

Letting it all hang out

New Zealand could be looking at an expanded Parliament for the first time in MMP history if an "overhang" scenario occurs. MILES ERWIN explains how.

A quirk of MMP called 'overhang' could mean four additional seats in Parliament and added difficulties in forming a coalition government.

Under MMP, Parliament is divided up according to the percentage of the party votes each party receives.

If a party won 10 per cent of the vote it would receive approximately 12 seats in the 120-seat Parliament.

This system only works if all parties win fewer electorate seats than seats they are entitled to from their share of the party vote.

For example, in the last election Labour's 41 per cent of the party vote won it 52 seats in Parliament, of which 45 were electorate seats.

Such a result causes no problems for the MMP system.

But if a party wins more electorate seats than seats it is entitled to from its party vote, the "overhang" scenario occurs and the size of Parliament is increased.

An overhang of up to four seats could result if the Maori Party wins most of the Maori electorate seats but only receives about two per cent of the party vote, and if Jim Anderton wins his Wigram seat but fails to gain many party votes. Both results look likely on current polling.

If this pattern continues until election day the Maori Party could win six of the Maori electorate seats but gain only two per cent of the party vote.

Two per cent of the party vote would entitle the party to only about two Parliamentary seats, but it would gain the four extra electorate seats.

In this case Parliament would expand by four seats from 120 seats to 124 to accommodate the extra MPs.

Professor Jack Vowles, head of political studies at Auckland University, says an overhang would bolster the strength of the party that receives it and would make forming a government more difficult.

"[Overhang] is almost certainly going to give the Maori Party more seats – they're not going to get five per cent of the party vote," says Vowles.

"Overhang raises the level that either major party has to reach. Say Labour and the Greens reach 60 seats, which makes it possible for them to govern. But if the size of Parliament increases as a result of the Maori Party overhang, then 60 seats ain't enough."

Pita Sharples, co-leader of the Maori Party, says his party has not developed any electoral strategies to get the benefits of overhang.

"We're flat out trying to get the seven Maori candidates all in, but also we're putting a major effort into the general seat to get the party vote. We're actually working on both fronts."

Political commentator Colin James says a Maori Party overhang would have an effect on Maori representation.

"If the Maori Party has an overhang, almost certainly you would have a higher proportion of Maori in Parliament than in the population as a whole and I think that would excite talkback on the Monday morning after the election."

Sharples says an increase in Maori MPs will have a positive effect.

"The [Maori MPs] in there are too tied to their party in terms of being really effective long term.

"But we will influence their voting and



ILLUSTRATION: SARAH RESTALL

opinions on issues pertaining to Maori because we are the face of their mother and father and the desires of their brother and sister. So in some ways we'll be keeping them honest."

James says the costs of the salaries for extra MPs may bring changes to MMP.

"You might see a discussion on relatively minor matters of MMP as a result of a significant overhang.

"For example there might be a response in treating electorate seat overhangs the same way they treat independents.

"If an independent wins an electorate seat the size of Parliament doesn't go up, they just reduce the numbers on the list by one."

The overhang issue, and its potential outcomes, has been given thorough consideration by political scientists and politicians in New Zealand.

In the lead-up to New Zealand's first MMP election in 1996, National party strategists proposed a unique method to take advantage of the new electoral system.

The proposal was to split National into two parties – one that would contest only the party vote and another that would contest only electorate seats.

In the strategists' scenario, Party Vote National would win about 40 per cent of the party vote and obtain the corresponding number of list seats. In addition, Electorate Vote National would win between 20 and 30 electorate seats.

This would create an overhang and the size of Parliament would increase by the number of electorate seats won by Electorate Vote National.

The rest of the general seats would be divided up according to party vote, of which Party Vote National would receive about 40 per cent.

The combination of the two Nationals would easily have a majority.

Known as Notional National, this system was not put into place for fear of being viewed as an overly cynical ploy and being a turn-off to voters.

However, it illustrates how overhang could impact on a MMP Parliament.

While overhang is yet to occur in New Zealand, it is common in Germany which also uses a version of MMP.

The German Parliament is made up of a number of regional lists, rather than the national list used in New Zealand.

Small regional parties often create an overhang on the regional lists which translates to an overhang in Parliament.

In the Scottish Parliament, overhang seats are not added on to the Parliament.

Instead a party with overhang seats is allowed to keep those seats but the number of seats awarded to other parties is decreased to compensate, which is similar to how New Zealand accommodates independents.

As a result the overhang party receives more seats than it is entitled to at the expense of the opposition.

In practical terms, overhang would have little effect on Parliament. The chamber already has extra seats.

Chief executive, Dr Helena Catt, of the Electoral Commission, says that overhang is a natural part of MMP and the proportional representation process.

"It's a known part of MMP. The fact that overhang happens means that by and large proportionality is maintained, so it's a safety valve if you like," says Catt.

"It's an expression of voter desire – it happens because voters split their votes so it's an expression of what voters want."

MMP: How it works

MMP is a proportional system of government, rather than a straight out race to the finish line like First Past the Post.

It operates on a two-vote system – voters choose the person they think will best represent their region (their constituency MP) but also vote for the party they want to see in Parliament.

The party vote determines who will form the next government.

The percentage of the party vote that a party receives determines how many seats it gets in the next Parliament.

The number of electorates that the party wins is deducted from this total to work out the number of list seats the party is entitled to.

MPs can enter Parliament as either an elected constituency MP or as a list MP.

List MPs can enter Parliament in a number of different ways.

If the total number of seats allocated to the party is more than the total number of electorates won then people on that party list enter Parliament.

If one MP from a party wins a seat then the percentage of the party vote for that party counts.

If the party achieves more than five per cent of the total party vote then their list candidates are eligible to enter Parliament.

MMP ensures that the political landscape is more varied, so in New Zealand we can have three types of government.

Majority Government – One party wins more than 50 per cent of the seats in Parliament and therefore has the mandate to govern alone.

Coalition Government – Two or more parties form an official arrangement for support and co-operation in government in order to obtain a majority.

Minority Government – No party achieves more than 50 per cent of the seats in Parliament, but the largest party decides to rule alone. There may be arrangements that are less formal than a coalition.

— Jonathan Williams