Patterns of Unparliamentary Language in the New Zealand House of Representatives (1890–1950): A Sociolinguistic and Behavioral Analysis from a Community of Practice Perspective

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Abstract

Unparliamentary language is an element of parliamentary discourse. It is the language ruled or signalled to be out of order or likely to cause disorder by the presiding officer of a legislative chamber. This article aims to explain why a specific subset of New Zealand parliamentarians – identified as the 'principal users' of unparliamentary language – repeatedly used language that was contrary to the institutional rules. The discussion draws on the Community of Practice framework developed by Etienne Wenger with a focus on the concept of 'power'. Beginning at 1890, when the party system was established in the New Zealand House of Representatives, the research this article draws on recorded each identifiable example of unparliamentary language over the next sixty years. It was found that four periods as defined by differences in the typical characteristics of users of unparliamentary language emerged: mavericks, loners and bullies, 1891 to 1906; the early socialists, 1906 to 1928; the rise of the New Zealand Labour Party; 1928 to 1935 and full cross-party participation, 1935 to 1949. Parallels with historical research on disorder in the British House of Commons are drawn. The results show the 'principal users' of unparliamentary language used linguistic rule breaking to exert a form of 'power' over individuals and the institution.

Keywords

Parliamentary discourse; unparliamentary language; Community of Practice; members of parliament; disorder; New Zealand

1. Introduction

The term unparliamentary language describes the language used by an MP[1] that is ruled or signalled by the presiding officer of a legislative chamber, the Speaker, to be out of order or likely to cause disorder. In Westminster-style parliaments, such as the

[1] Member of Parliament or MPs for Members of Parliament

New Zealand Parliament, the ancient rules of debate require the use of parliamentary language in a legislative chamber. However, despite the rules, the use of unparliamentary language is relatively common. This apparent rule breaking is often portrayed in the media as examples of MPs' "bad behaviour" (Alomes and Jones, 2009: 162). However, when seen within the context of the Community of Practice framework (Wenger, 1998), it emerges, not as bad behaviour, but a strategic practice favoured by certain individuals or groups.

Large corpora of parliamentary debate can be used to support the study of parliamentary discourse and to research forms of linguistic change in society. For example, conversationalization, described by Fairclough as "the modelling of public discourse upon the discursive practices of ordinary life" (1994, 253) can be seen in the use of animal metaphors by some MPs in the study described here. The diachronic study of a single legislative chamber can also highlight changes in linguistic practices as new individuals and groups are elected and differences in their language are recorded. As an element of parliamentary discourse, the language judged by a Speaker to be unparliamentary is a little researched element of parliamentary discourse. There have been studies of adversarial discourse during Question Time, various forms of interruption, and specific debates, but only a small number have focused exclusively on the language ruled as unparliamentary, or similar parliamentary conventions (Bootsma and Hoetink, 2006; Ilie, 2001, 2004; Salisbury, 2011).

In a survey of the research on parliamentary discourse, Ionescu-Ruxãndoiu drew attention to the variety of theoretical and methodological frameworks that have been used and grouped them broadly into three: parliament as a community of practice, contextualism, and pragma-rhetorical (2012: 5). The Communities of Practice framework, discussed here, was originally developed by Wenger (1998) as a theory of social learning and has been used in studies of parliamentary discourse (Christie, 2002; Harris, 2001; Loginova, 2015; Murphy, 2014; Shaw, 2000, 2011). This body of work reinforces the view that the members of a legislative chamber fulfil the three dimensions required to be a Community of Practice, mutual engagement, a joint enterprise, and a shared repertoire (Wenger, 1998: 73). However, this article will extend the discussion to encompass a wider range of concepts. The aim is to provide an insight into why some MPs – described as 'principal users' – repeatedly used unparliamentary language contrary to the institutional rules. The 'principal users' are defined as the MPs who used the most unparliamentary language in any one parliamentary term, generally three years in length.

The article begins by discussing the procedural history of unparliamentary language. This is followed by an example of unparliamentary language from the New Zealand Parliament with a discussion about the discourse exchange between the MP and the Speaker. Section 3 discusses the methodology used in the study with further information available in Appendices A and B. The Community of Practice framework is discussed in section 4 with a focus on the concepts of 'power', 'participation/non-participation' and 'continuity/discontinuity'. These concepts are used to underpin the discussion about the 'principal users' of unparliamentary language. Section 5 describes the four distinct periods identified from the larger study: mavericks, loners and bullies, 1891 to 1906; the early socialists, 1906 to 1928; rise of the New Zealand Labour Party, 1928 to 1935; and full cross-party participation, 1935 to 1949. In each period different 'principal users' of unparliamentary language are highlighted, their backgrounds discussed and contextualised against the political landscape of the time. The discussion draws together the findings within the context of the Community of Practice framework and highlights 'negotiability of the repertoire' as being applicable to the sub-group of MPs identified as 'principal users'.

2. Procedural background

The New Zealand Parliament was established in 1854. It was based on the British Parliament where the practice of admonishing the use of certain language can be traced to the 16th century. For example, an early procedural guide, *De Republicia Anglorum,* published in 1583, stated that "no reviling or nipping wordes must be used. For then all the house will crie, it is against order" (quoted in Palonen, 2014: 68). The first edition of Thomas Erskine May's *A Treatise upon the Law, Privileges, Procedures and Usage of Parliament,* listed six rules to maintain order that, if breached, could attract a ruling of unparliamentary language. They included that an MP should not "speak offensive and insulting words against the character or proceedings of either house … nor against particular parties or members of the house in which he is speaking" (1844: 198). In New Zealand, the first rule or Standing Order on the use of unparliamentary language was that "no member may use offensive or unbecoming words in reference to any member of the House" (*Standing Orders of the House of Representatives*, 1856: 5).

In the larger study, when the corpus of unparliamentary language was analysed it was found the examples could be categorised as one of three main types: core concepts, personal reflections, and the political environment. Language that featured core concepts - for example, accusations of lying, cowardice or being influenced by others - was always ruled as unparliamentary. The language outside these core concepts may or may not be ruled unparliamentary, depending on the context. This means that the same

language can be judged as unparliamentary on one occasion but not another. Therefore, a diachronic study of unparliamentary language can show changes in both the use of language and the institutional response.

2.1 Example of unparliamentary language

The following extract from the NZPD[2] is an example of a personal reflection and is discussed below.

> Mr KYLE.- ⋯ The honourable gentleman associated with the wrong class of people, apparently ; and now he stands up and seconds this "half-pie" "wowser"[3] amendment. He must be a "half-pie" "wowser" himself to do so.
>
> Mr SPEAKER. – Order. I think that is rather an objectionable word.
>
> Mr KYLE. – All right, Sir ; I withdraw it". (NZPD, 11 Oct 1934, vol 240, 528)

In this example, Herbert Kyle, a Reform Party MP, used the word 'wowser' to describe an amendment to a bill and then repeated it to 'target' the Labour Party MP Robert Semple. The use of 'target' comes from Ilie's study of parliamentary insults to describe the "individual, ⋯ group, ⋯ event or action, and/or an idea or belief" (2001: 247) that the language is directed towards. In the example, the Speaker, Charles Statham, intervened in the debate by using the term 'Order' and then rebuked Kyle because unparliamentary language had been used. Kyle acknowledged the rule breaking by 'withdrawing' the language.

Several unique features of the unparliamentary exchange are illustrated in the example. The first is the effect of its use on the discourse structure. Parliamentary discourse is typically characterised by speeches that alternate for and against a matter before the chamber. The use of unparliamentary language changes the expected order of proceedings and interruptions are often regarded negatively because they disrupt an idealised form of deliberative rhetoric. However, parliamentary discourse is punctuated by many forms of interruptions, so many, that Palonen notes, "within a parliamentary debate, a second-order debate regarding the parliamentary procedure itself can be raised at any moment" (2018: 178).

Secondly, the Speaker comes between the user of unparliamentary language and the 'target' MP, who is not able to respond directly to an accusation. Thirdly, the

[2] New Zealand Parliamentary Debates, commonly referred to as Hansard in Westminster-style parliaments. Digitised copies of NZPD from 1854 are available via the New Zealand Parliament website https://www.parliament.nz/en/pb/hansard-debates/historical-hansard/

[3] In New Zealand English, 'half-pie' meaning "incomplete, mediocre or partly satisfactory" and 'wowser' meaning "a puritan" (Bardsley, 2013: 173, 413).

statement of 'withdrawal', is an apology to the members of the chamber and not the Speaker. It is a form of linguistic repair where acknowledgment of the indiscretion is intended to permit the debate to continue as if the language had not been used. However, despite the procedural act of contrition and agreeing to 'withdraw' the language, any implications made about the 'target' could be expected to linger. This feature was specifically used by some MPs to make accusations about their opponents and then willingly 'withdraw' when required. A refusal by an MP to 'withdraw' the language ruled as unparliamentary defied the authority of the Speaker and could lead to punishments such as suspension from the chamber. Although it had been 'withdrawn', the unparliamentary language was still recorded in the published volumes of debate, often enclosed in quotation marks or separately indexed to reinforce its distinction from the institutional preference for parliamentary language.

3. Methodology

To identify examples of unparliamentary language the printed copies of the NZPD were used as the source. Between 1891 and 1949 there were 288 volumes published. The aim of the larger study was to be as comprehensive as possible in identifying recorded examples but, for many years, unparliamentary language was not indexed. This required a page by page examination that resulted in 2592 examples of unparliamentary language being identified.[4] However, the editorial practices of the time meant some debate was omitted. For example, the first reading speeches and the committee stages of a bill were not reported (Martin, 2004: 54). To manage the data and assist with the analysis, each example of unparliamentary language and associated contextual information were entered into a Microsoft Access database. A data entry template consisting of 35 fields was used to record information about each example, although not all were used every time. As well as the language ruled unparliamentary, information about the MP who used it, their party and role was recorded. The same information was recorded for the 'target' MP, where one was identifiable. There were also pre-established categories in drop-down menus. The search and filter features of the database were used to assist in the analysis of the data. For the database design and data set of unparliamentary language see Appendix B.

4. The Community of Practice framework

The Community of Practice framework was originally developed as a "social theory of learning" (Wenger, 1998: 15). To be regarded a Community of Practice three dimensions in the framework need to be fulfilled. Parliamentary discourse forms part of

[4] The study began in 2010 pre-dating the availability of digitized copies of early New Zealand Hansard.

the third dimension – a shared repertoire – that encompasses both linguistic and non-linguistic elements. This section discusses the concepts of 'power', 'participation/non-participation' and 'continuity/discontinuity' from Part II of *Communities of Practice: Learning, Meaning, and Identity* (Wenger, 1998) that is focused on 'identity'. In section 5 the discussion will highlight the 'principal users' of unparliamentary language and draw on the concepts from the Community of Practice framework for the insights they provide.

4.1 Power

In *Communities of Practice: Learning, Meaning and Identity* Wenger gives the following definition of 'power'.

> Power is not constructed exclusively in terms of conflict or domination, but primarily as the ability to act in line with the enterprises we pursue and only secondarily in terms of competing interests. I will treat issues of power not so much in terms of political institutions or economic systems, which are the traditional focus of theories of power, but in terms of the negotiation of meaning and the formation of identities – that is, as a property of social communities. (1998: 189)[5]

An example of 'power' - given by Wenger - is when a politician accuses another of a lack of patriotism. "An accusation of lack of patriotism works only because it creates a tension between identification and negotiability. It appropriates the meaning of a national identity, with which people generally resonate, in order to score a point in a struggle for power" (1998: 208).

Critics of the Community of Practice framework have highlighted that power relationships within and between communities are referred to in seminal texts, but they are not built into the framework. That omission has led researchers to consider "alternative theoretical perspectives" (Hughes et al., 2007: 173) to account for inequalities of power. For its application in linguistics Barton and Tusting have a similar critique that the "framings provided by theories of language, literacy, discourse and power are central to understanding of the dynamics of communities of practice, but they are not brought out in Wenger's formulations" (2005: 6). Davies drew attention to weaknesses of the framework, particularly in relation to gaining membership into informal communities, where the entry is controlled by gate-keepers operating within a form of hierarchy (2005: 571). Wenger's response to criticisms of the framework has been to reiterate that "it is a learning theory, not a theory of power in general … [it] is a

[5] See Wenger (1998: 284 n.10) for a discussion about theories of power and the Community of Practice framework .

learning-based theorisation of power, which has to do with the definition of competence in social spaces" (Farnsworth et al., 2016: 151). Wenger also extended an invitation to critics to "plug and play a social learning theory with a social theory of structural power to see how power as an inherent dimension of learning interacts with broader structures of power" (Farnsworth et al., 2016: 151).

Establishing where Wenger's concept of 'power' sits, in relation to theories of power, can provide a useful insight. For Hayward, the source of power is social structure because "agents … act in contexts that are structured by rules and laws and norms: social boundaries to action …" (Hayward and Lukes, 2008: 14). Lukes, by contrast, sees the source of power as "an agent-centred concept. The powerful, by this view, are those actors (individual or collective) who can reasonably be held responsible for limits imposed on the freedom of actors" (Hayward and Lukes, 2008: 6). The impasse, in their differing views of structure or agent as the source of power, is addressed by Bates (2010). He argues that critical realism can take the best from each "by defining power in terms of the capacity of an entity due to its intrinsic nature and by defining structures in terms of systems of social relations … power is instantiated in both structure and agency" (2010: 376).

The definition of 'power' in the Community of Practice framework shows it to be agent-centric positioning itself around an individual's choice to direct their energies, to influence the community and maintain their 'identity'. The lack of an explicit statement about structural power, I believe, stems from the choice of workplace for the case study used by Wenger in *Communities of Practice: Learning, Meaning, and Identity* (1998). Throughout the text are references to the experiences of Ariel, a medical insurance claims processor and her colleagues, who work for a fictional employer, the Alinsu Insurance Company. Many structural elements of 'power' are hidden within plain sight because of the formal nature of that Community of Practice. But when the framework is applied to informal situations, as noted by Davies (2005), the deficiencies are highlighted. In the structured environment of a legislative chamber, where the membership is legally defined and the power of the Speaker is vested in institutionally agreed rules, the concept of 'power' as the 'negotiation of meaning' is a useful conceptual tool.

4.2 Non-participation and discontinuity

'Participation' and its dual concept 'non-participation' relate to how an individual chooses to engage with a community. In the Community of Practice framework 'participation' means more than just taking part in activities: there is an emphasis on

active involvement in a community, even if the 'participation' is confrontational or a form of 'non-participation'. These concepts form part of an individual's 'identity' because, "we not only produce our identities through the practices we engage in, but we also define ourselves through the practices we do not engage in" (Wenger, 1998: 164). Importantly, there are different forms of participation depending on an individual's trajectory within the community. For example, the new, established or marginalised member can have different kinds of 'participation' in a community.

The concept of 'discontinuity' is balanced by its dual concept of 'continuities'. They work together to maintain an institutional practice but also to enable changes to be made in response to internal and external factors. A 'discontinuity' in a Community of Practice has been described by Wenger as "destabilizing events" (1998: 98) or a "crisis" (1998: 94). In the face of a 'discontinuity', a Community of Practice does not break down: there is an internal response that acknowledges the existing practice but that also reorganises it in such a way as to move forward and maintain continuity. This concept is important to this discussion because an examination of a single institution over sixty years can identify 'discontinuity' in a Community of Practice. In a legislative chamber 'discontinuity' may be seen in disorderly behaviour including the increased use of unparliamentary language.

5. Principal users of the House of Representatives

A diachronic analysis of the use of unparliamentary language in the New Zealand House of Representatives showed four discernible periods. In each one different individuals or groups emerged as the 'principal users' of unparliamentary language. The following sections discuss each period, providing political context, using illustrative examples and referencing the Community of Practice framework. Studies of the British House of Commons that have found similar results are discussed. Appendix A lists the highest 'principal user(s)' in each New Zealand Parliament during the period of the study.

5.1 Mavericks, loners and bullies, 1891 to 1906

The party-political system was first established in New Zealand following the 1890 general election. The 'principal users' in the early parliaments of the study can be described as mavericks, loners - often with a strong interest in a single-issue - or parliamentary bullies. In this context the term maverick refers to the MP who was unorthodox or independent-minded ("Maverick," 2018). If they were aligned with a political party, they couldn't be relied upon to follow the party-line. In his study of

political roles in the British House of Commons, Searing described maverick MPs as "occasionally unrestrained and irresponsible, and frequently frolicsome, energetic and aggressive" (1994, p. 73). Armitage saw them as "ideological hardliners, [who] show independence from or impatience with authority, and are therefore more immune than other types of MPs to their party whips' carrots and sticks" (2013: 464).

In the New Zealand Parliament, from 1891 to 1893, the 'principal user' was William Buckland who was responsible for 8 of the 52 examples of unparliamentary language. Three examples of Buckland's use of unparliamentary language relate to an incident during a debate on the Oyster-fisheries Bill that contained a controversial export duty clause. In 1892, following the third reading vote, the Liberal minister Hon. Richard Seddon[6] accused several MPs, including Buckland, of saying they supported the bill but had really attempted to prevent it becoming law by obstructing its progress (NZPD, 14 Jul 1892, vol 75, 484). Buckland's strong denial of the allegation attracted several rulings of unparliamentary language. The incident was not forgotten by Buckland and a year later he unexpectedly moved the adjournment of the House, "to show the Premier, who was not Premier last year, that he could not attack either himself or other members of the Opposition without expecting to be answered by them" and "I'll teach you to attack me" (NZPD, 27 Jul 1893, vol 80, 231). Premier Seddon moved for the words to be 'taken down' - a precursor of disciplinary procedures from the Speaker - but the House did not vote in favour of the motion.

Maverick or lone MPs tended to be on the margins of a political party, or to leave one to become an independent. Some strongly promoted a single-issue such as prohibition. For example, Frederick Pirani was an MP from 1893 to 1902 and his political affiliations were listed as a Liberal, Independent and Conservative consecutively (Wilson, 1985: 227). He was also interested in a single-issue with a long involvement in the education system (Oliver, 2014). In response to a comment made about his wife breaking an umbrella over his head in a public place he accused Premier Seddon of circulating a 'slander' about his marriage. Although Pirani's marital problems were common knowledge, he refused to 'withdraw' the term 'slander' and was suspended from parliament for a day by the Speaker (NZPD, 12 Oct 1900, vol 115, 151-162).

The undisputed parliamentary bully of the period was Premier Seddon who used his extensive knowledge of parliamentary procedure to dominate the House in the absence of an established opposition party and "at his peak he exercised almost one-man, one-party rule" (McLean, 2014). His unparliamentary language was often directed at a disaffected or lone MPs by making allegations about their personal lives public or

[6] The Hon. Richard Seddon became Premier in 1893.

creating a distraction in the House. For example, when a procedural irregularity in a vote and accusations of misrepresentation were directed at Seddon, he took the opportunity to respond to an interjection of 'rats' from a new MP, Edward Moss. Seddon replied with the unparliamentary language, "the honourable knight of cocoanuts is talking about rats" (NZPD, 28 Oct 1905, vol 135, 1248). This was an oblique reference to disputed land interests of the MP's family in the Cook Islands. This caused the Speaker to intervene in the debate and served Seddon by deflecting attention from the immediate accusations and also as a warning that he was prepared to expose personal information in public.

In this early period some of the 'principal users' of unparliamentary language were individuals who, for a variety of reasons, wanted to stand out from other MPs. For the single-issue representative, such the prohibitionist MP speaking in a debate on alcohol reform, the use of unparliamentary language enabled them to demonstrate their passion and show their connection to supporters outside the chamber. In the Community of Practice framework this is an example of the 'mode of alignment', a connection of "energies, actions and practices" (Wenger, 1998: 179) that has an element of 'power' because individuals have a choice of where to direct their energy.

A main factor during this period was Premier Seddon who used unparliamentary language in a way that was not replicated by anyone else in the period of the study to 'target' individuals and signal a warning to others not to challenge him. In this way, and others, such as his command of *Standing Orders*, he exerted his influence over the House to achieve his objectives and to neutralise opposition. For Seddon 'power' resided in his 'identity' as Premier and his drive to advance his party's agenda but at the expense of fostering 'negotiation'. This imbalance, a 'discontinuity' in the Community of Practice, was expressed in his high use of unparliamentary language and his 'targeting' by MPs in return. Seddon's premature death in 1906 had an immediate impact on the number of examples of unparliamentary language. Such had been his influence that in the 15th Parliament, from 1903 to 1905, unparliamentary language was used a total of 73 times and in the next, only 25 times. It wasn't until the 18th Parliament, from 1912 to 1914, that the numbers overtook that of Seddon's Premiership.

5.2 The early socialists, 1906 to 1928

From 1911 a small number of MPs were elected to parliament who were described as Labour, Socialist or Social Democrat in newspaper reports at the time of their election (Wilson, 1985: 177). They had a discernible effect on the language in the chamber because their vocabulary was different. Most of these MPs went on to join the New Zealand Labour Party when it was founded in 1916.

One ‘principal user’ was John Payne, an accountant and auditor, who represented the electorate of Grey Lynn from 1911 to 1919. Like some of the MPs described in the previous section his political affiliations were fluid, but he came to align himself with the Social Democrat Party. He was described as “an eloquent, witty and fiery” speaker who “often took unexpected and dogmatic positions on issues” (Gustafson, 2013). During World War I his unparliamentary language ‘targeted’ members of the coalition Liberal-Reform government and he was suspended from parliament on three occasions for not ‘withdrawing’. Examples of his unparliamentary language included, “you miserable dodger” (NZPD, 11 Nov 1913, vol 166, 706), and “you are becoming a professional crawler” (NZPD, 30 Aug 1917, vol 179, 788). Known to be a “loud, frequent and effective interjector during parliamentary debates” (Gustafson, 2013) his use of unparliamentary language abruptly ceased and two years later he retired from parliament. This change in Payne’s behaviour suggests that using unparliamentary language was not an entrenched aspect of his rhetorical style but a strategic and politically motivated use of language.

Alfred Hindmarsh, the first leader of the New Zealand Labour Party, was elected to parliament in 1911. His political career was cut short when he died during the 1918 influenza outbreak. Like some of the early Labour MPs he was born in Australia and he was rebuked several times for using the term ‘cur’ and saying that another MP was “like a poodle, following the Prime Minister wherever he goes” (NZPD, 25 Jul 1913, vol 163, 105). His successor as Labour Party leader was Harry Holland, also an Australian by birth. Holland and the Labour MP, James McCombs, were the ‘principal users’ of unparliamentary language in the 20th Parliament, from 1920 to 1922, each with eight rebukes from the Speaker.

The number of Labour Party MPs increased from 8 to 17 following the 1922 general election (Atkinson, 2003: 247–248). Two of the newly elected Labour MPs, Frank Langstone and Hubert (Tim) Armstrong, were identified as ‘principal users’ eight times throughout their parliamentary careers. In his 24 years in parliament, as both a backbench MP and minister, Frank Langstone was rebuked for using unparliamentary language on 118 occasions, the second highest total by a single MP after Robert Semple who is discussed in 5.3. He was a small businessman, had received little education, but read extensively and was regarded as a “brilliant orator, with a tenacious memory” (Verran, 2013). His use of unparliamentary language was not only prolific but insightful and amusing. For example, he was rebuked for saying, “we all know about the greatness of the honourable member for Remuera, and we all appreciate his talents, but I can assure him that, so far as his knowledge of the Labour movement is concerned, his brains could revolve inside a peanut shell for a thousand years without touching the sides” (NZPD, 14 Jul 1949, vol 285, 429).

The ‘principal users’ transitioned from the single-issue outsider to a discernible sub-group of Labour MPs. The impact of these ideologically driven Labour MPs in the New Zealand Parliament was not dissimilar to the disorder in the British House of Commons in the 1920s, as described by Judge.

> Whilst the ‘Labour Party spent most of [this decade] educating the movement in the niceties of parliamentary politics’ there were radical elements within the House which were unwilling to accept the ‘autocratic embrace’ of Westminster politics. The arrival of a radical contingent of ILP[7] recruits from Clydeside determined ‘to make the House of Commons resound with the echo of working class grievances’ guaranteed stormy scenes within the chamber.⋯The ‘wild men’ of the ILP deliberately sought to disrupt the proceedings of the Commons. (1992: 548–549)

The use by Judge of the term ‘wild men’ strongly resonates with the angry rhetoric also captured in the pages of NZPD by the Labour MPs of the 1920s. This reflects both a ‘mode of alignment’, where MPs from the same party coordinated their use of language, and the ‘mode of imagination’, a concept that connects a Community of Practice with others that share the same political philosophy (Wenger, 1998: 173-174). Although the overall use of unparliamentary language in the New Zealand House of Representatives was relatively low during this period, the ‘non-participation’ of some Labour MPs in the institutional preference for parliamentary language would set the scene for a period of ‘discontinuity’.

5.3 Rise of the New Zealand Labour Party, 1928 to 1935

The general election, held in November 1928, represents a divide between the occasional use of unparliamentary language and its escalation to become a more established and strategic element of New Zealand parliamentary discourse. In 1928 three political parties vied for power, the Reform Party, the United Party (earlier known as the Liberal Party) and the emerging Labour Party. Following the 1928 election the Reform Party took office but was defeated in a vote of no-confidence by the United Party, with the support of the Labour Party. However, during the 23rd Parliament, the relationship between the United and Labour Parties deteriorated and Labour Party MPs unleashed a verbal attack on the United Government that meant the number of examples of unparliamentary language by a single party in a parliament reached triple figures for the first time. In 1931, near the end of the parliamentary term the ‘three party system’ was resolved by the fusion of the two non-Labour parties into a United-Reform Coalition. This consolidated the voting options and acted as a block on the Labour Party

[7] Independent Labour Party

gaining office in the 1931 general election. In the 24th Parliament, from 1932 to 1935, the use of unparliamentary language by Labour Party MPs exceeded that of the previous one and they were responsible for 374 of the 476 recorded examples. In this time of economic and political instability the government was the main 'target'. This is illustrated in the following Table 1 that presents a selection from 99 instances of unparliamentary language used by Labour Party MPs that included the term 'government'. The unparliamentary aspect of the language is highlighted in bold type.

Table 1. Selected unparliamentary language by Labour Party MPs, 1930 to 1935

Phrase including the term government			NZPD reference
the	Government	is so **dense**	15 Jul 1930, vol 224, 276
the	Government	is so **weak**	24 Oct 1930, vol 226, 1201
sheep sitting on the	Government	benches	2 Jul 1931, vol 228, 154
the	Government	is **frightened**	7 Jul 1931, vol 228, 274
the present	Government	has not **backbone** enough	1 Sep 1931, vol 229, 574
the	Government	has the "wind up" and it is **afraid**	5 May 1932, vol 232, 513
wicked on the part of the	Government		26 Oct 1933, vol 236, 722
the	Government	has been **two-faced**	11 Dec 1933, vol 237, 854
cursed by a **rotten**	Government		26 Sep 1935, vol 242, 685
a **dunderhead**	Government	in office	26 Sep 1935, vol 242, 690

In the 23rd and 24th Parliaments the same three Labour Party MPs were the 'principal users': Robert (Bob) Semple, Hubert (Tim) Armstrong, and Frank Langstone (discussed in 5.2). Semple was an Australian by birth and he was involved with the union movement and the mining industry. Noted for his "extravagant rhetoric" (Richardson, 2012) his use of unparliamentary language exceeded that of any of his contemporaries. He was frequently rebuked for using the terms 'insult', 'scandal', 'crooked' and 'untrue' including this phrase directed at the United-Reform Government, "how can decent men listen to such cant, humbug, hypocrisy, and somersaulting?" (25 Oct 1934, vol 240, 835),

Like Semple, Hubert Armstrong was a miner and trade unionist. He was elected to parliament in 1922 and was “quick and assertive in debate, and occasionally abrasive” (McAloon, 2013). His unparliamentary language had many examples that included animals: cats, dogs, donkeys, fish, rats and birds. He also used unparliamentary language to disrupt the flow of debate by cutting off another MP’s speech with an interjection such as, “listen to the fungus farmer from New Plymouth” (22 Sep 1936, vol 247, 307).

The increase in the use of unparliamentary language during the 23rd and 24th Parliaments represents a significant ‘discontinuity’ in the Community of Practice of the legislative chamber. The unstable political situation, set against the background of the Great Depression, fuelled the use of unparliamentary language by Labour MPs to attack the government and challenge the institutional rules of parliament itself. A similar increase in disorder was noted by Judge (1992) in his study of the British House of Commons when Margaret Thatcher was Prime Minister. Described as the ‘frustration’ parliaments, “the hard left of the Labour Party in the 1980s ⋯ imitate[d] their left- wing forebears in the ILP with a sustained assault upon those rules of the House which curbed opposition in the literal sense of ‘withstanding, resisting, obstructing and rejecting’ government policy” (Judge, 1992: 549). Judge concluded that Thatcher’s autocratic style contributed to the disorder and showed “the conditions under which parliamentary procedures come under strain” (Judge, 1992: 552). The parallel with the Premiership of Seddon in New Zealand is unmistakable (see 5.1) as an imbalance in ‘identity’ and ‘power’ introduced into a democratic institution by an autocratic style can produce a ‘discontinuity’ in the Community of Practice reflected in forms of disorder such as unparliamentary language. In her study of the House of Commons Armitage found that the disorder of ‘frustration’ parliaments “set a new threshold, a ‘new normal’” (2013: 459) after which the numbers of examples dropped but never returned to previous levels. This phenomenon can also be observed in the New Zealand House of Representatives (see Appendix A). The numbers of examples of unparliamentary language in the early part of the study were consistently under one hundred, dramatically increasing in the 23rd and 24th Parliaments and thereafter not returning to pre-1928 levels.

As noted above, during this period, the ‘principal users’ were Labour Party MPs who unleashed an unprecedented verbal attack on the United-Reform Coalition. Of the 741 recorded examples in the 23rd and 24th Parliaments, 539 were by Labour MPs. With

a combined total of 253 examples from the MPs Armstrong, Langstone and Semple, a new group of 'principal users' emerged which can be termed 'loyal lieutenants'. This group approach had not been seen since the 1905 attack on Premier Seddon by a Liberal Party splinter group, the New Liberal's. Importantly, the barrage of unparliamentary language over these two parliaments was not equally reciprocated by the Coalition MPs. By contrast, Table 2 shows that from the 25th to the 27th Parliaments the frequency of use of unparliamentary language by the two main parties was relatively even. There was only a difference of 40 or less examples between them over the course of each of these three parliaments. However, this changed again in the 28th Parliament as discussed further in 5.4.

Table 2. Frequency of unparliamentary language by the main parties, 1928 to 1949

Parliament and years	Government in power	New Zealand Labour Party UPL[8]	Reform, United, United-Reform Coalition, National Party UPL
23rd, 1928-1931	Reform, United, United-Reform	165	48 (Reform) 28 (United)
24th, 1932-1935	United-Reform	374	82 (Coalition)
25th, 1936-1938	Labour	111	72 (National)
26th, 1939-1943	Labour	120	83 (National)
27th, 1944-1946	Labour	140	111 (National)
28th, 1947-1949	Labour	159	235 (National)

5.4 Full cross-party participation, 1935 to 1949

The last period discussed here encompassed the four parliaments of the first Labour Government that began with their election in 1935 and ended with their defeat in 1949. In 1936 the New Zealand National Party was formed from the merger of the United and Reform Parties. During this period there was a change in the use of unparliamentary language as the 'principal users' came from both the government and opposition parties with a mix of long-standing 'principal users' - mainly from the Labour Party - and groups of 'loyal lieutenants'.

In all but one parliament in this period the opposition National Party MPs were the 'principal users'. The three National Party 'principal users' were: William Polson, Frederick Doidge and William Sheat. Collectively they used unparliamentary language 97

[8] Unparliamentary language.

times with 38 intended to discredit the government. Polson had a strong interest in the rural sector and was first elected to parliament in 1928 as an Independent candidate but joined the National Party in 1936. As an Independent MP he used unparliamentary language eight times in seven years but in the 25th Parliament, 1936 to 1938, he was reprimanded 16 times for expressions 'targeting' the Labour Government. Doidge had a background in journalism and publishing and like Polson was the 'principal user' of unparliamentary language for just one parliament, the 26th from 1939 to 1943. In the 28th Parliament the third National Party 'principal user' was Sheat who stood for parliament for the Labour Party and an Independent candidate before successfully being elected as a National Party MP. The changeable political allegiances of these MPs are not unlike the mavericks and loners described in 5.1. Table 3 lists some of the unparliamentary language used by these three MPs to 'target' the Labour Government.

Table 3: Selected unparliamentary language by National Party MPs, 1936 to 1949

Language used by Polson, Doidge, or Sheat	NZPD reference
reeking with the odour of sanctimoniousness	5 May 1936, vol 244, 809
their hearts are not in the cause we are fighting for	19 Jun 1940, vol 257, 230
we know the standard of intelligence is not very high	27 Aug 1941, vol 260, 334
a lot of tired old men	14 Oct 1942, vol 261, 649
half a dozen hypnotized rabbits on the other side	1 Sep 1949, vol 287, 1801

In the 27th Parliament, 1944 to 1946, all three of the 'principal users' were Labour MPs: Arthur Richards, Arthur Osborne and James Thorn. Unlike the National Party 'principal users' - who were relatively new MPs – these Labour Party MPs had been in parliament since the 1930s but consigned to backbench positions because many other Labour veterans had claims on cabinet positions (McAloon, 2014). The highest user, Richards, was elected to parliament in 1931 after several unsuccessful attempts. He used unparliamentary language throughout his parliamentary career with many refute expressions such as: 'not true', 'not game', 'untrue' and 'rubbish'. In the 27th Parliament he was rebuked for targeting two of the National MPs discussed above. Referring to Sheat he said, "the honourable member's farm in Taranaki is a disgrace" (27 Jul 1944, vol 265, 34) and called Doidge "the explosive dynamite from Tauranga" (23 Jul 1946, vol 273, 585).

This final period shows a significant change with the formation of the New Zealand National Party from the fusion of the Reform and United Parties, enabling them to establish a new 'identity' in opposition. The effect of this change can be traced in Table 2. From the 25th Parliament on there is an upward trajectory in the frequency of

unparliamentary language from the National Party MPs. The formation of the opposition National Party saw their adoption of unparliamentary language as a political strategy by a group of 'loyal lieutenants' 'targeted' at the government. This embedded its use as a practice of both major political parties. In the 1949 General Election there was a change of government when the "National Party swept to power with 52 per cent of the vote and 46 of the 80 seats in the House" (Atkinson, 2003: 162).

From 1890 to 1950 the transition of the 'principal users' of unparliamentary language from the individual MP, to predominately one political party and finally the whole Community of Practice provides an example, in Wenger's schema, of a 'learning community'. In a 'learning community' marginal practices can become integrated into core practices by "identities that can play with participation and non-participation" (Wenger, 1998: 216). This process is evident through the late 1920s and 1930s as Labour Party MPs actively used unparliamentary language to attack the government. By the 1940s the use of unparliamentary language had increased, was used by both parties and in politically strategic ways by groups of MPs. Over time, the marginal practice of a few individuals had been drawn into the fabric of established practices of the community.

6. Discussion

In the beginning of the period reviewed here the 'principal users' of unparliamentary language were maverick personalities, bullies, single-issue promoters, loners or outsiders on the margins of parties or with ambiguous party allegiances. The election of the early socialist and Labour Party MPs introduced a new cohort with different language and a less respectful attitude to institutional rules. For most of the remaining period a select group of Labour MPs dominated the use of unparliamentary language. A range of reasons why MPs used unparliamentary language included: deliberately 'targeting' another MP, demonstrating a passion for an issue to an outside audience, intentionally disrupting proceedings to delay or deflect attention, or mounting a strategic group attack on another party.

The study of unparliamentary language in the New Zealand House of Representatives not only produced a corpus of examples: the use of a relational database to contextualise and link each one to a parliament, an MP, a 'target' or an outcome greatly assisted the analysis. The Community of Practice framework, especially the relatively unexplored concepts of 'identity', 'power', 'participation/non-participation' and 'continuity'/'discontinuity', were fruitful to provide further insights. From this combination of approaches the 'principal users' of unparliamentary language in the New Zealand Parliament emerged, not as a separate Community of Practice, but a sub-group

who shared one dimension of 'competent membership', the 'negotiability of the repertoire' (Wenger, 1998: 137).

It was shown the use of unparliamentary language was a form of 'non-participation' in the preferred institutional practice of parliamentary language. While the language ruled as unparliamentary by a Speaker is a part of the 'shared repertoire', the procedural rules meant its use was managed by the established conventions of 'withdraw and apologise' discussed in section 2. However, despite the rules, the use of unparliamentary language was relatively common. This indicated that using unparliamentary language exercised a form of 'power' that directed energy towards the maintenance or promotion of 'identity'. The 'principal users' were prepared to enter into a 'negotiation of the repertoire' directly with the institution, as represented by the Speaker. 'Negotiability of the repertoire' is defined as:

> The ability to make use of the repertoire of the practice to engage in it. This requires enough participation (personal or vicarious) in the history of a practice to recognize in it the elements of its repertoire. Then it requires the ability – both the capability and the legitimacy – to make this history newly meaningful. (Wenger, 1998: 137)

The users of unparliamentary language followed the rules of debate and used parliamentary language - most of the time. However, they chose to 'make use' of the full 'shared repertoire' of both parliamentary and unparliamentary language recognising that 'power' can reside in 'non-participation' or rule breaking. The 'principal users' also recognised the 'history of the practice' and that willingly withdrawing the language would attract few repercussions. Section 5 showed the 'principal users' of unparliamentary language changed over time from the maverick or lone MP to groups as a part of a political strategy. Within the context of the definition, this transition changed the practice to one that was used by both major parties making it 'newly meaningful'.

6. Conclusion

To an observer of parliamentary proceedings, the use of unparliamentary language in the legislative chamber can appear to be an isolated linguistic slip or an example of bad behaviour. The aim of this article was to give insight into why the 'principal users' repeatedly used unparliamentary language when it was contrary to the institutional rules. It was found their 'non-participation' in the institutional practice of using parliamentary language was a form of agent-centric 'power' that was closely tied to their 'identity' and a 'negotiation of meaning' within the Community of Practice. It has shown that law makers have strategically used procedural rule breaking as a way to

'target' others, disrupt proceedings and then to 'repair' the discourse with a simple 'withdrawal'. The study has also reinforced research on disorder in the British House of Commons to suggest that increased use of unparliamentary language indicates a 'discontinuity' within the Community of Practice.

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Appendix A: Principal users of unparliamentary language New Zealand House of Representatives, 11th to 28th Parliaments

Parliament and years	Government in power	Total UPL	MP(s) with the highest UPL use	Political affiliation[9]	Number of UPL
11th, 1891-1893	Liberal	52	Buckland, W.	Conservative	8
12th, 1894-1896	Liberal	34	Pirani, F.	Liberal / Independent	4
13th, 1897-1899	Liberal	92	Fisher, G. Seddon, R.(P)	Liberal Liberal	7 7
14th, 1900-1902	Liberal	50	Pirani, F.	Conservative	10
15th, 1903-1905	Liberal	73	Taylor, T.	Independent Prohibition	16
16th, 1906-1908	Liberal	25	Fraser, A. Massey, W.(LO)	Liberal Reform	3 3
17th, 1909-1911	Liberal	54	Laurenson, G.	Liberal	6
18th, 1912-1914	Liberal(NC), Reform	119	Payne, J.	Socialist	18
19th, 1915-1919	Reform, National Cabinet	93	Hindmarsh, A.	Labour	18
20th, 1920-1922	Reform	49	Holland, H.E. McCombs, J.	Labour Labour	8 8
21st, 1923-1925	Reform	54	Langstone, F.	Labour	8
22nd, 1926-1928	Reform	74	Armstrong, H.	Labour	10
23rd, 1928-1931	Reform(NC), United, United-Reform	258	Semple, R.	Labour	30
24th, 1932-1935	United-Reform	476	Semple, R.	Labour	73
25th, 1936-1938	Labour	191	Polson, W.	National	17

[9] Taken from Wilson, (1985: 179–247).

26th, 1939-1943	Labour	212	Doidge, F.	National	17
27th, 1944-1946	Labour	254	Richards, A.	Labour	25
28th, 1947-1949	Labour	394	Sheat, W.	National	19

Key: NC= No Confidence vote, P=Premier, LO=Leader of the Opposition

Appendix B: Supplementary data

Database design: https://doi.org/10.6084/m9.figshare.8019092.v1

Dataset: https://doi.org/10.6084/m9.figshare.8019086.v1

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