

# New Zealand parliament passes Civil Union Bill

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Two weeks before Christmas, the New Zealand parliament legislated to give legal status to defacto and same sex relationships. After a 12-month passage through the parliamentary process, the Civil Union Bill was passed on December 9 by 65 votes to 55. The so-called “conscience vote”, under which MPs were able to vote undirected by party whips, prevailed with a majority of support from the ranks of Labour and the Greens, and a smattering of votes from the other parties.

Opponents of the bill, which was initiated and promoted by two Labour MPs, denounced it as the legalisation of gay marriage, although the legislation does much less than that. Under its provisions, same-sex and de facto couples will be able to formally register their relationships under the Births, Deaths and Marriages Act. While this will give these couples the same rights, entitlements and obligations as married persons—particularly concerning property matters—it will not confer the same legal status as marriage. The full consequences of the legislation will not be known until a companion Relationships (Statutory References) Bill is finalised.

As the bill was being passed into law, more than 300 people—both opponents and supporters—gathered on the front lawns of parliament and in the public gallery. The final session was a heated and emotional affair, with jubilant supporters kissing, cheering and singing while many opponents wept and broke into prayer.

The underlying significance of the legislation lies in what it reveals about the current trajectory of the Labour government, and of key sections of the ruling elite. In order to mask its deeply reactionary economic and social agenda, Labour has moved, over the recent period, to implement a number of cosmetic reforms, particularly on “values” issues. On this basis, the party hopes to maintain a certain progressive face among voters. The same week the Civil Union Bill was passed, new legislation banning smoking from public bars, entertainment areas and

workplaces also came into force, following recent moves to decriminalise prostitution.

Labour’s “progressive” pretensions have, however, been most sharply exposed with its two-year imprisonment of former Algerian MP and asylum seeker Ahmed Zaoui. Despite being declared a legitimate political refugee by the Refugee Status Appeals Authority, Labour kept him imprisoned without trial on passport charges while challenging every effort to have his secret security files made public. Shortly before Christmas, the newly established Supreme Court freed Zaoui on bail until his case for permanent residency could be heard. Prime Minister Clark immediately declared the government would change the law to prevent this happening again.

Labour’s orientation in relation to basic democratic rights and on every fundamental question has been to carry out the dictates of local and overseas financial interests, while, at the same time, working to fulfil Washington’s demands over the US-led “war on terror”. Its economic policies have kept intact all the main measures implemented by New Zealand governments over the previous two decades. Having been elected on a wave of opposition to these policies, however, the party has moved to protect its position by undertaking a handful of cautious and carefully weighted initiatives—a small percentage increase in the minimum wage, changes to the Holidays Act, paid parental leave, removing market-based rents from the state housing system, and changing industrial legislation to support the survival of the unions.

These “reforms”, many of which have been implemented grudgingly and deliberately timed to come into effect after the 2005 election, bear no relationship to the needs and aspirations of the overwhelming mass of working people, whose daily lives have not improved one iota under the Clark government.

After five years of Labour, New Zealand remains one of

the most socially and economically divided countries in the OECD. A booming stock market boasts itself among the best performing in the world, while the government has consistently returned record surpluses—the figure for the current financial year is currently \$NZ7 billion. This year's *National Business Review* Rich List saw the country's richest 200 individuals increase their wealth by over \$4 billion—equivalent to the combined earnings last year of 200,000 workers on the average annual income. According to the figures, the wealthy have increased their net worth in each year since Labour assumed office in 1999 at a greater rate than at any time under the conservative National Party governments of the 1990s.

For ordinary working people, wages in New Zealand rose by only 2.3 per cent last year—less than the inflation rate—and 3.5 per cent this year. For the most oppressed, particularly among Maori and Pacific Islanders, decades of grinding poverty are taking a serious toll. A report issued in November by the Child Poverty Action Group showed 175,000 of the country's children, more than one in four, living in poverty. According to the report, *Cut Price Kids*, by two Auckland University researchers, recent government welfare initiatives have actually widened the gulf between beneficiaries and those with jobs. Many of the poorest families will receive income increases of less than \$10 per child per week. In some cases they will end up with a nil net gain right through until 2007.

On the one hand, the Clark government is trying to contain mounting social tensions and resentments caused by its policies. On the other, it faces increasing demands from sections of the ruling elite to intensify its attacks on social conditions and democratic rights.

The *Dominion Post* newspaper, while acknowledging that the “fabric of society” was not about to disintegrate with the passage of the Civil Union Bill, was quick to admonish Labour, insisting that it was time to “back off social reform”. The paper solidarised with the Nationals' position that Labour was “pushing too far ahead of public opinion” and drew attention to the recent United States presidential election result, claiming that “socially conservative values are on the rise”, and the “public mood” needed to be taken into account.

There is, in fact, no evidence of any overwhelming public sentiment in opposition to the passage of the bill. All the polls were evenly divided. But, as elsewhere, sections of the ruling elite in New Zealand are intent on exploiting the social tensions generated by Labour's policies to galvanise a militant right-wing element

through the active promotion of religion, especially among young people in the most oppressed communities.

For the first time since the passage of the Homosexual Law Reform Act, which decriminalised homosexuality, some 18 years ago, the religious right is playing a prominent political role. Its activism has been given fresh impetus by the appearance of a new style of religious fundamentalism, with organisational links to co-thinkers in the American south, which has been heavily promoted in the media. Evangelical churches have also begun to engage in organised political activity.

Full-page paid advertisements in the daily press denounced the bill as a “parasitic pantomime” attacking the sanctity of marriage, which the advertisement's backers claimed was the “bond of all moral order in the world”. According to one advertisement, no legislator had the right to “institutionalise immorality”. MPs were urged to recognise the “Supremacy of God” by voting against the bill. On the eve of the vote, a prominent leader of the Catholic Church enjoined Christians to note which MPs voted in support of the measure so they could respond accordingly at the next elections.

A submission to the parliamentary select committee, purportedly written by an 11-year-old girl, characterised homosexuals as “violent, haters of God, disobedient, unforgiving, unloving, backbiters and whisperers...worthy of death”, while an MP for the big business party ACT (Association of Consumers and Taxpayers) labelled the bill the “revenge of a coterie of influential lesbians and gays” within the Labour Party on “straight New Zealanders”.

Several counter-protests were organised by various radical groups to oppose these reactionary nostrums. But the central political orientation of all the protests was to present Labour and its policies as a genuine alternative to social and political reaction. This is a dangerous illusion. The very emergence of the religious right and its ability to make an appeal to the most oppressed layers of New Zealand society is, in the final analysis, a product of the economic and political agenda pursued by the Labour Party itself—an agenda that will only accelerate in the lead up to the 2005 elections.



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