

CITIZEN PARTICIPATION IN LOCAL GOVERNMENT

A Study Encompassing Local Government in Europe, the United States and New Zealand

by

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I. INTRODUCTION

The primary aim of this paper is to study attempts in Europe, the United States and New Zealand to increase citizen awareness, interest and involvement in local government. A comprehensive survey of local government is not intended. The aim is to compare some of the more important American and European developments in this area with developments in New Zealand, particular reference being made to Auckland.

In New Zealand, the framework for governmental policy-making, both at the national and local levels, is basically determined by the principles of representation and participation. According to these principles, citizens contribute to decision-making directly through referendums (rarely used), "indirectly through the intermediary of political parties and to a lesser degree, through non-political voluntary, social, economic and cultural associations".¹ However, while a high level of interest in national politics can be discerned among the people of New Zealand, there is widespread apathy towards and ignorance about local politics. In the 1971 local body elections in Auckland, for example, only 36.7% of the people on the electoral roll voted.² An election-eve survey carried out by the Political Studies Department of Auckland University "revealed a high level of

¹ A. van Ginkel, "Citizen Participation and Local Government in Europe" (1971), 5 *Studies in Comparative Local Government*, 10.

² G. W. A. Bush, "The Non-Vote in Local Body Elections" (1972), 24 *Political Science*, 47.

ignorance about the council candidates and the issues, and a dedication toward voting that was pretty tatty".³

Participation in elections is only one part of the area which needs examination. Also to be considered are the opportunities available for citizens to become involved in local government between elections and the means available for local authorities to keep citizens informed of governmental developments. The composition of elected local authorities must be examined to see how representative they are of all the community. It is not uncommon for a local authority to be composed largely of people from one particular socio-economic group. Hence, the majority of socio-economic groups are denied direct participation in the running of their cities and districts.

II. PARTICIPATION IN ELECTIONS

Participation in elections will be studied first, "electoral turnout being one of the fairest measures of democracy in action".⁴ At the Conference of the Institute of County Clerks and Treasurers in 1968, the then Secretary of Internal Affairs, Mr P. J. O'Dea said that when one looked at the comparative figures for New Zealand and overseas for polling returns in local body elections, one wondered whether "democracy is working as it should be. Some local authorities are, in fact, elected by the express wish of less than half those eligible to express an opinion".⁵

Mr O'Dea, however, only offered three other examples of voter turnout. Sweden headed his list with 80% (on the average) of those eligible to vote in local body elections actually doing so. There was a 70% poll in Germany and between 54% and 60% in Eire. A reason for Sweden's high poll was not advanced. While it is certainly true that the social makeup of a nation is as much a determinant of voter turnout as are administrative organisation and voting procedures, it is also true that citizens are more likely to exercise their vote if their country's local governmental structure is as uncomplicated as possible.

This was recognised by the Royal Commission on Local Government in England. Its report stated: "The complex local government machinery seems, and often is, irrelevant and therefore impotent in face of the problems that confront people in their daily lives, either collectively or as families and individuals."⁶ It necessarily follows

³ *Ibid.*, 47.

⁴ G. W. A. Bush, "Local Body Elections" (1968), 4 *New Zealand Local Government*, 293.

⁵ *Ibid.* See also Auckland Local Body election return (1971), 1.

⁶ The Report of the Royal Commission on Local Government in England 1966-1969, Cmd. 4040 (1969), para. 7(i).

that people are hardly likely to participate in elections for local government whose functions they either do not understand or consider to be irrelevant to their lives. It is significant, therefore, to note that Sweden was one of the first European countries to undertake wholesale reforms of local government.⁷ In 1952, the number of local authorities was reduced from about 2,500 to about 1,000. Further reforms were undertaken in 1964 which provided for the creation of 282 communal blocks covering the entire territory. The Swedish governmental reforms have made the "administrative machinery more 'transparent' to the people".⁸ They have more incentive to vote because their local government units are rationally organised and politically effective.

The Swedish example can be contrasted with the confusing situation in England prior to the passage of the Local Government Bill. In 1969, there were in England 79 county boroughs and 45 counties. The country was further subdivided into 1,086 county district councils, consisting of 227 non-county boroughs, 449 urban districts and 410 rural district councils. Whereas Sweden is divided into equal local government districts, each large enough to be an effective political unit, England was divided into a wide range of often ineffective and conflicting political units—hence the public contempt of and apathy towards Local Government.

Bedley, Blondel and McCann⁹ analysed local elections in Newcastle-under-Lyne and surrounding districts between 1932 and 1962. In that district in 1958, for example, a quarter of those interviewed had not heard of the impending local elections one week before polling day and few could name a candidate.

In another survey in Glasgow, 80% of those interviewed were unable to name any of the three councillors for their ward while 14% could name one only. Punnett attributes this ignorance and apathy towards "the general image of local government as being of relatively minor-importance".¹⁰ It is too early to tell whether the local government reform in England will lead to a significant increase in voter turnout. It may well prove impossible to change ingrained voter apathy.

New Zealand's local government structure, borrowed from the English, is also characterised by the multiplicity of governmental units. There were, on 31 March 1970, 262 territorial local authorities. This number comprised 138 cities and boroughs, 107 counties, six

⁷ J. G. Van Putten, "Local Government Reform" (1970), 4 *Studies in Comparative Local Government*, 27.

⁸ *Ibid.*, 37.

⁹ R. N. Punnett, *British Government and Politics* (1971), 398.

¹⁰ *Ibid.*, 400.

dependent town districts, 10 independent town districts and one road district.¹¹ In the Auckland area itself, there are 31 territorial authorities. G. W. A. Bush suggests that this confusing division of local government powers is one of the causes of voter apathy. He asks: "Can any significance be attached to the fact that prominent among the wooden-spoon holders for the lowest percentage of electors voting are a number of suburban municipalities? Are the electors, by their massive abstentions, implying support for the argument that the fragmentation of big city government into numerous small, weak municipalities constitutes, in fact, the real metropolitan problem?"¹²

Public cynicism about local government in New Zealand is explicable when one considers that Newmarket, 182 acres in size and with a population of just over 1,000 is a separate administrative unit. It is closer to the heart of Auckland City than are Remuera and the eastern suburbs yet these areas are deemed to be part of the city whereas tiny Newmarket somehow warrants its own mayor and council. The small community, assuredly, is still often cited as the almost perfect example of democracy: the government is close to the people and a great many of them are involved directly or indirectly, in the work of the local council. "In reality, they sometimes rather discredit democracy because of their ineffectiveness. In Sweden, the disadvantage that fewer people would actively take part in local councils and committees because of amalgamation of authorities was considered to be outweighed by the advantage that those remaining could get greater satisfaction from their work. In larger municipalities decisions of much greater importance could be taken."¹³

The Local Government Bill, introduced by the Hon. Mr May in 1974, proposed substantial reorganisation of the districts and functions of local authorities. While it is hoped that the adoption of the provisions of the Bill will make local government organisation more national and comprehensible in the minds of the public,¹⁴ it is also probably true that the Bill alone will not lead to a substantial increase in voter turnout.

Despite the fact that voters in the Auckland City local body elections in 1974 rejected the introduction of a ward system of representation it is appropriate at this stage to consider the effect that the introduction of such a system would have on voter turnout.

¹¹ G. T. Bloomfield, *The Evolution of Local Government Areas in Metropolitan 1840-1971* (1972), 6.

¹² G. W. A. Bush, "Local Body Elections", *loc. cit.*, 293.

¹³ J. G. Van Putten, *op. cit.*, 37.

¹⁴ That assertion could be easily challenged but the merits of the local government reorganisation are not a prime consideration of this paper.

(The ward system used as a means of increasing the participation of all socio-economic groups in decision-making will be considered later.)

Mr Charles Furnell, president of the Avondale-Waterview Rate-payers and Residents Association made submissions to the Auckland City Council in July 1973 favouring the introduction of the ward system. He argued that a ward system would stimulate greater interest in local government. "The current apathy, though deplorable, is largely the result of a lack of confidence residents have in the present system and the bewilderment at election time when citizens are presented with a long list of candidates unknown to them."¹⁵

Mr Furnell's argument was echoed in an article in the *Auckland Star*.¹⁶ Ward supporters from the Ponsonby-Freemans Bay area were reported as advocating a ward system because "it would encourage a bigger turnout at election-time as ratepayers came to support candidates they know and who had associated themselves with the area".

In the United States, the at-large system appears to be more popular in cities with populations between 10,000 and 500,000 although many cities have a combination of the two systems. Wynn Hoadley has claimed that where the ward system has been introduced, it has played a crucial role in politicizing ethnic minorities and encouraging them to vote. "This has been true particularly where the minorities have been concentrated rather than scattered throughout the city."¹⁷

Dr Bush, however, states adamantly that the ward system, where it has been used in New Zealand, has failed miserably to increase electoral turnout. In his study of the local authority elections of 1959, 1962 and 1965, he noted that five authorities employed election by ward at various times. Takapuna reverted to the "at-large" method in 1965 and recorded an increase in turnout of 6%. Cambridge, similarly reverting to the at-large system in the same year, recorded a less spectacular increase in electoral turnout of 4%. "The Auckland borough of Mt Albert, also a ward municipality, returns figures substantially below the national average, and if a final statistical nail in the coffin is needed, the case of Manukau City is illuminating."¹⁸ In that so-called city, only 29% bothered to vote in the 1965 elections, when a ward system was operating.

In 1971, the electoral turnout was still no better. The City manager,

¹⁵ *Western Leader*, 19 July 1973.

¹⁶ *Auckland Star*, 2 July 1973.

¹⁷ Wynn Hoadley, "Would Elections by Ward be Better for the City?", *New Zealand Herald*, 7 September 1973.

¹⁸ G. W. A. Bush, "The Non-Vote in Local Body Elections", *loc. cit.*, 48.

Mr R. Wood, noting that the turnout was one of the lowest in the Auckland region, said that the City "would have to consider seriously using postal voting".¹⁹ He recognised that no matter how a region was electorally divided, the people would not cast their vote at election-time unless given some incentive to do so. Postal voting, as he noted, has proved a success in those areas where it has been introduced.

In the counties of Mackenzie and Rangitikei, for example, postal voting was introduced for the first time in 1965 and over 80% of those qualified to vote did so. These counties' resounding success in attracting the public to the polls was almost matched by East Coast Bays in 1971, where more than 71% of the electors voted by post—more than doubling the vote of three years before.

Other experiments have been tried tentatively such as "spread" voting—allowing elections to take place over a period of several days. An electoral innovation of note which could well be adopted in New Zealand is provided by Lausanne, a Swiss City.²⁰ There, the local government promoted a good turnout at the polls by circulating the lists of candidates throughout the city prior to the election.

Of course, factors other than voting arrangements themselves, can stimulate electorate turnout. We must consider here the role of political parties. Does a clash between two or more political parties stimulate voter interest? It has been argued that the introduction of party politics into local government is a cause of voter alienation. Punnett submits that the general lack of public interest in local government is often attributed . . . "to the prevalence of party political attitude which are often regarded as being irrelevant in local issues".²¹ This comment comes from a political scientist in Britain where party politics are much more evident in local governments. Local body elections are often seen as forecasts of the way people will vote in national elections.

In New Zealand, the party pattern differs from city to city to a far greater degree than in Britain or perhaps even in the United States. "Labour" is the uniform thread in the pattern. The remaining elements are not organised at all, are organised in Citizens' Associations, or are split into more numerous groupings with different names.

The Citizens' Association in Christchurch and the Citizens and Ratepayers' Association in Auckland continually insist that they are not intimately connected with the National Party. They both believe that party politics has no place in local government. Austin Mitchell

¹⁹ *New Zealand Herald*, 11 October 1971.

²⁰ A. van Ginkel, *op. cit.*, 59.

²¹ R. M. Punnett, *op. cit.*, 400.

argues, however, that "the ramshackle nature of party politics in local government *prevents* the stimulation of public interest and involvement by the dramatising of issues into a clear government and opposition clash before the electorate".²²

The inadequate, half-hearted system is maintained because there is no great public concern about local government. Until it is changed there is little likelihood of interest developing. We are presented, therefore, with a vicious circle. There is a further complication. If active party politics did intrude into local government, the voters could well be alienated because they, like the British, considered that intrusion to be unnecessary and unjustified. The cynic could well argue that alienation is a more positive response than mere apathy but they both achieve the same result—low turnouts at elections.

The influence of mayoral contests on electoral turnout is a considerable one. Dr Bush, in a study of ten municipalities where mayoral contests were held in 1965, reported that there was an average turnout level of 54.7%, a sizeable 9.3% above the national mean. "Furthermore," he adds, "the results strongly suggest that a mayoral contest will bring out more citizens than voted in a previous election where the mayor was returned unopposed.

Percentage of electors voting

	1959	1962	1965
Petone	34.1*	58.8	55.0
Greymouth	47.2*	63.0	64.3
Wairoa	73.4	61.1*	71.2

(The results with astericks attached indicate a council election with no accompanying mayoral contest.)"²³

It has been estimated that a serious match for the mayoralty inflates turnout by about 10%.²⁴ This conclusion is borne out by comparing the 1968 and 1971 Auckland City Council elections. There was a 10% drop in the vote in 1971 when Sir Dove-Myer's only opponents were two Independents, both young and without substantial backing. It is evident that people, concluding the mayoral contests result was a foregone conclusion,²⁵ thought it a futile gesture to vote. However, they failed to realise that the competition between aspiring councillors was still serious.

²² A. Mitchell, *Politics and People in New Zealand* (1969), 298.

²³ G. W. A. Bush, "Local Body Elections", *loc. cit.*, 294.

²⁴ G. W. A. Bush, "The Non-Vote in Local Body Elections", *loc. cit.*, 46.

²⁵ Sir Dove-Myer Robinson received 91% of the vote.

A high turnout at those elections where there is a fierce mayoral fight can hardly be called a triumph of participatory democracy when vast numbers of people, while voting for a mayor, fail to vote for a full complement of councillors and members of ad hoc bodies. This failure is understandable when we consider the length of ballot papers and the absence of identifying labels beside the candidate on these papers. It is little wonder that "innumerable voters succumb to ennui or exasperation and do not bother to select the full twenty-one names [in Auckland City Council elections]".²⁶ The table below shows the extent of the voters' failure to completely fill in their ballot papers.

Statistics relating to Elections for the A.C.C. 1952-68²⁷

	1959	1962	1965	1968
Number of candidate	52	56	59	46
Average votes cast per paper	18.25	16.7	17.35	17.1
Number on roll	76,428	80,592	77,279	71,160
% casting a vote	50.7	46.4	47.6	51.2

(Twenty-one councillors were required to be selected in each election.)

The Lausanne example is worthy of recall.²⁸ A Council should circulate to all voters lists of the candidates before election, indicating the candidate's party affiliation. At least, the party affiliation of each candidate should be clearly marked on the ballot paper itself. Only when councillor elections receive the treatment that is accorded to mayoral elections, will one be able to say that there is full participation in local body elections.

A way, perhaps of attracting votes to the ballot box is by giving them the right to decide what is included on the ballot paper. In some areas of the United States of America, state law offers the opportunity for the "initiative", a procedure through which citizens may, by petition, place a proposition on the ballot. Thus, referendum propositions are initiated by citizens rather than legislative actions. In some states, a "recall" election may be held to unseat an official short of his regular term of office upon the petition of a given number of citizens.²⁹

²⁶ G. W. A. Bush, *Decently and in Order* (1971), 503.

²⁷ Report by Returning Officer on Triennial Elections, 13 November 1968, quoted by G. W. A. Bush, *Decently and in Order* (1971), 503.

²⁸ *Ante*, fn. 20.

²⁹ "Citizen Participation and Local Government in the United States" prepared by the Staff of the Centre for Government Studies of Northern Illinois University (1971), 5 *Comparative Local Government*, 78.

III. PARTICIPATION BETWEEN ELECTIONS

The need for citizen participation does not end once the election results have been posted. Citizens are continually affected by local body deliberations and decisions. We must consider now the efforts of local governments to inform the citizens, to keep informed about their demands, to involve them in decision-making and to foster their interest in the local administration.

In most Western European countries, the right of citizens to approach the local administration with requests and suggestions is guaranteed yet many devices are used to realise this right. Good illustrations are the "letter box" which some Belgian municipalities have introduced to receive the written suggestions of citizens, complaints about service deficiencies and other matters, and also the special telephone service installed in some Belgian Town Halls for the same purpose.³⁰

A more elaborate system is in operation in Hungary. Citizens' suggestions, comments and complaints are published in special "notices of public interest" and are consequently dealt with by officials whose sole task is to act on these notices. The officials are subject to a legally prescribed system of control.

Neighbourhood city halls have been established by a number of cities in the United States in an effort to improve operating relations between local governmental bureaux and individual citizens. "These neighbourhood centres receive citizen complaints and serve as advocates in attempting to initiate official action to remedy any perceived problem."³¹ In Boston, these neighbourhood city halls have urged better garbage disposal services, attempted to prevent motorway extensions into certain parts of the city and put forward a strong case for meat control.

The Belgian, Hungarian and American schemes all require initiative on the part of the citizens themselves and are, therefore, only effective as long as the majority of citizens are aware that the schemes are available and effective.

Instead of waiting for people to approach them, local bodies themselves, can take the initiative and approach the people. In Great Britain, Community Development Officers have been appointed in the New Towns whose task it is to establish close relationships between the governors and the governed. In the Netherlands, development officers play a very important role in informing citizens of proposed changes in urban development.

While it is certainly true that councillors in New Zealand generally

³⁰ A. van Ginkel, *op. cit.*, 16.

³¹ *Ibid.*, 93.

make themselves available to citizens, it is doubtful whether the majority of citizens know where and how to contact them. Evidence for this is found in a report submitted to the Auckland City Council by the Auckland Regional Council of the Labour Party. In that report, it was declared that many potential electors, European and Polynesian alike, did not even know what the Auckland City Council was.³² A survey of university students, who are on the Auckland City Council electoral roll, reveals the majority are incapable of naming more than one Councillor.

Although four citizens advisory bureaux manned by over three hundred voluntary workers do operate in Auckland, their function is not primarily that of informing citizens about local government.

A more simple way of keeping citizens informed about the activities of local government is by the publication of periodical bulletins or newspapers. In Switzerland, two towns even publish a daily newspaper, the "Tageblatt oder Stadt Jürich" and the "Angeiger für die Stadt Bern". Belgian towns are particularly active in this area. In 1968, for example, there were fifty-four municipal publications. Auckland City's efforts in this area indicate a major failing. Assuredly a Report to Ratepayers has been published twice (in 1971 and 1974) but those have been no more than token offerings.

Sir Dove-Myer Robinson, in his introduction to the 1974/75 report³³ contended that "the policy of issuing a three yearly review of the Council's successes and failures enables ratepayers to learn something of Council's work during the preceding three years". The 1974 report was written by an outsider, Dr Bush, a Senior lecturer of the Department of Political Studies and hence, Sir Dove-Myer Robinson claims, the account is factual, objective and critical.

The report, however, is very short on facts and figures, is couched in the language of a political scientist, is generally bland and only mildly critical. Indeed, at one stage, Dr Bush informs his readers that rates have increased by over 10% on the average every year for the past four years and then says the increases are "very modest".³⁴ He also states that the new civic centre underground car park has been "very cleverly financed" but enlightens us no further. No doubt the financial arrangements behind the car park could be gleaned from a newspaper but incomplete information and vagueness has no place in a Report to Ratepayers.

Apart from Ratepayers Reports, there are, of course, the reports

³² 1972 Submissions of a Deputation to the Auckland City Council from the Auckland Regional Council of the New Zealand Labour party, 2.

³³ Auckland City Council Report to Ratepayers 1974/75.

³⁴ *Ibid.*

published by the intermediaries, press, radio and television. These indirect means of communication between the local government and the citizen have become more successful in recent years with the growth of the suburban newspaper in major New Zealand metropolitan areas. Papers such as *The Courier* and *City News* in Auckland are exclusively devoted to informing residents about events in their own area. The *City News*, for example, recently published a "potted assessment"³⁵ of the Auckland City Councillors standing again in the 1974 elections. These assessments were, in comparison with the political commentaries published in the two Auckland daily newspapers, highly critical and hard-hitting. One Councillor, for example, was condemned for his "ineffectiveness and his artless approach to complex affairs [which] now excludes him from the mainstream of council decision-making".³⁶

Lengthy interviews with candidates standing for the first time were also published, along with a prominently-placed reminder for people to claim their places on the electoral roll. This reminder was published in English, Tongan, Samoan, Maori, Raratongan and Niuean. Therefore, one newspaper at least is making a determined effort to increase the awareness and interest of citizens in their local government.

Apart from informal and unofficial contacts between the administration and citizen, there also exists formal devices to achieve communication. National acts in most European countries, for example, guarantee that citizens may attend council meetings. Sometimes, as in Norway, it is also required that documents should at all times be available for citizens to study. In Poland and Hungary, there are express legislative provisions enabling citizens to participate in the discussion of the council and to bring forward any subject for discussion.³⁷

The national laws of New Zealand do not go that far but they do guarantee the right of citizens to attend council meetings.³⁸ There has been controversy, however, about this question in recent years. In October 1971, Mr J. Watts, S.M., claimed that the law was broken up and down the country. "Many local authorities tend to disobey the letter and the spirit relating to the coverage by the news media [of their meetings]."³⁹

He continued: "The plain truth is this, that the public, including of course the press, are not to be excluded from the meeting of a

³⁵ *City News*, 4 September 1974.

³⁶ *Ibid.*, 12.

³⁷ A. van Ginkel, *op. cit.*, 20.

³⁸ Public Bodies Meetings Act 1962.

³⁹ *New Zealand Herald*, 22 October 1971.

council, even if it is a committee of the whole council, except by a resolution or motion in the case of a committee which may be passed on two grounds only:

- (a) publicity would be prejudiced to the public interest, by reason of the confidential nature of the business to be transacted or for other special reasons arising from the nature of that business or of the proceedings;⁴⁰ or
- (b) publicity would be likely to cause unnecessary personal embarrassment to or unnecessarily damage the personal reputation of any person."⁴¹

Sir Reginald Savory, Mr Caughey and Mr Flynn spokesmen for the Auckland Harbour Board, the Auckland Hospital Board and the Auckland Regional Authority respectively all claimed that Mr Watts' criticisms had no application to them and their bodies. Their meetings were "very open". The Mayor of Nelson, however, was at the time wanting to exclude the press from council meetings for the first six months of the new Council being in office.

The purpose of the Public Bodies Meetings Act, I would submit, is to guarantee that all meetings of local bodies are open to the public except in exceptional cases. Therefore, a blanket refusal to open Council Committee meetings to the public is definitely not within the spirit and intendment of the Act. There are no teeth in the Act—no penalty provisions for Councils which refuse to adhere to the Act.

In 1971 the Committee meetings of the Auckland City Council were not open to the public. Sir Dove-Myer Robinson, in October, expressed his displeasure with the decision of the Council⁴² but in May of the next year, he changed his mind. After canvassing the opinions of members and staff of the Auckland Regional Authority and the City Council and those who attended the Municipal Associations Conference in April, he came to the conclusion that "discussion in open committee with the press present inhibits free expression of opinion". He understood the fear of councillors "that they would run the risk of exposing themselves for actions of defamation when it is necessary to divulge names and other personal matters in the course of discussion".⁴³ With singular disregard for the feelings of sensitive voters, he said "there is an old saying that you shouldn't show fools or children an unfinished project".⁴⁴

⁴⁰ Section 4(a).

⁴¹ Section 4(b).

⁴² *New Zealand Herald*, 23 October 1971.

⁴³ *New Zealand Herald*, 5 May 1972.

⁴⁴ *Ibid.*

The Mayor of Manukau, Mr Elsmore, on the other hand, claimed in 1971 that the press and the public had been admitted to all his council's committee meetings apart from town-planning ones. "This was one of my policies," he said, "and we have always kept it up. There have been no real problems and I have no regrets."⁴⁵

While there may be valid reasons to exclude the public from council committee meetings occasionally, as the Public Bodies Meetings Act acknowledges,⁴⁶ it is true that denying the public the right to attend all or most of committee meetings excludes them from witnessing the real decision-making of the Council. Austin Mitchell concluded, after his study of local government in Christchurch, that "city council debates are mostly sham battle for the benefit of the gallery and the press. All major decisions are debated and made in council committees".⁴⁷ Therefore, for any council to be able to assert that the public was permitted to watch it debate and decide issues, it would have to allow people to attend committee meetings.

In March 1974, the Auckland City Council compromised by allowing the public to attend part of every committee meeting. Committee agendas will be in two parts—the second part to be considered in camera.⁴⁸

Dr Bush has argued that this decision and a new attitude of openness on the part of Councillors has given the public a better opportunity to understand and communicate with the Council.⁴⁹ However, the opening-up of the Council and the improvement in the standard of its debate can be attributed as much to the presence of an effective minority group on the Council—the first since 1959-62—as to a conscious effort on the part of the majority of the Council to be more open.

The Auckland Regional Authority, the body whose function is least understood by the public, is reluctant to take people into its confidence. It did little in 1973 to endear itself to the advocates of frank and open government.

In March, a new policy was introduced by the authority's general manager, Mr Schishka which meant that two order papers were printed for each committee meeting. The one which went to the public lists only those items which are to be dealt with in open committee. Thus, the public were forbidden to know even a general outline of what was going to be discussed in camera, let alone the reasons for not discussing it in public. The public were effectively

⁴⁵ *Ibid.*

⁴⁶ *Ante*, p. 73.

⁴⁷ Austin Mitchell, *op. cit.*, 303.

⁴⁸ *New Zealand Herald*, 7 March 1974.

⁴⁹ Auckland City Council Report to Ratepayers 1974/75.

denied knowledge of the authority's attitudes towards the proposed development of Ngataringa Bay. The original Ngataringa Bay decision reflected the failure of both national and local government to allow public participation in the early stages of decision-making. The Auckland Regional Authority's subsequent attitude only served to accentuate public hostility and frustration. Mr Schischka's contribution to a policy of closed government was increased later in the year when he forbade anybody within the authority other than himself, the Chairman Mr Pearce and committee chairman, to make statements to journalists.⁵⁰

We have considered, so far, local government's attempts to keep citizens aware of decisions which have been made or are in the process of being made. The direct participation of citizens in that decision-making process must now be considered. An absolute form of direct participation is, of course, unthinkable in large cities although traditional forms of direct democracy do operate with varying degrees of success in rural areas in many countries—village meetings in Poland, the *Concejo abaerto* or open council in Spain and the New England town meeting in the United States.⁵¹

The most obvious device for achieving direct democracy is the referendum: the making of decisions by direct vote. In Yugoslavia, particularly (where there exists a unique system of participatory government at the local level) the referendum is one of the constitutionally guaranteed forms of direct participation. Referendums can be held at the initiative of the official local decision-making bodies (communal assemblies) or they can be organised by citizen groups.

"At the present moment it is characteristic of [Yugoslav] practice that a large number of referendums are organised by citizens and local communities (as well as work enterprises), than by communal assemblies."⁵² The referendum is sparingly used in New Zealand. It could be argued that the referendum is an unnecessary device because, by giving a mayor and Council an electoral mandate, we are signifying approval for all their policies. However, major decisions such as the one to establish a rapid-rail network in Auckland could well be tested at the ballot box. Not only would it give citizens the opportunity to express their views on a specific issue of great importance for the future of the city but it would also provide national government with an indication of local feeling towards a project which they must, in part, finance.

One of the more important forms of direct participation which has been mooted and experimented with in various parts of Europe

⁵⁰ *New Zealand Herald*, 22 November 1973.

⁵¹ A. van Ginkel, *op. cit.*, 25.

⁵² *Ibid.*, 25.

and the United States is "neighbourhood government". Where neighbourhood government schemes have been established, autonomy has been granted to sub-municipal units, "groups who share a common identity and who want to deal with their common problems as independently as possible".⁵³

Yugoslavia's contribution towards this system of government is the most advanced in Europe. The "local communities are meant to form the essence of citizen participation on the territorial principle".⁵⁴ While the indirect, representative form of the communal assembly is still the major local authority, these sub-municipal units are becoming more important. It is the intention of the Yugoslav government to eventually give the local committees full autonomy. At present, they undertake an increasing number of local projects such as building, road construction and planning.

The Netherlands have been successful in introducing less radical forms of neighbourhood government. A modest scheme of neighbourhood government was proposed in the early '70s in Los Angeles, California. The scheme would have established neighbourhood boards, whose members would have been residents in the defined neighbourhood. The boards would each have appointed a full-time staff officer, the neighbourman, who would have acted as a go-between the neighbourhood and city government. The purpose of these boards was to provide a forum for the formulation and expression of community opinion. All finance would have been provided by the city government.⁵⁵

A neighbourhood government scheme which did advance beyond the planning stage was the East Central Citizens Organisation (ECCO) in Columbia, Ohio. ECCO operates in a one square mile area with a population of only 6,500 and offers educational, recreational and youth services, purchases homes for rehabilitation and operates a credit union and a veterinarian clinic.⁵⁶

During the Johnson Administration, the Model Cities Programme was conceived as a means of increasing citizen participation. While the scheme was altered considerably during Nixon's tenure of office, it has been successful in certain areas. In Dayton, Ohio,⁵⁷ for example, the Programme established a planning council comprising representatives from a number of sub-neighbourhood areas. A policy committee was also established, composed of six governmental

⁵³ *Ibid.*, 26.

⁵⁴ *Ibid.*, 26.

⁵⁵ Citizen Participation in Local Government in the United States, *loc. cit.*, 93.

⁵⁶ J. F. Zimmerman, "The Politics of Neighbourhood Government" (1971), 5 *Studies in Comparative Local Government*, 32.

⁵⁷ Citizen Participation and Local Government in the United States, *loc. cit.*, 94.

agency representatives and seven members elected from the planning council.

The role of the neighbourhood in local government decision-making was recognised in Great Britain's new local government legislation. It is also recognised by the Local Government Act 1974.⁵⁸

Before the Local Government Bill was introduced, the Hon. Mr May, speaking to a training course at Victoria University for municipal clerks said that "city councils and regional bodies were pretty remote from the ordinary citizen who liked to be able to join with neighbours and have a say about such things as when the swimming pool opened and closed. These might seem like trifles to the Regional Council but they are right at the heart of local government. It is the right of opportunity to have your say, along with others, to help make the decisions and then live with them, that is the mark of local government".⁵⁹

A three-tier structure of local government is proposed. At the top level, there would be regional councils like the Auckland Regional Authority and at the second level there would be city and district councils. The lowest tier would be community councils—"advisory and consultative bodies and sounding-boards for public opinion in areas within cities, boroughs or counties".⁶⁰

The community councils schemes parallels the scheme advocated in Los Angeles.⁶¹ Obviously, it in no way envisages giving small communities and sub-municipal units autonomy, as is being attempted in Yugoslavia. The main idea behind the Act is the rationalisation of local bodies—the idea that rationalisation will create professionalism, economy and efficiency. Radical reformers of local government argue, on the other hand, that large units of government do not necessarily plan better, achieve a higher level of service and more economics, and tax more equitably than smaller units. "Nor do economies of scale have to be sacrificed in order to achieve responsiveness and the ability to adapt to varying neighbourhood conditions."⁶²

These same reformers⁶³ argue that present attempts to create citizen participation are usually little more than symbolic. Indeed examination of the Local Government Act indicates that the Community Councils will be purely advisory and will have no authority.

⁵⁸ This act became effective on the 8 November 1974.

⁵⁹ *New Zealand Herald*, 11 August 1973.

⁶⁰ *New Zealand Herald*, 10 October 1973.

⁶¹ *Ante*, p. 76.

⁶² J. F. Zimmerman, *loc. cit.*, 32.

⁶³ Joseph Zimmerman is one of the main American advocates of neighbourhood government.

"The general purpose of a community council shall be," according to the Act⁶⁴:

- "(a) To co-ordinate and express to any appropriate body or authority the views of the community which it represents on any matter within the jurisdiction of that body or authority;
- "(b) To take such action in the interests of that community with respect to any such matter as is appropriate, expedient and practicable;
- "(c) To undertake, encourage, and co-ordinate activities for the general well-being of the residents of the community; and
- "(d) To perform such functions and exercise such powers as may from time to time be delegated to it by the territorial authority under section 164 of [the] Act or under any other Act."

The section above is expressed in broad terms and would appear to give community councils a fairly wide competence. The following section⁶⁵ severely delimits the power awarded to these councils.

"A territorial authority shall not delegate to a community council:

- "(a) The powers and duties conferred or imposed on the territorial authority by the Public Works Act 1928, the Urban Renewal and Housing Improvement Act 1945, or the Town and Country Planning Act 1953; or
- "(b) The power to borrow money, to make a rate or a charge in lieu of a rate, to make a bylaw, to enter into a contract otherwise than in accordance with Section 4 of the Public Bodies Contracts Act 1959, or to institute an action; or
- "(c) The power to acquire, hold or dispose of property; or
- "(d) The power to appoint or remove staff."

Without staff and without independent finance, the community councils will be little more than places where people can air their grievances and make proposals. Nothing the community council decides will be binding on the territorial authority. Although a representative of the community council⁶⁶ will be appointed to attend territorial authority meetings and he will be able to speak and take part in the discussion on any matter relating to the community "as if he were a member of the territorial authority or of the committee", he will have no right to vote.

It would appear, therefore, that if the community councils are to be effective participants in decision-making, it will be the responsibility of the territorial authorities to actively promote them and to

⁶⁴ Section 163.

⁶⁵ Section 164.

⁶⁶ Section 166.

listen to them with more than a mere sense of duty.

Auckland City, prior to the passing of the Local Government Act, introduced the concept of community committees to local body politics. The City Secretary, Mr J. W. Nichols suggested a number of activities for these committees.⁶⁷ They include "advising the council of any urgent works needed in their areas, encouraging an interest in local government among residents, protecting the environment and making recommendations for priorities for work in their areas". This statement is vague and in no way envisages an authoritative role for the committees. Sir Dove-Myer Robinson, in grandiose terms, described the committees as "integral and important partners with the Council in ensuring all districts receive the services they require". It is difficult to understand how the mayor could call the committees "integral and important partners with the Council" when a few lines earlier, he had stated that the Council "has not considered delegating any of its legal powers to them".⁶⁸

Nevertheless, the creation of fourteen community committees is a pioneering move in New Zealand towards increasing citizen participation. The committees could be effective if they attract enough attention from both the news media and the Council itself. They will be totally ineffective, of course, if they fail to attract support from the local communities themselves. There is already evidence that this might be the case. Despite newspaper advertising and personal enquiries from present members of the Ponsonby/Herne Bay Committee, the Committee discovered in August of 1974 that no-one was interested in being co-opted on to the committee. Moreover, the membership of original members has lapsed because of non-attendance.⁶⁹

It would appear that attempts in New Zealand to create citizen participation in local government are mainly attempts to increase communication between elective bodies and the public.

There is reluctance to include the public in the actual decision-making of local government. Thus, the main power exercised by citizens is still the power of the ballot—a power which can only be exercised every three years.

IV. HOW REPRESENTATIVE OF THE COMMUNITY IS LOCAL GOVERNMENT?

It has been shown so far that very few people choose to vote in local body elections. It has also been shown that there are few

⁶⁷ *New Zealand Herald*, 18 October 1973.

⁶⁸ *Auckland Star*, 1 November 1973.

⁶⁹ *City News*, 28 August 1974.

opportunities available to participate constructively in local government between elections. Those opportunities which are available, limited as they are, are rarely taken advantage of.

Those who actually *do* participate in local government remain to be considered. How representative are they of the community? If a wide variety of people as a rule sit on local councils, it can be said that an equally wide group of people have their interests represented at local government level. Therefore, a form of indirect participation is achieved. Unfortunately and predictably, the converse is true in New Zealand as well as in the United States and most parts of Europe.

In Ireland, for example, county councils are largely composed, on the one hand, of farmers (41% in 1960, 38% in 1967) and, on the other, of shopkeepers, publicans and small businessmen (33% in 1960, 30% in 1967). In the cities and towns, the last group dominated. "Self-employed as they are, shopkeepers and small businessmen have the opportunity to engage in local government, and, given the nature of local services and activities, often have the most to gain by doing so."⁷⁰

In Lausanne, Switzerland, "higher employees and professional people together form two-thirds of the representative body".⁷¹ An American survey revealed that people enjoying a higher income are more active participants than those of lower income levels.⁷² Citizens of middle-range and academic backgrounds, e.g., secondary-school teachers, lecturers, research workers, seem to be the most closely involved and most actively participating in Holland. Men generally are observed as being more active participants in local government than women.

In New Zealand, the people manning (manning is an appropriate word because very few women are Councillors) Councils are very unrepresentative of the community at large. In his study of local government in Christchurch, Austin Mitchell found that the average age of Councillors and board members was 55.9, higher even than members of Parliament. 44% were older than 60.⁷³ In terms of occupation, the Councillors and board members were hardly more representative. "Half the population could be classed as workers, but well over half their electoral representatives in local government were employed in a managerial capacity."⁷⁴ The business element

⁷⁰ A. van Ginkel, *op. cit.*, 42.

⁷¹ *Ibid.*, 43.

⁷² Citizens Participation and Local Government in the United States, *loc. cit.*, 87.

⁷³ Austin Mitchell, *op. cit.*, 284.

⁷⁴ *Ibid.*, 285.

dominates local government in Christchurch."⁷⁵ Those women who did manage to win a place on the Council in Christchurch, were generally excluded from major committees and the tendency seemed rather to allocate them to the lesser committees on the Council, such as the art gallery, library and reserves committees.

In 1968, Dr Bush wrote that women constituted only 6.0% of the elected members of borough councils. Only 4.2% of the members of ad hoc bodies were women.⁷⁶

Various ways of making the City Council more representative have been proposed. However, it has been established in New Zealand and overseas that attempts to make the public more aware of local government only have an effect on those who are well-educated and relatively affluent. Those who are less educated and less affluent do not respond to attempts to increase participation and hence do not contemplate standing for local government offices. Besides, local government work is geared towards those to whom committee work and business organisation would be almost second nature.

One British commentator has suggested that many people are deterred from local council service by financial considerations.⁷⁷ Again the young wage-earner supporting a family is penalised. The predominance of semi-retired, affluent men on the Council, is understandable. We have studied the ward system as a means of increasing the vote and have concluded that, in New Zealand local government politics, it has not been successful. However, it could not fail as a means of making councils more representative. If Auckland City was divided into five wards and each ward was to have its own councillors, the total community would become represented. Whether or not this would lower the level of competence of the Council and turn it into a battleground of opposing parochial interests is another issue. However, the ward system appears to be the only method available of forcing the Council to become more representative.

It should be noted, nevertheless, that the introduction of the ward system would not guarantee the political representation of women and ordinary wage-earners. The only thing that would be guaranteed is territorial representation.

V. CONCLUSION

It can be said that New Zealand is not in the forefront of the movement to increase citizen participation in local government.

⁷⁵ This survey was taken before the election of a Labour mayor but can be said to be typical of most local councils in New Zealand.

⁷⁶ G. W. A. Bush, "Local Body Elections", *loc. cit.*, 294.

⁷⁷ R. M. Punnett, *op. cit.*, 382.

Tentative moves have been made but the country is faced by a dilemma. The aim of the Local Government Act is to increase nationalisation, to create larger, more efficient political units. Yet, at the same time, government closely involved with the public is advocated. It was suggested earlier that small, inefficient units tended to discredit democracy and increase voter apathy. On the other hand, it is also true that large government units, while more visible, must have a lower degree of public participation in them.

To add to this dilemma is the fact that local government simply does not interest people. While both the national government and local governments should do more to stimulate public interest in local government by publicizing elections to a greater extent, by the creation of more effective community committees, by the opening up of council committee meetings to the public, and by showing a general willingness to be more imaginative and innovative, it is also true that large numbers of people will not respond to even the most outrageous stimuli. The last word should go to Dr Bush. "The old adage about the people getting the government they desire could well be coupled with a more recent law of psephologists that the level of abstentions in an election is an index of the absence of dissatisfaction."⁷⁸

⁷⁸ G. W. A. Bush, "Local Body Elections", *loc. cit.*, 294.