



Would Walter Nash recognize us now ?

Going for Direct Democracy - the Most Successful System in the World

The very real success of direct democracy as a highly efficient working system in Switzerland, detailed in Gregory A Fossedal's absorbing, even fascinating book with the same title - *Direct Democracy in Switzerland* - raises important issues - as its author points out.

Worldwide, the question of what *is* a democracy is being increasingly debated, as the realization is striking home throughout the quasi-democratic West that governments which are supposed to represent their citizens, to respect their wishes, and see that these are carried out in the legislation they pass, have long ceased to do so. Moreover, in the horse trading going on behind-the-scenes, the only too convenient arrangements made between vote-buying parties, the majority of the population is excluded, its wishes ignored.

We saw even more clearly the perks and rewards parties give one another, post-election, with Prime Minister John Key's endorsing of Helen Clark for a top United Nations management job in spite of the damaging legacy of debt her socialist government bequeathed to the country – together with his extraordinary promotion of her former finance Minister Michael Cullen, now shortly to become chairman of New Zealand Post; his betrayal of the wishes of New Zealanders with regard to the anti-smacking legislation; National's punitive endorsing of the outrageous global warming rort cynically loading extra costs on already overburdened New Zealanders; the constant appointment of former politicians to head diplomatic posts, management and investigative positions - although many New Zealanders regard them as being very much part of the problem while they held their political positions.

The political class now apparently considers politics a life's career, and takes great care of its own members with regard to special perks and entitlements. Predictably, the great survivor and party chameleon Jim Anderton, who must hold one of the records for long access to the public trough, intends, if he can, to carry on doing so without the inconvenience of having to travel far from home, and to run for the Christchurch mayoralty.

Contrast the expectations of our well-ensconced politicians with that those who hold office in Switzerland where being an MP is a part-time occupation. Swiss MPs regard themselves primarily as businessmen, tradesmen, teachers, lawyers, bankers, professionals, housewives, treating politics as the business of all Swiss citizens, and standing to serve a term or two before voluntarily stepping down.

My father recalled Walter Nash catching the unit from Petone into Wellington every morning and quietly reading the newspaper. He was never bothered, walking from the train station to parliament. No limousines or bodyguards were necessary, very probably because everyone saw he was a man doing his duty, leading the country in a most transparent way. No inflated salary. No credit cards. Nash was respected because he lived among the people he served, as formerly did many politicians.

And today? Now, surveying today's politicians, we seem to have a great number whose sense of entitlement has led them to imitate the lifestyle of the very rich. The same notion of entitlement has also spread. We have "celebrity" TV news readers with salaries that can only be regarded as absurdly, if not culpably, extravagant. Did Judy Bailey really command \$800,000 for competently reading her autocue and looking worriedly at us all each night - and did she really say "Don't they know we're stars?" And do you really regard her as "The Mother of the Nation" - if so why? Do we know how much TVONE's Mark Sainsbury gets for amiably putting up with so often being out of his depth when dealing with the real issues of the day? The ever-boyish John Campbell's over-the-top exuberance and language has some viewers reaching thankfully for the remote control. And how grateful the politicians are for their manna from heaven - the media cameras swinging their way...ah, the potential votes...Is it the symbiotic relationship between MPs and the media that gives many in both camps their sense of entitlement?

How well, too, the radicalized Maori Party and tribal CEOs manage to convey that nothing is ever enough, that their wounds are too mortal, their centuries-held grievances running so deep that nothing mainstream Maori and Euro-New Zealanders can do will ever be enough to assuage their well-oiled dissatisfaction and resentment. So entrenched has become the expectation of entitlement in so many areas that it has become a tipping point issue with the public. The outrageous squandering of essentially taxpayer-funded credit card spending on personal extravaganzas has been the last straw.

Meanwhile, the government carries on exactly as it intends to, the National Party showing an extraordinary degree of naivety, even arguably incompetence not only in issues such as the emissions trading scheme and the possibility of Chinese investment companies, all inevitably backed by a totalitarian Communist government, actually being able to buy New Zealand territory in the form of farmland. Equally concerning New Zealanders have been behind-the-scenes tribal deals with the Minister of Treaty Negotiations, Chris Finlayson. Successful in assisting Ngai Tahu's third "full and final settlement" against the Crown - one that a previous Maori Affairs Select Committee denied the tribe, with good reason - Finlayson now oversees the never-ending stream of the neo-tribal claims aided by a partisan and under informed Waitangi Tribunal. Today's researchers do not include well-

informed historians with their critical appraisal of new claims that exclude historical facts which would prove embarrassing to those advancing already well-settled claims.

There appears to be a kind of madness apparent in our major political parties' now long-established practice of activist Maori vote-buying, in which each government of the day is constantly outwitted and out-maneuvered by the hundreds of lawyers who have devoted themselves in these recent decades to specializing in treaty issues from a radicalized perspective and who now represent *hapu*, *iwi* and the corporatised tribes, obtaining positions even within the Crown Law Office and, apparently, the Ministry of Treaty Negotiations. But who any longer represents the majority of New Zealanders forced to continually pay for a new \$300 million dollar settlement here, a \$500 million claim here? Yet, accumulatively, literally billions of dollars over recent decades have been paid to what are now part Maori-only descendants apparently needy enough to clamour for their *mana* to be constantly recognized - a process that depends on funding - and on-going media attention.

Add to these issues to the fact that Crown ownership of the foreshore and seabed should never have been in question with the Treaty of Waitangi establishing over-riding sovereignty under which New Zealanders of all races were granted equal rights and access to Crown-owned land. The recent National Party "compromise" of removing the foreshore and seabed from Crown ownership to ostensibly allow free access for everybody is another sellout of New Zealand. The fine print gives victory to the Maori Party claiming recognition of something tribes never had as a property right - the conveniently invented "customary rights".

Touted as not a property right, these are in fact now envisaged by the Key-led government as just that, granting powers of veto, the right of commercial development, and sole rights to some minerals to any grouping which wins its claim. Moreover, tribes would be able to veto the mining of the minerals such as gold that the government holds in reserve- or come to some financial arrangement (what changes?) with a mining company. It is simply duplicitous and utterly untrue of the Key government policy-makers to claim all New Zealanders will still have equal rights to these areas. Allowing radicals to seek through the courts recognition of what would in fact be property rights (under another name) over areas they never owned as property, sells out everybody else's entitlement. The National Party is no doubt chuckling at its cleverness in confining these to tribes which have had exclusive rights to seabed and foreshore. Their naivety is astonishing.

To pass any law entrenching these so-called customary rights over what was never held as property is once again to supply the thin end of another widening wedge. In every negotiation that the government has conducted with tribal activists in recent years it has lost. And New Zealanders at large have lost. It is a rich irony that it is all other New Zealanders who end up, inevitably, paying for the tribes to research these claims – claims against those obliged to pay for them to do so. What will become alienated land should never have been removed from Crown ownership. Only the latter guaranteed these equal

rights to the foreshore and seabed - what was the property of all New Zealanders- as established by the Treaty of Waitangi.

Judicial activism, too, is regarded as now well and truly under way in this country. The study of treaty law has attracted literally hundreds of young part-Maori or liberal activist lawyers, some of whom apparently have ended up in the judiciary.

Equally worryingly, radical activist groupings have been given a strong hint by Treaty Negotiations Minister Chris Finlayson that they can bypass the court process and come directly to him. Given his record of generously obliging the tribes (even though the country is in considerably straightened circumstances) with recent astonishingly large resettlements for claims apparently well and truly settled in the past, we can apparently look in vain for any government member or body to any longer represent majority New Zealanders, and to say enough is more than enough.

Not to put too fine a point on it, sheer greed has become recognized as the hallmark of Maori radicalism. And once again the government of the day has capitulated to it, whether from naivety; ignorance of the past history of the settlements; or cynical vote- buying is almost irrelevant. Once again it has let down New Zealanders at large. And there is little doubt that the next step following on from a customary rights claim will soon be extended to seeking financial advantage in still more respects. We have already seen the powerful Ngai Tahu corporation inexplicably manage to contrive for itself sole usage of greenstone - although it was reportedly no Ngai Tahu which discovered it - and their actual tribal settlements were small and sparsely scattered - and sole rights to whale watching - inexcusably so: Maori did not have the ability to hunt whales. Moreover, more recently, they have been granted superior access to Crown-owned land to plant trees, having successfully argued that the value of their third full and final settlement to date has been reduced because of the government's emissions trading scheme. In these instances alone, the record of tribal activists' outwitting the government to contrive for themselves advantages that exclude the rest of New Zealand can be argued to be shameful.

No wonder the country is restless, and people feel betrayed. The comment frequently heard when individuals look back at and forward to the next election is that they no longer have any idea whom to vote for. Politicians have never been held in less respect. The country is living well beyond its means, with estimates of our weekly borrowing ranging from \$250 million \$400 million dollars. So much for Labour's fiscal competence, managing to turn a 2007 billion dollar surplus into a considerable debt by the time John Key's much praised Helen Clark was voted out of office. Moreover, her government's long established excessive welfare payments not only contributed to our debt blowout, but what we have already observed - that damaging mindset of expectation among sectors of New Zealand society that others should pay their way. The burden of taxation, largely avoided by the very wealthy, has disproportionately fallen so severely on a hard-working middle-class that families can no longer manage with one parent as provider. Mothers with infants and young children are being forced to put them into daycare systems increasingly shown to be damaging to the interests of the very young.

Our much vaunted education system, too, is far from world-class. New Zealanders are in effect now embarrassingly poorly educated, ignorant of the history of the important struggles and great gains of their Western forbears. They have long have been deprived of that deep knowledge on which civilization depends – compared to European-educated youth speaking up to three or four international languages by the time they leave school. Contrast this to the mismanagement which had this country reject the most successful, time-honoured phonic language teaching methods and practices to condemn thousands of young New Zealanders to remedial reading programmes - let alone the Maori language immersion schools which disadvantage today's young part-Maori by encouraging in them a racial self-absorption and entitlement of specialness which too readily becomes a myopia, a damaging way of life- rather than opening their doors and windows on to far more important intellectual challenges - and to an international horizon.

In many ways, in spite of the enormous inventiveness and talents of so many New Zealanders the country has become second-rate. How very typical that former Prime Minister Jim Bolger's solution to a poorly performing postal system (very much part of the reason why NZPost is doing so badly) is to make it even worse.

In so many areas now New Zealanders have become disenfranchised. Their vote counts for little when a political party can campaign on a platform they can conveniently leave behind in the interests of forming coalitions that ensure a longer time in parliament. In other words, the party one votes for cannot be trusted to keep its word or its promises. Our MMP system has made this worse, with parties representing a tiny minority of New Zealanders doing deals to override the wishes of the majority.

MPs ignore the wishes of the electorate, well-demonstrated by all those National and Labour MPs simply ignoring their own constituents. We should not forget that 85% vote against the socialists Bradford and Clark's anti-smacking edicts. Dominating leaders now tell their parties to do as they are told. National List members in this last election were especially chosen beforehand by the present Prime Minister and therefore owe their allegiance to him - not to the country at large – let alone to any electorate. Governments simply ignore referenda. Their record of contempt for a democratic majority has meant that they can be easily influenced by the periodic demonstrations of fringe groups with causes as often as doubtful, if differently so, as the government's own agenda.

We are not alone in the spreading disillusion with what has been too optimistically called representative democracy. What people who are part of these systems are most now calling for is far more democratic input, to feel that their votes count. They want to look forward to a fairer country, and to be able to decide for themselves what kind of future their children or grandchildren will face.

Where would one go for guidance? Checking out the provisions the most successful country in the world has contrived for itself would be a logical start. We need to take on board the reality of how the hard-headed Swiss people whom Machiavelli described as the greatest fighters in Europe contrived for themselves a genuine democracy - when they felt that their constitutional reforms had not gone far enough. Their solution for achieving what they

wanted was by one particular means above all. **They arranged to themselves have the final say in legislation that their parliament passes in the only practicable, realistic way possible.**

Nothing else - not still another system of voting; no council of self-described “eminent New Zealanders” - in other words - ex-politicians; no Upper House – of ex-politicians and fellow travelers; no constitutional reform process dominated by those very largely responsible for New Zealanders at large having become increasingly disenfranchised and now well along the way to politically contrived racially divisive directions and practices: none of these will contribute one iota towards genuine political reform.

The only possible means of putting a brake on politicians’ virtual monopoly of the government’s directions is the 100 days scrutiny period the Swiss demanded to properly consider and evaluate laws passed by their government. This 100 days provision to claim back New Zealand from what we have seen as increasingly self-serving and arguably venal politicians is illustrated on our website’s introductory pages. It has worked well for the Swiss for 160 years.

We, too, are perfectly capable of working to achieve this same provision for New Zealanders, for our children and theirs, to restore to them a freedom in their lives which we have gradually and damagingly had appropriated from ours.

We will in fact eventually gain this in the face of very strong opposition from politicians who have no intention at all of allowing any such restriction on their monopoly of power. But this does not mean that they will have the last word, as if there were no real way of restricting the power of the political class and claiming back this country for us all.

There *are* ways to achieve this which it will be appropriate to discuss in the days ahead. There are always ways of ensuring that an idea whose time is right will win the day!

But to help, individuals will have to decide whether or not they want to be party to the same old party tricks - or whether they will say - *Count me in...*

Ideas move fast when their time comes.

Keep watching this site

www.100days.co.nz

The evolving 100 days - Claiming Back Democracy movement

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