Principles of the Treaty of Waitangi Deletion Bill. If successful, the Bill would repeal section 6 of the Treaty of Waitangi Act 1975 – legislation for which a relative of Paraone, Mātiu Rata, was responsible. Te Heuheu envisaged Rata 'turning in his grave right now at his whanaunga Pita Paraone and at the speech he gave about this bill' (New Zealand Parliamentary Debates 2007c:12888). Again, an emphasis of shared whakapapa is visible in the debates amongst Māori MPs and used in this instance to persuade a fellow Māori member to act differently. Green Party MP Metiria Turei was alarmed at the way the Labour Māori caucus approached the Bill, and she questioned their true feelings. 'We are really concerned for Labour, and we certainly look forward to hearing from its Māori MPs as to their views on this legislation. What do they think about it, given that their party is going to support it?' (New Zealand Parliamentary Debates 2006f:4457).

The Māori Party MPs criticised the Labour Māori caucus most fervently on this issue, challenging them to act for their Māori constituents rather than conform to party pressure. Te Ururoa Flavell (2006c) claimed the Bill had parallels with the Foreshore and Seabed Act (2004), because 'Maori MPs [are] being forced to submit to the ruling majority; their voice rendered silent by the pressure for the Labour vote'. Pressure to maintain support amongst the voting public was identified as a key obstacle to Māori substantive representation in parliament by the Māori MPs interviewed. As chapter five discussed, party policies involving Māori advancement are first considered within the confines of what the mainstream public would consider acceptable. Māori Party MP Hone Harawira rejected the 'ludicrous' claim made by New Zealand First that the removal of Treaty principles would enhance the relationship between Māori and Pākehā (New Zealand Parliamentary Debates 2007c:12884). Harawira attacked the Labour Māori MPs for supporting the proposed legislation at its first stage, and questioned how their Māori electorate constituents would react at the next election.

> [C]an Labour's Māori MPs be rendered voiceless, so powerless, and so helpless that they would willingly sacrifice their very Maoriness by voting to delete the 'Treaty of Waitangi and its principles' from legislation? (New Zealand Parliamentary Debates 2007c:12885).

The Principles of the Treaty of Waitangi Deletion Bill case study reiterates two important themes generated in chapter five from interviews with key informants. Firstly, a party's formal arrangement practices and conventions can restrain Māori MPs from representing Māori interests in parliament. This creates tensions between the interests of the party and the interests of Māori – a representation dilemma that, at times, is unable to be reconciled.

Secondly, Māori MPs do not have a uniform view on the best interests of Māori. The party that introduced this Bill had a relatively high level of Māori descriptive representation, and every member supported the removal of the Treaty principles. This chapter also reinforced the significance of Māori identity to political representation. It confirmed Māori MPs do not, and do not have a desire to, act alike in parliament. Māori politicians (like the general Māori population) have differing viewpoints and therefore act accordingly. This latter point contributes further evidence to why a cross-party Māori caucus is unlikely to eventuate in parliament. It is not coincidental that Māori are represented across the political spectrum.

Conclusion

The three case studies examined in this chapter have shown how substantive and surrogate representation work in practice. Irrespective of their electoral district, Māori MPs often referred to their identity, specifically their whakapapa, in their parliamentary speeches. This offers some insights into who elected Māori representatives feel a responsibility to represent and what they consider their role to be in parliament. References to a collective identity reflect a unique Māori style of politics, and demonstrate that Māori MPs have a natural rapport with each other, in turn prompting collegiality. What was considered here also demonstrates the strength of party discipline and the extent of its intervention on the relationship between descriptive and substantive representation.

Irreconcilable tensions between political party affiliations and Māori identity were clear. In the three case studies, Māori MPs from Māori electorates, general electorates and list seats faced the representation dilemma of whether to act in the interests of their party or in the interests of Māori. While Māori MPs felt a responsibility to act for Māori in parliament, most members ultimately supported their political party on these occasions. The presence of a specific Māori ethnic party in parliament from 2005 created a political environment more critical of the role Māori politicians' play. The Māori Party MPs belong to a political party whose ethos centres on kaupapa Māori and therefore the members are able to advocate strongly for Māori. In contrast, Labour's Māori MPs diligently conformed to the party position on the issues examined in this chapter, depicting a restricted ability to represent Māori. On issues where party loyalties clash with Māori interests, Māori MPs are most likely to conform to the party line. The Māori Party's confidence and supply agreement with the National Party in 2008 may place some added constraints on the ability of these MPs to represent Māori substantively as well. The concluding chapter that follows summarises the empirical research presented in this thesis, and argues that Māori descriptive representation is an important precondition for Māori substantive representation, but direct correlation between these two variables is fractured by some critical mediating factors.

CHAPTER SEVEN

Conclusion

Electoral changes have led to improvements in the number of Māori MPs in parliament, and optional electoral reforms have the potential to ensure a greater proportion of Māori councillors in local government. It is thus timely to question whether elected Māori representatives substantively represent Māori interests, or only descriptively represent Māori. The question has political implications for retaining and entrenching the Māori electorates. Literature concerning Māori representation reveals some statistical information about elected members who identify as Māori or have Māori descent, yet few empirical studies have focused on Māori as political actors and the implications that flow from this. The modest body of literature that has examined some aspects of Māori substantive representation is largely dated, and primarily concerns parliament. Very little was known about the effects of Māori representation in local body councils. This thesis, therefore, sought to investigate the relationship between the presence of elected Māori representatives and in whose interests they act, in central and local government. It sought to contribute towards an improved understanding about the nature and consequence of Māori political representation, subsequently adding to the broader international fund of knowledge on the substantive representation of minority and under-represented groups in governing bodies.

The thesis began with the premise that Māori representation matters. Why and how Māori ethnicity (more specifically, whakapapa) might influence Māori MPs' and councillors' perceptions of their role as representatives, and how they view political representation more generally, was examined within a politics of presence theoretical framework. This framework argues that groups have different life experiences and distinct perspectives to bring to decision-making bodies, and therefore should be politically represented (Phillips 1995:1). An appraisal of the principal factors limiting and facilitating Māori efforts to represent Māori, namely electoral systems, the Māori electorates, party practices and Māori identity, engendered a more accurate framework in which to examine the role of Māori representatives in New Zealand's governing bodies. In-depth interviews with Māori MPs and councillors were analysed, and Māori MPs' parliamentary actions and statements on three issues that concerned Māori were examined, to shed light on the hypothesised relationship between Māori descriptive and substantive representation.

This chapter presents a concluding analysis of the research and responds to the two central questions outlined in the introduction. First, do elected Māori representatives feel a specific

responsibility to represent Māori; and when and how is Māori substantive representation manifested? Second, how do certain institutional arrangements and attitudinal factors mediate the representation of Māori interests, and influence the way elected Māori representatives view their roles and responsibilities in governing bodies? The central findings of this thesis point to Māori representatives feeling a responsibility to act for Māori within and outside their electorate's geographic boundaries. The unrelenting importance of whakapapa is a critical influence on the Māori representative role, in terms of both substantive activities and style of politics. Electoral systems have a minor influence on Māori substantive representation, while political party discipline is a significant constraint on the ability of Māori to act for Māori interests in parliament. Competing representation roles of political party and Māori ethnicity (whakapapa) create irreconcilable tensions. Taken collectively, the key findings demonstrate a correlation, although fragmented, between Māori descriptive representation and the substantive representation of Māori interests.

Pitkin (1967:112) argued that the concept of descriptive representation is unsuitable for judging the performance of a representative. Descriptive representation, she asserted, cannot be 'directly applied in the realm of actions' (Pitkin 1967:142). The conclusions of this thesis show that the descriptive characteristic of 'being Māori' enables some possible, even likely, implications for substantive representation. It thus challenges Pitkin's (1967:142) claim that only the concept of substantive representation allows one to judge the standards of the representative's actions. Description representation, too, has implications for substantive political acts. Here, the connection between the election of Māori representatives and the representation of Māori interests is demonstrated to be structural, and conforming to some strong thematic patterns. However, this relationship is not straightforward. Appreciating the factors that affect it are vital to understanding the reality of Māori political representation.

A Māori representative's role

In the introductory chapter of this thesis, the opening quote by Trimble (2006:121) read: 'If what representatives actually say and do is fashioned at least in part by who they are, then the link between identities and interests must be explored'. Research carried out for this thesis suggests that the statements and actions of elected Māori representatives are shaped by their Māori identity. Whakapapa influences in whose interests Māori representatives act in central and local government. However, this is within the confines of conventional understandings of the role of elected MPs and councillors, and other institutional factors. Nevertheless, the link between Māori identity and Māori interests is an important and necessary area to have explored.

Most elected Māori MPs and councillors that were interviewed considered their representative role in terms of the conventional understandings of a representative. A discussion in chapter two showed that the primary role of electorate MPs is to represent the interests of their constituents, while list MPs are expected to be loyal party activists. Māori local body councillors are responsible for representing their ward or constituency, and secondarily district wide concerns. However, once probed further about their role in politics, the majority of Māori MPs and councillors stated they had a personal responsibility and commitment to act as a representative of Māori interests. Elected Māori representatives thus felt responsible for substantively representing Māori, but not exclusively – they also had a duty to represent other group interests. Moreover, Māori representatives believed they had a surrogacy role to play. They acted in the interests of not only Māori within their geographic electorate, but also Māori with who they have no electoral ties. Māori substantive representation cut across electoral boundaries. The evidence supports Mansbridge's (2003:523) thesis that representatives sometimes feel responsible to constituents in districts outside of their electorate.

A sense of surrogate responsibility is argued to intensify when the representative and constituents share experiences that the majority of the district do not, and when the governing body has disproportionately few group representatives elected (Mansbridge 2003:523). Data gathered for this thesis supports the above argument also. While the desire of Māori to represent Māori substantively was largely due to the representative's ethnicity and whakapapa, some interviewees also noted that the fact a relatively small proportion of Māori are successfully elected, influenced their desire to represent Māori interests. Māori local body councillors in particular felt that their responsibility to represent Māori heightened as the proportion of members of the governing body who identified as Māori lowered. In very few instances, Māori viewed their role as exclusively representing Māori concerns. Much more frequently, Māori acted in the interests of Māori in addition to their traditional role as prescribed by statute. That Māori MPs and councillors noted their role encompassed representing the interests of their general electorate, ward or constituency as well as Māori concerns, shows that Māori could and did represent both groups' interests.

Just as many early Māori politicians felt their ethnicity influenced who they acted for in parliament, so too do Māori representatives in contemporary times. Whakapapa continues to be a forceful mediator defining a Māori representative's role. Many Māori councillors believed their ethnicity was a relevant factor in political representation, and more specifically, in the representation of Māori concerns. Māori local body representatives claimed that they provided legitimacy to their promotion of Māori interests within council, and have the authority to do so. Similarly, Māori MPs generally believed they could not be replaced by MPs without Māori whakapapa. In their opinion, the presence of Māori MPs weighs heavily on political outcomes. Distinguished by their knowledge and practice of tikanga Māori, as well as an understanding

of a Māori worldview, Māori MPs' life experiences shape their representation role in terms of recognising, approaching and addressing Māori issues. Descriptive representation has value, and it affects substantive representation. A small percentage of interviewees contended they did not specifically represent Māori. Nevertheless, most of these representatives still conceded their unique life experiences as Māori influenced their representative role in important ways.

Elected Māori representatives have been shown to feel a responsibility to act for Māori due to their whakapapa and their distinct life experiences. The findings substantiate Mansbridge's (1999:643-4) theory that in 'contexts of uncrystallized interests', descriptive representatives may be best to represent policy issues because they draw on shared group experiences when deciding what position to take. Furthermore, in 'contexts of distrust', the shared descriptive characteristics between representative and constituents facilitate communication (Mansbridge 1999:641). An understanding of tikanga Māori and a Māori worldview, combined with shared experiences, enables Māori representatives to act competently and proficiently in the interests of Māori. This conclusion is consistent with Phillips' (1998:235-6) claim that it 'matters immensely' who the representatives are, because individual interpretations of issues affect what policies are agreed on and initiated.

An inherent Māori perspective held by Māori representatives is significant in terms of political deliberation. Mackay (2006:177) explains that the politics of presence theory expects the election of group members will 'increase the "deliberativeness" of political institutions through the inclusion of previously marginalised perspectives'. This thesis has demonstrated Māori MPs and councillors draw on personal experiences, identity, and tikanga Māori when deciding how to vote on, or approach and address, a political issue. Of course, in parliament, the party largely dictates how MPs vote on bills. Nevertheless, that Māori politicians fall back on the above foundational identity elements when casting conscience votes, demonstrates how integral ethnicity is to their role, and indeed to the larger research question on the connection between descriptive and substantive representation. It can therefore be confidently assumed that the same foundational identity elements influence other parliamentary roles a Māori representative carries out. As pointed out in chapter three, Catt (2003:16) argues that substantive representation may be more evident within party processes than in the legislative arena where party discipline is strong. Therefore, it is in caucus meetings that MPs could have greater influence when voicing alternative perspectives. The findings clearly demonstrate Māori MPs believe they have a distinct perspective. Although this perspective may not be overtly evidenced in party behaviour in the House, it might well have an impact in creating the party line.

Whakapapa not only affects how elected Māori representatives see their role in political institutions, consistent with expectations, the results of this study confirm whakapapa also influences how they practice politics. Both Māori MPs and Māori local body councillors largely agreed their political behaviour and style differed from parliamentary and council norms, but exactly how they differed prompted divergent results. In council, most Māori representatives embraced a consensus approach to decision-making, which is at odds with the conventional formalities of standing orders that dictate council meetings. The desire to talk issues through to achieve consensus, rather than voting, reflects divergent ideological positions Māori and Pākehā councillors generally hold. The collective nature of Māori society is manifested in the behaviour of Māori councillors as well as how they practice politics. Many Māori council members felt local government procedures stifled Māori substantive representation.

Māori MPs attributed their uniqueness to the way they interacted in parliament – their collegiality. Interviewees maintained their behaviour in the House reflected whakapapa connections, and this claim was supported by case study material. Others stressed that practicing tikanga Māori presented a different style of politics to parliament. The use of te reo was described as a frequent practice amongst Māori politicians. Māori MPs believed their actions differed from Pākehā through being more courteous, respectful and showing manaakitanga towards fellow MPs. Some interviewees, though, maintained the different style of Māori MPs is subtle and the length of a politician's parliamentary career moulds its distinctiveness. Seasoned incumbents were argued to be less likely to display a unique Māori political style compared to those who are relatively new members of the House.

While both Māori MPs and Māori councillors stated that the formal rules and procedures of parliament and local authorities constrained their ability to act for Māori interests, Māori representatives generally felt their presence and distinct style of politics has the potential to change the Eurocentric framework and culture dominating New Zealand politics. Moreover, both MPs and councillors identified greater numbers of Māori staff members, combined with an increase in Māori representatives, as necessary to transform political institutions to become more embracing of Māori. Some Māori representatives felt they played an educative role in central and local government by informing their non-Māori colleagues on Māori issues, thus helping non-Māori to represent Māori substantively. The implications of a Māori descriptive presence therefore go further than representing Māori substantively. It is also likely to have implications for the way non-Māori act towards Māori issues in council and in parliament. Māori MPs and councillors generally felt that the Māori community perceived them as advocates of Māori interests and relied on them to act as their spokespeople. Descriptive representatives acting in the interests of Māori are important for legitimacy purposes.

Quite clear distinctions emerged between Māori MPs and councillors on whether Māori should be the sole providers of Māori substantive representation. In local government, there was a desire for non-Māori to understand and support Māori issues, and even take some responsibility to advocate on behalf of Māori. This is likely due to some interviewees being the sole (or one of only a few) Māori members of council. The proportion of Māori representatives within a governing body appeared to have some affect on their desire to act for Māori concerns in local government. Māori councillors often spoke of being burdened with the duty to voice all Māori interests, as Pākehā were generally unresponsive to Māori concerns. One or two councils were described as receptive to Māori concerns. However, many spoke of fighting a constant and solitary battle for Māori. Māori councillors represented both Māori and non-Māori ratepayers and residents in their ward or constituency, and felt non-Māori should therefore be responsive, or at least sympathetic, to Māori interests instead of exclusively looking after non-Māori concerns. Māori parliamentarians, however, had more varied responses to this issue. Few thought only Māori representatives could genuinely act for Māori in parliament, and for some this was due to Māori MPs reflecting a sense of legitimacy in the minds of the Māori public. Other interviewees recognised that some Pākehā MPs did try to act for Māori in parliament, but were reluctant as they felt it was not their place to do so. A comparative study into Māori and non-Māori efforts to represent Māori substantively would provide a more comprehensive understanding of this matter.

Trimble (2006:121) articulates Phillips' politics of presence theoretical model as the suggestion that the election of group (namely women) representatives may lead to, rather than guarantee, the articulation of a wider range of ideas, the introduction of a different style of politics and different types of outcomes in a governing body. This research, carried out within the politics of presence framework, has shown that elected representatives who stand for Māori are likely (but not certain) to act for Māori interests in parliament and in local body councils. This is achieved by offering a Māori perspective on political issues, practicing a distinct Māori political style, and, in some cases, influencing decision-making and policy outcomes so they have a positive impact on Māori communities. Therefore, to answer the first research question this thesis set out to address, Māori MPs and councillors do feel a specific responsibility to represent Māori and this is manifested in terms of both their substantive activities and style of politics. This is a continuation of previous trends amongst early Māori MPs, where elected Māori representatives strive to act as advocates of Māori interests. The second question sought to examine how institutional arrangements and attitudinal factors limit or facilitate the representation of Māori concerns. As discussed next, these elements do have a significant influence on Māori substantive representation.

Scope of mediating elements

This research has demonstrated that Māori MPs and councillors seek to offer a Māori perspective in governing bodies to make policies responsive to Māori concerns. However, elected Māori representatives are not always in a position to articulate this perspective. This is because institutional arrangements and other elements can constrain Māori substantive representation efforts. One factor that can mediate the relationship between descriptive and substantive representation is the electoral system. Initially, the electoral system appeared to have a relatively minor affect on whether elected Māori representatives felt a responsibility to act in the interests of Māori. At the local government level, whether elected to general or Māori wards or constituencies, most Māori councillors felt a special responsibility to represent Māori. The greatest difference was that those elected to Māori wards or constituencies felt their role primarily concerned the representation of Māori concerns, rather than being an additional responsibility. Māori councillors generally felt responsible to represent Māori issues that transcend geographic electorate boundaries, thus representing Māori in a surrogate fashion. According to Tremblay (2007:296), group surrogate representation casts doubt on the argument that proportional representation electoral systems offer women greater freedom to act for women, and by extension any group representative to act in the interests of their group. The electoral system did not dramatically affect how those Māori councillors interviewed perceived their representative role. Many Māori councillors were indeed unconcerned which voting system, FPP or STV, was in use.

A similar pattern emerged amongst Māori MPs. Preliminary analysis revealed Māori list MPs differed little from Māori electorate MPs. Generally, both argued they had a responsibility to voice Māori concerns. Yet, like Māori constituency representatives in local government, this responsibility to act for Māori intensified for Māori electorate MPs. The Foreshore and Seabed case study in chapter six demonstrated well how the electoral route of individual Māori MPs to parliament makes a difference in practical terms, where Māori electorate MPs faced intense pressure from Māori constituents to act in their interests when an issue before parliament is of great importance to Māori. It is at these times that differences between Māori MPs elected via the list and to Māori electorates appear most pronounced. This research therefore supports Durie's (2003:137) claim that a 'Māori member of Parliament is not the same as a Māori member who represents a Māori electorate'. Māori electorate MPs, and councillors elected to Māori wards and constituencies in local government, are the only way Māori constituents can hold their representative to account. In these districts, Māori have the majority vote and they decide who will represent their interests.

Political parties appeared to have a significant influence on the parliamentary role of elected Māori representatives. Tensions between political party affiliations and the representation of Māori interests were clear, and sometimes these conflicting representation responsibilities

were irreconciable. Māori MPs in the early twentieth century were similarly confronted with the dilemma of split loyalties. What makes the MMP environment different? Firstly, there is a higher proportion of Māori elected to parliament; therefore, Māori MPs could possibly exert more pressure on their party to construct positive Māori policy. However, secondly, since most Māori MPs are elected via the list, primary loyalties are more likely to lie with the party. When issues of direct relevance to Māori (such as the case studies presented in chapter six) emerge, Māori MPs face real difficulties in choosing between their competing representation roles.

A further element that mediates the extent to which Māori MPs and Māori councillors substantively represent Māori is non-Māori views on Māori issues. Māori MPs claimed that the advancement of Māori policy is usually confined to what the non-Māori public deem acceptable, as anything contrary can run the risk of losing political support. Inaccurate and sensationalised media reporting fuel common misconceptions about Māori issues, which hamper efforts to advance Māori policy. In local government, Māori councillors identified the views of non-Māori council members, rather than wider public opinion, as a constraint on their ability to implement positive changes for Māori. Racism and an unawareness of Māori issues were cited as fundamental reasons why non-Māori councillors were reluctant to support Māori councillor initiatives. As noted earlier, the educative role Māori representatives carry out in governing bodies was thought to contribute towards breaking down this barrier of misunderstanding on Māori issues. Some Māori local body councillors and Māori MPs commented that their concerns of racism amongst the mainstream could be constructively dealt with by masking Māori policies within the realm of general concerns. Policies that explicitly focus on assisting Māori typically generate a hostile reaction.

Concerns about placing unrealistic demands on elected Māori representatives to make substantive gains for Māori were raised earlier in this thesis. In particular, Murphy (2008:206) recommended lowering expectations of what indigenous representatives can achieve for their constituents, and instead 'assess the potential impact of indigenous representation in the context of the limitations of electoral representation as a whole'. This, Murphy (2008:206) envisioned, will enable political representation to be viewed in a more positive way. And indeed it does. Examining the relationship between Māori descriptive and substantive representation within a framework that takes into account institutional and attitudinal constraints allows greater understanding of the potential impact elected Māori representatives can make in parliament and local government. Māori representatives feel a responsibility to act for Māori and in many cases overtly promote Māori interests. However, they must do this while operating within a majority rule environment, working against opposing views held by the non-Māori majority population, and facing strict party discipline in parliament.

One of the key strengths of this research lies in its method. Harrison's (2001:77) claim that qualitative research provides greater opportunities to scrutinise 'why' things are instead of simply 'what' proved significant. Exploring why Māori representatives represent Māori, rather than what the actions of Māori are (namely, how they vote on proposed legislation), offered valuable insights into the relationship between Māori descriptive and substantive representation. Interviews and case study analyses helped to uncover not only the central elements that influence the descriptive-substantive relationship, but also why and the extent to which they do, subsequently enriching the thesis.

Implications

Empirically sound and up to date knowledge about the nature of Māori political representation is vital for making informed decisions about New Zealand's voting system and electoral structure. There are some distinct implications of this research for parliament and for local body councils, largely due to the different proportion of Māori represented at each level and the different electoral systems and structures available. In parliament, MMP should facilitate Māori gaining a reasonable number of parliamentary seats through the list provided political parties choose to place Māori candidates in winnable positions. However, the proportional representation of Māori alone does not negate the necessity and importance of Māori parliamentary electorates. Māori electorate MPs are distinct from their list counterparts because they are more likely to have a deep sense of responsibility to act in the interests of Māori. They are the only electorates in which Māori can hold their representative to account, as Māori make up the majority of (and indeed are the only) constituents. This research addresses in some way Joseph's (2008:16) challenge that the defence of the Māori electorate seats 'must establish the objective justification for their existence'. Joseph (2008:11) proposed the abolition of the Māori parliamentary electorates based, in part, on the argument that Māori are likely to gain close to proportional representation without them in place. However, empirical evidence gathered for this thesis suggests Māori descriptive representation leads to the substantive representation of Māori concerns most notably in the Māori electorates. The Māori electorates ensure an extra layer of political accountability to Māori registered on the Māori roll. Electoral provisions that encourage or expressly provide for Māori descriptive representation are necessary for providing assurance that Māori interests will be raised and considered in parliament.

The implications of this research for local government centre on reasons for implementing available electoral reforms to increase the proportion of Māori councillors. Overall, Māori are under-represented in local government and have no representation on some individual local authorities. A proportional representation electoral system such as STV, which the Local Electoral Act (2001) provides for, is more likely than the current FPP system to increase Māori

descriptive representation. As this research has shown, increasing the descriptive presence of Māori is likely to lead to a greater proportion of representatives acting in the interests of Māori, as Māori believe they have a responsibility to voice Māori concerns. Representative diversity is likely to lead to fairer and more effective representation of communities, as the Local Government Act (2002) desires. Māori wards and constituencies should accompany the introduction of STV to guarantee a greater presence of Māori on council. The Māori constituency councillors interviewed felt they had greater freedom to advocate on behalf of Māori than did Māori elected to general wards and constituencies. But since there are currently only three Māori electorate councillors throughout the 85 local councils in New Zealand (and comprised only two of the 21 local body councillors interviewed for this thesis), these results from this research can only be viewed as indicative.

Arguments for group representation are largely based on democracy and equality. As outlined in chapter two, the normative ideal of equality, Squires (2003:18) explains, centres on equal treatment rather than equal outcomes. However, Kymlicka (1995:113) argues that sometimes differential treatment is necessary to address different needs, in the quest to achieve what he calls 'true equality'. As quoted earlier, Māori councillor interviewee presented a similar argument.

> [E]quity isn't always about having the same amount. I think equity, sometimes, is that you have to put unequal resources in to get equal resources out the other end (Interviewee 18).

Therefore, occasions arise when differentiated group representation is essential for the ideals of democracy and equality to be fulfilled, through embracing a collectivist rather than individualist approach. The above recommendations to retain the Māori electorates in parliament, and to establish Māori wards and constituencies throughout local body councils, reflect this collective notion of democracy. Furthermore, the findings of this research may have implications for Māori politics at the individual level. By illustrating the distinct characteristics of the role of a Māori electorate, ward or constituency representative compared to Māori elected via other means, may aid and inform Māori voters' decisions whether to register on the Māori or General electoral roll.

Greater knowledge about the relationship between Māori descriptive and substantive political representation in central and local government has been gained from this research. Consequently, it contributes new perspectives to general understandings of group substantive representation, perhaps most importantly by adding an indigenous element to the international debate. Just as classic typologies of representation are gender blind (Childs 2008:106), so are they silent about the effects of ethnicity and indigeneity. Some liberal interpretations of the relationship between representatives and constituents are thus challenged by the findings of this thesis. The identity of the representative and his or her constituents affects their representation relationship. The descriptive characteristics of elected

representatives, specifically their ethnicity, do have an important influence on the dynamics and effects of representation. This thesis has opened up directions for more research into the politics of ethnicity, and specifically indigeneity. Comparative analyses with other countries' indigenous elected members could provide more generalised conclusions about indigenous substantive representation.

Concluding remarks

This thesis contributes to understandings about the relationship between the identity of elected representatives and the interests they serve in governing bodies. The work argues that electoral measures to ensure Māori are descriptively represented in parliament and local government are necessary, because the election of Māori representatives has implications for the substantive representation of Māori interests. The research has demonstrated the distinct and irreplaceable nature of Māori representation, and provided sound empirical and theoretical support for ensuring a Māori presence in central and local government. Elected Māori members largely do feel responsible for advocating Māori concerns, and carry out this role where possible. However, this responsibility is fractured and influenced by significant institutional arrangements and attitudinal factors. Nevertheless, there are clear links between Māori descriptive and Māori substantive representation. Ethnicity influences the role of Māori MPs and councillors, subsequently affecting New Zealand's representative democracy. In sum, Māori representation matters.

APPENDIX A

List of Interviewees

Māori local body councillor interviewees are listed first followed by Māori Member of Parliament interviewees, in alphabetical order according to their surname. The position held by each councillor and MP at the time of the interview is recorded, as well as the place and the date of interview. In the body of the thesis, interviewees are referenced as Interviewee 1, 2, 3 and so on. Each was assigned a randomly allocated number. Partial confidentiality was promised in the expectation that interviewees would feel comfortable offering their honest opinions.

A total of 26 Māori local body councillors were invited to participate in this research through an interview. Over 80 per cent (21 people) accepted and were subsequently interviewed. All 20 of the then sitting Māori MPs were invited to participate in this research. 70 per cent of Māori MPs (14) accepted this invitation and were subsequently interviewed. Following the conclusion of all of the interviews with Māori councillors, key themes were identified and analysis of the data began. The same process was carried out for Māori MPs, where identification of themes and data analysis followed at the conclusion of all interviews. The policy case studies in chapter six were chosen following this analysis of interview data, in order to illustrate some of the key themes identified in the interviews.

Māori local body councillors

Ray Ahipene-Mercer   Wellington City Councillor

                           (Wellington central, 7 December 2006)

Raewyn Bennett   Environment Bay of Plenty Councillor

                           (Whakatane, 1 March 2007)

Anne Candy   Manukau City Councillor

                           (Auckland central, 27 November 2006)

Denise Eaglesome   Wairoa District Councillor

                           (Wairoa, 23 July 2007)

Jean Eivers   Whakatane District Councillor

                           (Whakatane, 1 March 2007)

Alf Filipaina	Manukau City Councillor
	(Otahuhu, Auckland, 1 February 2007)
Peter Goldsmith	Papakura District Councillor
	(Papakura, 2 November 2006)
Hemi Hikawai	Gisborne District Councillor
	(Gisborne, 30 April 2007)
Andrew Iles	Whakatane District Councillor
	(Whakatane, 1 March 2007)
Tipene Marr	Environment Bay of Plenty Councillor
	(Rotorua, 27 February 2007)
Des Morrison	Franklin District Councillor
	(Pukekohe, 9 February 2007)
Raymond Parker	Papakura District Councillor
	(Papakura, 29 November 2006)
Jim Peters	Northland Regional Councillor and former New Zealand First list MP
	(Auckland central, 28 June 2007)
Atareta Poananga	Gisborne District Councillor
	(Gisborne, 30 April 2007)
Bryan Riesterer	Environment Bay of Plenty Councillor
	(Opotiki, 28 February 2007)
Jami-Lee Ross	Manukau City Councillor
	(Flatbush, Auckland, 22 November 2006)
Charles Sturt	Rotorua District Councillor
	(Rotorua, 27 February 2007)
Kahu Sutherland	Whangarei District Councillor
	(Whangarei, 7 May 2007)
Charles Te Kowhai	Rotorua District Councillor
	(Rotorua, 27 February 2007)
Jacob Te Kurapa	Whakatane District Councillor
	(Murupara, 27 February 2007)

Maureen Waaka   Rotorua District Councillor

                         (Rotorua, 27 February 2007)

Māori Members of Parliament

Paula Bennett   National Party list MP

                         (Wellington central, 7 August 2007)

Te Ururoa Flavell   Māori Party Māori electorate MP

                         (Wellington central, 8 August 2007)

Tau Henare   National Party list MP

                         (Wellington central, 8 August 2007)

Dave Hereora   Labour Party list MP

                         (Mangere, Auckland, 2 July 2007)

Parekura Horomia   Labour Party Māori electorate MP

                         (Wellington central, 9 August 2007)

Shane Jones   Labour Party list MP

                         (Wellington central, 26 July 2007)

Moana Mackey   Labour Party list MP

                         (Wellington central, 8 August 2007)

Ron Mark   New Zealand First list MP

                         (Wellington central, 9 August 2007)

Pita Paraone   New Zealand First list MP

                         (Auckland central, 18 June 2007)

Jill Pettis   Labour Party list MP

                         (Wellington central, 7 August 2007)

Pita Sharples   Māori Party Māori electorate MP

                         (Wellington central, 26 July 2007)

Georgina Te Heuheu   National Party list MP

                         (Wellington central, 26 July 2007)

Metiria Turei   Green Party list MP

                         (Wellington central, 9 August 2007)

Tariana Turia   Māori Party Māori electorate MP

                       (Wellington central, 9 August 2007)

APPENDIX B

Ethics Committee Requirements

Ethics approval was required from the University of Auckland Human Participants Ethics Committee for conducting interviews with elected Māori representatives. The Committee granted approval for the project on 13 July 2006. The application required a copy of the introductory letter sent to proposed participants, participant information sheet, consent form, and broad interview questions. These are reproduced below, as are the letters confirming approval for the research.

Department of Māori Studies
Te Rehutai
Waipapa Marae Complex
16 Wynyard Street
Private Bag 92019
Auckland, New Zealand
Telephone 021 189 5684

INTRODUCTORY LETTER AND INTERVIEW REQUEST
Personal Interview

To:

Tēnā koe.

My name is Kim Summersby and I am currently doing research for my PhD in the Māori Studies Department of the University of Auckland. The focus of my topic is Māori political representation in national and local government. In particular, I am looking at the role played by Māori MPs and Māori local body councillors, and who or what they believe they represent. As a Member of Parliament/Local government councillor, you will have very useful and important knowledge that will be highly valuable to this research.

I invite you to partake in this research, as the contribution you make will provide more informed knowledge on the nature of Māori representation. Changes to the electoral system and structure of both central and local government have impacted on the role of representatives, and I am hoping to uncover the extent of this.

I am Pākehā and currently reside in Auckland while studying. However, I have lived all my life in Hicks Bay, East Cape - an environment that has a strong emphasis on tikanga Māori. In both primary and secondary school, tikanga Māori and te reo Māori played a strong role. Due to my connections with the Māori community at home on the coast, I have continued to be interested in Māori Studies and majored in this subject at the University of Auckland in both my undergraduate and post-graduate degrees.

I would appreciate it if you would be willing to meet with me for approximately 45 minutes, at a convenient venue, to talk about your views and knowledge on the role of Māori representatives in national/local government, as well as the issues surrounding representation more generally. I look forward to hearing from you to discuss whether you agree to be interviewed.

Yours sincerely,

Kim Summersby.

Department of Māori Studies
Te Rehutai
Waipapa Marae Complex
16 Wynyard Street
Private Bag 92019
Auckland, New Zealand
Telephone 021 189 5684

PARTICIPANT INFORMATION SHEET
Personal Interview

Research Project: Representing Māori: Analysing the Relationship between Descriptive and Substantive Māori Political Representation.
Researcher: Kim Summersby.

My name is Kim Summersby and I am enrolled in a PhD in the Māori Studies Department of the University of Auckland. I am currently undertaking research that looks at the role of Māori representatives in both national and local government. Research currently tells us about representatives who identify as Māori or have Māori descent. My research will look at whether Māori representatives believe they represent Māori interests in parliament and local councils.

I am Pākehā and currently reside in Auckland while studying. However, I have lived all my life in Hicks Bay, East Cape - an environment that has a strong emphasis on tikanga Māori. In my primary and secondary schooling, tikanga Māori and te reo Māori played a strong role. I have majored in Māori Studies at the University of Auckland in both my Bachelors and Masters degrees.

I invite you to be involved in this research through a personal interview, as the contribution you make will help build on the knowledge available on the role of Māori representatives. It will involve broad questions relating to who you represent, your role as a Member of Parliament/Local government councillor, and what political representation means to you.

In the final write up of the thesis, interviewees will be identified as informant (a), (b), (c) etc. The names of all informants will be in an appendix to the report, therefore it is possible that you may be identified. The interview will be digitally recorded and I will transcribe it. A copy of the CD will not be made available to you. However, after transcribing the interview, I will send you a copy of the transcript within two weeks and you will have four weeks from the date of the interview to comment on and return it. The consent forms will be kept for six years in a locked cabinet in the Māori Studies Department of the University of Auckland, before being destroyed by shredding them. The CDs will be kept in a locked cabinet in the same department for six years, and then archived for future academic use. I will give a seminar on this research in the Māori Studies Department of the University of Auckland in late 2007 and late 2008, which you are welcome to attend. You may request an executive summary of the thesis once it has passed the requirements of a PhD.

The interview is voluntary. You have the right to withdraw from the project at any stage, and the data you provide can be withdrawn up until four weeks following the date of the interview. The interview should take approximately 45 minutes. This research is funded through a University of Auckland Doctoral Scholarship.

For Ethical concerns contact: The Chair, The University of Auckland Human Participants Ethics Committee, Office of the Vice Chancellor, Room 005, Alfred Nathan House, 24 Princes Street, Auckland. Tel: 3737599 extn. 87830

Researcher Name and Contacts	**Supervisor Name and Contacts**	**HOD Name and Contacts**
Kim Summersby	Associate-Professor Ann Sullivan	Associate-Professor Ann Sullivan
Department of Māori Studies	Department of Māori Studies	Department of Māori Studies
16 Wynyard Street	16 Wynyard Street	16 Wynyard Street
Private Bag 92019	Private Bag 92019	Private Bag 92019
Auckland, New Zealand	Auckland, New Zealand	Auckland, New Zealand
021 189 5684	(09) 373 7599 ext. 88604	(09) 373 7599 ext. 88604

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14 JUNE 2006 for a period of three years, from 2006 to 2009. Reference 2006/186.

THE UNIVERSITY OF AUCKLAND
FACULTY OF ARTS
NEW ZEALAND

Department of Māori Studies
Te Rehutai
Waipapa Marae Complex
16 Wynyard Street
Private Bag 92019
Auckland, New Zealand
Telephone 021 189 5684

CONSENT FORM
Personal Interview

THIS CONSENT FORM WILL BE STORED FOR SIX YEARS BEFORE IT IS DESTROYED

Research Project Title: Representing Māori: Analysing the Relationship between Descriptive and Substantive Māori Political Representation.
Researcher: Kim Summersby.

I have been given and understand the information about the purpose of this research.

I understand that I am free to withdraw from the research at anytime without giving a reason.

I understand that I have the right to withdraw my data from the project up to four weeks following the date of the interview.

I understand that I will be given the opportunity to comment on and return by the due date [four weeks following the interview] the transcript of the interview, which will be completed and sent to you no later than two weeks following the date of the interview.

I understand that I may request an executive summary of the thesis once it has passed the requirements of a PhD.

- I agree / do not agree that I will be digitally recorded and understand that, even if I agree, I may choose to have the recorder turned off at any time.

- I understand that the consent form will be stored in a locked cabinet in the Māori Studies Department of the University of Auckland for a period of six years and then destroyed by shredding it.

- I understand that the CD will be stored in a locked cabinet in the Māori Studies Department of the University of Auckland for a period of six years and then will be archived for future academic use.

- I understand that I may be identifiable in the thesis.

- I agree to take part in this research.

Signed…………………………….   Date…………..

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14 JUNE 2006 for a period of three years, from 2006 to 2009. Reference 2006/186.

Research Project Title: Representing Māori: Analysing the Relationship between Descriptive and Substantive Māori Political Representation.

Researcher: Kim Summersby.

1. Who do you think you represent? Who are your constituents?

2. What do you believe your role is as a MP/ local body councillor?

3. At what point do you believe you speak for Māori? For example, when have you recently felt that you were primarily advocating Māori interests?

4. What means do you think you have to advance Māori interests?

5. Do you think that you have a specific responsibility to represent Māori? Why?

6. What is the symbolic value of having Māori representatives in this governing body? What is achieved?

7. What obstacles - institutional, party or others - might limit your ability to represent Māori?

8. Do you think that the electoral system has an impact on Māori political representation?

9. What differences are made to the style of politics with an increase of Māori representatives elected? Do Māori practice politics differently to non-Māori?

10. Do Māori make a difference in politics?

11. Do you believe Māori electorates are required at the central government level? What about at the local government level?

12. Do you think the consciousness (that is, the active recognition and representation) of Māori interests is a more relevant factor in influencing Māori issues in parliament/ council than being Māori?

For MPs only:

1. Do you raise issues of concern to Māori in caucus?

2. Do you think there should be a cross-party caucus established in parliament?

3. In your opinion, are Māori list MPs freer to represent Māori than other Māori MPs?

4. Conscious voting has become more common in the past decade. What do you take into account when deciding how to vote in these situations?

For local body councillors only:

1. Why did you stand for election? What was your motivation?

2. What types of people or groups approach you as a councillor?

3. What committees/ sub-committees are you on? Do you chair any of them?

THE UNIVERSITY SECRETARIAT
Office of the Vice-Chancellor
Research Ethics and Biological Safety Administration

THE UNIVERSITY OF AUCKLAND
NEW ZEALAND

The Registry
Alfred Nathan House
24 Princes Street, Auckland
Telephone: 64 9 373 7599
Extension: 87830 / 83711
Facsimile: 64 9 373 7603

The University of Auckland
Private Bag 92019
Auckland, New Zealand

UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE

16 June, 2006

MEMORANDUM TO:

Kim Summersby

Maori Studies

Re: Application for Ethics Approval

The Committee met on 14 June , 2006 and considered the application for ethics approval for your research titled "Representing Maori: Analysing the Relationship between Descriptive and Substantive Maori Political Representation" (Our Ref. 2006 / 186).

Ethics approval will be given for a period of three years conditional on: -
1. In the introductory letter and interview request, para 3, the last sentence should read "I have continue[d] to be interested...." .
2. In the Participant Information Sheet for Personal Interview, in the middle of the 4th paragraph, the sentence should read " transcript within two weeks and you [will] have [four weeks...]."
3. In the Consent Form for Personal Interview, change the order of the 3rd and 4th paragraph. Bullet 4, change "identified" to "identifiable".
4. In order to complete the approval process, please highlight the revisions and provide the above clarification as soon as possible for inclusion in the next agenda..

If the project changes significantly you are required to resubmit your appplication to the Committee for further consideration.

In order that an up-to-date record can be maintained, it would be appreciated if you could notify the Committee once your project is completed.

Please contact the Chairperson if you have any specific queries relating to your application. He and the members of the Committee would be most happy to discuss general matters relating to ethics provisions if you wish to do so.

Margaret Rotondo
Executive Secretary
University of Auckland Human Participants Ethics Committee

c.c.   Head of Department, Maori Studies

UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE

13 July, 2006

MEMORANDUM TO:

Kim Summersby

Maori Studies

Re: Change to application

I wish to advise you that the Committee met on 12 July , 2006 and reviewed the request for change to your application titled "Representing Maori: Analysing the Relationship between Descriptive and Substantive Maori Political Representation" (Our Ref. 2006 / 186).

The Committee approved the change.

If the project changes significantly you are required to resubmit your appplication to the Committee for further consideration.

In order that an up-to-date record can be maintained, it would be appreciated if you could notify the Committee once your project is completed.

Please contact the Chairperson if you have any specific queries relating to your application. He and the members of the Committee would be most happy to discuss general matters relating to ethics provisions if you wish to do so.

Margaret Rotondo
Executive Secretary
University of Auckland Human Participants Ethics Committee

c.c.   Head of Department, Maori Studies

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