

# New zealand democracy essay

[Law](#), [Constitution](#)



## **Introduction**

“ The rule of the people” best describes the concept of democracy. In a democratic state, the people have the right to elect their government, to exercise the power of government (Palmer & Palmer, 2004) and they do so through a secret vote during a given period of time. This essay analyzes the form of government of New Zealand and examines whether the country is a democracy.

## **Body**

As Abraham Lincoln defines it in the Gettysburg Address in 1864, democracy means “ government of the people, government for the people and government by the people” (Behrouzi, 2006, p. 16), mentioning the main roles of the citizens in exercising their power in the government. The democratic states confer rights and liberties for its citizens, but also obligations that people must comply with for sustaining the good order of their countries. The rights and freedoms, such as the obligations that the citizens have in a democratic state, are usually structured within a country constitution. The right to vote, the freedom of speech and of practicing religions, the right to be protected by police organisms or law, the right to be treated equal, to benefit of social assurance, the right to work, to study, and so on, are usually guaranteed through a constitutional act.

A democratic state is also characterized by the separation of power, so that to avoid the possibility that the functions in the state might be concentrated in the hands of a single organism/institution/person, as it happens in the totalitarian regimes (Palmer & Palmer, 2004; Wood &Rudd, 2004).

Modern views of democracy reflect at the behavioral nature of democracy, observing that it is a struggle between competing elites rather than a “popular self - government”, referring to the fact that the developed Western countries actually win power through applying the mechanism of popular elections (Heywood, 2007).

Structuring the types of democracy existent as governing regimes, there can be observed two major classifications: direct and indirect democracies, differentiating from one another because of one main principle: the way people exercise their rule in a democratic state (Munroe, 2002).

Looking at New Zealand and its political regime, the state is organized as a constitutional monarchy, where people exercise their power through parliamentary democracy. The country is a mature democracy, one of the only 22 states to implement a steady democracy since 1950, but does not benefit of a codified constitution (Palmer & Palmer, 2004).

The country functions through rules and regulations stipulated in various documents or constitutional conventions, which serve as a constitution, because they are following the main principle that the constitution is aiming for: to create a framework of rules meant for the control of the government, in order not to abuse its power. Therefore, the constitution of New Zealand is formed of a web of rules, complied in various documents or acts, among which:

- Legislation designed in New Zealand mostly the new articles and the older in United Kingdom (such as the Bill of Rights, 1688), the Electoral Act 1993, the Constitutional Act 1986, Treaty of Waitangi 1975, the Ombudsmen Act 1975 (Palmer & Palmer);

- Instruments of royal “ prerogative”;
- Parliamentary law and procedures;
- Cabinet procedures;
- Judgment of the courts;
- Broader constitutional, doctrines, and conventions (Palmer & Palmer, 2004).

All these acts and regulations protect the state from an abusive government to be formed, being controlled by the Queen and by the main powers of the state, which cover their main functions, as delegates of the people.

The country is led by the Sovereign (Queen Elizabeth), who delegates some of its attribution to the Governor of New Zealand, considering the fact that she lives in United Kingdom. The government of New Zealand is formed of three branches: Parliament, Executive and Judiciary (New Zealand Parliament).

Therefore, considering the definition offered in the beginning of this essay, according to which in a democracy the governmental power is exercised through a separation of powers, New Zealand respects this principle of democracy, having three organisms that create the Government.

In New Zealand people vote every three year, having the right to elect the parliament. However, the Governor of the country is directly assigned by the Sovereign. The official relationship between the Governor and the Queen is that the Governor advises the Queen on various matters regarding the welfare of the state, and the Queen acts on the advices received from the Governor. The Government, on the other hand, is formed of the elected Ministers of the Parliament, who, based on the “ support confidence” of the

Majority of House of Representatives, have the power to dissolve the Government or to maintain it (New Zealand Parliament).

Therefore, the parliamentary democracy of New Zealand does imply a direct subordination to the sovereign power, which holds the control for the executive and legal authority of the country, but the parliament constitutes the Government and it has the function of advising and influencing the governmental decisions.

This is a “ responsible government” (New Zealand Parliament) and it reflects the balance within the government, as it is composed of members of the Parliament, who are elected by the people, representing them while they exercise their power.

## **Conclusion**

New Zealand’s form of government reflects the attributes of a democratic state, wherein people benefit of the right of electing their representatives once in three years, being the core of the parliamentary, executive and judiciary’s activity. Therefore, the powers are separated in the country and they protect the rights and benefits of New Zealand’s citizens. The Queen exercises her power, at the advice of the Governor, but the government is formed by the Parliament members, who have the right of maintaining or dissolving the Government, forming what is called a “ responsible government”. Alongside the other attributes of democracy exercised in the country, the responsible government makes New Zealand one of the few countries with a steady and mature democracy.

## References

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