

David Bromell

Diversity and Democracy

A challenge for public policy in New Zealand, as elsewhere, is how to keep a diverse society democratic and, conversely, how to make democratic practice more inclusive in an increasingly diverse society.

The discussion that follows makes two assumptions. Firstly, New Zealand's population exhibits an increasing diversity of ethnicity, culture, religion, family form, values and so on (Boston, Callister and Wolf, 2006).¹ Statistics New Zealand recorded more than 200 ethnic categories in the 2006 Census; one in ten usually resident New Zealanders identifies with two or more ethnic groups; and young New Zealanders, particularly, increasingly exhibit dual, multiple, hybrid (e.g. New Zealand-Chinese – or Chinese-New Zealander) and mobile ethnic identities.² Monoculturalism is, therefore, not an option for New Zealand. We (whoever the 'we' are) cannot turn the clock back to a golden age in which we were all much the same, or thought we were. Neither is it an option to 'send migrants back to where they came from'.³ Twenty-three per cent of people usually resident in New Zealand in 2006 – nearly one in four New Zealanders – were born overseas. In the Auckland region, 37% were born overseas (Statistics New Zealand, 2009b, p.14).

Secondly, as Winston Churchill put it, 'Democracy is the worst form of government except all the others that have been tried.' Democratic institutions are imperfect and fragile and frustrating, and democratic processes are never ideal, but the democratic experiment has run long enough, and in enough countries of the world, to convince me that democracy is our best hope of living together in freedom, justice and peace.

On the basis of these two assumptions, I will highlight, and illustrate, three points of tension in the theory and practice of democracy in an inescapably diverse society:

- individual rights that all share equally versus special group rights;
- liberty versus fraternity; and
- democracy as a 'market' versus democracy as a 'forum'.

I will then propose that these tensions be managed pragmatically in public life as enduring, even natural, tensions, rather than attempting to resolve them by recourse to ideologies that make differences a ground for division and blur a clear and consistent focus on our common humanity.

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Individual rights that all share equally versus special group rights

The first point of tension is whether government should limit its role to securing and protecting individual rights that all share equally, or whether government should recognise social groups, and assign 'special rights' (see Hart, 1955, especially pp.185-8) to those groups or adopt 'special measures' (or what is variously called 'affirmative action', 'positive discrimination' or 'preferential treatment') (Callister, 2007) to

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tackle disadvantage that correlates in some way with ethno-cultural group membership.

Is it 'one rule of law for all'? Are public institutions to be and remain blind to differences of race, ancestry, skin colour, ethnicity, culture, religion and so on? Are the only rights that count universal rights that all share equally by virtue of our common humanity? Or are there rights and privileges that attach to some and not others: for example, to Māori by virtue of claims to indigeneity, or claims based on the Treaty of Waitangi? If so, ought special group rights to be permanent or time-limited and limited specifically to reducing social and economic inequalities? And do special group rights extend to special representation rights: for example, reserved seats on local authorities or in Parliament?

If we do opt for group-specific rights, what are the trade-offs between group recognition and rights and the democratic principle of equality? Is there to be a hierarchy of ethnic groups in New Zealand: first, Māori as tangata whenua; then the descendants of Anglo-Celtic British settlers; and then the johnnies-come-lately, all later arrivals? In other words, are some New Zealanders, at least in some respects, more equal than others?

Liberty versus fraternity

The second point of tension is similar and related and concerns tensions implicit in the French republican motto: 'Liberté, Egalité, Fraternité'.⁴ Is democratic government about securing and protecting individual liberty, or is it about fraternity – defining, safeguarding and promoting the collective interests and well-being of citizens and communities ('the common good')? This tension lies at the heart of debates between liberal (and particularly libertarian) and communitarian political philosophies and various attempts to bridge these.⁵

Are the interests of all best served when each of us freely pursues our own visions of the good life, provided we don't significantly limit or harm others' exercise of their freedom? Is it better for all of us if government butts out of our lives? Should we be free to work out for ourselves, in diverse ways, matters of ethnic, cultural and religious identity and practice, without either interference or support from the state? Are our personal and social group identities matters that properly belong in the private realm, in family and kinship groups, and in clubs, societies and other voluntary associations?

Or does government have a legitimate role in defining, safeguarding and promoting the collective interests of citizens and communities, including identifying desired community outcomes and social, cultural, economic and environmental values and priorities for both current and future generations?

If the state should limit individual liberty in various ways for the sake of the common good, what, in turn, ought to be the limits to state paternalism? And how might we ensure that 'the common good' is not defined and captured by a tyranny of the majority, or by noisy, politically active minorities, in ways that suppress or mask dissent and difference, let alone citizen indifference to local authority Long Term Council Community Plans and to voting in local body elections?⁶

Further, how will we calculate the trade-offs between public recognition of special group rights (particularly 'indigenous rights') and competing claims for equal access to 'the commons', as we've seen, for example, in debates about race-based and needs-based policies and programmes in New Zealand (State Services Commission, 2005; Callister, 2007), and about the Foreshore and Seabed Act 2004 (van Meijl, 2006)?

Democracy as a 'market' versus democracy as a 'forum'

The third point of tension is between the practice of democracy on the model of a 'market' (aggregative democracy), and the practice of democracy on the model of a 'forum' (deliberative democracy).⁷

Is politics essentially a numbers game played out among diverse interests, in which people who wish to exercise political power trade off various interests against each other and compete to aggregate votes, to 'do the numbers', in order to gain and retain office? Or is democracy more like a forum, in which we participate as citizens in our own self-government through discussion, debate, deliberation and persuasion, shaping and changing one another's minds through a formative politics until some workable consensus is reached?

If we think democracy is better served by minimal government and maximum protection of individual liberty, we'll likely prefer the 'market' model of democracy. If, on the other hand, we opt for the 'forum' model, then we need institutions and public spaces where citizens of all sorts can rub shoulders, encounter the reality of each other's lives, and talk and deliberate together (Sandel, 1996). This has implications for the design of libraries, parks, recreation centres, shopping malls, transport systems, broadband infrastructure and urban design generally, and for how central and local government plan and conduct public consultation and citizen engagement.

Both/and, or either/or?

Of course, I have my own ideas and opinions on each of these three points of tension. (Some make me tenser than others!) My initial academic training, however, was as an historian and history amply illustrates that these are perennial tensions in the theory and practice of democracy. They are not mutually exclusive either/ors that can, or should, be resolved once and for all. More often than not, we have to learn to live with a both/and, and settle for solutions that are liveable for now, without expecting they will hold for all time.

I will proceed to illustrate this in relation to each of the three points of tension I have identified.

Individual rights and group recognition and rights

The idea of liberal democracy emerged following the European wars of religion in the sixteenth and seventeenth centuries. What eventually resolved this conflict wasn't granting special group rights to particular religious groups, but separating church and state and entrenching each individual's freedom of religion. Within the private sphere, people were to be free to associate voluntarily with their co-religionists, whoever they might be, without either interference or support from the state. The one condition was that when individuals exercise their personal liberty within the private sphere, they should respect others' rights. Tolerance and non-coercion thus became political virtues.

Thomas Hobbes and those who followed him (Spinoza, Locke, Montesquieu, Hume and de Tocqueville) initiated the project of modern political philosophy and of liberal democracy on this basis. As Mark Lilla (2007, p.92) summarises it, the project imagined a new kind of political order:

It was to be an order where power would be limited, divided, and widely shared; where those in power at one moment would relinquish it peacefully at another, without fear of retribution; where public law would govern relations among citizens and institutions; where many different religions would be allowed to flourish, free from state interference; where individuals would have inalienable rights against government and their fellows.

This is the hard-won tradition of liberal democracy, a precious cultural legacy that European settlers brought to these islands. And in fact these European developments were reflected in New Zealand during the nineteenth century as rival Anglican, Methodist, Catholic and Presbyterian missions jostled for position and place (and the 'saving' of Māori souls) in the new colony. At the signing of the Treaty of Waitangi in 1840, Bishop Pompallier expressed concern that establishing a British colony might lead to interference in religion. He asked for an assurance that 'free toleration' would be allowed in 'matters of faith', and that a public guarantee be given to the Māori to this effect (Orange, 1992, p.53). A carefully written statement was prepared by CMS missionary Henry Williams and read to the assembly. William Colenso's version of this statement, as cited by Claudia Orange (ibid.), reads: 'The Governor says the several faiths of England, of the Wesleyans, of Rome, and also the Maori custom, shall be alike protected by him.'⁸

Public recognition of religion was debated again during the first session of the House of Representatives, on Friday 26 May 1854, immediately following the election of a Speaker. James Macandrew moved: 'That it is fit and proper that

the first act of the House of Representatives shall be a public acknowledgement of the Divine Being, and a public supplication for His favour on its future labours' (New Zealand Parliamentary Debates, 26 May 1854, pp.4-6). Other members expressed concern that the House 'be not converted into a conventicle' and that no offence be caused to 'Jews and Unitarians'. Samuel Revans 'thought the motion would lead the House away in a retrograde direction from the free spirit of the Constitution, which appeared to have been framed so as that the colonists of New Zealand at any rate should be exempt from the causes of heartburning on religious questions which, being interwoven in the old institutions at Home, could not be so readily got rid of.'

Frederick Weld's amendment, 'That this House, whilst fully recognizing the importance of religious observances, will not commit itself to any act which may tend to subvert that perfect religious equality that is recognized by our Constitution, and therefore cannot consistently open this House with public prayer', was lost by 20 to 10, however, and the original motion put and carried.

A subsequent motion was then put and carried, 'That, in proceeding to carry out the resolution of the House to open its proceedings with prayer, the House distinctly asserts the privilege of a perfect political equality in all religious denominations, and that, whoever may be called upon to perform this duty for the House, it is not thereby intended to confer or admit any pre-eminence to that Church or religious body to which he may belong.' The Reverend FJ. Lloyd (Church of England), being in attendance, was then introduced and read prayers ('Sound: Parliament's Opening Prayer').

Thirty-three years later, the question was whether public education in New Zealand should be secular. Until 1877, education was the responsibility of each province, which subsidised schools run by the Anglican, Methodist, Catholic and Presbyterian churches. With the abolition of the provinces in 1876, central government took over running schools. In large part because of rivalry between the churches, the minister of Justice, Charles Bowen, introduced a bill into the House that was passed as the 1877 Education Act. The act withdrew all subsidies from church schools and made schooling free, secular and compulsory for all children aged between seven and thirteen.

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At the first reading, on 24 July 1877, Charles Bowen advocated for secular education as ‘the only way to be absolutely fair’. This sentiment was mirrored by William Gisborne in the second reading debate on 31 August:

I wish to say that I am strongly in favour of secular education by the State. I believe that it is the only education which the State can possibly impart to its subjects, not because I undervalue religious education, but because practical experience has shown that if a State enforces religious education in its school system it will immediately create religious animosity and dissension, and it will do more harm than good (New Zealand Parliamentary Debates, 24 July 1877, p.179).

C.A. de Lautour also spoke in favour of secular education:

There is no man yet bold enough to stand up in this House and disavow any sympathy with religion; there is no man who would say that children are not to be trained up in religion; but we do hold that religion can be taught by the Church – can be taught at the hearth, and it is not necessary that it should be introduced into the daily school (*ibid.*, p.197).

This was the classic liberal stance. Matters of religious belief are for individuals to determine freely for themselves; they are matters for home and hearth, and for churches and other voluntary associations, not for the state and for state institutions.⁹

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In fact, neither in New Zealand nor elsewhere has Hobbes’s ‘Great Separation’ of church and state ever been consistently achieved. New Zealand has no official religion or established church, but state and ceremonial occasions are commonly held in Anglican cathedrals or officiated over by Anglican clergy, and since the 1975 Private Schools Conditional Integration Act the state has substantially funded Catholic and other ‘special character’ integrated schools, which makes it next to impossible to quibble at state funding for Muslim, Jewish, Buddhist and other religious schools and otherwise maintain a consistent separation between church and state.

But more than a failure of consistency, this indicates what Francis Fukuyama (2006, p.6) has described as ‘a hole in the

political theory underlying modern liberal democracy’. The ‘hole’ concerns whether, how and to what extent liberal societies should recognise groups as well as individuals.

This is a genuine problem. The human self is torn between freedom and belonging, independence and community. We value autonomy, self-determination, freedom. But the social groups we inhabit aren’t more or less optional extras that we freely choose to have, or not to have. Our relationships, attachments and identities shape and re-shape the self. We don’t just *have* relationships, attachments and belongings; we *are* our relationships, attachments and belongings (Taylor, 1989). As Cervantes put it, ‘Tell me what company you keep and I’ll tell you what you are.’

So yes, the self is free, but it remains deeply embedded in a society, in a culture, in certain social groups, and in certain attachments and identities. And of course we bring these belongings and identities to our political participation, because even if we choose not to, others almost certainly will. So there is, and should be, some place in public life for recognition of social groups and their importance in our lives (Taylor, 1994). Nevertheless, I will argue that this recognition should be largely symbolic rather than tied to resources and permanent special group rights. For if dealing with the question of group recognition and rights in relation to religion has proved difficult, the challenge is amplified in relation to ethnic identity. Usually, though not always, people affiliate with just one religion at a time. But people commonly can and do affiliate with two or more ethnic identities, forge hybrid identities and change their identities over time and in different contexts and for different purposes.

New Zealand has a long history of inter-ethnic partnering and parenting (Callister, Didham and Potter, 2005) and a high rate of intermarriage (Didham, 2004). In a study of Māori intermarriage, Callister (2004) found that around one half of partnered Māori had a partner recording other than Māori ethnicity. One in ten usually resident New Zealanders identified with two or more ethnic groups in the 2006 Census.¹⁰ Two-thirds of babies registered as Māori, one half of babies registered as Pacific peoples and just under a third of babies registered as European or Asian are also registered as belonging to some other ethnic group or groups (Statistics New Zealand, 2009a).

This makes it impossible to divide New Zealand’s population up into stable and mutually exclusive ‘ethnic groups’, in order to assign different types of recognition, special group rights or special measures. This is just one reason why I have argued elsewhere (2008, pp.35-46, 291-5; 2009, pp.243-5) that claims to indigeneity and indigenous rights in the New Zealand context make little sense now and are likely to make even less sense in future. It is becoming increasingly difficult to define clear boundaries around who is ‘indigenous’ and who is not without resorting to arguments that fall back onto discredited race theories about ‘one drop of blood’ being enough.

There remains an important place, however, for *symbolic* recognition – and this makes possible a both/and balancing of the tension between individual rights that all share equally and social group recognition. For example, there is now a reasonably secure public consensus that, whatever we think about claims to indigeneity, Māori are and ought to be recognised publicly as the ‘first settlers’ of New Zealand and that Māori consequently have a status as tangata whenua (people of the land), at least in the sense of being ‘first among equals’. This works itself out in widespread acknowledgement of the Treaty of Waitangi as a founding document of the nation,¹¹ in recognition of Māori as an official language and its increasing use in public broadcasting, in the singing of the national anthem in both Māori and English and in the use of elements of Māori ceremonial at public occasions and as part of ‘brand New Zealand’. Over time, there may be scope to extend this symbolic biculturalism by, for example, changing the name of the country (to Aotearoa?) and adopting a new or dual national flag. As Jacob Levy (2000, p.230) has commented: ‘Liberalism is right to give rights and resources moral priority over recognition and symbols; but that should not prevent liberals from seeing the tremendous importance symbolic disputes can have to their participants.’

In line with the recommendations in Paul Callister’s (2007) discussion (cf. Bromell, 2008, p285, n13), ‘special measures’ may also have a place in public policy but ought to be used only when the following conditions apply:

- there is a clear and defensible rationale for them, which has broad political and public support;
- the target can be clearly defined;
- membership of the target group is a strong predictor of disadvantage, and targeting is accordingly not significantly compromised by intra-group diversity and under- or over-representation;
- there is strong evidence that the proposed measure or measures will efficiently and effectively reduce the disadvantage;
- a goal and/or timeframe is identified and agreed, beyond which the special measure or measures will expire; and
- the effectiveness of the measure or measures once implemented is monitored and evaluated.

In achieving a balance within a liberal democracy between protecting individual rights and publicly recognising social groups, there does, however, have to be a bottom line. Liberal democracy is not value neutral. It requires an active commitment to the equal worth and dignity of each human person and equal opportunity to lead lives we ourselves have reason to value. The fact is, not all cultural groups do uphold liberal values about the equal worth, dignity and liberty of people as individuals. Both liberalism and democracy are seriously compromised by the kind of cultural relativism that tolerates anything and everything and criticises nothing.

Liberty and fraternity

So what about balancing individual liberty and the collective interests and well-being of citizens and communities? In fact, we do it all the time. In September 2009, Samoa made the change from driving on the right to driving on the left. The road code is a restriction on individual liberty but we accept it as a way of minimising the risk of harm that would ensue if everyone drove wherever and however they wished.

Or, to go back in time, consider the debate that raged in New Zealand between the 1870s and 1919 about the sale and consumption of alcohol. The prohibition movement very nearly carried the day (see Daniels, 1966). In a referendum held in April 1919, the initial vote favoured prohibition by 246,104 to 232,208. But a few days later, the votes of the New Zealand Expeditionary Force and other personnel still overseas following World War One were counted. The soldiers’ votes were overwhelmingly in favour of continuance, by 31,981 to 7,723, which swung the balance. Continuance was narrowly carried with 51% of the votes. In terms of balancing individual liberty and social well-being, we continue to live with this debate, however, in terms of drink-driving and the sale and supply of alcohol to young people.

The 2003 Smoke-free Environments Amendment Act, restrictions on the display and sale of tobacco products and the excise tax imposed on tobacco are another example of government seeking to balance the freedom of individuals to smoke tobacco if that’s what they want to do with minimising the harm caused to others by passive smoking in public places and the cost to our public health system of disease caused by smoking. Social marketing that targets smoking in cars and private homes, to reduce the harm caused to children by passive smoking, pushes the public-private distinction even further. And for many, the Crimes (Substituted Section 59) Amendment Act 2007 No 18 overstepped the bounds, and resulted in the August 2009 citizens-initiated referendum on the question ‘Should a smack as part of good parental correction be a criminal offence in New Zealand?’

My point is that public regulation commonly involves arbitrating a practicable balance between securing and protecting individual liberty, and defining, safeguarding and promoting the collective interests and well-being of citizens and communities. And if this balancing act is to be and remain democratic, then my third point of tension comes to the fore: balancing a ‘market’ model of democracy with a ‘forum’ model of democracy.

Public regulation commonly involves arbitrating a practicable balance between securing and protecting individual liberty, and defining, safeguarding and promoting the collective interests and well-being of citizens and communities.

Democracy as a 'market' and democracy as a 'forum'

In the market model, politicians pay attention to well-defined interests: for example, to senior citizens, to church leaders, to iwi, to environmentalists, to the business sector, and so on. The job of government is to provide for these diverse interests by arriving at deals and compromises. The process parcels up diverse interests into more or less coherent packages so politicians can deliver on the promises they have made to their supporters, which is what makes the process democratic. If politicians fail to respond to the interests and priorities of those who voted them in, that is a failure in the political marketplace and they are likely to be voted out at the next election.

The 'forum' model, on the other hand, doesn't assume that interests are fixed and known in advance. Rather, it assumes that interests can and should be shaped and reshaped by processes of public debate and consensus-building which allow collective interests and identities (the common good) to emerge and to prevail.

In principle, I am drawn to the model of democracy as a forum in which minds are changed, my own included, and we end up, more often than not, with a position that none of us anticipated at the outset. But I also recognise how easily deliberative democracy can be taken over by minority (and quite unrepresentative) voices simply because, for whatever reason, they have the motivation and make the time. And deliberative democracy does take time, a great deal of time.¹² It can also drag decision making down to the lowest common denominator and entrench the status quo in ways that inhibit the exercise of political leadership in moments of crisis and opportunity.

In fact, no government exclusively follows either the 'market' or the 'forum' model of democracy. Even if, for practical reasons, government works more like a market than a forum much of the time, consultation does occur more often than not, some of the most important work of Parliament is thrashed out in cross-party select committees, the Official Information Act helps to keep the process more or less transparent, and the media plays a more or less adequate role in informing, stimulating and reflecting public debate.

Ideas, not ideology

There are, I have suggested, three perennial, even natural, tensions in the theory and practice of democracy in diverse societies. Each of these needs to be managed in public life, without prematurely resolving them by an either/or choice between polarised, ideological positions.

As Bhikhu Parekh (2008) has argued, our particular identities and our universal human identity are dialectically related. He urges us to appreciate the plurality and interaction of our social identities; to acknowledge difference and dissent and aim at no more than a broad and fluid consensus; to avoid

oppositional politics and accept that our allegedly opposed identities are interdependent and products of a common system of social relations; and to develop a critical politics of identity, rather than naturalise or accept uncritically an historically inherited view of a collective identity (a politics of culture).

To carry such a project forward in the New Zealand context will be difficult, but not as difficult as in some other national contexts and certainly not impossible, given our small population, our 'two degrees of separation' and something of a national preference for pragmatic 'muddling through'. Above all, it requires the kind of policy making and statecraft that are wise and not just clever; that both acknowledge the manifold ways in which we are different from one another and keep a clear and consistent focus, not on all that could divide us, but on all we have in common.

- 1 I focus in what follows on ethno-cultural (including religious) diversity, because since the end of the Cold War this has become the most common source of political violence in the world (Kymlicka, 1995, p.1).
- 2 For a summary of New Zealand's demography based on data from the 2006 Census of Population and Dwellings, see Bromell (2008), pp.27-35. See further Callister, Didham and Potter (2005); Carter et al. (2009); Howard and Didham (nd); Kukutai (2008); Kukutai and Callister (2009) and Statistics New Zealand (2007a).
- 3 See, for example, Ralston (2008) on comments by New Zealand First deputy leader Peter Brown in April 2008. John Campbell's TV3 interview with Peter Brown on 2 April 2008 can be accessed at <http://www.3news.co.nz/NZ-First-MP-grilled-over-anti-Asian-immigration-stance/tabid/817/articleID/51227/cat/221/Default.aspx>.
- 4 On managing the tensions between liberty, equality and fraternity in public policy, see Moroney (1981).
- 5 The tension between liberalism and communitarianism further corresponds to a choice between deontological and teleological ethics (the 'right' and the 'good'). See, for example, Sandel (1982), Gamwell (1984) and Kymlicka (1989).
- 6 Restructuring of local government in 1989 and the introduction of postal voting was initially accompanied by an increase in voter turnout at local authority elections, peaking at 61% in 1992. Since then voter turnout has declined steadily, however, with the exception of the 1998 elections. It dropped below 50% in 2004 for the first time since 1989. Turnout in the 2007 elections was 44%. By comparison, voter turnout at the 2008 general election was 80%. Source: Department of Internal Affairs (2008), and Party Results and Turnout by Electorate.
- 7 I owe the metaphors of democracy as a 'market' or 'forum' to Politt (2003), pp.84-5.
- 8 Hugh Carleton's version, in his *Life of Henry Williams* (as cited by Palmer, 2008, p.392, n113), reads: 'The Governor wishes you to understand that all the Maories [sic] who shall join the Church of England, who shall join the Wesleyans, who shall join the Pikopo or Church of Rome, and those who retain their Maori practices, shall have the protection of the British Government.'
- 9 The Catholics, however, were not happy. Bishop Patrick Moran of Dunedin wrote, in an editorial in the *New Zealand Tablet* on 31 August 1883 which was reproduced as a standing editorial until 25 June 1897 under the heading 'Progress and Justice in the Nineteenth Century': 'The Catholics of New Zealand provide, at their own sole expense, an excellent education for their own children. Yet such is the sense of justice and policy in the New Zealand Legislature that it compels these Catholics, after having manfully provided for their own children, to contribute largely towards the free and godless education of other people's children!!! This is tyranny, oppression, and plunder' (*New Zealand Tablet*, 31 August 1883, p.15).
- 10 i.e., at level one of the ethnic classifications used by Statistics New Zealand. See further Statistics New Zealand, 2005, 2007b.
- 11 I include acknowledgement of the Treaty of Waitangi as 'symbolic biculturalism' because, as Andrew Sharp (2002, p.11) has observed, references to it as the 'founding document' of the constitution are more a matter of rhetoric than of legal reality.
- 12 In advocating for participatory democracy, Iris Marion Young (in Fung, 2004, pp.47-8) acknowledges the time and energy this demands of citizens but proposes that this be compensated for by a shorter working day and the creation of democratic forums in workplaces, with paid childcare to enable parents to attend meetings.

References

- Boston, J., P. Callister and A. Wolf (2006) *The Policy Implications of Diversity*, Wellington: Institute of Policy Studies, Victoria University of Wellington
- Bromell, D. (2008) *Ethnicity, Identity and Public Policy: critical perspectives on multiculturalism*, Wellington: Institute of Policy Studies, Victoria University of Wellington
- Callister, P. (2004) 'Māori /non-Māori ethnic intermarriage', *New Zealand Population Review*, 29 (2), pp.89-105
- Callister, P. (2007) *Special Measures to Reduce Ethnic Disadvantage in New Zealand: an examination of their role*, Wellington: Institute of Policy Studies, Victoria University of Wellington
- Callister, P., R. Didham and D. Potter (2005) *Ethnic Intermarriage in New Zealand, working paper*, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/~media/statistics/publications/analytical-reports/review%20of%20the%20measurement%20of%20ethnicity/ethnic-intermarriage-in-nz.aspx>, accessed 16 September 2009
- Carter, K., M. Hayward, T. Blakeley and C. Shaw (2009) 'How much and for whom does self-identified ethnicity change over time in New Zealand? Results from a longitudinal study', *Social Policy Journal of New Zealand*, 36, pp.32-45
- Daniels, J.R.S. (1966), 'Prohibition', in A.H. McLintock (ed.), Wellington: Government Printer, <http://www.TeAra.govt.nz/en/1966/prohibition>
- Department of Internal Affairs (2008) *Local Authority Election Statistics 2007*, Wellington: Department of Internal Affairs, http://www.ethnicaffairs.govt.nz/diawebsite.nsf/wpg_URL/Services-Local-Government-Services-Local-Authority-Election-Statistics-2007?OpenDocument&ExpandView, accessed 21 September 2009
- Didham, R. (2004) *Fertility of New Zealand Women by Ethnicity: based on New Zealand 1966 Census of Population and Dwellings*, research report, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/~media/Statistics/Publications/Analytical-reports/Fertility%20of%20New%20Zealand%20Women%20by%20Ethnicity/fertility-of-nz-women.ashx>, accessed 21 September 2009
- Fukuyama, F. (2006) 'Identity, immigration, and liberal democracy', *Journal of Democracy*, 17 (2), pp.5-20
- Fung, A. (2004) 'Deliberation's darker side: six questions for Iris Marion Young and Jane Mansbridge', *National Civic Review*, 93 (4), pp.47-54
- Gamwell, F. (1984) *Beyond Preference: liberal theories of independent associations*, Chicago/London: University of Chicago Press
- Hart, H. (1955) 'Are there any natural rights?', *Philosophical Review*, 64 (2), pp.175-91
- Howard, S. and R. Didham (nd) *Ethnic Intermarriage and Ethnic Transference amongst the Māori Population: implications for the measurement and definition of ethnicity*, working paper, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/~media/statistics/publications/analytical-reports/review%20of%20the%20measurement%20of%20ethnicity/ethnic-intermarriage-and-ethnic-transference-among-maori.aspx>, accessed 21 September 2009
- Kukutai, T. (2008) *Ethnic Self-prioritisation of Dual and Multi-ethnic Youth in New Zealand*, discussion paper, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/~media/statistics/publications/analytical-reports/review%20of%20the%20measurement%20of%20ethnicity/ethnic-self-prioritisation-dual-multi-ethnic-youth-nz.aspx>, accessed 21 September 2009
- Kukutai, T. and P. Callister (2009) 'A "main" ethnic group: ethnic self-prioritisation among New Zealand youth', *Social Policy Journal of New Zealand*, 36, pp.16-31
- Kymlicka, W. (1989) *Liberalism, Community, and Culture*, Oxford: Clarendon Press
- Kymlicka, W. (1995) *Multicultural Citizenship: a liberal theory of minority rights*, Oxford/New York: Clarendon Press
- Levy, J. (2000) *The Multiculturalism of Fear*, Oxford: Oxford University Press
- Lilla, M. (2007) *The Stillborn God: religion, politics and the modern West*, New York: Knopf
- Moroney, R. (1981) 'Policy analysis within a value theoretical framework', in R. Haskins and J. Gallagher (eds), *Models for Analysis of Social Policy: an introduction*, Norwood, NJ: Ablex Publishing Corporation
- Orange, C. (1992) *The Treaty of Waitangi*, Wellington: Bridget Williams Books
- Palmer, M. (2008) *The Treaty of Waitangi in New Zealand's Law and Constitution*, Wellington: Victoria University Press, Victoria University of Wellington
- Parekh, B. (2008) *A New Politics of Identity: political principles for an interdependent world*, Basingstoke/New York: Palgrave Macmillan
- Party Votes and Turnout by Electorate, 2008 General Election, http://www.electionresults.govt.nz/electionresults_2008/e9/html/statistics.html, accessed 21 September 2009
- Politt, C. (2003) *The Essential Public Manager*, Philadelphia: Open University
- Ralston, B. (2008) 'Evil ethnic rice ball of doom', *New Zealand Herald*, 6 April, <http://www.nzherald.co.nz/opinion/news/article.cfm?id=466&objectid=10502324>, accessed 16 September 2009
- Sandel, M. (1982) *Liberalism and the Limits of Justice*, Cambridge/New York: Cambridge University Press
- Sandel, M. (1996) 'Rediscovering civility', transcript of an interview by David Gergen, *Online Newshour*, 10 May 1996, <http://www.pbs.org/newshour/gergen/sandel.html>, accessed 16 September 2009
- Sharp, A. (2002) 'Blood, custom, and consent: three kinds of Maori groups and the challenges they present to government', *University of Toronto Law Journal*, 52 (1), pp.9-37
- 'Sound: Parliament's Opening Prayer', <http://www.nzhistory.net.nz/media/sound/parliament-opens-with-a-prayer>, Wellington: Ministry for Culture and Heritage, updated 13 November 2007, accessed 21 September 2009
- State Services Commission (2005) *Guidance for Designing Needs-based Policies and Programmes*, Wellington: State Services Commission, <http://www.ssc.govt.nz/display/document.asp?docid=4961&NavID=274>, accessed 29 September 2009
- Statistics New Zealand (2005) *Statistical Standard for Ethnicity 2005*, Wellington: Statistics New Zealand, http://www.stats.govt.nz/methods_and_services/surveys-and-methods/classifications-and-standards/classification-related-stats-standards/ethnicity.aspx, accessed 21 September 2009
- Statistics New Zealand (2007a) *Demographic Trends: 2007*, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/publications/populationstatistics/demographic-trends-2007.aspx>, accessed 17 September 2009
- Statistics New Zealand (2007b) *Guidelines for Using Ethnicity Data: 2006 Census*, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/reports/analytical-reports/populationstatistics/demographic-trends-2007.aspx>, accessed 21 September 2009
- Statistics New Zealand (2009a) *Auckland Drives Drop in Births*, media release, 17 August, <http://www.stats.govt.nz/~media/statistics/browse%20of%20stats/birthsanddeaths/mrjun09qtr/birthsanddeathsjun09qtrmr.aspx>, accessed 17 September 2009
- Statistics New Zealand (2009b) *Mapping Trends in the Auckland Region*, Wellington: Statistics New Zealand, <http://www.stats.govt.nz/Publications/PopulationStatistics/mapping-trends-in-the-auckland-region.aspx>, accessed 21 September 2009
- Taylor, C. (1989) *Sources of the Self: the making of the modern identity*, Cambridge, MA: Harvard University Press
- Taylor, C. (1994) 'The politics of recognition', in A. Gutmann (ed.), *Multiculturalism: examining the politics of recognition*, Princeton, NJ: Princeton University Press, pp.25-73
- van Meijl, T. (2006) 'The paradox of indigenous rights: the controversy around the foreshore and the seabed in New Zealand', in E. Rata and R. Openshaw (eds), *Public Policy and Ethnicity: the politics of ethnic boundary making*, Houndmills, Basingstoke, Hampshire, and New York: Palgrave Macmillan, pp.66-80