Title

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Journal

Representation, 59(2)

ISSN

0034-4893

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Publication Date

2023-04-03

DOI

10.1080/00344893.2022.2032292

The Effects of Proportional Representation on Election Lawmaking: Evidence from New Zealand

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It is widely recognised that politicians are self-interested and desire election rules beneficial to their re-election. Although partisanship in electoral system reform is well-understood, the factors that affect partisan manipulation of other democratic 'rules of the game'—including election administration, franchise laws, and campaign finance—has received little attention to date. New Zealand is so far the only established democracy to shift from a non-proportional to a proportional electoral system and thus presents an ideal case to test the effects of electoral system change on the politics of election reform. This article examines partisan and demobilising election reforms passed between 1970 and 1993 under first-past-the-post and between 1997 and 2020 under mixed-member proportional representation. Moving to a proportional system has failed to diminish the amount of partisan election lawmaking, though voting restrictions have become less common. These results should caution against claims that reforming a country's electoral system will necessarily curtail the passage of normatively undesirable election reforms.

Keywords: New Zealand; proportional representation; electoral system; election reform; partisanship

Introduction

Does switching from a first-past-the-post (FPTP) to mixed-member proportional (MMP) electoral system reduce the incidence of partisan and demobilising election lawmaking? 'Election lawmaking' refers to the legislative process of amending the democratic 'rules of the game' (Massicotte et al., 2004). The politics of election lawmaking are the political considerations that come into play when politicians change election rules. A 'partisan' reform lacks broad cross-party support. A 'demobilising' or 'restrictive' reform increases barriers to participation and diminishes democratic participation.

Although the politics of electoral system reform is well-understood, the factors that encourage or constrain partisan manipulation of other types of election laws, including election administration, franchise rules, campaign finance, boundary revision, and electoral governance, have received little attention to date. Some have suggested that the overt partisan manipulation of election laws experienced in the United States is an anomaly (Kohler & Rose, 2010) or have assumed that 'minor' election reforms are not worthy of consideration (Lijphart, 1994; Renwick, 2010). Others have called for a reconceptualization of election reform as encompassing all changes to election law (Jacobs & Leyenaar, 2011; Leyenaar & Hazan, 2011; Katz, 2005). Researchers have theorised that proportional electoral systems reduce the incentives and increase the barriers to engage in partisan (James, 2012; Kohler & Rose, 2010) and demobilising (Minnite, 2010; Piven et al., 2009) election reforms but have not yet tested these relationships empirically.

New Zealand is so far the only established democracy to change from a non-proportional to a proportional representation (PR) electoral system (Renwick, 2010), and thus presents an ideal case to test the relationship between electoral system and election lawmaking (Shugart, 2005). This study examines whether more partisan and demobilising election laws were passed in New Zealand's last 24 years of first-past-the-post (FPTP) (1970 to 1993) than in its first 24 years of MMP (1997 to May 2020). Each election enactment passed during these periods is analysed using a matrix of partisanship and participatory effect developed by Ferrer (2020). Multivariate regression is used to test the effects of a range of explanatory factors on the incidence of partisan and demobilising election reform.

The analysis reveals that MMP has not coincided with a reduction in the number of partisan reforms but has coincided with fewer voting restrictions. Statistical tests link more party fragmentation, less parliamentay polarisasion, and higher turnout with less partisan election lawmaking, and the presence of multiple veto players with fewer demobilising laws. It also appears that voting restrictions have been targeted at Māori voters. These results suggest that reforming a country's electoral system will not necessarily curtail the passage of normatively undesirable election reforms.

Background

Scholarship examining the comparative effects of electoral systems has proliferated since the 1980s, growing from a neglected field to one of the most developed in political science (Gallagher & Mitchell, 2005). Its primary goals have been to explain the effects of electoral system reform on polities (the 'political science of electoral systems') and to explain when and why electoral system reform takes place (the 'politics of electoral systems'). The core concern of previous scholarship has been the role electoral systems play in concentrating or dispersing political authority, especially through such metrics as proportionality, the number of parties, and governing arrangements (Shugart, 2005).[1] More recent literature has examined indirect variables such as the effects of electoral systems on regime stability (Goldstone & Ulfelder, 2004), the management of ethnic conflict (Reilly, 2001, 2006), and government performance (Lijphart, 2012).

The relationship between electoral system and the politics of election lawmaking remains understudied. Most scholarship has concentrated on only the most major cases of electoral system reform (Lijphart, 1994; Renwick, 2010).[2] Some have argued for a more expansive consideration of election laws beyond

major electoral system reform, both in terms of degree (minor versus major) and type (i.e., voting administration, campaign finance, electoral governance) (Celis et al., 2011; Farrell, 2001; Jacobs & Leyenaar, 2011; Katz, 2005). As argued by Leyenaar and Hazan (2011), '…there is no reason, nor has there ever been, why changes in legislation regarding the (financing of) campaigns, pre-voting and smart voting systems, ballot access or polling, etc. should not be defined as electoral reform and included within the scope of research on this topic' (p. 447). 'Minor' election reforms have been shown to affect voter turnout (Burden et al., 2014; Neiheisel & Burden, 2012; Stewart, 2013), representation (Barreto et al., 2009; Hajnal et al., 2017; Rigby & Springer, 2011), electoral outcomes (Manza & Uggen, 2008), election integrity (Norris, 2017), and voter confidence in the legitimacy of the system (Bowler & Donovan, 2016; Stewart et al., 2016; see also James, 2012). They also occur with much greater frequency than major changes to the electoral system. Katz (2005) counts 14 instances of major electoral system reform in advanced democracies between 1950 and 2005 and Renwick (2010) identifies only six cases between 1985 and 2005. In comparison, Jacobs and Leyenaar (2011), when including all types and degrees of reform, identify 32 changes to Netherlands election law between 1989 and 2007, and Ferrer (2020) identifies 82 election reforms enacted in New Zealand between 1956 and 2020.

The Politics of Election Lawmaking

Given that politicians face fewer barriers to enacting minor election reforms (Katz, 2005) and that they engage in election lawmaking on a routine—even 'politics as usual'—basis (Jacobs & Leyenaar, 2011, p. 504), the politics of election lawmaking lends itself much more readily to general theorising than does the politics of major electoral system reform. One important research area concerns the factors that

incentivise or constrain the manipulation of election laws for partisan purposes. A "partisan election reform" is defined as an enactment that is supported only by the majority party (in a two-party system) or only by parties in the governing coalition (in a multiparty system). In other words, it lacks any significant opposition party backing. This topic has received substantial attention within the United States, where partisan voting reforms have proliferated in recent years (Berman, 2015; Biggers & Hanmer, 2015; Hasen, 2012; Keyssar, 2009; Roth, 2016; Wang, 2012). However, due to the limitations of within-country research designs, United States–focused studies are unable to shed light on the effects of electoral and party systems on election lawmaking.

To my knowledge, James (2011, 2012) is the only scholar to undertake an empirical cross-national study of the correlates of partisan election lawmaking. Comparing Ireland, the United Kingdom, and the United States, James identifies five 'systematic legal and political features' that make partisan election lawmaking more likely: greater constitutional control given to legislatures over election procedure, a federalised constitutional system, a less proportional electoral system, a two-party political system, and the presence of a left-right SES cleavage (2012, pp. 216–219). Kohler and Rose (2010) analyse the factors that make higher turnout more likely to determine electoral outcomes, which should incentivise parties to pass partisan election laws. In addition to the importance of electoral and party systems mentioned by James, they propose that higher turnout is more likely to be determinative in the following circumstances: (1) when turnout is low and therefore non-voters have more leverage over the electoral outcome, were they to vote (see also Bernhagen & Marsh, 2007), (2) when the electoral environment is competitive, and (3) when the party preferences of non-voters and voters diverge.

Scholars have also suggested a link between partisan election lawmaking and economic inequality, polarised political cultures (Minnite, 2010), and legislative procedures (Christmas, 2010). Coalition formation dynamics are also important (Malone, 2008; McLeay, 2018). Finally, the specific politics of election lawmaking will be shaped by the type (James, 2012), degree (Jacobs & Leyenaar, 2011), and participatory direction (Ferrer, 2018) of change.

Of the factors listed, the electoral system has most consistently been suggested as playing a critical role in affecting the politics of election lawmaking (James, 2012; Kohler & Rose, 2010; Minnite, 2010; Piven et al., 2009). Only James (2012) has empirically examined this link, and his analysis was limited to election administration reforms.

Demobilising Election Lawmaking

A particularly harmful form of election lawmaking is when politicians manipulate the rules of the game to prevent or discourage electors from participating. This kind of legislative action is termed 'voter suppression' or 'voting restrictions' in the United States (Minnite, 2010; Overton, 2007; Piven et al., 2009; Roth, 2016; Wang, 2012) and has also been referred to as 'voter demobilisation' (Cunningham, 1991; Valentino & Neuner, 2017; see also James & Clark, 2019). Piven et al. (2009) theorise that pursuing voting restrictions is a rational political strategy in polities that contain marginalised subjects with discordant political preferences. If the full inclusion of an underrepresented group were to force policy changes that would antagonise existing members of a party's electoral coalition, the party will seek to avoid this disturbance by continuing to exclude the group through legislative action. Piven et al. (2009, pp. 16–17) posit that the same factors that increase partisan election lawmaking should encourage voter demobilisation, including non-proportional electoral systems, fewer

parties, competitive elections, high inequality, and preference divergence between voters and non-voters (see also Minnite, 2010).

Demobilising election lawmaking can occur simultaneously with partisan election lawmaking, as when one party attempts to push through voting restrictions that other parties oppose. It can also be distinct, for instance when all legislative parties agree to implement barriers to the ballot box that disproportionately burden marginalised communities. This topic has received substantial attention within the United States, where scholars have found the passage of voting restrictions to be driven by political elites, strategic in nature, and highly racialised (Bateman, 2016; Bentele & O'Brien, 2013; Biggers & Hanmer, 2017; Hicks et al., 2015; Hicks et al., 2016; McKee, 2015; Rocha & Matsubayashi, 2014; Vandewalker & Bentele, 2015; Voris, 2016). However, the topic remains neglected elsewhere. To my knowledge, no research has empirically examined the link between electoral system and voting restrictions.

The New Zealand Case

New Zealand presents an ideal opportunity to test the relationship between electoral system reform and partisan/demobilising election lawmaking. This is because it is the only established democracy to recently switch between non-proportional and proportional electoral systems (Renwick, 2010). Major electoral system reforms provide an important opportunity for more credibly estimating causal relationships in observational environments (Shugart 2005). By creating variation in the dependent variable within a single country, time-invariant confounders are eliminated, leaving only time-varying factors to be of potential concern for causal identification.

Scholars have studied the effects of New Zealand's electoral system reform on a range of areas including proportionality (Arseneau & Roberts, 2015; Gallagher, 1998; Lijphart, 2012), party system fragmentation (Riera, 2020; Ward, 2019), democratic

legitimacy (McRobie, 1997; Nagel, 2012), diversity of MPs (Arseneau & Roberts, 2015; Martin, 2015; McRobie, 1997), coalition politics (Boston & Bullock, 2009; Boston, 2011), executive power (Malone, 2008), voter turnout (Vowles, 2002, 2010), and government accountability (Aroney & Thomas, 2012). The effects of electoral system reform on the politics of election lawmaking itself has yet to be examined.

New Zealand also provides an opportunity to test the relationship between demobilising reforms and marginalised populations. Māori, the indigenous people of New Zealand, make up 17 percent of the country's population (Stats NZ, 2020). Despite recent legislative reforms and Treaty of Waitangi settlements, a wide range of indicators show that Māori continue to be economically, politically, and socially marginalised (Marriott & Sim, 2015; see also Bishop et al., 2009; Bramley et al., 2005; Houkamau et al., 2017; Reid et al., 2014; Walters, 2018).

Hypotheses

This study tests two central hypotheses. Both concern the relationship between electoral system and the politics of election lawmaking.

Hypothesis 1: New Zealand's shift from a plurality to a proportional electoral system has reduced the incidence of partisan election lawmaking.

There are two proposed causal mechanisms: (1) that PR has reduced the incentives to pursue marginal electoral shifts, and (2) that PR has increased the number of veto players. The first causal link rests in decreased demand for partisan election lawmaking. Because individual electoral districts matter less in PR systems, small shifts in turnout are less likely to alter the election outcome. This diminishes the importance of the marginal voter and reduces the chance that election reforms could prove electorally determinative (Kohler & Rose, 2010). Disproportionality is an indirect test of this mechanism, with lower levels of disproportionality indicating a reduction in the

value of the marginal voter. The second causal link focuses on the ability of politicians to achieve election reform. Because proportionality tends to lead to multipartyism and coalition government (Duverger, 1954; Riker, 1982; Taagepera & Grofman, 1985), there are more political actors standing in the way of reform. An increased number of veto players should translate into decreased likelihood of legislative success (Tsebelis, 2002). Rather than a single party leader having their way, under MMP governments must garner the consent of multiple parties with divergent ideologies and interests to pass legislation. This should make adopting partisan election reforms more difficult. The number of formal veto players provides a direct unweighted measure, whereas the effective number of parliamentary parties captures the degree of party fragmentation and thus the relative dispersion of power across veto players. In summary, it is expected that disproportionality, veto players, and party system fragmentation mediate the relationship between electoral system and partisan election lawmaking.

Non-voter leverage, legislative polarisation, and electoral competitiveness are tested as additional covariates of interest. It is expected that partisan election lawmaking is more likely when non-voters have more leverage over the electoral outcome (i.e., when turnout is lower), since the presence of more potential voters increases the chances that changes in turnout prove electorally determinative and thus that pursuing partisan election reforms could alter the electoral outcome. Parliamentary polarisation is also expected to increase partisan election lawmaking by reducing the grounds for compromise and increasing the stakes of elections. Finally, competitive environments mean that smaller changes in turnout could prove electorally determinative, increasing the incentives to pursue partisan reforms.

Hypothesis 2: New Zealand's shift from a plurality to a proportional electoral system has reduced the incidence of demobilising election lawmaking.

As with Hypothesis 1, it is expected that less disproportionality, more veto players, and increased party fragmentation reduce the incidence of voting restrictions. The two proposed causal mechanisms are identical: (1) a reduction in the incentives to shift votes at the margin, and (2) an increased difficulty in passing demobilising reforms. The mechanisms work largely the same as described with partisanship, with one important caveat. Additional veto players also mean increased barriers to passing reforms that increase participation. This underscores a potential catch-22 of proportionality: electoral systems that protect against voter demobilisation might also inhibit reforms that expand participation.

Non-voter leverage, legislative polarisation, electoral competitiveness, and Māori-specific voting provisions are tested as covariates. It is expected that voting restrictions are more likely when non-voters have more potential leverage over the electoral outcome, were they to vote, as the stakes for maintaining their non-participation increase. Polarised parliaments and competitive electoral environments are both expected to increase demobilising election lawmaking for the same reasons they are expected to increase partisan election reforms. Finally, reforms that target Māori are expected to be demobilising, as they constitute a marginalized group with discordant preferences whose full participation would present a threat to the current electoral coalitions.

Methods

The main analysis covers two periods: 1970–93 (referred to as the FPTP era) and 1997–2020 (referred to as the MMP era). The intervening period (1994–96) was an unstable interim between electoral systems characterised by rapid changes to party politics, and thus is omitted from the main analysis. The unit of analysis is each legislative enactment concerning election law (n = 58). All parliamentary acts affecting

general elections or the ballot initiative process are included.[3] A description of each included enactment is found in SI2 in the online appendix. Each enactment is analysed to determine its degree of partisanship and participatory effect. Descriptive statistics are obtained by pooling legislative acts within each era to discern overall levels of partisan and demobilising election reforms. Multivariate analysis is conducted using both logistic and OLS regressions. As a robustness check, yearly count measures of partisan and demobilising election reforms are employed in Poisson regressions. An explanation of the trade-offs to this estimation strategy is found in SI11.

Two measures of partisanship are used, one binary and one ordinal. The binary measure is based on each enactment's third reading vote. Bills that only receive government support are coded as partisan, whereas those that receive support from non-coalition parties or do not receive a division are coded as non-partisan.[4] The ordinal measure is a composite of three factors: partisanship in the legislative process, partisanship in the recorded vote, and partisan electoral effects. Partisanship in the legislative process is discerned using debate transcripts. It is measured on a four-point scale, ranging from no partisanship to highly partisan. The third reading vote is coded on a three-point scale with levels unanimous, nonunanimous multiparty support, and government-only support. Partisan electoral effects are measured as a yes/no binary based on the debate record, news articles, and existing scholarship. Component scores are summed, creating a seven-point ordinal partisanship metric scale ranging from 0 (indicating no partisanship) to 6 (indicating a very high degree of partisanship).[5]

Participatory effect is measured by identifying every legislative provision that affects democratic participation, determining whether each likely increases or decreases participation, estimating the magnitude of the change, and summing the effects.[6] Legislative texts, debate transcripts, select committee reports, newspaper articles, and

bill digests are used in combination with existing scholarship to assess participatory effect. As there is little scholarship on the participatory effects of New Zealand election laws (exceptions being Vowles' (2010) study of MMP and Garnett's (2018) study of advance voting and same-day registration), I rely on James' (2011, 2012) classification of election administration changes, Galicki's (2017) continuum of electoral procedures, and scholarship on the participatory effects of specific election laws (see Gronke & Miller, 2012; Manza & Uggen, 2008; Massicotte, 2008; Neiheisel & Burden, 2012). Legislation is classified into three participatory effect categories: demobilises (likely decreases participation), neutral (likely does not affect participation), and mobilises (likely increases participation). Two dummy variables are employed, one measuring whether legislation demobilises overall and one measuring whether legislation contains any individual provisions that demobilise.

The electoral system of passage, or 'era', is measured as an indicator variable (FPTP or MMP). The degree of electoral disproportionality provides a quantitative measure of electoral system. The Gallagher index is used, measured at the election prior to act passage (Gallagher, 2019). The number of veto players is measured as the number of parties in government, inclusive of those with confidence-and-supply agreements (Tsebelis, 1999). The effective number of parliamentary parties is used to measure party fragmentation (Laakso & Taagepera, 1979).[7] Leverage of non-voters is calculated by subtracting voting eligible population turnout at the election prior to passage from 100 percent (see Kohler & Rose, 2010).[8] Parliamentary polarisation is measured using party manifestos from the Comparative Manifesto Project (Volkens et al., 2020). I employ the Steiner and Martin (2012) method of calculating polarisation, which in turn is based on a measure of left-right party ideology developed by Laver and Budge (1992).[9] The degree of electoral competitiveness is measured as the electoral gap between the two

largest parties, using the latest election result or opinion poll released prior to an act's introduction (Kohler & Rose, 2010).[10] The presence of Māori-specific provisions is measured as a dummy variable, and includes reforms to the Māori roll, the Māori electoral option, and the formula for determining the number of Māori electorates.

Control variables include the enacting government's party, the size of the enacting government's majority, and the presence of entrenched clauses. Governing party is simplified to a Labour/National binary. National governments are expected to enact more demobilising reforms, as right-wing parties are incentivised to diminish participation under left-right SES cleavage structures in order to maximise their chances of electoral success (James, 2012; Piven et al., 2009). Governing majority is calculated as all government MPs less all other parties at the time of bill introduction. This provides a proxy for governing security, although with New Zealand's political culture of party unity it is expected to matter little (see Duncan & Gillon, 2015; Miller, 2005). Core components of the country's election infrastructure have been entrenched since 1956, requiring supermajority parliamentary support or a majority referendum to alter (McLeay, 2018). The protected provisions include reforms to the ballot paper, the membership of the Representation Commission, and the legal voting age. Legislation with entrenched provisions is expected to be less partisan. Finally, the categorical measure of participatory effects is included in partisanship regressions and the ordinal measure of partisanship are included in demobilising regressions. These controls are included to isolate the determinants of each.[11]

Descriptive Analysis of Election Lawmaking in New Zealand

Following Ferrer (2020), a six-part matrix of election lawmaking is used to classify election-related parliamentary enactments along partisanship and participatory effect dimensions. This framework categorises election laws as either partisan or non-partisan

using a binary measure of partisanship, and as either having a mobilising, neutral, or demobilising effect on democratic participation.

The record of New Zealand election reforms, displayed in Tables 1 and 2, provides initial evidence to evaluate whether MMP has reduced the incidence of partisan and demobilising election lawmaking. This data fails to support Hypothesis 1's expectations of a decrease in partisan election lawmaking from FPTP to MMP. On the contrary, partisan election lawmaking has become more common under MMP. Seven partisan election acts were passed during the FPTP era, whereas 12 have passed under MMP. Twenty-four percent of FPTP-era election acts were partisan compared with 42 percent of MMP-era election acts. The rise in partisan election lawmaking is driven by an increase in partisan election reforms without participatory effects. Two such acts were passed under FPTP, while seven have passed under MMP—a jump from 7 percent to 27 percent of all election acts passed during the era. A chi-squared test of partisanship and era is not statistically significant, X^2 (1, N = 58) = 2.0, p = .16. Using the ordinal measure of partisanship produces similar results. The average partisanship of election laws passed in the FPTP era was 2.66 (SD = 2.13), compared with 2.93 (SD = 2.50) for election laws passed under MMP. This fails to reach statistical significance in a t-test, t(55) = -0.45, p = .65.

[Tables 1 and 2 near here]

There is some evidence to support Hypothesis 2's expectation that MMP has diminished the passage of restrictive election reforms. Five voting restrictions passed in the FPTP era compared with two under MMP. The proportion of election reforms that demobilise participation has also declined, from 17 percent to 7 percent. The entirety of the decline is attributable to fewer non-partisan demobilising enactments. Three non-partisan demobilising acts passed under FPTP, whereas none have passed under MMP.

There has been no reduction in the passage of partisan demobilising election laws. A chi-squared test of participatory effect and era fails to reach statistical significance, X^2 (2, N = 58) = 2.9, p = .24.

As predicted in a corollary to Hypothesis 2, there has been a decrease in the passage of acts that affect participation under MMP. Seventeen election reforms in the FPTP era affected participation compared with 11 enactments in the MMP era. This divergence approaches significance, X^2 (1, N = 58) = 2.5, p = .11.

Analysis of the Correlates of Election Lawmaking

The correlates of election lawmaking are analysed using OLS and logistic regression. Two sets of tests are conducted: one using partisanship as the dependent variable, and one using demobilisation as the dependent variable. The primary variables of interest—era (electoral system), disproportionality, number of veto players, and effective number of parties—cannot be tested in the same regression because of high collinearity (a correlation matrix of these four variables produces values ranging from .82 to .97). To avoid this problem, separate regressions are run with each variable included alternatively. Additional multicollinearity issues persist. In each case, covariates are dropped to reduce multicollinearity and the results of the final regression are shown. Robustness tests are run using an ordinal partisanship measure with equal weighting (SI7) and adding inter-era enactments (1994–96) (SI9). The results are similar to the regressions reported except where noted.

Partisan Election Lawmaking

Table 3 displays the results of regressions testing for election reform partisanship using the ordinal measure of partisanship (results using the binary measure are substantively similar and found in SI5). Odd numbered columns are univariate regressions with only

the key explanatory variable of interest (era, disproportionality, veto players, and effective number of parties), whereas even numbered columns include all relevant covariates. Eight covariates are tested in addition to the primary variables of interest: leverage of non-voters, legislative polarisation, size of government majority, electoral competitiveness, governing party, participatory effect, inclusion of a Māori-specific provision, and inclusion of an entrenched provision.

These statistical tests fail to evidence a direct relationship between electoral system and partisan election reform posited by Hypothesis 1. Era fails to reach statistical significance by itself (Column 1) or with covariates (Column 2). Additionally, both coefficients are positive, indicating that MMP-era parliaments correlate with more partisan election reforms than FPTP-era parliaments, though this relationship does not reach conventional levels of statistical significance. Disproportionality provides an alternative test of electoral system. Both coefficients are close to zero and not statistically significant.[12] The results are counter to expectations that parliaments resulting from elections with low levels of disproportionality pass fewer partisan election reforms.

As with era and disproportionality, the number of veto players has substantively small coefficients that fail to reach statistical significance. However, regressions testing the effective number of parliamentary parties provide modest evidence for the hypothesised relationship between party fragmentation and partisan election lawmaking. The univariable regression (Column 7) coefficient is small and insignificant but including covariates (Column 8) results in a negative and statistically significant relationship ($p < 0.05$). The effect size is substantial. An increase in the effective number of parties by one reduces the average partisanship of election laws by 2.25 points on a 7-point scale, or roughly one standard deviation. There is also some

evidence for the expected relationship between leverage of non-voters and partisan election reforms ($p < 0.05$ in Column 8). A 10-percentage point reduction in turnout translates, on average, into about a one standard deviation increase in the partisanship of election reforms. Polarisation is also in the expected direction, with a positive coefficient across all regressions, though it fails to reach statistical significance.[13]

There is strong evidence for a large, statistically significant relationship between Labour governments and partisan election lawmaking. Additionally, voting restrictions are much more likely to be partisan than legislation with a neutral or mobilising effect on participation. Entrenchment appears to provide some protection against partisan election lawmaking, especially using the binary measure of partisanship (SI5), though most of the effect is likely masked by the unobserved strategic actions of politicians in avoiding reforms to the entrenched provisions (McLeay 2018). The inclusion of Māori-specific provisions also positively correlates with partisan election lawmaking. There is no evidence for a relationship between election law partisanship and either the size of a government's parliamentary majority or the competitiveness of the electoral environment.[14]

[Table 3 near here]

It could be the case that politicians took time to adapt to the political realities of a new electoral system. To test for delayed effects, I run a series of regressions on MMP-era election reforms. Two key variables are tested: a linear time trend and a measure of the percentage of MPs who served in the FPTP era. These tests fail to evidence any sort of delayed reduction in partisan election lawmaking under MMP (see SI6).

Demobilising Election Lawmaking

Table 4 displays the results of logistic regressions testing the correlates of demobilising reforms. As with partisan reforms, odd numbered regressions include only the key explanatory variable of interest and even numbered regressions include relevant covariates. The same covariates used for the tests of partisanship are employed, except that the ordinal measure of partisanship is substituted for participatory effect. Regressions investigating whether legislation contained any demobilising provisions are found in SI8.

These regressions provide weak evidence to support the relationship between proportional representation and demobilising election reform posited by Hypothesis 2. Era has a negative coefficient in both regressions and a sizeable substantive effect but fails to reach conventional levels of significance. Disproportionality has positive point estimates but also fail to reach statistical significance.[15] The coefficient for the number of veto players also appears in the expected negative direction in both regressions. It approaches statistical significance ($p < 0.10$) in regressions testing for legislation with any demobilising provisions (see SI8). In other words, increasing the number of parties in a governing coalition may chill the passage of election reforms with demobilising provisions. The coefficients for the effective number of parties are in opposite directions and imprecisely estimated.

There is some evidence of a negative relationship between non-voter leverage and demobilising election reform ($p < 0.10$ in SI8 and $p < 0.05$ in SI9). These results indicate that, all else equal, election reforms are more likely to diminish participation when passed in high-turnout environments. This finding is counter to initial expectations that higher leverage of non-voters to alter electoral outcomes incentivises voting restrictions. However, it is not illogical. As mobilising voters via election reform

should be easier when turnout is low, demobilising voters should be easier when turnout is high. Combined with the findings for partisanship, this suggests that low-turnout environments increase the likelihood of partisan election lawmaking but decrease the likelihood of voting restrictions. There is no evidence that polarisation encourages the passage of demobilising reforms.

Every regression reveals a substantively large and statistically significant relationship between National party governments and demobilising election lawmaking ($p < 0.05$ in Column 6). According with expectations, National-led governments have been more likely than Labour-led governments to enact voting restrictions. There is also strong evidence that partisan reforms are more likely to reduce participation and contain demobilising provisions, echoing the findings of the partisanship tests. Legislation specifically affecting Māori voters is more likely to contain demobilising provisions. This relationship is weakly statistically significant ($p < 0.10$) in tests including inter-era enactments, found in SI9. There is modest evidence that governments with slim majorities are more likely to pass legislation with demobilising provisions (see SI8), suggesting that fragile coalitions turn to voting restrictions to shore up their electoral chances. However, electoral competitiveness has little effect. Additionally, legislation with demobilising provisions is *more* likely to contain entrenched clauses. This underlines the limits of entrenchment as a mechanism to prevent harmful election reform.

[Table 4 near here]

Poisson Regression Analysis of Partisan and Demobilising Election Reforms

Poisson regressions using annual counts of partisan and demobilising election reforms are run as a robustness check (SI11). These regressions are independent of the passage of non-partisan and non-demobilising reforms and thus avoid any potential confounding

due to factors that influence all types of election lawmaking. The results are broadly consistent with the legislative-level tests, with no evidence that MMP has reduced the number of partisan and restrictive election reforms enacted.

Analysis of Hypotheses and Causal Factors

The evidence presented fails to support a direct relationship between the introduction of MMP and less partisan election lawmaking (Hypothesis 1). Additionally, there is no indication that partisan reforms have become less common over time as politicians grow accustomed to a PR system. If anything, partisan election lawmaking has proliferated. This finding is contrary to previous scholarship that suggests PR is key to reducing partisan interest in election reform (James, 2012; Kohler & Rose, 2010; Minnite, 2010; Piven et al., 2009). To understand why, it is instructive to examine the causal mechanisms relating PR to less partisan election reforms: reduced incentives for pursuing marginal electoral shifts and increased number of veto players.

One reason that New Zealand's electoral system reform has apparently failed to curtail partisan election lawmaking could be that it has not substantially reduced the incentives for pursuing marginal electoral shifts. MMP is not a pure PR system. It retains both de facto and de jure elements of a non-proportional one. A majority of MPs are elected through single-member FPTP electorate contests. This means that intraparty, individual electoral concerns could plausibly drive party-level election lawmaking, leading the marginal value of each vote to remain the same. There are several reasons to expect this is not the case. First, virtually all candidates run for both electorate and list seats simultaneously. Second, only a small number of MPs—less than one in five in recent elections—truly depend on the electorate contest for their seat in parliament.[16] Third, most campaign resources are controlled by the party rather than by individual electorate candidates. Finally, a culture of strong party unity in New Zealand means that

decisions to pass election reforms are generally made in the interests of the party rather than individual members. One countervailing argument is that MPs still value electorate seats over list seats and therefore still have strong individual incentives to engage in election lawmaking (Lundberg, 2006). While initially this appeared the case in New Zealand (Ward, 1998), the effects have likely attenuated somewhat as the number of sitting MPs with FPTP-era experience has declined (see McLeay & Vowles, 2007).

Another explanation is that a high threshold for list seats creates a majoritarian-like cutoff at 5 percent support, increasing the value of the marginal vote. Parties polling near this threshold could be particularly eager to find advantages to boost their support to ensure parliamentary representation after an election. Major parties might be sympathetic to their aligned minor parties, and thus willing to pursue partisan reforms to maximise their chances at forming a government. This can make marginal changes in participation politically worthwhile to pursue. New Zealand's 'coat-tails' provision, which allows parties that win at least one electorate seat access to list seats, is a non-proportional mechanism that has been used by both major parties to allow a coalition partner to gain party list seats when they would not otherwise qualify (Church, 2015). This increases the impact of voters in a single electorate beyond that of other voters, as the results of individual electorates can mean the difference between several parliamentary representatives and none.

Macro-level evidence casts doubt on this explanation. Disproportionality acts as a proxy for the value of the marginal vote, measuring the divergence between votes cast and parliamentary representation received. MMP has been effective at reducing disproportionality. New Zealand's average degree of disproportionality has declined from 13.97 (1969–93 average) to 2.82 (1997–2017 average) (Gallagher, 2019; see SI4 in the online appendix). Statistical tests mostly fail to substantiate a link between

disproportionality and partisan election lawmaking. These findings suggest that MMP has effectively decreased the mechanical incentives for pursuing election reforms but not the passage of partisan election reform.

Electoral system reform has increased the number of parliamentary veto players, from an unweighted average of 1 (1969–93) to 3.34 (1997–2017). However, the increase has not been so large when considering the (lack of) party fragmentation. Two major parties continue to collectively hold a significant majority of parliamentary seats. New Zealand's effective number of parliamentary parties has increased by little more than 1, from an average of 1.96 (for 1969–93) to 3.16 (for 1997–2017).[17] This is well below long-run averages of most established democracies with PR systems, including Norway (3.64), Denmark (4.57), India (4.80), Israel (5.18), and Switzerland (5.20) (Lijphart, 2012). Additionally, there has been a trend of declining support for minor parties as more elections are held under MMP (Riera, 2020; Ward, 2019). The effective number of parties averaged 3.75 in the first several MMP parliaments but has steadily dropped since, reaching a nadir of 2.67 at the 2017 election. New Zealand's lack of party fragmentation is partially because the underlying cleavage structure continues to be mostly captured by a left-right SES dimension (Aimer, 2015; Gibbons, 2011; Miller, 2005), and partially because a high party vote threshold shuts out minor parties from parliament (Arseneau & Roberts, 2015). Fewer parliamentary parties have meant that there are fewer meaningful veto players standing in the way of controversial election reforms.

While an unweighted measure of veto players is not explanatory, statistical tests produced evidence that more fragmented parliaments correlate with less partisan election reforms. This indicates that governments comprised of multiple parties with substantive power to veto legislation have greater difficulty passing partisan election

reforms. In other words, the main constraint on partisan election lawmaking appears to be the number of meaningful veto players rather than the value of the marginal vote. Politicians will seek to manipulate election rules for partisan gain regardless of the chances that doing so will yield an electoral advantage. Their primary limitations are the barriers that stand in the way of reform.

There is descriptive evidence to support a link between MMP and reduced incidence of demobilising election lawmaking (Hypothesis 2). Multivariate tests with era, disproportionality, number of veto players, and effective number of parties produced relationships in the expected direction but that failed to reach conventional levels of significance. Only in the case of number of veto players was modest statistical significance achieved with the presence of covariates (SI8)—again in line with the idea that the barriers to passing demobilising reforms are more important than the incentives to enact such laws. This also comports with evidence in the United States that unified Republican control is the most important determinant to explaining the adoption of voting restriction (Bentele & O'Brien, 2013; Biggers & Hanmer, 2017; Grumbach, 2021; Hicks et al., 2015). The small number of demobilising reforms in the period of analysis (n = 7) helps explain the difficulty in evidencing the hypothesized effects.

Analysis of Other Explanatory Variables

This section summarizes the findings of the relationship between election lawmaking and leverage of non-voters, parliamentary polarisation, electoral competitiveness, and marginalized subjects with discordant preferences (an extended analysis is found in SI12). Voting-eligible population turnout in New Zealand has gradually declined over the past 50 years, from a high of 85.5 percent in 1981 to a low of 68 percent in the 2011 election (Vowles et al., 2017). Statistical tests uncover some evidence that higher leverage of non-voters (lower turnout rates) correlates with more partisan election

reforms and with fewer demobilising reforms. In other words, declining turnout in New Zealand may have increased incentives for politicians to enact partisan but potentially turnout-boosting reforms while deterring politicians from attempting to further reduce the size of a shrinking electorate. Parliamentary polarisation has significantly increased over the period of analysis (see SI4). In line with expectations, statistical tests link heightened parliamentary polarisation with more partisan election lawmaking. On the other hand, there is little empirical support for the hypothesized relationship between electoral competitiveness and partisan/demobilising election reforms—perhaps due to measurement issues or to act-contingent considerations on the part of politicians (Reed & Thies, 2001; Shugart & Wattenberg, 2001). Finally, there is some evidence for a connection between Māori-specific provisions and election reforms with restrictive provisions, in line with Ferrer (2020). Three of the seven enacted voting restrictions directly affect Māori voters, and an additional two involve prisoner disenfranchisement, a provision that disproportionately affects Māori (Waitangi Tribunal, 2020). These results suggest that the relationship between marginalised groups and voting restrictions applies in other countries besides the United States.

Conclusion

This article advances the political science of electoral systems by utilizing the unique case of New Zealand's 1996 electoral system reform to empirically test the effects of proportional representation on the incidence of partisan and demobilising election reform. The introduction of mixed-member proportional representation has failed to reduce partisan election lawmaking but demobilising reforms have become less common. There is modest evidence to support a relationship between party fragmentation and reduced partisan election lawmaking, and between the number of veto players and the passage of voting restrictions. These findings suggest that the

legislative barriers to reform affect the prevalence of both voting restrictions and partisan rule changes. Finally, polarised and low-turnout environments encourage partisan election lawmaking, while restrictive election provisions seem to disproportionately target Māori votes.

The results suggest that adopting a proportional electoral system is not sufficient to mitigate undesirable forms of election lawmaking. Rather, curtailing partisan and restrictive election reforms is contingent on a range of other factors, including the number of veto players, fragmentation of the party system, the potential leverage of non-voters, and the degree of legislative polarisation, as well as the commitment of parties to adhere to democratic norms. These findings should caution scholars against claims that adopting a PR electoral system alone could remedy intensely partisan and restrictive election lawmaking in the United States (Minnite, 2010; Piven et al., 2009; see also Frymer, 1999). If electoral system reform fails to sufficiently alter the party system, the incentives to pursue marginal vote changes, voter turnout, polarisation, or democratic norms, it is unlikely to prove successful in ameliorating partisanship or the pursuit of voting restrictions.

This study is inherently exploratory. While the analysis focuses on the New Zealand case, insights should be applicable to other established democracies, especially those with similar political institutions and cultures. More importantly, I present a proof of concept for the identification of partisan and demobilising election laws that can be employed to analyse the politics of election reform in other contexts. Whereas focusing on within-country change has eliminated time-invariant confounders, the causal identification strategy is still vulnerable to time-varying confounders.

Additional research is needed to pinpoint which electoral and parliamentary arrangements best insulate democracies from undesirable changes to election law. The

logical extension is undertaking a cross-national comparison of electoral system and election lawmaking. One promising strategy is synthetic control. This method has been used to causally estimate the effects of New Zealand's switch to MMP on party system fragmentation (Riera, 2020; Ward, 2019). It could be applied to the study of election lawmaking to provide stronger causal evidence than what has been mustered at present. In the face of worldwide democratic decline, identifying these connections is vital to ensure that the power of legislatures to alter the rules of the game is not abused.

Notes

1. See also Amorim Neto & Cox, 1997; Duverger, 1954; Lijphart, 1984; Ordeshook & Shvetsova, 1994; Riker, 1982; Taagepera & Grofman, 1985; Taagepera & Shugart, 1989.
2. A typical definition for 'major' reform is between-category change (i.e., between proportional representation, single-member plurality, and mixed systems) or within-category reform that substantially alters either the degree of electoral disproportionality or the number of parliamentary parties (see Benoit, 2004; Blais, 2008; Rahat, 2008; Lundell, 2009; Renwick, 2010; Renwick et al., 2009).
3. See Supplementary information (SI) section 1 in the online appendix for a more detailed explanation of the criteria used for inclusion.
4. Government parties are defined as those that hold confidence-and-supply agreements.
5. A detailed explanation of partisanship scale is found in SI3.
6. A list of identified provisions by enactment is available with the replication materials.
7. Effective number of parties is calculated as $N = \frac{1}{\sum_{i=1}^{n} p_i^2}$ where n is the number of parties in parliament and p_i^2 is the square of each party's proportion of all seats for the parliament of enactment. See SI4 for a data table.
8. This formulation is different from Kohler and Rose (2010), who use a supposed 'maximum' turnout rate calculated to be 85.8 percent. I take issue with the idea that full participation could not theoretically be achieved (see Bernhagen and Marsh (2007) for an example of using 100 percent turnout as the theoretical maximum). The figure was multiplied by 100 for use in regressions. Summary statistics for leverage are found in SI4. A data table showing the calculation of leverage is available with the replication materials.

9. Laver and Budge's (1992) measure of left-right party position combines 26 ideological categories that capture both economic and social components. Following Steiner and Martin (2012), party ideology is calculated using a three-election running average. The weighted center of the party system is calculated as $\overline{P_j} = \frac{\sum_{i=1}^{N} s_{ji} P_{ji}}{N_j}$, where s_{ji} is the parliamentary seat share of party *i* in election *j*, P_{ji} is party ideological position, and N_j is the number of parliamentary parties. The absolute distance of each party from the center is then calculated, weighted by seat share, and summed, such that $D_j = \sum_{i=1}^{N} s_{ji} \left| P_{ji} - \overline{P_j} \right|$. The resulting measure is standardized.
10. Note that larger values indicate a bigger polling gap between parties and thus lower electoral competitiveness. Since virtually all government bills pass in New Zealand, the introduction is the moment when the decision to proceed with policy proposals usually takes place. Competitiveness measured with the third reading date and a vote share measure of competitiveness are both tested (see SI10). A seat share metric (subtracting the largest legislative party's seat share from 50 percent) is also measured but is too highly correlated with other covariates to be of use. More sophisticated measures of competitiveness estimating loss probabilities and electoral risk (Cronert & Nyman, 2020; Kayser & Lindsädt, 2015) have not been measured for New Zealand across its 1996 electoral system reform, and thus cannot presently be used.
11. The results of regressions excluding participatory effects in tests of partisan reforms and excluding partisanship in tests of demobilising reforms are broadly consistent for the main explanatory variables of interest.
12. Disproportionality is negative and statistically significant ($p < .05$) when tested in a univariate regression using the binary measure of partisanship, although the relationship loses significance when covariates are added (see SI5).
13. There is stronger support for a relationship between parliamentary polarisation and partisan election lawmaking in regressions using the binary measure of partisanship as the dependent variable (see SI5), and especially in Poisson regressions (SI11).
14. Regressions including inter-era enactments provide modest evidence for a relationship between electoral competitiveness and partisanship, though in the opposite direction of expectations (SI9). This relationship is not replicated when competitiveness is measured as the date of third reading, although the vote share measure also has point estimates counter to expectations (SI10).
15. Univariate regressions of era and disproportionality approach statistical significance ($p < .10$) when testing legislation for the inclusion of any demobilising provisions (SI8).
16. This figure was calculated as the number of MPs elected through electorates that risked losing out on their seat in parliament had they not won their electorate race, holding all other

contests fixed. Data is from the New Zealand Electoral Commission and covers 2014–2020. This calculation does not account for the marginality of each constituency and therefore presents an upper bound on the number of MPs who face any electoral consequences due to their electorate contest result. In 2020, only 22 elected MPs were potentially at risk of losing their seat if they had lost their constituency contest, or 18 percent of all MPs. In 2017, those numbers are 16 MPs and 13 percent, respectively; in 2014, 22 MPs and again 18 percent. Even fewer government MPs were at risk: 9 in 2020, 2 in 2017, and 13 in 2014.

17. Averages are calculated using initial party seat totals after each election. See SI4 for a data table.

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Table 1. Enacted election laws in New Zealand 1970–1993.

Partisanship	Participatory Effect							
	Demobilising		Neutral		Mobilising		Total	
	n	%	n	%	n	%	n	%
Partisan	2	6.9%	2	6.9%	3	10.3%	7	24.1%
Non-partisan	3	10.3%	10	34.5%	9	31.0%	22	75.9%
Total	5	17.2%	12	41.4%	12	41.4%	29	100.0%

Table 2. Enacted election laws in New Zealand 1997–2020.

Partisanship	Participatory Effect							
	Demobilising		Neutral		Mobilising		Total	
	n	%	n	%	n	%	n	%
Partisan	2	6.9%	7	24.1%	3	10.3%	12	41.4%
Non-partisan	0	0.0%	11	37.9%	6	20.7%	17	58.6%
Total	2	6.9%	18	62.1%	9	31.0%	29	100.0%

Table 3: Partisanship regression models

	Dependent variable:							
	Partisanship Scale							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (MMP)	0.28	0.12						
	(0.61)	(0.99)						
Disproportionality			−0.06	0.00				
			(0.05)	(0.10)				
Veto Players					0.07	0.02		
					(0.23)	(0.46)		
Effective parties							0.17	−2.25**
							(0.49)	(1.04)
Leverage of non-voters				0.05		0.06		0.22**
				(0.11)		(0.11)		(0.11)
Polarisation		0.15		0.09				0.50
		(0.41)		(0.39)				(0.39)
Government majority		−0.00				0.00		−0.04
		(0.04)				(0.04)		(0.04)
Electoral competitiveness		0.04		0.05		0.05		0.03
		(0.05)		(0.05)		(0.05)		(0.05)
Government Party (National)		−1.88***		−1.99**		−2.04***		−2.63***
		(0.63)		(0.78)		(0.66)		(0.70)
Participatory Effect: Mobilises		−2.55**		−2.59***		−2.58***		−2.91***
		(0.95)		(0.95)		(0.95)		(0.92)
Participatory Effect: Neutral		−3.02***		−3.05***		−3.00***		−3.50***
		(0.95)		(0.95)		(0.94)		(0.94)
Maori		0.55		0.58		0.55		0.78
		(0.75)		(0.75)		(0.74)		(0.73)
Entrenchment		−0.21		−0.17		−0.16		−0.66
		(1.04)		(1.02)		(1.02)		(1.00)
Constant	2.66***	5.47***	3.25***	4.39	2.63***	4.10*	2.38*	7.57***
	(0.43)	(1.34)	(0.52)	(3.11)	(0.60)	(2.13)	(1.25)	(2.55)
Observations	58	58	58	58	58	58	58	58
Adjusted R^2	−0.01	0.15	0.00	0.16	−0.02	0.16	−0.02	0.22

Note: *p<0.1; **p<0.05; ***p<0.01
Dependent variable is an ordinal measure of election reform partisanship.
Standard errors in parentheses.

Table 4: Demobilisation regression models

	Dependent variable:							
	Demobilising Binary							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (MMP)	−1.03	−0.92						
	(0.88)	(1.85)						
Disproportionality			0.11	0.01				
			(0.07)	(0.17)				
Veto Players					−0.41	−0.65		
					(0.34)	(0.80)		
Effective parties							−0.56	1.33
							(0.72)	(1.66)
Leverage of non-voters				−0.14				
				(0.21)				
Polarisation		−0.71		−0.60		−0.47		−1.34
		(0.79)		(0.79)		(0.90)		(0.85)
Government majority		−0.02				−0.04		0.05
		(0.07)				(0.07)		(0.08)
Electoral competitiveness		0.05		0.05		0.05		0.06
		(0.08)		(0.09)		(0.09)		(0.08)
Government Party (National)		2.74*		2.94*		3.09**		2.69*
		(1.45)		(1.67)		(1.57)		(1.48)
Partisanship Scale		0.91**		0.92***		0.94**		0.93**
		(0.36)		(0.36)		(0.37)		(0.39)
Maori		−0.41		−0.12		−0.37		−0.62
		(1.35)		(1.40)		(1.38)		(1.35)
Entrenchment		0.29		0.04		0.20		0.94
		(1.79)		(1.77)		(1.78)		(1.87)
Clauses	−1.57***	−6.85**	−3.00***	−4.75	−1.16	−5.96**	−0.66	−11.79*
	(0.49)	(2.71)	(0.87)	(5.64)	(0.73)	(2.91)	(1.71)	(6.33)
Observations	58	58	58	58	58	58	58	58
Log Likelihood	−20.61	−13.40	−20.16	−12.99	−20.55	−13.17	−21.04	−13.20

Note: *p<0.1; **p<0.05; ***p<0.01
Dependent variable is a dummy variable for voting restrictions. Standard errors in parentheses.

Online Appendix

'The Effects of Proportional Representation on Election Lawmaking: Evidence from New Zealand'

This supplementary information file includes the following:

SI1: Inclusion of legislation

This study consists of legislative changes to New Zealand's national parliamentary elections, by-elections, and ballot initiative process. Any laws altering the electoral system, registration administration, voting administration, franchise rules, electoral boundaries process, finance and electioneering statutes, electoral governance, member qualifications for holding office, or ballot initiative machinery are included.

Legislation altering election broadcasting provisions is included. Legislation altering parliamentary service funding for candidates is also included. One notable exception is the Parliamentary Service Amendment Act 2008, which authorised the provision of funds for elected candidates *after* polling day and is therefore excluded.

Reforms exclusively altering local election rules are excluded from analysis. Parliamentary procedural changes unrelated to elections and amalgamating acts that do not alter previous election rules are also excluded. In the former category, the Electoral Amendment Act (No 2) 1986 clarified the rules relating to transfer of power after an election. In the latter category, the Constitution Act 1986 amalgamated several statutes together but did not change existing law. Both enactments are excluded.

In terms of longitudinal scope, the study covers calendar year periods except for 2020, in which case legislation passed through April 1, 2020, is included.

SI2: Descriptions of New Zealand electoral enactments, 1970–2020.

Name	Description
Electoral Amendment Act 1971	Permitted certain polling places to be used for two districts. Allowed more than one scrutineer to be at a polling booth simultaneously. Updated provision disqualifying electors who are in prison or have serious mental illness. Increased the maximum amount of candidate election expenses from $1,000 to $1,500.
Electoral Amendment Act 1972	Prevented candidates from being nominated under a new name less than six months before the close of nominations.
Electoral Amendment Act 1974	Lowered the voting age from 20 to 18.
Electoral Amendment Act 1975	Renamed non-Māori electorates as 'general' electorates, introduced the Māori electoral option at five-year intervals, and allowed for variations in the number of Māori electorates based on the results of the Māori electoral option. Extended the franchise to prisoners, permanent residents, and those 'ordinarily resident' in New Zealand.
Electoral Amendment Act 1976	Fixed the number of Māori electorates at four, repealing a provision in the Electoral Amendment Act 1975 that allowed for variations in the number of Māori electorates according to the size of the Māori electoral population.
Electoral Amendment Act 1977	Repealed several provisions in the Electoral Amendment Act 1975. Extended the requirement for residency in an electorate from one month to three months, disenfranchised all prisoners, and disqualified unregistered but otherwise qualified electors from voting. Increased maximum candidate election expenses from $2,000 to $4,000, reversed a ban on the use of loudspeakers, and expanded regulations on candidate advertisements.
Electoral Amendment Act 1979	Provided a temporary solution to problems with the electoral roll used in the 1978 general election. Allowed the use of a single up-to-date composite roll for by-elections.
Electoral Amendment Act 1980	Overhauled the registration system. Transferred responsibility for roll revision from the Chief Electoral Officer to the Post Office, updated statutory language from 'European' to 'general', removed party designations from the ballot paper, restricted the franchise from those 'ordinarily resident' to permanent residents, and delayed exercise of the Māori electoral option by a year.
Electoral Amendment Act 1981	Required the Representation Commission to consider minor party feedback and publish responses to criticism, reduced the Māori electoral option from three months to two months, prevented electors from switching enrolment outside the Māori option, increased accessibility of polling places, and increased penalties for failing to enrol. Made a variety of additional changes to registration, administration, and electioneering procedures.
Electoral Amendment Act 1983	Enfranchised those who turn 18 on the week of an election, itinerant voters who have not spent three months in any one electorate, those who were previously qualified for an electorate but recently moved, and those who were allocated to the wrong electorate due to official error. Allowed non-Māori registered for a general electorate while erroneously included on a Māori roll to be able to cast a valid vote. Extended the prohibition against candidate name changes from six to 12 months, clarified that electors must be qualified to vote at the time of voting and not earlier, increased the election expenses limit from $4,000 to $5,000, and allowed the cross-referencing of habitation indexes with the electoral roll.
Electoral Amendment Act 1985	Increased flexibility for the statutory timing of electoral tasks, including roll revision and the work of the Representation Commission. Extended the period for registration applications from received by writ day to postmarked by writ

Name	Description
	day. Provided for the Māori electoral option to be carried out concurrently with general re-enrolment.
Electoral Amendment Act (No 2) 1985	Reduced the residential qualification for registration from three months to one month. Made the dormant electoral file publicly available and authorised its updating.
Electoral Amendment Act 1986	Mandated that Māori electoral boundaries be determined within six months of the Representation Commission's formation, aligning the deadline with general electorate boundaries.
Electoral Amendment Act (No 2) 1987	Prevented the holding of a by-election in any seat that was or became vacant before the 1987 general election.
Broadcasting Act 1989	Established the Broadcasting Commission. Prohibited the broadcasting of election programmes for a fee and required broadcasters to allow political parties to broadcast election advertisements free of charge in an election period. Empowered the Parliamentary Service Commission to determine the allocation of broadcasting time for each broadcaster and the allocation among qualifying political parties according to their electoral representation and public support. Empowered the Broadcasting Standards Authority to make rules prescribing standards for election programmes. Required political parties to receive prior approval for their broadcasts to ensure compliance.
Electoral Amendment Act 1989	Created more leniency for voters to determine their place of residence for the purposes of enrolment, nullifying the Wairarapa electorate court decision.
Broadcasting Amendment Act 1990	Appropriated commercial radio airtime for political party broadcasts, substantially increasing the amount of free political advertising. Mandated the airing and simulcasting of opening and closing addresses on all television channels, free-of-charge.
Broadcasting Amendment Act (No 2) 1990	Established a new system of parliamentary election broadcasting. Made broadcasters' participation voluntary, instead inviting broadcasters to volunteer time for election programmes. Provided for equitably proportioned, publicly funded radio and television for political party broadcasters.
Electoral Amendment Act 1990	Extended the registration period until the day before polling day. Allowed for those with mental disabilities to receive assistance when registering. Altered the calculation of the Māori electoral population to include a proportion of unregistered individuals equivalent to the proportion of Māori who opt to enrol on the Māori roll. Implemented a question of Māori descent asked to all persons and mandated that only those identifying themselves as being of Māori descent be targeted in the Māori option. Altered the method of marking the ballot paper from crossing out names to an affirmative tick, allowed candidates to include their party affiliation on the ballot paper, raised the election expenses limit to $10,000, permitted the release of age-specific roll data to researchers, updated the definition of 'electoral expenses', and gave parliament the ability to cancel by-elections within six months of a general election.
New Zealand Bill of Rights Act 1990	Established electoral rights for all adult New Zealand citizens.
Term Poll Act 1990	Established a referendum, to be held alongside the 1990 general election, on increasing the parliamentary term from three years to four years.

Name	Description
Electoral Amendment Act 1991	Provided for the appointment of deputies for the Representation Commission when members are incapacitated, ended the designation of party representatives as unofficial members, and removed the position of Director-General of the Post Office. Enabled all parliamentary parties and any parties that receive 5 percent of the votes cast at the previous general election to make submissions to the commission. Added the chief executive of the Ministry of Māori Affairs and two Māori party-nominated voting members to the commission when determining the boundaries of the Māori electorates.
Electoral Referendum Act 1991	Provided for the holding of an indicative referendum on changing the electoral system. Presented voters with two questions, the first on retaining or changing the electoral system, and the second on the preferred alternative electoral system. Four alternatives were offered: preferential voting, MMP, supplementary member, and single transferable vote.
Electoral Amendment Act 1992	Rectified a legal problem in the Representation Commission's work after it was found that the figures contained in the report of the Government Statistician to the commission used to calculate the Māori electoral population had not been calculated in accordance with the law. Defined how to calculate the number of Māori children and validated the past interpretation of the law.
Broadcasting Amendment Act 1993	Updated election broadcasting regulations to provide more flexibility. Allowed relationships between parties to be considered when allocating airtime and funding for election programmes. Permitted parties to spend their own funds to purchase airtime up to a specified level. Required state-owned broadcasting services and certain private broadcasters to carry the opening and closing addresses of all parties.
Citizens Initiated Referenda Act 1993	Instituted procedures for the holding of indicative referenda.
Electoral Act 1993	Detailed the specifics of the MMP electoral system put to voters in a binding referendum. If approved: alters the ballot paper, giving voters a party vote and an electorate vote, allocates list seats on a proportional basis, increases the number of MPs to 120, establishes an Electoral Commission to regulate parties and conduct public information campaigns, implements a party vote threshold of 5 percent, permits the number of Māori electorates to vary based on the results of the Māori electoral option, and enfranchises prisoners with sentences of less than three years.
Electoral Amendment Act 1993	Shortened the registration period, closing the electoral roll on writ day rather than the day before polling day. Increased candidate deposits. Created an Electoral Commission to register political parties, conduct public information campaigns, and report on electoral matters to the House.
Electoral Referendum Act 1993	Provided for the holding of a binding referendum on the electoral system. Gave voters a choice between retaining FPTP and switching to the MMP system detailed in the Electoral Act 1993.
Citizens Initiated Referenda Amendment Act 1994	Made technical amendments to the 1993 Citizens Initiated Referenda Act to account for the implementation of MMP.
Citizens Initiated Referenda Amendment Act 1995	Allowed the promotor of a petition for a citizens-initiated referendum to withdraw it before writ day. Instituted heavy penalties for bribery or undue influence in relation to the withdrawal of a petition. Updated the definition of ‘eligible elector’, removed the requirement for signatures to include date of signing, extended the time in which signatures can be collected, and transferred

Name	Description
	responsibility for regulating advertisements from returning officers to the Chief Electoral Officer.
Electoral Amendment Act 1995	Clarified that amendments to the Electoral Act 1993's entrenched provisions can be passed by any MPs, not only members elected under the 1993 Act.
Electoral Amendment Act (No 2) 1995	Altered the form of the ballot paper from two sheets to a single sheet and aligned list and electorate boxes by party. Allowed party logos on the ballot paper. Extended the registration period through the end of the day before polling day. Implemented a campaign disclosure regime and party expense limits.
Broadcasting Amendment Act 1996	Transferred administration of parliamentary election broadcasting to the Electoral Commission and updated procedures to reflect the implementation of MMP. Allowed parties to spend their own money on election broadcasting. Allowed the Government and Opposition to each nominate a person to serve on the Electoral Commission's broadcasting allocation committee. Required parties to file a return of all election broadcast programmes.
Electoral Amendment Act 1996	Amended a printing error that occurred in the preparation of the Electoral Amendment Act (No 2) 1995 over definition of a ‘national donation’. Increased the figure from $1,000 to $10,000.
Electoral Amendment Act (No 2) 1996	Altered the membership of the Electoral Commission consequential to the Broadcasting Amendment Act 1996 and amended meeting stipulations of the Electoral Commission.
Electoral Amendment Act (No 3) 1996	Extended the period in which Māori can switch electoral rolls from two months to four months.
Referenda (Postal Voting) Act 2000	Enabled the holding of indicative referenda by postal vote. Established a voting period of three weeks, the compilation of a nationwide electoral roll, and a mechanism for following up with any voters that did not receive voting papers in the initial mail-out.
Electoral (Integrity) Amendment Act 2001	Provided that the seat of any MP becomes vacant when they cease to be a member of the political party for which they were last elected. Empowered party leaders to expel members under this mechanism, banning party switching. Expired after two general elections.
Electoral Amendment Act 2002	Implemented continuous enrolment. Allowed for the early counting of advance and hospital votes. Validated the party votes of electors who voted in the wrong district. Made procedural changes to the donation disclosure regime, provided for the bulk nomination of candidates, and updated procedures for the death or incapacitation of candidates.
Electoral (Vacancies) Amendment Act 2003	Ensured that no member of the 47th parliament loses their seat because they swear allegiance to or obtain the citizenship of another country, so long as they do not renounce their New Zealand citizenship. Enacted to prevent Harry Duynhoven’s disqualification from parliament for applying to renew his Dutch citizenship. Prevented a by-election from taking place.
Broadcasting Amendment Act 2004	Repealed the requirement for the Electoral Commission to invite broadcasters to provide free or discounted time for electoral broadcasting. Restricted eligibility for allocations of broadcasting time and money to registered parties.
Electoral Amendment Act 2004	Clarified provisions relating to the disqualification of sitting MPs for swearing allegiance to a foreign power. Excluded cases where an MP is entitled to citizenship by birth or descent, renews an existing foreign passport, or automatically acquires citizenship because of marriage. Ensured that only the Speaker can exercise the party switching provisions. Made minor changes to the

Name	Description
	Electoral Commission's membership and quorum for election broadcasting matters. Implemented a regime to manage electoral signs.
Electoral Amendment Act 2005	Made a minor change to the submission of list candidates involving the consent of candidates to be included.
Appropriation (Parliamentary Expenditure Validation) Act 2006	Retroactively validated parties' improper election advertisement spending using parliamentary service funds. Established an interim meaning of funding entitlements for parliamentary purposes.
Appropriation (Continuation of Interim Meaning of Funding for Parliamentary Purposes) Act 2007	Extended the Appropriation (Parliamentary Expenditure Validation) Act 2006. Continued the validation of improper campaign expenditures and the interim meaning of funding entitlements for parliamentary purposes until 2009.
Broadcasting Amendment Act (No 2) 2007	Provided a common start date to broadcast election programmes for candidates and parties. Simplified the process for making complaints about election broadcasts.
Electoral Amendment Act 2007	Increased penalties for corrupt and illegal practices and created new powers for the Electoral Commission to investigate suspected illegal practices. Removed a requirement for political representatives to be appointed to the Electoral Commission for the purposes of determining the broadcasting allocation. Made amendments consequential to enactment of the Electoral Finance Act 2007.
Electoral Finance Act 2007	Overhauled electioneering and electoral finance provisions, placing extensive limits on political campaigning. Amended the rules for political donations, election expenses, and third-party advertising. Implemented a variety of new compliance and enforcement provisions.
Electoral Amendment Act 2009	Repealed the Electoral Finance Act 2007. Retained the act's donation limits to political parties and candidates, as well as provisions relating to the compliance and enforcement of electoral finance offences.
Parliamentary Service (Continuation of Interim Meaning of Funding for Parliamentary Purposes) Act 2009	Extended the interim meaning of funding entitlements for parliamentary purposes established by the Appropriation (Continuation of Interim Meaning of Funding for Parliamentary Purposes) Act 2007 through the end of 2010, with minor changes.
Electoral (Administration) Amendment Act 2010	Amalgamated the Chief Electoral Office and the Electoral Commission. Established the Electoral Commission as an independent Crown entity. First of a two-stage process to amalgamate electoral governance institutions into one entity.
Electoral (Disqualification of Sentenced Prisoners) Amendment Act 2010	Disqualified all prisoners from voting. Previously, only those serving a sentence of three years or more were disqualified.
Electoral (Finance Reform and Advance Voting) Amendment Act 2010	Established regulations and restrictions on election advertisements, election spending, and campaign fundraising. Limited MPs and their political parties from using parliamentary funding for electioneering purposes. Instituted no-excuse advance voting.
Electoral Amendment Act 2010	Simplified the process for updating the electoral roll in the case of an elector's marriage or civil union.

Name	Description
Electoral Referendum Act 2010	Initiated a two-question indicative referendum on the MMP voting system. The first question asked voters whether they wished to retain MMP and the second inquired about voters' preferred alternative. Four alternatives were offered: FPTP, preferential voting, single transferable vote, and supplementary member. If MMP was retained, mandated an Electoral Commission review of MMP.
Parliamentary Service Amendment Act 2010	Defined 'election advertisements' and prevented parliamentary funding entitlements from being used for any persuasive election publicity during the regulated period.
Electoral (Administration) Amendment Act 2011	Transferred statutory responsibility for enrolment functions from the Chief Registrar of Electors to the Electoral Commission. Second of a two-stage process amalgamating New Zealand's electoral governance institutions. Permitted the online updating of registration details. Facilitated the sharing of immigration status information for the purposes of enrolment eligibility.
Electoral Amendment Act 2013	Made minor changes to the paying of political party deposits.
Electoral Amendment Act 2014	Permitted full online enrolment and exercise of the Māori electoral option using RealMe. Amended regulations for party logos, disclosure rules, campaign expenditures, and the handling of loans to parties and candidates. Clarified the procedure for the reallocation of list seats in the event of a successful election petition. Removed a requirement for the Minister of Justice to sign writs for elections and referenda.
Broadcasting (Election Programmes and Election Advertising) Amendment Act 2017	Modernised election broadcasting regulations to enable more flexibility in party communication. Removed the requirement that parties make opening and closing addresses and that Television NZ and RNZ provide free time for these addresses. Allowed political parties to use their funding allocation on internet advertising. Required parties to file a return of their allocation spending.
Electoral Amendment Act 2017	Simplified electoral forms by deprescribing their contents. Permitted the early counting of advance votes. Prohibited electioneering inside and close to advance voting places. Required the online publishing of all objections to proposed electoral boundaries.
Electoral (Integrity) Amendment Act 2018	Provided that the seat of any MP becomes vacant when they cease to be a member of the political party for which they were last elected. Empowered party leaders to expel members under this mechanism, banning party switching.
Electoral Amendment Act 2019	Restricted the foreign donation limit to $50. Required party secretaries to live in New Zealand. Extended the ban on promotion of anonymous advertisements relating to an election to all advertising mediums.
Electoral Access Fund Act 2020	Established a fund to cover disability-related expenses for candidates in general and by-elections.
Electoral Amendment Act 2020	Permitted election day enrolment. Allowed a special vote declaration to be treated as an application for registration. Allowed electors applying for registration after writ day to be issued an ordinary ballot. Allowed the use of licensed premises as polling places. Extended provisions for adjournment of voting in case of polling disruptions.

SI3: Construction of partisanship scale

The ordinal measure of partisanship is a composite of partisanship in the legislative process, partisanship in the recorded vote, and partisanship in the legislation's electoral effects. A partisan legislative process is one marked by contention, disagreement, and divisiveness. This is judged using the Hansard parliamentary debate record and takes into account the extent to which disagreements were expressed, whether the arguments used were technical or emotional in nature, whether matters of privilege were invoked, and whether claims were made that the legislation was 'partisan' or a 'gerrymander.' Using a combination of these factors, a four-point ordinal score for the degree of partisanship in the legislative process is constructed with levels none, low, moderate, and high.

The record of legislative votes is the most direct measure of disagreement among parties. A three-part ordinal scale of partisanship is constructed using the third reading vote, distinguishing unanimous/no division, multiparty, and government only support.

Electoral effects refer to the advantage gained by a party in contesting elections under the enacted legislation. If a reform benefits certain parties over others, it is likely to engender partisan discord. The existence of electoral effects can be indicated within legislative debate (for instance, when MPs directly claim a bill will benefit another party), by contemporaneous newspaper articles, or through an examination of the bill's provisions using scholarship on the effects of election reforms as a guide. A yes/no binary measurement for electoral effects is used.

These three components of partisanship are transformed into ordinal measures, with legislative process on a 0–3 scale, recorded vote on a 0–2 scale, and electoral effects on a 0–1 scale (high numbers indicate more partisanship). They are then summed, creating a 0–6 ordinal partisanship score for each election enactment.

SI4: Summary statistics of variables

Election Year	Degree of Disproportionality	Veto Players	Effective Number of Parties	Non-Voter Leverage	Legislative Polarisation	Government Majority
1969	8.87	1	1.99	19.1	-0.02	6
1972	12.06	1	1.87	20.3	-0.23	23
1975	12.93	1	1.87	19.8	-0.99	23
1978	15.55	1	2.01	17.9	-1.37	10
1981	16.63	1	2.08	16.9	-1.41	2
1984	15.4	1	2	14.5	-1.02	17
1987	8.89	1	1.94	17.5	0.06	17
1990	17.24	1	1.76	21.8	0.07	37
1993	18.19	1	2.16	21.1	-0.57	1
1996	3.43	2	3.76	19.2	0.09	2
1999	2.97	3	3.45	22.8	0.58	12
2002	2.37	3	3.76	27.5	1.26	4
2005	1.13	4	2.95	23	2.17	1
2008	3.84	4	2.78	24.3	1.81	16
2011	2.38	4	2.98	32	0.94	7
2014	3.72	4	2.96	29	-0.70	7
2017	2.73	3	2.67	27	-0.63	6
Average 1969-93:	13.97	1	1.96	18.8	-0.61	15
Average 1996-2017:	2.82	3.34	3.16	25.6	0.69	7

Note: Leverage is calculated from Atkinson (2003), Chief Electoral Office (2009), Electoral Commission (n.d., 2012, 2015, 2018), Nagel (1988), and Vowles (2015). Disproportionality is from Gallagher (2019). Effective number of parties, working government majority, and number of veto players are calculated based on party representation at the start of each parliament. Legislative polarisation is calculated using data from the Comparative Manifesto Project and is standardized.

SI5: Partisanship binary regressions

Table 1: Partisanship binary regression models

	Dependent variable:							
	Partisanship Binary							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (MMP)	0.80	0.32						
	(0.57)	(1.50)						
Disproportionality			−0.11**	−0.07				
			(0.05)	(0.19)				
Veto Players					0.26	0.06		
					(0.21)	(0.69)		
Effective parties							0.61	−3.19**
							(0.45)	(1.48)
Leverage of non-voters				0.04		0.08		0.35*
				(0.17)		(0.15)		(0.19)
Polarisation		0.72		0.54		0.62		1.63**
		(0.55)		(0.54)		(0.60)		(0.72)
Government majority		−0.00						−0.01
		(0.07)						(0.09)
Electoral competitiveness		0.03		0.05		0.05		0.00
		(0.07)		(0.07)		(0.07)		(0.08)
Government Party (National)		−3.42***		−3.59**		−3.83***		−5.51***
		(1.25)		(1.45)		(1.30)		(2.01)
Participatory Effect: Mobilises		−2.71**		−3.04**		−2.94**		−3.29**
		(1.38)		(1.46)		(1.45)		(1.53)
Participatory Effect: Neutral		−3.71**		−4.03**		−3.94**		−4.78***
		(1.54)		(1.63)		(1.60)		(1.74)
Maori		1.07		1.25		1.19		1.44
		(0.95)		(0.99)		(0.96)		(1.00)
Entrenchment		−1.52		−1.40		−1.46		−3.24*
		(1.52)		(1.50)		(1.55)		(1.85)
Constant	−1.15***	2.42	0.12	2.25	−1.34**	0.70	−2.24*	4.47
	(0.43)	(2.20)	(0.47)	(5.15)	(0.59)	(2.75)	(1.18)	(4.80)
Observations	58	58	58	58	58	58	58	58
Log Likelihood	−35.70	−25.03	−34.24	−24.60	−35.89	−24.67	−35.77	−21.85

Note: *p<0.1; **p<0.05; ***p<0.01
Standard errors in parentheses.

SI6: Delayed effects of MMP on partisan election lawmaking

A series of regressions are conducted for potential lagged effects of electoral system change. These test the assumption that politicians took time to adapt their behaviour to MMP. Previous scholarship has suggested that new electoral systems increase the amount of uncertainty among voters and reduces strategic voting (Moser & Scheiner, 2009). This should, in turn, make it more difficult for political elites to accurately formulate a coherent election lawmaking strategy (Andrews & Jackman, 2005; see also James, 2012).

To isolate any potential timing effects, temporal variables are introduced in regressions that include only MMP-era election reforms. Two variables are used: a linear time trend of years elapsed since the introduction of MMP (Columns 1 and 3), and the proportion of MPs in parliament with experience serving during the FPTP era (Columns 2 and 4). The latter measure is based on each act's date of introduction and is sensitive to within-session turnover. Note that the Referenda (Postal Voting) Act 2000 was introduced by a National government then carried over and passed by a Labour government. For this act, the date of first reading is used to reflect the government of passage. Because of the small number of demobilising reforms passed under MMP, only partisanship is analysed.

All four regressions fail to evidence a delayed reduction in partisan election lawmaking under MMP. Rather, it appears that election reforms have become more partisan over time, though none of the coefficients reach conventional levels of significance. Due to the small n-size and the inclusion of time trends, other covariates should be interpreted with caution—though there does seem to be evidence that governments with slimmer majorities have passed more partisan election reforms ($p < 0.05$).

Table 2: Delayed effects of MMP on partisan election lawmaking.

	Dependent variable:			
	Partisanship Binary		Partisanship Scale	
	logistic		*OLS*	
	(1)	(2)	(3)	(4)
Years Under MMP	0.04		0.18	
	(0.11)		(0.11)	
MP Holdovers		−1.41		−4.59
		(4.67)		(4.48)
Leverage of non-voters	−0.37	−0.37	−0.24	−0.50**
	(0.23)	(0.24)	(0.22)	(0.20)
Polarisation	0.40	0.32	0.38	−0.19
	(0.75)	(0.69)	(0.68)	(0.58)
Government majority	−0.21**	−0.21**		−0.22**
	(0.10)	(0.10)		(0.08)
Electoral competitiveness	−0.09	−0.09	−0.01	−0.08
	(0.08)	(0.08)	(0.10)	(0.07)
Government Party (National)			−2.82*	
			(1.42)	
Participatory Effect: Mobilises			−5.15**	−5.44**
			(2.16)	(1.96)
Participatory Effect: Neutral			−4.11**	−4.88***
			(1.75)	(1.63)
Maori	2.07	2.10	3.14*	2.93*
	(1.41)	(1.44)	(1.63)	(1.56)
Constant	10.66*	11.58	11.54*	24.38***
	(6.23)	(7.11)	(6.65)	(6.69)
Observations	29	29	29	29
Adjusted R^2			0.22	0.31
Log Likelihood	−14.39	−14.43		
Note:				*p<0.1; **p<0.05; ***p<0.01
				Standard errors in parentheses.

SI7: Regressions measuring ordinal partisanship using equally weighted components

To ensure that the ordinal partisanship variable is not biased by a weighting decision, robustness tests are run using a measure weighting partisanship in the legislative process, partisanship in the recorded vote, and partisan electoral effects equally. Each component measure is scaled to 1, summed together, then multiplied by 2 to result in an identical 0–6 range as the ordinal partisanship score used in the main analysis.

Table 3: Partisanship regression models - Equally weighted

	Dependent variable:			
	Partisanship Scale Equal Weight			
	(1)	(2)	(3)	(4)
Era (MMP)	0.45			
	(0.97)			
Disproportionality		0.02		
		(0.10)		
Veto Players			0.02	
			(0.45)	
Effective parties				−1.85*
				(1.04)
Polarisation		0.08	0.07	0.21*
		(0.11)	(0.11)	(0.11)
Leverage of non-voters	0.02	0.04		0.35
	(0.40)	(0.38)		(0.39)
Government majority	0.01		0.01	−0.03
	(0.04)		(0.04)	(0.04)
Electoral competitiveness	0.06	0.07	0.07	0.06
	(0.05)	(0.05)	(0.05)	(0.05)
Government Party (National)	−1.79***	−1.94**	−1.95***	−2.45***
	(0.62)	(0.77)	(0.65)	(0.70)
Participatory Effect: Mobilises	−2.51**	−2.53***	−2.54***	−2.80***
	(0.94)	(0.94)	(0.94)	(0.92)
Participatory Effect: Neutral	−3.31***	−3.36***	−3.35***	−3.73***
	(0.94)	(0.93)	(0.92)	(0.94)
Maori	0.33	0.36	0.36	0.53
	(0.74)	(0.74)	(0.73)	(0.73)
Entrenchment	0.21	0.21	0.19	−0.21
	(1.02)	(1.01)	(1.00)	(1.00)
Constant	4.91***	3.45	3.57*	6.26**
	(1.32)	(3.06)	(2.10)	(2.55)
Observations	58	58	58	58
Adjusted R^2	0.17	0.18	0.18	0.22
Note:				*p<0.1; **p<0.05; ***p<0.01
				Standard errors in parentheses.

SI8: Any demobilising provision regressions

Regressions testing the correlates of election reform that contains any restrictive provisions include an additional covariate controlling for the number of legislative clauses. This accounts for the fact that longer bills are expected to be more likely to contain at least one demobilising provision.

Table 4: Demobilisation regression models

	Dependent variable:							
	Any Demobilising Provision							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (MMP)	−1.08*	−1.92						
	(0.62)	(1.43)						
Disproportionality			0.09*	−0.22				
			(0.05)	(0.17)				
Veto Players					−0.40*	−1.12*		
					(0.24)	(0.63)		
Effective parties							−0.61	0.01
							(0.51)	(1.12)
Leverage of non-voters				−0.34*				
				(0.19)				
Polarisation		0.03		−0.48		0.34		−0.35
		(0.55)		(0.57)		(0.64)		(0.50)
Government majority		−0.10*				−0.12**		−0.06
		(0.05)				(0.06)		(0.05)
Electoral competitiveness		0.01		−0.01		0.02		−0.00
		(0.07)		(0.07)		(0.07)		(0.07)
Government Party (National)		3.19**		4.14**		3.70***		2.87**
		(1.30)		(1.66)		(1.41)		(1.25)
Partisanship Scale		0.80***		0.78***		0.83***		0.73***
		(0.29)		(0.27)		(0.31)		(0.27)
Maori		1.39		1.30		1.48		1.38
		(1.14)		(1.09)		(1.19)		(1.10)
Entrenchment		2.54		2.58		2.53		2.78*
		(1.75)		(1.69)		(1.81)		(1.66)
Clauses		0.01		0.01		0.01		0.00
		(0.01)		(0.01)		(0.01)		(0.01)
Constant	−0.49	−4.17**	−1.79***	2.65	−0.11	−3.05	0.50	−4.96
	(0.38)	(1.75)	(0.57)	(4.54)	(0.55)	(1.92)	(1.25)	(3.35)
Observations	58	58	58	58	58	58	58	58
Log Likelihood	−32.58	−18.64	−32.42	−18.69	−32.62	−17.77	−33.42	−19.63

Note: *p<0.1; **p<0.05; ***p<0.01
Standard errors in parentheses.

SI9: Regressions including inter-era enactments

These regressions include election reforms enacted between 1994 and 1996. Note that electoral system era becomes a three-part categorical variable, with 'inter' designating acts passed within 1994–1996. FPTP is the reference (omitted) category.

Table 5: Including inter-era - Partisanship models

	Dependent variable:			
	Partisanship Scale			
	(1)	(2)	(3)	(4)
Era (Inter)	0.15			
	(1.32)			
Era (MMP)	0.26			
	(0.97)			
Disproportionality		−0.00		
		(0.09)		
Veto Players			0.10	
			(0.47)	
Effective parties				−1.37
				(0.86)
Leverage of non-voters		0.06	0.05	0.20*
		(0.10)	(0.10)	(0.11)
Polarisation	0.08	0.02	−0.01	
	(0.39)	(0.40)	(0.35)	
Government majority	−0.00	−0.00	0.01	−0.02
	(0.04)	(0.03)	(0.04)	(0.03)
Electoral competitiveness	0.06	0.06	0.06	0.06*
	(0.04)	(0.04)	(0.04)	(0.04)
Government Party (National)	−1.89***	−2.00**	−2.05***	−2.56***
	(0.62)	(0.75)	(0.63)	(0.66)
Participatory Effect: Mobilises	−2.62***	−2.64***	−2.67***	−2.84***
	(0.93)	(0.92)	(0.93)	(0.90)
Participatory Effect: Neutral	−2.95***	−2.96***	−2.98***	−3.16***
	(0.93)	(0.93)	(0.91)	(0.89)
Maori	0.40	0.42	0.41	0.46
	(0.70)	(0.69)	(0.69)	(0.67)
Entrenchment	0.51	0.55	0.53	0.26
	(0.91)	(0.90)	(0.87)	(0.86)
Constant	5.21***	4.09	4.11*	5.12**
	(1.30)	(2.67)	(2.10)	(1.94)
Observations	66	66	66	66
Adjusted R^2	0.15	0.16	0.16	0.21
Note:				*p<0.1; **p<0.05; ***p<0.01
				Standard errors in parentheses.

Table 6: Including inter-era - Demobilisation models

	Dependent variable:							
	Demobilising Binary				Any Demobilising Provision			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (Inter)	−19.82				−5.98**			
	(3,287.93)				(3.00)			
Era (MMP)	−0.92				−1.99			
	(1.85)				(1.44)			
Disproportionality		−0.08				−0.21		
		(0.16)				(0.13)		
Veto Players			−1.14				−1.47**	
			(0.82)				(0.63)	
Effective parties				2.00				0.46
				(1.69)				(1.12)
Polarisation	−0.71		0.21	−1.33	0.06		0.83	−0.13
	(0.79)		(0.83)	(0.93)	(0.56)		(0.61)	(0.50)
Leverage of non-voters		−0.28				−0.39**		
		(0.22)				(0.20)		
Government majority	−0.02	0.03	−0.04	0.10	−0.10*	−0.01	−0.12**	−0.01
	(0.07)	(0.05)	(0.07)	(0.07)	(0.06)	(0.04)	(0.06)	(0.05)
Electoral competitiveness	0.05	−0.04	−0.00	0.01	0.00	−0.05	−0.00	−0.05
	(0.08)	(0.07)	(0.07)	(0.08)	(0.06)	(0.06)	(0.06)	(0.06)
Government Party (National)	2.74*	3.20*	3.15*	2.38	3.35**	4.28***	3.75***	2.36**
	(1.45)	(1.68)	(1.63)	(1.52)	(1.31)	(1.61)	(1.44)	(1.15)
Partisanship Scale	0.91**	0.91***	1.01**	0.89**	0.84***	0.80***	0.86***	0.68***
	(0.36)	(0.35)	(0.40)	(0.38)	(0.30)	(0.27)	(0.30)	(0.24)
Maori	−0.41	0.08	−0.32	−0.51	1.46	1.84*	1.73	1.66*
	(1.35)	(1.31)	(1.37)	(1.30)	(1.15)	(1.05)	(1.15)	(1.00)
Entrenchment	0.29	−0.57	−0.39	0.33	2.71	2.02	1.84	1.62
	(1.79)	(1.67)	(1.62)	(1.72)	(1.73)	(1.40)	(1.44)	(1.19)
Clauses					0.01	0.01	0.01	0.01
					(0.01)	(0.01)	(0.01)	(0.01)
Constant	−6.85**	−0.66	−4.61*	−13.36**	−4.34**	3.85	−2.55	−5.98*
	(2.71)	(5.18)	(2.44)	(6.57)	(1.77)	(4.24)	(1.79)	(3.40)
Observations	66	66	66	66	66	66	66	66
Log Likelihood	−13.40	−14.41	−13.95	−14.27	−18.93	−19.72	−18.91	−22.10

Note: *p<0.1; **p<0.05; ***p<0.01
Standard errors in parentheses.

SI10: Regressions with alternative measures of electoral competitiveness

Table 7: Alternative competitiveness measures

	Dependent variable:							
	Partisanship Scale							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (MMP)	0.16				0.20			
	(1.05)				(0.99)			
Disproportionality		−0.08				−0.04		
		(0.11)				(0.10)		
Veto Players			0.22				0.35	
			(0.42)				(0.41)	
Effective parties				−2.34**				−0.70
				(1.05)				(0.82)
Leverage of non-voters				0.22*		0.01	−0.01	
				(0.11)		(0.11)	(0.11)	
Polarisation	0.24	0.08	0.12	0.61	0.29	0.21		0.52
	(0.45)	(0.44)	(0.47)	(0.42)	(0.37)	(0.37)		(0.35)
Government majority	0.00	0.02	0.01	−0.04	−0.02		−0.00	−0.04
	(0.04)	(0.04)	(0.04)	(0.04)	(0.04)		(0.04)	(0.04)
Competitiveness - Passage	0.01	0.01	0.01	0.00				
	(0.05)	(0.04)	(0.04)	(0.05)				
Competitiveness - Vote Share					−0.12	−0.09	−0.11	−0.08
					(0.12)	(0.10)	(0.12)	(0.13)
Government Party (National)	−1.75***	−1.65**	−1.86***	−2.56***	−1.86***	−1.83**	−2.00***	−1.89***
	(0.64)	(0.64)	(0.67)	(0.70)	(0.63)	(0.75)	(0.66)	(0.62)
Participatory Effect: Mobilises	−2.62***	−2.69***	−2.66***	−2.98***	−2.74***	−2.75***	−2.78***	−2.73***
	(0.96)	(0.95)	(0.96)	(0.93)	(0.95)	(0.95)	(0.95)	(0.94)
Participatory Effect: Neutral	−3.09***	−3.10***	−3.09***	−3.58***	−3.23***	−3.21***	−3.17***	−3.29***
	(0.96)	(0.95)	(0.95)	(0.94)	(0.95)	(0.95)	(0.94)	(0.95)
Maori	0.49	0.54	0.47	0.75	0.60	0.61	0.53	0.61
	(0.77)	(0.77)	(0.77)	(0.75)	(0.75)	(0.75)	(0.74)	(0.75)
Entrenchment	−0.34	−0.26	−0.27	−0.80	−0.40	−0.37	−0.29	−0.59
	(1.05)	(1.03)	(1.04)	(1.00)	(1.02)	(1.01)	(1.01)	(1.01)
Constant	5.76***	6.22***	5.31***	8.06***	6.96***	6.65**	6.28**	8.80***
	(1.53)	(1.26)	(1.67)	(2.93)	(1.56)	(3.19)	(2.52)	(2.47)
Observations	58	58	58	58	58	58	58	58
Adjusted R^2	0.14	0.14	0.14	0.21	0.15	0.15	0.15	0.16

Note: *p<0.1; **p<0.05; ***p<0.01
Standard errors in parentheses.

SI11: Poisson Regression Analysis

The estimation strategy employed in the main analysis uses each enacted election reform as the unit of analysis and employs OLS and logistic regressions to test the predictors that make election reforms more likely to be partisan and demobilising. The strategy employed in this section utilizes yearly counts of partisan/demobilising election reforms and Poisson regressions to test the predictors that increase the annual number of such election enactments.

There are trade-offs to each approach. The legislation-level analysis is useful because it compares the passage of partisan versus non-partisan election reforms and demobilising versus non-demobilising enactments. The central question here is: what makes election reforms more likely to be partisan/demobilising? This approach also allows for the inclusion of legislation-level characteristics, including an ordinal measure of partisanship, a polling-based measure of electoral competitiveness, and Māori-specific and entrenched provisions. The major drawback to this method is that it is susceptible to confounders that affect both the passage of partisan/demobilising election reforms and the passage of non-partisan/non-demobilising reforms. For instance, if an increased number of veto players results in both fewer partisan reforms and fewer election reforms overall, then this estimation strategy will bias the estimated effect of veto players on partisan election lawmaking downward.

Yearly count measures of the number of partisan and demobilising election reforms are independent of the passage of other election enactments and thus avoid the potential confounding that is present in the legislative-level analysis. It also addresses a slightly different question: what makes partisan/demobilising election reforms more likely to be enacted? This approach has been applied in examining the determinants of voting restrictions in the United States (Bentele & O'Brien, 2013; Hicks et al., 2015). The downside is that legislation-level characteristics cannot be incorporated. The approaches are therefore complimentary in nature and their combination adds robustness to the analysis.

The yearly count analysis spans 1970 to 2020 ($n = 51$), with the annual number of partisan or demobilising election laws the unit of analysis. Diagnostic tests of the dependent variables employed for the yearly count data reveal some amount of over-dispersion (higher variance than means), suggesting that negative binomial estimation might be appropriate. However, a comparison of log-likelihood between Poisson and negative binomial regressions returns a p-value near 1. Therefore, Poisson regression is used to maximize efficiency. In these regressions, electoral competitiveness is measured by subtracting the (electorally) most popular party's vote share from 50 percent.

Table 8 contains Poisson regressions testing yearly counts of partisan election reforms (Columns 1–4, using the binary measure of partisanship) and demobilising election reforms (Columns 5–8). The results are broadly consistent with the legislation-level tests. Near-zero or inconsistent point estimates are observed for all four main independent variables of interest—era, disproportionality, number of veto players, and effective number of parties—and none approach statistical significance. Leverage of non-voters is consistently negative in the demobilising regressions, again suggesting that voting restrictions are more common in high-turnout environments. The evidence linking polarisation and partisan election lawmaking is stronger ($p < .05$ in Column 4). In line with the results of the legislative-level analysis, partisan election reforms become more common in highly polarised legislative environments. Finally, the relationship between Labour government and partisan election lawmaking remains robust ($p < .05$).

Table 8: Poisson regression models

	Dependent variable:							
	Partisan Count				Demobilising Count			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Era (Inter)	−13.49				−16.44			
	(2,001.84)				(3,296.51)			
Era (MMP)	0.41				−0.30			
	(0.96)				(1.49)			
Disproportionality		−0.06				−0.03		
		(0.11)				(0.15)		
Veto Players			−0.00				0.06	
			(0.38)				(0.47)	
Effective parties				−0.74				0.61
				(0.69)				(1.00)
Leverage of non-voters		−0.05		0.06		−0.08	−0.08	−0.08
		(0.09)		(0.09)		(0.16)	(0.17)	(0.14)
Polarisation	0.52*	0.45	0.60*	0.65**	−0.05	−0.06	−0.02	−0.15
	(0.29)	(0.33)	(0.35)	(0.28)	(0.64)	(0.67)	(0.60)	(0.63)
Government majority	0.02		0.01	0.02	0.06	0.06	0.05	0.07
	(0.04)		(0.05)	(0.04)	(0.05)	(0.07)	(0.05)	(0.05)
Electoral competitiveness (vote)	−0.10	−0.12	−0.09		0.05	−0.00	−0.02	
	(0.11)	(0.08)	(0.10)		(0.13)	(0.14)	(0.16)	
Government Party (National)	−1.62**	−1.34**	−1.55**	−1.72***	0.49	0.63	0.58	0.59
	(0.66)	(0.64)	(0.66)	(0.64)	(0.86)	(0.98)	(0.94)	(0.89)
Constant	−0.46	1.71	−0.24	−0.31	−3.24*	−1.38	−1.51	−3.13
	(1.04)	(2.79)	(1.30)	(1.87)	(1.66)	(4.01)	(3.85)	(3.70)
Observations	51	51	51	51	51	51	51	51
Log Likelihood	−32.77	−32.85	−32.97	−32.78	−18.82	−19.04	−19.05	−18.88

Note: *p<0.1; **p<0.05; ***p<0.01
Dependent variable in Models 1–4 is a yearly count of partisan election reforms.
Dependent variable in Models 5–8 is a yearly count of demobilising election reforms
Standard errors in parentheses.

SI12: Extended analysis of explanatory variables

Leverage of Non-Voters

The leverage of non-voters is their potential to alter the election result, under the counterfactual of full participation (Bernhagen & Marsh, 2007). According to Kohler and Rose (2010), it is the difference between the actual and maximum turnout of voters. The lower the turnout rate and therefore the more non-voters there are, the greater their leverage to be decisive, *were they to vote*. In a low turnout/high leverage environment, it is easier for election reforms to increase participation and alter electoral outcomes. It should therefore be more enticing for politicians to pursue (potentially decisive) partisan reforms in these conditions.

Voting-eligible population turnout in New Zealand has gradually declined over the past 50 years, from a high of 85.5 percent in 1981 to a low of 68 percent in the 2011 election (Vowles et al., 2017). The introduction of MMP failed to end this trend (Vowles, 2002, 2010). Diminished turnout means that non-voters in New Zealand now hold more power to sway an election result, were election reforms passed to effectively mobilize them. Statistical tests uncover some evidence that higher leverage of non-voters correlates with more partisan election reforms and with fewer demobilising reforms. Declining turnout may increase incentives for politicians to enact partisan but potentially turnout-boosting reforms while deterring politicians from attempting to further reduce the size of a shrinking electorate.

An alternative explanation for the observed effects focuses on the constraints politicians face due to public opinion. 'Act-contingent considerations' concern the costs of voter affect for election reform, in contrast to 'outcome-contingent considerations', which concern the effects of the law change (Reed & Thies, 2001; Shugart & Wattenberg, 2001). If the public views certain laws as illegitimate—for instance, an enactment that suppresses turnout—they can impose harsh electoral penalties on politicians who enact such laws (Leyenaar & Hazan, 2011). To avoid these penalties, politicians will avoid pursuing demobilising reforms in the first place. In a low-turnout environment, there might be fewer act-contingent constraints for partisan election reforms since less people are attuned to politics. However, electoral participation itself is likely to become a more salient issue in precisely this context, deterring politicians from pursuing demobilising reforms due to fear of public backlash.

Parliamentary Polarisation

Partisan polarisation, or ideological dispersion, is the ideological gap between parties. Greater polarisation in politics generally translates into more partisan lawmaking of every type since there is less common ideological space for cross-party agreement. Polarisation also increases the stakes of elections because the outcome can mark sharp policy divergences. In a 'win-at-all-costs' scenario, partisan election lawmaking becomes more appealing as a mechanism to achieve an electoral advantage.

Polarisation has been on the rise worldwide (Carothers & O'Donohue, 2019) and has found to be higher in PR electoral systems (Sartori, 2005). Gibbons (2011), using comparative manifesto data, finds that parliamentary polarisation has increased in New Zealand since the 1970s. My analysis also reveals an increasing trend, with a one standard deviation increase in average parliamentary polarisation from 1969–93 to 1996–2017 (see SI4). However, this increase has been uneven, with particularly low levels observed in the early 1980s and particularly high levels in the 2000s. In fact, legislative polarisation appears to have attenuated in recent years. This is consistent with Satherley et al.'s (2020) finding that mass polarisation has not increased in New Zealand over the past decade. In line with expectations, there is some evidence linking heightened polarisation with more partisan election lawmaking (especially see SI5 and SI11).

Electoral Competitiveness

Politicians should be incentivised to pursue partisan and demobilising election reforms in close electoral environments, since there is a greater chance that manipulating election laws will prove decisive. Several scholars have proposed this link (Piven et al., 2009; Minnite, 2010) and found evidence for the relationship in the United States (Bentele & O'Brien, 2013; Vandewalker & Bentele, 2015). This analysis fails to evidence such a relationship in New Zealand, however. If anything, the reverse is observed (see SI7 and SI8 in the online appendix). There are a few potential explanations. Measuring competitiveness using the difference between the two highest-polling parties or based solely on the size of the largest or most popular party might fail to capture the realities of a more complex multiparty race, especially under MMP (Kayser & Lindstadt, 2015). Additionally, a more competitive electoral atmosphere might increase the likelihood that parties pursuing election reform will incite public backlash for being viewed as manipulators of the system, akin to the act-contingent constraints described with leverage. If the increased risk of action cancels out the electoral benefits of reform, politicians will eschew partisan election lawmaking in competitive electoral environments. In other words, a strong public culture in New Zealand against partisan manipulation of election laws might influence the timing of political decisions.

Marginalised Subjects with Discordant Preferences

One of the most consistent findings of United States scholarship on election reforms is a link between voting restrictions and race (Bentele & O'Brien, 2013; Minnite, 2010; Overton, 2007; Roth, 2016; Wang, 2012.). The presence of marginalised subjects with discordant preferences seems crucial to creating an incentive to pass voting restrictions (Piven et al., 2009). If these underrepresented groups were to become fully represented at the ballot box, parties would have to change their policy positions and electoral strategy to stay competitive. Doing so would upset their existing electoral coalitions, causing political instability. Parties therefore strive to keep these groups underrepresented to maintain their current coalition structures—and may even join forces with oppositional parties to do so.

Whereas African Americans are the group most frequently targeted by voting restrictions in the United States, Māori may fit a similar paradigm in New Zealand. Māori voters are much more likely to cast their ballot for the Labour party than the National party, fitting the role of a "captured minority" in the FPTP era (Frymer, 1999). They are also more likely to vote for minor parties (Vowles et al., 2017). The analysis uncovers evidence of a connection between Māori and restrictive voting reforms, in line with Ferrer (2020). Three of the seven enacted voting restrictions directly affect Māori voters. An additional two involve prisoner disenfranchisement, a provision that disproportionately affects Māori (Waitangi Tribunal, 2020). Regressions including inter-era enactments show that restrictive voting provisions and Māori-specific voting provisions are likely to appear together. These results suggest that the relationship between marginalised groups and voting restrictions applies in other countries besides the United States.

SI13: References in the online appendix

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