

Implementation of STV in 2004 New Zealand Elections

Jacky Zvulun

Department of Political Studies

University of Otago

Refereed paper presented to the

Australasian Political Studies Association Conference

University of Adelaide

29 September - 1 October 2004

Abstract:

In 2002, under legislation passed by the New Zealand government, local communities were given the opportunity to choose between the electoral systems of First Past the Post (FPP) and Single Transferable Voting (STV).

A series of referendums gave mixed results, with most communities sticking with the more familiar FPP. One strong argument used by proponents of STV, was that STV would make councils more representative.

The purpose of this paper is to explore a sample of those communities / councils that held referendums during 2002, especially to explore the proportionality between the European and the Maori population. For example, in 2001, two of these communities, both with very high proportions of European (Pakeha) residents, lacked any Maori representation and the third authority, with a high proportion of Maori constituents, had only two Maori Councillors. Moreover, just one of them voted in the STV system while the other two retained the FPP system. Nearly all communities that opted for STV were located in the North Island which has a higher Maori population.

In this paper I will examine the arguments presented by advocates of STV during the referendums, and using overseas case studies, explore the likely impact of STV on the representativeness of their councils.

Proportional Representation and STV

Proportional Representation (**PR**) systems give opportunities for the voice of minority groups at national and local levels.¹ This represents a simple principle, derived from democratic theory that the seat won corresponds to the vote won.²

Usually, all PR systems rely on multi-member districts.

PR systems were first developed in the nineteenth century at a time when Britain was using a plurality system, but many other European countries had adopted various forms of majority voting. Over time, especially in the twentieth century, democratic countries continued to move away from plurality majority and toward PR voting systems. Groups based upon ethnic, racial, ecological and sexual identities articulated claims for citizenship to explicitly include group differentiated rights. In particular, cities became places where the meaning of citizenship was contested.

Also Citizens demanded that the state should provide social welfare for all citizens as a right of citizenship, and that state practices should be guided by a commitment to formal equality and impartial procedures. Women fought to expand their rights, for access to child care, pay equity and the right to safe cities.³ Ethnic and racial minorities sought recognition, representation and self-governing rights, while gays

¹Douglas Amy and Frederick McBride Robert Richie, *How Proportional Representation Can Empower Minorities and the Poor* (Douglas J. Amy, 2000 [cited May 25 2004]); available from <http://www.mtholyoke.edu/acad/polit/damy/articles/articles.htm>.

Kathleen L Barber, *A Right to Representation : Proportional Election Systems for the Twenty-First Century* (Ohio, U.S.A: Ohio State University Press, 2000).

³ Engin F. Isin, "Introduction: Democracy, Citizenship and the City," in *Democracy Citizenship and the Global City*, ed. Engin F. Isin (London, UK: Routledge, 2000).

and lesbians struggled to claim rights such as spousal benefits and common law arrangements that were already extended to heterosexual couples. However, the notion of citizenship goes beyond formal membership in a national or local community. At a more profound level, it involves the relationship between the state, civil society and the individual. Furthermore, with the spread of globalization, the sources of authority for citizenship rights and obligations expanded outwards from the nation state to international organizations, corporations and agencies such as the World Bank, IBM, Microsoft and McDonalds. Citizens now have more complex and segmented loyalties, giving them greater scope for, and greater uncertainty in, directing and informing decision- making in a new era. To an unprecedented degree they now conduct themselves in different domains, such as the professions, the workplace, the shopping mall and the Internet, all of which compete with, say, the city, as sources of identity and loyalty . Many services that the city used to deliver according to the subsidiary principle have either been privatized or shifted to other levels and types of non- governmental bodies. This new concept encourages local governments to work for and to facilitate better services, and puts them on a more competitive basis with one another.

In the mid 1990's over two-thirds of the emerging democracies in Eastern Europe and the former Soviet Union adopted proportional representation, or semi-proportional forms of voting. There are two major variants of such electoral systems: Party List (PR/PL) and Single Transferable Vote (PR/STV). Both are used in a number

of democratic countries.⁴ The use of a Party List helps to achieve proportionality, whereby political parties present lists of candidates to the voters on a national or regional basis. The STV, was first⁵ proposed in the mid - nineteenth century, quite independently, by Thomas Hare, an English lawyer, and Carl George Andrae, a Danish Mathematician and politician.⁶ Hare was the more significant; his 'Treatise on the Election of Representatives' greatly influencing philosopher John Stuart Mill, who adapted and then popularised it. The system works by ranking candidates, which voters are asked to rank- order their choices among the candidates whose names appear on the ballot. To be elected, candidates must reach to the quota, if no candidate reaches the quota, then the candidate with the least votes is eliminated, and his or her votes are redistributed according to second preferences.⁷ The second stage of counting involves the redistributed of these surplus ballots, again, those candidates achieving the threshold are declared elected and any surplus votes redistributed. This process continues until all vacant seats have been filled. At present, choice voting continues to be the voting system favored by many scholars of electoral systems.⁸ Currently the STV system is used to elect Parliament in Ireland and Malta, and the federal Senate in Australia. As well, it is spreading to many cities

⁴ For more information about the Party list see at Barber, K 2000 pp63-80

⁵ STV is known by several names: the Hare Clark system in Australia, choice voting in the United States, and political scientists call it the single transferable vote. STV uses multi-member districts, with voters ranking candidates in order of preference on the ballot paper in the same manner as the alternative vote.

⁶ Jennifer Hart, *Proportional Representation :Critics of the British Electoral System, 1820-1945* (New York, U.S.A.: Oxford; Clarendon Press, 1992).

⁷ Pippa Norris, *Electoral Engineering : Voting Rules and Political Behavior* (Cambridge, UK ; New York: Cambridge University Press, 2004).

⁸ David M Farrell, *Electoral Systems a Comparative Introduction* (New York, U.S.A: PALGRAVE, 2001).

in United States (New York, Cleveland, and Toledo). To demonstrate the use of STV and the impact on minority groups the following brief case studies will be considered:

U.S.A

At the beginning of the twentieth century, America looked to improve the human condition, and reacted with anger to social, economic and political problems, particularly in the cities. One of the States which started a movement to improve political life and gain fairer representation was Ohio which adopted the PR/STV.⁹ Cities like Cleveland, Cincinnati and Toledo provide good examples of adopting STV. These cases show the usefulness of STV in electing African Americans to council (early last century). In Toledo, an African American was elected as one of nine council members, when blacks constituted only seven percent of the population. In Cincinnati, African Americans had as many as two of nine council members from time to time, an overrepresentation in council in proportion to the city's African American population. After the repeal of PR in 1957, no more than two African Americans served on council at one time until 1992, even though the African American population grew to 38%. Although the PR/STV contributed to these cities, the result changes were not as dramatic as the public had expected them to be.¹⁰ On the contrary, racial and ethnic minorities were the principal beneficiaries of the PR/STV elections used in Ohio cities between 1915 and 1960. Today PR/STV is

⁹ Kathleen L Barber, *Proportional Representation and Election Reform in Ohio* (Ohio, U.S.A: Ohio State University Press, 1995).

¹⁰ V Jerone Stephens, "Proportional Representation and Election Reform in Ohio," review of Kathleen L, Barber's "Proportional Representation and Election Reform in Ohio", *The American Political Science Review* 90, no. 3 (1996).

practiced only for electing the city council of Cambridge, Massachusetts, and school boards in Cambridge and New York City.¹¹ Barber concluded that the PR in the State' did not solve all social, economic and political problems, nor should electoral systems be expected to bring utopia'. However, 'PR can enable representation of most voters in a pluralist society to bring problems to the public table for debate and resolution.' Moreover, the chance for individuals to win is realistic and possible, while for the American people, proportional representation creates opportunities for a more complete, and less polarized democracy.¹²

Northern Ireland

The results of 1998 election in North Ireland managed to reduce the violence between Northern Ireland's Catholic and Protestant communities, and provided a new Northern Ireland Assembly, held under STV.¹³ A significant proportion of the Northern Ireland electorate used their lower order preferences to transfer votes for ethnic sectarian parties to non ethnic centrist ones. The STV system helped different parties to gained lower order vote transfers from other pro- agreement forces, for example the Ulster Unionists (UUP) and Progressive Unionists (PUP), or the (Catholic) Social Democratic and Labour Party (SDLP). This method also benefited other groups such as Alliance and the Women's Coalition that classified as a minority

¹¹ James W. Witt, "A Right to Representation: Proportional Election Systems for the Twenty-First Century; Barber, Kathleen L.," review of "A Right to Representation : Proportional Election Systems for the Twenty- first Century" Barber, Kathleen L., *Perspectives on Political Science* 30, no. 3 (2001).

¹² Barber, *A Right to Representation*.

¹³ The successful of this is due to the agreement which call Good Friday Agreement that eight political parties agreed to bring a peaceful resolution to the Northern Ireland conflict.

parties.¹⁴ In this case, the STV system enabled lower order preferences kept the Assembly on track by reducing the numbers of seats that the anti agreement unionist parties won in the election. Facilitating the transfer of votes from the borders to the middle proved to be an answer characteristic in producing a pro peace assembly.

New Zealand case

After a national referendum in the early 1990's, New Zealand switched from its traditional single member district plurality system to Mixed Member Proportional (MMP).¹⁵ This brought about the end of the British First Past the Post (FPP) electoral system. Since 1996, the New Zealand Government has been using the new system in general elections, which has encouraged local governments to similarly assess the merits of a new electoral system. Thus, where it has occurred, STV adoption has thus been a result of changing the system at the national level albeit, with additional pressure from political parties such as the Green Party, which campaigned relentlessly for STV on the grounds that it is better system for local elections in New Zealand.

STV in New Zealand

STV in the New Zealand context was first discussed in 1878. Support for alternative voting systems was especially high in the elections of 1900 and 1910. By 1914, Parliament had passed a law to elect New Zealand's upper house, the Legislative

¹⁴ Brendan O'Leary, "The British -Irish Agreement of 1998: Results and Prospects" (paper presented at the Constitutional Design 2000, Indiana, December 1999.)

Douglas J Amy, *Behind the Ballot Box. A Citizen's Guide to Voting Systems.* (Westport, London: Praeger Publishers, 152000).

Council, by STV, although this was never implemented.¹⁶ Nonetheless, between 1917 and 1933 a total of six municipal elections in Christchurch were carried out under STV.¹⁷ The system appears to have fostered greater diversity in representation and encouraged cooperation between parties on the council. In the early twentieth century, there was both acceptance and rejection of STV. The system was adopted when Labour and Independent councillors were strongly represented and was rejected when the Citizens Association had a clear majority.¹⁸ However, the Christchurch City Council was able to adopt STV under the Local Elections Act. It provided the option of STV for municipal elections, and survived in the local Election and Polls Act until 1966. Christchurch City Council opted for STV in its elections in 1917, 1921, 1923, 1929, 1931 and 1933.¹⁹ Although the Labour Party in Christchurch was a consistent supporter of STV up to the mid -1930s, Christchurch Labour had its greatest success in 1927, paradoxically, under First Past the Post voting. More oddly still, Labour lost its majority in the subsequent election as a result of reintroducing STV.

Between 1929 and 1933 the chief impact of STV appears to have been to prevent any party from winning a clear majority on the council.²⁰ Christchurch's experiment with proportional representation had a more lasting effect upon the attitude of the Labour

¹⁶ Department of the Internal Affairs, *S.T.V Information* (Department of Internal Affairs, May 2003 2002 [cited April 20 2004]); available from http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-STV-Information-Index?OpenDocument.

¹⁷ Neill Atkinson, *Adventures in Democracy. A History of the Vote in New Zealand* (Dunedin, NZ: University Of Otago Press, 2003).

¹⁸ For more information see Neil Atkinson, *Adventures in Democracy*, pp 120-122.

¹⁹ James Watson, "Proportional Representation in New Zealand Local Government : STV and the Christchurch City Council, 1917-1933," *Political Science* 55, No 2 (2003).

²⁰ Ibid.

Party as a whole to this sort of electoral reform. In 1934, the party conference voted to delete support for PR from its platform. Initial enthusiasm gave way to the sobering fact that STV seemed to reduce the chances of winning elections. In this case, STV deprived Labour of a clear majority in Christchurch. For the next 68 years, local authority elections were conducted using the FPP electoral system. STV was relegated to the private sphere where it was used sparingly, one such example being the election of members to the Board of Directors and Shareholders Councils of Fonterra in April 2002. In 2004 however, city councils once again faced a decision about the use of STV.²¹ Councils had to take into account the guiding principles adopted by New Zealand Local Governments: fair and effective representation, equal opportunities for participation, public understanding of, and confidence in, electoral processes, encouraging electors to vote, timeliness of final election results and the costs associated with different electoral system options.²² To implement these principles, councils had the opportunity to adopt the STV system, which gives fair and equal opportunity to all voters. Nevertheless, there is a controversy about whether the system is democratic or undemocratic.

One of the advantages of this system is that it allows for choice between parties and between candidates within parties. It provides a better chance for the election of popular independent candidates than List PR because voters are choosing between

²¹ A local authority may resolve to adopt STV or may resolve to stay with FPP. If a council does not make a resolution, FPP remains in place for the elections in 2004. This decision has to be made not later than 12 September in the year that is 2 years before the year in which the next triennial election takes place.

²² Department of Internal Affairs Local Government New Zealand, Ministry of Health, Electoral Commission, New Zealand Society of Local Government Managers., "Choosing Electoral Systems in Local Government in New Zealand.," (Wellington, NZ: STV Taskforce, 2002).

candidates rather than between parties.²³ On the other hand, the Royal Commission of New Zealand, 1986 saw this as a disadvantage; while candidates have to gain a quota it will lead them to competition in the same party against each other for first preference vote.²⁴ In addition, it leads to weaker parties because candidates work to attract personal support, sometimes at the expense of other candidates from their own party.²⁵

STV system offers the opportunity to show to voters their preferences within one party, or across several. In terms of New Zealand, voters could vote for their interest, especially if they want to represent a minority group such as Maori. Thus, it will provide a good opportunity to elect Maori to councils from general wards or constituencies. This is because candidates are elected as they attain the STV quota through first, or subsequent, preferences. In part however, it's also possible for councils to establish separate wards or constituencies for Maori electors.²⁶ The disadvantage of this would be that, in many constituencies, the number of Maori voters would be relatively small and thus not electoral significant.²⁷

As noted earlier, STV might give a better enhance to Maori because it would be likely to increase the representation of minority groups. As well, it would decrease the

²³ Andrew & Reilly Reynolds, Ben, *Single Transferable Vote* (IDEA, UNDESA, IFES, 2001 [cited 25, May 2004]); available from <http://www.aceproject.org/main/english/es/esf04>.

²⁴ New Zealand. Royal Commission on the Electoral System. and John Hamilton Wallace, *Report of the Royal Commission on the Electoral System : Towards a Better Democracy* (Wellington, N.Z.: Government Printer, 1986).

²⁵ Andre Blais, "The Debate over Electoral Systems," *International Political Science Review* 12, no. 3 (1991).

²⁶ Local Government New Zealand, "Choosing Electoral Systems in Local Government in New Zealand.."

²⁷ New Zealand. Royal Commission on the Electoral System. and Wallace, *Report of the Royal Commission on the Electoral System : Towards a Better Democracy*. (52)

chance of one party or groups gaining absolute power.²⁸ Another point of debate is whether the system is easy for voter to understand. Proponents of STV say that this system is both simple and familiar to New Zealanders. They have had experience through their massive participation in voluntary organization.²⁹ In contrast, opponents of STV assume that this system is too complicated. In many societies, it is unfamiliar and demands, at the very least, a degree of literacy and numeracy. Technically involving mathematical calculations that hard to explain to people and the election results are tallied since counts are far less indicative of final or official results. Thus, there will be greater delays before results are available.³⁰ Indeed, minority parties usually find it easier to win representation under STV. This is because the system produces results that broadly reflect the range of opinions and views in the community.³¹ In contrast, STV could increase the power of minority parties which, in some aspects, is dangerous for local, and national government. Nevertheless, one of the proponents, Lani Guinier, assumes that minority groups can increase the stability and legitimacy of the political process. If everyone is represented, there is a better chance that all groups will be treated fairly.³² Moreover, Douglas Amy, from Mount Holyoke College, sees the STV system as a way of

²⁸ Local Government New Zealand, "Choosing Electoral Systems in Local Government in New Zealand" ..

²⁹ Stephen Todd, *The Case for STV* (Electoral Reform Coalition, 2001 [cited May, 28 2004]); available from <http://www.stvnz.org/aboutstv-thecase.htm>.

³⁰ Warwick Lampp, *Single Transferable Voting in New Zealand* (Electionz.com Ltd, 2002 [cited September 2004]); available from http://www.acs-ltd.co.nz/elections/NZSTV_WhitePaper2002_v2.pdf.

³¹ Douglas J Amy, "Proportional Representation: Empowering Minorities or Promoting Balkanization?," *The Good Society* 5, no. 2 (1995).

³² Lani. Guinier, *The Tyranny of the Majority : Fundamental Fairness in Representative Democracy* (New York, U.S.A.: New York : Free Press, 1994).

solving the problem of gerrymandering. In his view, STV's purpose is to minimize wasted votes and ensure that the parties are represented in proportion to the votes they receive. This eliminates the possibility of unfair representation produced by gerrymandering. The key to eliminating partisan gerrymandering is the large multimember district used in PR systems.³³ Conversely, there is evidence that gerrymandering could be happen in the STV system. For example, in 1981 the Maltese Labour Part (MLP) won a majority of seats in parliament even though the Nationalist candidates had received a majority of first preference votes. It occurred as a result of deliberate gerrymandering by the MPL which could not approval. The consequence was a major constitutional crisis because the Nationalists refused to accept the outcome of the election and walked out of the parliament.³⁴ In this case, the advantage of ranking the candidates 1, 2, 3 and so on, can incur a disadvantage that is either random, or in the order of appearance ' donkey/blind voting'.³⁵ However, STV exists in a number of different formulations in different countries. Most of the methods are designed to be practicable when counting is by hand, and this necessarily enforces simplicity, even at the expense of not always getting the best answer.

³³ The meanings of gerrymandering are two purposes, first to protect the seats of incumbents and second to allow the dominant party in a state to win more seats that is deserves. For more information: Douglas J Amy, *Real Choices/New Voices : How Proportional Representation Elections Could Revitalize American Democracy*, Second Edition ed. (New York, U.S.A: Columbia University Press, 2002).

³⁴ Wolfgang & Lane Hirczy de Mino, John C, "STV in Malta : Some Surprises," *Representation* 34 (1996).

³⁵ Steven J & Fishburn Brams, Peter C, "Alternative Voting Systems," in *Political Parties and Elections in the United States*, ed. Sandy L Maisel (New York, U.S.A: Garland, 1991).

The method used in New Zealand is Meek's method, which differs from the basic STV system,³⁶ in the following ways: Value of surpluses – the total of a surplus, or surpluses, is shared in due proportion across transferable and non-transferable voting documents. Recalculation of quota – as votes become non-transferable, the quota is recalculated to reflect the smaller total votes remaining active. The new quota then applies to already elected candidates, as well as others, giving them further surpluses to redistribute. Advanced technology – because the procedure required conducting a count using Meek's method requires a candidate to be assigned a scaling factor representing the proportion of each vote that will actually be credited to each candidate, the number of calculations involved requires computer technology, as it is beyond the capacity of a manual council.³⁷ Also called Algorithm 123, this method uses computer power to get better results than are otherwise achievable.

Ostensibly, one would think that this system would be widely implemented at the municipal levels in New Zealand, but this has not occurred. In the lead up to the 2004 elections 68 of the 86 decided by resolution, and 61 chose to retain FPP while 7 resolved to change to STV. 25 communities requested local referendums, of which 3 voted for STV. In sum, just 10 of the 86 adopted STV: seven of them in the North Island, two in the South Island and one on Chatham Islands. Decisions on whether to

³⁶ This method recognized as the fairest STV system due to the calculation of the retained value and transfers preferences.

³⁷ *Meek's Method* (Department of Internal Affairs, 2002 [cited 18, July 2004]); available from http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/_6a9in6rrle9hmabbdc5q6asj9c5m2qkqkaomkirj6dtp6qobkd5nmsbadclimm09cecmkqpbkd1nm8_?OpenDocument.

implement STV councils were able to resolve to retain FPP or change to STV, or hold a referendum to allow electors to decide.³⁸ Seven of the 10 councils: Kaipara District Council, Kapiti Coast District Council, Marlborough District Council, Matamata-Piako District Council, Papakura District Council, Porirua City Council, and Chatham Islands Council made by resolution. Two of them: Thames-Coromandel District Council and Dunedin City Council poll demanded, and the last one Wellington City Council by referendum.³⁹

As an example, the Dunedin City Council, which ultimately moved to the STV system, came under much initial pressure from the public to change from FPP to STV. Nevertheless, in September 2002, Dunedin City Council decided to retain the FPP system as the majority of councillors opposed STV for various reasons.⁴⁰ Overall, councillors felt comfortable with the original system, which gave them confidence for the next election.⁴¹ Nevertheless, the growing support for STV gave the council little choice but, in accordance with public opinion to change to the new system. The outcome was poll demand which initiated by electors, and the vote was 19,082 (51.3%) against 18,120 in favour of STV, with a 44.3% voter turnout. Residents believed more strongly emphasized the democratic relationship between Dunedin electors and their councils.

With all this, however, the District Health Boards which provide health and disability services to 21 districts throughout New Zealand, will use STV in 2004

³⁸ If a council chose not to initiate a referendum, voters could demand one be held.

³⁹ Justice and Electoral Committee, "Inquiry into 2001 Local Government Elections," (Wellington, NZ: 2001).

⁴⁰ <http://stvnz.org/stv-dunedin.htm>

⁴¹ The results on public consultation show that 33 people were against FPP and 150 for STV.

election. The DHB mandatory elections are being held at the same time as local authority elections. Each DHB consist of seven elected members and a further four members appointed by the minister of health. DHB's responsible for improving, promoting and protecting the health of communities especially primary and secondary care services.⁴² An additional change is to the electoral system, that the DHB's be held at-large elections. Thus, in each DHB, all of the DHB voters can rank all of the candidates who stand for the seven elected board members.⁴³ The beneficiaries of this might be minority groups who see their candidates elected by using at- large structures for DHB's, because the threshold of support under STV becomes a lot easier to accomplish.⁴⁴ In part however, it could be an impact on elections councils, using the STV in the DHB's while running also the FFP in the local election councils might be cause to confuse voters of both systems. Furthermore, territorial authorities:' take into account their obligation to run DHB STV elections ...administrative capabilities costs and on voter'.⁴⁵

Advocates of STV

Rod Donald, co- Leader of the National Green party is a strong advocate of the STV system encouraged and has consistently city councils to change their system.

According to Donald, STV is designed to ensure that all significant viewpoints are represented in proportion to their level of popular support.....STV encourages

⁴² New Zealand. Ministry of Health, *DHB Guidance Information : New Zealand Public Health and Disability Act 2000* (Wellington, N.Z.: Ministry of Health, 2001).

⁴³ The voters will have more flexibility under this structure. Voters would be able to select the candidates who they think deserve as board members irrespective of where those candidates live.

⁴⁴ All candidates only require 12.5 percent of the votes, from all the districts voters to be elected.

⁴⁵ Local Government New Zealand, "Choosing Electoral Systems in Local Government in New Zealand.."

positive voting'. Donald referred to the 2001 election by stating that in 54 mayoral contests where there were three or more candidates, 40 of the winners were elected with less than 50 per cent of the votes, 24 of these with less than 40 per cent, and 4 of these with less than 30 per cent.⁴⁶ Furthermore, he disagreed with those who said that STV would confuse voters, replying that New Zealanders were intelligent enough to understand the new system. He even compared STV to several types of lotto competitions which 'Kiwis' could demonstrably well understand.⁴⁷

In the capital city, Wellington, fifteen of the eighteen councillors were elected with less than half the vote and, as a consequence, a huge 62 per cent of the votes across the city were wasted. It was the same in the 1998 election, in which 40 of the 74 mayors were elected with less than 50 per cent of the votes.

Another supporter of STV is the scholar Graham Bush, who sees the STV system as a good option for the voters whether they choose A or B. He maintains that the system encourages participation and fosters awareness of candidates' attributes and policies. Notwithstanding Bush's view, in the 2004 election, STV will not work miracles by way of increasing turnout, but it could improve equitable representation for motivated minorities (especially Maori), reduce wasted votes, and enable true majoritarianism to prevail.⁴⁸ Likewise, electoral activist S.Todd criticized New

⁴⁶ STV works by eliminating low-polling candidates and counting their voter's second and subsequent preferences until the available seats are filled by candidates with more than 50 per cent of the vote.

⁴⁷Jon Bassett, "Ron Donald Three Councils to Try STV Public 'Intelligent Enough'", Otago Daily Times, 2002), 1. Factiva: otgo000020020822dy8mooooos. 14, July, 2004

⁴⁸ Graham Bush, "STV and Local Body Elections a Mission Probable?," in *Empowering Communities?: Representation and Participation in New Zealand's Local Government.*, ed. Jean Drage (Wellington, NZ: Victoria University Press, 2002).

Zealand local government by charging that the current system did not reflect true democracy, and was wrong at the local level. He also maintains that there is still disproportional representation in local government.⁴⁹ In addition, the local government will have to work on principles such as improving Maori and minority group representation, greater choice and flexibility for voters, encouraging an environment of collective responsibility, and equalizing levels of representation across each district.⁵⁰ The fact that from 2004 onwards, both district health boards and national government, be elected through PR will help government agencies, such as those mentioned above, promote the implementation of STV in city councils. Conversely, arguments against STV are still put. For example, while preparing District Health Boards (DHBs)⁵¹ for the transition from FPP to STV, it has been argued that such a move could be both risky and costly to implement. However, it is also acknowledgeable that every electoral system could do the job if only candidates would represent it and the people who turn out cast their votes in favour of it.⁵² Jim Gerard, Mayor of Waimakariri, also supports arguments against STV in DHB elections explaining that it could have a potential influence on rural representation on Health Boards. He emphasized that the abolition of the ward voting system in favour of change to an at-large voting system, could spell disaster for the rural

⁴⁹ Stephen Todd, "STV: A Fairer Deal for Voters?," *New Zealand Local Government* 34 (1998).

⁵⁰ For more information look at the web site of Ministry of Health
:<http://www.moh.govt.nz/moh.nsf/238fd5fb4fd051844c256669006aed57/f1545f79475308eccc256e2200776861?OpenDocument>

⁵¹ In election 2004 it is compulsory to use STV for DHB election, which in the majority of current DHB constituencies, voters were only able to vote for one or two candidates from the many who stood in 2001.

⁵² Annette King, "DHB Election in 2001: Constituencies and Single Transferable Vote." (Wellington: Ministry of Health, 2000).

community.⁵³ Moreover, STV is expensive to run, and damaging to good governance, because it works against popular candidates and natural leaders.⁵⁴ In 2001, at Christchurch, the birthplace of STV, residents voted against adoption STV by 53,256 to 30,382. This was despite pressure from, among others, Internal Affairs and the Ministry of Health, both of which see potential in STV for the next election.

Representation of Maori and STV

The concept of Maori representation has come to the fore in the last eight years. This coincides with the adoption of MMP in general elections, and with partial acceptance of STV at the local level. New Zealand has a long history of electoral innovations, many of these generating great international interests among political scientists, politicians and practitioners. These innovations include votes for women in 1893, separate Maori seats in 1867, and the introduction of MMP in 1996. Proportional representation for Maori is a very sensitive subject and their status differs from other minority groups in three essential ways. First, Maori are indigenous to New Zealand. Second, Maori tribal leaders and the Crown signed an agreement in 1840, The Treaty of Waitangi.⁵⁵ Third, as noted earlier, Maori have had four seats in parliament since 1867, and the government attempts to address these at both national and local levels. In particular, three attempts are worth noting in relation to this concern. First,

⁵³ "STV Would Be a 'Disaster'", Christchurch Press, (November 5, 2003), 4. Factiva: THEPRE0020031105dzb500038. July 18, 2004

⁵⁴"STV - the Nasty - Voting Disease", The National Business Review, 2002), 1. Factiva: natbr 00020021205dyc60000b. 14, July, 2004 . For instance people like Auckland's John Banks (Mayor of Auckland) will lose out to the bland and politically correct.

⁵⁵ The Treaty of Waitangi marked the beginning of constitutional government in New Zealand which also recognized the existing rights of Maori and undertook to protect them.

the Local Electoral Act 2001 gave the option to switch to STV. STV is predicted to be supplementary effective in electing Maori, as well as other minority groups. Second, the Local Government Act 2002 allows territorial authorities and regional councils to establish Maori wards or constituencies, for electoral purposes. Third, the Bay of Plenty Regional Council (Maori constituency Empowering) Act 2001 which passed in October 2001 and became a big issue in the parliament.

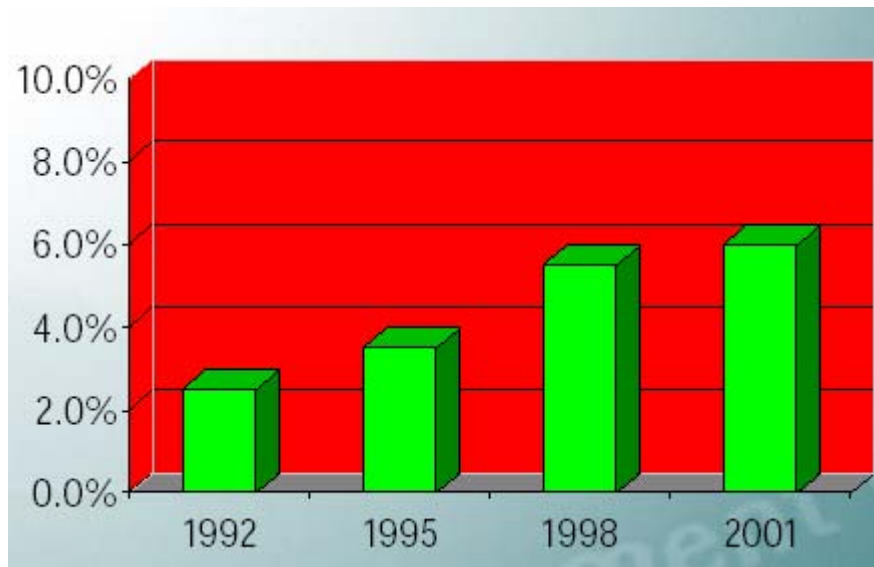
This matter appeared when twenty eight percent of the Environment Bay of Plenty (EBOP) constituency identified as Maori and, in the 1995 local body election, no Maori were elected to EBOP.⁵⁶ A working party comprising both Maori and non-Maori by the council tried to investigate the concerns of the consequences of the 1995 election. The recommendation of the working party to the council was to ensure Maori representation on the council by establishing three separate Maori electoral districts, with eligible voters enrolled on a Maori electoral roll.⁵⁷ The draft passed through the court but in the end, there were ambivalent opinions. Some said that this draft was undemocratic and also patronized Maori, while others such as politicians supported and said that it was good role model for other councils.⁵⁸ Finally, the implications of this Act and the pervious one duly, enhanced awareness of the representation of Maori especially at the local level, in the 2004 election. In fact, the last four elections show that the percentages of Maori councillors were very low. The following graph shows the percentages of Maori councillors elected:

⁵⁶ Ann Sullivan, "Maori Representation in Local Government," in *Local Government and the Treaty of Waitangi*, ed. Janine Hayward (Melbourne, AUS: Oxford University Press, 2003).

⁵⁷ Similar to the national Maori electorates.

⁵⁸ For more information against and for the Bill see Hayward, J report 2002 (26-34).

Figure 1 Maori representation



Summary of DIA Survey of Candidates⁵⁹

In 1992, of 1156 candidates just 29 were Maori (2.5%), in 1995 the numbers increased by 1123 candidates 39 identified as Maori (3.5%) likewise the results of 1998 also increased; with 799 candidates 48 were Maori (5.5). Finally election 2001, 940 candidates 44 declared a Maori (6.0%). There is a positive tendency for increased the Maori representation according to elections since 1992.⁶⁰

Two matters are open for debate, whether STV will demonstrate the change in representation with Maori people and whether it would have an influence on other minority groups? Another concern is how much the Maori people have to do, to achieve these goals? In other words, the extent of Maori participation will influence and increase their representation in local government.

Despite the fact noted earlier, that STV creates proportional representation in my view, it is not a miracle cure which could change the whole picture. Thus, it might be

⁵⁹ Department of Internal Affairs, "Local Authority Election Statistics 2001," (Wellington, NZ: 2003).

⁶⁰ The total population of 2001 was estimated 3,737,277 while Maori population was 526,281, 14.7% of the total population and the European ethnic group was 2,689,308, 80% of the total population in New Zealand

provides good opportunity for greater Maori representation by guarantee that voters understand the system, organize to stand candidates, and how to use it to elect more Maori. Conversely , councillor Clifford Lee from Rotourua(city in the North Island) claims that the reason of lake Maori councillors in the Local government is due to Maori are not well educated and therefore do not bother to vote.⁶¹

In a previous election, department of Internal Affairs survey covering 61 Territories showed that, from a total of 414 candidates, just 14 reported themselves as Maori.⁶² In another survey by internal affairs candidates 2001, respondents were asked to identify the ethnic groups they belonged to. 87% reported that they belonged to New Zealand European compared to 9% who reported that they belong to Maori. The following table shows the ethnic groups, including Pacific, and Asian candidates, who responded to this survey.⁶³

Table 1 Ethnic group candidates

Ethnicity:	
• NZ European	87%
• Maori	9%
• Pacific People	1%
• Asian	1%

⁶¹ Peter Winefield, "the Maori Challenge - Finding the Middle Ground', the Role of Maori in Local Government," *New Zealand Local Government* 38, no. 7 (2002).

⁶² See appendix 1

⁶³ In this survey just 63% of the candidates responded which were 2170 candidates. For more details about the methodology see [http://www.dia.govt.nz/Pubforms.NSF/URL/LocalGovtC.pdf/\\$file/LocalGovtC.pdf](http://www.dia.govt.nz/Pubforms.NSF/URL/LocalGovtC.pdf/$file/LocalGovtC.pdf)

Although not all the candidates responded to this survey, we can understand the concern of the Maori, who are classified as a minority group, that the chance to have a Maori councillor is low, especially where in, most wards Maori voters are a minority. For this reason, I believe New Zealand local government made a wise decision to provide the opportunity to choose a different electoral system which might bring better results, or encourage the government to develop superior representation for minority groups. Nevertheless, the cases with STV in the world are minor and, New Zealand yet does not have the conclusion regarding the STV system which we will know after this election and also in 2007.

Conclusion: Will STV improve proportional representation in New Zealand?

The debate about the STV system will continue to intrigue politicians, scholars, and citizens at all political levels in New Zealand. STV remains relatively obscure, despite the growing number of experiments with the system in the more recent past.

As such, the next few years will be crucial for meaningful analysis. Many STV proponents support and emphasize it because of its potential to better represent minority groups, especially indigenous people. On the other hand, detractors maintain that STV is not democratic because its workings are too complex for many citizens to understand. Nonetheless, the FPP system continues to elicit disproportional representation, even, or especially, in places with high minority populations such as obtain throughout much of the North Island. An additional concern is voter turnout, which is chronically below fifty percent. Further, the motivation to participate in local government is still low, especially amongst Maori.

The case studies I have presented in this paper show that change to an electoral system does not guarantee full PR. As noted earlier, STV needs further investigation both in New Zealand and abroad. Once undertaken, we will have a richer foundation that will allow fuller comparisons, which in turn might contribute to finding a sort of 'ideal' STV system, because in the end such a system gives more opportunity to wider sections of the population.

Finally, the major reason for the introduction of STV in New Zealand Local Government was the adoption of MMP for general elections which encouraged the government to also implement the PR system at the local level. We do not yet know the implications of this implantation, but we can presume that this will improve the voice of the Maori population and perhaps other minority groups. Moreover it brings up other issues that will be relevant for a different paper in representation, such as whom responsible for representing Maori? And, should Maori representation in local government be guaranteed? The last question is ethically, which non- Maori should represent the Maori population?

These questions will require further research after the election (October 2004) which will give us the necessary data is as yet untested in New Zealand Local Government.

Appendix 1

Number of Territorial authority Councillors Reporting Maori Ethnicity

Territorial Authority	NON- MAORI	MAORI	Total
Ashburton	8	.	8
Banks Peninsula	3	1	4
Buller	7	1	8
Carterton	5	1	6
Central Hawkes Bay	3	.	3
Central Otago	6	.	6
Christchurch	12	.	12
Clutha	5	.	5
Dunedin	7	.	7
Franklin	8	.	8
Gore	7	.	7
Grey	5	.	5
Hamilton	6	1	7
Hauraki	6	.	6
Horowhenua	4	1	5
Hurunui	6	.	6
Invercargill	9	.	9
Kaikoura	4	.	4
Kaipara	5	1	6
Kapiti Coast	9	1	10
Lower Hutt	6	.	6

MacKenzie	4	.	4
Manawatu	8	.	8
Manukau	8	.	8
Marlborough	9	.	9
Masterton	5	.	5
Napier	7	.	7
Nelson	10	.	10
New Plymouth	12	.	12
North Shore	9	.	9
Opotiki	6	1	7
Otorohanga	2	.	2
Papakura	5	1	6
Queenstown Lakes	6	.	6
Rangitikei	6	.	6
Rotorua	3	1	4
Ruapehu	8	.	8
Selwyn	5	.	5
South Taranaki	5	1	6
South Waikato	7	.	7
South Wairarapa	4	1	5
Southland	3	.	3
Stratford	1	.	1
Tararua	6	.	6
Tasman	8	.	8
Taupo	7	2	9
Thames Coromandel	4	.	4

Timaru	6	.	6
Upper Hutt	6	.	6
Waimakariri	12	.	12
Waipa	7	.	7
Wairoa	3	.	3
Waitakere	11	.	11
Waitaki	7	.	7
Waitomo	4	.	4
Wanganui	8	.	8
Wellington	13	1	14
Western Bay of Plenty	8	.	8
Westland	9	.	9
Whakatane	7	.	7
Whangarei	8	1	9
Total	398	16	414

Survey of Candidates who stood in the

2001 Local Authority elections

References

Local Authority Election Statistics 2001 Affairs, Department of Internal. "Local Authority Election Statistics 2001." Wellington, NZ, 2003

Affairs, Department of the Internal. *S.T.V Information* Department of Internal Affairs, May Available from . [2004 2003, 2002 [cited April 20

http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-STV-Information-Index?OpenDocument

Amy, Douglas J. *Behind the Ballot Box. A Citizen's Guide to Voting Systems*. Westport, London: Praeger Publishers, 2000

Proportional Representation: Empowering Minorities or Promoting Balkanization? *The Good Society* 5, no. 2 (1995): 20-25

Real Choices/New Voices : How Proportional Representation Elections Could Revitalize S.A: Columbia University *American Democracy*. Second Edition ed. New York, U Press, 2002

Atkinson, Neill. *Adventures in Democracy. A History of the Vote in New Zealand*. Dunedin, NZ: University Of Otago Press, 2003

Barber, Kathleen L. *Proportional Representation and Election Reform in Ohio*. Ohio, U.S.A Ohio State University Press, 1995

A Right to Representation : Proportional Election Systems for the Twenty-First Century. Ohio, U.S.A: Ohio State University Press, 2000

Ron Donald " .Ron Donald Three Councils to Try STV Public 'Intelligent Enough' Bassett, Jon Three Councils to Try STV Public 'Intelligent Enough'." edited by Otago Daily Times. 1:Factiva, 2002

Blais, Andre. "The Debate over Electoral Systems." *International Political Science Review* 12, no. 3 (1991): 239-60

Peter C. "Alternative Voting Systems." In *Political Parties and Elections in the United States*, edited by Steven J. Brams & Sandy L. Maisel, 23-31. New York, U.S.A.: Garland, 1991

Bush, Graham. "STV and Local Body Elections a Mission Probable?" In *Empowering Representation and Participation in New Zealand's Local Government*, edited by Jean Drage, 45-64. Wellington, NZ: Victoria University Press, 2002

Inquiry into 2001 Local Government Elections Committee, Justice and Electoral. "Inquiry into 2001 Local Government Elections." 1-13. Wellington, NZ, 2001

Farrell, David M. *Electoral Systems a Comparative Introduction*. New York, U.S.A.: Palgrave, 2001

Guinier, Lani. *The Tyranny of the Majority : Fundamental Fairness in Representative Democracy*. New York, U.S.A.: Free Press, 1994

Hart, Jennifer. *Proportional Representation : Critics of the British Electoral System, 1820-1945*. New York, U.S.A.: Oxford; Clarendon Press, 1992

Hirczy de Mino, Wolfgang & Lane, John C. "STV in Malta : Some Surprises." *Representation* 34 (1996): 21-28

Isin, Engin F. "Introduction: Democracy, Citizenship and the City." In *Democracy Citizenship and the Global City*, edited by Engin F. Isin, 1-22. London, UK: Routledge, 2000

DHB Election in 2001: Constituencies and Single Transferable Vote .King, Annette. "DHB Election in 2001: Constituencies and Single Transferable Vote ." Wellington: Ministry of Health, 2000

Lampp, Warwick. *Single Transferable Voting in New Zealand* Electionz.com Ltd, 2002 [cited September 2004]. Available from http://www.acs-ltd.co.nz/elections/NZSTV_WhitePaper2002_v2.pdf

Choosing Electoral Systems in Local Government in New Zealand. Local Government New Zealand, Department of Internal Affairs, Ministry of Health, Electoral Commission, Local Government Managers. "Choosing Electoral Systems New Zealand Society of in Local Government in New Zealand."46. Wellington, NZ:STV Taskforce, 2002 *Meek's Method* Department of Internal Affairs, 2002 [cited 18, July 2004]. Available from http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/_6a9in6rrle9hmabbdc5q6asj9c5m2qkqkaomkirj6dtp6qobkd5nmsbadclimm09cecmkqpbkd1nm8_?OpenDocument

New Zealand. Ministry of Health. *DHB Guidance Information : New Zealand Public Health* New Zealand. 2001 ,and *Disability Act 2000*. Wellington, N.Z.: Ministry of Health Royal Commission on the Electoral System., and John Hamilton Wallace. *Report of the Royal Commission on the Electoral System : Towards a Better Democracy*. Wellington, N.Z.: Government Printer, 1986

Voting Rules and Political Behavior. Cambridge, UK ; : Norris, Pippa. *Electoral Engineering* New York: Cambridge University Press, 2004O'Leary, Brendan. "The British -Irish Agreement of 1998: Results and Prospects." Paper presented at the Constitutional Design 2000, Indiana, and December 1999.

Reynolds, Andrew & Reilly, Ben. *Single Transferable Vote* IDEA, UNDESA, IFES, 2001[cited 25, May 2004]. Available from <http://www.aceproject.org/main/english/es/esf04>

Robert Richie, Douglas Amy and Frederick McBride. *How Proportional Representation Can Empower Minorities and the Poor* Douglas J. Amy, 2000 [cited May 25 2004].

Available from:

<http://www.mtholyoke.edu/acad/polit/damy/articles/articles.htm>

Stephens, V Jerone. "Proportional Representation and Election Reform in Ohio." Review of Kathleen L.,Barber's "Proportional Representation and Election Reform in Ohio". *The American Political Science Review* 90, no. 3 (1996): 643

STV - the Nasty - Voting Disease. "STV - the Nasty - Voting Disease." edited by The National Business Review. 1:Factiva, 2002

STV Would Be a 'Disaster'. "STV Would Be a 'Disaster'." In *November 5*, edited by Christchurch Press. 4:Factiva, 2003
Sullivan, Ann. "Maori Representation in Local Government." In *Local Government and the Treaty of Waitangi*, edited by Janine Melbourne, AUS: Oxford University Press, 2003 .Hayward, 135-56

Todd, Stephen. *The Case for STV* Electoral Reform Coalition, 2001 [cited May, 28 2004].

Available from

<http://www.stvnz.org/aboutstv-thecase.htm>

STV: A Fairer Deal for Voters?" *New Zealand Local Government* 34 (1998): 32-33"

Watson, James. "Proportional Representation in New Zealand Local Government: STV and the Christchurch City Council, 1917-1933." *Political Science* 55, No 2 (2003): 39-45

Winefield, Peter. "'the Maori Challenge - Finding the Middle Ground', the Role of Maori in
Available from

<http://www.stvnz.org/aboutstv-thecase.htm>

Witt, James W. "A Right to Representation: Proportional Election Systems for the Twenty-First Century; Barber, Kathleen L." Review of "A Right to Representation

Proportional Election Systems for the Twenty- first Century" Barber, Kathleen L.

Perspectives on Political Science 30, no. 3 (2001): 190