

Te Tiriti o Waitangi, Democracy, and Constitutional Policy

Democracy, Sovereignty, and the Power of the People

The Alliance believes that democracy must mean more than voting every three years.

A genuinely democratic society is one in which people have a meaningful ability to shape the decisions that affect their lives, their communities, and their future.

Political power must not be concentrated in the hands of governments, multinational corporations, wealthy individuals, or distant bureaucracies. It must be accountable to the people.

The Alliance seeks to build a **participatory democracy** in which decisions are made as close as practicable to the people affected by them, while maintaining national institutions capable of ensuring equality, social justice, and the protection of national interests.

Democratic government must extend into economic and social life. Political democracy is weakened when economic power is concentrated in a small number of private hands.

Our constitutional policy is therefore founded on four principles:

- **Popular sovereignty:** political authority ultimately belongs to the people.
- **Participatory democracy:** people and communities must have meaningful control over decisions affecting them.
- **Social justice:** democracy must protect equality, human rights, and the dignity of every person.
- **Upholding Te Tiriti o Waitangi:** the constitutional relationship between tangata whenua and the wider population of Aotearoa must be honoured and strengthened.

1. Te Tiriti o Waitangi: The Constitutional Foundation

The Alliance recognises Te Tiriti o Waitangi as the foundational constitutional document of Aotearoa.

In particular, the Māori text of Te Tiriti o Waitangi must be recognised as the primary expression of the agreement entered into between Māori and the Crown.

A just democratic society cannot be built upon the dispossession or marginalisation of tangata whenua.

The Alliance therefore rejects institutional racism and supports constitutional arrangements that recognise mana motuhake and the distinct rights, interests, and responsibilities of Māori, while ensuring a democratic society based on cooperation and mutual respect.

The relationship established by Te Tiriti o Waitangi must be reflected throughout the machinery of government, legislation, and public decision-making.

Te Tiriti o Waitangi Obligations

The Crown must honour its obligations under Te Tiriti o Waitangi.

This includes:

- recognising Māori participation in constitutional and governmental decision-making;
- protecting Māori rights and interests;
- addressing the consequences of historical Crown breaches;
- eliminating institutional discrimination; and
- ensuring that public institutions operate consistently with the principles of Te Tiriti o Waitangi.

Honouring Te Tiriti o Waitangi is not simply a matter of consultation. It must be reflected in the structure and operation of the state.

2. Waitangi Tribunal and Historical Grievances

The Alliance will strengthen the **Waitangi Tribunal** and ensure that it has the resources and independence necessary to perform its constitutional role effectively.

Māori must have a meaningful role in the appointment of Māori members of the Tribunal, including consideration of mechanisms through which iwi can directly select or nominate those members.

The Government will commit to acting upon the recommendations of the Waitangi Tribunal relating to Treaty breaches, environmental resources, and other matters within its jurisdiction.

Historical grievances must be addressed fairly and transparently.

The purpose of Treaty settlement is not simply to rectify historical breaches, but to establish a durable constitutional relationship for the future.

3. Participatory and Community Democracy

The Alliance will decentralise political power wherever practicable.

Decisions should be made at the **lowest effective level**, provided that decentralisation does not undermine equality, universal rights, or the ability of central government to protect the public interest.

Local communities should have genuine control over matters that directly affect them.

We will strengthen:

- local democratic institutions;
- community participation in public decision-making;
- public consultation and deliberation;
- community ownership of essential assets and services;
- mechanisms for direct citizen participation; and
- accountability of elected representatives to the communities they represent.

The Alliance rejects the idea that citizens should participate in democracy only by casting a vote at election time.

4. A Proportional and Representative Parliament

The Alliance supports the continuation of **Mixed Member Proportional representation (MMP)** as the basis of parliamentary democracy.

Parliament should reflect the diversity of political opinion within Aotearoa, rather than artificially concentrating power in the hands of parties that receive only a minority of the popular vote.

MMP will be protected and strengthened.

The Party Vote Threshold

The current party vote threshold is 5 percent, which is among the highest of any proportional system. A party can be the choice of one voter in twenty and receive nothing.

Two independent reviews have found the threshold higher than it needs to be. The Electoral Commission's 2012 review of MMP recommended lowering it to 4 percent. The Independent Electoral Review recommended 3.5 percent in its 2023 final report, concluding that a lower threshold would broaden representation while still allowing stable parliaments to form. Neither recommendation has been implemented.

The Alliance will lower the party vote threshold to 3.5 percent, in line with the most recent independent recommendation. Over time, we believe that the removal of the threshold and a simple percentage for each seat is the most democratic option, and will represent the implementation of a proportional system reaching maturity.

A threshold set high enough to discard one voter in twenty is protecting incumbents rather than stability.

Any future changes to the electoral system must preserve the fundamental principles of proportionality, representation, and political pluralism.

5. Strengthening Parliament

Parliament must be an effective check on executive power.

The Alliance will strengthen the ability of parliament and its select committees to scrutinise government decisions, public expenditure, and the performance of government agencies.

Government budgets should be accompanied by independent assessments of their:

- social impacts;
- economic impacts;
- environmental impacts; and
- distributional consequences.

Select committees will be strengthened so that they can properly question ministers, officials, and public agencies.

Officials should be required to provide parliament with accurate and comprehensive information, subject to legitimate protections for privacy, national security, and other clearly defined public interests.

6. Reforming Cabinet Government

The Alliance will reform the conventions surrounding **cabinet collective responsibility**.

Ministers should not be prevented from expressing disagreement with government policies, or from participating openly in parliamentary debate.

Collective responsibility should operate where necessary to ensure coherent government, but it should not become a mechanism for suppressing legitimate political debate or preventing parliament from properly scrutinising government decisions.

Greater transparency within government will strengthen rather than weaken democratic government.

7. A Written Constitution

New Zealand's constitutional arrangements have developed through legislation, convention, judicial decisions, and historical practice.

The Alliance will initiate a **comprehensive constitutional review** to examine whether Aotearoa should adopt a formal written constitution.

The review will be nationwide, participatory, and transparent to build a constitution democratically from the ground up.

It should consider:

- the constitutional status of Te Tiriti o Waitangi;
- the recommendations of the Matike Mai report;
- the rights and responsibilities of citizens;
- the relationship between parliament, the executive, and the judiciary;
- the powers and limitations of government;
- the role of local government;
- the protection of democratic rights;
- mechanisms for constitutional amendment; and
- appropriate checks and balances on state power.

Any proposed written constitution must emerge from a genuine public process, rather than being imposed by one government or political party.

8. Reviewing the Structure of Parliament

As part of the constitutional review, the Alliance will examine whether the present structure of parliament provides the best possible system of democratic representation and accountability.

This review will consider the possible establishment of a **second legislative chamber**, including its purpose, composition, powers, and democratic legitimacy.

A second chamber is only worth having if it improves scrutiny. An appointed house of former ministers would not achieve this.

The review will also consider appropriate mechanisms for ensuring regional, community, and other forms of representation are properly reflected within the constitutional system.

9. Citizens' Initiatives

The Alliance supports greater opportunities for citizens to directly participate in the legislative process.

The constitutional review will examine the establishment of **Citizens' Initiatives**, allowing citizens to propose legislative or policy changes through an appropriate democratic process.

Any such system will include safeguards to ensure:

- adequate public information;
- meaningful debate;
- protection of minority and individual rights;
- clear and workable questions; and
- democratic legitimacy.

Direct democracy should complement representative democracy rather than replace it.

10. The Future of the Monarchy

The Alliance believes that the constitutional status of the Crown should be subject to democratic consideration.

As part of the national constitutional review, the people of Aotearoa should have the opportunity to determine the future constitutional relationship between Aotearoa New Zealand and the monarchy.

The Alliance therefore supports consideration of a **referendum on the future of the monarchy** as part of a wider constitutional process.

Any constitutional change should be determined democratically by the people of Aotearoa New Zealand.

11. Open and Transparent Government

Democracy cannot function effectively when citizens are denied access to information about decisions made in their name.

The Alliance will strengthen the principle that **government information belongs to the public**, subject only to clearly justified exceptions.

The Official Information Act will be extended to cover publicly listed companies in which the Crown holds a controlling stake, which currently sit outside it, and the grounds for withholding will be narrowed across the entities already covered.

Public information should be:

- freely accessible;
- provided promptly;
- available in understandable forms;
- proactively released wherever possible; and
- withheld only where there is a compelling and legally recognised reason.

The burden should be on government to justify secrecy, not on citizens to justify their right to know.

12. Political Integrity and Conflicts of Interest

Public office exists to serve the public.

The Alliance will introduce stronger requirements to prevent conflicts of interest and the undue influence of private wealth over political decision-making.

Candidates for public office will be required to publicly disclose relevant financial interests and assets.

Elected representatives and senior public officials will be subject to clear and enforceable conflict-of-interest rules.

The objective is not to prevent people with legitimate business, professional, or community interests from entering politics. It is to ensure that those interests are transparent and cannot secretly influence public decisions.

13. Political Donations and Democratic Equality

Political influence must not be determined by the ability to make large financial contributions.

The Alliance will establish strict transparency requirements for political donations.

All significant individual and corporate donations to political parties will be publicly disclosed.

The Alliance will also consider appropriate limits on political donations to prevent wealthy individuals, corporations, and other organisations from acquiring disproportionate political influence.

Political parties must be accountable for the sources of their funding.

The democratic process should be based on equal political citizenship, not the financial power of particular interests.

14. Democracy and Economic Power

Political democracy cannot be separated from economic democracy.

A society in which a small number of corporations control essential infrastructure, natural resources, employment, and investment cannot provide genuine democratic control simply by holding regular elections.

The Alliance will therefore pursue democratic control of essential economic resources through:

- public ownership;
- cooperative ownership;
- community ownership;
- worker participation;
- strong trade union rights; and
- democratic economic planning.

This principle connects our constitutional policy with our economic, environmental, and social policies.

The people must have the power to determine the direction of society, rather than being subordinate to the decisions of concentrated private economic power.

15. Democracy, Environment, and Future Generations

Democratic government has a responsibility not only to those who can vote today, but also to future generations.

Environmental decisions must therefore be subject to democratic scrutiny and long-term assessment.

Communities and tangata whenua must have a meaningful role in decisions concerning:

- land;
- water;
- forests;
- minerals;
- energy;
- biodiversity; and
- other natural resources.

Environmental democracy and stewardship means that decisions affecting the commons cannot be left solely to corporations, private investors, or central government agencies.

This principle reinforces the Alliance commitment to public and community control of essential resources, and to the protection of the natural environment for future generations.

16. A Democratic Constitution for Aotearoa

The Alliance's constitutional vision is ultimately about where power resides.

We reject a political system in which citizens are expected to hand their democratic authority to governments every three years and then have little meaningful influence over the decisions that follow.

We seek a society in which:

- parliament represents the people proportionally;
- government is transparent and accountable;
- representatives are subject to recall by democratic means;
- communities have genuine democratic power;
- tangata whenua exercise their constitutional rights under Te Tiriti o Waitangi;
- citizens can participate directly in important decisions;
- political influence is not determined by wealth;
- public resources are protected from private exploitation; and
- economic power is subject to democratic control.

The Alliance will work towards a constitutional system that reflects the character of Aotearoa as a democratic, diverse, and Treaty-based nation.

Our goal is not simply a better government. It is a more democratic society, but one in which power is placed in the hands of the people and exercised in the interests of all.