

Differences that matter: From 'gender' to 'ethnicity' in contemporary Aotearoa New Zealand¹

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Abstract

Gender and ethnicity are recognised as two of the leading axes of marginality in late twentieth century western liberal democratic societies – the former emerged in the wake of Second Wave feminism of the 1970s and the latter, with the rise of 'identity politics' in the 1980s and 1990s. Both have similarities. As categories of disadvantage, their basis is 'natural' in that the complex webs of social and political organisation, and consequent disadvantages, based on gender or ethnicity can be traced to physiology, that is, differences in either skin colour or sex. These are also, as Nancy Fraser (1997) points out, 'bivalent categories' of disadvantage in that gender and ethnicity display simultaneous discriminations in areas of resource allocation (Redistribution) and as socially acceptable identities (Recognition).

Here, however, the common trajectory followed by these social markers ends. Drawing on the changing nature of society and governance in New Zealand, the present paper argues that the differences between gender and ethnicity, rather than their similarities, expose fundamental attributes of contemporary marginality in increasingly diverse western democracies. This paper advances the following proposition (and contradiction): in the past decade, ethnicity and diversity as an axis of social division has gained credibility and has markedly influenced political, economic and social (re)organisation in New Zealand, while in contrast, it has proven harder to justify gender as structural disadvantage. Thus, while the boundaries of 'gender' are ruptured, porous and, at moments, open to erasure, 'ethnicity' has coalesced to become a new, valid, and increasingly relevant border of social inequity.

Keywords

Aotearoa New Zealand, gender, ethnicity, marginality, recognition-redistribution

Capitalism does not require gender subordination or even gender any more than it requires racial subordination or race; it has tendencies that augment as well as tendencies that attenuate such subordination; social movements and public policies can abet one or another tendency or both simultaneously. Wendy Brown (2005, pp. 106-107) *Edgework*

Gender and ethnicity/race are, in the late twentieth/early twenty-first century, among the leading axes of marginality in contemporary western liberal democratic societies; women² and people of colour are more likely to experience economic disadvantage, social exclusion, lack of decision-making powers, misrepresentation in society and, at its extreme, violence³. Gender and ethnicity are also seen as occupying a shared intellectual and activist space; they are discursive 'subject positions' wherein claims for a radical reconceptualisation of democracy have been made and from where legitimacy, rights, and citizenship of the marginalised have been debated.

Early documentation of the subjection and marginalisation of 'woman' in western Europe emerged at the end of the eighteenth century with the political writings of Mary Wollstonecraft in England and Olympe de Gouge in France, and later, at the end of the nineteenth century, with the growth of the suffragist movements in Europe and the United States. In the latter decades of the twentieth century, Second Wave feminism in the West articulated the complexity of the relationship between women and society, giving shape, along the way, to the construct and practice of 'gender' at a global level. Ethnicity/race, on the other hand, emerged as an analyti-

cal category of social discrimination with the rise of identity politics in the 1980s and 1990s⁴. It draws force intellectually from a range of movements historically marked by colonisation; the anti-slavery movement in the United States, indigenous people's struggles in countries like Australia and New Zealand, and in South America, and efforts by people from the global South/Third World for self-determination and development.

As categories of disadvantage, there are parallels between gender and ethnicity; the basis for their difference from the norm is 'natural' in that the complex webs of social and political organisation, and consequent institutionalised disadvantages, can be traced to overt physiology, i.e. differences in skin colour or sex. However, beyond physiological similarities, there is a tendency, especially in emergent literature and practices of social justice, to see both gender and ethnicity as following a similar trajectory. First, as fundamental social markers, gender and race/ethnicity structure relations of production – whether it is women subsidising capital through over-representation in unpaid, reproductive labour, or people of colour being overrepresented in low-paying, menial jobs. Second, both gender and ethnicity represent groups that are peripheral to the status order of society; both women and people of colour are found wanting in relation to dominant norms such as rationality, individualism, and competitiveness that are valorised in western, and masculinist, value systems⁵.

Here, however, the common trajectory followed by these social markers ends. Drawing on the changing nature of society and governance in New Zealand, the present paper argues that the differences between gender and ethnicity, rather than their similarities, expose fundamental attributes of contemporary marginality in increasingly diverse western democracies in the late twentieth/early twenty-first century⁶. This paper builds on a fundamental paradox: since 2000, ethnicity and the idea of 'ethnic diversity' as an axis of social division has gained credibility and has markedly influenced political, economic and social (re)organisation in Aotearoa New Zealand, while, in contrast, it has proven harder to justify gender as a structural disadvantage. Thus, while the boundaries of 'gender' have ruptured, become porous and, at moments, been open to erasure, 'ethnicity' has coalesced to become a new, valid, and increasingly relevant border of social inequity⁷.

The paper progresses as follows: I begin by outlining Nancy Fraser's 'Redistribution/Recognition' thesis, which forms the theoretical foundations for the analysis that follows. In particular, I use her construct of bivalent collectivity to frame gender and ethnicity within contemporary neo-liberal states. Following this, I substantiate my claims regarding the status of gender/'women' and ethnicity as marginal identities in New Zealand through an analysis of the processes of erasure and consolidation that have marked their recent trajectories of change. As part of my concluding remarks, I locate these transitions, at one level, in relation to the current discourses of recognition and redistribution in New Zealand, and at another, to the broader logic of and shifts within contemporary capitalism.

Framing contexts

There are three framing comments that need to be made at the outset. The first is a clarification regarding the use of the term 'ethnicity'. The specific use of the term ethnicity in this analysis is focused on the experiences of new migrants and new settlers from Asia, Africa, the Middle East and Latin America who have immigrated into New Zealand in large numbers since the 1990s following changes to immigration policy⁸, and also references the growing discourse of 'multiculturalism'⁹ and 'ethnic diversity' ensuing from these demographic changes. This definition is, in some ways, unique to the New Zealand policy context and is informed by the government's Office of Ethnic Affairs' (OEA) interpretation, which defines an ethnic person

as anyone who is non-Anglo-Saxon, non-Celtic, non-Māori, and non-Pacific Islander (Office of Ethnic Affairs, 2002)¹⁰. This specific focus is deliberate; even though the grouping ‘other ethnic’ peoples comprises a disparate group of recent arrivals into the country as permanent residents, more established communities, people of refugee origin, international students and work visa holders, the identity ‘ethnic peoples’ has received a dramatic boost almost as a unified category. Although these groups have not actively politically mobilised, as have Māori and Pasifika peoples in recent decades, their demographic significance (projected to be about 16% of the population in 2026)¹¹, the skilled labour they represent, and their links to deepening relationships between New Zealand and Asia make the discourses around ethnic diversity worthy of focused study¹². A parallel analysis of the evolving identity and identity claims, within policy discourses, of Māori and Pacific Island peoples during a similar period would be well worth comparative study; however, this extension is beyond the scope of the present paper¹³.

A second frame to note is that this analysis is situated, in large part, around the period 1999-2008, when the centre-left Fifth Labour Government of Helen Clark was elected to Parliament. The Clark government came to power following a decade of relentless ‘free market’ neoliberal policy which had devastating effects on New Zealand’s social fabric and sustainable economic growth (Kelsey, 1993, 1997; Larner, 1996). Whilst continuing with a focus on the economy and employment as the pivot of their programme of growth, the Clark period also invested in programmes to expand public health, education, childcare, family support, and new migrant resettlement in a decade that is increasingly being referred to as ‘after-’ or ‘post-’ neoliberalism’ (Larner & Craig, 2005; Larner et al., 2007; Simon-Kumar, 2011). Gender and ethnicity as social constructs are particularly interesting in this period. The government had an emphasis on addressing the implications of both gender divisions in society and growing ethnic diversity. For one thing, the Clark period admittedly saw a rise of feminist political leadership¹⁴. For a brief period in the mid-2000s, New Zealand had its top official positions (Prime Minister, Speaker of the House, Chief Justice and Governor-General) all filled by women who had associations with the feminist movement of the 1970s. As part of its investment in social programmes, the Labour government (see below) deliberately focused on policies of redistribution and recognition that had implications for both women and ethnic minorities. The way that constructions of marginality have evolved, therefore, is an intriguing reflection of political and social relations in contemporary western states. But, as the final sections of this paper suggest, the change in 2008 to a National-led government has both continued some of these discourses (seemingly with gender) but not with ethnicity (which also seems to be losing ground in the current scenario).

A third, and final, frame relates to method. The paper, given its aim of sketching the broad contours of parallel discourses, draws on an array of resources – including texts, policy statements, political events, personalities, and publicly discussed issues – to highlight and illustrate what these contours might be. This kind of critical discourse analysis does not claim to be thorough as in the case of a survey or planned interview – after all, there does not exist a ready to use, comprehensive data set of public discourses that charts the particularities of social change; rather, the researcher follows a manner of critical enquiry and deductive reasoning in marshalling evidence, of following hunches, and ‘joining dots’¹⁵. Following the discourse analytic methods of Fairclough (1992) and van Dijk (1993) tracing social change, the aim is to highlight the emergence of discourse and text in context, and in so doing, show up both the (seemingly) ordinary and extraordinary seamless continuities and disjunctures, and what might be missed as stray comments but are, in fact, signifiers reflecting a shifting mood in society.

Gender and ethnicity: Bivalent categories, normative power

Nancy Fraser, feminist political philosopher, has since the mid-1990s argued that a peculiar dilemma pervades contemporary conceptualisations of justice in post-welfare, western democratic states. She argues that there are two dimensions of injustices prevalent in these societies – that of Redistribution and Recognition. Redistributive injustices are created out of anomalies in the distribution of resources in the political-economic realm. They are manifest in class discrepancies, and inequality in groups' access to the goods and services required for a good life. Injustices of recognition, on the other hand, are cultural or symbolic. As Fraser (1997, p. 14) notes, recognition injustice 'is rooted in social patterns of representation, interpretation, and communication' and includes cultural domination being rendered invisible, or being disrespected in dominant social contexts. In Fraser's framework, although injustices of recognition and redistribution are inseparable and are on a spectrum, they also need to be seen as analytically very separate structures. In particular, she notes that their removal requires completely different actions. To remove injustices of redistribution it is important to promote an egalitarian society; consequently, social divisions based on class or any other criteria that promote economic stratification must be eliminated. On the other hand, to remove injustices of recognition it is important to recognise the diverse make-up of society, not homogenise it. Social divisions and identities must be allowed to continue. Thus, the dynamics of recognition and redistribution require contradictory responses – one recognises divisions, whereas the other actively disavows them.

In Fraser's framework, gender and ethnicity/race are 'bivalent collectivities' – that is, their injustices do not lie in either recognition or redistribution, but rather, in both simultaneously. Bivalent collectivities are marginalised categories/groups that need two levels of redress – subordination is evident in the political-economic sphere, for which equitable redistribution of resources is the resolution, and also in the cultural sphere, for which identity recognition is the resolution. In other words, both gender and ethnicity are caught simultaneously within the politics of income redistribution and identity recognition. To address either as only a recognition or redistribution issue would have impacts in the other domain. For instance, Fraser gives the example of top-down campaigns to suppress Female Genital Mutilation (FGM) that may have negative effects on women's economic position by rendering them unmarried. In the same way, efforts towards Equal Employment Opportunity (EEO) based on a principle of 'merit' may bring economic parity for individuals, but such policies are also likely to undermine the needs of single mothers or disabled women, that need to be recognised as 'different' in order to create fairness in the workplace (Simon-Kumar, 2008).

Further, Fraser's dual domains – of political economy and the socio-cultural arena – are inseparable but, nonetheless, autonomous. These are systems of exchange wherein power operates by its own distinct logic. Thus, in the political economy, power can structure and institutionalise, alienate, stratify, commodify, and at worst, exploit in order to create surplus. In the sphere of the socio-cultural, power constructs images and discursive representations, creates psychic subjection, and disciplines bodies and knowledges (Brown, 2005, p. 66). Despite this analytical distinction, in current times – particularly in highly marketised, neoliberal societies of the late twentieth and early twenty-first century – the political economy and the cultural are, in truth, not separate or parallel systems of exchange. In fact, I would argue that both are derived through the lens of a capitalist mode of exchange.

Such an assertion has considerable relevance in understanding the manner in which New Zealand polity and society has been transforming since the 1980s and into the new millennium. Neoliberal reforms have shifted the dominant discursive reference point for state and society from welfare to economic maximisation. In particular, investments into health, educa-

tion and social welfare have been gauged against the implications that they have for public fiscal prudence or economic growth. Cultural representations, consequently, are also weighed against the referential frame of the market. Consider the 1972 report of the Royal Commission on Social Security in New Zealand, which noted that ‘economic growth is not an end in itself. It has a social objective – to raise the living standards of the community...and does not obviate...the need for substantial redistribution of incomes’ (Royal Commission of Inquiry, 1972, p. 7). Thus, the principles of the Social Security system advanced by the Royal Commission were intended to maintain health and life, to ensure the belonging and participation of all people, to render them more equal in terms of economic wellbeing, and to maintain continuity of economic status (pp. 62-63). Single mothers, a group that has suffered from both cultural stigma and economic want, were described in this Report as ‘deprived’ (p. 246) and as requiring social security. The Report specifically notes that ‘solo parents [are] to be distinguished for social security purposes by the fact that they are responsible for dependent children, and not by their marital status or the cause of their becoming a solo parent’ (p.18, italics mine)¹⁶. This approach to single motherhood had shifted considerably within the following decade. By the 1980s and 1990s, in the wake of neoliberal economic reforms, not only were benefits to single mothers made more stringent, work-tested and/or part of enhanced case management, but increasingly, the portrayal of single mothers as fleecing the welfare system became more popular than one of vulnerability or deprivation (Nolan, 2000; Baker & Tippin, 2004). The lens of neoliberalism had, in effect, reframed the context of economic redistribution-cultural recognition for this bivalent collective group.

The Clark period moved away from an intense focus on a free market reform agenda; the Speech from the Throne in 1999, the first term of Clark’s Labour Government, promised a government ‘which reduces inequality, is environmentally sustainable, and improves the social and economic wellbeing of all New Zealanders’¹⁷. Thus New Zealand, in the new millennium, took the path of Third Way politics; not unlike the Blair government in the United Kingdom, it assumed features of a social democratic state although with economic growth as a fundamental driver for social policy (Larner, 2006; Larner et al., 2007). The point of interest in this article is the implications that such reconstitution of the state (and ensuing from this, society) has had for constructions of disadvantage and marginality. I argue that whilst the dominant discourse of investment and growth in this period challenges the marginality of gender, it has supported ethnicity as a valid category of marginality.

The changing profile of gender in New Zealand

New Zealand’s history in the arena of women’s rights is well known. It was the first country to give women the right to vote in 1893, and since then, women’s rights have played an important part through the trade union movement, the temperance movement, the women’s movement of the 1970s, and alongside these, an independent Māori women’s movement (for a summary of the achievements of women in New Zealand, see Statistics New Zealand, 2005a, pp. 1-7). Since the 1970s, there have been significant achievements for women in areas of education, health and political representation. There is greater representation of women in Parliament, state and district boards, and local government (Ministry of Social Development, 2010). Health, education and employment statistics show that the gaps between men and women are closing; in fact, in certain arenas, especially in education, women are faring significantly better than men (Statistics New Zealand, 2005a).

In the period of the fifth Labour Government, gender and women’s issues surfaced onto the policy stage after a hiatus in the 1980s when free market policies sidelined core feminist

issues. There had been some significant legislative and policy progress made in areas of women's rights such as work, abortion, and property rights in the 1970s (see table 1). In contrast, women's issues had a mixed reception in the 1980s with the new right policies of both the Fourth Labour Government (1984) and successive National Governments elected since 1990. While some scholars pointed to either a disregard for women's and gender issues at the height of the neoliberal reforms (e.g. Wilson, 2009, 2009a), others were strongly critical of New Right Ideology that placed disproportionate burdens on women and children (see Else, 1992, as cited in Larner, 1996; see also Hyman, 1994). Nonetheless, there was significant progress in social policy during this time as well; among others, the Ministry of Women's Affairs was established in 1986¹⁸ and the EEO unit was established within the State Services Commission¹⁹. Together with the good employer provisions in the State Sector Act (1988), the EEO Act created commitments to provide non-discriminatory workplaces for women and other EEO groups. In the end, it might be, as Larner (1996) notes, not so much that neoliberal policies worked against all women but, rather, differently for differently-located women.

The Labour-coalition Government at the turn of the century passed some significant legislation that had positive implications for women. The Paid Parental Leave Act was introduced in 2002, entitling both fathers and mothers to 12 weeks paid leave after the birth of a child. The Property Relationships (Amendment) Act (2001) extended the property rights available for married couples to de facto couples as well. The Prostitution Reform Act (2004) decriminalised sex work; the Civil Union Act came into force in 2005, under which same-sex couples (more female couples, as of 2009; see Statistics New Zealand, 2010) registered as de jure partners; there was an extension of publicly-funded childcare; and the Right to Flexible Work to assist with work-life balance came into force in 2008.

Interestingly, despite these legislative advances, this is not a period of unmitigated gains for women – in fact, the overall impression is that the period of the Clark government is one where the category gender/'women' lost its potency²⁰. Some of this loss is registered in absolute terms of equality for 'women'. For instance, in the introduction to the New Zealand Census of Women's Participation (2008), the Human Rights Chief Commissioner noted that the results of the Census

reveal a worrying report card for women's equality ...[s]ome areas of the public sector which have traditionally made positive, incremental progress in the past have now slowed or stalled. The corporate sector's performance in the appointment of women to the board rooms of major listed NZ companies remains dismal (McGregor, cited in Wilson, 2009a).

However, more importantly, the category of gender/women became less meaningful symbolically as an indicator of social and political disadvantage. Jennifer Curtin (2008, p. 12) argues that despite women's leadership and political representation in New Zealand, 'the political context has become hostile to the broader interests of women, [and] prevailing discourses have been less than enthusiastic about women's claims as women'.

The challenges to and legitimacy of 'women's claims as women' are worth exploring at some length. In the emerging irrelevance of women and gender as categories of marginality, three processes, in particular, are worth noting.

The first is that of 'invisibilisation' (see Brodie, 2008). One way in which invisibilisation occurs is when issues that were once seen as women's issues become framed as gender-neutral or as issues that matter to both men and women in society. Childcare is an example. The Paid Parental Leave Act is an example where care of the infant is no longer associated with women but is recognised by the state as being the responsibility of the 'parent', that is, both men and women. Similarly, EEO and the right to flexible work was advanced as being relevant to both women and men, although equal employment issues were traditionally claimed as 'women's

issues'. In another sphere, in 2008, a submission made to the Human Rights Commission questioned whether women-only tertiary scholarships contravened the Human Rights Act and were 'discriminatory against men' (Callister, 2008)²¹. Callister argues that such scholarships are anachronistic given that women are no longer underrepresented in tertiary education and, in fact, outperform men in certain areas. Take also the research on sexual violence by the Ministry of Women's Affairs; the report *Restoring Soul* on sexual violence refers to 'young people' and 'adult survivors' who have suffered acts of sexual violence (Ministry of Women's Affairs, 2009). In all these cases, gender specificity is eschewed for gender neutrality (Gavey, 2005)²². In the discourse of disadvantage, even if women predominate in the statistics, vulnerability is gender neutral (Ministry of Women's Affairs, 2008)²³.

The second process is that the category 'women' was dissolved in public discourse into specific identities, such as Māori women, professional women, refugee women, rape victims, single mothers, and so on. Each category signalled its own relationship with either state or society; professional women were framed by discourses of achievements, whereas refugee women were defined by need. While such disaggregation paralleled theoretical shifts in feminist theory that invalidate an essentialist notion of 'women', in the arena of policy and rights, it became harder to justify a core set of gender issues or a feminist agenda. In the policy arena, the splitting of women was reflected in the allocation of categories of women to different public sector departments: thus, rape/violence is now an issue to be managed by the Department of Justice, the Ministry of Social Development has oversight over the benefits for single mothers, refugee women fall into the concerns of the Department of Labour, and so on. Women, therefore, are associated with particular localised issues which disadvantage them (such as violence), rather than as embodiments of general or systemic disadvantage.

The third process is that there has been an increasing backlash against gender and feminist issues. The backlash has been particularly strong in the case of abortion, where a six-year battle has been going on between Right to Life (RTL) groups and the Abortion Supervisory Committee. The RTL, in 2005, questioned the grounds on which women can obtain abortions under the Contraception, Sterilisation and Abortion Act (1978), arguing that despite legislative conditionalities, abortions are provided almost 'on demand'. In its 2008 ruling, the High Court of New Zealand noted that 'there is reason to doubt the lawfulness of many abortions authorised by certifying consultants' and that the Committee itself has stated that the law is being used 'more liberally than Parliament intended' (High Court of New Zealand, 2008). However, in 2011, an Appeal Court ruled that issues to do with the Abortion Supervisory Committee were to be heard in a parliamentary select committee, rather than a court of law. In response, RTL sought leave to appeal to the Supreme Court, which was granted in August 2011²⁴. Similarly, there has been a growing visibility of 'fathers' in the political arena, who question government processes that they perceive favour women. In 2009, the Families Commission published the results of a survey of over 1,700 fathers that documented the diversity of fathers and their increasing engagement in family life (Families Commission, 2009). The results from this study portray an emerging public image of positive fatherhood that has been used by angry fathers' groups to make claims for changes in the judicial processes around custody and child support that, they argue, favour mothers.

Thus, overall, it appears that even though gender (i.e. women) is recognised as a fundamental social division, it is harder to argue that it constitutes a category of disadvantage. Gender is increasingly being interpreted to mean 'issues that are relevant to both men and women', and against this dominant discourse, the recognition of men and women as enduring distinct conditions of marginality is being erased. It is significant to note that the Human Rights Commission's 2005 *Action Plan for Human Rights* did not specify a category of 'women' or 'gender'

as one of their focus areas, whereas ‘youth’ and ‘diversity’ were identified as areas for their on-going work²⁵.

Does the absence of gender as a category of difference and of women as a marginal group indicate a lack of political will among women politicians to address feminist issues? As Jennifer Curtin (2008) notes, the silence on women’s issues does not necessarily mean that there is an absence of policy interest in women’s issues – the ‘masking’ of women’s interests could be a strategic move by women in political leadership to act for ‘people’ generally, whilst promoting women’s interests substantively rather than nominally. My interest here, however, is the implications of such ‘masking’ for the changing status of gender as marginality, and, if indeed it has contributed to the processes of erasure that appear to be gaining force in New Zealand society. This erasure is in direct contrast to the changing nature of ethnicity in New Zealand. In the next section, I outline a parallel analysis of social change in the construction of ethnicity during a similar period.

The changing profile of ethnicity in New Zealand

Although New Zealand has been a migrant receiving country since the mid-nineteenth century, changes in immigration policy since the mid-1980s signalled a shift in the criterion for entry into New Zealand from ‘nationality’ and ‘ethnic’ origin to ‘skills-based’ assessments of eligibility. Thus, by the mid-1990s, the profile of immigrants had shifted away from being predominantly British and European to skilled migrants from Asia, mainly China and India. New Zealand also has an on-going refugee quota through which it accepts around 750 refugees each year. New Zealand today is a demographically diverse society that includes a significant subgroup of ethnic people including, among others, recent arrivals, permanent residents, international students, and second generation migrants. In 1991, the European population accounted for 83 per cent of the population; by 2006, this had fallen to 77 per cent. Asians accounted for 3 per cent of the population in 1991; by 2006 this proportion grew to nearly 10 per cent, or a growth of 255 per cent. New census categories have had to be introduced to accommodate the diversity of groups now living in New Zealand, such as Africans, Middle Eastern peoples, and Latin Americans. In 2006, about 23 per cent of the population had been born overseas, compared to 17 per cent in 1996 (Ministry of Social Development, 2010).

The Clark government was conscious of the relevance of the growing diversity of New Zealand. In the Speech from the Throne in their first term, the government stated that ‘it welcomes the contribution now being made by the many other ethnic communities which have been established in our country’²⁶. The focus on ethnicity was framed against two developments that were taking place socially. First, was the increasing relevance of Asia in New Zealand’s prioritisation of its global economic partners. The Treasury’s 2001 document *Towards an Inclusive Economy*, which set a policy framework for the new Labour government, noted that ‘diversity is important both as freedom for people to express their individuality or cultural aspirations, and instrumentally to make New Zealand a more interesting and stimulating place to live, facilitate new ideas and innovate behaviour, foster competition, raise productivity, and open new markets’ (Inclusive Economy Working Group, 2001, p. 14). In 2008, New Zealand became the first developed country to negotiate a free trade agreement with China, and is currently negotiating one with India²⁷. In addition, there was greater awareness of the downside of Asian migration to New Zealand. Labour market biases, skill mismatches, language and culture gaps had led to less than productive integration of skilled labour into New Zealand, and unless a proactive approach to resettlement was taken, many feared there would be a growing problem of social exclusion (see Department of Labour, 2004; Butcher, Spoonley & Trlin, 2006; Spoon-

ley, Peace, Butcher & O'Neill, 2005). A second development was the changing nature of security considerations post-9/11. Muslims, in particular, were more vulnerable than others to the fallout from the Twin Tower bombings. Attacks on mosques, and on people wearing Islamic or Middle Eastern garments in New Zealand, made clear to the government that the issue of diversity and social integration needed to be addressed proactively²⁸.

Thus, during the term of the new Labour government, a major policy initiative, the New Zealand Settlement Strategy, was launched to help new migrants and refugees with resettlement. Programmes and services targeted at migrants and refugees, especially in areas of job seeking, health, employment, and education increased. Government-funded community-based Migrant Resource Centres were set up to provide settlement services for migrant groups, and various forms of support were given to organisations representing communities (such as the Somali community or the Indian community). The Office of Ethnic Affairs (OEA) was set up in 2001 to deal with issues of people of ethnic origin, not only recent migrants. Ethnic Advisor²⁹ roles were introduced at central and local government levels to facilitate diversity in policy processes and as part of the efforts to increase the level of engagement between migrants/refugees and the government. The Office of the Race Relations Conciliator was expanded and made part of the Human Rights Commission in 2001. There was a rise in cultural events and publicly sponsored celebrations of festivals like Chinese New Year and Diwali, and specially-devised events marking ethnicity, such as Ethnic Soccer Festivals and Ethnic Film festivals. Alongside ethnicity, 'other' religions also became visible in the New Zealand landscape; Islamic mosques across the country now hold annual 'open-days' for the public, while pan- and inter-religious organisations have become active in the community. The Diversity Forum, hosted by the Human Rights Commission, is an annual event, initiated in 2005, where ethno-cultural and ethno-religious issues are debated by non-government organisations, local and central government departments, and communities³⁰. In 2008, the public service replaced its Equal Employment Opportunities policy with the Equality and Diversity policy, which aimed to make appointments based on merit while keeping in view the aspirations of 'Māori, ethnic and minority groups, women, and people with disabilities' (State Services Commission, 2008). The emphasis on ethnicity in the 2008 document is a shift away from the original EEO document of 1997, which categorised disadvantaged groups as based on 'gender, ethnicity, disability, sexual orientation, age or family circumstances' (State Services Commission, 1997).

In sum, during this period, ethnicity appears to have followed a pattern that is in direct contrast to gender. Whereas gender dissembled and women were partially erased, ethnicity was forged and coalesced. In particular, the following processes can be identified in the emergence of ethnicity as a new category of marginality. The term 'ethnicity' reinforced the status of difference (and often, disadvantage) between newcomers/minorities and Pākehā or the mainstream. Unlike the term 'gender', which, in current usage, tends to blur the lines of distinction between men and women and arguably shifts the focus away from women, 'ethnicity' succeeded in marking out a group identifiable as living in conditions that were different from the norm, that is, white Europeans/Pākehā. The idea of ethnicity was successful in simultaneously conveying need among groups within the country, as well as strength and opportunity outside New Zealand (as, for example, in Asia). Thus, ethnicity began to be associated with political legitimacy, and a policy purchase which was backed up by resources.

Ethnicity, in other words, successfully coalesced disparate identities into a broad and politically salient force. While gender was being dissolved into disparate identities, thereby weakening the political force of 'women' as a collective, ethnicity was positioned as a new and socially acceptable banner that brought together a range of nationalities, races, ethnicities, religious and communal groups. Terms such as migrant, refugee, diversity and ethnicity are artefacts of

policy that have crystallised people from a varied range of backgrounds. Within the policy sector, the term ethnicity was popularised as it was a convenient referent to a group of people with similar issues while sidestepping their prior baggage of geography and culture. These terms may have been developed as part of state policy, but there is also an increasing usage and self-identification as ethnic within the wider community.

Ethnicity, this analysis suggests, was projected as temporally appropriate. Ethnicity was able to conjure up a social order that was appropriate for New Zealand in the present and for the future. Part of the backlash towards feminism is the popular construction that the women's rights movement is antiquated³¹. In contrast, ethnicity is associated with contemporary – and the future of – New Zealand. An image of ethnic harmony was actively constructed through government efforts – the presence of politicians at cultural events, high profile conferences and symposiums, posters, books, research and media aimed at demonstrating a futuristic harmony in diversity. The appointment of His Excellency Anand Satyanand, a New Zealander of Fiji-Indian origin, as Governor-General of New Zealand in 2006 was widely seen as a public affirmation of multiculturalism in New Zealand³².

The growing credibility of ethnicity (especially of the new migrant) has had ramifications in the public and political arena. Ethnicity has become a short-hand term to justify an emerging marginality. Ethnic migrants, particularly, are associated with disadvantage and discrimination (e.g. Gendall et al., 2007). Thus, migrants and the new ethnic communities are associated with redistributive disadvantage for which intervention is a rational response of the state. The proliferation of government-funded English language classes, training for employment, and informative publications are all part of the 'settlement' support of a state that sees ethnicity as 'needs-based'³³.

Gender and ethnicity: 'Redistribution-Recognition' in the time of neo-liberalism

How, then, can we conceptually begin to understand the changing fortunes of 'gender' and 'ethnicity' in a political economy of social divisions? Are these profiles incidental or do they mirror shifts in wider societal discourses around what is worthy to be acknowledged as 'marginal' and what is not? It is worth recapping the differences between the two using constructs from Fraser's Redistribution-Recognition paradigm. Gender as a category of disadvantage is less recognised in areas where women have clamoured for changes in the system of redistribution, as in childcare support, work place equality, and so on. In the case of 'gender' as a bivalent collectivity, therefore, the contexts of redistribution and recognition are growing further apart. The opposite appears to be the case with regard to ethnicity; the recognition of 'ethnicity' is interwoven with the discourse of redistribution.

The reasons underlying the failure of gender to be positioned in a similar way, particularly at a moment in New Zealand's history when political leadership and sentiment were especially inclined to advance the claims of women, are worthy of exploration. In part, an argument could be made that New Zealand women's achievements in all walks of life over the past 40 years are their own undoing. Whether it is in relation to health, education, work, sport, film, or participation in the corporate world, the high profile successes of a small group of women give the impression that there is less visibly obvious reason to claim that being a woman necessarily forecloses opportunities in the public or private sphere. Yet, despite these achievements, there is no doubt that women's lived experiences are not free of the injustices of recognition or redistribution. That these discriminations fail to register as part of a wider system of marginality deserves scrutiny (Jenson, 2008, 2009).

The key distinction between gender and ethnicity as contemporary marginalities, I would argue, is that the latter has been able to justify itself as vital to the New Zealand economy. The current discourse of ethnicity subscribes to the view that diversity offers economic benefits; underlying the imagery of 'need' and the 'richness' of cultural diversity, is the strong sub-text of untapped economic potential and gain. In his 2006 paper, Mervin Singham, the Director of the Office of Ethnic Affairs, proposed a new paradigm – 'strength in diversity' – wherein he posited that ethnicity brings talent and 'competitive immigration advantage' in the increasingly global trade environment (Singham, 2006, p. 36). The theme of 'selling ethnicity and using ethnicity to sell' is gaining currency in government and business circles. Against the neoliberal capitalist framework of New Zealand, ethnicity is managing to position itself as a marginality of 'efficiency', thus making it more favourable and politically credible.

This repositioning is strategic and vital to understanding the links between contemporary capitalism and the construction of marginality. Contrary to common understandings, marginality does not stand outside the capitalist structure, but rather is defined by its logic. Gender, and its attendant discriminations, as the basis for political struggle, no less than race or ethnicity, derives its momentum as a movement of social change and resistance against a framework of exploitation. In the 1970s, that exploitation was perceptible as systems of capitalism were built around segmentations in paid male and unpaid female work. In the new millennium, structures of capitalism bear little resemblance to the post-Fordian era that relied on female labour for its sustainability. Reproductive work is increasingly commodified and purchased outside the domestic sphere, and men and women are equally viable in the labour force within systems of production. As Wendy Brown reminds us, 'there is nothing in sexed bodies or even in gender subordination that capitalism cannot live without' (Brown, 2005, p. 106). Gender, in a manner of speaking, has become irrelevant to capitalism.

Gender, however, is not isolated in these swings from the vortex of capitalist interests. As Wendy Brown's quote at the start of this essay pointedly notes – race/ethnicity as much as gender can fall victim to the vagaries of contemporary capitalism. In New Zealand, certainly there are ominous signs of yet another shift in the discourses of marginality following the election of the centre-right conservative National government in 2008. Within months of taking office, the National government announced cuts in a range of social welfare, training and education programmes; some of these directly affect refugees and migrants. Whether these policy changes signal a new period of erasure for ethnicity as a marginal group is yet to be seen.

Conclusion

This paper compared the profiles of 'gender' and 'ethnicity' as markers of marginality in Aotearoa New Zealand in the late twentieth/early twenty-first century. The paper began with the claim that in the past decade 'ethnicity' has been gaining credibility as an axis of marginality while 'gender' has been losing its relevance. I argue that in contemporary Aotearoa New Zealand, there is a perception that women are no longer disadvantaged in the systems of social and economic redistribution. In an increasingly marketised society, gender claims are, therefore, unlikely to make much headway. Ethnicity, on the other hand, is recognised as a more 'worthy' marginality because it has the prospects of being presented as redistribution injustices that can mar the 'efficiency' and 'effectiveness' of neoliberal capitalist structures.

The current structures for advancing gender justice need to be cognisant of this reality as they strategise gender claims. Gender claims advanced as part of a social justice paradigm are less likely to be successful than ones framed against economic expediency. The Clark period, to its credit, and, given its historical links to the feminist movement, was able to promote an

almost artificially created interest in women's issues during its period in government. With the cohort of 'feminist' political leadership removed in the 2008 elections via the return of the economically right-wing National government, the irrelevance of gender as an axis of marginality is likely to be exacerbated.

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Table 1 Key legislative landmarks for women in New Zealand

1970s	1980s	1990s	2000s
Equal Pay Act (1972)	Maternity Leave and Employment Protection Act (1980)	Bill of Rights Act (1990)	Property (Relationships) Amendment Act 2001
Working Women's Charter (1978)	Family Proceedings Act (1980)	Child Support Act (1991)	The Parental Leave and Employment Protection (Paid Parental Leave) Act 2002
The Matrimonial Property Act (1977)	Liable Parent Contribution Scheme (1981)	Domestic Violence Act 1995	Prostitution Reform Act (2004)
Contraception, Sterilisation and Abortion Act (1978)	Minimum Wage Act (1983)	Films, Videos and Publications Classification Act (1993)	Gender Pay Gap Taskforce and Equal Opportunities Unit (2003) – disestablished 2008
Domestic Purposes Benefit (1973)	Domestic Protection Act (1982)	Crimes and Summary Proceedings Acts (1991)	Civil Union Act (2004)
Domicile Act (1976)	Parental Leave and Employment Protection Act (1987)		
Citizenship Act (1977)			

Source: various, www.mwa.govt.nz/timeline/timeline.swf

Notes

1 This paper was originally published as *Transitions in marginality: From 'gender' to 'ethnicity' in contemporary Aotearoa/New Zealand* (2011). In A. R. Janmohamed (Ed.), *Reconsidering social identification: Race, gender, class and caste (Critical interventions in theory and praxis)* (pp. 113-135). India, New Delhi: Routledge. I would like to thank the two anonymous referees who provided useful and relevant comments on the draft version of this paper.

2 In this paper, although I use the broad term 'gender' to indicate a particular category of social difference, my analysis specifically relates to women (rather than the broader constellation of socially constructed meanings encompassed in the term 'gender', such as the gender attributes of masculinity/femininity, male and female roles, the gender social order, gender relations, and so on). To emphasise the specific focus on women, I use gender/'women' in places in the paper.

3 Marginality, or the experience of being on the margins, is not easily defined, in large part because margins can be objectively imposed but also subjectively perceived. These are not consistent across time or place or, indeed, even among various categories of differences. For instance, being a minority can be a demographic qualification of marginality where ethnicity is concerned but not necessarily where gender is concerned. The effects of being marginal can be evidenced through discrimination, marginalisation (from the public sphere of work, education, politics, etc.), capitalist exploitation or feminist notions of subordination in a patriarchal system (see, for example, Burstyn, 1983). Given the context of the analysis in this paper where I use redistribution and recognition arguments of social justice as a foundational set of ideas, I develop marginality along the lines of the formulation advanced by Young (1990, 2000) and Fraser (1997, 2009a, 2009b), where ‘oppression’ arises from (a) misallocation of resources, (b) inability to have influence over the structures that make resource decisions, and (c) misrecognition and misrepresentation as a collective that contributes to misallocations.

4 Identity politics, as Linda Alcoff (2000) points out, is a concept that is vague and undefined. It is often associated with the rise of social movements in the 1960s making claims for recognition based on identifications with gender, race/ethnicity and sexual orientation and was, in its time, a novel contrast to the class-based politics that had been prevalent for much of the twentieth century. It is a politics that is based on the belief that people who share particular identities – around gender or race, for instance – are likely to also share similar oppressions, and by extension, this forms the basis for shared politics. Within the feminist movement, similar identity claims emerged by the 1980s as a reaction to the essentialisms ingrained in the heterosexist and Eurocentric agenda of the dominantly white feminist politics of the 1970s; the origins of this turn is often traced to the Combahee River Collective’s 1977 ‘A Black Woman’s Statement’ (Alcoff, 2000). However, identity politics is used in a much more broader sense in contemporary writings – it has segued into claims for group-differentiated rights (see, for instance, Guttman, 1993; Taylor, 1997; Modood, 2007; Kymlicka, 1996; Yeatman, 1994) and as a way of reconceptualising social justice in the public arena (see Young, 1990, 2000; Fraser, 1997, 2009b, among others). In this paper, given the latter focus, the term ‘identity’ is used as the basis for making recognition arguments in social welfare policies.

5 It must be noted that gender and ethnicity have never been analytically water-tight categories. Through the 1980s and 1990s, the construct of gender/‘woman’ was theoretically reconstituted in feminist scholarship to reflect a ‘differentiated’ marginality among groups of women distinguished by their sexuality, ethnicity and class. Alongside, feminist scholarship has also recognised similarities in the social justice agendas of different groups (gay and lesbian rights, workers rights, civil rights movements, minority groups, and so on) regardless of whether they included women or not. Thus, contemporary feminist writings increasingly reflect the marginalisation of ‘collectives’ and ‘groups’ rather than ‘women-only’ as a stand-alone group. The comparison that I make here of gender and ethnicity requires what Gayatri Spivak (1987) calls ‘strategic essentialism’ – a temporary coalescing around essential characteristics in order to explore political possibilities. Here, the essentialising of gender and ethnicity is a heuristic device for making possible the mapping of two discourses.

6 Note that I use ethnicity/diversity in the specific and uniquely New Zealand public policy interpretation to refer to the increasing proportion of recent migrants/or newcomers into the country. A detailed explanation is given in the text.

7 The idea of gender erasure is not distinctive to Aotearoa New Zealand alone. Brodie (2008) and Jenson (2008) describe a similar case of erasure in the context of Canada’s social policy.

8 For an overview of these changes and impacts, see <http://www.parliament.nz/en-NZ/ParlSupport/ResearchPapers/6/2/8/00PLSocRP08011-Immigration-chronology-selected-events-1840-2008.htm>; see also Trlin and Watts, (2004).

9 New Zealand does not have a formal policy on multiculturalism. In fact, it is a term that is often officially resisted as it is seen to dilute the primacy of the more established notion of biculturalism by equating issues of rights and citizenship of new migrants alongside the more historical claims of Māori and the Treaty of Waitangi. However, the term ‘multiculturalism’ has recently been gaining some currency in policy and community discourses to distinguish a set of claims of identity of those who are from minority ethnic groups, but not Māori.

10 I would like to acknowledge one of my anonymous referees who drew my attention to the fact that this particular definition evolved because at the time the Office of Ethnic Affairs was set up, the Ministry of Māori Development/Te Puni Kokiri and the Ministry of Pacific Island Affairs were already established ministries catering to specific ethnic minority groups in New Zealand. It was, therefore, necessary to distinguish what specific populations the new ‘ethnicity’ ministry would target. This led to the above definition, based essentially on a series of exclusions, i.e., everyone else who is not Pākehā, Māori or Pasifika. As if not already confusing, Statistics New Zealand continues to collect ‘ethnicity’ data with a broader emphasis on self-identification (see Statistics New Zealand, 2005b).

11 Ministry of Social Development, *The Social Report*, 2010.

12 As Lunt, Spoonley, and Mataira (2002) rightly note, the presence of migrants, indeed, poses the need for a new understanding of citizenship in New Zealand.

13 It is important to note that 'biculturalism' and 'multiculturalism' are, for the most part, distinct paradigms and while there are interactions between the two, these are – for political reasons – mostly separate frameworks raising distinct issues for Māori and other minority groups in relation to the state. The struggles for recognition by Māori are made towards the Crown that has obligations under the Treaty of Waitangi; for ethnic minorities, issues of recognition are played out in allocation at the level of policy.

14 As Jennifer Curtin (2008) points out, although the women leaders of the Labour Party did not publicly represent the label of 'feminist' claims in substantive policy, during this period many women-friendly policies were enacted.

15 It is worth noting also that these trends have been borne out by conversations with people 'on the ground' who work with women and ethnic people. In informal conversations, policy officials and women's community organisations acknowledged the decline of the gender discourse and the growing significance of the ethnic discourse in their everyday work; for instance, some representatives of women's organisations reflected on the way that arguments were reframed for women's issues when applying for grants or when justifying their work in a climate where it is increasingly believed that women are not marginalised.

16 It was following this Report that the Domestic Purposes Benefit, or welfare for women (and some men) who were unable to participate in the labour market, was set up in 1974.

17 The Speech from the Throne is delivered by the Governor-General on behalf of the government of the day on the opening day of Parliament after elections. For the full text of the Speech, see <http://www.scoop.co.nz/stories/HL9912/S00100.htm>

18 See www.mwa.govt.nz

19 <http://www.dol.govt.nz/services/PayAndEmploymentEquity/history>

20 An extended analysis of this point is made by Simon-Kumar (2011).

21 Callister, P. (2008). 'Letter to the Chief Human Rights Commissioner', dated 8 July 2008, personal communication.

22 Gavey (2005) discusses the issue of 'gender neutrality' to frame gender violence as particularly endemic to New Zealand. She posits that a commitment to gender equality has ironically negated a discourse that engages with violence as specifically about and against women. As she argues, 'the danger more generally [is that] a veil of gender neutrality perhaps hides what appears to be a deep cynicism about women and about social measures designed to change a social order of male dominance' (2005, p. 8).

23 Although outside of the Clark government period, the following excerpt from the Ministry of Women's Affairs (2008) *Briefing to the Incoming Minister* to the incoming National Government nominee is worth noting. The briefing document notes, 'the frameworks shaping policy for women are evolving in step with the changing values of New Zealand women. The feminist approach of the past has given way to a more inclusive set of values recognising the important role that family/whanau and men play in improving outcomes for women' (p. 10, italics added).

24 See <http://www.alranz.org/takeaction/factsheets/RTLASC.html>, accessed September 12, 2011.

25 However, it must be noted that the Human Rights Commission's 2010 report *Human Rights in New Zealand* does dedicate a chapter to the Rights of Women. See <http://www.hrc.co.nz/human-rights-environment/human-rights-in-new-zealand-2010>

26 See <http://www.scoop.co.nz/stories/HL9912/S00100.htm>

27 For details on the Free Trade Agreement with China, see www.chinafta.govt.nz/. See also 'India & NZ to enter free trade talks', *National Business Review*, February 23, 2009; <http://mfat.govt.nz/Trade-and-Economic-Relations/2-Trade-Relationships-and-Agreements/India/index.php>

28 See, for example, 'Teen Vandals get year for mosque attack', *New Zealand Herald*, November 20, 2005; see also Kolig (2003).

29 Ethnic Advisors are specialist personnel whose main function is to foster closer relationships between ethnic communities and the government. They do this through a range of mechanisms of engagement including workshops, forums, consultations and informal networking.

30 See <http://www.hrc.co.nz/race-relations/new-zealand-diversity-forum>

31 This reaction is widespread not merely among conservative groups in the society but also constitutes the popular view among younger New Zealand women (see Bridgeman, 2010; for a contrasting view, see 'Deal of Women', *Herald on Sunday*, July 3, 2011).

32 See 'Anand Satyanand the next Governor-General', [scoop.co.nz](http://www.scoop.co.nz), April 3, 2006.

33 The advance of an ethnic diversity discourse as projecting harmony must also, in some measure, be qualified. As Simon-Kumar (2010) argues, often the diversity discourse can mask and, in fact, substitute deeper structural inequalities and issues of rights (see also Ahmed & Swan, 2006). Similar arguments have been made in the context of workplace diversity by Jones, Pringle, and Shepherd (2000) and Jones (2004).

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