

Don't Moan about MMP Disqualification Rules

Keith Rankin, 22 November 2013

I hope people on the left will not grizzle if Murray McCully stands aside for Colin Craig as electorate candidate in East Coast Bays.

MMP has two disqualification rules; one conservative and one liberal. A party does not get a proportional quota of seats in Parliament if it gets both less than five percent of the popular vote and zero electorate seats. Thus all parties that actually contribute to Parliament can expect to receive a quota of seats in proportion to the votes cast for them. The conservative disqualification rule is the five percent threshold.

The liberal disqualification rule (the zero-electorate-seat rule) represents a critically important lifeline to smaller parties that participate in government. Further, it gives opportunities for new parties who wish to contribute, without them having to gain five percent of the popular vote.

Our electoral system is an amalgam of pure proportional representation, and first-past-the-post local politics. Appropriately, it is the proportional part that really matters. We note that democratic politics always has been and always will be a numbers game. Success in political contests requires numeracy. That's one reason why we get so many right-wing governments, even though the majority of voters do not belong to the privileged minority of the population. Right-wingers are consistently better at arithmetic.

It is the local part of our MMP system that produces much election-night drama. This is partly because of the Maori electorates, but mostly because of what are commonly perceived as underhand deals in order to avoid the disqualification of a small party.

The Epsom case that provided much of the drama in 2005, 2008 and 2011 was a deal, but never an underhand deal. (The days of underhand deals and gerrymanders, in smoke-filled offices or around copious servings of fish and chips, are long gone.) Clearly National didn't want Act to suffer from quota disqualification, so it was appropriate that National should campaign, in Epsom, only for the all-important party vote. (Indeed parties should only campaign for the party vote; let candidates campaign for the electorate vote.) Before Epsom, we had similar situations in Tauranga, Wellington Central, Wigram, and of course the perennial Ohariu.

The problem in Epsom was that the Labour Party (and many Labour voters) simply lacked the numeracy-nous to shut-out Act. (The Green Party equally lacked such nous in 2005; hence Keith Locke's near-naked stroll through Newmarket.)

Labour's biggest mistake by far was to select senior MP David Parker as Labour candidate in Epsom. Labour should not have even contested the Epsom election.

Let's consider this counterfactual: what would have happened in NZ politics had all Labour Party voters in Epsom in 2011 voted for Paul Goldsmith as well as voting Labour? Given that John Banks got significantly under 50 percent of the vote in Epsom, it could have been easy to defeat him. All that was required was for those who did not want John Banks to be MP for Epsom to vote for the only candidate who could beat him; namely Paul Goldsmith.

It was the votes pointlessly cast for David Parker that gifted the Epsom electorate to John Banks. (Something similar happened in 2001 when many people gifted Banks the Auckland mayoralty by voting for Matt McCarten instead of Chris Fletcher.) Why would anyone vote for a non-

contestant (meaning anyone destined to come third or lower) when they could use their vote to actually influence the result?

Back to the counterfactual. If John Banks had been defeated in Epsom, the present Opposition parties would have gained one more seat. The Maori Party would then have held the critical balance that Peter Dunne now wimplly holds.

We note that the Maori Party would have required more than National was willing to offer in order to support policies such as the asset sale programme. Essentially, the asset sales would not have gone ahead. Indeed, we might have had a different government; the Maori Party gave no guarantee that, if it held the strategic balance, it would support a National-led government. And, if it had initially supported National to form a government, a Maori Party with that critical balance could have ditched National mid-term and negotiated to form a Labour-led Government this year.

In 2014 it seems likely that Colin Craig will become MP for East Coast Bays, and good luck to him. If he can get more than fifty percent of the votes in any electorate then he deserves to win it. Further, his party will have contributed to the democratic contest of ideas; it will not deserve to fall foul of any MMP quota disqualification rules. If four percent of people vote Conservative and Craig wins East Coast Bays, then the Conservative Party will deserve to have five MPs in 2014-17. The Conservative List MPs will be no more 'coat-tail' MPs than Steven Joyce, Murray McCully and David Parker will be.

If we are going to have a Labour-led government in 2014, it should be because parties willing to participate in such a government get, in total, more than 50 percent of the vote. That should not be hard, given the cavalier approach towards public opinion that National takes. (It might be very hard to defeat National, though, if National decides to keep Genesis Energy in public ownership.) Defeat snatched from the jaws of victory, however, is not unknown to prospective Labour Prime Ministers.
