



MAXIM  
INSTITUTE

DISCUSSION PAPER

SHAKY

FOUNDATIONS:

WHY OUR DEMOCRACY

NEEDS TRUST

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## EXECUTIVE SUMMARY

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Our nation has experienced a marked decline in political trust and engagement. Trust has been lost in government, its leaders, and our democratic processes.

Since democracy is a system of collective self-rule of political equals, it is a form of government in which distrust of people (public officials and even other voters) is always present. We have conflicting interests and different goals, and democracy threatens that others will overrule us. This is a situation of great conflict, and conflict warrants distrust. Democracy tempers the risks of being overruled by limiting the scope of majority rule and by conducting conflict through an inclusive and open process of public deliberation. Democracies foster institutional trust when their institutional design has robust limits on power and when it effectively channels conflict and distrust into public deliberation.

In the last few years, there has been much conflict in New Zealand over matters such as the Three Waters proposal and especially the COVID-19 responses. These events revealed the weak ability of our society to channel conflict into the democratic processes of open and inclusive public deliberation. Likewise, they revealed the lack of effective limits on power provided by the institutional design of our democracy. For example, the executive dominates Parliament, urgency is overused, and the individual rights of citizens are easily discardable. The magnitude of these events and the subsequent revealed weaknesses in our system have shaken trust in our government and its leaders.

However, there are ways to improve trust in our democracy. We can start by limiting the use of urgency to matters that are truly urgent. This could be done by amending parliament's standing orders to require a supermajority of MPs to agree to legislation being placed into urgency. It would also be wise to limit governmental power in other ways. Over the years, many suggestions for this have been proposed and discarded, such as returning to a bicameral system, increasing the number of MPs, or entrenching the Bill of Rights Act 1990 (to name a few). Such changes would be significant and would require a more thorough examination than can be provided here. The fact remains that our government needs more checks and balances. It is recommended, then, that we, as a nation, have an open and inclusive discussion about how this is best done.