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# NEW ZEALAND SOCIOLOGY

# New Zealand SOCIOLOGY

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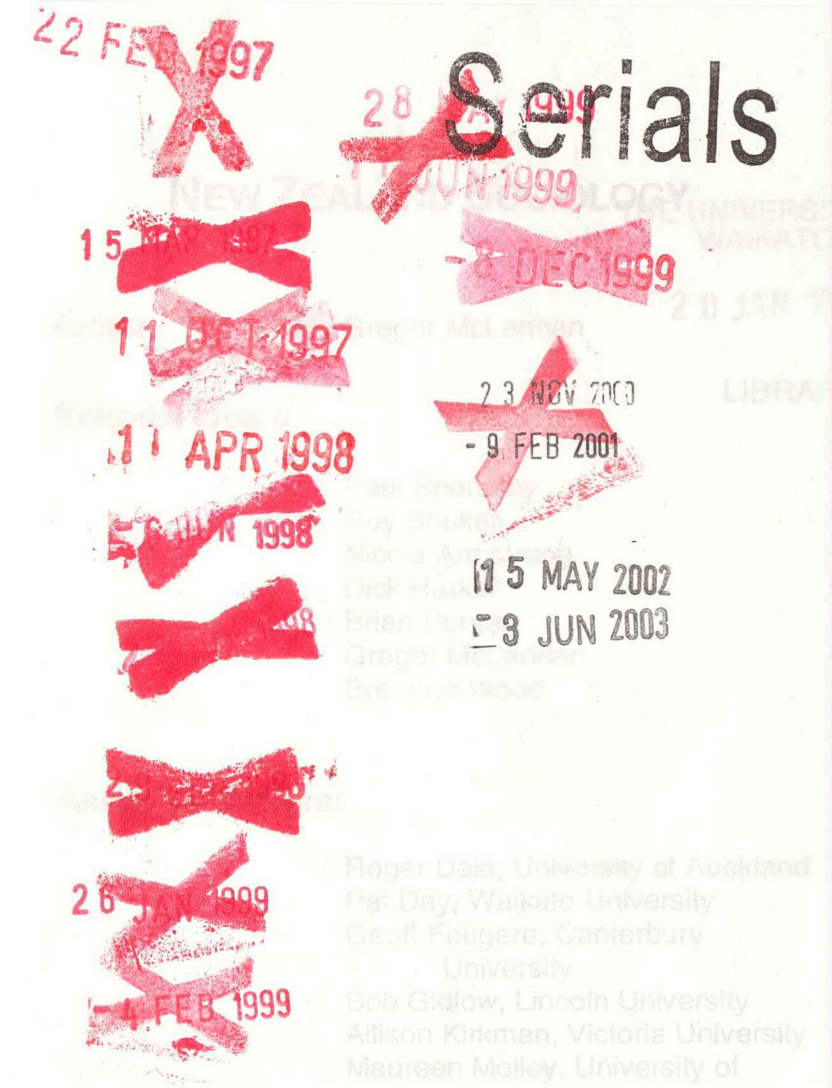
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# From The Cradle To The Grave? The New Zealand Welfare State

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## Introduction

It is now widely accepted that the last twelve years has seen a major economic 'experiment' in NZ. Once regarded as the social laboratory of `democratic socialism' in the late 19th century, it is now seen as the social laboratory for the most advanced and rapid neo-liberal reforms of the welfare state in the late 20th century (Bryder, 1991; Thorns, 1993; O'Brien and Wilkes, 1993; Kelsey, 1995). But is it time for a new right triumphal speech at the grave of the welfare state?

Not yet. The welfare state has suffered much damage but is far from dead. The major buttress of full employment has gone. A permanent reserve army of unemployed is now widely recognised (Shirley et al, 1990; O'Brien and Wilkes, 1993; Offe and Heinze, 1992). So has the state's centralised regulation of labour relations. The passage of the Employment Contracts Act (1991) largely deregulated the labour market (Brook, 1990; Walsh, 1992; Harbridge, 1993).

This has brought about a reduction in minimum living standards below that necessary to allow citizens to participate in the 'mainstream of society' as defined by the Royal Commission on Social Security (1986: Vol 2 p 11). More recent work on the extent of poverty has confirmed the existence of a widening gap between rich

and poor (O'Brien and Wilkes, 1993; Rankin, 1993, 1995).

Yet the 'holy cows' of universal social services (health, education, benefits and pensions) while severely cut back, and subject to further cuts, remain structurally intact.[1] Why the neo-liberal reforms have so far stopped short of completely dismantling the 'holy cow' core services is a highly loaded political question.

The ideologues of the new right are determined to press on and complete the 'unfinished business'. The neo-liberals claim that New Zealand's renewed international competitiveness is partly the result of cuts in social spending. They are convinced that the economy will maintain its competitive advantage only by further cuts. They insist that social spending on the core services must be severely cut to balance the budget and reduce the tax burden in order to encourage investment (Douglas, 1993; Kerr, 1994).

They are extremely critical of the government's efforts so far. In 1994 the budget was in surplus for the first time since 1978, but as a result of increased tax revenue rather than deep welfare cuts. The Government's growth projections forecast income tax cuts of $1.5 B by 1997, but this is on the weak basis of demand-generated

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[1] On the impact of recent cuts up to 1992 see Boston (1992). Current spending on Health, Education and Welfare is about 70% of social spending which in total is about 35% of GDP. Health, Education and Welfare spending will erode in real terms (allowing for inflation and increased demand) over the next three years. (Birch, 1994:81.)

growth resulting from a devalued NZ$ and improved terms of trade since 1991 (Birch, 1994,1995,1996; Bayliss, 1994; Edlin, 1994). The neo-liberals therefore have good reason to argue that even the reduced welfare expenditure of 1984/1995/1996 is still far too high to be compatible with New Zealand's export competitiveness (Myers, 1994).

At the same time 'left-centre' political opposition to the new right attacks on social welfare has mounted (Easton, 1989; Holland and Boston, 1990; Jesson, 1992; Boston and Dalziel, 1992; O'Brien and Wilkes, 1993; Kelsey, 1993, 1994, 1995; Roper and Rudd, 1993). Most significantly, this has brought about major electoral reform in 1993. Widespread disillusion with bi-partisan reforms, which broke from party programmes and electoral mandates, brought the electoral system itself into disrepute. Electoral reform was promoted to 'restore' parliament as a representative institution. A proportional representation system will come into effect at an election in late 1996.

According to the new right, this has made the Government hold back on further major reforms so as not to alienate the electorate in an MMP (Mixed Member Proportional) election year (Myers, 1994; Kerr, 1994). Similarly, revived and remodelled social democratic and neo-Marxist arguments, about the defence of welfare and democracy, are being promoted by the trades unions and political parties hoping to build a new centre-left electoral coalition around a new 'historic settlement'.

New Zealand's experience over the last decade raises a number of questions that need answers. Was the new

right correct in claiming that the welfare cuts were necessary to establish the nation's competitive advantage? Or were these claims merely part of new right ideological offensive to grab 'our' national resources as the `left' claims? Is it correct, as Roger Douglas insists, that further cuts to the 'holy cow' core social services are necessary to maintain New Zealand's competitive advantage? Or as the `left' argues, can these cuts be successfully opposed by ending new right political and ideological rule? And if so, how? I shall argue here, that in the debate on the welfare state so far, the 'right' has had the ascendancy. In my view this is because the 'left' rejects the orthodox Marxist critique of the welfare state and therefore retains its illusions in its ability to use the state to reform capitalism.

## Competing Explanations...

Attempts to answer these questions can be classified as *neo-liberal, social democratic, neo-Marxist and (orthodox) Marxist. Neo-liberalism* is most commonly identified with the `new right` or `free market' philosophy that owes its origins to Adam Smith and more recent writers such as Hayek and Friedman. *Social democracy* refers to the ideology which argues for the necessity of state intervention to ensure that the market is moderated to produce equal opportunity. *Marxism and neo-Marxism* are more problematic since they are themselves subject to serious disagreements about the nature of `Marxism'.

Fundamentally Marxists stress the economic causes of crisis, while neo-Marxists point to political and ideological causes as being equally, if not more, important as economic causes. There exists much confusion about the differences between neo-Marxism and (orthodox)

Marxism. The essential difference argued here is that orthodox Marxists regard the labour theory of value, the tendency for the rate of profit to fall, and crises of overproduction as setting limits to the ability of the state to control the economy (Bedggood, 1980, 1982; Roper, 1991, 1993.)

Neo-Marxists however, broadly reject `economic determinism' and argue that the capitalist state is also subject to powerful political and ideological determinants (eg Offe, 1984; Jessop, 1990; Wilkes, 1993). There are a number of less important differences which I don't have space to develop here. Also I make no attempt to separate out feminist or anti-racist approaches to the welfare state as I think these are variants of either social democratic or neo-Marxist positions (cf. Bryson, 1992, p 42-43; Du Plessis, 1993; Fraser, 1995).

In rejecting economic 'determinism' neo-Marxists do not reject the concept of economic exploitation. They adopt a pre-Marxist (or neo-Ricardian) view of exploitation. They consider capitalism to be a natural economy where labour creates value (labour theory of value). However, under capitalism, part of the value created by labour is expropriated during exchange. Neo-Marxists therefore, attach importance to politics and ideology as arenas of class struggle because they believe that the state can prevent exploitation at the level of exchange by legislating for a 'fair' distribution of the national wealth.

Marx's major advance over Ricardo was his dialectical method, which allowed him to discover that it was not labour as such (universal to all societies) but labour-power that was the commodity specific to capitalism. Hence exploitation did not occur during exchange but

during production. The state which acts to reproduce capitalist social relations and hence exploitation, cannot be the instrument of liberation from exploitation (Marx, 1976: Chap. 1 part 4; Yaffe, 1975; cf. O'Brien and Wilkes, 1993; Kelsey, 1994, 1995; and Rudd, 1993.)

## ... of the Welfare State

All four positions offer competing explanations of the causes of New Zealand's economic crisis and the varying extent of the destruction of the welfare state. The neo-liberal and Marxist, while they are diametrically opposed on basic economic questions, argue that the attacks on welfare are driven by the economy to restore competitive advantage and profitability. On the other hand, social democrats and neo-Marxists, while differing on basic questions such as the labour theory of value, agree that these attacks are not determined mainly by economic forces, but by who controls the state.

Most `left' academic accounts of the New Zealand welfare state fall into the latter 'state-centred' category (eg Sutch, 1969; Easton, 1980; Castles, 1985; Jesson, 1992; Shirley, 1992; Boston and Dalziel, 1992; St. John, 1994). They regard state welfare as the parliamentary response to historical working class demands made on the capitalist class - the 'historic compromise' or 'settlement'. Welfare states can therefore be categorised according to the degree of success with which the working class, and to a lesser extent women and Maori, were able to get welfarism institutionalised.

It follows that attacks on this historic settlement must result from a shift in the balance of class forces which favours the capitalist class and which may see a retreat

to a minimalist welfare state. The New Zealand welfare state is classified as 'reluctant' (Shirley, 1992) `residual' (Rudd, 1993) or 'working class' (Castles, 1985). All of these positions argue that the NZ welfare state fell short of a 'universalist' or `social democratic' type of welfare state, and was therefore less resistant to historical reverses such as the neo-liberal (counter) revolution, than a more fully institutionalised or `irreversible' welfare state (Boston, 1992; Rudd, 1992; Culpitt, 1992).

Given this conception of the role of the state as either class-neutral (social democratic), or an arena of class struggle (neo-Marxist), then the fight against the new right for a 'new realist' historic settlement, depends crucially upon mobilising organised labour and allied social movements to win control of government (O'Brien and Wilkes, 1993; Kelsey, 1995).

As we might expect, the 'state-centred' conception of the welfare state is challenged from the far right by neo-liberals and the far left by orthodox Marxists. They both argue, though for different reasons, that New Zealand was, and to a significant extent remains, a 'comprehensive' Keynesian welfare state (KWS). New Zealand's economic and social policies flowed from the requirements of a closed, protected capitalist economy.

Of course the new right ideology suffers from historical amnesia. It refuses to acknowledge that the KWS boosted profits in the post-war period of import-substitution; or that there was for three decades a 'welfare consensus'. The new right retrospectively rejects the KWS as a mistake. For example, Green (1996) writing for the Business Roundtable, launches an attack on the welfare state as corrosive of the values of civil

society and the family, and goes on to argue for a return to the market rationality of self-help with minimal state support for workers.

Nor do all Marxists fully understand the role of the KWS. Pearce, (1986) followed by Roper, (1991, 1993) argues that import substitution played no significant role in the post-war boom in New Zealand. Pearce abstracts from the concrete level of analysis required to explain the role of the KWS in "countering" crisis in the semi-colonial economy. This ignores the high level of protection of at least 60% in the manufacturing sector in the 1970's (Wooding, 1987: 91). He relies entirely on a statistical analysis of investment in machinery and rising productivity to explain both the rise of profits in the 1950's and 1960's and the fall of profits from the early 1970's.

Though he makes an important contribution to the analysis of crisis, Pearce ignores the extent of state regulation in creating some of the conditions for profitability; the state's attempts to postpone falling profits; and the failure of these attempts which in turn created a political crisis. As a result Pearce and Roper could not explain, let alone predict, the need for the rampant deregulation that took place from 1984. Because it has little to say about the role of the welfare state in New Zealand, this approach cannot address the state-centred arguments of social democratic or neo-Marxists.

In summary, I argue from a Marxist standpoint that New Zealand's social welfare policy is driven mainly by the historically specific requirements of capital accumulation in a small, dependent semi-colony. Although the state is not directly the `tool' of the capitalist class, it operates

within a capitalist world economy and it faces its 'own' crisis unless it ensures the conditions of profitability. As profitability falls, so does the value of the currency. The national credit rating slumps and the level of state indebtedness escalates. This creates a `fiscal crisis' which the state must overcome by introducing policies to restore profitability. Included in these measures are policies to cut social spending to reduced debt and taxation as a drain on profits. This is turn puts a strain on the `authority' of parliament as a class-neutral institution. Thus the form of crisis in New Zealand is necessarily one in which the state's legitimacy comes into question (Bedggood, 1980,1982).

Furthermore, this argument, in my view, is neither economically *reductionist* or *functionalist*.[2] The capitalist class expresses its interests ideologically, politically and economically through its agents such as the Business

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[2] Usually `reductionism' is used to mean `economic determinism', in which relations of production are held to ultimately determine everything else. This position can be defended against those who claim that it is ideas that ultimately determine everything else. For example, revolutions involve ideas but they help to revolutionise actual relations of production and not the concept of social relations. 'Functionalism' attributes social behaviour to the social system. Yet for Marxists the social system does not have the capacity for evolution or revolution. These outcomes are not predetermined, or functional requisites, but result from class struggle which is the `motor' of history. Hence 'economic determinism' does not follow a functional cause-effect logic, but is the result of class struggle (and class consciousness) over the relations of production at the point of production.

Round Table, parliamentary parties, and through the decisions of firms to invest or disinvest. The state responds to these agencies of capital by legislating and administering `reforms' that advance the interests of the capitalist class. State functionaries (bureaucrats) are largely unaware of the class interests they serve, or the fact that they are engaged in an objective process of 'class struggle' and legislate for the interests of 'individuals', 'nations', or 'humanity'. Similarly, wage workers, at varying levels of class consciousness, respond to these reforms insofar as they impact adversely on their perceived interests (Bedggood, 1977).

Therefore, while there is no direct mechanical cause and effect between falling profits and attacks on the welfare state, it is no accident that when taxes begin to bite into falling profits, the capitalists' mount a campaign against state spending. In the final analysis, it is economic crisis and restructuring which explains both the unparalleled speed and the severity of the welfare cuts in New Zealand.

I intend to show that a Marxist analysis of the economic crisis in the 1970s was not only able to explain the causes of the crisis, and the forms that crisis would take, but also to correctly predict the state policies that were necessary to resolve this crisis in the interests of the capitalist class. In order to prove the superiority of the Marxist account I will first critique the neo-liberal position before passing on to examine the fundamental defects of both social democratic and neo-Marxist positions.

## Neo-Liberal `More Market' Economics

The underlying rationale for the neo-liberal attacks on social welfare is well known. Neo-liberal economics has

many variants and theoretical schools but which all have their roots in 19th century marginalist economics.[3] Essentially it reduces to opposition to state 'interference' in the market allocation of resources. This leads to calls for the 'state-out-of-business' or deregulation and the creation of a 'minimalist' state.

From a Marxist standpoint, the re-emergence of this brand of 'more market' economics is directly related to the end of the post-war boom and the onset of a new world economic crisis in which the return to capital accumulation requires the unleashing of the law of value from state regulation to radically devalue constant and variable capital. Hence the purpose of cutting state spending is to reduce costs of production (devaluation of constant and variable capital) to restore competitiveness in the face of global market competition. This applies broadly to all state activities in the market, including production of goods and services, regulation of capital and labour markets, and of course, the cost imposed by social spending on health, education and other welfare services as well as income transfers (Walsh, 1991; Walker, 1989; Douglas, 1993; Prebble, 1996).

I don't have space to consider the ideological premises of neo-liberal economics here. For now, we must note that neo-liberals' complaints about the failure to carry through their reforms gives credibility to social

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3 See Clarke (1991) for a Marxist account of marginalist economics which underpins Rogernomics. For a useful survey of neo-liberal ideology see Hindess (1987). See Boston et al. (1991) for a social democratic response to Rogernomics. For a popular socialist response to Rogernomics see *Rogercomic* (1986) Socialist Alliance.

democratic and neo-Marxist claims that `democracy' puts limits on the new right agenda. Neo-liberals explain their inability to carry through their radical agenda of cuts to social spending by pointing to continued political interference in the market.

They argue that this is because governments are dependent on mass electoral support to stay in power and to maintain their 'accountability' as mandated by the electorate. Does this mean then that there is a contradiction between democracy and the neo-liberal agenda as the social democratic and neo-Marxist ideology suggest? Is there some inbuilt requirement of the capitalist state to maintain liberal democracy which may require it to stop short of the creation of a 'minimalist' welfare state?

The evidence for this is adduced, first, from the failure of the last Labour Government to complete its radical reforms. Roger Douglas' proposal for a flat tax rate and negative income tax tabled in 1988 was rejected by the 'centre' and `left' of the Labour Government and Douglas was soon sacked as finance minister (Jesson, 1989: Chapter 8). Labour's massive defeat in 1990 could be interpreted as electoral punishment for breaking with its social democratic roots and deregulating the economy (Jesson, 1992; Wilson, 1989; Holland and Boston, 1990; James and McRobie, 1992; Vowles and Aimer, 1993; Vowles et.al., 1995).

Second, the National Government after some major attacks on benefits (pensions, DPB, stand-down period for dole) and a shift towards user-pays in health, education and housing, softened or reversed some of these reforms before the 1993 election. This led to a stream of new right complaints that the government was

going slow on its state reform agenda. However, once back in office the government showed that it still on track in cutting back the welfare state towards a minimalist state, even if moving at a reduced pace. It projects a cut in state spending from over 40% to under 30% in three years along with income tax cuts. Despite a bare working majority, the National government has also tried to settle Maori Treaty claims with the 'fiscal envelope' and intends to proceed with the sale of state forests.

Third, the shift from FPP (First Past the Post) to MMP in 1996, implies a further constraint on governments' ability to drive through the neo-liberal agenda. Some elements of big business campaigned hard against MMP claiming cynically that it would weaken democracy, by making MP's remote from those they represent, and favour 'party hacks'. These transparent arguments did not conceal the real interests at stake. Both neo-liberals and social democrats recognise that the speed and severity of the radical reforms of the last ten years were facilitated by a concentration of power in Cabinet which allowed governments to abandon their promises and rush the reforms through with little time for public debate and effective resistance. It is widely held that MMP would make rapid change more difficult because coalitions would be based on agreements on a joint programme.

This is the social democratic conception of 'welfare capitalism' as the historic will of the majority. It implies that had democracy prevailed, resistance would have been stronger. Ironically, however, it was more likely the dependence of citizens on a paternalistic welfare state, and a state-managed union movement, that undermined organised resistance. This would explain why it was the Labour Party, the midwife to the welfare state in the

1930's, which was so successfull in legislating for its euthanasia in the 1980's.

But is the neo-liberal agenda really incompatible with a more representative democracy under MMP? Will MMP impose a stronger democratic control on welfare state cuts? Not at all. Even with a lower threshold of representation under MMP, neo-liberals can win electoral support. Despite over a decade of restructuring, about one third of the electorate still supports the National government. Nearly two-thirds support the economic direction of the reforms. There is no reason to believe that National will pull back from its course under MMP. In fact MMP may provide it with a strong right or centre partner to give it the electoral mandate to complete the neo-liberal agenda.

This explains why prominent neo-liberals have got behind the formation of a new ultra-right political party, ACT (Association of Consumers and Taxpayers) founded by Roger Douglas and now led by Richard Prebble. As the title of his last book, *Unfinished Business,* conveys, Douglas and ACT are determined to get into power to complete the radical agenda. The main ideological thrust is the demolition of the universal core of the welfare state. The mechanism - the flat tax, negative income tax and vouchers in place of state funded health, education and housing (Douglas, 1993 p.57-82; Prebble, 1996).

The first MMP election in 1996 may, therefore, see a centre-right coalition including ACT come to power. ACT is making a play for not just the large corporations, but also for the 'ordinary New Zealander' who is 'denied choice' by continued state intervention in their lives. This ideological offensive could see Douglas winning support

across all social classes. So while MMP may be less conducive to rapid radical reform than FPP, it is not necessarily a barrier to the completion of its reform agenda.

As I shall argue below, there is no democratic 'function' of the state which prevents the completion of the neo-liberal agenda. The only barrier to a 'more market' National/ACT government is organised working class resistance. That this has been largely lacking in the last ten years explains why most of the neo-liberal agenda has been achieved. Structural unemployment, labour market reform and a move towards consumption taxes have cut costs of production and shifted the burden of funding welfare directly onto the working class.

If no concerted working class resistance is mounted against further neo-liberal attacks, this may even make the ACT agenda for a minimalist state, based on a flat tax and fully 'targeted' (ie restricted access based on narrow definition of citizenship) social services, attractive to some workers. A new 'historic compromise' grounded on the 'terrain' of a minimalist state may therefore be reached without breaching the state's legitimacy. What then, if anything, has social democracy got to offer to stop the slide to a minimalist welfare state?

## What Can Social Democracy Offer?

The social democratic position is based on the belief in the necessity of state intervention in a capitalist economy to ensure social justice. This assumes that the state is 'sovereign' in the management of the economy and has the 'power' to regulate the market allocation of the

factors of production (resources) and create equality of opportunity in society. Since the 1890's, as the dominant ideology in New Zealand, social democracy has seen the welfare state as the measure of its success in reforming and transforming capitalism into an egalitarian society.

Today social democracy is on the defensive after twelve years of neo-liberal reforms. It blames the breakdown of the 'historic compromise' that allowed people of all classes in NZ to agree on basic entitlements to social welfare, on the intervention of a foreign and local financial *ruling elite* (Jesson, 1987, 1989; Bayliss, 1994).

Social democrats claim that the Labour Party, was hijacked by the ruling elite between 1984 and 1988. This represents a conspiracy theory in which foreign interests and their local agents in the Treasury and political parties were able to subvert democracy and introduce their radical agenda. A range of agents for the transmission of new right ideas are put forward including, one or more of, the invasion of Friedmanite ideas, Victoria University academics taking over the Treasury, Roger Douglas' personal connections with big business, post-Fordism, the 1981 Springbok Tour, international capital, and so on.

Social democrats argue that the new right attacks on the welfare state can be rolled back by reclaiming popular sovereignty from the foreign elites and their agents. For example, Boston and Dalziel (1992: preface) offer a sophisticaled explanation of how such radical neo-liberal reforms were possible. Rudd (1992, p50-53) advances a social democratic analysis of the factors which put up barriers to spending cuts in health, education and welfare.

Recognising that they have lost much ground to the new right, and to the centre populism of New Zealand First, both claimants to the social democracy franchise, Labour and the Alliance, are attempting to strike a `new realist' historic compromise around the concept of the `social market'. While this concept concedes much of the ground won by neo-liberal reforms such as 'fiscal responsibility' and 'monetary targets', it does attempt to draw the line and to defend and restore certain basic welfare rights as fundamental to a 'decent society' . This is consistent with the underlying left-Keynesian conception of 'market socialism' (Clarke ,1988).

From a Marxist standpoint, these plans are pipe dreams so long as they pin their faith on bourgeois democracy in the form of a sovereign nation state. The decisive shift to an open internationally competitive economy means that world economic constraints on a small dependent economy forces the New Zealand state to act as the direct agent of international capital. The New Zealand state has always acted to ensure the repayment of the national debt to British finance capitalists. While in the past the state was allowed to 'run' the local economy so long as it met the debt repayments, today it has no such autonomy. Today social democratic `new realism' must take into account the total subordination of the open, deregulated economy to global capitalism. This means first, putting the interests of international capitalists in increasing profits ahead of any consideration of social welfare. As always, 'realism' dictates that correcting the economic deficit must take precedence over redressing the 'social deficit'. But today's social democracy is forced to admit it puts `profits before people' openly.

Yet even this 'new realism' is not realistic enough for the capitalists. Any attempt to mobilise a popular mandate to reclaim national sovereignty over the economy and return to state regulation and Keynesian economics would be hampered by the Reserve Bank Act which requires the Governor, Don Brash, to keep inflation between 0-2% i.e. a built-in deflationary policy, high interest rates, and no devaluation of the currency. Any attempt to tamper with the Fiscal Responsibility Act or other basic reforms would undermine the international competitiveness of the economy, and would lead to immediate economic destabilisation and political crisis.

The 'new realism' appears to give social democracy a new lease of life as it attempts to organise further resistance to the cuts to the core welfare 'holy cows'. But this resistance is largely verbal and therefore token. The true reality is that social democracy can only serve one master. Today's brand of economic nationalism is in contradiction with the international interests of the capitalist class. Therefore while social democracy preaches national sovereignty, its new global role is to reconcile workers with international domination. This is why in the face of the persistent neo-liberal assault on core services, a social democratic defence based on opposition in parliament continues to be ineffective. Under MMP, a centre-left coalition government, made up of Labour and the Alliance, or a popular front of Labour and New Zealand First, given the international as well as domestic constraints on the NZ economy, would carefully avoid policies that might cause a massive capital strike/flight and destabilise the economy.

## Neo-Marxist 'State Autonomists'

Unlike social democrats, neo-Marxists identify the basis of inequality in the exploitation of the labour of workers. Exploitation occurs because capitalists use the fact that they own the means of production to deduct their profits from the value of workers wages (Gough, 1979; Offe, 1984; Wright, 1978; Martin, 1982; Beilharz et.al., 1992; Rudd, 1993; Wilkes, 1993; O'Brien and Wilkes, 1993; Kelsey, 1994, 1995).

Not all of these writers explicitly acknowledge the neo-Ricardian theory of value. But all see exploitation occurring during exchange. Jesson has had an influence on both O'Brien and Wilkes, and to some extent, on Kelsey. They explain the attack on the welfare state as part of the shift from `Fordism' to 'post-Fordism'. New Zealand's external dependency on export prices and foreign capital led to the deduction of surplus from NZ workers wages, to pay interest on debt, freight costs. When primary product markets and prices declined this led to rising debt, the 'fiscal crisis' of the state, and hence the restructuring of the economy to open it up to 'post-fordist' multinational domination.

Neo-Marxists such as Gough and Martin view the social wage as an addition to total market wages without taking into account the question of productive labour. Productive labour is that which is productive of surplus-value (Howell, 1975). Hence attempts to cut the social wage are merely an extension of the distributional class struggle which sees capitalists deduct their profits from the value of wages. By cutting the social wage, capitalists can deduct greater profits. Martin follows

Gough in collapsing the reproduction costs of productive and unproductive labour together (Martin, 1982, p. 37).

This makes the state appear to be necessary for the reproduction of labour-power and minimalises its unproductive costs for capital. This makes the state a site for struggle over the social wage in the same way that the market is a site of struggle over the market wage. It follows that exploitation results in an unequal distribution of resources at the expense of workers not only nationally by also globally.

Therefore, it is clear that neo-Marxists recognise that the state is not class-neutral or "above classes". Capitalists use the state as an instrument to dominate society by means of 'hegemony' so as to reproduce the exploitation of wage labour. But they must do so without exposing the state's class basis. Therefore the economic attacks on the state to reduce social spending are held back by the need for capitalists to preserve the 'legitimacy' of the state as being 'above classes' to avoid the risk of exposing it as a state which serves the interests of the capitalist class alone. Such exposure would allow workers to become class conscious and struggle to overthrow the state. To avoid this the state must present itself as 'relatively autonomous' from the capitalist class.

Martin (1982) following Gough (1979) and O'Connor (1973) holds that state spending on the non-working population is a 'functional' requirement to maintain 'political stability' or 'legitimacy'. `Legitimacy' for neo-Marxists means the state's authority which derives from the apprearance that the state is class-neutral. Legitimacy is weakened when the 'instrumental' state fails in redistributing national wealth equitably and is seen to cut wages to boost profits. Loss of legitimacy

produces a crisis of 'motivation' which can give rise to social movements to reclaim and re-legitimate the state, as a genuine instrument of class neutrality (Wilkes, 1993; Kelsey, 1994; Martin, 1982).

Perhaps the most influential neo-Marxist theorist of the state, Claus Offe (1984), shifts the contradiction between the forces of production and social relations that are specific to capitalist society, to that between society and state. Offe's contradiction between 'society' and `state' is a displacement of the more familiar neo-Ricadian contradiction between `nature' and `society'. For Offe, crisis-ridden society (as the result of capitalists not making enough profits) requires the state to overcome its crisis. This is a functionalist view because it leads Offe to argue that the welfare state is 'irreversible' because 'indispensable' for capitalism. But Offe reduces the legitimacy of the state to its welfare role. He claims that to retain its legitimacy, the state must meet the welfare needs of its citizens.

However, as much of the debate on citizenship and welfare rights has shown, growing sections of workers may be excluded from citizenship on national, racial, or other grounds. Under the extreme case of fascism, the capitalist state can maintain its legitimacy by means of racist and chauvinist criteria of citizenship which plays off citizens against non-citizens (e.g. the 'alien' under-class). As Mishra points out, the evidence does not support the functionalist thesis of the `irreversible' welfare state (1990: 103-105). The only way that universal welfare can be made 'irreversible', thus resisting its minimalisation in the interests of a privileged caste of citizens, is by means of working class resistance to welfare cuts.

For neo-Marxists then, the class struggle becomes the ideological battle for control of the state, and hence, control of economic resources. Therefore, attacks on social welfare will continue so long as capitalist hegemony prevails. Neo-Marxists see social democracy as complicit in maintaining capital's hegemony since it 'covers' for the new right by saying that the welfare state must be reformed and that some cuts are necessary to increase profits in the national interest. In that sense 'new realism' is no more than a revamped reformism playing its historic role of incorporating the working class into capitalism by promises of 'trickle down' benefits. Social democracy, 1990s style, plays this role in the attempt to reconcile the growing contradiction between the capitalists' use of the state to attack workers, and the ideology that the state is above classes, standing for the 'national' interest (Offe, 1984: Chapter 8.)

The neo-Marxist political programme calls for the overthrow of bourgeois hegemony. Counter-hegemonic intellectuals leading mass social movements must contest capitalist control of the state, win power and reinstate social welfare. By these means some capitalist property (which represents workers stolen wages, stolen Maori land and unpaid domestic labour) can be nationalised under democratic control and a form of 'market socialism' introduced (Kelsey, 1993: 358-99; O'Brien and Wilkes, 1993: 173-184).

## Marxist Critique

While the neo-Marxist critique of both neo-liberal and social democratic ideology marks a theoretical advance, it is unable to escape the charge that it too is trapped by bourgeois hegemony. First, its neo-Ricardian conception of exploitation is located at the level of distribution rather

than production. This leads to an incorrect view of the state as capable of redistributing value and hence to the 'relatively autonomous' state-centred approach to class struggle (Bullock and Yaffe, 1975 and Bedggood, 1982; Clarke, 1994).

A number of important consequences flow from the neo-marxist distributional analysis. First, class consciousness is 'spontaneous' because exploitation is 'transparent' involving a profit/wage struggle. There is no need for Marxist 'vanguard' parties to expose the hidden nature of exploitation and to raise class consciousness. Second, extra-parliamentary politics are always directed at winning capitalist state power as an instrument of working-class rule.

The result is that neo-Marxists have done no better than social democrats in understanding, predicting and countering the fundamental economic crisis which made the neo-liberal revolution inevitable (Beilharz, et.al. 1992: p 50). Ultimately, neo-Marxists must argue that falling profits are caused by rising wages (and social wage), or by a capitalist greed to maximise profits at the expense of wages. In the former case they cannot avoid blaming workers for the crisis and accepting wage cuts as the solution. In the latter case, they cannot explain why the drive to maximise profits does not lead to permanent, as opposed to periodic, crisis, except by reference to a political power struggle which makes the state the ultimate site of economic class struggle.

The neo-marxist solution is to subordinate the state's role in managing economic crisis to that of maintaining legitimacy. What limits what precisely? What degree of cuts to the 'holy cows' will see the state facing a

legitimacy crisis? Kelsey drawing on Offe, argues that the attacks on the welfare state in New Zealand have already posed a crisis of legitimacy, and a crisis of `state autonomy'. However, she does not specify any limit at which the 'needs of capital for a global deregulated market economy' must stop short of destroying democracy and an 'interventionist welfare state' (1993: 347-364).

Neo-Marxists, then, argue that cuts in the welfare state cannot go beyond certain, unspecified, limits without undermining legitimacy. On this they pin an article of faith that capitalism cannot solve its economic crisis at the expense of democracy, and that this allows the working class to contest the capitalists for control of the 'relatively autonomous' state for the defence of citizenship rights, social welfare, full employment, trade union rights, and minimum living standards.

But even on the historical evidence so far, the claim that democracy places limits on welfare cuts is wrong. The global neo-liberal 'counter-revolution' of the 1980s is evidence of this fact. The neo-liberal austerity attacks on state welfare in Western capitalist states of the 1980s and 1990s have been limited not by respect for 'democracy', but by extra-parliamentary opposition. That these attacks have gone so far without meeting well organised working class opposition explains why they could be legislated by democratic 'Thatcherite' parliaments and did not have to be imposed by fascist dictators.

The evidence of the collapse of the former `communist' states after 1989 is even clearer. The belief that bourgeois democracy could rescue these states from economic backwardness has been faced with the stark

reality that even where the process has been 'democratic' as in Eastern Europe, the result is a huge loss of jobs, living standards and social welfare. The belief that 'market socialism' can now offer a way out of economic collapse comes up against the contradictory reality that capitalist restoration in these states creates such extreme conditions of `dis-welfare' that it is incompatible with bourgeois democracy.

Therefore, in both capitalist and restored capitalist states, neo-Marxists cannot predict the necessity of further attacks on jobs, living standards and social welfare because they have no conception of the underlying dynamics of the world capitalist economy in crisis. When these further attacks are met with organised working class resistance, you can be sure that capitalist states will abandon the 'kid glove' of democracy for the 'iron fist' of force.

## The Limits of Welfare Capitalism?

The problem with the preceding explanations is that they all accept capitalism as the `natural' economy. Accordingly the problems facing capitalism are not fundamentally about production but about distribution. Each sees these problems differently depending on their class interests. For the neo-liberal it is wages and taxes squeezing profits. For the social democrat it is profits squeezing taxes and wages. For the neo-Marxist it is the exploitation of wages by profits.

Yet in all cases the cause is an unfair distribution of wealth that can be corrected by the appropriate economic and social policies, i.e.'reforms' - left, right or

centre! Therefore both the problem and the solution hinge on whoever controls the state because they also control the distribution of resources. If the wrong people control the state then it is necessary for the right people to take control. This is why the struggle over the welfare state has taken on such importance in political debate.

As I have argued, this view of politics results from a conception of the capitalist state as independent of production (Clarke, 1991). Such a view is trapped in bourgeois hegemony - the ideology of fetishised social relations appearing as market relations which presents the state as referee - shared by all non-Marxists. Capitalism is seen as a natural economy - the market is universal - rather than as a specific mode of production with specific social relations (Marx, 1976: Chapter 1 Section 4; Rubin, 1973: Chapter 7). The vulgar economy of the neo-liberals depicts market capitalism as the most highly evolved natural economy where market forces give liberal freedoms their fullest reign. The only contradiction to this realm of freedom is state interference in market forces.

For social democracy the contradiction exists between equality and the `freedom' of the free market. Yet liberal democracy and welfare- capitalism, (i.e. today the 'social market') can permanently resolve this contradiction. For neo-Marxists the contradiction is between the natural economy where labour produces value, and the capitalist class which expropriates part of that value. This contradiction can be resolved by mobilising workers and their allies to use the capitalist state to nationalise private property under workers control.

Because all of these positions are trapped in bourgeois hegemony there is no understanding of capitalist social

relations of production. There is no conception of the inherent contradiction, between use-value and exchange value, which motivates capitalist development and causes the tendency to crisis. It is because this contradiction, expressed by class struggle, develops to the point where the productive forces (capable of meeting the needs of humanity) can no longer be developed, and must be destroyed to protect capitalist profits, that Marx held that capitalism would face mounting crises which could not be overcome by state intervention.

The fetishised social relations of capitalism present individuals as equal buyers and sellers in the market. On this view, bourgeois parliament is a second-order representation of commodity fetishism in that individuals are citizens because they are equal exchangers of commodities, and not as members of any social class. The state's attempts to resolve crises at the expense of workers would reveal that workers are exploited and oppressed and expose its fetishised form as a `relatively autonomous' instrument of class domination committed to reproducing capitalist social relations (Bedggood, 1982).

This general theory allows us to predict the limits of state intervention in New Zealand. The states interventions to restructure the economy have weakened but not exposed its fetishised form. Since the state is a capitalist state, its interventions are necessary to create and reproduce the capitalist production in New Zealand as a semi-colony.

More specifically, state intervention is required to counter the 'endency for the rate of profit to fall' (TRPF) under

historically given conditions. But beyond certain limits the state cannot counter crisis nor cure the causes of crisis which are inherent in capitalist production. During the post-war boom, the KWS represented a set of policies designed to suppress the TRPF in a period of capital accumulation. When the KWS reached its limits and failed to prevent crisis in the late 1960's and early 1970's, the state was then required by directives from the capitalist class to switch its demand-side policies to supply-side policies. In Marxist terms this is nothing more or less than the devaluing of constant and variable capital necessary to restore the rate of profit (Bullock and Yaffe, 1975; Howell, 1975).

In New Zealand, the KWS was fully developed as an instrument of economic insulation and regulation from 1935 onwards. The state intervened in every phase of the circuit of productive capital, protecting local manufacturing, subsidising agricultural input and output prices, and of course, in its guise as the `welfare state', partially 'socialising' the reproduction of labour power (Bedggood, 1980: Chapter 7).

This represented a partial suspension of the law of value, because socially necessary labour time in secondary manufacturing in New Zealand was higher than internationally. This meant that surplus generated by less efficient state regulated production was only partially redistributed internationally. This point is significant since it allowed capital accumulation in manufacturing at lower levels of efficiency and productivity than would have been the case had protection not existed.

While Pearce (1986) and Roper (1991) argue that New Zealand manufacturing was internationally competitive

they have not shown that levels of technology or productivity equalled that of their foreign 'competitors'. In fact, the ability to accumulate profits, that under the law of value would have been redistributed internationally, helps account for the exceptionally high living standards in New Zealand resulting from the post-war settlement. This was also the case in pastoral exports where the decline in differential rent had to be met by subsidies from the state (Macrae and Bedggood, 1979; Steven, 1985).

This theory explains and predicts the partial 'socialisation' of domestic labour, the relatively full employment and other employment policies such as Equal Pay and Accident Compensation which followed. The state's involvement in the reproduction of labour-power represented a semi-productive investment of surplus for capital so long as these material conditions of protection and full employment prevailed. However, given the obvious limits of scale in a small economy this could not last. The TRPF asserted itself as a necessary and inevitable tendency towards crisis (Bedggood, 1980: Chapter 10; cf Pearce, 1986, Chapter 6; Roper, 1991, 1993: p11-21).

The limits of the domestic market on capital accumulation meant that in effect it was lack of competition and demand that saw falling productivity (i.e. the rate of surplus-value) as much as rising organic composition that caused the fall in profits under the locally specific conditions. Either way, however, it is inability of the capitalist to exploit workers enough which is the common cause identified by Marxists, rather than capitalists 'over exploitation' of workers, which as neo-Marxists argue, causes capitalist crisis.

The attempts by the state to offset the TRPF came up against specific concrete factors resulting from the protection of agricultural export markets and protection of domestic manufacturing. The KWS could not overcome the limitations of the small NZ market by its Keynesian demand management techniques. As a result the TRPF was expressed as stagflation. The analysis shows that, as predicted, the KWS could not suppress the fundamental causes of falling profits by the late 1960's. As a result the welfare state began to come under attack from 1967 onwards. Bill Sutch (1971) was the first to document in detail the erosion of the welfare state. Deregulation and restructuring of production for export would be necessary, and the state would have to reverse its insulation of the economy and open it up to the world market (Bedggood, 1980, 1982).

However, these attacks did not begin to bite deeply for another decade as a significant expansion of welfare and citizen rights occurred the 1970's. This encluded the Equal Pay Act 1972, the Accident Compensation Act 1972, and the Treaty of Waitangi Act 1975. Martin (1982) documents the rising proportion of social spending of GDP in the 1970's. But not until the limits of the economic nationalist strategy of insulation and import-substitution had been exhausted with the political bankruptcy of the Muldoon administration after 1981, and its defeat in 1984, did the 'new right' economic agenda of dominant fraction of the ruling class impact directly on state policy.

This raises the question as to why it took another ten years to bring about the neo-liberal counter-revolution. The key issue here is that the post-war political consensus involved a national protectionist alliance between workers and manufacturers. Farmers were

subsidised to include them in the consensus. Restructuring had to be forced onto governments by the dominant fraction of large manufacturers who had to export or die. Ironically it was the National party which was most committed to the post-war consensus. It was Labour that first acted to break the consensus because it had no loyalty to farmers, had a longstanding links with key corporations (Murray 1989: 245-254 Oliver 1989; cf Kerr, 1994) and could rely on the labour movement's loyalty to the Government.

## Conclusion

'Left' and 'centre-left' ideology continues to fuel the illusion that New Zealand can be restored as a social democratic laboratory of the world. Against this, Marxist analysis of the NZ case provides compelling evidence that the state is fundamentally a capitalist state and that NZ is in fact a bourgeois laboratory. The KWS was highly developed to meet the needs of a developing national capitalism, rather than simply a response to the pressure of working class reforms, or a set of 'welfare values' (Culpitt, 1992).

This is demonstrated conclusively, in my view, by the events of the last twelve years. Today the material conditions which made the KWS necessary no longer exist, but the welfare needs of the working class still exist. Yet is the needs of capitalists rather than the needs of workers which account for the attacks on the welfare state. Its destruction is driven by the necessity for capital to free-up the NZ economy to become part of the international economy. Because there is no in-built legitimacy functional requirement that the state protect the 'holy cow' core services to preserve its legitimacy the

defence of the welfare state depends not on the degree of social democratic working class struggle to defend the 'historic compromise', nor on the struggle to win a 'new realist compromise' today.

In the globalised economy in which NZ is a minor producer of mainly primary products, there is no prospect of social democratic governments or neo-Marxist social movements, already accepting the 'realism' of profitability before equality, stopping the move towards a minimalist welfare state. Profitability for transnational capital in the deregulated and open NZ economy does not require full employment, nor a protected local market. In fact it does not even require a local market.

Profitability within the global economy dictates that the state re-privatises the reproduction of labour power, abandons the management of labour relations to the market and keeps firm control on the money supply and inflation. It is the extreme shake-down and turnaround of the economy over the last decade which explains the speed and severity of the neo-liberal reforms. For nearly twenty years Marxists have predicted that the crisis would be resolved at expense of working class and the socially oppressed, unless workers and their allies mobilised on the basis of a programme to transform capitalist social relations.

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# 'Family-friendly' Workplaces : Why Do We Need Them and Who Potentially Benefits?

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## *Abstract*

'Family-friendly' workplace programmes are currently being promoted in New Zealand. There appear to be many positive features of these programmes which deserve support, but there are also some potential disadvantages. The first is if the support is given within the context of a very narrow definition of the family. Secondly, there are potential problems if 'family-friendly' work practices are targeted at, or mainly used by, women. Thirdly, some of the 'family-friendly' programmes may lead to increased pressure to work longer hours in paid work. Finally, significant groups in our society, who already face various economic and social hardships could be further disadvantaged if 'family-friendly' workplace programmes no longer just complement, but rather replace, support provided by the wider community and the state.

## Introduction

In all societies the cost and/or time involved in caring for children, the sick and the elderly is unavoidable. Determining who pays for, and / or who does this work, involves debates about the relative responsibilities of various institutions and the individuals within them (Folbre, 1994). Embedded in such debates have been the concepts of 'public' and 'private' spheres, and possible linkages or overlaps between these 'spheres' (Cox & James, 1987; Ferree, 1990; Novitz, 1987; Zedeck & Mosier). The family is a key provider of care within the 'private sphere' but there is ongoing debate as

to what constitutes a 'family' (Hyman, 1995; Maxwell, 1989). There are also debates over the division of labour/ financial responsibility within families (Easting, Fleming, Taiapa, Pasikale & George, 1994). Most industrialised nations also provide state assistance to at least some families, such as free school education for children. However, increasingly the debates have moved from contesting the boundaries of responsibility between the family and the state, to contesting those between the family, state and employers.

As a result of the challenge to these boundaries of responsibility and in line with some overseas trends, the concept of a 'family-friendly' workplace is emerging in New Zealand. This paper outlines some of the reasons why there is mounting pressure for New Zealand employers to become 'family-friendly'. This includes identifying the main groups promoting the concept. There is then a discussion of various concepts of 'family' upon which these developments can be based. The paper goes on to examine two broad 'family-friendly' models and the implications for equity between, and within, groups of women and men. Finally, using specific examples of 'family-friendly' initiatives, and with reference to 'dual labour market' theory, there is a discussion as to whether there may be some there groups in society who may be disadvantaged by the development of some of these initiatives.

## Why Is There A Need For 'Family-friendly' Workplaces?

The concept of the 'family-friendly' workplace has been developed primarily in the United States. According to

Arlene Johnson, vice-president of the Families and Work Institute, New York and a keynote speaker at a 1993 Ministry of Women's Affairs seminar on 'family-friendly' workplaces, changing workforce demographics have played a key role in making employers aware of the need to become 'family-friendly' in the United States (Ministry of Women's Affairs, 1993a). Johnson contends that the main change has been the growing participation of women in paid work. But, parallel to and, at times, associated with this there has been increasing diversity within family types. These include couples where both are in paid work, workers who have both elderly and young dependents, single parent families, blended families, and families where various members may live at great distances from each other. Saltford and Heck (1989) point to other changes in the United States including a growing number of elderly persons and along with this an increase in older employees approaching retirement as well as diminishing numbers of entry-level workers.

Other researchers argue that the reasons for promoting 'family-friendly' workplaces have changed over time (Bailyn, Rapoport, Kolb, Fletcher *et al*, 1996) They concur that the interest in the 'family-friendly' concept during the 1980s could be linked to the dramatic increase in women in the paid workforce. Such programmes were aimed mainly at women, in particular those with children. But they suggest the current driving force for 'family-friendly' programmes is the 'downsizing' of businesses. According to the authors, there is a concern amongst businesses about the morale of those core workers who survive such restructuring and 'on whom they have to depend to do more with less' (p. 4).

In the United States a further reason for the interest in 'family-friendly' workplaces has been declining real incomes for many workers. As a result, many people have had to increase their hours of paid work to maintain their standard of living (Schor, 1991). All these changes are seen as creating tensions in balancing paid work and family responsibilities.

While in New Zealand there is no shortage of entry level workers many of the other changes that have occurred in the United States are also taking place here (Callister, Podmore, Galtry & Sawicka, 1995). For example, in 1991 one third of the paid workforce had pre-school or school age children, with a strong growth in recent years in the workforce participation of parents with children under one (ibid). The stresses on parents, especially mothers, of combining paid work and caring for children, whether pre-school or school age, have been highlighted by a number of New Zealand studies (Podmore, 1994; Slyfield, Culling, & Parkin, 1990). Adding to the pressure, hours of paid work have also been increasing for many New Zealanders (Dixon, 1996).

Commenting primarily on the situation within the United States, Saltford and Heck (1989:1) argue that such changes 'place pressure on employers, unions, and governments for a new commitment to working families'. However, the response to such pressures can be handled in quite different ways by governments. In turn, governmental responses impact on the role of employers.

## The Role Of The State, Employers and Unions In 'Family-friendly' Initiatives

Sweden represents one model of the role and responsibility of the state, employers and the family in the resolution of potential conflicts between paid work and family life. Successive Swedish governments have been actively involved in economic and social areas, including an interest in the workings of households. As such, the Swedish government has not considered the family and the household as entirely a 'private sphere'. In Sweden, government policies such as universal entitlements to paid parental leave, an aim to provide universal, subsidised childcare, and even until 1992 the government paying for short periods of sick leave have meant employers have less direct pressure on them to help resolve potential work and family conflicts (Ministry of Health and Social Affairs, 1994).[1] This has obviously been at considerable cost to taxpayers, and there is on-going debate as to whether such expenditure is sustainable (*The Nordic Countries Survey*, 1994). The Swedish model is not being promoted in New Zealand by the current New Zealand government as a way of resolving work/family conflicts.

In contrast to Sweden the United States government has minimised its direct support of families. Burstein, Bricher and Einwohner (1995) provide an analysis of policy debates concerning 'work' and 'families'. which have occurred in the United States since the second world war. It appears that although the respective roles of

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1 Nevertheless, Swedish employers have had to adapt to many of these policies. For example, most employees taking up to a year's leave around the birth of a child.

women and employers, and more latterly those of men, have been discussed the direct role of the state in resolving potential work and family conflicts has not constituted a core part of these debates. Burstein *et al* argue that public discourse around 'work' and 'family' has been dominated by three competing visions. These include a separate spheres approach, an equal opportunities approach, and an approach which centres on the need to accommodate both work and family.

The separate spheres 'package' of policies positions women in the private sphere, and men in the public sphere of paid work. Family roles and obligations are ignored in the paid workplace by employers and employees alike. Women who enter the labour force are viewed as exceptions and it is assumed that they cannot expect to have the same opportunities as men. In contrast, the equal opportunity 'package' challenges limitations on women's opportunities in the public sphere, invoking the need for women to have the same job opportunities as men. In this scenario, the role of the state is to ensure that the legal system treats women and men equally in the paid labour market. It does not, however, challenge the 'traditional' separation between family and work or formally address the gendered division of labour in the household.

The work-family accommodation 'package' narrows the separation between family and paid work. Employers are required to accommodate family needs, and provide equal benefits to men and women, fostering the belief that childcare and other family responsibilities are the province of both. Burstein *et al* argue that the work-family accommodation represents a vision of institutional

change, not only in terms of women's employment opportunities, but also with regard to economic organisations and men's roles. According to the authors, in the mid 1980s while the separate spheres concept declined in popularity there was increasing support for the work-family accommodation concept.

In the United States, this 'work-family accommodation' concept upholds the underlying philosophy that the state has minimal obligations to provide support for family life. In this context, accommodations are seen to be the decision making province of both individual family members and their employers, at times, within formal 'family-friendly' programmes.

While the United States and Sweden appear to represent two extremes in terms of the belief systems underlying their social policy, Rein (1989:1) notes that within most other mature industrialised economies, 'the political context for discourse about social policy has changed as themes of privatization and the leveling, or reduction, of public outlays have gained currency'.

While the state may wish to retract from providing direct financial support to families it can still provide indirect support, with the potential costs often falling on employers. One way of doing this is by requiring, through legislation, that employers provide particular benefits which may be 'family-friendly' to employees. In New Zealand such benefits are defined under the minimum employment code. This code includes minimum wages, statutory holidays and parental leave. Not surprisingly, employers are generally not in favour of employee benefits prescribed by legislation. For example, employers in both this country and the United States have provided the main opposition to the introduction of

statutory parental leave (New Zealand Employers' Federation, 1980 & 1987; Spalter-Roth & Hartmann, 1990). In particular, employers have argued that such legislation imposes unacceptable restrictions and costs on small employers as well as reducing employment and that more satisfactory arrangements for both employees and employers can be reached through direct negotiation. However, governments may also encourage employers to provide benefits through tax incentives, or simply by acting as agents in the promotion of 'family-friendly' programmes.

Employers can, and do, provide 'family-friendly' benefits on a voluntary basis. Employee benefits, which might assist family members, could include any form of compensation other than direct wages.[2] These benefits although usually paid for by the employer may require, at times, an employee contribution. Employers may provide these voluntary benefits for the following reasons:[3]

- to recruit and hold key staff.
- to increase productivity. Some research provides examples of links between 'family-friendly' programmes and productivity (for example see the

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[2] According to Rein (1989: 19), there has been a long term trend in most OECD countries toward 'a declining proportion of total compensation being funnelled through direct remuneration and regular bonuses and a rise in non-wage labor costs'.

[3] Rein provides a review of theoretical perspectives on why firms might provide these benefits.

reviews of Adams, Brown, Gain, Jensen & Williamson, 1994; and Tudhope, 1994 ).

- to reduce tax. Governments may provide tax exemptions to encourage employers to make available some benefits such as health insurance or childcare.
- to meet the demands of unions.

Although some New Zealand unions, particularly those with a high proportion of female members, are now taking an interest in developing 'family-friendly' friendly policies, Nicholl (1995) argues that, historically, male dominated unions have been reluctant to support 'family-friendly' initiatives. She claims that unions have undergone three phases including 'a period of anti-feminism; a period of protection of women; and a contemporary period, which involves trade unions adopting programmes designed to promote equality' (p. 163). In a discussion of the policies of Britain, Canada and Australia, Heitlinger (1993) argues that while many of the early 'protective' measures, such as restriction on hours of work or night work, were theoretically designed to protect the 'family' through ensuring the health and safety of mothers they were, in fact, promoted primarily because women workers were seen as a threat to men's jobs and wages. Within these contexts however, the protection of male jobs and income was also able to be justified as 'family-friendly' as it meant that a family could be supported by one income earner so that the mother could look after the children at home.

In the last decade, partially related to the introduction of the Employment Contracts Act in 1991, there has been a dramatic decline in union membership in New Zealand. Unions now directly cover just under a quarter of the

workforce, as opposed to just over 40% in 1985 (Harbridge, Hince and Honeybone, 1995). One of the largest declines has been in the 'retail and wholesale trade, cafes and accommodation' sector, one of the few areas where unions have taken a major interest in 'family-friendly' initiatives. With the move away from collective bargaining to enterprise bargaining and, increasingly, to individual contracts the wider influence of unions in the bargaining process has also declined. 'Best practice', in terms of 'family-friendly' policies, has to be increasingly adopted voluntarily on a firm by firm basis rather than being applied across whole industries as part of a collective agreement.

Given the increasing movement toward reduction in social spending by the state, accompanied by the weakening of unions, in most OECD countries, it is Rein's (1989:2) contention that potentially 'the firm emerges with a new vitality and commitment as an important instrument of social policy.'

## Who Is Promoting 'Family-friendly' Workplaces In New Zealand?

Given the trends in government spending and the changes in the industrial relations arena it is perhaps not surprising that the New Zealand government, through the Ministry of Women's Affairs, has been particularly active in promoting 'family-friendly' workplaces. This promotion has taken place through seminars, publications, and by tours of overseas experts in the field (Ministry of Women's Affairs, 1993a & b; Ministry of Women's Affairs, 1996). In support of this another

government agency, the State Services Commission (1995), has outlined a guide for managers.

The promotion by the Ministry of Women's Affairs has been supported by the New Zealand Employers' Federation, the Equal Employment Opportunities Trust and Telecom (Ministry of Women's Affairs, New Zealand Employers' Federation & EEO Trust, 1996). Telecom, a United States controlled company, has significantly reduced core staff since privatisation. This potentially supports the view of Bailyn *et al* (1996) that American companies are taking an interest in 'family-friendly' programmes as part of the process of 'downsizing'.

But other groups have also shown some interest in promoting the concept; a video and resource kit has been developed by the Legal Resources Trust (1995); the National Distribution Union (1993), in conjunction with the Ministry of Women's Affairs and the Department of Labour, have released a report on the 'Friendly to Families Project', and in 1994 the Council of Trade Union's National Women's Committee published a report focussing on the subject. In addition, both Parents Centres of New Zealand (Cole, 1996) and the National Council of Women of New Zealand (1996) are now promoting 'family-friendly' workplaces.[4]

## Key Features Of A 'Family-friendly' Workplace

The key features of the New Zealand version of a 'family-friendly' workplace are still emerging. However, a list set

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[4] Cole (1996), in discussing Parents Centres' support for business based 'family-friendly' programmes, argues that such programmes need to be seen as only one part of family friendly communities.

out by the National Council of Women provides an indication of a range of possible 'family-friendly' initiatives:

- flexible working hours
- improved phone access for families
- provision of a list of local child care facilities
- seminars on retirement planning
- lists of relieving staff to cover family emergencies
- leave in half day or two hour blocks
- first priority for family members when holiday jobs come up

Other initiatives listed by the Ministry of Women's Affairs (1996) include, flexible working hours with no core hours, compressed hours, car parks available for employees to use on days they need to carry out family responsibilities, support for staff on parental leave, childcare subsidies or provision as well as after school and school holiday programmes.

But in the promotion of 'family-friendly' workplaces the concept of 'family' often remains unclear.

## The Need To Define Families In 'Family-Friendly' Programmes

For some of these 'family-friendly' benefits, particularly those benefits which are provided only to the individual employee, there is little need for either the government or employers to develop a concept of the 'family'. For example, for an employee a holiday may be spent with an extended family, with a gay partner, or perhaps

looking after school aged children out of term time during their own holidays. For this type of benefit the employer does not need information on family arrangements. But for other benefits there needs to be a defined concept of 'family' and the employer needs to gather more information on the employees 'private' life. Examples include health insurance which may cover family members, leave to care for sick relatives, travel or purchasing benefits, and parental leave. Eligibility issues are raised when defining a partner of the employee. For example, do they need to be a legally defined partner through marriage or can they be defacto partners including gay partners, and does the employee's partner need to reside with the employee? In terms of benefits which may cover children, employer subsidised health care insurance for instance, is there a need to define the age limit of the dependent child and to determine whether they have to reside with the employee? For example, if a non-custodial parent is required to contribute financially to the upbringing of their children, should other benefits such as employer provided health care also be extended to cover these children?

'Family-friendly' legislation is also usually based on some concept of family, and often a concept of appropriate roles within a family which may change over time. An example is New Zealand parental leave legislation. The 1981 *Maternity Leave and Employment Protection Act* was based on the concept of a two-parent heterosexual family, with the mother the primary caregiver and the father the primary income earner. It was also assumed that the father had an income able to support the mother in her time out of paid work. In 1987 this was replaced by the *Parental Leave and Employment Protection Act* which provided for paternity leave, and allows the extended leave to be taken by either parent. This leave

is still primarily based, however, on a model of the heterosexual two-parent family and again, because it is unpaid leave, assumes that the family can survive for a period on one income. In submissions to the select committee considering the legislation this concept of family was challenged. For example, the Federation of Labour (1987) considered that paternity leave should instead be 'nominated caregivers' leave', while the New Zealand Clerical Workers Association (1987: 6) considered leave provisions should be extended to the following groups

- homosexual and lesbian workers
- heterosexual couples who do not live together
- legal guardians
- foster parents
- whanau members

For parental leave in same-sex female couples it is likely that the preferred support person would not be the father. This is particularly probable if new reproductive technologies have been utilised and the father may simply be an anonymous sperm donor. Similarly, in extended families it may be a sister, brother, or aunt who may wish be the support person, and have the legal right to 'paternity' leave from their paid employment. In the situation of extended leave it may not be the male spouse, as identified by the Act, who is the natural choice to look after the child as an alternative to the mother. The issue of legal marriage between same sex couples has recently been tested in the courts (The Dominion, 1996a). Recognising that any judgements are likely to further impact on a wide range of legislation, such as parental leave, it was determined that this

matter required consideration within parliament rather than the courts.

Tudhope (1994:10) argues, in the New Zealand context, that researchers and designers of 'family-friendly' policies 'must recognise that their own perception of family will not necessarily equate with those for whom the policy is intended' and that '[p]olicies seen to be available to only a subset of employees may well produce an effect counter to that which was intended'.

In the United States researchers are also grappling with new concepts of the family, as well as defining 'family activities' in relation to 'family-friendly' work practices. For example Bailyn *et al* (1996: 6) suggest:

> Our use of the word family goes well beyond the narrow definition of immediate kin. We intend it to apply to all those involvements and commitments that a person has outside of his or her employment. We use it, therefore, almost metaphorically, to stand for all aspects of an individual's personal life.

## Who Benefits From 'Family-friendly' Workplaces? - Two Models.

With the concept, and practice, of 'family-friendly' workplaces only just emerging in New Zealand it is, as yet, very difficult to define what constitutes a 'family-friendly' workplace. One result is that there have been no attempts by researchers or policy makers to provide empirical estimates of the proportion of workplaces in New Zealand which could be considered 'family-friendly'.

Therefore, there is no indication as to how many workers may potentially benefit from such programmes.[5]

As discussed, definitions of 'family', and 'family activities' will have a major effect on who may benefit from 'family-friendly' workplace initiatives. But defining how programmes are conceptualised and put into place will also have a major impact on determining who accrues the benefits.

Workplaces can become 'family-friendly' in two quite contrasting ways. The first involves adapting work schedules to fit patterns of family life. For example, the business might provide work which revolves around school hours and school holidays, time off to look after

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[5] New Zealand is not unique in this lack of data. Throughout the world well designed and rigorous academic research on 'family-friendly' workplaces is still in its infancy. In general, examples are provided via case studies, endeavouring to illustrate 'best practice' (Chicago University, 1993; Employment Gazette, 1992; Ministry of Women's Affairs *et al*, 1995). Kraut (1992) argues that quite a number of leading American companies have undertaken their own in-house research on work and family issues, but the results have not been widely publicised. This is partly because the findings have been considered sensitive or proprietary in many situations, with the data sometimes showing widespread dissatisfaction with some company policies and practices. But Kraut also suggests that there is a lack of incentives for researchers employed by industry to publish the outcomes in professional journals.

sick relatives, and paid parental leave for new parents.[6] The second alternative involves adapting family life to fit 'standard' paid work schedules.[7] For this a business may give its workers support to ensure the children are well cared for so that employee work time is maximised. Policies in this area for employees with dependants can include providing access to telephones to allow easy contact with children or other relatives, company creches or care centres for the elderly, backup emergency creches and even a company nurse to care for sick children or other dependants. Other examples of policies in United States businesses which may help reduce stress within the family include take-home meals provided by the cafeteria, drycleaning, laundry services, even a shoeshining service provided by the firm! (Austin, 1996). These two approaches are not mutually exclusive, and both could operate within one business.

### *'Family-friendly' model one*

The first approach, although usually presented in gender-neutral terms, primarily supports a pattern of paid work traditionally exhibited by women with young dependent children or women with other dependents such as elderly parents. A major danger of such an approach is that 'family-friendly' programmes can quickly become 'women-friendly', reinforcing traditional roles for

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6 Some of these events like school hours, or holidays are not part of any 'natural' cycle and could, in fact, be altered to suit patterns of paid work.

7 These two options may have quite different impacts on children and other dependants, however analysing these potential effects is beyond the scope of this paper.

women with all the attendant disadvantages to them (Tudhope, 1994).[8] For instance in this country, the promotion of 'family-friendly' programmes by government through the Ministry of Women's Affairs rather than the Department of Labour reinforces the focus on women.[9]

One aspect of a 'family-friendly' approach which can quickly become 'women-friendly' is the provision of part-time work to help employees wanting to strike a balance between paid work and family responsibilities. However, if this results in primarily women working part-time, as is currently the situation, and part-time work is treated as being part of the 'secondary labour market', with few opportunities for training or promotion, then there is a considerable body of literature which suggests that such work will disadvantage women (Briar, 1992; Davidson & Bray, 1994; Repetti, Mathews, & Waldron, 1989; ). This concern over reinforcing traditional roles for women was the key argument against the concept of a 'mommy

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[8] A British example of this can be found in the annual report of Marks and Spencer (1996: 29), a company known for introducing innovative workpractices which support families. They note '[w]omen in particular find our approach, coupled with the maternity, child break and dependency leave schemes, allows them to combine work and family commitments.'

[9] In the 1970s through to the early 1980s the concept of parental leave and surrounding discussions were construed within the wider political arena primarily as 'women's issues'. In the 1990s, despite the fact that it is mainly women who use leave, the policy debates are seen as part of wider labour market and industrial relations issues (Callister & Galtry, 1996).

track' which was debated in US management literature in the last decade (Nichols, 1994; Schwartz, 1994).

This first approach is, however, potentially the more radical of the two in terms of its capacity to enable both women and men, or at least those of the middle classes,[10] to strike a balance between paid work and family life. The realisation of its inherent radicalism however demands changes in the paid work behaviour primarily of men, rather than women. It relies on male norms of paid work and family life moving closer to current female norms if women are not to be ultimately disadvantaged. However, both in New Zealand and overseas there is some evidence that when men do, in fact, make use of 'family-friendly' programmes, they may be penalised (Habgood, 1992; Konrad & Cannings, 1994; Tudhope 1994). Employers may interpret the use of 'family-friendly' programmes by both male and female employees as a 'signal' of lack of commitment to paid work (Stafford & Sundström, 1994).

Bailyn *et al* (1996) discuss aspects of this first approach in a framework of three phases of 'family-friendly' workplaces. The first stage involves businesses focussing on childcare issues, in particular the return on investment in solving childcare problems. In the second stage, there is some expansion of vision whereby companies are concerned not only with the loss of productivity around childcare but also with issues of recruitment and retention. Flexible work arrangements become important, but flexible work patterns are permitted only on the discretion of a manager, and are

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[10] This option is obviously less feasible in two-income families where both parents are in low paid work.

often not actively promoted by the organisation. Tudhope (1994) provides evidence in New Zealand of companies with official 'family-friendly' policies, which, for a variety of reasons, are not actively promoted. In such instances, it was often those in lower level occupations who were disadvantaged by this lack of information.

In these two phases 'family-friendly' work practices are aimed primarily at women, either explicitly or implicitly. In the third, and most potentially radical stage, the definition of families and of 'family activities' is expanded. More importantly, however, there is a redefinition of the value of both paid and unpaid work, in conjunction with radical shifts in both men's and women's traditional roles in the 'public' and 'private' spheres. Bailyn *et al* suggest that few United States firms appear to have reached this last stage, yet assert that such a shift in attitudes and practice will ultimately be in the best interest of businesses.

In the New Zealand context, Tudhope (1994:143) argues that in order for 'family-friendly' work practices to have a wide impact 'the very structure of work would have to change.' Both paid and unpaid work are included in this analysis.

### *'Family-friendly' model two*

Although the second approach to developing 'family-friendly' workplaces is also presented in gender-neutral language, in reality it is primarily aimed at helping women compete with men on an equal footing, particularly within management and professional

occupations.[11] It facilitates their having paid and unpaid work patterns similar to that of most men in these occupations. For paid work this usually involves working considerably longer than 40 hours per week, which is often perceived by employers to correlate with commitment (Warme, Lundy & Lundy, 1992). Reinforcing the link between 'family-friendly' programmes which support such 'commitment' Bailyn *et al* (1996: 6) argue in the United States, where work-family support is understood as an individual contractual arrangement, managers generally grant employee requests for family support only to above average performers who have 'given their all' in the past.

This 'family-friendly' model means that in dual income nuclear families both partners can have a high level of commitment to paid work. One result of this is that in these heterosexual families there is little need for men to increase their unpaid work. In effect, it signals an acceptance and affirmation of traditional patterns of male involvement in both paid and unpaid work. For those men who do, in fact, want to have a greater commitment to family life this 'family-friendly' option reinforces traditional paid work roles and makes change more difficult.

This 'family-friendly' approach requires a high level of 'professionalisation' of care and household work. This

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[11] For example, O'Driscoll & Humphries (1994), in a New Zealand study of 102 women in mainly middle or senior management positions, found that even at a senior level women currently continue to maintain the prime responsibility for home and family. In contrast to men, women are significantly less likely to modify their lives off-the-job in response to inter-role pressures.

requirement has the power to effect some contradictory effects in terms of the sex-segregated labour market. While one group of elite women are potentially freed up to pursue high powered careers on the same terms as many white middle class men have traditionally done, there is the potential for a new underclass of mainly women workers to be developed or reinforced.[12] For example, the company emergency childcare nurse may be 'on-call' but, at times, with very little regular work. In the current employment climate there are examples emerging of people in 'caregiving' occupations working for very poor pay and conditions (*see* The Dominion, 1996b). In some situations, especially where these people are working as 'self-employed' contractors, many of the 'family-friendly' benefits which generally apply to the people who employ them, such as sick leave and / or pay, holiday pay, and parental leave, will not be available to these workers. These jobs have some of the characteristics which would define them as being either part of a 'secondary labour market' or, alternatively, on the 'periphery' of a segmented labour market or segmented firm (Atkinson, 1985; Brosnan & Walsh, 1996; Dixon, 1995).

The 'family-friendly' approach which aims to maximise time in paid work may be one factor why the average full-

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[12] In contrast, in Sweden it is generally regarded as ideologically unacceptable that women might only achieve equality in paid work by relying on low-paid workers to undertake caring and household work. This concern was central to the development of the extensive system of state support for Swedish families in paid work (Sandqvist, 1992)

time American worker works considerably longer hours than the average European worker (Schor, 1991). With economic restructuring and more competition in both the domestic and international marketplace many workers in New Zealand appear to be under increasing pressure to give both 'quantity' and 'quality' time to their paid work, but only 'quality' time to their dependants.[13] This pressure is accentuated when people in high income occupations, who have access to 'family-friendly' supports, or can afford to pay for such support systems directly themselves, begin to set new norms for hours of paid work. Similar levels of commitment to paid work may then be expected from low or middle-income employees who may not have the same employer, state or privately provided family support systems.

## Who Might Be Disadvantaged By The Introduction Of Specific 'Family-friendly' Work Practices?

While overall models of 'family-friendly' workplaces need to be analysed in terms of who they might advantage or disadvantage, specific initiatives need to be similarly assessed. In such an analysis, examples of on-site childcare and parental leave can be shown to have disadvantages for some groups.

In New Zealand a sessional childcare payment, paid directly to chartered childcare providers, is potentially

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[13] Russell, James and Watson (1988: 253) claim that while the concept that 'quality is more important than quantity' is needed to change ideas about the amount of time that mothers need to spend with their children, when applied to fathers, the concept has the potential to reinforce men's focus on paid work.

available for all children from birth until starting school. This payment can be for work-based or on-site childcare or community based childcare such as a kindergarten. On-site childcare is often seen to be a key element of any 'family-friendly' programme, but there are potentially both benefits and drawbacks of such an initiative. Location is an important issue. A creche in a low rise suburban office may be good, but a creche on-site at a chemical plant may not be as attractive, particularly in the event of an industrial accident. On-site childcare may be advantageous if a parent stays long term in a job, but may be problematic if they are made redundant, or want to change jobs. Potentially, a parent may be out of work, but also with no childcare while searching for other work. In contrast, community based childcare may mean parents have more flexibility in shifting jobs with no resulting upheaval for the child. An additional benefit is that children are more likely to develop long term and stable friendships within their own community.

Perhaps more importantly, with on-site childcare the quality of childcare can very quickly become linked to the quality of jobs. If the state has minimal responsibility for childcare then it is more likely with both privately purchased and employer provided childcare that those in the best jobs will be available to afford the best quality care for their children. There are already indications of this in New Zealand. Smith (1995), in a study of 100 childcare centres attended by under 2 year olds, found the highest levels of quality were observed in centres which were institution based or work based. In the United States context, Shelton (1992) argues that employees at small worksites are not only least likely to have on-site childcare, but also earn less than those on

big sites. They are more likely, therefore, to face higher relative costs of childcare. However, there is also research within the United States to suggest that parents have not always been in favour of on-site childcare because of concerns that their employer would control both their lives and those of their children (Podmore, 1995).[14]

In New Zealand there is also a ethnicity and class element to the provision of on-site childcare. For instance, as noted by Galtry (1995), while some relatively high-income government employees in downtown Wellington have access to on-site or near site childcare facilities, these are obviously not available to the more lowly paid women cleaners, mainly of Pacific Islands ethnicity, who clean the same buildings on evening and night shifts. Similarly, it may be relatively easy for middle class parents to transport children by car across town to a worksite creche, but much more problematic for a low-income parent to do so by public transport. Finally, Tudhope (1994: 39) argues that:

> 'attempting to 'tie' employees to workplaces through the lure of childcare provision is, in effect, discriminatory because those who provide the care, primarily women, are constrained to particular workplaces, while their male counterparts are free to take whatever job opportunities arise'.

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[14] This 'control' issue has also been noted with regard to more seemingly mundane services. For instance, Austin (1996:21) asks '[w]hich is better, getting your dry cleaning done at work or having the freedom to set your own hours so you have time to go to the cleaner of your choice?'

Rein (1989) provides evidence that businesses in both the United States and Europe have been reluctant, overall, to provide childcare. It is also difficult to see, in a country dominated by small businesses such as New Zealand, that on-site childcare which has traditionally been provided by large enterprises, can meet the needs of the majority of parents. If there was a move towards provision of childcare by businesses at the expense of state funded childcare, those most disadvantaged would be low income parents (mainly mothers) who are either not in paid work or not working in large organisations.

Often linked to on-site childcare, the development of so called 'breastfeeding-friendly' workplaces appears to provide an opportunity for some mothers to combine paid work and breastfeeding (Galtry, 1995). In contrast, Swedish mothers do not need such initiatives. Instead paid parental leave funded by the public, followed by a well developed, and again primarily publicly funded, childcare system, enables Swedish women in paid work, who so wish, to breastfeed in line with the 'best practice' recommendations of health professionals. In Sweden most childcare centres are not situated at or near the mother's place of work either on-site or within business and industrial areas but rather in residential neighbourhoods. Therefore 'traditional' gender divisions of responsibility for children, even if occurring in practice, are not necessarily enforced by structural arrangements such as the existence of on-site childcare in order to breastfeed infants. In contrast, in the United States the emphasis on employer supportive workplaces can serve to deflect attention from the need to develop policies which benefit all women, not just those in powerful negotiating positions in the marketplace (Galtry, 1995).

Yet even the protection of paid employment through statutory parental leave can potentially disadvantage some sections of the labour force. While labour market literature indicates that parental leave assists women retain their links to paid employment around the birth of a child, which, in turn, positively affects their longterm earnings (Shapiro & Mott, 1994; Waldfogel, 1995), such leave generally requires someone to act as a short-term replacement. In some large organisations this might be managed through job rotation, or perhaps temporary promotion, while in others this will mean short term, and possibly insecure, contracts for the replacement workers. As it appears that it is almost always women in New Zealand who take extended periods of parental leave, it is possible that most of the replacements will also be women. If this is so, opportunities for other women to develop long term 'careers' are potentially undermined.

Parental leave in both the United States and New Zealand further illustrates the effect of policy design on who will be advantaged or disadvantaged. The 1993 American Family and Medical Leave Act, which protects workers taking unpaid leave, including parental leave, for family responsibilities, does not cover employees in businesses with less than 50 staff. This excludes many of the jobs black and Hispanic women are concentrated in such as waitresses, domestic workers, and farm workers (Vogel, 1993). In New Zealand parental leave legislation does not exempt small businesses, however the New Zealand Employers' Federation, in its submission to the select committee considering the 1987 parental leave legislation, suggested that coverage should be limited to firms with over 100 staff (New Zealand Employers' Federation, 1987). If this recommendation had been followed it would have removed approximately three-quarters of the workforce

from coverage within the proposed legislation (Callister & Galtry, 1996). However, the eligibility criteria based on hours of work and length of service means that workers employed on short term contracts or on a casual basis, or those who are self employed or involved in other 'non-standard' work are still unlikely to be eligible for leave. While good data on these jobs are not available in New Zealand it appears that this type of work has increased over the last decade (Whatman, 1995). In addition, if the leave is unpaid as in the New Zealand situation, this generally means that low-income people, even if eligible, cannot afford to take leave. In this country Maori and Pacific Islands groups are over-represented amongst such low income families.

## 'Family-Friendly' Support - Only For Those In The 'Core' Labour Market?

Of primary importance in determining whether some groups may be disadvantaged by 'family-friendly' policies is whether a 'dual labour market' or 'segmented labour market' operate in New Zealand.[15] If so, then it is likely that workers outside the 'core' labour market will not only have jobs with little security and low pay, but will also have few non-wage benefits such as ongoing employer provided training or 'family-friendly' supports. Some of these jobs in New Zealand have been created through

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[15] According to Taubman & Wachter (1986), the dual labour market has a high-wage primary sector that is composed of firms with internal labour markets and a low-wage secondary sector who hire from the external market.

'downsizing'. Ironically, as discussed, in the United States it is this downsizing which is now prompting the introduction of 'family-friendly' work practices for the remaining 'core' workers. Research carried out in the United States indicates that the group gaining the most benefit from 'family-friendly' programmes are those with 'good' jobs in the 'core' of the labour market (Miller, 1992).

Unfortunately, labour market statistics in New Zealand provide little information on the extent and patterns of 'non-standard' or 'atypical' paid work which are likely to form a significant part of a secondary labour market. With so little known about the workings of the labour market it is difficult to determine whether either government or private sector 'family-friendly' programmes are likely to be achieving the desired outcomes across all target groups. The lack of data on unpaid work further inhibits this analysis (Callister & Davey, 1995).

Finally, but of fundamental importance, having family support from an employer is dependent on being in paid employment. Kingston (1990) contends that no amount of 'friendliness' by an employer can make up for the two key elements needed to support families, that is good pay and job security. While the recent economic growth has generated more jobs, and increased the earning power of some groups in society (Easton, 1995), there are still many families in New Zealand, particularly amongst Maori and Pacific Islands communities, with little or no paid work. For these people, 'family-friendly' support systems provided by the wider community, including the state, are of vital importance.

## Conclusion

The concept of 'family-friendly' workplaces has been primarily developed in the United States, but appears to be gaining popularity in New Zealand. The New Zealand government, through the Ministry of Women's Affairs, has taken a major role in promoting the concept. The current government's aim to pass more responsibility over to individuals and employers to solve possible tensions between 'work' and 'family' is in line with its labour market policies and its desire to reduce its role in social spending. However, a range of other groups also support the 'family-friendly' concept.

While the concept is being promoted, and examples of 'family-friendly' initiatives are being publicised, there is still no clear view of what might be the key features of a 'family-friendly' workplace. This includes some contention over the definition of a 'family' or 'family activities'. Without clear definitions it will be difficult to establish estimates of the coverage, and impact, of 'family-friendly' initiatives for both businesses and employees.

The research literature indicates that there may be many positive features of 'family-friendly' programmes. But depending on their design and implementation there are also potential disadvantages. The first main disadvantage is if the support is given, by either employers or the state, within the context of a very narrow definition of the family. Secondly, if 'family-friendly' work practices are targeted at women or are mainly used by women due to little change in gender roles and responsibilities in the home, there is the

potential for reinforcement of both sexual discrimination in the workplace and traditional patterns of responsibility for unpaid work in the household. Thirdly, there is a question as to whether some 'family-friendly' programmes will simply mean that many workers experience greater pressure to spend longer hours in paid work. Finally, also potentially disadvantageous for many workers, but particularly for those neither in paid work nor in the 'core' labour market, would be the situation whereby 'family-friendly' workplace programmes came to be seen as no longer just complementing, but rather replacing, support provided by the wider community and the state. In all these situations, but the latter one in particular, there would be significant groups in our society - either those who are not in paid work or those who lack negotiating power in the workplace and / or the home, and therefore already face various economic and social hardships - who would, along with their dependants, be further disadvantaged.

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# 'Goodness and Power' : The Sociology of Liberal Guilt

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## 1 Introduction: the Concept of the New Class

The role played by the humanists of the Pakeha new class[1] in the bicultural project of the 1980s is used as the point of entry into a sociological explanation of liberal guilt. Localised responses to the post-1973 crisis of global capitalism, in the interdependence of the Maori ethnification, indigenisation and retribalisation movements on the one hand, and the new class humanists' bicultural project on the other, provided the opportunity for the expression of a liberal guilt which is, I argue, an inherent and fundamental characteristic of the politically radical section of the post-war new middle class in New Zealand. That guilt is grounded in a 'goodness and power' paradox (Gouldner, 1979:36) located in the multi-layered contradictions between the new class's intellectual idealistic universalism and its economic particularity. On the one hand the 'goodness' or abstract idealistic universality of this new class was built into the modernised emancipatory project as a response to a world that had endured such experiences as the holocaust and Hiroshima. Such 'goodness'

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[1] The term 'Pakeha new class' is conceptualised within the hypothesis of the recent emergence of tribal-capitalism and the subsequent existence of two ethnic versions of the capitalist regime of accumulation in New Zealand. This hypothesis is examined in my doctoral thesis

characterised the radicalism of that section of the new class employed in the 'creative and welfare professions such as social work, teaching, medical services, the church and journalism' (Parkin, 1968:179). On the other hand, the 'power' or political aspirations of the new class were grounded in its privileged economic position. With the erosion of the Fordist conditions of existence, conditions that had enabled the humanists of the new class to appear as the 'legitimate defenders of the common good' (Kellner and Berger, 1992:11), I argue that the new class has resolved the tensions of the idealistic universality-economic particularity contradiction by merging its culture of idealistic universalism and its economic interests within the wider context of the expansion and transformation of capitalism' (Hunter and Fessenden, 1992:159). According to Kellner and Heuberger (1992:19) the new class has entered into a 'historic compromise' with the old bourgeoisie, replacing the previous adversarial relationship as the 'new cultural trends' carried by the new professionals 'open up new markets for the economy', and as knowledge-information, the very basis of the new class's existence, becomes increasingly more valuable within the global capitalist market.

The new class is conceptualised 'in terms of the so-called New Class *problematique* as it has originally been formulated in the United States in the 1970s and intermittently since then', that is 'the vision of a new middle class, based on the 'knowledge industry,' pitted against the old business-based middle class both politically and culturally' (Berger, 1992:vii). However, to conceptualise the large numbers of a highly educated post-war section of the middle class as a 'new middle class' is not unproblematic. Indeed there has been

considerable controversy as to whether or not the 'knowledge workers' may be distinguished as a class-in-itself and a class-for-itself, or as a new grouping within either the middle class or the working class. Alternatively the group has been conceptualised as a social stratum, indexed by education level, occupational status and income, rather than according to concepts of class. I argue, however, that the burgeoning numbers of tertiary educated professionals of the post-war period have become a distinctive new middle class *because of the increased role of knowledge and information as a valuable means of production in the global market economy of late capitalism.* 'Technological expertise and cultural credentials (have) become primary forms of capital' which give the 'so-called new class its institutional base and relationship to the market' (Hunter and Fessenden, 1992:160). This class character caused specific problems for the particular group within the new class identified by Parkins in the late 1960s as those middle-class radicals, trained in the humanities and social sciences, who found 'acceptable sanctuaries' in the welfare and creative professions enabling them 'to avoid direct involvement in capitalist enterprises by affording outlets for the exercise of their talents which entail no compromise of (their radical) political ideals' (Parkin, 1968:192). Such 'protection' became eroded in the increasing insecurity of public service employment, the massification of higher education and the rejection of universalism that characterises late-capitalism. Knowledge and information have become 'the principal form of property' (Hunter and Fessenden, 1992:160) in the late capitalist regime and those with control of these crucial productive forces now occupy new structural positions within the market relations of capitalism.

The humanist knowledge workers, with their roots in the burgeoning growth of secondary and tertiary education during the 1960s[2], moved into the creative and welfare professions during the 1970s and 1980s, at a time when the 'restructuring of capital' involved the restructuring of 'the relative power of the various fractions of capital' (Roper, 1991:151). The intellectual-humanist knowledge of this group, the source of its radical idealism, came increasingly into direct conflict with its knowledge-commodity form, the source of its privileged economic position. Szelenyi (1990:176, 1991:20-21) has described how the new class, with its base in the 'tremendous increase' in the 'importance of culture and knowledge' occupies 'a new structural position' 'from which economic command can be exercised'. This link between the new class's educated character (the source of its economic status), and its political interests and 'goodness' (the consequence of its economic status) is also referred to by Eder (1993:167) who describes the new middle class 'as a new technological and cultural elite because of its greater conceptual ability, better knowledge and increased opportunity to become involved in politics'. It is in this link that the fundamental contradiction of the new class lies. Its new economic class position is the result of its knowledge-expertise, and its knowledge-expertise is the form of its idealistic universality. Paradoxically the new class is licenced to emancipate.

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[2] According to Pearson and Thorns (1983:52,54) the new middle class in New Zealand increased from 22.61% to 40.94% of the working population between 1936 and 1976. 'The newer professions have grown substantially, doubling in size since the 1930s

In New Zealand, as in other Western societies, the humanist and radicalised section of the new class had become committed to emancipatory, universalistic projects such as disarmament, anti-racism, the anti-Vietnam war campaign and feminism during the 1960s and 1970s (Rainbow, 1993:6). The universalistic idealism became localised in the development of a commitment to biculturalism, or what I refer to and analyse as *the bicultural project*. This tension-ridden project became the testing ground for the 'goodness and power' paradox of the radical section of the new class, as it sought to apply universalistic principles to a Maori group that was rejecting such universality in the development of its own ethnically prescribed particularity. The new class became an ethnically specific Pakeha new class within the project, in response to the Maori ethnicity and indigeneity of the other participant group. Spoonley (1995:117) refers to the term 'Pakeha' as 'a label that represents the politics of a fraction of the middle class.

Although the bicultural project began as the expression of the new class's emancipatory idealism in action, it became characterised by the inherent tension between its idealism and its economic self-interests. The latent imperialism of the project emerged as the Maori participants began rejecting this new form of mainstreaming inclusion for their own course of retribalisation. Spoonley (1995:100) describes how, after 1981, 'Maori moved to exclude Pakeha from iwi (tribal) politics'. The course of the bicultural project during the 1980s was also affected by outside factors which threatened the economically privileged position of the Pakeha new class humanists for the first time. Increasing polarisation of wealth, increasing unemployment and a fall in real wages were compounded for this class as the

humanist knowledge-expert lost status to the financial actuary of neo-liberalism, that other group within the new class identified by Parkin (1968:179) as those engaged in the world of business and commerce, in accounting, insurance, sales, banking, marketing, and now including professionals in the expanding electronic information industry and the newly regulated 'public' service. The new class fell victim to anti-universalism, both directly, through the loss of jobs, and indirectly, as the opportunity to exercise its expertise was removed, and also in response to Maori rejection of the universality of the project. By the early 1990s I argue that many (although not all) of the humanist section of the Pakeha new class had retreated into a self-interested narcissistic consumerism as idealistic universality was replaced by the marriage of cultural idealism and economic opportunity in which the 'new professionals occupy strategic position(s) in the creation of a liberation market' (Kellner and Berger, 1992:19,20). (In an implicit but unintended pun this narcissistic consumerism of the mid-1990s is evident in the 'Maggie Barry' gardening culture of the 1990s.) Ironically, the other participants in the bicultural project, the agents of Maori ethnification and indigeneity, benefitted from the fundamental change to the conditions of existence of the Pakeha new class as the fragmentation of universality provided the conditions for the emergence of a Maori new class.

In this section I argue that the fundamental contradiction of the new class is located in the fact that the knowledge-commodity is both the means of the new class's economic particularity and the source of its universal idealism. Despite its increasing influence over the means of production from its control of the sites and processes of technology, management and knowledge-

expertise, the location of the new class in relation to the old bourgeoisie and the working class is contradictory. On the one hand, the new class resembles the proletariat in that both classes sell labour-power as a commodity. On the other hand, the new class acts as a bourgeoisie by privatising and selling the knowledge-commodity as a capital resource. The resulting surplus from this capital investment becomes available for the acquisition of the property and financial investments of a traditional bourgeoisie class. This is the character of the 'New Class' conceptualised according to Gouldner (1979:8) as a 'cultural bourgeoisie who appropriates privately the advantages of a historically and collectively produced cultural capital, its special culture is not just capital. No metaphor. The special culture of the New Class is a stock of capital that generates a stream of income (some of) which it appropriates privately.'

In section two I examine the consequences of such fundamental contradictions upon its activities. The last two decades have been a period of major change for the Pakeha new class as it responds to the global 'structural crisis' (Overbeek, 1990:144) of Western hegemony, in direct ways, through processes of nationhood and cultural redefinition and economic restructuring, and indirectly, through its interdependent relationship to another group's response to the global crisis, that of Maori ethnification, indigenisation and, (its most recent form), retribalisation. Although the radicalised section of the Pakeha new class has engaged in several major universalistic projects, such as the anti-apartheid and anti-nuclear projects, my analysis of its paradoxical character is limited to the ways in which it repositioned itself in the historical relationship between Maori and Pakeha. The repositioning between the radical

humanists of the Pakeha new class and the Maori agents of the ethnification, indigenisation and retribalisation movement is the bicultural project or the bicultural ideal in action.

The 1989 legislative inclusion of kura kaupapa Maori into the institutions of the state is used in section three to demonstrate the different intentions and motivations between the Pakeha new class and the agents of retribalisation, and to show the limitations of the commonality between the two groups which had underpinned the bicultural project. Kura kaupapa Maori become an important site for the emerging tribal particularity. Tensions developed around the legislative inclusion as retribalisation and mainstreaming agendas clashed. An examination of the new traditional and modernity duality extends the analysis of the fundamental ontological differences between the two ethnically distinguished groups that have emerged in the kura kaupapa Maori study, into an examination of the individual-social relation between the individualistic ideology of the Pakeha new class and the collectivist ideology of Maori retribalisation. I argue that the universalistic bicultural ideal, of diversity within unity, or the recognition of the particularity of the other*within a universalistic paradigm*, actually contributed to the reified individualist-collectivitist duality, a duality that became its nemesis, as a fragmented particularism replaced the universalism which framed the bicultural project.

The goodness and power paradox of the new class (particularly the radical humanists) lies in understanding the contradictions inherent to the knowledge commodity. As a commodity, knowledge becomes private property, its possession demonstrated by membership of 'a

speech community, a culture of careful and critical discourse' (Gouldner, 1979:27). An 'investment in education produces more than a consumable. Something is left over, which produces a subsequent flow of income. It is cultural capital, the economic basis of the New Class' (Gouldner, 1979:26). Gouldner's theory of the symbiotic relationship of culture and capital, in which culture is 'capital generalised and capital (is) culture privatised' (1979:25) underpins the concept of the commodification of knowledge. The new class has the potential to develop a bourgeois life-style of material comfort and privilege to distinguish it from the working class with whom it shares the class characteristic of the sale of the labour-power commodity. However, the two-fold character of the knowledge-commodity, that is, its character both as labour-power and as a capital resource, distinguishes the sale of the combined knowledge-commodity /labour-power from the sale of labour-power only, that defining characteristic of the working-class.

The split between buyers and sellers of labour-power, which is at the core of commodity production, is concealed by the fetishisation of the labour relation. 'The essence of commodity-structure is that a relation between people takes on the character of a thing and thus acquires a 'phantom objectivity', an autonomy that seems so strictly rational and all-embracing as to conceal every trace of its fundamental nature: the relation between people.' (Marx, quoted in Lukacs, 1983:83). The social nature of work appears as a private activity, with the rewards and the burdens appropriated privately, thus concealing the class nature of the exploitative relation. However the social relations at the heart of the knowledge-commodity are less easily

fetishised than are those relations in the production of concrete commodities that are more easily separated from their creators. With knowledge, the knowledge creator remains bound to his or her creation. Its commodity character does not completely conceal this integral bond as is the case with concrete objects that are commodified. As knowledge is commodified, and consequently fetishised as expertise and information, it becomes increasingly more complex. Its Janus face is revealed. Knowledge is seen to have two contradictory faces resulting in the fundamental dualistic paradox which becomes the character of those who have knowledge as both their means of social and cultural relation, and their means of private material advancement. A complex double reification distinguishes the new class from the old bourgeois class which had experienced the single reification of commodity fetishisation.

Knowledge can be made rational to suit laws and rules. It is standardised, measured, appropriated, patented, credentialled and made available for commodification. People's creativity and imaginations are reified in this rationalisation process as knowledge becomes fetishised or disassociated from its creators. In referring to the 'universal structuring principle' of the commodity in advanced capitalist societies Lukacs (1983:85) describes how reification takes on a subjective as well as an objective form, affecting not only the product of a person's labour, (that is, the objective form), but also reifying a person's own activity. 'Where the market economy has been fully developed a man's activity becomes estranged from himself, it turns into a commodity which, subject to the natural laws of society, must go its own way independently of man just like any

consumer article.' (Lukacs, 1983:87). The accompanying reification is the loss of the creative self. Knowledge cannot be completely reified in the manner of commodity alienation, without serious damage to its creator, because the process of knowledge creation is the process of self-creation. Knowing and being come together as self-consciousness. This is the nature of knowledge as liberator, as the means of personal insight and transcendence, and of the human imagination. Knowledge arises out of the social relation. Its commodification as information and expertise, and its fetishisation conceal its fundamental nature as the means of the creation of that self-social relation.

Having knowledge as its commodity and its capital, places the Pakeha new class humanist in a deep-seated dilemma. Knowledge is both a process and a product. As a process it touches what Lukacs (1983:175) describes as 'that profound irrationality that lurks behind the particular rationalistic disciplines of bourgeois society'. As an information product that is sold as a commodity, it serves to commodify and dehumanise the knowledge-maker. 'The more deeply reification penetrates into the soul of the man who sells his achievement as a commodity the more deceptive appearances are' (Lukacs, 1983:172). A double, self-destructive reification is the price to be paid by the Pakeha humanist for having knowledge as the capital-commodity. Once a person's income becomes dependent upon the sale of his or her knowledge-expertise, it becomes increasingly more difficult for the knowledge to be part of its maker's continual life-creation, with all the changes and twists that creative activity involves. Instead, knowledge is fixed and valued as the commodity of the expert professional. Its role as the humanising force of the continually

changing and self-creating individual in a fundamentally irrational world, is replaced by its role as the means of livelihood and social position in a system based upon principles of rational order. Knowledge becomes standardised and sanitised as 'expertise' and 'information'. The constant frenetic movement of vast quantities of information on global distribution circuits becomes a parody of knowledge as self-creation. This double reification of the new class with its expert-knowledge commodity results in the goodness and power paradox, that contradiction between an intellectual and political universality on the one hand, and a privileged economic class position on the other. However, the new class denies the paradox conveying instead 'that it can solve the fundamental requisites of the universal grammar of societal rationality: to reunite both power and goodness' (Gouldner, 1979:36) through its universalistic social-political projects. The paradox emerges only in the form of the generalised liberal guilt which tends to characterises these projects.

## 2 The Bicultural Project

I have argued that the radicalised humanist section of the Pakeha new class, based in the welfare and creative professions, is characterised by idealistic-economic contradictions experienced as a 'goodness and power paradox' which arise from the nature of knowledge as both its labour-power commodity and its capital resource. These contradictions emerged in the strange combination of social idealism, (such as the anti-nuclear and anti-apartheid movements), and economic neo-conservatism, (such as the new right reforms of the late 1980s), that characterise recent New Zealand politics. In this section I analyse another universalistic endeavour of

the Pakeha new class, the bicultural project, in order to demonstrate how the new class's inherent contradictions shaped its interaction with the Maori ethnification, indigenisation and retribalisation movements of the 1970s and 1980s.

This interaction was grounded within the context of major global changes, a context that Friedman (1994:3) describes as the 'true state of affairs and the only adequate framework for the analysis of any part of the world'. The Pakeha new class was embarking upon a process of cultural redefinition as part of the new nationhood identity emerging out of New Zealand's response to the 'disintegration of Western hegemony' (Friedman, 1994:viii). Its 'perspective has rapidly passed from an almost exclusively British orientation, through a United States dominated alliance to steadily dawning realisation that New Zealand is alone, a small nation in the South Pacific with real ties with Australia and smaller Pacific nations; residual ties with Europe; a general association with the United States and a handful of South-East Asian countries; and developing associations with a host of other Pacific and Middle Eastern countries through trade' (Jackson, 1980:261). It was within this context of nationhood and cultural redefinition that the Pakeha new class humanists faced their historical relationship with Maori. 'Maori culture is the heritage of our nation unique in the world... It could make the New Zealander a different person from his Australian and Canadian and English cousins... When we grow to value our national heritage and to recognise the worth and value of Maoridom we will all become unique in the world - New Zealanders - who can point to our Polynesian and Pakeha histories that complement each other and make the blending of the two richer than each single culture

standing alone' (Temm, 1989:49). Temm's remarks capture the essence of cultural redefinition for the Pakeha new class. It was the final stages in a long process of separation from the colonial past and the first stage in establishing the context for this emerging unique Pakeha culture as a 'new indigenous' rather than an immigrant culture.

The inherent contradictions of the Pakeha new class shaped the bicultural project. On the one hand, the project opened up the structural sites for the brokerage of the traditional Maori means of production (that is, lands, waters and knowledge) into the national and international capitalist sphere of circulation through mainstreaming policies of juridification and institutionalisation[3]. On the other hand, the bicultural project was the attempt to solve the moral dilemma of Maori grievances located in the historical relationship between Maori and Pakeha, a dilemma which must be addressed as part of the new class's nationhood and cultural redefinition process. Pakeha control of New

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[3] The role played by the exponents of the bicultural project in opening up the structural sites of the state for the brokerage of the traditional means of production into the capitalist sphere of commodity accumulation is analysed in a parallel paper which examines the emergence of a Maori comprador bourgeoisie and a Maori new class from out of that brokerage agency. I argue that the bicultural project was one of the 'spaces' for establishing the conditions that lead to the emergence of a tribal-capitalist regime of accumulation in New Zealand, a regime characterised by a new traditionalist ideology which conceals the exploitative class relations of capitalist commodity production.

Zealand sovereignty was to be located in treaty agreement. Maori grievances were to be understood, not as the result of conquest, but as the result of the failure to honour the Treaty of Waitangi, a situation which was to be addressed through specific policies. This provided the political means for the resolution of the Pakeha new class's guilt, a guilt arising from the intellectual idealism of the Western democratic tradition and incorporated into the very composition of the new class through the paradox of knowledge as its cultural base and also as its capital-commodity. While the old class (and the actuarians of the new class) could dismiss Maori claims of injustice as the futile cries of a defeated people, the new class humanists, hoisted on the petard of rationality, goodness and guilt, had no choice but to right the injustices of the past. The path of the bicultural project is traced, from its enthusiastic origins in the Pakeha new class's support for Maori indigenisation activities in the late 1970s, to its demise a decade later as many of the radical humanists joined other sections of the new class in the narcissistic consumerism which characterises the 'liberation markets' of late capitalism. These 'burgeoning niche markets created by feminism... or environmentalism' (Kellner and Berger, 1992:19) together with markets for health foods and fitness, for therapy services, for designer life-styles in the homes and gardens of high-priced locations, and for expensive and fashionable children's activities, have become visible signs of the new class's separation from its social and political universalism.

Taunting by radical Maori in the early 1980s served to heighten the process of Pakeha cultural redefinition

within the parameters of nationhood belonging, '...white people have no real identity of their own apart from what exists through opposition to the Maori... the Pakeha has got nothing and has never realised it' (Awatere, 1982:38). However the Pakeha new class was realising 'it' in a way that was to give a new meaning to the historical relationship of Maori and Pakeha. Maori too, were responding to the changing global order with an emerging ethnification movement, a process, along with 'lumpenisation (and) indigenisation' that Friedman (1994:viii) describes as localised responses to that 'disintegration of Western hegemony'. *The bicultural project became the repositioning of Maori and Pakeha, each to the other, at a new historical moment.*

This repositioning resulted in the inclusion of a group of Maori into the structural sites of the state through the processes of institutionalisation and juridification. For the state, the process was the mainstreaming of Maori resources and agents in order to include Maori within the development of a contemporary nationhood concept. In education the 1986 National Curriculum Review was the 'high water mark' of inclusion. Taha Maori, the Maori dimension, was to be included within all curriculum areas, and was to pervade the culture and pedagogy of the school. In the political and bureaucratic arena, the 'advent of legislation invoking the principles of the Treaty of Waitangi' (Walker, 1990:265), that is, the 1986 State Owned Enterprises Act, was similarly a high point in the inclusion of Maori into the fabric of the state.

Institutionalisation, such as taha Maori programmes and the inclusion of the principles of the treaty in a range of government statutes (for example, the 1986 Environment Act and the 1987 Conservation Act) offered opportunities

as well as structural limits to political agency. The Maori indigenisation agents were not passive recipients of institutionalisation, but were actively engaged in the juridification process that recognised the tribes as the property owners of substantial economic resources. Intentions of social agents are not static and the mainstreaming of Maori economic and political agency through institutionalisation became a reconstituting force in itself. According to Thelen and Steimno (1992:9)' institutions structure political situations and leave their own imprint on political outcomes' 'by shaping not just actors' strategies.., but their goals as well, and by mediating their relations of cooperation and conflict. Some of the Maori agents, who entered state institutions as the agents of an indigenisation movement, became the brokers of the traditional means of production into the institutional sites of the capitalist state. This group emerged as a 'comprador bourgeoisie' (Poulantzas, 1976:42, Overbeek, 1990:223) in the brokerage of the transformed capitalised tribal property into the global capitalist sphere of commodity exchange circulation.

The overdetermined interaction of Maori ethnification, indigenisation and retribalisation on the one hand with the Pakeha new class' nationhood and cultural redefinition on the other hand led to the emergence of tribal-capitalism and to the existence of two ethnically distinctive versions of the capitalist regime of accumulation in New Zealand. The mechanism for this interaction was the mainstreaming of indigenisation in processes of institutionalisation and juridification within the sphere of the bicultural project. It was the initially unintended outcome of a bicultural project that had its origins in the increasing unacceptability of Maori proletarianisation and marginalisation, both to the

section of the Pakeha new class engaged in the process of mainstreaming, and to the Maori group engaged in the process of indigenisation. The bicultural project had emerged as the point of commonality between the two sections, combining both into a 'collective agency with the specific capacity to generate - through collective mobilisation- collective definitions of interests, norms and values.' (Eder, 1993:173). Although the bicultural project had begun as a response by the section of the new class who used the term 'Pakeha' as a 'political counterpoint to the new politics of Maori identity' (Spoonley, 1995:100) and to its own changing position in the global arena, it became the meeting ground for the constantly changing and reconstituting intentions and actions of the participants. That meeting ground or point of commonality, although limited in scope and in time, established the institutionalisation of the traditional Maori lands, waters and knowledge and their juridification as tribally owned capital economic resources available for commodity production. *What had begun as a Pakeha new class universalistic project for the inclusion of Maori ended as the vehicle for the development of tribal particularity in a capitalist form.*

I argue that the bicultural project, which had been the context for this watershed period of fundamental transition in New Zealand history, was shortlived. The reasons are to be found in the changing economic conditions of existence of the new class humanists and in the emergence of tribal-capitalism, both the result of the post-1973 crisis in world capitalism. The origins of the bicultural project, in the Pakeha new class humanists's enthusiasm for an idealistic biculturalism in the late 1970s, and its demise, in the retreat by many of that group into the narcissistic materialism of the

'liberation market' consumerism by the early 1990s, may be explained in terms of the 'goodness and power paradox'. The bicultural project had floundered as the limited commonality gave way to the new directions being pursued by each group of participants. New rightist policies, such as limited duration employment contracts, threatened the economic security of the humanist section of the new class. The search for a new form of economic security replaced humanistic idealism as some of the section joined the "body of people', described by James (1992:2) as 'a new class of businesspeople, bureaucrats and intelligentsia (who) want(ed) free of economic regulation' in their search for new ways out of the country's 'poor economic performance' and 'a welfare state not living up to the demands or expectations upon it' (James, 1992:91).

This movement of the new class towards an overt expression of its economic interests indicates the *consolidation of the new class within the middle-class structure of capitalism*, or as Kellner and Berger hypothese (1992:19) it indicates the movement of the new class away from the previous adversarial relationship with the old bourgeoisie into a 'historic compromise'. A repositioned middle class emerges, supporting and benefitting from the new rightist state policies, such as the reduction of social welfare benefits and taxation changes. The gap between the rich and the poor widens as the new class resolves its contradictory social position by securing its location within the middle class and *abandoning its political identification with and championing of the working class.* This process of middle class consolidation effectively ends the more or less egalitarian distribution of wealth that had characterised New Zealand's relatively homogeneous society since the

'social contract' days of the first Labour government. James (1992:124) describes the shift in allegiance of Labour Party members, cabinet ministers in particular, during the 1980s. The 'powerful tradition of equalising and liberating social support by the state' had been given direct influence within the party by the presence in numbers of educationalists, health professionals, sociologists and social workers'. Those in charge of cabinet 'were born of parents who were in the working class, (but) they were not themselves of the working class, mainly members of the professional middle classes: lawyers, accountants, lecturers, teachers and the like ...the elite in the educational meritocracy (whose) identification with the less-well-off and disadvantaged was a matter of the head rather than the gut' (James, 1992:141). Middle class consolidation also affected the other participants in the bicultural project. Some of the Maori agents had become constituted as an emerging comprador bourgeois class within the tribal-capitalist regime of accumulation. Others, who became the professionals and the bureaucrats of that regime, emerged as a Maori new class, characterised by the same paradoxical nature that besets all new classes based upon the knowledge-commodity. For this Maori new class with its professional and academic credentials, the economic advantages of a relatively high income contrasted with the collectivist ideology of the retribalisation movement.

From the perspective of the Pakeha new class, the establishment, changing course and demise of the bicultural project may be understood in terms of the fundamental contradictions which served to underpin the reconstitution of its ideals and intentions. Those contradictions were there at the beginning but were

concealed by the idealistic enthusiasm which characterised bicultural endeavours in the early stages of the project. On the one hand, the new relationship with the exponents of Maori ethnification and indigenisation was based upon the self-interest of a new class seeking to add political power to its strong economic position based in the professionalisation of the knowledge-commodity, becoming the 'moral entrepreneurs in the expansion and transformation of capitalism' (Hunter and Fessenden, 1992:159). On the other hand, and in a contradictory way, the bicultural project may also be understood within the tradition of the new class's idealistic intellectual heritage, reflecting the creative aspect of the knowledge duality rather than the commodity aspect of knowledge. A nation originating in military conquest and colonial oppression was unacceptable as an explanation for the foundation of nationhood and cultural identity. The bicultural project was to be the solution to this moral dilemma. Pakeha control of New Zealand sovereignty was to be located in treaty agreement. Maori grievances were to be understood as the result of the failure to honour the treaty, a situation which was to be addressed through specific policies, and not as the result of conquest. This provided the political means for the resolution of the Pakeha new class's guilt, a guilt arising from the intellectual idealism of the Western democratic tradition and incorporated into the very composition of the new class through the paradox of knowledge as both its cultural base and its capital-commodity.

The atonement of this guilt was the bicultural partnership ideal of the 1980s. It was designed to correct the wrongs of a colonial past and point the way to the 'good' society based upon 'the principles of justice, equity and partnership' (Helen Clark, *NZ Herald*, 27.01.95). Maori

people were to be included fully in the life of New Zealand society. In the imagery of the new class's mainly protestant heritage, the expiation of guilt requires acknowledgement and correction. From such atonement would come the 'goodness' which would justify the righteousness. From righteousness would come the legitimation of power. The concept of righteousness provides the link between the dualities of the goodness-power paradox and evokes notions of the 'worthiness' which underlie the new class's claims to be the universal class. My choice of religious imagery is neither facetious nor cynical. Indeed it is not without significance that the the word 'atone', is to be found in the apology and acknowledgement of guilt of the Tainui settlement (Article 6, *NZ Herald*, 20.10.95).

The bicultural partnership project was articulated in the nationalistic terms of 'one nation, two peoples', and was a celebration of a bicultural heritage. Within the unity of cultural dualism, Maori were to occupy a special position as the indigenous people of the land. 'Maori people are the tangata whenua, the indigenous people of Aotearoa/New Zealand. Their language and culture provide the distinctive character of New Zealand life.' (*Tihe Mauri Ora*, 1990:8). The 1840 Treaty of Waitangi became the emblem of Maori revivalism and Pakeha support for this revivalism. Its guarantee of the rights and privileges of British citizenship to Maori, together with guarantees of continued Maori control of autochthonous lands and other treasures, appeared to offer a structural framework for the ideal of biculturalism. The Treaty linked two partners, each to the other, in an agreed unity. Pakeha may indeed have failed to observe the Treaty, but this was to be addressed as a necessary part of the bicultural project. Importantly, the guilt was not to be based in the historical reality of conquest and

oppression. Instead that status of conqueror, antipathetical to the Pakeha new class's intellectual and democratic heritage, was transfered to a redeemable location in the fulfilment of Treaty obligations, albeit a century and a half later. By 1995, the government was able to declare that the Treaty of Waitangi is to be the 'foundation document of New Zealand' (*Crown Proposals*, 1995:5).

New Zealand has laid claim to innovative and radical social change in the past. The bicultural project was to be in this tradition, providing a model to the world of a post-colonial society in which the injustices of the colonial past are resolved without violence, the traditions of indigenous tribes are revived (and what is more, shared with the dominant culture), and the advantages of modernisation accrue to both cultures equally. Such a utopian vision was mediated by real, concrete opportunities. The Waitangi Tribunal was to provide the legal and institutional means for the resolution of disputes and a societal forum for the expression of commonality and difference. The 1984-1990 Labour Government actively encouraged this vision. 'The Labour Party believed the Treaty of Waitangi is a living agreement which must be honoured'. (Harris *et al* ed., 1992:211)

The commitment to biculturalism within the universalistic paradigm of modernism by a section of the Pakeha new class needs to be placed within its social experiences as post-war 'babyboomers'. These people had been the first group to receive postprimary and university education in large numbers. They were politicised in the radical university based, anti-Vietnam protests of the 1960s and in the anti-apartheid campaigns of the 1970s. By the

1981 Springbok tour, this well-educated Pakeha group was forced, through the combination of emancipatory rhetoric honed in the protest movement and the close association with Maori activists in the anti-tour protests, to look more closely at its own involvement in issues of cultural justice in New Zealand. The Springbok tour served an important symbolic function as the catalyst for the radical humanists of the Pakeha new class. This group came face to face with Maori grievances within the context of a nationwide combined Maori-Pakeha protest against apartheid and in support of racial and social justice. '... the link was made repeatedly between racism at home and in South Africa.... Maoris... showed their bitterness at the ease with which Pakehas turned out in their thousands to protest against the plight of black people thousands of miles away, but not about indigenous racism' (Newnham, 1981:62). From out of the extensive and divisive tour protests, biculturalism emerged as the focus of the Pakeha new class's emancipatory project to replace the earlier resistence to biculturalism described by Schwimmer (1969:13,17,18).

The blame that the humanists of the Pakeha new class had thrown at the perpetrators of South Africal apartheid was turned inward, in the form of cultural guilt, as similarities in kind, if not in degree, were made between the overt oppression suffered by the black majority and the more benign oppression suffered by Maori at the hands of a white majority. Despite the enormous differences between the South African apartheid police state and the New Zealand's advanced brand of social democracy, sufficient parallels were drawn between the common colonial heritage of South African whites of British origin and New Zealand whites, for the Pakeha new class to confront uncomfortable issues about the

contemporary treaty partnership. Was the modern concept of equal partnership the result of a noble morality in the idealistic intellectual Western tradition, or was it, more pragmatically, the result of a reversed majority-minority relation? Pakeha had been the majority ethnic group in New Zealand from as early as the 1860s, with Maori numbers diminishing rapidly until the turn of the century. Were the relatively tolerant assimilationist policies towards Maori more to do with demography than democracy?

By the early 1980s education had become one of the locations of the bicultural project, for a variety of overlapping reasons. A section of the radical humanists were teachers, a group who had played a significant role in the anti-apartheid movement. Teaching, a destination for some of those entering the new class with the burgeoning of schools and universities during the economically prosperous period of the 1960s, was considered a rather altruistic vocation embracing universalistic principles rather than a knowledge-commodity industry. Teaching fitted the new class's idealistic universalism and became an important location for radicals humanists. Powell (quoted in Parkin, 1968:184) had found that 'teachers are out on a limb, and in comparison with other groups, occupy an exposed radical position'. The association between education and the social mobility of the 1950s and 1960s had entered popular thinking to reinforce education's undeserved reputation as the means of social egalitarianism. By association, educators had become included in the egalitarian concept.

The link between the new class and teaching had developed from the 1960s, '...a time when 'the teacher

organisations (were) making a concerted effort to achieve professional status' (Ramsay, 1975:204). By the 1970s and 1980s vigorous teacher union activity had helped secure the status, incomes and conditions that enabled some professionals to strive for bourgeois status by investing discretionary income in the acquisition of income-producing property and shares. Gouldner (1979:19,26) describes professionalism as 'one of the public ideologies of the New Class, and refers 'to its genteel subversion of the old class by the new' as 'professionalism silently installs the New Class as the paradigm of virtuous and legitimate authority, performing with technical skill and with dedicated concern for the society-at-large'. He argues that 'underneath 'professionalism' there is the political economy of culture'. Indeed it is an elaborate structure of professionalism which generates the incomes, status and relatively privileged life-style of the Pakeha new class.

Teaching and other social professions brought a section of this class into a contact with Maori exponents of ethnification that differed substantially from the contact of the old conservative Pakeha bourgeoisie, which, with its farming and business interests, had related to Maori as a source of land and labour. Primary teacher training had became the means of social advancement for Maori, (and for women) with many from these groups in tertiary positions today having a primary teacher's certificate as their first professional qualification (Brosnan, 1986:11, Mitchell & Mitchell, 1993:15-16, Simpson, 1976:233ff). Many of these Maori teachers, who played a leadership role in the indigenisation movement, established contact with their Pakeha counterparts, in professional relationships, in the protest marches of the Springbok

tour and in the teacher unions. Developing the newly established relationship with Maori became important to the idealists of the Pakeha new class. A significant group, including teachers, began learning the Maori language and demonstrating support for Maori indigenisation. By the beginning of the 1980s, the Maori language had 'assumed some symbolic importance for New Zealand as a nation.' 'Growth in enrollments in Maori language courses in schools seems to have confirmed the rise of Maori in popular esteem (which has) assumed some symbolic importance for New Zealand as a nation' (Benton, 1982:40,32). Many Pakeha, particularly educators, were attempting, both personally and politically, to become bicultural in order to serve as the vanguard of a bicultural nation even if few actually attained King's (1985:192) objective. 'In a society that professes to be bicultural, members of each culture ought to be fluent in each other's language'.

However, the new cultural politics sat uncomfortably beside the personal unfamiliarity with a completely different Maori culture, an unfamiliarity rooted in the attitudes and social practices of the 1950s' insular Pakeha home. In 1960 Ausubel (1960:164) referred to 'the deepseated belief in the inherent inferiority of the Maori people as a coloured race (that) explains many of the patronising attitudes towards Maoris that flourish in New Zealand today'. Anecdotal accounts of first visits by Pakeha to marae describe personal feelings of awkwardness and cultural inadequacy. Increased contact with Maori cultural revivalism, on Maori terms and within a Maori context, meant that this group of Pakeha experienced the contradiction between their own highly autonomous individualism and the group structured ethos of the Maori world. The appearance of

commonality between the bicultural exponents of the Pakeha new class and the emerging group of Maori professionals, served to conceal the different agenda of the two groups. The Pakeha new class were striving to establish the bicultural partnership in order to pursue nationhood definition, and in so doing, to establish themselves as the new political order. At the beginning of the bicultural project Maori exponents of indigenisation were using the opportunities acquired through the newly recognised partnership status to pursue the older project of cultural revival and self-determination. Biculturalism did appear to be the revival of a 'traditional' Maori culture and Pakeha support for such a revival.

## 3 The Pakeha New Class and Kura Kaupapa Maori

Nowhere was the appearance of a common purpose more apparent than in the drive to revive the Maori language, concentrated particularly in childhood education with kohanga reo and kura kaupapa Maori. Over 600 kohanga reo were established between 1981 and 1990 (Rata, 1991:77). The objective was 'the total immersion of the children in the Maori language from babyhood to ensure that Maori was the child's first language; the imparting of Maori spiritual values and concepts, the teaching and involvement of children in Maori tikanga; the complete administration of each centre by the whanau; and the utilisation of many traditional Maori techniques of childcare and acquisition of knowledge' (Sharples, 1989: 29). Although taha Maori programmes in mainstream schools were a feature of mainstreaming inclusion policies, and kohanga reo and kura kaupapa Maori were emerging as the educational modes of regulation of a retribalising society, the Pakeha

new class's support for both initiatives is illustrative of the assumed commonality. It appeared to the new class humanists that the unity of Maori and Pakeha was sufficiently solid to accommodate such limited areas of difference. Kohanga reo in particular, provided a 'safe' yet symbolically significant location for the new bicultural Pakeha enthusiasm for Maori initiatives. The conservation of an endangered indigenous language and its association with very young children was a worthy bicultural endeavour. Limited to the traditionally low-status domain of women and children it appeared to be apolitical and non-divisive. It was hoped that such culturally appropriate early childhood experiences would provide a sound basis for the future success of these bilingual children in the mainstream Pakeha schools and workforce.

By the late 1980s the development of kura kaupapa Maori as the extension of kohanga reo for school age children was being understood in the same way, that is, as diversity within unity. 'Its development has to do with democracy in this society. It has to do with Maori involvement in education and, as evidenced in the Kura Kaupapa Maori, with the control of schools and schooling... bilingualism can lead to biculturalism and the celebration of diversity.' (Hirsch,1990:45). Marae were established at a range of education institutions, including the University of Auckland, the Auckland College of Education and various secondary schools. Other Maori initiatives also benefitted from the those of the Pakeha new class who were enthusiastic in their support. Bicultural policies in the health sector are illustrated in the claim made by 'the management team at Princess Mary hospital (which) is already taking great strides towards becoming a truly bicultural institution with its

tribally representative kaumatua group' (*Metro*, Feb.1990), and by the introduction of the cultural safety nursing programmes.

Within the belief in the common purpose of national unity characterised by bicultural diversity, many of the Pakeha new class humanists provided active support for the establishment of kura kaupapa Maori. The campaign for legislation was based upon the premise that 'the purpose of Kura Kaupapa Maori is to produce bilingual and bicultural citizens' (Nepe *et al*, 1989:40). Teachers' unions offered highly effective lobbying, trade union officials supported by providing important contacts with government ministers, (in particular, entres to the Minister of Education). Feminist organisations and a national charitable organisation assisted financially. However, the range of support from well-educated Pakeha professionals who were either in the 'halls of power' of the 1984-1990 Labour Government or had access to it, and the inclusion of kura kaupapa Maori in the 1989 Education Amendment Act stands in marked contrast to the emerging new right economic and political order. This aberrant legislation was a clear example of the 'goodness' in the new class's 'power-goodness' paradox surfacing as the result of a range of factors coming together at a particular historical moment. That 'goodness' was the idealistic vision of biculturalism, demonstrating the new class in its universalist, egalitarian form, a form increasingly constrained by the economic restructuring of neo-conservatist policies. [In fact, the main factor in the Cabinet's decision to legislate the kura was the low cost of the schools, with expenses pared to the barest essentials of two pre-fabricated buildings for each of the six initial kura plus operating costs. Land purchase was not required and the children

were a state educational cost anyway. It was education at its very cheapest, (private records).]

The paradox took a variety of forms in the two months leading up to the kura legislation. Firstly, there was the contradiction between the social democratic tradition of the Labour Party and its recent determination to break the power of particularist interest groups. Several major trade and teacher unions lobbyied vigorously for the recognition of kura kaupapa Maori, as did pro-Maori sections within the Labour caucus. Secondly, the Ministry of Education was in the process of fundamental change. In the bureaucratic vacuum that characterised the transition period from Department to Ministry, entrenched positions were disgarded. Political considerations dominated over bureaucratic positions and these political considerations were ultimately controlled by a factor, neutral on its own, but one that proved to be the trigger in the Government's decision to legislate kura kaupapa Maori as a separate schooling category. This third factor was the one of timing. The high-powered lobbying for kura kaupapa Maori and the vacuum in bureaucratic activity came together in the final months of 1989, on the eve of the sesquicentennary of the Treaty of Waitangi. In the face of accusations that the Fourth Labour Government had betrayed its commitment to biculturalism (Kelsey, 1990:23), support for kura kaupapa Maori provided an opportunity for some slight appeasement to its committed bicultural members.

Within the economic context of expensive Waitangi Tribunal land claims, financial support for six small (and cheap) schools appeared a palatable option. It was also politically more acceptable. Concerns about a Pakeha backlash to the Treaty settlement programme had

dampered Labour Government support for Maori issues. Here, however, was an issue which was less troublesome. It concerned language revival and young children. Kohanga reo had been in existence for seven years and had become an accepted part of early childhood education. The kura were presented as extension of kohanga reo and as the only means of ensuring the survival of the Maori language. This platform of language survival and children was an emotive combination in the best tradition of the idealistic bicultural project. Its timing, on the eve of the sesquicentenniel, ensured its success.

Following the 1989 legislation and the acquisition of state funding, kura kaupapa Maori shifted its focus from the goal of biculturalism (which had appealed so much to its Pakeha supporters) to retribalisation. As treaty settlements began to open up economic opportunities within the tribes, cultural and political imperatives began to shape the development of the schools. Kura objectives expanded beyond the determination to ensure the survival of the Maori language and to create citizens for a bicultural society, to the revival of the Maori body of knowledge and cultural practices based upon an essentialist and de-historicised Maori ontology. Nepe (1990:43) describes the kura kaupapa Maori child as 'a descendant of Maori ancestry that links back to Io Matua Kore, the inner-soul, the wairua of that child is Maori. It is not Pakeha, it is not bilingual, it is not mormon, it is not catholic. It is Maori'. The revival of the kin-group, albeit in reified form, became central to kura kaupapa Maori pedagogy and demonstrated fundamental ontological differences between a cultural form based upon kin-group ideology and one based upon the ideology of the individual. 'The Maori people are a tribal people and as

such 'whanau' units have always existed... With the migration of many Maori... to the cities, the whanau concept has still persisted... The whanau is a key factor within kura kaupapa Maori' (Sharples, 1989:30). *Te Aho Matua*, (*Kura Kaupapa Maori Working Group Report*, 1989:v) became the philosophical document of kura kaupapa Maori. Its central theme is the placement of the child within the tribal world and the form of kin-based social relations that shape this placement.

By 1990 an underlying commonality between the Pakeha new class supporters of kura kaupapa Maori and the kura exponents themselves could no longer be assumed. The tribal character of the kura in which the child is turned towards the family, that is, the larger kin-group of tribe and sub-tribe could be contrasted with the more impersonal and critical environment of the Pakeha school in which the child is prepared to move from the personal particular world of the family in order to develop the rational, autonomous generalisation of the modern Western perspective. In their discussion of 'particularism over universalism' in human interaction, Abercrombie *et al* (1986:130) refer to collectivist cultures' 'interpersonal mutuality and 'dense' network of relationships in place of the instrumentality and absolute criteria that characterise relationships in Western capitalism'. The difference between the reproduction of the child as a person-in-whanau or as a separated-individual emerged as the fundamental difference between kura kaupapa Maori and mainstream schooling.

In order to extend the analysis of the differences that underpin the pedagogies of kura kaupapa Maori and Western-based schooling I conceptualise the form of the individual's social and intellectual development using the

Hegelian dialectical conditions of particularity and universality and their mediation by the faculties of generalisation and differentiation. The child, reproduced into Pakeha culture, is turned towards the world, still linked to the family, but mediating the relationship between the world and the family through the development of his or her own individuality in the form of the particular-universal dialectic. By contrast, in retribalising societies, because the family is the world writ large, individuality is not the means by which the family and the world are linked. The existence of another world beyond that of the largest kin-group poses a conceptual issue for kura kaupapa Maori ideology. Without the particular-universal dialectic at the level of the self-social relationship, there is only the concept of the different other and the absence of a form of generalisation-differentiation mediation. The form of the relationship between the kura child and the non-kin world is left unconceptualised, leaving open the possibility of a ghetto perspective, with its accompanying isolation and defensiveness, to fill the unmediated gap between a world conceptualised on the basis of kin and a world of non-kin people.

The basic differences between kura kaupapa Maori and Western pedagogies are illustrative of the widening ideological rift emerging in the bicultural project between a primordialist 'new traditionalist' ideology and a historical modernity. Concepts of an essentialist authority and rules controlling conduct according to gender and seniority signalled a turning away from the previously declared bicultural objective to a Maori new traditionalism. This new traditionalism is conceptualised in terms of Gouldner's (1976: 250) '*latent project*' or 'reconstruction of a social whole'. It is 'the defocalized

efforts to integrate formerly separated parts, to reknit the unravelled, to extend the boundaries and to reconstruct the moral grounding of human solidarity' that underpins the ideological dimension of tribal-capitalism.

The new traditionalist ideology has emerged out of the differentiating process of indigenisation. Differences were emphasised between hypostatic Maori and Pakeha cultures in the political discourse of separatism which increasingly replaced the bicultural discourse of the 1980s. Friedman (1994:243) locates the 'tendency towards neo-traditionalism' in periods when 'the political and economic conditions for modernism are weakened' with 'the crisis of accumulation in the (Western) center.' 'This (tendency) is due to the security and even salvation provided by traditionalist identity in times of crisis. It is fixed and ascribed, provides the medium for engagement in a larger collectivity, and provides a set of standards, values and rules for living'. The rapid increase in the population of North American Indians described by Friedman (1994:244) 'not as a fact of biology but of identity', along with 'five new tribes' is also a phenomenon of Maori retribalisation. O'Regan (1994:43) refers to the process occurring in Ngai Tahu, 'In the 1970s we thought that the Ngai Tahu population was around 15,000. Now we think it's about 30,000, but... there's probably a lot more - especially if all those who are entitled to benefit by whakapapa show up'[4]. Within the process of retribalisation, the traditional and the modern became contesting ideologies. The traditional

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[4] The processes of retribalisation are examined in two papers, *Whanau Revival and Retribalisation* (*Sites*, issue 32, Autumn 1996) and *The Retribalisation of Ngati Kuri*, an unpublished paper

was romantised in terms of a more 'truly human' past in which 'social practices remain embedded in the continuity of past, present and future' rather than in the 'disembedded' systems of modernity that separate time and space from personal relationships and fragment the meaningfulness of direct social contact (Giddens, 1990:37).

Friedman (1994:vii) refers to Minc's description of the 'new age of tribalism in which individualism is declining and being replaced by increasingly strong collective pressures', as 'a New Middle Age' with the universalism of the modern project threatened by ideologies of particularity, such as religious fundamentalism and retribalisation. Although the bicultural project was a universalistic project, it was simultaneously a vehicle for fragmentation. Paradoxically, the inclusion of the other involved the recognition of the other. The Pakeha new class could not mainstream Maori without first recognising a distinctive ethnicity and, in the process, establishing a romanticised traditional-modern duality. The concept of the stable and unchanging traditional is a construct of modernity's 'other' providing a contrast to a perceived fragmentary and ephemeral existence and elevating the traditional to an 'ideological mystification' (Webster, 1995:2).

However, there is nothing more 'true' or containing 'real human nature' in societies termed traditional than there is in those societies described as modern. Webster (1995:1) refers to the tendency in 'some theory and much popular preconception' to place non-European societies outside history and celebrate their timelessness and stability in visions of tranquility. The romanticisation of a mythical timeless world not only creates a false

traditional-modern duality, but also attributes a certain moral worthiness to those cultures that have remained outside what is perceived to be a decline into the vicissitudes of an ultimately meaningless material progress. Traditional spirituality with its notion of unity is held up in contrast to this so-called meaningless materialism. Progress becomes rejected as anti-human, as destructive of some essential spiritual core which is the 'true' human nature. Donham (1990:213) warns against positing the traditional as the 'other' in the quest for a pathway out of a postmodernist angst, a condition embedded in the new class's paradoxical nature. He refers to those 'many' anthropologists who 'look backward for redemption, backward to traditions endangered by capitalist progress' claiming that this 'vision is fundamentally flawed. What capitalism has fractured was... never whole. Tradition only stablized and inculcated a set of other inequalities'.

Traditional societies never functioned as set pieces in a timeless 'natural' order with disturbances coming only from outside. Godelier (1984:12) argues against the notion that the more traditional a culture is the more 'natural' is its society, with the increasing complexity of materialism acting as the force which takes us further and further away from peoples' 'natural' origins. There is no 'theoretical reason to consider the forms of life and thought characteristic of hunters, gatherers and fishers as more natural than those of agriculturalists and stockbreeders who succeeded them'. Those 'forms of life and thought', that is culture, are always related inextricately to the social relations of production of a given society. The 'mental component at the core of our material relations with nature' represents, organises and

legitimises 'our relations with each other and with nature' (Godelier,1984:11).

Ethnic identity is not a natural state into which we are born, with differences locked into a biological determinant. The cultural or ethnic identity of the self is formed from the material realities that have structured social formations and is continually reshaped in its interaction with society. 'Cultural identities should be seen as no more than symbolic resources out of which individual identities can be made through specific interactions with others. An ethnic identity has to be made and continually remade by an individual; it isn't naturally given to him or her, nor should it be prescribed' (Rustin, 1991:80). However a culture seeking to revive itself becomes prescriptive. There is less allowance for the flexibility from cultural norms, and tolerance of individual difference. Control over cultural self-definition, the re-defining of traditional knowledge, and control over reviving social practices, may produce a fundamentalism and dogmatism that are features of revivalism. The Maori cultural revival that occurred concurrently with, and to an extent interdependently with, the Pakeha bicultural project, and which became the new traditionalist ideology of retribalisation, demonstrated the fundamentalist features of revivalism. The self as person-in-whanau (the kin-person) was explained in terms of fundamental Maori metaphysical genealogical beliefs, '...the iwi, hapu, whanau relations have explicit tangata whenua mandates which link their genealogy back to Io Matua Kore' (Nepe, 1990:30).

The whanau member's primordial base in nature and in the supernatural can be contrasted with the concept of Western individual which is historically located. Hegel

(quoted in Williams, 1989:90) describes individuality as 'the principle of the Western world', a principle that emerges out of two millenia of the development of Western culture. 'Over time, European societies have gradually developed a way of treating, and thinking about, the human condition, which stresses the importance of the individual in relation to collectivities, such as the tribe, the nation, the church or family (which has its) origins at least in the twelfth century. There is a convincing case that the importance of the individual is a peculiar feature of Western history and Western society. The discovery of the individual is the recognition of separate personality in place of collective identity and of differences among personalities' (Rustin, 1991:167). Abercrombie *et al*, 1986:36) trace back even further the social conditions which provided the context for the rise of the individual, to the detribalisation that occurred in the West in the first centuries A.D. 'As a result of the destruction of the original Jewish-Christian church under Roman Imperial conditions, the Christian community emerged as a detribalised group of individuals bound together by faith... Because Christianity was originally a Jewish movement, which emerged and developed inside a Greek culture, there was less space for particularistic tribal allegiances. Christianity began to develop as a complex community with diverse ethnic origins.' Not only does the tribal new traditionalism and the individualistic ideology of the Pakeha new class differ fundamentally in terms of the individual-collectivity relation, but I argue that fundamental differences exist in terms of the social pre-conditions for that different relation.

Individuality is a dominant type of the self-social relation in Western culture, bourgeois culture in particular (many working class and rural social groups have retained

collective forms in the modern period[5]) which arises out of the much longer tradition of de-tribalisation. This can be compared to the current process of Maori retribalisation, a process which will strengthen the ground upon which the group-self is constructed (albeit as the reified group-self of tribal-capitalism) although, contradictorily, this process exists alongside the opposing historical process of Maori fragmentation that has accompanied detribalisation. It was within the context of the bicultural project that the Pakeha humanist section of the new class, with its many layered contradictions, encountered the Maori ideological revival. The bicultural ideal of diversity within unity floundered as specific hypostatic cultural differences, such as the location of authority, the emotional dimension in public life, and the criteria for group identification, revealed both the fundamentalism of a constructed ideological dichotomy and also the extent of the contradictions,

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5 Interestingly, within the hypothesis of a 'historic compromise' between the old capitalist middle class and the new class, Hunter and Fessenden (1992:162) distinguish between the new class's embrace of capitalism with the expansion of 'moral entrepreneurship' and its rejection of the ethos of bougeois society with its 'Protestant theistic foundations'. It is also possible that tensions exist between the individualistic values characteristic of bourgeois culture and the group collectivity valued by those of the new class who have retained or seek to retrieve collective social forms from their working class origins. This resultant ambivalence towards bourgeois culture on the one hand, and bourgeois economic status on the other hand, may be regarded as another contradiction inherent to some elements of the new class.

including the contradictory working class-middle class location and the idealistic-economic conflict, which plague and confuse the new class humanist.

For adherents of Maori new traditionalism, authority is located externally, in the veneration of seniority, which leads to forms of social control based upon the concept of shame. By contrast, Pakeha has inherited a process going back to the medieval confessional with its 'institutional practices of self-criticism, self-doubt and absolution' leading to the 'long-term historical emergence of a moral personality and of the self-conscience individual' (Abercrombie *et al*, 1986:46). Within the context of the Pakeha new class's support for the revival of Maori cultural forms, the Pakeha apostate from the bicultural project was unable to leave unchallenged the externalised authority of the Maori elder, yet also unable to employ the new class's critical and reflective faculties in challenging that authority.

Secondly, the inherent potential for psychological isolation of the Pakeha new class individual was another source of this person's initial attraction to Maori cultural forms of social interaction in which the emotional dimension was recognised as valid in the public sphere. New class women, in particular, had sought to bring aspects of the private world with them in their recent emergence into the public world of the professions. These women had found that the mainly male intellectual and professional worlds lacked cultural forms that permitted the public expression of the emotional dimension, a dimension which had been relegated to the private, domestic world, along with the relegation of middle-class women, in the modern period.

This separation of public and private worlds, which characterises bourgeois culture, had produced deep contradictions between the intellectual and emotional dimensions of the self, dimensions which are integrally bound in the construction of the self-social relation. Gouldner (1979:84) locates the source of the new class's tendency for political correctness in this separation. 'Calling for watchfulness and self-discipline, cultural critical discourse is productive of intellectual reflexivity and the loss of warmth and spontaneity. Moreover, that very reflexivity stresses the importance of adjusting action to some pattern of propriety. Set in the context of human relationships, the vulnerability of the New Class to dogmatism along with its very task-centeredness, imply a certain insensitivity to persons, to their feelings and relations, and open the way to the disruption of human solidarity'.

The source of the political correctness (or tendency to an intellectual and behavioural dogmatism) of new class women in particular, can be traced to the underlying contradictions of their emergence into the public world. On the one hand middle-class women had entered a public world which had traditionally excluded the emotional dimension of the private sphere. On the other hand, their feminism, which provided the intellectual rationality for their public position, also demanded that the emotional life of women be validated. The meeting of women's private and public worlds along the intellectual-emotional separation of new class rationality produced irresolvable contradictions. These contradictions were particularly intense for those who had not transfered the sense of collectivity acquired from their (often anti-feminist) working class backgrounds to the new movement, or who had lost the security derived from

group belonging in the divisive struggles of the feminist movement during its formative years. Many feminists sought to unite the personal and the political, the emotional and the intellectual, in a committed support for biculturalism, and especially for the new traditionalist initiatives involving children, such as kohanga reo and kura kaupapa Maori. Their intellectual commitment was based upon the new class's universalism and emancipatory individualism yet their emotional commitment was characterised by their own pre-feminist backgrounds. Parallels were made between female powerlessness and colonial oppression. In a 'liberated-but-not-liberated way they wished to help the 'less fortunate' to achieve the same transition from powerlessness to self-autonomy that they had made, ironically, in the traditional 'women-as-helpers' form.

For the Pakeha new class intellectual, caught in the double paradox of intellectual liberty producing the rationality of political correctness, and emotional control producing the isolation of the solitary individual, Maori cultural forms of the self-social relation seemed to provide a solution. It appeared that these forms united the political-intellectual dimension and the personal-emotional dimension, enabling the 'personal is political' to be more than a slogan. However, Maori cultural forms of the emotional dimension were not based upon the individualism of the Pakeha new class. Emotional belonging could only be secured at the expense of the autonomous self, that non-negotiable element fundamental to the very concept of the Western bourgeois individual. The psychological security of particularism could only be attained at the expense of the universalism so crucial to the new class's idealism and its righteousness.

The third area which revealed the clash of two fundamentally distinctive ideologies was that of group identification criteria. In traditionalism lies the mythology of place with which to counter the universalising machine of rationality. Harvey (1989:273) has described the 'ideological labour of inventing tradition' as a 'facet of modernisation', that is, as a means of establishing geographical security. Biculturalism had offered the possibility that the Pakeha new class could gain access to this 'security of place' through its association with Maori. Ideologies of place were central to the Maori revival and emerged in concepts of indigenous status and tribal belonging. However it did not take long for the Pakeha humanists to realise that a bicultural identity did not entitle them to such status. Eligibility for tribal membership was through genealogical links only. The Maori tribe was not a Western group to which membership was conferred according to criteria such as interest, commitment or through marriage. Belonging to a tribe was a birthright and was located in concepts of place, time and ancestral ties that excluded the autonomous individual of the Pakeha new class.

## 4 Conclusion

I have argued that the bicultural project collapsed under the weight of conflicting ideologies and separate economic interests. Its origins, course and demise were shaped by the constituent features of its participants and the ways in which these features interacted. My purpose has been to focus upon the features of the Pakeha humanists of the new class, in particular the 'goodness and power' paradox which characterises that group's multi-layered contradictions, and to show how the objectives of its bicultural project were grounded in a

universalistic idealism, an idealism that incorporated a collective sense of historical guilt arising out of the new class's tendency to self-reflection and intellectual objectivity. Within Western protestant symbolism, the expression of guilt leads to the expiation of shame, then on to reparation and redemption. In rejecting the motivation of a genuine guilt underlying the reparative Waitangi Tribunal, Maori did not 'reflect back' the guilt. Without the mirror image of unexpiated guilt, a necessary process in the recognition and validation of a shared reality, Pakeha guilt moved, not onto the next stage of externalised shame, but into an internal and enclosed narcissism. Here the Pakeha cultural bourgeoisie could provide its own less painful, and more comfortable, self-reflection. Such narcissism becomes a precondition for the movement from the self-reflection, self-criticism and change which are features of the new class's intellectual heritage, to the material comfort of consumer embourgeoisiement, that other aspect of its paradoxical duality.

The short-lived 1980s' bicultural project was a watershed in New Zealand history. The project served the dual and contradictory interests of the Pakeha new class. Firstly, it provided the cultural self-definition within a nationhood concept required for its new political role in the regime of accumulation of late capitalism. Secondly, it offered a redeemable location for the atonement of the colonial guilt thereby assuaging the emancipatory idealism located in its Western democratic heritage. The future form of Maori-Pakeha interdependence will be shaped by the new forces that emerged from the bicultural project, in particular the emergence of two new ethnic versions of capitalism. Pakeha dominated capitalism, as distinguished from the new Maori tribal-capitalism, is now

characterised by a new nationalism that expresses the cultural definition that has developed over the preceding decades. The bicultural project played a pivotal role in this cultural definition and its nationalist context. The purpose of this paper has been to elaborate the nature of this role.

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# Aids Discourse In Parliamentary Debates About Homosexual Law Reform and The 1993 Human Rights Amendment

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## *Abstract*

One focus of HIV prevention in New Zealand has been the reform of legislation that frames male 'homosexuality'. This paper examines the discursive processes involved in enacting the 1986 Homosexual Law Reform Bill and the 1993 Human Rights Amendment. Parliamentary debates and the political tactics of parliamentarians and others in relation to these reforms are examined for their influence, meaning and outcome. The debates are interpreted from the perspectives of Gilman (1988) and Foucault (1978) within a discursive and iconographic context. Iconography surrounding the gay man dominated debates for both reforms, and that it was used in political strategies by both the supporters and opponents of 'gay rights' in their arguments over HIV prevention.

## Introduction

The passage of the Homosexual Law Reform Bill (1986) was predicated on public health concerns about 'gay rights' and HIV/AIDS. These concerns, together with advocacy for the rights of the physically disabled, minority groups, older workers and women, also shaped debates about the Human Rights Amendment Bill in 1993[1]. The impetus for both 1986 and the 1993 reforms

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[1] The Human Rights Act was first passed in 1977. It outlawed discrimination on the basis of race and

with respect to 'gay rights' and the protection of HIV+ individuals in employment, service provision and housing had been spearheaded by the World Health Organization (WHO), gay activists, law reformers and public health officials in New Zealand. These advocates believed that statutes outlawing or discriminating against 'homosexuality' in New Zealand contravened basis human rights and mitigated against HIV/AIDS education for gay men (Patterson, 1996: 32).

Debate about AIDS icons and gay rights characterised both the 1986 and 1993 law reforms. The passage of the Homosexual Law Reform Bill, in particular, was marked by dispute, bipartisanship, tactical delays, and numerous references to Old Testament morality.[2] These tactics

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religious, political or ethical beliefs. Later amendments outlawed discrimination on the basis of age, gender, sex, employment status, family status, marital status, disability, sexual orientation and 'the presence of disease organisms in the body'.

2 Old Testament parliamentarians are defined as MPs who judged homosexuality according to Judeo-Christian ideas about sin, and who referred to or quoted from the bible in their arguments against law reform. Such references include 'There is not one word in the Christian bible that justifies it [homosexuality]' (Russell Marshall, PD 6/11/85: 7796); 'The Minister of Education said that he could find no evidence in the New Testament against the practice of homosexuality. He said that the evidence in the Old Testament should not be used, because it had been overridden by the later document, the New Testament' (Winston Peters, PD 9/7/85: 2817); and 'The great moral laws of the Christian world have their foundations in teachings that have down to us over

increased in number as the Bill went through its first, second and third readings, and were an attempt by some opponents to maintain the status quo. The Homosexual Law Reform Bill occupied almost 200 pages in Hansard[3] between October 1985 and July 1986. The acrimony that followed the Bill's introduction prompted one parliamentarian to declare that it had 'divided New Zealand as few Bills have the power to do' (PD: 8/10/85: 7208).

Parliamentary debates about both reforms centred on issues of morality. This focus yielded a rich source of material about discourse and ideology whose meaning could be explored theoretically with respect to 'moral

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thousands of years' (John Banks, PD 9/10/85: 7264). The following comment from Trevor Mallard captures the sentiment and concept of 'Old Testament' parliamentarians, and also refers to the basis for some public opposition to HLR: 'The strongest thrust against the proposals in the Bill came from people who based their arguments on some Old Testament biblical passages.' (PD 8/10/85: 7204). Similarly, 'Old Testament morality' refers to the Judeo-Christian concept of 'sin' and 'punishment' as it relates to homosexuality, and as it was argued in debates about 'homosexuality' by HLR and HRA opponents.

3 Official records from Hansard (verbatim written accounts of parliamentary debates in New Zealand's House of Representatives) serve as raw data for the purpose of analysis in this paper. For referencing purposes, excerpts from parliamentary speeches appearing in this paper will cite 'PD' (Parliamentary Debates) as their source, and will be followed by the date and page number as listed in Hansard, eg: PD 17/11/85: p. 9

issues' legislation. The material in this paper is examined according to the perspectives of Sander Gilman (1988) and Michel Foucault (1978). These writers offer related conceptualisations about discourse and iconography: both provide historical analyses of discourses about sexuality or STD and both have written about how discourse can powerfully influence social and public health responses to epidemic disease. Gilman's focus on popular imagery about disease-bearers in the syphilis and HIV/AIDS epidemics has particular relevance for this case study because of the way iconography has shaped public health policy in the AIDS era. Foucault's analysis of discourse as a 'methodology' for the acquisition of power provides an understanding of how AIDS iconography has shaped the outcome of homosexual law reform (HLR) and the 1993 Human Rights Amendment (HRA). His theory also specifies the tools of discourse used in moral debates. During debates over the HLR and HRA, these tools took the form of scientific 'facts', statistics, philosophical, emotive or 'rational' reasoning, historical and medical references, biblical quotes, and the use of repetition, obfuscation, accusation, and clarification to support different arguments. Strategies also proliferated in the public arena: they included public opinion surveys, protests, personal threats, national petitions, and print and electronic media releases by parliamentarians and other political figures.

## The Iconography of AIDS

In his chapter titled 'AIDS and Syphilis: The Iconography of AIDS' , Gilman argued that PWAs (People With AIDS) were conceptualised according to sexual or racial typologies from previous epidemics. This iconography

ensured that gay men, prostitutes, injecting drug users and exotic 'others' such as Africans or African-Americans were singled out for blame. The icons not only provided a target for moralists, politicians, public health authorities and the media, but they also acted as a 'comfort zone' for other citizens. Gilman explains that:

> icons of disease appear to have an existence independent of the reality of any given disease. This 'free floating' iconography of disease attaches itself to various illnesses (real or imagined) in different societies and at different moments in history. Disease is thus restricted to a specific set of images, thereby forming a visual boundary, a limit to the idea (or fear) of disease. The creation of the image of AIDS must be understood as part of this ongoing attempt to isolate and control disease (88).

Iconography is the product of discourse. Foucault explored the nature of discourse and its power in his book The History of Sexuality: An Introduction - Volume One. He concluded that discourse, as it is evident in speech, texts, procedures, objects, concepts or actions can serve to both reinforce and undermine hegemonic ideals and practices[4]. His belief in discourse as a form of

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[4] Foucault's conceptualisation of power differs from many sociological concepts that frame power as a dichotomy in which powerful groups or individuals wield authority over less powerful groups or individuals. In Foucault's conceptualisation, 'discursive formations' (structures of knowledge or epistemes) form the basis of social governance. These formations both constitute and exert power over social objects, including human bodies (The Concise Oxford Dictionary of Sociology,

power is supported by media discourse analyst Deborah Lupton (1994) and AIDS activist-theorists[5] Dennis Altman (1986, 1994), Douglas Crimp (1988), Paula Treichler (1988), Simon Watney (1987, 1988), Jeffrey Weeks (1985, 1986, 1989) and Cindy Patton (1985, 1989, 1994). Lupton, for example, argues that 'discourses are structured to persuade - they benefit or support some individuals, groups or institutions and oppress or attack others; discourses therefore reproduce power relations' (Lupton, 1994: 29).

Gilman's and Foucault's perspectives about discursive power in an epidemiologic era can be situated within a body of literature that emerged in the AIDS epidemic. The literature includes the work of AIDS activist-theorists and other writers who sought to explicate the way HIV/AIDS was conceptualised, named and managed within particular historical and discursive paradigms. Like Sander Gilman, writers Cindy Patton (1985), Allan Brandt (1988) and Susan Sontag (1988) argue that AIDS discourse has its roots in pre-twentieth public health

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1994: 187). Power is thus ideological and self-reproducing. The hegemonic effects of these discursive formations produce what Foucault calls 'cleavages' (inequalities, oppositions) in the social body.

5 The word 'activist-theorist' is used to describe the involvement of (often) gay intellectuals and writers in developing theoretical perspectives on political aspects of HIV/AIDS. These aspects involve 'discourse production' as a means of challenging hegemonic ideas about 'risk groups' as 'vectors' of sexually transmitted disease, and those relating to civil rights issues, health care and strategies for HIV prevention.

approaches to the syphilis epidemic. In the syphilis epidemic, prostitutes and other 'sexual deviants' such as fops and dandies were considered the vectors of sexually transmitted disease (STD). In Europe and the USA, this furore about syphilis and its association with moral decay resulted in legislation to control the activities of prostitutes[6]. The views of Patton (1985) and Sontag (1988) are representative of twentieth century writers who refer to the historical precursors of AIDS 'risk groups'. Medical historian Allan Brandt (1988) notes that 'Victorian metaphors [about venereal disease] are not simply innocuous linguistic constructions. They have powerful sociopolitical implications' (Brandt, 1988: 151). Activist-theorists (eg: Watney, Weeks, Crimp and Altman) believe that these implications resulted in the marginalisation of PWAs, particularly gay men who, like prostitutes, could be blamed for the transmission of AIDS.

Watney (1989) calls 'AIDS' an 'ideological term' that is promulgated by the media (Watney, 1989: 44). Watney makes the link between iconography, discourse and power in the media and legislative arena thus:

> The examples of the lesbian activists who climbed down ropes into the House of Lords during the Section 28 debates, and the women who broke into a BBC news broadcast to protest against this discriminatory legislation, demonstrate the ways in which an effective political theatre of images can begin to be

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6 The 1864 Contagious Diseases Act in England and similar legislation enacted in New Zealand in 1869 are two examples of the legislation.

> constructed, seducing the ever voyeuristic mass media, invading 'public' spaces in order to challenge the 'official' agenda of AIDS. As Stuart Hall points out: 'In this day and age, in our kind of society, politics is either conducted ideologically or not at all.' (Watney, 1989: 51).

For Watney and other activist-theorists, AIDS iconography framing gay men and sex workers as hyper-sexual had a significant, often negative, impact on public health policy in Britain and the USA.

In New Zealand, AIDS iconography framed the debates about homosexual law reform, human rights and other legislation such as the 1987 Amendment to the Misuse of Drugs Act. This iconography, however, did not result in discriminatory legislation against gay men, sex workers and IV drug users. Rather, it served the interests of gay rights activists who had successfully used iconography to argue for ground-breaking legislation such as the HLR and HRA. The reforms were not an unequivocal success for the activists who had voted and lobbied for them, because 'risk group' behaviour (eg: their sexual practices) was now open to the scrutiny of public health workers and epidemiologists:

> from the time of HIV's emergence in New Zealand there has been the desire of policy makers to further scrutinise the behaviour of certain sectors of the population such as homosexual men, IV drug users and sex workers. While we have seen a liberalisation of the law with regard to certain kinds of sexual acts, there has been an increase in the surveillance of such groups through procedures of medicalisation, the collection of

> epidemiological data, and the discursive construction of 'at risk groups.' (Worth, 1995: 26).

This paradox is, in part, the outcome of a successful alliance forged by gay activists, health officials and pro-reform politicians, whose political strategies and superior numbers in the House forged legislative change under the public health rubric.

## The Iconography of 'Eve': The Discursive and Parliamentary Context

Western beliefs about sexual predation and disease have traditionally been linked to the sexuality of women. Sander Gilman writes that the biblical theme of 'Eve' (woman) as sexual temptress is one ' we can at least be aware of [because] of the regularity with which it occurs historically' (Gilman, 1988: 99). The iconography of the syphilis and HIV/AIDS epidemics lends weight to the argument that the 'Eve' theme is at its most powerful when associated with sexually transmitted disease. The re-emergence of the 'Eve' imagery with respect to prostitutes and gay men in the HIV/AIDS epidemic illustrates the potency of iconography that centres on 'feminine' sexuality.

In Gilman's view, the gay man has been framed as an 'Eve' because

> [he is] both victim and source of his own pollution. Already feminized in the traditional view of his sexuality, the gay man can now also represent the conflation of images of the male sufferer and the female source of suffering

> traditionally association with syphilis (Gilman, 1988: 99).

In debates about homosexual law reform in New Zealand, Gilman's premise that male homosexuality is often associated with effeminacy is supported by this comment from the member for Wallace, Mr Angus: 'Dr Armand Nicholai of Harvard University recently said "I have treated hundreds of homosexuals. None of them deep down thought he was normal. Simulating eating is not eating; simulating being female is not being female; simulating sex is not sex."' (PD, 6/11/85: 7794) Mr Angus was an opponent of HLR who used the quote to support his argument that homosexuality was a 'learned' rather than 'innate' behaviour, and that decriminalisation would result in moral degeneration.

Moral issues are often utilised for political advantage, especially during 'sexual' epidemics such as syphilis and HIV/AIDS. New Zealand writers Jane Tolerton (1992), Jan Jordan (1991) and Phillip Fleming (1989) note that the 'biblical Eve' theme surfaced in parliamentary debate in New Zealand's syphilis epidemic over the issue of women's sexuality, when legislation was enacted to control the sexual activities of 'nefarious' women such as prostitutes. Fleming writes that the link between women and venereal disease persisted throughout history, and cites the example of a 1497 Scottish town order that demanded 'protection from the disease that has come out of France and strange parts - all light women desist from their vice and sin of venery' (Fleming, 1989:2). Tolerton writes about war-time morality in New Zealand, and notes that syphilis was conceptualised in terms of woman vectors and male victims, or more specifically, as 'loose woman and pure soldiers' during World War I - a

time when anti-syphilis campaigners sought measures such as contact tracing and compulsory notification of VD 'carriers' (Tolerton, 1992: 196). Jan Jordan argues that this iconography has continued into New Zealand's HIV/AIDS epidemic so that female sex-workers 'live in a society that either refuses to acknowledge their existence, or seeks to condemn or ostracise them. We grow up with a set of stereotypes about prostitutes convinced that we could recognise one at a glance by her fishnets, stilettos and sexy garb.' (Jordan, 1991:11).

During New Zealand's HIV/AIDS epidemic, parliamentary debate centred on the sexual activities of the gay man, whom Gilman framed as an epidemiologic successor to Eve because the public believes him to be both effeminate and promiscuous. Unlike in the syphilis epidemic, however, parliamentary debate about HIV/AIDS in New Zealand centred on whether to change legislation restricting the open expression of 'divergent' sexuality, or to further legislate for its control.

In moral debates, tension invariably exists between those who position themselves as reformers and defenders of the status quo. Defenders of the status quo often adhere to the notion of 'basic values' or an immutable 'moral baseline'. For such politicians, social change must always be negotiated and measured against an inviolable set of norms. Foucault referred to the moral baseline as a set of 'regulated truths' derived from the 'great evolutionist myths' (Foucault, 1978: 54). Truths about sodomy, for example, and its regulation, comprise part of this moral core. For Foucault, attempts to either impose or change the moral baseline are always expressed in discourse.

Politicians often reiterated their belief in 'regulated truths' during parliamentary debates about HIV/AIDS. In one example, Anthony Friedlander (National) stated that

> there has been ample evidence over the years to show that laws we have set in Parliament are based upon the great moral laws that have come to our civilisation over thousands of years. Those laws were originally set to ensure the survival of tribes and civilisations. There is ample evidence to show that those laws are as valid today as they have ever been (PD, 13/11/85: 8066).[7]

The moral furore that marked parliamentary discourse during New Zealand's HIV/AIDS epidemic is indicative of what Foucault terms 'incitement to discourse'. For Foucault, sexual behaviour in the modern era became subject to incitement in the form of

> [a] multiplication of discourses concerning sex in the field of exercise of power itself: an institutional incitement to speak about it, and to do so more and more; a determination on the part of the agencies of power to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail (Foucault, 1978:18).

The tendency of some Old Testament parliamentarians to engage in 'explicit articulation' during, say, the Homosexual Law Reform Bill supports the argument

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7 This speaker referred to 'standards', while others spoke of an 'imaginary code or line of moral conduct.' (See also PD 6/11/85: p. 7804)

that moral discourse has become a modern-day means for managing sexuality in the absence of methods based on physical punishment.[8] Competing or complementary discourses (religious or secular) can thus serve to reiterate the moral baseline, and to keep ideas about right and wrong firmly established in the interests of social governance.

Foucault's 'explicit' method is traditionally used by conservatives in parliamentary debate. Graham Lee's (National) speech is a case in point. During the HLR debates he stated that

> the practices of homosexuality are: anal intercourse - fucking; oral sex - sucking to the point that the semen is swallowed, or stopping before the semen is actually swallowed; indulging in water sports - that is, urinating on each other, rimming - tonguing the anal area, which brings the mouth into contact with faeces - or, indeed, even seeking to enter the anal opening; the sharing of sex toys; fisting, which is to use the fist and arm to enter into the rectum and right up the body of the partner, or to use other devices that we do not need to hear about (PD 9/10/85: 7269).[9]

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8 Old-time (ie: pre industrial revolution) methods involved corporal and capital punishment rather than moral exhortation.

9 Lee's speech is reminiscent of Foucault's statement that 'Sex was driven out of hiding and constrained to lead a discursive existence' (Foucault, 1978: p. 33).

Some parliamentarians used 'reiteration' as a discursive device, prompting the Speaker to place limits on debate during the Homosexual Law Reform Bill. The Speaker chastised one debater thus:

> when the motion was last put before the House I did say that I would be guided by the degree of repetition. I then heard two speeches in which new material was raised almost consistently, but the repetition has come back into the debate and I am not disposed to allow it to continue much longer merely to repeat arguments, contrary to the requirements of the House (PD, 13/11/85: 8059).

It is clear from the Speaker's comments that 'reiteration' as a technique was well understood and practised by some parliamentarians. The Speaker's statement had followed a speech by John Banks (National) in which the word 'moral' had been mentioned thirteen times in the context of a debate about family and social standards as compared to 'deviant' homosexuality (PD 13/11/85: 8057-9).

Both Gilman and Foucault contended that the moral baseline was substantiated upon evolutionary myths. Gilman states that biblical imagery was used to link notions about sexuality and disease in the syphilis epidemic, so that in pictorial representations 'arrows signify the martyrdom of the victims, who suffer as a consequence of Adam and Eve's fall' (Gilman, 1988: 93). The resurgence of biblical imagery in the HIV/AIDS epidemic is not surprising given that HIV is often sexually transmitted, and that sexual 'truths' in western nations are derived from the Judeo-Christian tradition. More surprising, perhaps, is the ferocity such imagery

provokes in defenders of the status quo, and how the restatement of moral 'truths' has surfaced even in highly secularised societies such as New Zealand. This conservatism is partly caused by fear about the impact of HIV/AIDS, but other factors, including beliefs about a 'moral decline' cannot be discounted.

Gilman and Foucault's premise about the discursive nature of power and its iconographic outcomes appears in the content about the Homosexual Law Reform Bill. Because power is a salient factor in shaping AIDS iconography, Foucault's conceptualisation of how power relations are evident in discourse give a broader understanding of the debates. Speeches about the 1986 Homosexual Law Reform Bill are analysed separately and comparatively with those of the 1993 Human Rights Amendment.

## The Homosexual Law Reform Bill

Parliamentary debate became focused on biblical notions about 'sodomy'[10] in New Zealand's HIV/AIDS

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[10] The Concise Oxford Dictionary (1990 edition) defines sodomy as buggery, or anal intercourse. Sodomy became a crime after New Zealand had acquired Dominion status. It was framed as 'anal intercourse' in a sub-section of the Crimes Act, 1961. Like conservative MPs debating the Homosexual Law Reform, Foucault conflated 'sodomy' with 'homosexuality' when he stated that 'Homosexuality appeared as one of the forms of sexuality when it was transposed from the practice of sodomy onto a kind of interior androgyny, a hermaphrodism of the soul. The sodomite had been a temporary aberration; the homosexual was now a species.' (Foucault, 1978: 43).

epidemic once the Homosexual Law Reform Bill was introduced by Fran Wilde (Labour) as a Private Member's Bill.[11] Prior to this event, parliament's approach to HIV/AIDS was characterised by enquiries about HIV testing, protection of the blood supply, and about AIDS research, funding and education. The Bill was only partly prompted by concerns about the HIV/AIDS epidemic. Its introduction had followed two earlier (pre-AIDS) attempts at reform, including Venn Young's 1974 Private Member's Bill that was defeated seven votes in the House (PD 9/7/86: 2810).

## Discursive Tactics

Trevor Mallard (Labour), introduced the Justice and Law Reform Committee's report on Homosexual Law Reform to the House. He alerted politicians to the Bill's potential as a vehicle for moral incitement by saying that 'the strongest thrust against the proposals in the Bill came from people who based their arguments on some Old Testament biblical passages' (PD 8/10/85: 7204). He added that 'under cross-examination those people were shown to be selective in the passages they thought were applicable to modern criminal law' (PD 8/10/85: 7204). In short, while Old Testament dictates about 'sodomy' were propounded, biblical humanitarian ideals were often ignored. Fran Wilde (Labour) thought that many opponents espousing Old Testament views were

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[11] The Bill was introduced in March 1985. Where legislation is not initiated by government as a 'Government Bill', MPs are entitled to introduce a 'Private Member's Bill'.

homophobic (PD 8/10/85: 7209). Jim Anderton (Labour) reflected on the nature of biblical arguments by asking:

> [I]s it the job of politicians to pass laws that deliver moral judgements on members of our society? Some Christians quote the Bible as the source of saying 'Yes', but the Bible is a dangerous document from which to quote - it may be quoted back. Christ did not have a high regard for either lawyers or lawmakers: 'Unless your justice gives fuller measure than the scribes and the Pharisees you shall not enter the Kingdom of Heaven.' For those amongst us who are anxious to rush forward to judge the behaviour of others He made the mob of his day an offer that it refused. He said 'Let he who is without sin cast the first stone' (PD 9/10/85: 7267).

It was clear from the outset that polemics would mark the progress of the Homosexual Law Reform Bill through parliament. As the debates progressed, moralists railed against liberals and 'secular humanists', and parliamentarians on both sides of the debate used biblical quotes or references to anchor their arguments.

Submissions from congregants in some mainstream protestant churches supported the Bill, and were not in favour of revisiting Old Testament dictates[12]. Individuals from the more 'fundamentalist' religions or those holding

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12 Submissions made to the Select Committee included Anglican, Methodist, Presbyterian and Baptist groups who did not support the Bill. No mention was made of the Catholic Church's view of 'homosexuality' in debates about the HLR.

similar views invariably used biblical imagery to support their arguments. This fact prompted Fran Wilde (Labour) to remark: 'The submissions we heard that opposed the Bill were overwhelmingly based on religious argument. A good many quoted the Old Testament of the Bible, but the totality of submissions demonstrated there is certainly no unanimity amongst the Christian churches on the issue' (PD 8/10/85: 7209). As debate ensued, the use of moral discourse as a technique enabled opponents such as Norman Jones, John Banks and Graeme Lee (National) to create an atmosphere of fear about homosexuality and its effects on society in relation to HIV/AIDS.

Foucault wrote about the secular, multiple methodologies used by government or class interests to control social behaviour; however, the HIV/AIDS epidemic has seen a resurgence of religion-oriented methods such as sexual abstinence ('Just say 'No!') programmes for youth. This resurgence challenges Foucault's belief in a steady progression toward secular, regulatory techniques whose proponents rely solely on education and self-control in the exercise of what he called 'bio-power' (regulation of the body).[13] It also challenges ideas about self-regulation, if only because religious techniques involve perceptions about divine management for which notions of autonomy can be deemed irrelevant. Such notions are evident even among 'Naturists' (believers in a Law of Nature). Neil

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[13] Foucault defined bio-power as the 'explosion of numerous and diverse techniques for achieving subjugation of bodies and the control of populations' (Foucault, 1978: 140).

Morrison (Democrat) was an MP who used the Naturist argument in debate by claiming that

> nature has a gruesome way of demanding a penance in life. It always will and it always has done. There has been a rise in promiscuity among heterosexuals and homosexuals, and nature demands a balance. I do not say that this [AIDS] is some kind of divine retribution. It is not - it is the normal law of nature that when there are changes of attitude on the part of human beings that come, the laws of nature demand a balance. That is what they are doing now (PD 13/11/85: 8054).

Parliamentary debates about morality illustrate the divisions created in the name of bio-power. Pro-Bill debaters such as Helen Clark and Fran Wilde (Labour) defended their stance on humanitarian grounds, and for the sake of populations whose 'invisibility' made them inaccessible to health workers for the purpose of HIV prevention (PD 8/10/85: 7212). Moral conservatives, who opposed decriminalisation through this concept of bio-power as presided over by an external force ('God', 'The Law of Nature'), wielded the concept of 'disease' as a form of divine punishment or biological control. Struggles for bio-power and the resultant schisms were alluded to in debate by Geoffrey Braybrooke (Labour), who stated that public wrangling over the Bill 'has even divided the Christian churches, and that is not a good thing. It has divided political parties, communities, and even families. That is how serious the matter is' (PD 8/10/85: 7208).

Moral anxieties and competing ideologies were most often framed in a rhetoric of freedom which emerged as a discursive sub-text, usually in an attempt to

restigmatise gay men. MPs such as Paul East (National) called on parliament to allow churches, police, prisons, armed services and organisations such as the Boy Scouts the freedom of choice to exclude gay men from employment.[14] Clive Mathewson (Labour) counter-argued for universal freedoms in the form of human rights. He revealed the paradoxical nature of the 'freedom of choice' rhetoric by saying

> I understand the reasoning of those who support the first part of the Bill but not the second. I understand their idea that personal freedom is the motivator - the freedom to hire whoever one likes, and so on. However, personal freedom must sometimes be curtailed. For example, we do not have the freedom to drive on the right-hand side of the road, for obvious reasons (PD 6/11/85: 7810).

Moralists commonly used the rhetoric of freedom to insist on the rights of citizens to a society which was 'free of homosexual disease'. One method of obtaining this utopia was proposed by a visiting USA preacher, Reverend Sheldon, who recommended placing all homosexuals on an island (PD 8/10/85: 7204). Moralists invariably posited 'heterosexual' and 'homosexual' freedoms as being mutually exclusive. Their ideological stance was anchored to claims about a gay-inspired conspiracy to spread HIV/AIDS in society.[15] It was

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14 This exemption became known as the 'Exclusive Brethren Amendment'.

15 Norman Jones (National) called HIV/AIDS 'the homosexually induced venereal disease of AIDS' (PD 6/11/85: p. 7811).

announced by Norman Jones (National), for instance, that gay activists had formed an 'international homosexual conspiracy... to contaminate the world's blood banks to get money for AIDS research' (PD 6/11/85: 7811). His announcement was designed to invoke public fear to an extent not evident in, say, the syphilis epidemic with its focus on individual 'disease-bearers' and 'victims' rather than on 'organised aggressors'. The theorising about a gay plot is evidence of how Gilman's iconography has become hyper-inflated in the HIV/AIDS epidemic, and how it serves to promote notions about conspiracy and biological warfare.

The bid to portray bio-power as biological warfare masked the moralists' own objectives for control by projecting this aim onto members of the gay community. As a result, the 'AIDS victim' was transformed into aggressor in an iconographic reversal not unlike that experienced by Jews during the Black Plague.[16] No longer the passive victim, isolate or even corrupter of the syphilis epidemic, the new disease icon (gay man) was depicted as monstrous through his power to organise on a global scale. That the gay man is no longer perceived to be a victim in the HIV/AIDS epidemic is evident in Geoffrey Braybrooke's declaration that 'the gay community has shown it is out to get its own way come hell or high water' (PD 9/10/85: 7259). Braybrooke also attacked the gay man's victim status by saying 'anyone

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[16] Conspiracy theories were common in epidemics such as the bubonic plague where Jews were thought to poison village wells (Gregg, 1985), and in the influenza epidemic of the USA, where 'flu outbreaks were attributed to German biological warfare (Crosby, 1989).

who genuinely believes that the gay community is passive, quiet, and gentle should have been at those public meetings [to discuss the Homosexual Law Reform Bill]' (PD 9/10/85: 7259). Such attacks suggest that moralists feared the erosion of their own power base, either in terms of ideology or influence. By positing the existence of a conspiracy theory, moralists can act as purveyors of moral safety in the face of apocalyptic threat.

## Political Strategies

Parliamentarians using 'incitement' tactics to oppose homosexual law reform often referred to an 835,000 signature petition.[17] According to Graeme Lee (National), one of the organisers of the petition, its existence was evidence that the New Zealand public had 'come to understand, resist and register its concern about the unnaturalness, abnormality, and deviance of homosexual practices' (PD 8/10/85: 7212). Other opponents drew on informal surveys or polls carried out in their local constituencies to support their anti-Bill views. Howard Austin (National) quoted from an 8,742 signature petition in his Bay of Islands constituency, while Richard Gerard (National) referred to a poll conducted among 600 of his Rangiora constituents, Winston Peters (National) drew attention to a survey in which 15,721 members of his Tauranga electorate had signed the petition, and Geoffrey Braybrooke (Labour)

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17 The number of signatures quoted varied from 800,000 - 880,000, although the figure of 835,000 was commonly used.

stated that 72% of his Napier electorate was opposed to the Bill (PD a) 6/11/85: 7804, b) 9/7/86: 2816, c) 16/10/85: 7244, d) 9/10/85: 7259).[18] Other MPs reported having 'consulted widely' among their constituents, while still others (usually in support of the Bill) quoted Heylen opinion polls which indicated that 62% New Zealanders approved of homosexual law reform in 1985 (PD 9/10/85: 7257). Ostensibly, the aim of such headcounting was to establish 'the will of the people', yet more often than not, this 'will' coincided with the opinions of conservative MPs.

To some politicians such as Clive Mathewson (Labour), tactics employed by anti-Bill campaigners often amounted to little more than moral blackmail. Mathewson recalled the presentation of the 835,000 signature petition to parliament, noting that

> the boxes that were brought up the steps [of parliament] were not full. Why would the presenters of the petition bring a lot of empty boxes up the steps unless they were trying to impress people about the number of signatures collected? None of the boxes was even half full, and many of them had only an inch or two of paper in the bottom. Anybody can examine them and verify that. What was the reason behind that deception? If the petition had the force of reason behind it, it did not need to be made defective in that way. The presenters of the petition have threatened those who vote for the Bill with electoral defeat (PD 6/11/85: 7807).

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18 Geoffrey Braybrooke was one of the few Labour MPs who voted against Homosexual Law Reform.

Here, the mechanics of power, in the form of public display and rhetoric, are identified by one of the Bill's supporters. Such display was characteristically accompanied on both sides of the House by exaggerated claims, emotive reasoning, and a reliance on expert opinion obtained from Harvard scientists, theologians and ancient Greek philosophers. [19]

References to the petition, polls and surveys, mainly by conservative MPs, during the Homosexual Law Reform debates, exemplify active attempts to establish control in the House through claiming a majority vote in the electorate. Not surprisingly, supporters of the Bill charged that the petition was invalid because it contained false or invalid signatures (PD 9/10/85: 7259). Supporters argued for homosexual law reform on the basis of 'force of reason' rather than the 'force of numbers' as represented by the petition. The reference to force in this context is redolent of Foucault's 'plurality of resistances [which] play the role of adversary, target, support, or handle in power relations' (Foucault, 1978: 95-6). The adversarial nature of parliament guaranteed that power operated in terms of a discursive struggle, and that resistance emerged in the form of disparate ideologies such as the 'Law of Nature', 'Old Testament laws' and 'Human Rights'.

The survey as a social 'tool' has been critiqued by Jean Baudrillard (1983). In his book *In The Shadow of the Silent Majorities*, Baudrillard says that 'everywhere the

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19 For example, in making her case against secular humanism and the Homosexual Law Reform Bill, Tini Whetu Tirakatene-Sullivan (Labour) referred to Greek philosophers Plato, Socrates and Aristotle

masses are encouraged to speak, they are urged to live socially, electorally, organisationally, sexually, in participation, in festival, in free speech, etc..' (Baudrillard, 1983: 23). He calls the survey the 'floating sign' and says it is 'intended for manipulation... because everyone knows the profound indeterminateness which rules over statistics... to which again hardly any notion of 'objective law' corresponds' (Baudrillard, 1983: 23). Like the survey, the 800,000 signature petition opposing the HLR was presented as evidence of the strength of public opinion. It was 'intended to manipulate', as were the threats of political defeat. So too, were the threats of violence that became commonplace as the Bill proceeded through the House. While the threats were aimed at liberals and conservatives alike, ones uttered by fundamentalists were more strident.[20] These threats took the debate beyond mere 'incitement to discourse' to 'incitement to violence' in the interests of biblical morality. As Foucault pointed out, violence was the mainstay of absolutist rulers before moral discourse emerged as a

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20 Fran Wilde claimed that she had been 'the object of a bitter hate campaign' and had 'experienced some of the hot breath of hatred that is breathed on gays and lesbians from the extreme homophobes in our midst' (PD 9/10/85: 7254). Neil Morrison (Democrat) stated that 'many people on both sides of the issue have received threats. I have received threats, and I find that most unfortunate. I commend the member of Wellington Central [Fran Wilde] for being brave enough to introduce the Bill into the House; it took some courage. I consider some of the abuse she has received from people who claim to be Christians to be totally despicable. Many people on both sides of the argument could do much soul searching' (PD 9/10/85: 2821). Parenthetical content has been added.

means of regulating behaviour in Western societies. The position taken by some opponents of homosexual law reform is therefore reminiscent of ancient absolutism, but with a modern twist. The existence of violent threat is suggestive of the 'power of the sword' lurking behind the 'power of the petition' in an attempt to elevate the petition (as word) into absolute Word as dictated through the will of the people.

During the second reading, supporters refrained from further debate. Of the sixteen speakers heard during debate in November 1985, only two supported the Bill. No supporters spoke during the third reading. This silence was an attempt to offset the various delays created by the Bill's opponents in the House. Tactical delays included requests for Supplementary Amendments (to raise the age of consent to twenty years), proposals to re-refer the Bill to the Select Committee on the basis of allegedly substantial questions about procedure (such as hearing all 1,000 public submissions), and recommendations for postponement until a Royal Commission could report on the issue. By not participating in debate, ironically the Bill's supporters served to make the opponents' rhetoric appear more obstructive than otherwise might have been the case. Furthermore, the one-sided debate was not a sign of political disengagement, for supporters lobbied MPs outside the debating chamber either on a collegial basis or through the offices of the Select Committee. It is arguable, however, whether the outcome in favour of reform was wrought by political savvy, or by the singular fact of Labour's substantial parliamentary majority.[21]

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[21] The vote was almost evenly split (49 Ayes, 44 Noes). Voting was sharply divided between Labour and

Either way, the Homosexual Law Reform Bill became law, despite the fulminations of moralists whose much-publicised petition ('undoubtedly the biggest petition in New Zealand's history' [PD 13/11/85: 8063]) failed to be the political coup they anticipated. Defeat was not one-sided: political losses were incurred by the reformers, and Part II of the Bill relating to human rights had been abandoned in the face of certain defeat. Part II did not become a legislative item again until 1993, when it was packaged with other provisions as an Amendment to the Human Rights Act, 1977.

## The 1993 Human Rights Amendment

The 1993 Human Rights Amendment was introduced during the National Party's term of office. In its final form, the Amendment was designed to protect individuals from discrimination on the basis of their sexual orientation, disability or HIV+ status in employment and housing, and in the provision of goods and services.[22] Other provisions

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National parties for the HLR Bill. Only three National MPs (G. Gair, M. O'Regan, I. McLean) voted for reform, while 35 voted against. Labour's 'party vote' (block voting) tradition also facilitated passage of the new legislation. The Human Rights Amendment was passed more convincingly (48 Ayes, 26 Noes). Voting patterns for the HRA are discussed later in this paper.

22 Specifically, the Amendment made it unlawful to discriminate against an individual on the basis of sexual orientation, disability or 'presence in the body of organisms capable of causing illness.' It also guaranteed rights of employment to such individuals, and their 'access to places and facilities, education, the

of the Act, such as those relating to sex, race and gender were fine tuned in this Amendment.[23] Of several changes to the 1977 Human Rights Act, the most recent (in 1992) had been to ban age discrimination.

A Supplementary Order giving rights to homosexuals and PWAs was introduced during debate by Katherine O'Regan (National) and proceeded as a conscience vote in the House. While the Amendment's scope was much broader than the Homosexual Law Reform Bill with its focus on gay men, arguments about homosexuality dominated debates as soon as the Order was introduced. This focus led to expectations that the moral furore over homosexual law reform would recur. However, the Bill's impact was diluted by the way it was incorporated with other legislation, and by the feeling of *deja vu* that existed in the wake of Homosexual Law Reform.

Most arguments opposing the sexual orientation and disease status provisions of the Bill had been aired in 1986. Campaigners such as Graham Lee and John Banks (National) reiterated their beliefs about how gay men compromised youth, the family, and society (PD

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provision of goods and services, land, housing and other accommodation'.

23 Fine-tuning involved extending the provisions of the Act to voluntary workers, replacing the term 'gender' with 'sex' (which included pregnancy and childbirth), prohibiting 'unnecessary' questions on job application forms in relation to sex, marital status and age, and prohibiting 'racial slurs' to be published in the print media.

27/7/93: 16916; PD 27/7/93: 16928)[24]. The conspiracy theory was taken up by John Banks (National). His anti-gay statements were supported by colleagues who alerted the House to the existence of New Zealand's 'extremely powerful, very persuasive, and very well organised gay lobby'.[25] John Banks linked homosexuality with lifestyle in an effort to instil fears about the sexual predilections of gay men. In speeches about the effects of homosexuality on youth, family and society, he attempted to divert discussion away from sexual orientation (the focus of the Supplementary Order) toward sodomy as a yardstick for deviant, non-heterosexual and therefore, destructive behaviour (PD 27/7/93: 16917).

As in 1986, the results of petitions and surveys such as the Homosexual Law Reform petition, local polls, or larger surveys conducted on a nationwide basis by McNair and The National Research Bureau were used to support views on both sides of the debate.[26] Statistics

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24 One of parliament's most outspoken opponents of homosexual law reform, National's Norman Jones, had died before the 1993 Human Rights Amendment could be debated in parliament.

25 For example, Hamish Hancock (National) made this statement in a speech opposing the HRA (PD 27/7/93: 16930).

26 Results from the 1993 McNair survey (commissioned by members of the AIDS Foundation) demonstrated that most New Zealanders favoured open employment policies, even in the armed forces and the police, while those of the National Research Bureau (commissioned

produced during debates about homosexual law reform, like those about the degree of homosexuality in society, were re-presented (for example, by Ian Peters (National) PD 27/7/93: 16924). Themes articulated during the 1986 Homosexual Law Reform Bill resurfaced in discourse about standards, freedom of choice, and the family; in the emphasis on scientific evidence about the levels of homosexuality in society; and in arguments about fundamental human rights and biblical dictates.

The political fervour that had marked the passage of the Homosexual Law Reform Bill was less pronounced in 1993. Peter Luke in the *The Press* wrote that 'in the end, the move to ban discrimination against homosexuals passed through Parliament with scarcely a hiccup' (*The Press,* 31/7/93: 22). There were no tactical delays, or large-scale petitions calculated to subvert reform. Moral debates also lacked the intensity of 1986, so that the Bill's passage 'clearly reflected a growing mood of tolerance if not liberalism over this issue' (*The Press,* 31/7/93: 22). The iconographic focus of the arguments was reflected in the absence of discussion about other proposed changes to the Human Rights Amendment. This neglect drew sharp comment from John Carter (National) who said

> I am disappointed that during the debate most of the parts of the Bill that refer to discrimination against those who are handicapped, and so on, have just whistled through the House and have not been debated. They have hardly been

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by the then Police Commissioner, John Banks) 'showed that the public was clearly against or had mixed views about the prospect of openly homosexual police' (PD 27/7/93: 16937 and 16945).

> referred to, yet they are very important issues. Quite honestly, I do not think that any speeches were made about those particular provisions (PD 27/7/93: 16878).

Christopher Laidlaw (Labour) also remarked that 'too much attention has been devoted right through the debate thus far to the whole question of sexual orientation and body organisms. I suspect that in twenty years or so we will look back and wonder what on earth the fuss was about' (PD 27/7/93: 16919).

The attention given to homosexuality and AIDS in the debates was, in part, an outcome of the way in which the Supplementary Order had been framed as a health issue. As quoted in *The Press*,

> Mrs O'Regan [National] had sold her proposal as a health measure rather than a human-rights reform. In essence, her argument was that to curb the spread of AIDS there must be a social environment in which homosexual people could feel secure in coming forward to seek medical treatment or advice. If discrimination on the grounds of sexual orientation or the presence in the body of disease-causing organisms had not been banned, such people might not risk the social stigma that could follow identification (*The Press*, 31/7/93: 22).

Supporters had hoped that by framing the Supplementary Order as a health issue its prospects in the House would be advanced. The final vote in favour of gay rights suggests that this strategy was successful. However, at times it also resulted in 'fiery extremes of passion' reminiscent of homosexual law reform (*The*

*Press*, 31/7/93: 22). Dichotomous concepts about health and disease soon appeared in debate; supporters such as Katherine O'Regan (National), Lianne Dalziel and Steve Maharey (Labour) praised the health aspects of the Order, while opponents like Graeme Lee, Peter Tapsell, John Banks and Ian Peters (National) used apocalyptic imagery in an attempt to catastrophise 'homosexual' disease. Unlike the Homosexual Law Reform debates, however, their focus was on 'moral' rather than 'physical' disease. This discursive shift meant that homosexuality was posited as a perversion, and as a threat to the health of society.

John Banks (National) polarised the debate further by challenging the reformers' 'gay health' rhetoric to suggest a causal relationship between homosexuality, paedophilia, and other sexual crimes involving children. Not only did he argue against extending human rights provisions to gay men by linking homosexuality with child abuse, but contrary to his stance in 1986, he refrained from making explicit references to 'disease-bearing' gays.[27] This discursive shift was apparent to supporters such as Sonja Davies (Labour), who remarked that 'the recent connections between sexual orientation and paedophilia are grossly ill-informed, as there has never been any correlation shown between homosexuality and child abuse. These wild claims are nothing more than homophobic scare tactics' (PD 27/7/93: 16950). Nevertheless, John Banks' use of rhetoric had propelled

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[27] Apparently, lesbians were of little concern in either the 1986 or 1993 reforms, for according to Peter Tapsell, they were 'quite a different psychological phenomenon' than gay men (my italics). (PD 27/7/93: 16923)

the image of the gay man into that of a sociopathic predator, which transcended Gilman's 'disease' icon for whom sympathy (and human rights) could justly be afforded.

The decision to conflate 'homosexuality' with 'sexual predation' by moralists such as John Banks occurred during heightened public concern about child abuse in New Zealand (eg: incest, domestic violence, school bullying).[28] It can be argued that intentionally or otherwise, conservative politicians were reflecting wider understandings of sexual behaviour that effectively expanded pre-existing discourses about sexuality and STDs in New Zealand. Conservatives' renewed attempts to rally public and political opinion against gay rights meant that homosexuality could be reframed as morally and psychologically 'sick' in the context of wider concerns about social chaos.[29] By so doing, they hoped

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28 News items relating to school bullying, child abuse, incest and domestic violence had appeared in *The Press* and other newspapers, and in general interest magazines such as *Metro.*

29 Peter Tapsell (Labour) and Ian Peters (National) were two politicians who referred to gay men as 'sick' or 'dysfunctional'. Ian Peters stated that 'it is interesting to reflect that the three registered medical practitioners in the House will not vote for the supplementary order paper, and there must be a very good reason for that... I repeat that homosexuality is a dysfunction. It is also completely against being comfortable about one's health. At the heart of homosexuality is a health issue, and one of the reasons that I shall not support the Bill is that it is contrary to good health' (PD 27/7/93: 16925).

that political tolerance of gays would be called into question, or halted. Peter Tapsell (Labour) warned that

> [T]his law will not change one bit the public attitude in regard to the homosexual. Men will despise them and women will patronise them. What worries me most is that I foresee that the wheel will turn to the stage at which we will see brutal repression of homosexuality. If I were to guess, I would say that we will see that repression begin in the United States or Germany, then spread, and there again will be brutal repression of homosexuality. The irony of that is that those liberals who at this time promote homosexuality in 30 years' time will lead the march back, and they will do it with the same fierce zealotry with which they have promoted this measure now (PD 27/7/93: 6924).

The prevalence of AIDS iconography in both the HLR and HRA debates lends weight to Gilman's argument about the nature of 'free-floating' disease imagery (Gilman, 1988: 88). By free-floating, Gilman meant that ideas about a particular disease remain constant, even when the discourse that frames them shifts according to cultural, political or historical context. Thus, while the discursive shift outlined here relates to the way sexuality is problematised in New Zealand, notions about AIDS remain firmly fixed on the 'polluting' image of the gay man. As Gilman points out, all such image-making must be understood as part of an ongoing attempt to isolate and control disease. His argument is supported by the fact that the Bill was framed in terms of a health issue, and that politicians on both sides of the House utilised the disease/health dichotomy in debate.

A focus on homosexuality and HIV/AIDS in 1993 meant that employment rights *per se* were often masked by the iconographic nature of the debates. The attention given to health in the HIV/AIDS epidemic also meant that the larger question of 'Whose power?' in human rights issues was often ignored. Steve Maharey (Labour) alerted colleagues to the problem by saying

> I believe that it is very important to understand that the issues that we discuss here are about power: who has it, and who exercises it over others. That will become most apparent when we talk about the supplementary order paper. When we do talk about the supplementary order paper in relation to sexual orientation and organisms in the body, we must remember that, although we call this matter - in a somewhat joking way, I think - a conscience vote, and although we as individuals exercise our individual consciences, what we are doing is either defending the rights of people to oppress others or saying that that is not on and that people cannot oppress others (PD 27/7/93; 16914). [30]

Here, Steve Maharey suggests that the parliamentary veto can be used in the exercise of hegemonic power. This prospect, however, had been taken into account prior to the introduction of the Supplementary Order according to Foucault's 'interplay of nonegalitarian and

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[30] Steve Maharey was trained as a sociologist, and might have been more likely to analyse the situation in terms of hegemonic power than other parliamentarians

mobile relations' (Foucault, 1978: 94).[31] Reformers had devised a number of successful strategies such as flooding parliament with submissions in support of gay rights, linking the Supplementary Order with health concerns, conducting a more open-ended, national survey to counter the one commissioned by Police Commissioner John Banks, and packaging the Order between 'goodwill' provisions designed for disabled individuals and pregnant women. By these means, reformers demonstrated their political acumen over an increasingly depleted cast of 'conscience-voting' moral conservatives. The veto feared by Steve Maharey was thus a non-event. By way of the 'mobile relations' of power, conservative hegemony had been subverted, and legislative objectives were achieved despite the obvious focus on AIDS icons

The Amendment was passed in July 1993 by forty-eight to twenty-six votes. At that time, the ratio of National to Labour MPs in the House was more than 2:1 (sixty-three votes to twenty-nine). The Bill's passage was therefore not affected by National's more conservative majority, for according to Peter Luke of *The Press*, over half had also favoured reform (twenty-four votes to twenty-three).[32]

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31 Foucault believed that hegemonic power is unstable, being constantly subjected to challenge from 'multiple sites'. By non-egalitarian relations, he meant that a state of disequilibrium is guaranteed by the friction generated through competition for status and control.

32 Luke attributes this phenomenon to urban-rural demographics, saying that Nationals from urban electorates favoured reform more than their rural colleagues.

Political strategies had undoubtedly influenced some conservative MPs. For example, National's Graeme Reeves, whose electorate is 'generally regarded as being more conservative than many urban seats because of its elderly and Catholic population' (*The Press,* 31/7/93: 22) changed his vote after witnessing the number of Select Committee submissions in favour of reform. Cam Campion (formerly National) also voted for the Bill, 'on the basis of written submissions to his electoral office' (*The Press*, 31/7/93: 22). Even such conservative stalwarts as John Carter, Brian Neeson and Alan Meurant (National), voted for reform.

## Conclusion

Persistent imagery about gay men as the vectors of AIDS emerged in debates about homosexual law reform and human rights in New Zealand. This imagery has a history: its roots are in Judeo-Christian notions about sin and sexuality, and in blame paradigms that emerged during the syphilis epidemic with respect to 'female' or 'feminised' promiscuity. Iconography about gay men provided a conceptual link between debates about HLR and HRA, despite differences in the two reforms in relation to timing, specificity and focus. The emergence and re-emergence of this iconography support Gilman's argument that powerful ideas about disease-bearers remain even when the discourse surrounding them shifts according to political, historical or epidemiologic events.

Arguments about homosexual law reform were, in the main, predicated on issues of health and equity. While debates over HLR were often bifurcated on partisan lines, parliamentarians on both sides of the House used

'health' or 'disease' imagery during debate. Debates about HLR centred on the effects of homosexuality, particularly in relation to physical disease. In 1993, the focus was less on 'gay disease' as a threat to physical health, than on 'homosexuality' as a threat to moral health. In part, this shift resulted from growing media, political and public sector indifference to the physical threat of AIDS (AIDS had been seen as an impending national health crisis in New Zealand in 1986 but was no longer viewed as catastrophic in 1993). This paper has argued that the 1993 focus on moral rather than physical health reflected a diminished sense of urgency about AIDS, and public acceptance of the non-apocalyptic effects of a decriminalised homosexuality. Growing public anxiety about crime and socio-sexual issues such as incest, rape, paedophilia, and domestic violence had overtaken 1980s concerns about apocalyptic disease.

My analysis suggests that iconography can be adapted to prevailing political or public health concerns. The discursive tactics used to oppose or promote law reform demonstrate how, and by what means, pre-existing iconography can be used in modern times to reaffirm or challenge the status quo. Iconography about sexually transmitted disease became a political rallying point when it was appended to other discursive methods like petitions, philosophical arguments, scientific data, poll-taking, lobbying and discourse about human rights. Iconography about sexually transmitted disease was a potent form of discursive power because of its reiteration in the local context, because of the methods used in its name to promote or challenge the status quo, and through its subsequent expression in 'enlightened' health policy and praxis in New Zealand.

The parliamentary debates discussed in this paper both ended in victory for reformers. However, the changes wrought by the reforms are open to challenge because of the constant juxtapositioning for power in economic, social and political life. At the political level, these challenges will continue to be expressed in parliamentary debate as framed by the rhetoric of fear, power, and moral destiny. The absence of legislation is also indicative of the exercise of power, ie: the power not to address issues, as has occurred with the reforms advocated by sex-workers in New Zealand. In the meantime, the AIDS icon sits uneasily between the axes of death, immorality or empowerment, awaiting the next twist in epidemic history in which protagonists will re-visit old and new discourses.

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# The Establishment of Sociology in New Zealand: A 'Founders' Retrospect

*Merv Hancock*
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## 1. Reflections

*Merv Hancock, Palmerston North*

History had been an abiding passion with me since my childhood. At high school in Palmerston North, I encountered a teacher whose combination of historical and economic analysis of nineteenth century history fascinated me. This experience convinced me to take a history degree at University. At the University College of Auckland, a constituent college of the University of New Zealand, I found myself exposed to a clash of ideas between the Marxian analysis of Willis Airey, a lecturer in History and the idealist Professor of History, James Rutherford.

The outcome for me was the need to extend my historical understanding with sociological knowledge. I began to read more widely in sociology. This was confirmed by other influences.

Religion played its part in my interest in sociology. I was raised in a Methodist household with regular participation in church life. But Marxism, Neo-Thomism, Realist Conservatism, Freudism Existentialism, Anarchism, all challenged my Christian philosophical base. I became interested in the sociology of knowledge and a critique of the moral order of social life. This concern with social theory has remained important throughout my career.

The contribution of religion had one other major influence on my sociological interests - a concern with social process and, in particular, communication and the patterns of everyday life in all contexts. It made me interested in the study of people in groups, how groups are formed, the patterns of interaction, and the influence of groups on its individual members and on the larger institution in society. This led to a career-long interest in how meetings and groups are run, how they are structured, and how decisions are made.

In 1949, I joined the then Child Welfare Service of the Department of Education as a trainee social worker. In 1950, I commenced my education and training as a professional social worker and was one of the foundation diploma students at the School of Social Science at Victoria University College, Wellington. The courses on the Social Services, analysis and research were full of sociological material but were not necessarily identified as sociological.

This began my interest in supporting the more formal teaching of sociology. Over the next ten years, and with other social workers, I supported representations to Victoria, Canterbury, and Auckland universities that argued for the establishment of formal Sociology courses. What social workers in those years sought were specific sociological studies that addressed social problems, coupled with structural analysis.

In my initial years of social work practice in the Child Welfare Service in Gisborne, I paid particular attention to the significant migration of Maori families from rural to urban areas, the reasons for such migration as well as the dramatic effects in family life.

It was sociological work in books and articles that I read that shed the most light on these experiences. Whilst psychological ideas were helpful, it was sociological thoughts that gave insight to any analysis. Certainly, sociology was significant when it came to understanding they dynamics of migration, on the one hand, and professional organisations on the other.

My work in Gisborne as a social worker involved a balance between the Pakeha and Maori communities. In each, different knowledge and skills were required. In the Maori community, I came to understand the significance of iwi, hapu, and whanau. What became apparent was the importance of a Maori view of land and people. I recognised a Maori sociology. I made a decision at that time that I would not interpret the Maori world. I would be a silent 'friend'.

In 1957, I transferred to Dunedin as a senior social worker. The years 1957-1964 were significant for the efforts I made with others to develop a professional body for social workers. The New Zealand Association of Social Workers (NZASW) was founded in 1964.

I was elected President of the NZASW for the years 1964-1966 and I had a mandate to secure further education and training for social workers (both pre-entry and in post-training). Support was provided for the only university-based training in social work, the Diploma in Social Work at Victoria University. It also meant supporting new Diploma in Social Work at Victoria University. It also meant supporting new developments at the other constituent universities at Auckland, Waikato, Massey, Victoria, Canterbury and Otago. The Social Workers Association raised questions about

academic programmes in sociology and applied professional courses in social work. The results were extremely uneven. At Victoria and Canterbury universities, sociology teaching flourished and was strengthened institutionally, while sociological teaching commenced at Waikato in 1966, Auckland in 1969, and at Massey in 1971.

The dramatic increase in student numbers enrolling in courses in sociology at the five universities in the period 1960-1972 reflected the demand for the discipline.

In 1966, I left the Child Welfare Service and entered private Social Work practice working as a Family Counsellor. I was now living and working in my home town of Palmerston North.

In 1967, Professor Jim Robb invited me to join the Sociological Association of Australia and New Zealand (SAANZ). At the time, the criteria for membership was equated with interest. I joined SAANZ and remained a member when the Sociological Association of Aotearoa (NZ) emerged in 1989. Membership of the Association reflected my interest in sociological matters.

In 1968, the National Government established a National Development Conference to undertake an intensive review of New Zealand resources and to identify the broad lines of future economic development. Twelve sector councils were established. However, no social or cultural committees were proposed.

Social groups protested and a social and cultural committee was established as an afterthought. In its report, it recommended the establishment of a social

development council. Unexpectedly, given my point of view, I was invited to join the council and was a number from 1969 to 1975. Much of the work of that Council deserves close study.

Being a member of the Social Development Council provided an opportunity for me, and others, to raise questions about the low level of funding for social research. We proposed two initiatives - a Social Science Research Council and an independent Social Research Institute. In my time on the Social Council, little substantive progress was made.

To return to social work training, in 1973, after a period of sustained advocacy by the New Zealand Association of Social Workers, the Government established the New Zealand Social Work Training Council.

Three universities - Auckland, Canterbury and Massey - subsequently established social work diplomas and degrees. In all cases, it was sociology departments that provided the support and home for these new developments.

My contribution lay with Massey University when in 1974, I was part of a working party jointly supported by the University and NZASW to make recommendations to Massey about what was required in social work education. The group recommended the establishment of a four year Bachelor of Social Work degree within the Department of Sociology and the Faculty of Social Science.

I joined their Department of Sociology in 1975 as a Lecturer with Graeme Fraser as Professor. Throughout

1975, I worked closely with Graeme to secure the appropriate approvals for the programme at the level of Faculty, University Council, and Curriculum Committee of the New Zealand Vice Chancellor Committee.

In 1982, I ended my eight year teaching at Massey University and returned to the private sector and reopened my practice. My own judgement was that my best work was done in direct service and, whilst I loved teaching and working with students, it was important to renew my practice knowledge and skills.

Over my career, three professional organisations have played an important part - the Social Workers Association, the Association of Psychotherapists, and the Sociological Association.

Each has been concerned to establish its own identity, to stand independent of the state and to develop its own principles of accountability with ethical statements or codes of practice.

My active work with the Sociological Association came late in my career in the period 1987-1996, when the issue of the establishment of separate Sociological Association of Aotearoa (NZ) emerged.

Profound cultural matters had been reawakened in New Zealand. The constitutional significance of the Treaty of Waitangi became central again in New Zealand.

It was vital, in my view, for a kiwi-focused association of sociologists to be founded. I joined with Paul Spoonley and others in making the Sociological Association of Aotearoa (NZ) happen. The objects of the new

constitution and the new Code of Ethics of the Association reflected a specific set of New Zealand concerns. This step did not imply a lessened concern with international matters or a reduction in contact with Australian colleagues, but a new commitment to sociology that had a relevance and impact on New Zealand.

In 1994 I was elected President of SAA(NZ).

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## 2. Some Thoughts on Beginnings

*Jim Robb, Tawa, Wellington*

Sociology has had a longer academic history in New Zealand than some may think, having made its first appearance in the calendar of the University of New Zealand as a single stage subject for a Diploma in Social Science in 1921 (later added to the B.A.) and remaining there unchanged until 1941. During that period it was never officially taught at any of the four colleges of the university though each year a few students sat the examination. In 1950 it reappeared in the guise of Contemporary Social Problems for a different Diploma in Social Science, a training course for social workers, at Victoria University College.

My own appearance on this scene in 1954 seems, looking back over my memories, to have been the end result of a series of accidents. I came to Wellington in 1940 to train as a schoolteacher and with the ambition of eventually completing a degree with majors in History and English and teaching these subjects in secondary schools. Timetabling problems prevented my enrolment

in English that year and following the casual advice of an academic I happened to consult I enrolled in Psychology. This caught my interest and I eventually majored in this subject along with History. Then came the inevitable war service and in 1946 I found myself back in Wellington eligible for a rehabilitation grant which enabled me to acquire an MA in Psychology and a further rehabilitation grant for overseas study. But for the war and these grants I would almost certainly have spent the rest of my working life in schools.

By this time, under the influence of Ernest Beaglehole, my psychological interests had settled on social psychology and in the course of writing my thesis I had become impressed by the extent to which research in that subject had been based on data drawn from university students and hence from the middle classes. I went overseas with the specific intention of undertaking research in a working class population. The size of my grant and my lack of other funds ended any thoughts of study in the US and the only possible place for me to go seemed to be the London School of Economics in a Department of Sociology. I did manage to keep to my plan of a working class study but chance factors determined by topic - anti-Semitism. With my thesis unfinished my grant ran out and I had to get a job - quickly. I found myself working in an experimental social work unit doing marriage guidance and then on to research on a related topic.

I had always intended to return to New Zealand to an academic post but early in 1954 family circumstances resulted in a return at short notice and again with no job. At this moment the School of Social Science at Victoria found itself short of a staff member to teach social work

practice and - Contemporary Social Problems! My colleagues in this situation were Professor Bill Minn, newly arrived in New Zealand from London, and John McCreary, like myself a former student of Ernest Beaglehole. Two more compatible colleagues would have been hard to find and both were anxious to introduce a more systematic course in sociology. We soon found there was strong support from other departments, especially Geography, Education, and Political Science. Sociology I came into being in 1957. I did the bulk of the teaching with some support from John. My wife, who had a London degree in sociology (and three small children), was happy to have a home-based job marking the essays. Second and third year courses were approved by the university in 1962.

This all sounds simple, but it wasn't. It required all of Bill Minn's bureaucratic skills acquired during years of work establishing the British Probation Service from within the Home Office and provided me with a training in university politics and administration rarely thrust onto newly appointed lecturers. It also meant that the total amount of teaching expanded to the point where all three of us were carrying a heavier load, even with the establishment of two new posts which was one of the essential pre-requisites of the development.

Apart from the difficulties of getting posts established we were faced by the problem that at the time there was a world-wide sellers' market so far as academic posts in sociology were concerned. In Britain recent honours graduates were being appointed to tenured lectureships in newly created universities in order to get teaching under way and pressures were almost as great in North America. It was almost impossible to find sociology

graduates of any quality who were interested in heading for the ill-paid backwaters that constituted the universities of New Zealand at that time. When we advertised we had considerable numbers of applicants but virtually all with CVs that suggested they had been turned down for practically every vacant post in their homelands. I wrote long enthusiastic letters to every sociologist with whom I had even the slightest contact asking them to canvass their colleagues and senior students on our behalf.

In the midst of this came the Bay of Pigs incident and the Cuban crisis with the announcement of the installation of Russian rocket launders in Cuba. Suddenly we had a rush of applications from the east coast of the USA from sociologists claiming they had long had ambitions to come to New Zealand and that suddenly their circumstances had changed to make this possible. It became the joke around the department that we should ask the university to award Fidel Castro an honorary doctorate for services to NZ sociology. In a week or two the crisis was settled and nothing more was ever heard from any of the enthusiastic would-be immigrants.

Eventually our efforts were rewarded and the second and third year courses became a reality in 1964 and 1965. An able young American with adventurous tendencies and a strong interest in the great outdoors, Bill Birch from Minnesota, was appointed and gave us excellent service for three years before returning to the US and a chair at Yale. At the same time the expatriate New Zealander demographer at ANU, Mick Borrie, wrote saying that his research assistant, Miriam Gilson, was for family and personal reasons returning to New Zealand. She had no formal qualifications in sociology but if we

were to appoint her, Mick assured me, we would never regret it. He was certainly right about that.

From the beginning we had incorporated some demography in our sociology course. From my point of view this was a result of my association in London with Richard Titmuss, then employed by the Medical Research Council and better known as a demographer than a social administrator. I had then, as I still have, a degree of skepticism about the value of probability statistics for a good many of the topics that occupy most of the attention of sociologists, but no doubts as to the usefulness of demography in getting close to the quantitative aspects of many features of social structure. John McCreary had quite independently discovered the importance of demographic analysis for his interest in gerontology and criminology and as both of us developed connections with the epidemiologists at Wellington Hospital this interest became firmly established in the department while acquiring much greater technical depth from Miriam Gilson's teaching and research. She also built up our teaching in urban sociology and the family.

On the personal level another important event was my discovery that Richard Thompson at Canterbury was also developing a course in sociology and thus began a very pleasant collaboration which became organisationally more important as the courses developed and the tasks associated with the marking of advanced examinations and theses came on the scene.

Also important were the relationships between the social work and sociology courses at Victoria. Apart from the fact that the Diploma syllabus was altered to replace

Contemporary Social Problems with Sociology I the research methods course provided for the Diploma students by John McCreary included participation in an annual social survey, the results from which provided us with hitherto unavailable quantitative data about aspects of New Zealand society which we were able to incorporate into our teaching. On occasions it was possible to include some of our advanced undergraduate students in the survey team and so give them practical research experience.

Post-graduate teaching began in 1967, but space prevents me from exploring this development. I want however to mention one feature. In the early years of the sociology course we were constantly being approached by graduates in varying subjects and of a variety of ages bewailing the fact that they had had no opportunity to graduate in sociology and were now prevented by career and domestic responsibilities from starting again on the three year path needed to achieve this ambition. Given that none of those of us who were teaching sociology at this time had ever completed an undergraduate course in the subject it was somewhat embarrassing to keep insisting that unless these people were prepared to do just that they could not be admitted. We finally solved the problem by persuading the university to create a new kind of qualification, the Transitional Certificate, whereby completed of a one year crash course in sociology would enable graduates in other subjects to enter on the first year of graduate study. This has, over the years, given us some outstandingly good students who have contributed much to New Zealand sociology and the obvious success of the scheme quickly produced initiations throughout the university.

**Note:** For a more detailed account and a bibliography see Robb, J.H. and Crothers, C.H.G. "New Zealand" in *Sociology and Social Anthropology in Asia and the Pacific*, edited by Yogesh Atal. New Delhi: Wiley Eastern Ltd./Unesco, 1985, pp.460-508.

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## 3. Early Days at Canterbury

*Richard Thompson, Christchurch*

It was during afternoon tea in the first term of 1957 that Alan Crowther, Professor of Psychology at the University of Canterbury said casually: "Someone could start Sociology here if they wanted to". I said: "I'd be prepared to give it a go". The matter was settled. I can't remember that we said anything more at the time but at some point we must have considered what was needed to set the Faculty wheels in motion. Alan's comment hadn't been casual. The decision had been made that the time was ripe to introduce Sociology at Canterbury, that the new subject could find a home in the Psychology Department until such time as it was able to stand on its own feet and that if I was willing to add the extra course to my Psychology teaching, Sociology could be launched without either delay or cost to the University. Alan laid the bait, I took it and the rest was administration.

Almost 40 years later, this may seem a curious way to start a department. There were even those who saw in this procedure, evidence of hostility to the establishment of Sociology. It avoided delay. With the start of the 1958 academic year, Sociology was in business. Its chief drawback: the unreasonable demands made on anyone whose job it was to carry the subject to the point, [stage 1 and all stage 2 courses in addition to Psychology

courses], where the overloading was so obvious that a staff appointment had to be made if stage 3 courses were to be introduced. The teaching load remained an acute problem. It had not occurred to us that when the time came to appoint staff, there would be such a shortage on the world market. Our first appointments came from the Netherlands, the USA, India and Czechoslovakia. I even wrote around Sociology departments in Japanese universities to draw attention to vacancies and sparked an alarmed enquiry from the New Zealand Embassy in Tokyo. It was not until late in 1969 when we were able to make two good English appointments from one advertisement that the staffing crisis ended.

In the first few years, students enrolled for the Sociology 1 course could not expect to advance it. They took the course out of interest and to add an extra unit to their degree. Sociology 1 was less theoretical, more anecdotal and more concerned with accounts of specific studies than is likely to be the case today. It aimed to provide students with something to talk and argue about over morning coffee. It was made clear that the course content was principally to be found in the set-books. A good knowledge and understanding of these ensured a pass and that the pass would be earned. Wilson and Kolb's *Readings in Sociology* provided the course outline and Homans's *Human Group* provided case studies. These satisfied the students, made up for the lecturer's ignorance and spiked the guns of any potential critics of soft options.

Inevitably students were at first uncertain about what to expect from Sociology. After a few years I realised that when we came to the section in Wilson and Kolb on the

Sociology of Religion, a handful of students quietly removed themselves from the class. It was not in protest at anything I'd said, because at this point I hadn't had a chance to say anything. I was still wondering how to deal with the matter when the matter was effectively taken out of my hands. Two Marist Fathers from St Bede's College enrolled for the course. I thought nothing of it. That year no one found that they had another engagement when we considered the Sociology of Religion. One of the Fathers contributed by way of illustration an entertaining and quite charming story from his home village in Southern Ireland. At the end of the year's lectures, the two priests expressed their appreciation of the course. The problem never arose again.

Anything useful I had to say on the early years of Sociology at Canterbury was said in articles in *Sociology and Social Research* [51:4, July 1967] and in the *Australian and New Zealand Journal of Sociology* [8:3, October 1972]. At the time I was exasperated by what I felt was unfounded speculation on the early sociological scene. There are two points on which my comment might be helpful.

It may seem curious that the one to launch Sociology at Canterbury know no more of the subject than had been learned in teaching Social Psychology. The department of Philosophy and later Psychology in which I spent the first part of my lecturing career was very small by today's standards. You were expected to fill gaps at short notice. I remember Alan Crowther asking me one morning if I'd take his three o'clock Abnormal Psychology class that afternoon as he had a Professorial board meeting. He was lecturing on Janet. If you didn't know much about Janet, now was an excellent time to learn. I once gave a

series of four lectures to the Philosophy 1 class because Arthur Prior was away at a conference overseas. I took a course in the Psychology of Religion for two or three years while we got Religious Studies launched. I assessed papers and theses in Psychology and later in Sociology, Rural Education, Social Work and even social aspects of Theology courses. It was part of the job.

Canterbury was very slow to appoint a Professor of Sociology. There were those who felt that this too was evidence of Sociology's victimisation at the hands of the hostile forces of Oxbridge or Psychology. It wasn't. A blockage had occurred in the natural flow of academic events. It was made clear to me that my public opposition to sporting contacts with South Africa was an insuperable obstacle to my appointment to the chair. Alan used to tell me that if I had been applying from abroad, the Council would have been only too happy to appoint me. You could hardly blame the University Council. In the 1960s Sociology featured prominently in the accounts of student disturbances abroad. Whatever the powers-that-be thought of my activities over the years on sporting contacts with South Africa, they said nothing; they offered neither support nor censure. Extra-curricular activities were my affair, just as the appointment of professors was theirs. There were occasions, I gathered, when individual members of Council approached Alan in the hope that he would curb the expression of my "unbalanced" views on the sporting issue. They must have wished they hadn't.

In due course, the Chair of Sociology was advertised. I applied. I felt that the University ought to indicate formally where I stood. It did. No appointment was made for lack of a suitable candidate. I had no desire to remain

a departmental caretaker longer than necessary. The University continued to search for a suitable candidate to fill the chair. One morning I met in the street on of the few American Professors of Sociology I could recognise. He'd been offered the chair and had been flown out to inspect the situation. He would have made a very good appointment, but he decided against the move. Eventually the position was again advertised and again no appointment was made. But by this time Bill Catton had arrived on the scene. He was asked to apply; he did so and was appointed. At last, Canterbury Sociology had a Professor and one who filled the position with distinction.

# REVIEWS

Tony Bilton, Kevin Bonnett, Pip Jones, David Skinner, Michelle Stanworth and Andrew Webster, **Introductory Sociology**. Third Edition, Macmillan, Basingstoke, 1996

*Reviewed by Allison Kirkman*
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The dilemma of selecting a text to introduce sociology to our first year students confronts all of us engaged in planning and teaching introductory courses. How do we find a text that is comprehensive enough? New Zealand enough? passionate enough about the sociological enterprise? Do we indeed need a text at all? Our students think we do, and what is it they want in such a text? They want it to be 'relevant, topical and up-to-date' (for some of our students 1993 is classed as old!) and not 'big and boring' (read bland). As our Introduction to Sociology is a full year course they want to be able to make use of it for this complete period, and those majoring in sociology also want a text that they can keep and use in later years; that is, they want value for money. These definitely are students living on the cusp of late modernity.

What do we as teachers want? Some of us want a text which deals with the topics that we teach in a way that illuminates and 'enhances' our teaching. We perhaps even (secretly) want a text which supports/confirms our own authority - we teach it and then the text endorses what we have taught. But will this work in New Zealand if the text is British (or American, or Australian)? In a recent review of a number of texts Gregor McLennan

asserts that Bilton *et al.* 'is probably too difficult for first year level, and too British' (1996: 120). Here at Victoria University, however, we have over a ten year period moved from Haralambos (1985) to Bilton *et al* (1987) to Giddens (1989, 1993) and now back to the latest Bilton *et al.* Why?

In the absence, at this particular moment, of a New Zealand focused text, Bilton *et al.* has a number of strengths which happen to coincide with what we view as the main aims of our introductory course: to provide an introduction to central debates and concepts within sociology, to introduce the theoretical works of Durkheim, Weber and Marx, and where possible or appropriate to illustrate with New Zealand examples. Bilton *et al.* meets the first two aims extremely well, and also assists with the focus on a comparative approach within sociology. While some of the examples or case studies used in the text are British, these do not detract from the overall value of the text but rather allow us to provide a New Zealand contrast from either our own research or from sources like *New Zealand Society* (Spoonley *et al.* 1994). However, apart from British examples, there are a range of other locations referred to with North American (even Madonna gets mentioned at least twice), European and Australian examples used to illustrate the central conceptual areas which structure the text.

The current authors of Bilton *et al* (David Skinner replaces Ken Sheard in the 1996 line up) argue that three elements of contemporary sociology should underpin an introduction to the subject: debates about the nature of modernity and its future, debates about the impact of globalisation of social relations and institutions

on modern human lives, and debates about the relationships between these features and personal identity. To introduce these debates they arrange their text in four separate, but interlinking, sections. In the first section they focus on the principles of a sociological approach, while in the second section they examine the structures of inequality associated with class, ethnicity, gender and politics. Section three is concerned with dimensions of social existence, and includes education, work, crime, knowledge and belief, family, and health, illness and medicine. To draw these all together is the explanation and discussion of sociological theories found in section four, including the challenges of postmodernism.

How the linkages are made throughout all the sections can be illustrated by taking gender as an example (mainly because this is one of my areas of teaching, but the same case could be made in relation to ethnicity). Chapter Eight is the specific chapter designated to deal with gender relations, and begins by examining both essentialist and social constructionist explanations. Gender and the body is also introduced in this chapter, along with notions of femininities and masculinities, and the construction of sexualities. This chapter, then, provides a very useful introduction to some of the current issues confronting sociologists examining gender relations. But (and this is an important *but* in my view) this is not the first examination of gender to emerge. Unlike other introductory texts where the topic of gender is given a chapter, but very little discussion occurs elsewhere, in this text, gender relations and their impact are incorporated and integrated throughout. For example, in Chapter Two, Living in Modernity, the gendered aspects of public and private worlds are

acknowledged with the statement that 'home life often fails to live up to the aspirations of the domestic ideal' and 'feminists have shown how notions of privacy masked violence and exploitation. They point out that the modern household has run on the unending labour of women which, thanks to ideologies of domesticity and motherhood, has not been fully acknowledged or rewarded' (p.47). Chapter Five which introduces the principles of sociological research includes, along with a discussion on the process of research and the strengths and limitations of different research methods, a section on feminist methodologies and the critiques of 'malestream' research. In this section Martin Hammersley's recent critique of feminist methodologies is summarised along with Caroline Ramazanoglu's timely and apposite rejoinder. By highlighting these debates the authors demonstrate some of the ways in which sociological knowledge is constructed and contested, and the ongoing nature of this knowledge production.

In a similar fashion gender relations are included in the chapters concerned with health and illness, education, crime and deviance. While I have focused here on gender relations other bases of inequality are also integrated within the various chapters, and this is a strength of this text. But it is not just these concrete examples which are canvassed throughout the text, but also more broad ranging theoretical debates. In Chapter One sociology as a modernist project is introduced and contrasted with the challenges which postmodernity presents to this project. This theme continues throughout the text with Chapter Four including, along with other theorists and theoretical approaches (Durkheim, Marx, Weber, American functionalism, Symbolic Interactionism,

Ethnomethodology), an indication of a post-structuralist analysis of language. In a similar vein the chapter concerned with the principles of sociological research concludes with a section on postmodernity and research methodologies; and in the section, Understanding Crime, modernist criminology and the postmodernist critique is explored. I could continue to indicate where this critique occurs in other chapters, but the point being made here is the way in which the challenge of post-structuralism and postmodernity provides a thematic linkage throughout the complete text (in itself a very modernist quality which probably indicates my own preference in this debate).

On a more practical note the text is presented with a 'post-modern' flavour - we have boxes with titles, boxes with examples, shaded sections, and notes juxtaposed along the left margin. The text has a glossary, and all words/concepts in this glossary are highlighted when they appear throughout the chapters. In addition, central concepts are defined in an abbreviated form in the leftside column alongside the text - for example, in the chapter on work and non-work when 'glass ceiling' is referred to in the text, alongside is a brief definition - ' A metaphorical concept used to explain how women are prevented from attaining top managerial and professional jobs' (p. 390). All chapters conclude with a summary of the main points, and there are even visual interludes in the form of cartoons. The presentation of the text, then, is an attractive feature of this publication, and one which should appeal to students.

I enjoyed reading this text, and look forward to using it in 1996. I expect our students will find it complements our introduction to sociology course, but that it will also serve

to signpost some of the debates they will encounter in their more advanced sociological studies.

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Michael Peters, Wayne Hope, James Marshall, Steven Webster (eds), **Critical Theory, Poststructuralism and the Social Context,** Palmerston North Dunmore Press, 1996.

*Reviewed by Lincoln Dahlberg*
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I began this book with much enthusiasm. It promised to reflexively explore the relevance of critical theory and poststructuralism in the context of Aotearoa/New Zealand. To my mind this is an important task for an

indigenous theorising committed to transformative practice. The introduction did not fail to impress. Insisting upon the inseparability of theory and context, the editors provide a brief but insightful exploration of the political and social influences impinging upon the development of critical theory and poststructuralism. They also indicate some of the central factors that mediated the local reception of these theories, and argue for the continuing indigenous reworking of imported theory. More controversially, the editors raise the idea of a 'poststructuralist critical theory', an issue that, although not resolved, is kept alive throughout the volume.

This possibility is seriously considered in the opening chapter by Michael Peters who provides a useful review of the debate between Habermas and the French poststructuralists, working through the similarities and differences in their positions. Peters argues quite persuasively that there *are* 'genuine philosophical differences' separating Habermas from the poststructuralists. These are based, according to Peters, on different conceptions of language. This useful overview provides a sound basis upon which the remaining contributions develop.

The introduction and Peters' chapter firmly position the volume within the critical theory/poststructuralist debate with specific emphasis on Aotearoa/New Zealand. The volume's essays fit within this framework reasonably well, although there is a great deal of variation in the theoretical approaches employed and substantive material considered. This can be expected from the context in which this volume came together. It originally developed from a 1994 Auckland University Education

Department seminar series with the same title as the book. The contributors were asked to explore the 'philosophical, epistemological and theoretical disputes among poststructuralists and critical theorists', or to 'demonstrate the empirical utility of a particular theoretical approach' (p26). Given the resulting diversity of responses to this task, I will briefly consider chapter in turn.

The most thought provoking contributions, in my opinion, came from those authors who did in fact manage to link theory to context. This can be seen in Wayne Hope's essay which reflexively engages with both poststructuralism and critical theory in the light of developments in information technology. Hope looks at the usefulness of Habermas' modernist conception of the public sphere for grasping the most salient features of the information technology revolution against the postmodern critiques of Poster and Baudrillard. Hope shows how the substantive material considered feedbacks upon and critiques the theoretical frameworks applied, illuminating inadequacies in both Habermas' concept and the corresponding 'post' critique. Against Poster, Hope argues that the public sphere notion (with some modification) can still be utilised.

Tony Ward's contribution is also of much interest, not only for its intellectual engagement but for its political thrust. Ward calls for an integration of theory and praxis, reflecting upon his teaching experiences in California, Richmond and Auckland where ethnically marginalised yet politically conscious architectural students were able to challenge the Western academic establishment by developing and carrying out learning programmes relevant to their communities' needs. Ward shows how

this praxis based critique of mystifying modernist education goes hand in hand with a reflexive critical theory.

Ward's inspirational paper, in my view, is at the heart of this volume and of critical social theorising. It demonstrates the materiality of intellectual practice and the profound impact that it can have on everyday life - something that institutionalised intellectuals (academics) can easily lose sight of. Ward challenges academics to become 'transformative' intellectuals who critically reflect upon their interests as both 'colonisers and colonised' within the capitalist power-knowledge nexus. He calls for an education informed by a 'concrete other' that rejects the modernist education tradition which silences marginal voices.

This repudiation of Western metatheory seems to indicate a poststructuralist influence. However Ward dismisses 'poststructuralist discourse' as politically corrupt and impotent, claiming that it 'reinforces social and cultural disempowerment and reproduces the existing social hierarchy' (p160). Unfortunately Ward does not attempt to delimit what he means by poststructuralism, assuming that all discourses so named correspond with the specifically located discourse of conservative postmodern architecture. This is a common problem with both celebratory and critical discussions of postmodernism/ poststructuralism. There is a tendency to totalise, to make very large claims about these 'isms' based on very limited phenomena. Being a reflexive intellectual, Ward needs to limit his critique of postmodern discourse to the specific postmodernism of which he is referring.

Some confusion over terminology is also evident within Steven Webster's contribution where postmodernism/ postmodernity/postmodernist theory and 'postmodern anthropology'/'anthropologically naive postmodernists'/ 'anthropologists inspired by postmodern theory' are just some of the terms or phrases that seem indistinguishable. This point aside, Webster's article was for me a highlight of this volume. Webster parallels anthropology's cultural relativity debates and postmodernism's relativity of truth assertions. In particular, he critiques the primordial notion of 'tribe' (based on an essentialist view of culture) which is often uncritically utilised within anthropology, and the postmodern notion of the non-essentialist 'postcultural tribe'. The latter Webster critiques for its reliance on the notion of non-Western minorities functioning as an 'empty alterity' or 'otherness' vacant of any specificity: a standpoint from which postmodernism is able to critique Western logocentrism. As an alternative to these approaches, Webster emphasises the need to look at the historical formations of tribes. He asks how the concept 'tribe' has come to be constituted and attempts to trace its various meanings through a political economy of colonisation in Aotearoa/New Zealand and North America.

Webster's meticulous tracing is representative of the most interesting contributions in this volume. These writers, including those I have already mentioned, managed to look at the theoretical and substantive issues concerned in new ways. Other contributions, though well crafted, failed to extend the debates considered.

I feel that this is true about Ranginui Walker's *Maori Resistance to State Domination* which gives an interesting overview of some of the present post-colonial issues in Aotearoa/New Zealand but provides little extension on the present debates and only token engagement with critical theory and poststructuralism. James Marshall's Foucaultian critique of liberal education is another example that follows well worn tracks. Marshall reasserts the usefulness of Foucault's governmentality, power/knowledge analysis for critical educational theory but fails to take it any further.

More promising is Pavlich's and Ratner's *'Justice and the Postmodern'.* Drawing upon postmodern critiques of reality, reason and universals, Pavlich and Ratner explore Derrida's notion of deconstructive justice and Lyotard's formulation of multiplicity of justices. However, just when critical questions begin to be raised, the article ends without adding to or shifting the debate in any recognisably (to my mind) new way.

Heather Worth demonstrates how debates can be creatively explored in her delicately crafted interrogation of Foucault's notion of desire/pleasure or sex/erotic. Worth strategically employs Irigaray's notion of a 'positive sexual difference' and Derrida's concept of *differance* to unpack this binary. By contextualising her deconstruction around AIDS, Worth convincingly argues that Foucault's privileging of the 'erotic' as autonomous from a corrupted sexuality cannot be sustained.

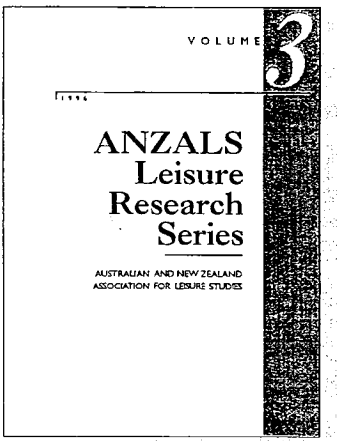
In a similarly effective discussion, Mark Olssen reflects upon the argument (notably by Poster) that Foucault's work can be seen as compatible with a sophisticated historical materialism. Olssen is clearly sympathetic with

this position, viewing it as an advance upon Marx's thesis. However he questions what a Foucaultian historical materialism would look like, pointing to the structural neglect in Foucault's work. This reflexive approach allows the reader space to question and even reject Poster's proposition.

This is not the case with Chris Harris' *Environmentalism, Economics and the Limits of Calculative Regimes.* Harris argues that a Marxist political economy would be more useful than the present liberal economic models when dealing with long-range structural problems, including those of the environment. However his analysis, while demonstrating the limits of neo-liberal economics, neglects to reflect upon the limits of Marxist political economy that have been highlighted by poststructuralists, critical theorists and environmentalists. In fact, in his quest to promote a Marxist position, Harris sidelines the 'ecological perspective' that the editors argue he utilises (p29). Instead Harris equates a green economics with a Marxist one, failing to consider the possible conflict of interest between Marxist and environmental concerns. On a positive note, Harris provides a useful reminder of the implicit conservatism and limitations of liberal economics. However his lack of engagement with the theoretical issues at the heart of this book makes his essay a questionable inclusion. Similarly, Janet McLean's chapter on *The Contracting State*, though an informed and intelligent contribution to the critique of public choice theory, does not sit well with the concerns of the overall volume.

Maybe I am being a bit pedantic about the 'rules of inclusion' here, and possibly need to question my desire to 'mark out the boundaries' for thematic consistency. In

fact, the theme of the book did come across, to different degrees, in the majority of the chapters. Some contributions explored the theoretical debates and some applied theory to the local context. However only a few contributions reflexively explored the critical theory/poststructuralist nexus in relation to the social and political concerns of Aotearoa/New Zealand. This, to my mind, was the most promising aspect of this volume. Of course, the usefulness of each of the contributions will depend upon each reader's individual concerns. As a whole, this volume demonstrates the contemporary relevance of both critical theory and poststructuralism for intellectuals committed to transformative practice. I believe that it offers a positive contribution to the ongoing task of integrating theory and context in an intelligent and effective way.

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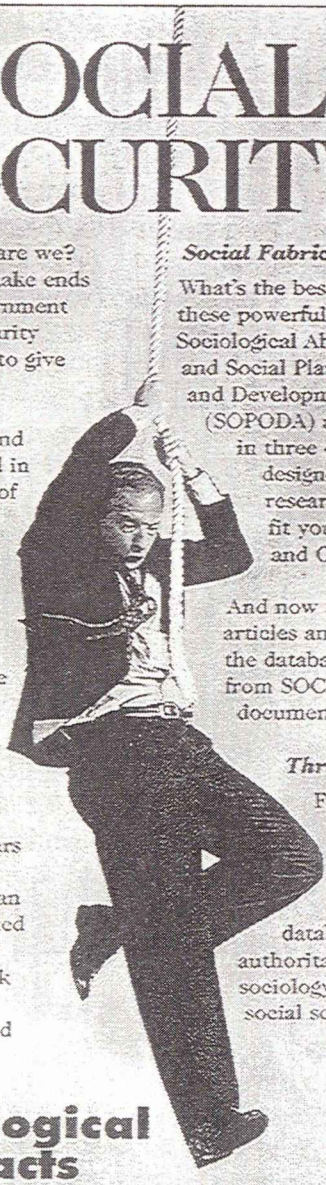

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   Baker, R. S., 1948. **Sociology and Social Change,** London, Charles Publishing Co.

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