

# The political opportunities for feminist dissent in Aotearoa/New Zealand

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## Abstract

During the 1970s and 1980s feminists in Aotearoa/New Zealand, like their sisters internationally, worked to open up spaces within the state and civil society for the voices of women to be heard. Over the two last decades, however, the spaces for dissent, critique, and the expression of alternative visions of society have been eroded. This paper uses social movement theory to examine the political opportunities for activism and dissent in New Zealand. It is argued that police raids under the Terrorism Suppression Act in October 2007 were a very public expression of the narrowing of spaces for dissent, though most of the regulation of oppositional voices has been more subtle. Signs of the narrowing political opportunities for women's organisations and other civil society groups include: accountability mechanisms foisted upon the non-government sector; changes to electoral laws; the rise of neo-liberal and public choice thinking; changing employment legislation, the casualisation of the labour force, and the decimation of unions; and new modes of public sector and local level governance. Even increased public consultation by state agencies, including those agencies established in response to feminist demands, limit the field of what is seen as 'acceptable' dissent. The regulation of dissent which has occurred over the past few decades should worry those interested in radical and deep democracy.

## Introduction

Internationally Aotearoa/New Zealand prides itself on its reputation as a free, fair, and liberal democracy. However since the 1980s there are signs of erosion to substantive democracy with regard the opportunity structure for dissent and social movement activism. The most dramatic recent example of democracy under attack was the use of the Terrorism Suppression Act by the police to raid homes of Maori and anarchist activists in 2007. Terrorism laws were introduced in a post 9/11 environment and provide sweeping powers for governments to designate groups as terrorist organisations and take action against them. However, it is more subtle actions which have constrained political dissent in New Zealand. This paper traces examines how shifts in the political opportunity structure due to the rise of New Public management governance have impacted upon feminist activism.

This paper is part of a broader project examining the outcomes of four decades of activism by three social movements – the women’s, union, and anti-poverty movements. It is argued that understanding of the social, political, and economic contexts is essential to any understanding of the influence of these three movements. However, this paper focuses on the political opportunity structures in recognition that movements are part of a continuum of political action in a democracy, a continuum which includes more conventional political institutions. This premise, that protest is closely related to more conventional political activity, is hardly novel to political science or sociology (Meyer and Mikoff 2004:1458).

Most commonly considered as setting the political opportunity structures for social movements are three variables:

- open/closed democracy (McAdam 1982 and 1996; Eisinger 1973; Tilly 1978; Meyer 2004), including repression or facilitation of dissent by the state (Tarrow 1998).
- the stability of elites/elite divisions (Tilly 1978; Jacobs, Jenkins and Agnone 2003; McAdam 1996); and,
- the availability of alliances/the power of political allies (Jacobs, Jenkins and Agnone 2003; McAdam 1996).

It is to the first of these variables that I will turn in this paper as feminists have long fought for open democratic processes that include the voice of women. In particular I will focus on how open the New Zealand democratic sphere has been to women’s liberation activists from the 1970s. Since the rise of the ‘second wave’ of the women’s movement in New Zealand in the early 1970s, there have been major changes in state and society which have affected the recognition given to feminist activists. In particular, the shift to a ‘more market’ approach by the state has seen a fundamental change in the way citizen/state relations are acted out.

Like many English-speaking democracies, from the 1980s New Zealand rejected Keynesian economic management in favour of a more market, less-state, neo-liberal approach (Boston et al (eds) 1999; Castles 1996). The neo-liberal reforms began with the election of the Fourth Labour Government (a left-wing political party) which was in many respects most un-Labour like, and became more so the longer it was in office (Eichbaum and Shaw 2006:9). This neo-liberal project affected both policy direction and the operations of public sector through the instituting of the ‘New Public Management’ (NPM) (Sharp, A. 1994; Boston, J. (ed) 1995). The Fourth Labour Government’s 1988 State Sector Act replaced input-focused permanent secretaries with output-focused chief executives contracted to ministers and responsible for determining and delivering outcomes (Bale 2003:210) which altered the relationships between politicians, the public sector, and publics.

New Zealand’s neo-liberal project also had an impact on the electoral system. The rapid implementation of neo-liberal policies by successive governments was seen as one of the factors behind citizens opting to change the electoral system. In a 1993, 55% of electors voted in a referendum on the electoral system, with an overwhelming 85% voting to change their electoral system from a first-past-the-post electoral system. In the second part of the poll, 70% voted in favour of to mixed-member proportional representation. These changes in the electoral system, the public sector, and the move from Keynesian demand economics to neo-liberalism make New

Zealand an interesting case for examining ways in which changing political structures influence feminist dissent and activism.

### **New Zealand democracy and the repression of dissent**

In most international studies of democracy New Zealand is seen as an exemplar of democratic openness. There are regular competitive elections; political and state corruption is almost non-existence (Henderson and Bellamy 2002:89-92); and citizens enjoy fundamental political and civil rights under the Bill of Rights Act 1990. However on the last count, the protection of human rights is set out in a non-entrenched piece of legislation. In this respect the New Zealand Act, like the UK Act, does not significantly challenge the tradition of parliamentary sovereignty (Leane, 2004:157) at the heart of Westminster parliaments.

A number of democratic mechanisms exist to aid citizen involvement in decision-making. Citizens have opportunities to make submissions to Royal Commissions and Parliamentary Select Committees; and electors can force a Citizen Initiated Referenda (CIR) to be held on a particular question if they collect signatures of at least 10% of all enrolled electors on a petition (though CIR are non-binding). The accessibility of members of parliament (MPs) to members of the public is another mechanism used to demonstrate the openness of democracy in New Zealand. All MPs hold regular electorate clinics/surgeries which provide opportunities for individual members of public to speak with representatives.

However, democracy is not an all-or-nothing affair, 'but a matter of degrees – of the degree to which the people can exercise a controlling influence over public policy and policy-makers, enjoy equal treatment at their hands and have their voices heard equally' (Beetham in Henderson and Bellamy 2002: 4). Any positive retelling of New Zealand's democratic history must be tempered by an acknowledgement of the intermittent repression against selected activist groups and the ongoing 'channelling' of disruptive voices into acceptable modes of dissent. While feminist organisations have not been the targets of overt repression by the New Zealand state, it is important to consider where repression has been used and its impact on activism.

While cases of the state exceeding the law in New Zealand may be considered 'very rare' (Henderson and Bellamy 2002) they do exist. The state repeatedly used force against Maori during colonisation the 19th century (Frood 1994; Kawharu 2003; Young 1991) and in more recent times to end land-rights occupations such as that at Bastion Point (1998 *Takaparawhau*). Repressive force has also been used against the trade union movement. For example, in 1951 the state used the Public Safety Conservation Act to declare a state of emergency and passed Waterfront Strike Emergency Regulations 'prohibiting processions, demonstrations, pickets and signs in support of the strike, giving the police extremely wide powers of arrest and entry, and essentially censoring the media by prohibiting publication of anything likely to encourage the strike' (Caldwell in Smith 2003: 6-7). The New Zealand state again proved its willingness to use force against its own citizens in 1981 during protests over apartheid and a visit by a South African rugby team. Thousands of New Zealanders marched against the 1981 Spring Bok tour. The police responded with increasingly aggressive strategies, including 'the first police baton charge[s] in New Zealand since the early 1900's' (Broadsheet, in Smith 2003: 8).

Most cases in which the state has exceeded the law in New Zealand are less brutal than the events of 1951 and 1981, but they are none the less important in understanding the political opportunity structure for dissent. One case of abuse of power by the state occurred in July 1996 when the Security Intelligence Service (SIS) broke into the home of political activist Aziz Choudry. In December 1998 a full sitting of the Court of Appeal held that the SIS had overstepped its power. Subsequently, legislation was introduced to extend the power of the SIS in this area (Henderson and Bellamy, 2002:45). Another case of note was in 2000 when the Police used buses and other means to obscure free Tibet protestors from the visiting Chinese President. Following this incidence the Policy Complaints Authority (2007) found that police had acted inappropriately in moving on protestors during this visit by the Chinese President. Since then the government has since changed policy and procedure to ensure that the police can move on or block from view protestors if they are offending a visiting dignitary. And, as has already been noted, in 2007, police raided homes of Maori and anarchist activists using the newly revised terrorism legislation. However, following a review of the case the Attorney General found that there were no grounds on which to charge the activists involved under the terrorism laws that had been used to justify the dawn raids.

What is perhaps most problematic for activists in New Zealand is that the nation relies on the 'good will' of leaders to ensure there is no abuse of political rights. As with most modern democracies, but even more so in New Zealand (which has a unicameral system, little in the way of formal constitutional protections, and no history of judicial review of government decisions), the Executive wields extraordinary power, 'including the power to take away fundamental rights and freedoms, which are protected only by goodwill and trust, and not by the courts' (Leane 2004:167).

### **'Managing' feminist dissent**

Within political opportunity literature it is argued that political and economic elites may respond to violent or disruptive dissent by encouraging or facilitating non-violent or nondisruptive forms of collective action (Jenkins and Eckert 1986; Koopmans 1993). The channelling of protest into less disruptive politics (Tilly 1978; Eisinger 1973) is evident with regard women's movement activism in New Zealand. As Elizabeth McLeay (in Catt and McLeay 2006: 61) noted the centralised, unicameral, cabinet-dominated system might have encouraged women to look to party, Parliament, and cabinet for changing women's conditions. Women's groups from the 1970s have looked to 'party, Parliament, and cabinet', with large numbers of women's groups presenting petitions to parliament, writing letters to MPs, and making submissions to parliamentary Royal Commission's and working groups (Devere and Scott 2003, p. 390.). The channelling of the dissent of the women's liberation movement can be seen in the establishment of the 1972 Parliamentary Select Committee on Women's Rights, in which women's groups were given a 'legitimate' place to make claims against state and society. Large numbers of women's organisations took up the call to use this institutional mechanism to shape the political agenda, including the Council for Equal Pay and Opportunity, Dunedin's Voice of Women, the Women's National Abortion Campaign, the Homemaker's Union, branches of the National Organisation for Women, the Women's Independent Party, Dunedin Collective for Women, Palmerston North Single Mothers Group, the Abortion Law Reform Association, and Gay Liberation and Gay Feminists Association.

The focus on institutional means to bring about positive change for women is particularly evident in the 1980s and 1990s and New Zealand with a greater move toward state-equality feminism (Joyce Gelb, 1990). Demands for greater recognition by new social movements in the late 1960s and early 1970s led to the incorporation of these groups into state institutions in a number of ways. Della Porta and Diani (2006:233) note movements 'increasingly interact with the public administration, presenting themselves as institutions of democracy from below (Roth, 1994): they ask to be allowed to testify before representative institutions and the judiciary, to be listened to as counterexperts, to receive legal recognition and material incentives'.

What can be seen in New Zealand is the achievement of a variety of participatory gains by feminist activists. The first was seen in the rise of women in parliament. In the 1970s women occupied less than 5% of the seats in the House of Representatives, this increased during the 1980s to reach a height of 14.4% in the 1987 election. The second is the creation of new agencies that provide access to the political realm previously denied a social movement (Sawer, 1991: 260), in particular the establishment in 1986 of the Ministry of Women's Affairs. The third can be seen as the normalisation of interest group involvement in policy-making (Berry 1999, p. 32; Malen 2001).

Accepting a seat at the table can generate a number of tensions. Social movements are induced to accept the shifting of conflict from the streets to less congenial arenas, where resources in which they are lacking, such as technical or scientific expertise, are particularly important. The creation of new procedures and institutional arenas can be seen as a means of co-opting movement elites and demobilizing the grass roots (if they are naïve enough not to notice the deception) (Della Porta and Diani (2006:237). These trade-offs are discussed in New Zealand by Maori activist and lawyer Anne Sykes (in Bargh 2006: 119) is critical of the way in which the Crown has manipulated the Waitangi Tribunal process:

People put a lot of stock into that process that's essentially been established by the Crown and controlled in its effectiveness by Crown funding. And I actually think in hindsight that the process is doing enormous violence because of the hopes that get shattered not by the Tribunal but by the Crown's contempt of the Tribunal's decisions.

This trade-off and the threat of co-option may be event greater after 1984 due to the New Zealand state adoption of a more market, neo-liberal ideology. With rising neo-liberalism New Zealand state agents adopt a New Public Management approach. Corporate management and marketisation (Davis and Rhodes, 2000: 75) led to contracts and other competitive market mechanisms becoming the preferred public sector methodology (Reddel 2004: 133).

The rising managerialism has impacted upon 'alternative' modes of service provision, such as feminist models of organising. Herstories present many narratives about the establishment of service provision organisations including women's refuges, rape crisis centres, education groups, research organisations, women's centres, and women's health organisations. These organisations began from fairly small groups of activists responding to the needs of women and have aided the long-term survival of

feminist organisations. But the changing mode of state governance in New Zealand to a NPM model has impacted upon those groups involved in service provision. Under NPM governance there has been little acceptance of diverse organisational styles for groups engaging with the state. Maria Bargh (2006:14) notes the pressures being directed at tribal governance entities, for example through the Crown-designed Treaty of Waitangi Settlement process, where corporate or corporate-type structures are strongly encouraged for tribes. This drive to make sure organisations are shaped in hierarchical and corporate ways is antithetical to the very heart of many social movements and activist organisations. Della Porta and Diani (2006:240) note that: ‘In the social movement conception of democracy the people themselves (who are naturally interested in politics) must assume direct responsibility for intervening in the political decision-making process.’

Constraints to structural forms have also long been felt by those who found themselves inside the state and who attempted to bring with them feminist ways of operation. The first head of the Ministry of Women’s Affairs, Mary O’Regan, tried to establish non-hierarchical structures as the mode of operation in the newly established Ministry, though this was scuttled by the State Services Commission.

Managerialism has also resulted in increasing accountability mechanisms being foisted upon NGOs (Grey 2007), including feminist social service providers. As Devere and Scott (2003: 294) note, the inadequate and unstable funding resulting from the contestable contracting-out of social service delivery to community organisations in the 1990s has led to a change in the nature of women’s groups. “They became administrators (planning projects to tender for funding contracts), social workers (meeting the immediate needs of individual women ‘clients’), and mainstream political lobbyists (submitting women-friendly policy advice).”

As well as affecting the way government and non-government feminist organisations interact, the NPM model has shifted the interaction between state and citizens. Women are viewed as ‘consumers, clients, and workers’, narrowing the range of claims that feminists can make. This move is part of a broader eschewing of collectivism by the state, a move which was most evident in the labour market. ‘The Employment Contracts Act 1991 abolished the conciliation and arbitration system, curtailing award protection and union monopoly bargaining rights and elevating workplace and individualised forms of bargaining.’ (Rasmussen, Hunt and Lam, 2006 21). Union density plummeted from over 50 percent of the workforce in 1989 to around 20 per cent in 1999 and it remains just over that level in 2008. This decimation of the unions left many left wing causes without what had been a strong extra-parliamentary ally. While the Employment Contracts Act was replaced in 2000 with the Employment Relations Act – an Act which is union-friendly and fosters a return to collective bargaining – it came at time when union density is stagnant. As Rasmussen, Hunt and Lamm (2006:21) note: ‘Individual employee rights have become embedded and the return to collectivism has had difficulty in gaining traction’.

Increased marketisation and accountability mechanisms have affected gains made by the women’s movement. In New Zealand in the last decade there have been repeated attacks on earlier institutional gains such as the Ministry of Women’s Affairs. Feminist economist Prue Hyman (1994) notes the Ministry of Women’s Affairs attempts to give advice on differential gender impacts of policies over a wide range of

areas, but their resources are few and their position is easily marginalised. This problem of marginalisation in 'more market' governance models is also evident at universities where the shift to formal women's studies programmes was applauded in the 1980s: "The growth of Women's Studies in our universities and elsewhere gives us the best chance we have, I believe, of systematically exposing the power and prejudice from which it stems" (Stafford 1986, no page numbers). However, in a commercial, mass tertiary education system the viability of women's studies programmes is tenuous. In an audit of gender and women's studies programmes carried out in 2001 women's studies programmes at Massey, Auckland, Canterbury universities each had four academic staff; University of Wellington had three staff members; and Waikato, one permanent appointment "valiantly keeping the programme afloat". . . "Overall, the position is far from reassuring" (Hyman, 2000:8).

There has also been an erosion of the ability of university staff to act as critic and conscience for society under NPM governance. For as Kelsey has argued (1998: cited in Berg, Ryan, and Wood: 1) the academy ceases to be a collective whose value depends upon intellectual reputations, integration of its activities and maintenance of a vibrant intellectual community. Its members, once motivated by a sense of public service and intellectual mission, are deemed untrustworthy to serve the interests of government and/or university and dismissed as vested interest that capture the institution for their own ends. This is due to the acceptance of 'public choice' rhetoric. Since the mid-1980s there has been an air of suspicion about collective action which has been reflected in government decision making, consultation, and attitudes to dissent. Finance Minister Roger Douglas (1989:140) noted that the strategy of rapid policy change was explicitly designed to ensure that interest groups did not have 'the time to mobilise and drag you down.' The rise of public choice rhetoric has impacted upon the lobbying of interest groups and social movements, and upon policy ministries like the MWA. As Anna Yeatman (1993: 17) notes, policy activism is more or less legitimate, and more or less developed, depending on whether the government of the day favours an executive approach to policy or a participative approach to policy which turns it into a policy process.

Public choice theory has not only affected relationships between social movements and elected political elite, but also between activists and public sector employees. Relationships with decision-makers formed in epistemic policy communities made up of government representatives, political parties, and interest groups of various types and persuasions, is considered an important way in which social movements maintain direct relationships with decision-makers (della Porta and Diani 2006: 236). This relationship became strained in New Zealand under NPM with public choice rhetoric used to distance public sector employees from interest groups in order to avoid 'capture' This is particularly evident with policy ministries like the Ministry of Women's Affairs and Te Puni Kokiri. These groups have in past been seen as conduits for the voices of women and Maori into policy processes. However recent government documentation from the centre – the State Services Commission and Treasury – make it clear that this type of 'advocacy role' is not in line with new public sector ethos (an ethos informed in part by public choice theorising) (Teghtsoonian 2004).

## A 'renewal of social democracy'?

It is argued that since 1999 under three successive Labour-led coalition governments New Zealand has been moving away from the neo-liberal agenda and returning to a social democratic approach to economy and state. This 'Third Way', or 'New Zealand Way', includes a range of measures aimed at reconnecting citizens with the state. Political science and public policy texts in New Zealand present an optimistic view of interest group involvement in politics under this new 'social democracy' (Tenbenschel, 2006; Shaw and Eichbaum 2007) but the democratic components of the shift from overt neo-liberalism requires closer scrutiny. As Roper (2006:180) notes many of the commentaries of interest group influence on public policy are dogged by commitment to a broadly classic pluralist theoretical and ideological orientation.

Moves by government departments to include citizens in decision-making have resulted in the use of focus group consultations between policy/research teams and 'user' or 'stakeholder' groups. As noted by Wallace (2007: 96) the fact the governments define the issues for consultation, set the questions and manage the process, while citizens are invited to contribute their views and opinions undercuts the democratic principles: 'The upshot is that public policy documents (and, indeed, other forms of presentation) can turn out to be perfunctory or, at best, educative rather than genuinely consultative'. The consultation processes of the MWA provides example of the limitations of such a model. MWA (2007: 11 emphasis in original) notes in its briefing to the incoming Minister in 2007: **'Recent Ministers of Women's Affairs have recognised three women's groups as their social partners:** the Māori Women's Welfare League (MWWL); the National Council of Women of New Zealand (NCW); and PACIFICA. The nature of this social partnership is one that respects common goals but different roles. The distinctive features largely focus on a more formal and regular level of contact in communication and ministerial and Ministry engagement.' While consultation is important, the three groups selected as 'social partners' constitute a fairly narrow and conservative core consultation group. For other women, opportunities are opened up in the form of public consultations like the 'road-show' held by New Zealand's MWA in 2007. The Ministry claimed that the road show was about hearing from women of New Zealand, but the presentation given in Wellington appeared more about selling to women the 'positive' legislative and policy measures of the Labour-led coalitions since 1999, than hearing critique of government actions. Similar moves towards consultation and inclusiveness are seen in 'third way' Britain also. As Crouch (2004:22) notes:

It is in this context that we can understand remarks by certain leading British new Labour figures concerning the need to develop institutions of democracy going beyond the idea of elected representatives in parliament, and citing the use of focus groups as an example (Mulgan, 1999). The idea is preposterous. A focus group is entirely in the control of its organisers; they select the participants, the issues and the way in which they are to be discussed and the outcome analysed.

Not only is it important to critique the government control of consultation processes in light of claims of a renewal of social democracy, but the ongoing construction of citizens as consumers or clients. A major study was carried out in 2007 looking at the satisfaction of New Zealanders with public services (Colmar Brunton 2007) highlights the focus on 'consumers by government agents.

The partnership model adopted since 1999 does open space for civil society organisations to be involved in policy processes, though much of the focus has been on the provision of social services which creates a number of tensions for the non-government sector. Treasury's guidelines on contracts with the NGO sector acknowledge the need to respect the autonomy of the voluntary sector, though in practice this autonomy can come into direct tension with the need for government departments to ensure contracts 'contribute to the achievement of Government outcomes and objectives' (Treasury 2003:3). While NGOs 'are not simply an extension of government' (Treasury 2003:5) evidence from the non-government sector suggest organisations do change their goals to align with current government objectives in order to secure funding (Grey 2007). Perhaps what is seen is the shadow of the neo-liberal economic agenda in which community groups were reconstituted as agents of government. As Jo Cribb (2005) notes: 'Current mechanisms are based on the assumption of agency theory (Anderson and Dovey 2003). A principal (government agency) contracts with an agent (voluntary organisation) to deliver services on their behalf. The agent is assumed to have different interest from the principal and as such will act self-interestedly when the opportunity arises. To ensure the agent does what the principal expects them to do, external monitoring, reporting, sanctions and incentives are put in place (Jenkins and Mecklin 1976).' What is not readily acknowledged by the state is the power imbalance within the relationship. As Geddes (2001: 194) concludes, 'Local partnerships therefore offer the excluded a stake in the market, but, as is the case for small shareholders generally, this may not be a stake that carries much clout.' Devolution of power had not been accompanied in New Zealand by great democracy at the local level (Bale 2003:210), nor greater substantive democracy for those in the NGO sector. It seems that the partnership model can lead to greater state control of NGOs, a concentration on meeting 'needs' of state (where money is) and a denial of adequate space for advocacy work.

An indication that advocacy is at least partially excluded from the 'partnership' model of governance is seen in the rules around charitable status. In 2007 under Labour-led coalition, the Charities Commission (2007:1) found it necessary to restate that organisations whose primary activity is 'political advocacy – advocacy for political change, for a political party, for a law change or enforcement of a particular law – would not achieve charitable status.'

As well as public sector-interest group consultation, New Zealand's claim to democratic openness also centres on the opportunities opened by select committee process. Since the 1960s almost all legislation has been automatically sent to select committees for consideration. Public involvement is a key element in the process and as Ganley notes (2000:84): 'The very open nature of the public submission and hearing process creates an impression of legitimacy.' The select committee process according to Levine (2004: 663) has been opened up because of the absence of government majorities in the House of Representatives since 1996. He sees the absence of government majorities under MMP as opening opportunities for smaller parties (and those whom they represent) to have some influence on policy:

Many select committees are chaired by opposition MPs and a skilful chair can move matters in a direction contrary to that preferred by the government.

If smaller parties are having more influence through select committees under MMP, one might assume this opens more avenues for social movement and interest group influence.

While accepting that select committees offer, at least for now, one opportunity for women's movement activists to seek influence, there are problems in seeing this as a pinnacle of opportunities for civil society between elections. For anti-systemic movements – like the women's movement – that are seeking a complete change in the system the provisions to make submissions once legislation has been drafted comes too late in the process. The role often carried out by select committees in New Zealand is a 'tidying' role in the legislative process (Ganley 2001:87) rather than one in which major change is made to legislation. And there is no guarantee of legislation going to a select committee. If the House accords urgency to a bill before it has reached the select committee stage, then that bill will not go to a select committee, and the Speaker cannot accept any motion to send the bill to a committee (McGee 1994 in Ganley 2000:84).

It is important to acknowledge that MMP has not only impacted upon select committee processes, it has affected the political opportunity for social movements more broadly. Examples of minor parties having an impact on the political agenda can be found, including the introduction of paid parental leave provisions in 2000 and the Repeal of Section 59 of the Crimes Act which had in past provided parents with a defence of justified discipline if they had been arrested for hitting their children. It seems that the very existence of a wider range of political parties in the House of Representatives can provide more avenues and allies for social movement activism. However, the parliamentary agenda is still dominated by the government of the day.

The institutional focus of dissent, and ongoing channelling of dissident voices into appropriate institutional debates, means it is important to look at attitudes towards feminism as an ideology in the political sphere. In the last decade in New Zealand, feminists have operated in a political environment in which 'feminist dogma' is ridiculed in parliament:

Anne Tolley, National (2002:15439)

This bill discriminates quite deliberately against a large number of women. I said at the introduction of this bill into the House that the Minister was stuck with 1970s feminist dogma.

Bob Simcock, National (2002:15346)

That is the sort of politically correct, feminist nonsense that underpins this legislation.

This backlash against feminism in New Zealand parliamentary debates may make politicians reluctant to make feminist claims and speak 'for women'. And in the media there has been an ongoing discussion of how New Zealand is 'run by women':

Since winning the vote in 1893, New Zealand women have made slow but steady progress along the pathway to power, so much so, they're now running the country. New Zealand's Prime Minister; the Leader of the Opposition; a third of Cabinet; the Chief Justice of the High Court; the Governor-General

and the CEO of the country's largest company are all women. The Maori Chief is a Queen. Even the nation's macho rugby reputation is under threat with the success of the All Black Ferns, NZ's world champion female football team (Maher 200?).

Such comments have become common even though, as Rebecca Stringer (2006) has shown New Zealand women still face many inequalities in public and private spheres. The impression of success—services provided or problems solved—can give the impression that there is no longer a need for feminist activism (Bagguley, 2002: 182). This has been reflected in New Zealand in conversations between different generations of women. Former MWA head, Mary O'Regan (in Cahill and Dann, 1991: 167) noted: 'I have talked with young women in schools who think that women have equality now. I suppose they are influenced by the popular media, which gives that impression, superficially at least.' The result is the 'live burial of feminism' (See Staggenborg and Taylor 2005) and claims that feminism is irrelevant to 21st century life.

### **Looking forward: independence for feminist voices**

What is crucial for feminist activism into the future is the creation of genuine space for autonomous women's groups to debate current issues, devise solutions, and critique the state. While an active state would result in government institutions collaborating and negotiating with social movements and other organised groups within civil society to ensure social cohesion and economic development (Reddel 2004:137), some separation between civil society and state is necessary. Autonomy is essential for new modes of operation and new modes of thinking to develop free from the gaze of powerful elites. This argument has been presented by Jane Mansbridge (1996) who claims that deliberation should take place in a number of enclaves, free from institutional power – including that of social movements themselves. Certainly early women's movements were determined to ensure they were able to form knowledge free from male supervision (Sawer and Grey 2008:4).

Feminist scholars are a guiding light in this area, as they created an institutionalised space for feminism in women's studies programmes. These spaces created by academics philosophically and ideologically committed to feminism is an example of 'unobtrusive mobilisations' (Katzenstein, 1998). Similarly African-American student protests led to the creation of department of African-American Studies, which similarly can be seen as sites of resistance and dissent. Though the place of women's studies department in New Zealand over the last two decades has been repeatedly challenged due to the market-model applied to the tertiary education sector.

Universities, however, are not the only space in which knowledge, discovery, and dissent can occur. For example, as noted by Staggenborg and Taylor (2005: 37), 'in the feminist movement of the 1960s and 1970s, women came together in consciousness-raising groups and experienced community, discovery, exhilaration, and "the sheer intellectual excitement of re-examining all received wisdom" (Rosen, 2000: 200)'. It is important to create both adequate space and acceptance of the rightful place of feminist dissent and criticism in New Zealand politics and society.

The rise of neo-liberal policy models and governance; the strong belief in parliamentary and institutional mechanisms for change; and the unequal power of interest sectors in New Zealand have impacted upon the opportunities for feminist dissent and activism. Since 1984 there have been strong attempts to channel protest away from the streets into environments where the state has the upper hand. It has been asserted that there is no need for outsider protest, as there are many institutional channels for citizens seeking to influence political decision-making. While I agree that political protest is ineffectual unless accompanied by more traditional lobbying activities (della Porta and Diani 2006:233), it is important that there is both institutional and non-institutional activity – what Karen Beckwith (2005) has labelled ‘double militancy’. A focus on only institutional means can aid the state in regulating and controlling protest and dissent as they can argue there are adequate, if not ample, legitimate places for dissent without activists taking to the streets. This allows the state to construct any dissenters who do appear as ‘radicals’ and ‘trouble-makers’. Particularly vulnerable to this charge in New Zealand in recent years are Maori, anarchists, and radical feminists.

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