

New Zealand far-right government's anti-democratic “law and order” agenda

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On November 20, New Zealand's National Party-led government passed a law banning the wearing of gang insignia in public. The ban targets mainly Māori gangs to prevent them wearing jackets and clothing emblazoned with their identifying “patches.”

The law bans displaying gang insignia in all public places. Courts can issue non-consorting orders to prevent gang members communicating and associating, and police have increased arrest powers. Repeat offenders can be banned from even owning a “patch,” with police empowered to search and seize patches from private homes.

Greater weight will be given to gang membership in court sentencing, providing for “more severe punishments” for unrelated criminal convictions. Justice Minister Paul Goldsmith told Radio NZ that “being a gang member should always be an aggravating factor” in any sentencing process.

The legislation is part of the far-right government's sweeping “law and order” agenda targeting the most alienated and vulnerable layers of society, including impoverished youth and welfare beneficiaries. Sooner rather than later, the crackdown will extend to the wider working class. The anti-democratic measures are being imposed amid a vast restructuring of social relations involving tax cuts for the wealthy, thousands of workers being thrust into unemployment and growing poverty and homelessness.

In a joint statement on the ban, Goldsmith and Police Minister Mark Mitchell—an ex-private military contractor in Iraq—boasted that the “free ride for gangs is over.” Goldsmith claimed that to “earn the right to wear a patch you have to have committed violent crime. There are a trail of tears and victims behind each one of those gang patches.” No evidence was provided for these lurid accusations based on guilt by association.

The police wasted no time exercising their new powers.

The first arrest was made just three minutes after the law came into effect, with 12 people charged on the first day. Later that week, a huge police presence, including a police helicopter, was mobilised in the small Bay of Plenty community of Matapihi for Mongrel Mob member's Māori tangi, or funeral. Several arrests were made, prompting an outpouring of anger and shouts of “disrespect” from mourners.

Like bikie gangs in other countries, including Australia, these outfits are frequently alleged to be involved in drug importing and distribution and other crimes. They are socially backward, with some flaunting Nazi symbols and exhibiting violence towards women. Inter-gang reprisals and shootings are not uncommon. New Zealand's gangs are mainly, but not exclusively, focused on recruiting marginalised Māori youth, without jobs or stable families.

The outlawing of gang regalia is, of course, no solution to the complex social issues involved. A significant number of gang members have come out of extremely abusive state institutions. A royal commission of inquiry recently found that from 1950 to 2019 more than 250,000 people were abused or neglected while in foster care, schools, orphanages, psychiatric hospitals and other places.

A recent study undertaken by the police themselves, “Understanding Policing Delivery,” identified patterns of bias, unfair treatment, racism and excessive use of force by police against gang members. This has contributed to “longstanding community distrust of law enforcement across generations,” particularly among Māori. One gang member said: “Police don't really represent rescue for me. They represent coming to break the family up.”

The *New Zealand Herald* noted in an editorial that 90 percent of New Zealanders, particularly in the major cities, only ever have “chance encounters” with gangs and therefore wouldn't need to be “sleeping safer” now that gangs are not wearing their insignia.

The legislation is in reality intended to set a precedent that can be readily applied more broadly to political organisations deemed to be threatening or “intimidatory.” Left-wing and oppositional groups will be first in line to be proscribed. The wearing of keffiyeh by protesters opposing the genocide in Gaza is already being cracked down on internationally and could well be illegalised and targeted.

There are attempts to create a climate of fear and suspicion towards the anti-genocide protests. The New Zealand Security Intelligence Service issued a statement on December 10 declaring that “a terrorist attack is a realistic possibility” and claiming that there were “anti-Semitic and Islamophobic narratives” linked to “the Israel/Gaza conflict,” without elaborating or providing any examples of the alleged antisemitism.

Another plank in the government’s escalation of state repression is the campaign against so-called “youth crime,” which played a major role in the 2023 election. As part of this, the National Party and its far-right coalition partners—ACT and New Zealand First—have created a Young Offender Military-Style Academy, commonly known as a boot camp, for 14-17 year-olds.

A pilot program—with “military style activities” and a special curriculum—is being run by the child welfare agency Oranga Tamariki. In the first three months, 10 recidivist offenders were placed in Palmerston North’s youth justice facility before transitioning to a closely supervised in-community phase for nine months.

The trial has already proved to be a debacle. One of the participants released into the community died last month in a car crash involving three vehicles, which injured 14 others. Two other 15-year olds subsequently absconded, one while attending the young man’s funeral, and went on the run from police. At least one other has allegedly reoffended.

A bill currently before parliament creates a “framework” for military-style boot camps being written into law. Children’s Commissioner Claire Achmad has defended the current trial but warned that if the bill passes it will “move us further away from a children’s rights approach to our youth justice system.”

Criminology professor Elizabeth Stanley was more scathing, writing for *Newsroom* that international research shows boot camps are “the worst criminal justice response we can take.” Boot camps are “criminogenic,” Stanley wrote. “They create more crime, rather than reduce it. The kids ‘fall out’ tougher and quicker.”

The royal commission into abuse in care highlighted

multiple heinous acts, including beatings and rape, against youth sent to a state-funded boot camp that operated on Great Barrier Island from 1988 to 2004, under successive Labour and National Party governments.

The normalisation of military-style institutions is also bound up with the needs of the ruling class to funnel more working class youth into the armed forces, as New Zealand and Australia are increasingly integrated into US-led plans for imperialist war against China.

Other “law and order” measures being implemented include:

- The reintroduction of “three strikes” laws that force judges to impose the maximum possible sentence when someone is convicted with a third “serious offence.”

Plans to restrict the right of an accused person to trial by jury, increasing the number of judge-only trials.

- The prison system is being significantly expanded with the expectation of hundreds more people incarcerated.

This punitive agenda is directly connected to the intensifying social crisis. To slash public spending and attack the living standards of the working class, a massive assault on jobs is under way. Unemployment in the September quarter was 4.8 percent, up from 4.2 percent earlier in the year, with 148,000 officially unemployed.

With the economy tanking, the government has launched a sweeping new sanctions regime on welfare beneficiaries. These include: compulsory “work check-ins”; penalties for those who fail to attend interviews; establishing a community-based “work for the dole” system, and requiring Jobseeker Support recipients to reapply every six months.

The repressive laws are not aimed primarily at gangs. Their purpose is to suppress the inevitable class struggles that will erupt against poverty, unemployment, the assault on working conditions and public services, and imperialist war. The working class must prepare, above all by building the necessary socialist and internationalist party that will lead the political struggle against the capitalist system, which is the source of war and social inequality.



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